

March 10, 2015

Via E-mail

Kenyon McDuffie, Chairperson
Council of the District of Columbia
Committee on the Judiciary
1350 Pennsylvania Avenue, NW
Washington, DC 20004
kmitchell@dccouncil.us
Attention: Kate Mitchell, Committee Director

Dear Chairperson McDuffie,

Enclosed you will find the DC Office of Human Rights' (OHR) responses to your questions in advance of the performance oversight hearing to be held March 12, 2015.

1. Please provide, as an attachment to your answers, a current organizational chart for the agency with the number of vacant, frozen, and filled FTEs marked on each box. Include the names of the Language Access Director, Citywide Bullying Program Director and all senior personnel, if applicable. Also include the effective date on the chart.

Response: See Attachment 1.

- (a) Please provide an explanation of the roles and responsibilities for each division and subdivision.

Response:

Office of the Director – This division is the operational center of the agency with broad management of day-to-day and long-term functional needs of the agency. This division ensures the agency meets all performance outcomes and has two programs: Human Resources and Administrative Services.

Human Resources - This subdivision coordinates and performs various administrative and operations based activities on behalf of the agency Director. This subdivision manages and performs all human resource, payroll, and labor relations functions for the agency, as well as serves as ADA coordinator for the agency. This subdivision manages the credit card and travel portfolio, customer service, and front desk operations.

Administrative Services – This subdivision is responsible for planning, developing, managing, and coordinating the administrative functions of the agency or assigned areas including administrative services, fiscal reporting and management, procurement and supply management, facility management, and information technology.

Office of the General Counsel – This division provides legal advice and representation for the agency. This division advises the agency Director and other personnel regarding legal activity and also provides legal sufficiency reviews for all final decisions and Orders issued by the agency.

Citywide Youth Bullying Prevention Program – This division works to ensure compliance with the Youth Bullying Prevention Act of 2012 and aims to ensure schools, youth-serving agencies, and youth-serving government grantees create and implement bullying prevention policies based on best practices.

Commission on Human Rights – This division reviews cases certified by OHR when probable cause to believe discrimination has occurred is found after an investigation. This division recommends a final determination to a panel of three Commissioners appointed by the Mayor who will agree with or modify the determination.

Investigation and Mediation – This division ensures individuals who believe they have experienced discrimination in the District can file a complaint with our office. This division will mediate and/or investigate the complaint cost-free to the Complainant.

Language Access Program – This division works to ensure compliance with the Language Access Act of 2004 and builds the capacity of District agencies to ensure they communicate with limited or non-English proficient customers in their preferred language. This division also works closely with OHR investigators when complaints are filed with OHR.

Policy and Communications – This division develops policy and awareness initiatives and conducts extensive outreach to proactively prevent discrimination and educate the public about civil rights laws.

(b) Please provide a narrative explanation of any changes made during the previous year.

Response:

Mónica Palacio was appointed OHR Director on November 3, 2013 and reappointed by Mayor Muriel Bowser on January 29, 2015.

Sunu Chandy was appointed OHR General Counsel on September 22, 2014.

Winta Teferi was appointed Language Access Director on December 15, 2013.

2. Please provide, as an attachment, a Schedule A for the agency, which identifies all employees by title/position, current salaries, fringe benefits, and program office, as of January 15, 2014. This Schedule A should also indicate if the positions are continuing/term/temporary/contract and whether they are vacant or frozen positions.

Response: See Attachment 2.

3. (a) For fiscal year 2014, please list each employee whose salary was \$110,000 or more. Provide the name, position title, and salary. Also, state the amount of any overtime and also any bonus pay for each employee on the list.

Response:

EMPLOYEE NAME	POSITION TITLE	SALARY	OVERTIME/BONUS
Monica Palacio	Director	\$147,308.54	\$0
David Simmons	Chief Administrative Law Judge	\$114,358.84	\$0
Sunu Chandy	Supervisory Attorney Advisor (General Counsel)	\$139,050.00	\$0

- (b) For fiscal year 2015 (to date), please list each employee whose salary was \$110,000 or more. Provide the name, position title, and salary. Also, state the amount of any overtime and also any bonus pay for each employee on the list.

Response:

EMPLOYEE NAME	POSITION TITLE	SALARY	OVERTIME/BONUS
Monica Palacio	Director	\$147,308.54	\$0
David Simmons	Chief Administrative Law Judge	\$114,358.84	\$0
Sunu Chandy	Supervisory Attorney Advisor (General Counsel)	\$139,050.00	\$0

4. Please list in descending order the top 25 overtime earners in your agency in fiscal year 2014. For each, state the employee's name, position or title, salary, and aggregate overtime pay.

Response: None

5. For fiscal years 2013, 2014, and 2015 (to date), please provide a list of employee bonuses or special award pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

Response: None

6. For fiscal years 2014 and 2015 (to date), please list all intra-District transfers to or from the agency.

Response:

Program	Project Name	Description	Transfer to	FY14 Billed Amount	FY15 Advanced Amount
Equal Justice Program	Telephone Service	RTS – Phone Service	Office of Finance and Resource Management (OFRM)	\$0	\$0
Equal Justice Program	Legal Services	Legal Services	Office of the Attorney General (OAG)	\$23,122.00	\$0
Various	Fleet	Fleet	Department of Public Works (DPW)	\$3,129.00	\$0
Various	Procurement Purchases	Purchase Card	Office of Contracting and Procurement (OCP)	\$69,060.00	\$32,174.00
Various	OCTO Assessment	IT Service Charges	Office of the Chief Technology Officer (OCTO)	\$33,661.00	\$1,000.00
Equal Justice Program	Sign Language Interpretation	Sign Language Interpretation	Office of Disability Rights (ODR)	\$2,755.00	\$0

7. For fiscal years 2014 and 2015 (to date), please identify any special purpose revenue funds maintained by, used by, or available for use by your agency. For each fund identified, provide: (1) the revenue source name and code; (2) the source of funding; (3) a description of the program that generates the funds; (4) the amount of funds generated by each source or program; and (5) expenditures of funds, including the purpose of each expenditure.

Response: None

8. Please list all memoranda of understanding (MOU) entered into by your agency during fiscal years 2013, 2014, and 2015 (to date), as well as any memoranda of understanding currently in force. For each, indicate the date entered and the termination date.

Response:

FY13 MOUs PURPOSE	AGENCY	DATE ENTERED	TERMINATION DATE
Sign Language Services	DC Office of Disability Rights (ODR)	October 1, 2012	September 30, 2013
Support Services for OAG Attorneys assigned to OHR	Office of Attorney General (OAG)	October 1, 2012	September 30, 2013
Fleet Share Services	Department of Public Works (DPW)	October 1, 2012	September 30, 2013

FY14 MOUs PURPOSE	AGENCY	DATE ENTERED	TERMINATION DATE
Sign Language Services	DC Office of Disability Rights (ODR)	October 1, 2013	September 30, 2014
Support Services for OAG Attorneys assigned to OHR	Office of Attorney General (OAG)	October 1, 2013	September 30, 2014
Fleet Share Services	Department of Public Works (DPW)	October 1, 2013	September 30, 2014
Investigation and Resolution of citizenship and national origin discrimination	United States Department of Justice – Office of Special Counsel for Immigration-Related Unfair Employment Practices (DOJ-OSC)	September 11, 2014	None

FY15 MOUs PURPOSE	AGENCY	DATE ENTERED	TERMINATION DATE
Sign Language Services	DC Office of Disability Rights (ODR)	October 1, 2014	September 30, 2015
Fleet Share Services	Department of Public Works (DPW)	October 1, 2014	September 30, 2015
Investigation and Resolution of citizenship and national origin discrimination ¹	United States Department of Justice – Office of Special Counsel for Immigration-Related Unfair Employment Practices (DOJ-OSC)	September 11, 2014	None

9. Please list the ways, other than memoranda of understanding, in which the agency collaborated with analogous agencies in other jurisdictions or on the federal level, or with non-governmental organizations in fiscal years 2013, 2014, and 2015 (to date).

Response:

United States Equal Employment Opportunity Commission (EEOC)

DC OHR has a recurring work sharing agreement with the United States Equal Employment Opportunity Commission (EEOC). This work sharing agreement reflects OHR's commitment to investigate and/or resolve charges of discrimination which allege violations of overlapping Federal and District anti-discrimination laws regarding employment. OHR has partnered with US EEOC for investigator training in FY13, FY14, and FY15.

United States Department of Housing and Urban Development (HUD)

DC OHR has a recurring work sharing agreement with the United States Department of Housing and Urban Development (HUD). This work sharing agreement reflects OHR's commitment to investigate and/or resolve charges of discrimination which allege violations of over Federal and District anti-discrimination laws regarding fair housing. In FY13, OHR received grant funding to expand fair housing awareness and determine current housing practices among several financial institutions. In FY14, OHR received grant funding to conduct 46 fair housing trainings for tenant organizations in collaboration with Housing Counseling Services.

¹ DC OHR has a memorandum of understanding the United States Department of Justice – Office of Special Counsel (DOJ). This memorandum of understanding reflects OHR's commitment to investigate and/or resolve charges of discrimination which allege violations of overlapping Federal and District anti-discrimination laws based upon citizenship and national origin. This MOU was entered into on September 11, 2014 and has no termination date. This MOU involves no exchange of funds.

United States Department of Education (DOE)

In FY13, OHR held a Twitter Town Hall on bullying prevention with this Federal agency.

Equal Rights Center

In FY13, FY14 and FY15, OHR partnered with Equal Rights Center for its annual fair housing symposium, and contracted with the organization for language access and housing discrimination testing.

RFK Center for Justice and Education

In FY13, OHR contracted with the organization to help analyze and implement bullying prevention policies created as a result of the Youth Bullying Prevention Act of 2012. In FY14, OHR contracted with the organization and Child Trends to release a report based on that prior analysis.

Child Trends

In FY14, OHR contracted with the organization and the RFK Center for Justice and Education to analyze bullying prevention policies at schools and agencies and to write “Bullying Prevention in DC Educational Institutions: Compliance Report for School Year 2013 – 2014,” which was released in September 2014.

Housing Counseling Services

In FY14, OHR conducted 46 fair housing trainings for tenant organizations with the organization as part of a US Department of Housing and Urban Development grant.

Other Jurisdictions *Fairfax County, Alexandria, Prince William County, Arlington*

In FY13, OHR partnered with these jurisdictions for investigator training.

10. Please provide, as an attachment, a list of all budget enhancement requests (including, but not limited to capital improvement needs) for fiscal years 2014 and 2015 (to date). For each, include a description of the need and the amount of funding requested.

Response:

Title	Description of Need	Amount
Investigation and Mediation Support for cases filed under unemployment status	To support one FTE to act as an investigator and provide mediation support for cases filed under the Unemployment Anti-Discrimination Act of 2012.	\$81,689.00

11. Please list in chronological order every reprogramming in fiscal year 2014 and fiscal year 2015 (to date) of funds into and out of the agency. Include a “bottom line” – the revised, final budget for your agency. For each reprogramming, list the date, the amount, the rationale, and the reprogramming number.

Response:

Date	Amount	Rational	Reprogramming Number
11/23/2013	\$65,353.00	To fund COLA	BJCOLAHM
2/25/2014	\$50,000.00	To fund anti-bullying contract	BJSVAGCY
03/24/2014	\$100,000.00	To fund the language access program support, bullying prevention contract, legal services, community outreach partnership, office equipment, and office supplies	BJHM2HM0
08/12/2014	\$75,000.00	To fund legal services, bullying prevention campaign and database, professional services, language access media campaign	BJHM075K

12. (a) Please list each grant or sub-grant received by your agency in fiscal year 2014 and fiscal year 2015 (to date). List the date, amount, and purpose of the grant or sub-grant received.

Response:

FY14 Grants Name	Amount	Purpose	Start	End
Equal Employment Opportunity Commission (EEOC)	\$213,950.00	To aid EEOC in meeting its statutory mandate to enforce Title VII, ADEA, ADA, GINA, at the State and Local level.	10/1/13	09/30/2014
Housing and Urban Development (HUD) Fair Housing Assistance Program	\$92,700.00	To aid HUD in meeting its statutory mandate to enforce Title VIII/Fair Housing Act at the State and Local level.	10/01/13	09/30/2014

FY15 Grants Name	Amount	Purpose	Start	End
Equal Employment Opportunity Commission (EEOC)	\$219,150.00	To aid EEOC in meeting is statutory mandate to enforce Title VII, ADEA, ADA, GINA, at the State and Local level.	10/1/14	09/30/2015
Housing and Urban Development (HUD) Fair Housing Assistance Program	\$84,840.00	To aid HUD in meeting its statutory mandate to enforce Title VIII/Fair Housing Act at the State and Local level.	10/01/14	09/30/2015

(b) How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans (if any) are in place to continue funding?

Response:

Three (3) FTEs are dependent on grant funding. This funding is paid as a result of a work sharing agreement with HUD. This funding is not set to expire and is a recurring fund.

GRANT FUNDED FTE	FUNDING %
Equal Opportunity Specialist	100
Equal Opportunity Specialist	85
Special Assistant	50

13. Please provide a detailed description for each open capital project (including, but not limited to projects within the master equipment lease and projects that are managed or overseen by another agency or entity), from fiscal year 2015, or prior. Also include the budgeted funds and the funds spent by fiscal year. Please also provide the timeline for each project.

Response: None

14. Please list all capital projects completed in fiscal year 2014, including whether each project was completed on time and within budget.

Response: None

15. Please list all pending lawsuits that name the agency as a party. Please identify which cases on the list are lawsuits that potentially expose the city to significant liability in terms of money and/or change in practices and their current status. For those identified, please include an explanation about the issues for each case.

Response:

The Office of Human Rights is a named defendant in lawsuits when a Complainant or a Respondent seeks to appeal an OHR determination in a petition for review. Two (2) appeals are pending at the Court of Appeals for the District of Columbia. Eight (8) petitions for review are pending at the Superior Court. Of these matters, six (6) involve private entities and four (4) involve District agencies. The judicial review of OHR's determinations in these cases should not expose the city to significant liability in terms of monetary damages and/or changes in practice.

16. Please list and describe any ongoing investigations, audits, or reports of your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during fiscal years 2014 and 2015 (to date).

Response:

The United States Department of Housing and Urban Development (HUD) conducted a Performance Assessment of OHR from June 24-26, 2014. The purpose of the assessment was to determine whether the current practices and past performance demonstrate whether, in operation, OHR and the District's Human Relations Ordinance continue to provide substantive rights, procedures, remedies, and the availability of judicial review equivalent to those provided under the federal Fair Housing Act. The assessment found that OHR "has performed as an excellent human rights enforcement agency." The performance assessment recurs every two years.

17. Please list the following information in table format regarding the agency's use of SmartPay (credit) cards for agency purchases: individuals (by name) authorized to use the cards in fiscal years 2014 and 2015 to date; purchase limits (per person, per day, etc.); total spent in fiscal years 2014 and 2015 to date (by person and for the agency).

Response:

FY14 Cardholder	Single Purchase Limit	Monthly Purchase Limit	Total Expenditures
Ayanna Lee	\$5,000.00	\$20,000.00	\$68,809.85

FY15 Cardholder	Single Purchase Limit	Monthly Purchase Limit	Total Expenditures
Ayanna Lee	\$5,000.00	\$20,000.00	\$14,839.45

18. (a) What procedures are in place to track individuals or units assigned to possess mobile communications and mobile devices (including, but not limited to smartphones, laptops, and tablet computers)? Please include how the usage of these devices is controlled.

Response:

OHR adheres to the District's City Wide mobile communications and mobile devices policy. The usage of these devices is controlled by monthly monitoring of telephone and data usage and monitoring employee availability on a case-by-case basis. Senior management team members are provided with agency cellular phones, laptops, and tablets and are expected to timely respond to agency needs using those devices regardless of location.

- (b) How does your agency manage and limit its mobile communications and devices costs?

Response:

DCOHR manages and limits its mobile communications and mobile cost by using the best pooled plan that provides a flat fee for unlimited data and voice usage; the agency pays the same amount, \$44.99, per employee per month. OHR utilizes the complimentary upgrade option to obtain new devices when available at a nominal rate of \$0.99 or less.

- (c) For fiscal years 2014 and 2015 (to date), what was the total cost (including, but not limited to equipment and service plans), for mobile communications and devices?

Response:

FY 14 Mobile Communication/Device Cost	\$13,408.03
FY 15 Mobile Communication/Device Cost	\$3,595.65

19. In table format, please provide the following information for fiscal years 2013, 2014, and 2015 (to date) regarding your agency's authorization of employee travel: (1) individuals (by name and title/position) authorized to travel outside the District; (2) total expense for each trip (per person, per trip, etc.); and (3) justification for the travel (per person).

Response:

FY13 Travel Name	Title	Total Expense Per Trip	Justification
Gustavo Velasquez	Director	\$460.00	HUD FHIP/FHAP Working group session
Gustavo Velasquez	Director	\$2305.00	EEOC EXCEL/IOHRA/FEPA training conference
Akita Smith-Evans	Equal Opportunity Specialist	\$286.00	HUD FHIP/FHAP Working group session
Georgia Stewart	Supervisory Equal Opportunity Specialist	\$2305.00	EEOC EXCEL training conference
Diana Godoy	Equal Opportunity Specialist	\$2305.00	EEOC EXCEL training conference
Daniel Younathan	Equal Opportunity Specialist	\$2305.00	EEOC EXCEL training conference
Melissa Sharpe	Equal Opportunity Specialist	\$2305.00	EEOC EXCEL training conference
Jewell Little	Attorney Advisor	\$2305.00	EEOC EXCEL training conference
Thomas Deal	Equal Opportunity Specialist	\$2305.00	EEOC EXCEL training conference

FY14 Travel Name	Title	Total Expense Per Trip	Justification
Mónica Palacio	Director	\$1660.00	EEOC EXCEL/IOHRA/FEPA training conference
Akita Smith-Evans	Equal Opportunity Specialist	\$175.00	HUD FHIP/FHAP Working group session
Rahsaan Coefield	Supervisory Equal Opportunity Specialist	\$220.00	HUD FHIP/FHAP Working group session
Rahsaan Coefield	Supervisory Equal Opportunity Specialist	\$2,580.00	EEOC EXCEL training conference
Suzanne Greenfield	Youth Inclusion Program Coordinator	\$1,035.00	EEOC EXCEL training conference
Aimee Peoples	Equal Opportunity Specialist	\$2750.00	EEOC EXCEL training conference
Hugh Gardner	Equal Opportunity Specialist	\$2,565.00	EEOC EXCEL training conference
Albert Santiago	Equal Opportunity Specialist	\$2,565.00	EEOC EXCEL training conference
Alexandra Beninda	Commissioner	\$345	HUD FHAP Commissioner Training
Alberto Figueroa	Commissioner	\$185	HUD FHAP Commissioner Training
Jennifer Stoff	Special Assistant	\$350	HUD FHAP Commissioner Training
Diane Harris	Administrative Law Judge	\$545	HUD FHAP Commissioner Training

FY15 Travel Name	Title	Total Expense Per Trip	Justification
Winta Teferi	Language Access Program Manager	\$1600.00	National Immigrant Integration Conference

20. Please provide, as of January 15, 2015, the current number of WAE contract and term personnel within your agency. If your agency employs WAE contract or term personnel, please provide, in table format, the name of each employee, position title, the length of their term or contract, the date on which they first started with your agency, and the date on which their term or contract expires.

Response: None

21. Please provide your anticipated spending pressures for fiscal year 2015. Include a description of the pressure, the estimated amount, and any proposed solutions.

Response: None

22. (a) Please provide, as an attachment, a copy of your agency's fiscal year 2014 performance plan. Please explain which performance plan objectives were completed and whether or not they were completed on-time and within budget. If they were not, please provide an explanation.

Response: See Attachment 3

- (b) Please provide, as an attachment, a copy of your agency's fiscal year 2015 performance plan as submitted to the Office of the City Administrator.

Response: See Attachment 4

23. Please provide the number of FOIA requests for fiscal years 2014 and 2015 (to date). Include the number granted, partially granted, denied, pending, average response time, the estimated number of FTEs processing requests, and the estimated hours spent responding to these requests.

Response:

FY14 FOIA Requests	TOTALS
Granted	48
Partially Granted	4
Denied	10
Pending	0
Average Response Time	8
Estimated Number of FTEs processing requests	2
Estimated Hours Spent Responding to Requests	125

FY15 FOIA Requests	TOTALS
Granted	0
Partially Granted	0
Denied	1
Pending	6
Average Response Time	1
Estimated Number of FTEs processing requests	2
Estimated Hours Spent Responding to Requests	1

24. Please describe any initiatives your agency implemented within FY 2014 or FY 2015, to date, to improve the internal operation of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

Response:

The following initiatives best exemplify new initiatives OHR implemented during this period:

- a. Significantly increased outreach with the public and community based organizations during this above defined period through a successful social media campaign to increase compliance with gender-neutral bathroom regulations (#SafeBathroomsDC) resulting in over 200 inquiries and/or complaints to the agency and 75 business who have changed bathroom signage to ensure compliance and over 150 presentations to community based agencies and other partners.
- b. Streamlining of case management systems to improve efficiency in case assignment and tracking as well as to collect new data points regarding the types of complaints received and demographic information regarding complainants.
- c. Advance planning and stakeholder meetings to develop fact sheets, complaint forms, educational videos and training presentations for enforcement of the Fair Criminal Background Screening Act effective December 2014.
- d. Restructuring of work flow, case review and case tracking in legal unit having recruited for and hired a new general counsel.

25. Please provide a list of all studies, research papers, reports, and analyses the agency prepared, or contracted for, during FY 2014 and FY 2015, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee.

Response:

FY14 Reports	Contractor	Status	Purpose
Bullying Prevention in DC Educational Institutions: Compliance Report for School Year 2013-2014 Attachment 5	Child Trends & RFK Center for Justice and Education	Released October 2014	From August 2013 through September 2014, an audit of each local education agency's bullying prevention policy was conducted to determine the extent to which it is compliant with the 2012 Youth Bullying Prevention Act. The resulting report summarizes the current state of LEA compliance as well as the most-often overlooked or missing required components in initially submitted policies.
10 Years of Language Access in Washington, DC Attachment 6	Center on Labor, Human Services and Population, The Urban Institute	Released April 15, 2014	The report – commissioned to coincide with the 10 year anniversary of the Language Access Act of 2004 – assessed the demographic change in immigrant populations since the passage of the Act, and analyzed gaps in services and areas the District can improve in the provision of language access services.
Language Access in the District: 2014 Annual Compliance Review Attachment 7	None-Created by OHR	Released March 2015	The Annual Compliance Review highlights the work of OHR's Language Access Program during FY14 and provides language access compliance scorecards for 33 agencies.
Highlights of Fiscal Year 2014 Annual Report Attachment 8	None-Created by OHR	Released February 13, 2015	The OHR annual report provides data on the number and types of cases filed, mediation settlements, and the programmatic work of the office during FY14.
Language Access in the District: 2013 Annual Compliance Review	None-Created by OHR	Released February 12, 2014	The Annual Compliance Review highlights the work of OHR's Language Access Program during FY13 and provides language access compliance scorecards for 33 agencies. File to Download (too large for email): https://www.dropbox.com/s/0t8ge3g9z4y664u/LA_Report_FINAL_HQ_021014.pdf
Highlights of Fiscal Year 2013 Annual Report	None-Created by OHR	Released January 23, 2014	The OHR annual report provides data on the number and types of cases filed, mediation settlements, and the programmatic work of the office during

			FY13. File to Download (too large for email): http://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/AnnualReport2014_Final_SmallRS2.pdf
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26. What are your top five priorities for the agency? Please provide a detailed explanation for how the agency expects to achieve or work toward these priorities in fiscal years 2015 and 2016.

Response:

First, as part of an ongoing effort to make OHR more efficient and our process more accessible for the public, we are scrutinizing pre-complaint questionnaires and other legal communications to ensure terminology is audience appropriate and accessible to all complainants. The resulting changes will enhance our customer service, and make investigations and dismissals more efficient by avoiding unnecessary confusion and/or filings that can lead to delays and inefficient use of OHR resources.

Second, OHR will partner with the DCHR to offer more equal employment opportunity compliance training and advanced training tailored for managers and supervisors employed by the District. The goal of this training will be to ensure all employees are aware of their rights under our civil rights laws and support supervisors who must be well versed in our laws in order to ensure their agencies full cooperation and compliance

Third, OHR will partner with fellow agencies and advocates to raise awareness about equal treatment of people with disabilities, as we celebrate the 25th anniversary of the Americans with Disabilities Act in July. Through events and outreach opportunities, a social media campaign and the continuation of our AccessibleDC campaign, OHR aims to assist people with disabilities in learning about their civil rights, and to help the public understand the incredible contributions people with disabilities make to the District.

Fourth, OHR is the Language Access Program housed within OHR will be tasked with implementing new regulations that require assessment of newly designated major public contact agencies and increased ongoing contact with every District agency.

Fifth, OHR will expand its efforts to build partnerships with direct service providers so their clients – who are often among the most vulnerable residents of the District – understand they can trust and benefit from the OHR process if discriminated against. To accomplish this, in addition to our usual outreach, next week we will hold our first training session for 30 public interest attorneys who advocate on behalf of vulnerable populations. Additionally, OHR will hold three all-day Human Rights Liaison Program trainings with the goal of training at least 50 more representatives from direct service providers in the coming year.

27. Please provide the total number of complaints the agency received in fiscal years 2014 and 2015 (to date), including breakdowns by statute (e.g. Human Rights Act, Language Access Act), by protected class (e.g. disability), and by setting (e.g. employment).

Response:

OHR receives two types of complaints regarding alleged violations of the laws it enforces. An inquiry is an initial written complaint to OHR. An inquiry may, and often times, does not result in a charge of discrimination. A docketed case is a complaint that has been vetted for jurisdictional requirements and indicates a charge of discrimination has been filed. The table below represents a breakdown of docketed cases from FY14.

FY14	EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATIONS	EDUCATIONAL INSTITUTIONS	LANGUAGE ACCESS
Age	52	2	2	0	X
Color	6	0	2	0	X
Disability	57	13	15	2	X
Familial Status	X	1	0	0	X
Family Responsibilities	8	0	0	0	X
Gender Identity & Expression	2	0	27	0	X
Genetic Information	0	X	0	X	X
Marital Status	2	1	0	0	X
Matriculation	1	0	0	X	X
National Origin	44	2	4	1	X
Personal Appearance	1	0	7	1	X
Place of Residence or Business	X	1	0	X	X
Political Affiliation	1	0	0	0	X
Race	63	9	17	4	X
Religion	6	0	0	0	X
Sex	90	1	3	1	X
Sexual Orientation	20	1	1	0	X
Source of Income	X	7	2	0	X
Status as a victim of an intra-family offense	X	0	X	X	X
Retaliation	113	4	7	2	
DCFMLA	25	X	X	X	X
Language Access	X	X	X	X	9

FY15	EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATIONS	EDUCATIONAL INSTITUTIONS	LANGUAGE ACCESS
Age	39	0	3	0	X
Color	8	0	1	0	X
Disability	37	9	8	3	X
Familial Status	1	1	0	0	X
Family Responsibilities	11	0	0		X
Gender Identity & Expression	0	0	7	0	X
Genetic Information	0	0	0	X	X
Marital Status	1	0	0	0	X
Matriculation	0	2	0	X	X
National Origin	30	0	3	0	X
Personal Appearance	8	0	6	0	X
Place of Residence or Business	X	0	0	X	X
Political Affiliation	1	0	0	0	X
Race	36	10	10	0	X
Religion	9	0	4	0	X
Sex	48	3	3	0	X
Sexual Orientation	12	0	7	0	X
Source of Income	X	5	2	0	X
Status as a victim of an intrafamily offense	X	0	X	X	X
Retaliation	51	1	3	0	X
DCFMLA	19	X	X	X	X
Language Access	X	X	X	X	5
FCRSA	29	X	X	X	X

28. Please provide the total number of complaints the agency received in fiscal years 2014 and 2015 (to date), including breakdowns by statute (e.g. Human Rights Act, Language Access Act, Fair Criminal Record Screening Act), by protected class (e.g. disability), and by setting (e.g. employment), that were dual filed with a federal agency, including, but not limited to, the Equal Employment Opportunity Commission, the Department of Housing and Urban Development, the Department of Education, and the Department of Justice.

Response:

OHR receives two types of complaints regarding alleged violations of the laws it enforces. An inquiry is an initial written complaint to OHR. An inquiry may, and often, does not result in a charge of discrimination and cannot be immediately cross-filed with any Federal entity until it becomes a docketed case. A docketed case is a complaint that has been vetted for jurisdictional requirements and indicates a charge of discrimination has been filed. The table below represents a breakdown of docketed cases from FY14 to February 28, 2015.

	EMPLOYMENT Cross-Filed with EEOC	EMPLOYMENT Cross-Filed with DOJ	HOUSING Cross-Filed with HUD
Age	67	X	
Color	236*	X	
Disability	75	X	13
Familial Status	X	X	1
Family Responsibilities	X	X	X
Gender Identity & Expression	X	X	X
Genetic Information	X	X	X
Marital Status	X	X	X
Matriculation	X	X	X
National Origin	236*	1	2
Personal Appearance	X	X	X
Place of Residence or Business	X	X	X
Political Affiliation	X	X	X
Race	236*	X	9
Religion	236*	X	X
Sex	236*	X	
Sexual Orientation	X	X	1
Source of Income	X	X	X
Status as a victim of an intrafamily offense	X	X	X
Retaliation	236*	2	2
DCFMLA	X	X	X
Language Access	X	X	X
FCRSA	X	X	X

*236 = Claims for race, religion, sex, color, retaliation are combined as Title VII claims include those traits protected by the DC Human Rights Act.

29. Please provide a breakdown of the total number of complaints the agency received in fiscal years 2014 and 2015 (to date) by disposition (e.g. dismissal for lack of probable cause) of each complaint. For each type of disposition, please provide the average number of days that elapsed between the date the agency received the complaint and the date of its disposition.

Response:

OHR receives complaints on a rolling basis and resolution of complaints may not occur within the same FY the complaint was received. The table below represents a breakdown of all docketed cases closed by OHR FY14 to February 28, 2015.

TYPE OF DISPOSITION	AMOUNT	AVERAGE STAFF AGE
Settlements	216	95*
Withdrawal With Benefits	47	95*
Successful Conciliation	20	95*
Unsuccessful Conciliation	0	95*
No Cause	219	95*
Administrative Resolution	113	95*
Total	615	95*

*95 = OHR's case management database does not track processing time by type of disposition as cases are handled by various departments prior to disposition. This number reflects the average number of days a case is assigned to any individual staff member.

30. Please provide the total number of complaints the agency received in fiscal years 2014 and 2015 (to date) that have not reached disposition, and the dates on which each complaint was received.

Response:

OHR has 349 docketed charges of discrimination in its pending inventory. The earliest docketed case was received by OHR on August 11, 2013 and is currently pending legal review.

31. Please provide an overview of any investigations initiated in fiscal years 2014 and 2015 (to date) pursuant to the agency's legal authority under section 301 of the Human Rights Act of 1977 (D.C. Official Code § 2-1403.01) or any other authority.

Response:

In FY14, OHR initiated one Director's Inquiry, OHR No. 14-089-DI "*In re: District of Columbia Taxicab Commission's Treatment of Refusal to Haul Complaints Based Upon Race or Disability.*" The underlying concern was that the Commission was not tracking these complaints according to protected traits such as race or disability.

32. Please provide the results of any investigations initiated in fiscal years 2014 and 2015 (to date) pursuant to the agency's legal authority under section 301 of the Human Rights Act of 1977 (D.C. Official Code § 2-1403.01) or any other authority.

Response:

In FY14, OHR initiated one Director's Inquiry, OHR No. 14-089-DI "*In re: District of Columbia Taxicab Commission's Treatment of Refusal to Haul Complaints Based Upon Race or Disability.*" The underlying concern was that the Commission was not tracking these complaints according to protected traits such as race or disability. OHR found that DCTC followed its policies and investigated claims involving discrimination and recommended several initiatives to address remaining systemic issues. OHR has worked with DCTC to implement several of those initiatives, including a dual complaint process which results in complaints of taxicab discrimination being filed with DCTC and OHR simultaneously. Additionally, OHR worked with DCTC to update its discrimination notice provisions on its website and collateral. OHR looks forward to implementing the remaining recommendations of cultural competency training for taxi drivers.

33. Please provide a list of the Director's Inquiries undertaken in fiscal years 2014 and 2015 (to date), including the disposition of each, and the time elapsed between the start of the inquiry and its conclusion.

Response:

FY14 to date Director's Inquiries	Disposition	Time Elapsed
14-089-DI, In re: District of Columbia Taxicab Commission's Treatment of Refusal to Haul Complaints Based Upon Race or Disability.	No probable cause	January 6, 2014 – April 30, 2014.

34. What public outreach programs did the agency engage in during fiscal year 2014, and what programs are underway and/or planned for fiscal year 2015?

Response:General Outreach

OHR invested in a new community outreach coordinator position in early FY14, and has seen a substantial increase in partnerships with community organizations and in its presence in the community. Throughout FY14, OHR staff spoke at or attended 131 meetings or events with constituents, advocacy groups and community organizations, and has spoken at or attended 102 meetings or events so far in FY15. The efforts are aimed at explaining the non-discrimination laws in the District and the enforcement process at OHR, in addition to building trust with vulnerable and marginalized communities often targeted for discrimination.

Additionally, in FY14, OHR saw a 63 percent increase in its social media followers to reach 4655 followers by the end of fiscal year 2014, and to date has 5056 followers across Facebook, Twitter and Instagram.

Below are a few examples of the organizations OHR partnered or worked with in FY14:

<ul style="list-style-type: none">○ 1st Quarter: FY14• Gay, Lesbian, Straight Education Network• DC Center for Independent Living• Housing Counseling Services• The DC Center for the LGBT Community• Equal Rights Center• Casa Ruby• Coalition Against Domestic Violence	<ul style="list-style-type: none">○ 2nd Quarter: FY14• Many Languages, One Voice• Gays and Lesbians Opposing Violence• Legal Aid of the District of Columbia• DC Language Access Coalition• Quality Trust• American Civil Liberties Union• National Safe Schools Program
<ul style="list-style-type: none">○ 3rd Quarter: FY 13• Community Connections• CARECEN• Ayuda• Mary's Center• Sexual Minorities Youth Assistance League (SMYAL)• Latino LGBT History Project• Campbell Center	<ul style="list-style-type: none">○ 4th Quarter: FY 13• La Clinica del Pueblo• Edgewood/Brookland Family Support Collaborative• Mission Launch• Neighborhood Legal Services• Unity Healthcare• Capital Area Food Bank• Miriam's Kitchen

Human Rights Liaison Program

In FY14, OHR launched a new Human Rights Liaison (HRL) Program, which invites representatives from direct service providers to attend an in-depth all-day OHR training. The training assists participants in identifying potential discrimination, and in

understanding District civil rights laws and the OHR process, so they can act as a point of contact within their organization and assist their clients in filing complaints. The HRL Program held two trainings in FY14 and one in FY15, and produced 46 Human Rights Liaisons from 27 organizations, including the Greater Washington Urban League, Unity Healthcare, Miriam's Kitchen, Mary's Center, Whitman Walker, So Others Might Eat, Casa Ruby, and the DC Center for Independent Living.

FY14 Outreach & Programs

Aside from traditional community outreach, OHR held other large-scale events and programs:

Know Your Rights: Youth Human Rights Ambassadors Project (November 2013): The Office and Commission on Human Rights – in partnership with Georgetown University Street Law Clinic – held an event and contest in which 200 students from 13 District public and private high schools participated. The students (sometimes in teams) developed 169 creative projects (poems, songs, posters, plays and more) which demonstrated their understanding of human rights laws in the District. Top projects were chosen and awarded at an event with students at Georgetown University Law Center.

Commission on Human Rights Awards Ceremony (December 2013): The Office and Commission held its annual Commission on Human Rights Awards Ceremony, which celebrates District human rights law and presents the Cornelius “Neil” R. Alexander Humanitarian Award to a resident who made outstanding contributions to human rights in the District. In addition, top students from the Know Your Rights event were in attendance, and the top three projects announced. This year's Humanitarian Award went to Dr. Edgar Cahn of UDC's David A. Clarke School of Law.

AccessibleDC Campaign (March 2014): OHR, in partnership with the American Association of People with Disabilities, released an easy-to-read booklet for District businesses to help them understand requirements of the Americans with Disabilities Act and recommend ways to make businesses more friendly. The booklet highlights how an accessible business can benefit both the business owner and people with disabilities, and was accompanied by a campaign that encouraged business-owners to “Take the Pledge” to become more accessibility friendly. OHR and the DC Center for Independent Living visited businesses in high-traffic corridors to encourage them to place the “Take the Pledge” window decal and make improvements in their accessibility.

13th Annual Fair Housing Symposium (April 2014): The 13th Annual Fair Housing Symposium – held in partnership with DHCD and the Equal Rights Center – used a series of panels and speakers to teach advocates about fair housing issues and provide them with the tools to make a difference in the communities they serve. It was attended by over 150 people.

#SafeBathroomsDC Launch (April 2014): OHR launched its #SafeBathroomsDC campaign at an event held at Casa Ruby and attended by over 50 transgender advocates. The campaign was well-received, and allows individuals to report via Twitter or the OHR website when a single-stall public bathroom is not gender-neutral as required by Human Rights Act regulations.

The Road to a Global DC: 10 Years of Language Access and Immigrant Inclusion (April 2014): To celebrate the 10th anniversary of the Language Access Act and the contributions of immigrants to the District, OHR held an event featuring the release of a report by the Urban Institute, which provides an overview of the implementation of the Language Access Act within the context of the unique demographic and economic characteristics of the District's immigrant community. It was followed by a panel that spoke about the reports findings.

LGBT Pride 2014 (May – June 2014): OHR participated in five Pride celebrations in 2014: Youth Pride, Black Pride, Latino Pride, Transgender Pride, and Capital Pride. At each pride, OHR encouraged people to take photos with posters from its #SafeBathroomsDC campaign. The photo campaign attracted over 100 participants, whose photos were provided to them and displayed on our social media (with permission).

DC Government Speaks Your Language (June 2014): OHR convened over 100 limited and non-English (LEP/NEP) proficient attendees speaking nine different languages, and representatives from over 20 District agencies, for a language access forum aimed at understanding the continuing challenges for LEP/NEP people in accessing government services. The event featured a roundtable discussion facilitated in nine languages, and was followed by a resource fair with District agency and community-based exhibitors providing a wide array of on-site services including health screenings.

DC19 Campaign (September 2014): OHR launched its DC19 campaign in September 2014, which aimed to educate residents about the 19 protected traits included in the District's non-discrimination law. The campaign used clever advertisements that were displayed in the Metro system and on social media. The ads can be found at ohr.dc.gov/DC19.

FY15 Outreach & Programs

It Takes a District: Tools and Tips for Families to Prevent Bullying (October 2014): To help engage parents and youth and to celebrate National Bullying Prevention Awareness Month, OHR held an event at Turkey Thicket Recreational Center that included a series of workshops for parents and guardians to learn about bullying prevention, youth performances and a resource fair.

Know Your Rights: Youth Human Rights Ambassadors Project (November 2014): The Office and Commission on Human Rights – in partnership with Georgetown University Street Law Clinic – held an event and contest in which 160 students from 13 District public and private high schools participated. The students (sometimes in teams) developed over 150 creative projects (poems, songs, posters, plays and more) which demonstrated their understanding of human rights laws in the District. Top projects were chosen as finalists during the event at Georgetown University Law Center, and the winners announced at the Commission on Human Rights Awards.

Rebuilding Re-entry - A Social Justice Hackathon (November 2014): OHR played a critical role in the success of a hackathon aimed at finding technological solutions to the challenges returning citizens face when they re-enter society. An OHR staff member participated in the planning committee and helped run the weekend-long session, partly to show the agency's commitment to the new Fair Criminal Record Screening Amendment Act of 2014.

Commission on Human Rights Awards Ceremony (December 2014): The Office and Commission held its annual Commission on Human Rights Awards Ceremony, which celebrates District human rights law and presents the Cornelius "Neil" R. Alexander Humanitarian Award to a resident who made outstanding contributions to human rights in the District. In addition, top students from the Know Your Rights event were in attendance, and the top three projects announced. This year's Humanitarian Award went to Sonia Gutierrez of Carlos Rosario International Public Charter School.

FY15 Planned Outreach & Programs

Human Rights Liaison Program: Fourth Training (March 2015): OHR will hold its fourth Human Rights Liaison training program and currently has over 20 representatives from direct service providers confirmed to attend.

Public Interest Attorney Information Session (March 2015): In March, OHR will hold its first information session exclusively for public interest attorneys who practice in DC. The session will include a short presentation on OHR's jurisdiction and process, followed by a question and answer period where participants can ask questions of a panel of OHR staff members. OHR reached its maximum capacity for the event (30 people) one day after sending out the invitation.

14th Annual Fair Housing Symposium (April 2015): The 14th Annual Fair Housing Symposium will target social justice advocates working on aging, disability, and LGBT issues, among others. It will again be a partnership between OHR, the Equal Rights Center and DHCD.

35. For fiscal years 2014 and 2015 (to date), please list all individuals who served on the Youth Bullying Prevention Task Force, including their names, beginning and ending dates of their terms, and the wards in which they reside.

Response:

Name	Agency	Ward or State
Isabel Mendez Aristondo* (September 2015)	Student, DCPS	Ward 4
Christopher Ashton	DPR	Ward 6
Patrice Bowman	OSSE	Ward 7
Patrick Burke	MPD	Ward 3
Ellie Canter	Turning the Page	Ward 6
Yullana Del Arroyo	OSSE	VA
Kaful Doe	OSSE	MD
Lauren Eddie	Sasha Bruce Youthworks	
Todd Elliot	Sasha Bruce Youthworks	VA
Stacey Eunnea	Advocates for Justice in Education	Ward 6
Jamila Felton	DCPL	MD
Karen Fenton-LeShore	CFSA	MD
Florencia Fuensalida	Office of Latino Affairs	Ward 1
Cellna Gerbic	The Trevor Project	Ward 2
Suzanne Greenfield	OHR	Ward 4
Andrea Guy	CFSA	MD
Thayer Hardwick	Children's Law Center	Ward 2
Ambus Harper	DBH	Ward 4
Trinette Hawkins	CFSA	MD
Lauren Jones	School psychologist	Ward 3
Willia Jones* (nominated, mental health professional)	Elsie Stokes PCS	Ward 7
Sislena Ledbetter	UDC	MD
Mike Leon	LAYC	MD
Nakanya Magby	DCPS	MD
Mziwandile Masamini	DCPS	Ward 7
Josh Nomkin	Turning the Page	Ward 2
Julie Ost	OSSE	Ward 5
Monica Palacio	Office of Human Rights	Ward 4
Dominique Parris	SMYAL	MD
Hermia Peters	UDC	MD
Erik Peterson	After School Alliance	
Maggie Riden	DC-AYA	Ward 1
Linda Ryden	DCPS, teacher	Ward 3
Judith Sandalow* (September 2015)	Children's Law Center	Ward 1
Kanya Shabazz* (nominated, parent)	Playworks	MD
Daniel Shea	DCPS	MD
Monica Shah* (September 2015)	DCPS, teacher	MD
Alexis Taylor	Office of Disability Rights	Ward 5
Adam Tenner* (September 2015)	Metro Teen AIDS	Ward 3
Toni Thompson	DPR	Ward 7
Cecilia Thomas	DPR	Ward 5
Zillah Wesley	DCPS	Ward 4
Audrey Williams* (nominated, educational institution)	Public Charter School Board	MD
Samuel Williams	DYRS	
Jessica Wodatch	Principal, Two Rivers Public Charter School	DC
*Indicates appointed to fulfill a specific role as required by law.		

36. For fiscal years 2014 and 2015 (to date), please list all dates when the Youth Bullying Prevention Task Force met or plans to meet and provide agendas and minutes, if any, from each meeting.

Response:

The Task Force met on the following dates in FY14 and FY15:

- January 30, 2014
- April 3, 2014
- July 24, 2014
- September 9, 2014
- October 14, 2014
- January 17, 2015

37. For fiscal years 2014 and 2015 (to date), please list all training sessions the agency conducted. Please include the date of each session, the agency or entity that was trained, the number of individuals who completed each session, and each session's topic.

Response:

DATE	Training Name and Agency	Topic	Special Focus	Audience	Reach
4/2/2014	training at Whitman Walker ETC	general "know your rights"	all	Whitman Walker Health staff	20
4/17/2014	FHIP/FHAP training at 4800 Jasper Rd SE	general "know your rights"	housing	tenants	3
4/24/2014	FHIP/FHAP training at 800 Southern Ave SE	general "know your rights"	housing	tenants	11
4/26/2014	FHIP/FHAP training at 1350 Clifton St. NW	general "know your rights"	housing	tenants	5
4/29/2014	13th Fair Housing Symposium event and Know Your	general "know your rights"	Housing	housing advocates	100

	Rights training				
4/29/2014	FHIP/FHAP training at 1444 Rock Creek Ford Road NW	general "know your rights"	housing	tenants	25
5/1/2014	FHIP/FHAP training 2434 16th St. NW	general "know your rights"	housing	tenants	7
5/1/2014	FHIP/FHAP training at 1445 Fairmont St. NW Claypool Courts	general "know your rights"	housing	tenants	5
5/5/2014	FHIP/FHAP 5000 2nd St NW (Board) training	general "know your rights"	housing	tenants	2
5/5/2014	FHIP/FHAP training at 2425 14th St NW (membership)	general "know your rights"	housing	tenants	1
5/6/2014	FHIP/FHAP training for Cardozo Courts Condos, 1343 Clifton St. NW (Board Meeting)	general "know your rights"	housing	tenants	2
5/7/2014	Washington Hospital Center Rehab training	general "know your rights"	all	Washington Hospital Center staff	2

5/12/2014	FHIP/FHAP training for 1881 3rd St NW	general "know your rights"	housing	tenants	5
5/13/2014	FHIP/FHAP training for YWCA Phyllis Wheatley, 901 Rhode Island Ave NW	general "know your rights"	housing	tenants	15
5/16/2014	DCCIL Support Group training	Disability	all	DCCIL support group and staff	24
5/17/2014	Trans Pride event and training on Know Your Rights	sexual orientation, gender identity/expression	all	general audience	100
5/20/2014	FHIP/FHAP training for 401 K St NW, Museum Square (large Chinese pop.)	general "know your rights"	housing	tenants	70
6/3/2014	training at Whitman Walker MRC	general "know your rights"	all	Whitman Walker Health staff	12
6/6/2014	training at Briya (Georgia Ave)	national origin	language access	parents and staff	40
6/12/2014	FHIP/FHAP training at 5810 Blair Rd NW	general "know your rights"	housing	tenants	5
6/12/2014	training at Briya (Newton St)	national origin	language access	parents and staff	20

6/12/2014	training at Parent Coffee at Bancroft Elementary School	national origin	language access	parents and staff	14
6/17/2014	training at Brightwood Elementary	national origin	language access	parents and staff	15
6/18/2014	FHIP/FHAP at 3500 14th St NW training	general "know your rights"	housing	tenants	20
6/18/2014	training at Legal Aid for Housing Casehandlers	general "know your rights"	housing	Legal Aid staff	12
6/19/2014	FHIP/FHAP at 1509 19th St SE training	general "know your rights"	housing	tenants	15
6/24/2014	training at Quality Trust	disability	all	Quality Trust staff	10
6/26/2014	Fair Housing Property Management for Jubilee Housing Staff training	general "know your rights"	housing	Jubilee staff	17
7/2/2014	training at Sisters Empowering Sisters support group at Community Connections	general "know your rights"	all	Community Connections support group and staff	10
7/7/2014	FHIP/FHAP training at 1307-1309 Holbrook Street NE	general "know your rights"	housing	tenants	3

7/10/2014	FHIP/FHAP training at 1217 Valley Ave SE	general "know your rights"	housing	tenants	5
7/12/2014	Feria de la vivienda/ Housing Fair event at Carecen and training on OHR	national origin, race, color	housing, language access	general audience	30
7/15/2014	Human Rights Liaison training training and event	general "know your rights"	all	staff from DCCIL, NVRDC, Casa Ruby, Ayuda, Marys Center, LCDP, Citiwide Computer Training Center, Quality Trust	8
7/15/2014	FHIP/FHAP training at 1722 West Virginia Ave NE	general "know your rights"	housing	tenants	2
7/21/2014	training at Office of Police Complaints	general "know your rights"	all	Office of Police Compliants staff	20
7/31/2014	FHIP/FHAP training at ERAP Case Management Workshop at Housing Counseling Services, Inc.	general "know your rights"	housing	tenants	6
7/31/2014	FHIP/FHAP training at ERAP clinic at Housing Counseling Services, Inc.	general "know your rights"	housing	tenants	13

7/31/2014	FHIP/FHAP training at Housing Search workshop at Housing Counseling Services, Inc.	general "know your rights"	housing	tenants	5
7/31/2014	FHIP/FHAP training at Pre-Purchase Orientation workshop at Housing Counseling Services, Inc.	general "know your rights"	housing	tenants	5
8/13/2014	training at Milestone Place	general "know your rights"	housing	Community Family Life Services tenants and staff	8
8/19/2014	training to Unity Health Care Social Work staff	general "know your rights"	all	Unity Health Care staff	27
8/21/2014	training to East of the River Casehandlers	general "know your rights"	all	Neighborhood Legal Services Program staff and other EOTR advocates	14
8/28/2014	FHIP/FHAP training at Housing Counseling Services, Inc. Housing Search clinic	general "know your rights"	housing	tenants	2
8/28/2014	FHIP/FHAP training at Housing Counseling Services, Inc. Pre-Purchase Orientation	general "know your rights"	housing	tenants	5

	clinic				
9/8/2014	FHIP/FHAP training at 646 Newton Pl NW	general "know your rights"	housing	tenants	6
9/11/2014	training at Latino Economic Development Corporation	national origin	housing, language access	LEDC staff	4
9/16/2014	training for People for Fairness Coalition at Miriam's Kitchen	general "know your rights"	all	Miriams Kitchen clients and staff	25
9/17/2014	training at Lutheran Social Services	general "know your rights"	all	Lutheran Social Services clients and staff	15
9/18/2014	FHIP/FHAP training at Franklin Street (315-325 Franklin St NE	general "know your rights"	housing	tenants	20
10/16/14	Department of Human Services	Agency compliance training	Language access	Employees	30
10/22/14	Department of Human Services	Agency compliance training	Language access	Employees	30
10/29/14	Board of Elections	Agency compliance training	Language access	Employees	45

10/20/2014	FHIP/FHAP training at 2400 Pomeroy St SE	general "know your rights"	housing	tenants	4
10/21/2014	Human Rights Liaison training training and event	general "know your rights"	all	staff at HCS, Georgetown DC Schools Project, Whitman Walker, HIPS, SOME, LIFT DC, Friendship Place, The Salvation Army, Miriam's Kitchen, Unity Health, GWUL	16
10/21/2014	FHIP/FHAP at 2518 17th St. NW	general "know your rights"	housing	tenants	16
10/30/2014	Training at CARECEN youth leadership program	general "know your rights"	all	CARECEN clients and staff	8
10/30/2014	FHIP/FHAP training at 1431 E St NE	general "know your rights"	housing	tenants	4
10/30/2014	FHIP/FHAP training at 2525 14th St NE	general "know your rights"	housing	tenants	45
11/3/2014	FHIP/FHAP training at 1825 Maryland Ave NE	general "know your rights"	housing	tenants	6

11/4/2014	Breaking Barriers to Employment training at MLK Library	general "know your rights"	all	general audience	9
11/6/2014	FHIP/FHAP Housing Search clinic training at tenants	general "know your rights"	housing	tenants	11
11/6/2014	FHIP/FHAP PPO training at tenants	general "know your rights"	housing	tenants	4
11/12/2014	Training at Bernice Fontaneau Ward 1 Senior Wellness Center	general "know your rights"	all	DCOA clients and staff	13
11/13/2014	Training for DCOA Ambassadors	general "know your rights"	all	DCOA staff	5
11/13/2014	FHIP/FHAP training at tenants Housing Search Clinic	general "know your rights"	housing	tenants	6
11/17/2014	FHIP/FHAP training at 4272 7th St SE #301	general "know your rights"	housing	tenants	2
11/19/2014	Training at ANC 5B	general "know your rights"	all	ANC 5B members	16
11/20/2014	FHIP/FHAP Housing Search clinic training at tenants	general "know your rights"	housing	tenants	1

11/20/2014	FHIP/FHAP PPO training at tenants	general "know your rights"	housing	tenants	7
11/20/2014	Center for Learning and Development	Language access	Language access	Employees	20
11/24/2014	Employment Discrimination training	general "know your rights"	employment	general audience	15
12/4/2014	FHIP/FHAP PPO training at tenants	general "know your rights"	housing	tenants	3
12/4/2014	FHIP/FHAP training at tenants Housing Search Clinic	general "know your rights"	housing	tenants	2
12/5/2014	Training at Marys Center for Advocates for Justice in Education	general "know your rights"	all	Marys Center clients and staff	17
12/8/2014	Employment Discrimination training	general "know your rights"	employment	general audience	10
12/13/2014	Training at 1451 Sheridan St NW	general "know your rights"	housing	tenants	10

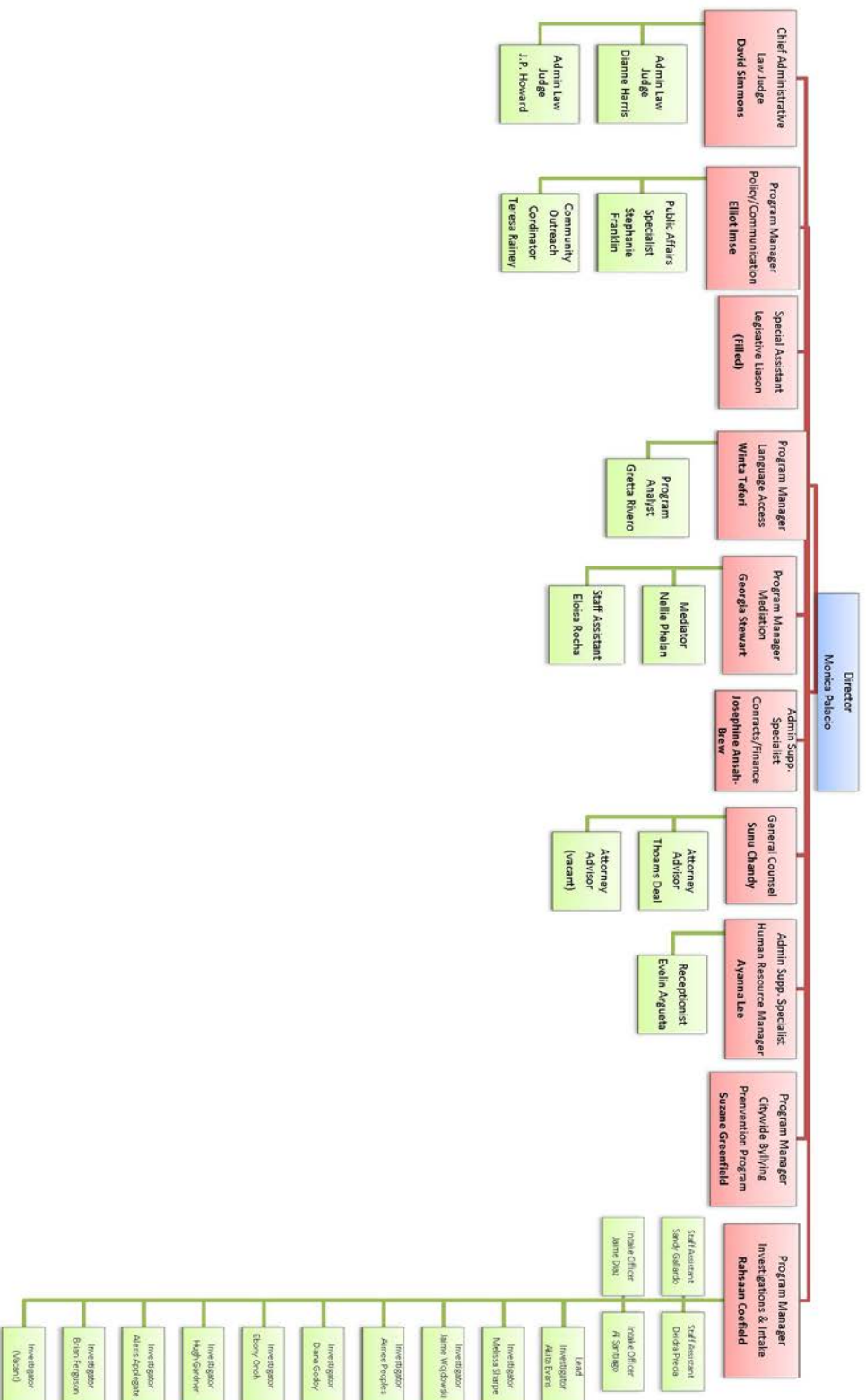
12/17/2014	Training at DOES	general "know your rights"	employment, housing	DOES staff	13
12/18/2014	FHIP/FHAP training at 1436 Newton St NW	general "know your rights"	housing	tenants	5
12/19/2014	Name and Gender Change Clinic at HIPS training	gender identity/expression, criminal background	employment, public accommodations, FCRSA	HIPS and Whitman Walker Health staff	6
1/6/2015	Training on FCRSA at DCPL	general "know your rights"	FCRSA	general audience	16
1/8/2015	Training at DC Tenants' Rights Center	general "know your rights"	housing	DC Tenants' Rights Center clients and staff	2
1/12/2015	Training for ANC2C	general "know your rights"	all	ANC2C members	15
1/13/2015	Training for DCPL Adult Services	general "know your rights"	all	DCPL staff	18
1/14/2015	DC Lottery and Charitable Games	Agency compliance training	Language access	Employees	12
1/15/2015	Center for Learning and Development	Language access	Language access	Employees	25
1/15/2015	Training for Employment Justice Center's workers committee	national origin, race	employment, language access	EJC members	8

1/15/2015	Human Rights Liaison training training and event	general "know your rights"	all	staff at LEDC, SAFE, Homes for Hope, CPDC, Carecen, DASH, Thrive DC, HIPS, Whitman Walker Health, SOME, and Chinatown Service Center	20
1/16/2015	Training on FCRSA at DCPL	general "know your rights"	FCRSA	SOME clients and staff	29
1/20/2015	Training on FCRSA at DCPL	general "know your rights"	FCRSA	general audience	7
1/20/2015	Spanish training on FCRSA at DCPL	general "know your rights"	FCRSA	general audience	3
1/21/2015	Training at OTA	general "know your rights"	housing	OTA staff	8
1/21/2015	FHIP/FHAP training at 1509 T St SE	general "know your rights"	housing	tenants	10
1/29/2015	FCRSA training at House of Ruth	general "know your rights"	FCRSA	House of Ruth clients and staff	12
1/29/2015	FHIP/FHAP training at tenants Housing Search clinic	general "know your rights"	all	tenants	
1/29/2015	FHIP/FHAP training at tenants PPO clinic	general "know your rights"	housing	tenants	8

1/29/2015	Department of Small and Local Business Development	Agency compliance training	Language access	Employees	38
2/3/2015	Breaking Barriers to Employment training at MLK Library	general "know your rights"	FCRSA	general audience	4
2/4/2015	FCRSA training at CSOSA	criminal background	FCRSA	CSOSA clients and staff	13
2/5/2015	Training at New Endeavors By Women	general "know your rights"	FCRSA	New Endeavors By Women clients and staff	4
2/5/2015	Training for Mayor's Youth Leadership Institute	general "know your rights"	all	GlobalKids.org youth and staff	15
2/9/2015	FHIP/FHAP training at 3632 Brothers Pl SE	general "know your rights"	housing	tenants	8
2/11/2015	FCRSA training at Legal Aid	criminal background	FCRSA	Legal Aid staff	40
2/11/2015	District Department of Transportation	Agency compliance training	Language access	Employees	40
2/12/2015	Training at DHS	general "know your rights"	FCRSA	DHS staff	14
2/12/2015	FHIP/FHAP training at tenants Housing Search clinic	general "know your rights"	housing	tenants	7
2/12/2015	FHIP/FHAP training at tenants PPO clinic	general "know your rights"	housing	tenants	9
2/18/2015	Training at Bread for the	general "know your rights"	FCRSA	Bread for the City staff	13

	City NW				
2/18/2015	Training at WWH Name and Gender Change Clinic	general "know your rights"	all	Whitman Walker Health staff and clients	10
2/19/2015	FCRSA training at Fairview Halfway House for Women	criminal background	FCRSA	Fairview Halfway House clients and staff	10
2/19/2015	FHIP/FHAP training at tenants ERAP clinic	general "know your rights"	housing	tenants	6
2/19/2015	FHIP/FHAP training at tenants PPO clinic	general "know your rights"	housing	tenants	5
2/20/2015	Training at La Clinica del Pueblo staff meeting	general "know your rights"	FCRSA, language access	LCDP staff	80
2/24/2015	Training at Upper Cardozo High School for students	general "know your rights"	language access, bullying	students and staff	170
2/24/2015	Training at Upper Cardozo High School for teachers	general "know your rights"	language access, bullying	DCPS staff	15
2/25/2015	District Department of Transportation	Agency compliance training	Language access	Employees	40
3/4/2015	Training at La Clinica del Pueblo Empoderate Translatinas support group	general "know your rights"	language access	support group staff and clients	12

ATTACHMENT 1



ATTACHMENT 2

Q3

Summary of FTE & Dist %																		
Fund Code	Grant Nbr	Wss	Activity	Prgr Code	Posn Nbr	Title	Name	Grade	Step	S&J Plan	Salary/FTE	Fringe	Rsg/Empl/ Department Name	Total				
0100	F	2000	1010	00043673	1000	Administrative Support Special	Anast Brw/Josphine Adowa	13	8	D50X087	9,353.3	23196	Rec	0.210				
						Administrative Support Special	Anast Brw/Josphine Adowa	13	8	D50X087	18,706.6	23196	Rec	0.420				
						Administrative Support Special	Anast Brw/Josphine Adowa	13	8	D50X087	18,706.6	23196	Rec	0.20				
						Administrative Support Special	Anast Brw/Josphine Adowa	13	8	D50X087	18,706.6	23196	Rec	0.20				
						Administrative Support Special	Anast Brw/Josphine Adowa	13	8	D50X087	9,353.3	23196	Rec	0.110				
						Administrative Support Special	Anast Brw/Josphine Adowa	13	8	D50X087	9,353.3	23196	Rec	0.10				
						Administrative Support Special	Lee Aiyanna E	14	6	D50X087	104,752.0	25978	Rec	1.00				
						Administrative Support Special	Lee Aiyanna E	13	8	D50X087	9,353.3	23196	Rec	0.10				
						Director, Ofc of Human Rights	Palacio, Monica	E4	0	D0X0000	747,308.5	36533	Rec	1.00				
						0000	Total	2010	00047858	2000	Equal Opportunity Specialist	Santiago, Albert	12	7	D50X087	78,654.0	19596	Term
CLERICAL ASST/INT OFICE OF AUT	Aguilar, Evelyn	7	1	D50X079	36,857.0						12693	Term	1.00					
Staff Assistant	Galarza, Sandra E	9	9	D50X072	51,181.0						12693	Rec	1.00					
Supervisory Equal Opportunity	Stevens, Georgia A	14	9	D50X086	103,191.6						25733	Rec	1.00					
Staff Assistant	Stevens, Georgia A	14	9	D50X086	103,191.6						25733	Rec	1.00					
Equal Opportunity Specialist	Blum, Janelle A	12	6	D50X087	78,526.0						18996	Term	1.00					
Community Outreach Specialist	Blum, Janelle A	12	4	D50X087	58,754.0						14571	Term	1.00					
Equal Opportunity Specialist	Perkins, Aimee	12	7	D50X087	68,384.0						16954	Term	1.00					
Supervisory Equal Opportunity	Sheryl J Jones, Melissa C	12	7	D50X087	78,654.0						19596	Term	1.00					
2030	00037854	2000	00044235	2030	Supervisory Equal Opportunity						Confield, Rahman	14	0	D50X086	99,910.0	24778	Rec	1.00
					Language Access Program Manager	Teller, Winta	13	8	D50X087	88,533.0	23196	Rec	1.00					
					Staff Assistant	Widelo, Daria N	9	6	D50X078	55,792.0	13836	Rec	1.00					
					Equal Opportunity Specialist	Widelo, Daria N	12	5	D50X078	74,538.0	18465	Rec	1.00					
					Staff Assistant	Rivera, Gretta	9	5	D50X078	54,255.0	13455	Term	1.00					
					Equal Opportunity Specialist	Godoy, Diana C	12	2	D50X087	68,384.0	16654	Term	1.00					
					Equal Opportunity Specialist	Godoy, Diana C	12	4	D50X087	80,712.0	20017	Term	1.00					
					Equal Opportunity Specialist	Apigache, Ebony	12	2	D50X087	72,490.0	17975	Term	1.00					
					EQUAL OPPORTUNITY SPEC	Apigache, Aletia	13	1	D50X087	59,595.0	13289	Term	1.00					
					2060	00038679	2030	00085502	2060	ATTORNEY ADVISOR	Diaz, Wilfredo, Jaime	11	4	D50X087	87,949.0	21787	Rec	1.00
Equal Opportunity Specialist	Smith, Thomas, Alisha M	13	1	LA00002						21650	21650	Rec	0.13					
Equal Opportunity Specialist	Greenfield, Suzanne L	14	2	D50X087						93,184.0	23110	Term	1.00					
Youth Inclusion Program Coord	Irms, Elrick E	13	2	D50X087						78,849.0	19554	Rec	1.00					
Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087						58,754.0	14571	Rec	1.00					
2070	00082349	2000	Total	2070						Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00
										Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00
										Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00
										Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00
										Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00
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					Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00					
					Public Affairs Specialist	Franklin, Stephanie Theres	11	4	D50X087	58,754.0	14571	Rec	1.00					
0100	Total	2060	00041743	0701	Supervisory Attorney Advisor	Chandy, Sumu P.	2	0	LA00001	139,050.0	34484	Rec	1.00					
					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
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					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
					Attorney Advisor	Littles, Jowell	13	8	LA00002	108,345.0	26870	Rec	1.00					
0701	Total	2030	00036097	8300	Equal Opportunity Spec	Gardner III, Hugh	11	4	D50X087	58,754.0	14571	Term	Investigations					
					Equal Opportunity Spec	Gardner III, Hugh	11	4	D50X087	58,754.0	14571	Term	Investigations					
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					Equal Opportunity Spec	Gardner III, Hugh	11	4	D50X087	58,754.0	14571	Term	Investigations					
0701	Total	2030	00036097	8300	Equal Opportunity Spec	Gardner III, Hugh	11	4	D50X087	58,754.0	14571	Term	Investigations					
					Equal Opportunity Spec	Gardner III, Hugh	11	4	D50X087	58,754.0	1457							

2

[illegible]

ATTACHMENT 3



FY 2014 PERFORMANCE PLAN Office of Human Rights¹

MISSION

The mission of the DC Office of Human Rights (OHR) is to eradicate discrimination, increase equal opportunity, and protect human rights in the city.

SUMMARY OF SERVICES

OHR investigates and resolves complaints of discrimination in employment, housing, places of public accommodation, and educational institutions, pursuant to the DC Human Rights Act of 1977 and other numerous local and federal laws. OHR also prevents discrimination by providing training and educating DC government employees, private employers, workers, and the community at-large of their rights and responsibilities under the law. OHR monitors compliance with the Language Access Act of 2004 and investigates allegations of non-compliance with this Act by DC government agencies. The agency also investigates complaints and conditions causing community tension and conflict. The Commission on Human Rights is the adjudicatory body that decides private sector cases after OHR has found “probable cause” of discrimination.

PERFORMANCE PLAN DIVISIONS

- Office of Human Rights
- Office of Justice Programs²
- Commission on Human Rights

AGENCY WORKLOAD MEASURES

Measure	FY 2011 Actual	FY 2012 Actual	FY 2013 YTD
Number of discrimination complaints received	NA	1,064 ³	855
Number of new docketed cases	392	334	357
Number of mediations	332	297	305
Number of discrimination complaints received by the Commission per year	6	5	13

¹ This Performance Plan includes the Office of Human Rights and the Commission on Human Rights.

² The Office of Justice Programs is included in the Office of Human Rights.

³ OHR began collecting this data on April 2, 2012. Between April 2 – September 10, 2012 there were 450 complaints received. We infer that there would have been approximately 1,064 complaints received in FY12 based on this trend.



Office of Human Rights (OHR)

OBJECTIVE 1: Shorten response times and strengthen quality controls for all internal programs, including investigations, mediations, and Language Access compliance.

OVERSIGHT RESPONSE:

Partially completed. 2.1 was successfully completed and within the projected budget and timeline. 1.1 was not completed because regulations governing OHR investigation of cases are inconsistent with this fact-finding methodology thus this new initiative could not be implemented.

INITIATIVE 1.1: Implement Fact-Finding Conference Methodology

OHR will implement an evidence-based investigation methodology, called fact-finding conferencing (FFC). A Fact-Finding Conference enables investigators to ascertain facts of cases approximately 1/3 faster than traditional investigation methods. This FFC practice is used primarily by investigations through the Federal Department of Housing and Urban Development (HUD) but may also be used for cases involving employment, education institution or public accommodation discrimination. OHR will implement the FFC initiative for approximately 10 percent of its cases and measure the average length of an FFC case compared to a traditional case. Should FFC cases result in a significantly faster resolution time without additional resource or staffing pressures, OHR will use FFC methodology for 75 percent of its cases in FY15. Completion Date: September 30, 2014.

INITIATIVE 2.1: Finalize the rollout and encourage more consistent use of a centralized internal database.

The Office of Human Rights has a large amount of data that is stored in multiple interfaces and platforms. In FY 2012, OHR designed a new database, QuickBase ("MATS" as termed within the OHR offices), which enabled the office to collect and analyze new elements of data of its caseload. Presently, OHR is still rolling out the MATS system with continued success. By the end of FY 2014, OHR aims to have each employee use the MATS system to help the agency better collect comprehensive data regarding the District's human rights complaints. With more consistent use of the MATS database, OHR will more effectively determine service gaps (areas of the District with fewer complaints) and opportunities for more outreach (areas that receive the most complaints). Completion Date: September 30, 2014.



OBJECTIVE 2: Prevent discrimination by promoting awareness of and compliance with local and federal antidiscrimination laws through increased outreach and awareness activities.

OVERSIGHT RESPONSE: All of the initiatives below were successfully completed on time and within budget except for two agencies that did not completed website updates as per 2.1 below.

INITIATIVE 2.1: Improve government compliance with the Language Access Act by improving digital Language Access accessibility

In FY 2014, the Language Access (LA) team will undertake an ambitious city-wide initiative to ensure complete LA accessibility for all websites of DC Agencies with major public contact. To accomplish this initiative in FY14, OHR's Language Access team will work with the Office of the Chief Technology Officer and each individual covered agency to ensure all of the agency's vital documents have been translated and are available online, in each of the six most spoken languages in addition to English (Spanish, Thai, French, Vietnamese, Mandarin, Amharic). Completion Date: September 30, 2014.

INITIATIVE 2.2: Amplify innovative outreach efforts to increase housing case load based on race, national origin and source of income by 20%.

In FY 2014, OHR will partner with the national nonprofit organizations the Equal Rights Center and National Community Reinvestment Coalition, and local advocacy organization Housing Counseling Services, to increase outreach and awareness of fair housing rights and issues in housing discrimination at the local level. Through HUD's discretionary "Fair Housing Incentive Program (FHIP) / Fair Housing Assistance Program (FHAP) Partnership Grant," OHR will conduct at least 45 in-person trainings to tenant advocacy organizations across the city, informing them of integral fair housing policies and anti-discrimination rights of their tenant members. Through this new outreach strategy, OHR hopes to increase its housing complaint docket by 20%, mostly through race and national origin complaints. Completion Date: September 30, 2014.

INITIATIVE 2.3: Launch an immigrant rights campaign.

In September 2013, OHR will launch an immigrant rights campaign that aims to raise awareness among the general population about the importance of immigrants to DC, and to inform immigrants that discrimination based on national origin is illegal. Each campaign ad will feature an immigrant who lives in DC and contain a brief quote from them, along with text that says "I'm an immigrant and I contribute to DC." The campaign will appear at Metro stops, on the side of buses, inside buses, and in newspapers throughout the District. Ads will also be created for non-English radio stations with immigrant audiences. OHR expects the campaign to gain media attention and to increase the number of national origin discrimination cases filed with the office. Completion Date: September 30, 2014.

INITIATIVE 2.4: Establish the District's Bullying Prevention Program.



OHR originated the Mayor's Bullying Prevention Action Plan and accompanying Task Force, which created a comprehensive Bullying Prevention Model Policy, to be adopted by agencies and educational institutions pursuant to the Youth Bullying Prevention Act. In FY 2014, OHR will continue its leadership in citywide bullying prevention through the establishment of the newly created Bullying Prevention Program. The Director of the Bullying Prevention Program will be responsible to: ensure youth-serving agencies' and educational institutions' adhere to deadlines to submit their individual bullying prevention policies; promulgate rules for agencies' adherence to the Youth Bullying Prevention Act; vet and recommend to the Mayor the approval of agency bullying prevention policies; and serve as staff to the Mayor's Bullying Prevention Task Force. Completion Date: September 30, 2014.

Commission on Human Rights

OBJECTIVE 1: Adjudicate cases with probable cause findings, determine damages associated with cases, and adjudicate all criminal background check cases.

OVERSIGHT RESPONSE:

This initiative was partially completed and will be completed by September 30, 2015.

INITIATIVE 1.1: Increase awareness of Commission adjudication process to litigants in order to speed rate of adjudications.

In order to facilitate the goal of completing the adjudication of cases within 16 months, the Commission will design, circulate to all litigants and post on our website a Litigation Manual that will summarize the basic procedures for handling a case before the Commission and thereby speeding the ultimate resolution of the case from 16 months to 15 months.

It should be noted, that in handling a case, an Administrative Law Judge is in continuous contact with the attorneys for the parties: monitoring compliance with discovery requests; issuing subpoenas; monitor submission of and ruling on motions; analyzing and ruling on dispositive motions; encouraging settlement, etc. Accordingly, the Litigation Manual is not a one-time interaction with the litigants. Rather, it is an additional initiative in support of the on-going process of case management throughout the life of the litigation.

ATTACHMENT 4



FY 2015 PERFORMANCE PLAN **Office of Human Rights¹**

MISSION

The mission of the DC Office of Human Rights (OHR) is to eradicate discrimination, increase equal opportunity, and protect human rights in the city.

SUMMARY OF SERVICES

The DC OHR investigates and resolves complaints of discrimination in employment, housing, places of public accommodation, and educational institutions, pursuant to the DC Human Rights Act of 1977 and other numerous local and federal laws. OHR also prevents discrimination by providing training and educating DC government employees, private employers, workers, and the community at-large of their rights and responsibilities under the law. OHR monitors compliance with the Language Access Act of 2004 and investigates allegations of non-compliance with this Act by DC government agencies and houses the District's Citywide Bullying Prevention Program. The agency also investigates complaints and conditions causing community tension and conflict that can lead to breaches of the peace. The Commission on Human Rights is the adjudicatory body that decides private sector cases after OHR has found "probable cause" of discrimination.

PERFORMANCE PLAN DIVISIONS

- Office of Human Rights
- Equal Justice Program²
- Commission on Human Rights

AGENCY WORKLOAD MEASURES

Measure	FY 2012 Actual	FY 2013 Actual	FY 2014 YTD³
Number of discrimination complaints received	1,064	1,115	1306
Number of new docketed cases	334	408	504
Number of mediations	297	397	416

¹ This Performance Plan includes both the Office of Human Rights and the Commission on Human Rights.

² For the purposes of the FY15 Performance Plan, the (2000) Office of Justice Program budget division is also included in the (1000) Office of Human Rights.



Office of Human Rights⁴

SUMMARY OF SERVICES

The Office of Human Rights provides for administrative support and the required tools to achieve operational and programmatic results. The Office of Human Rights includes the Equal Justice Division, which provides education and awareness and investigates, adjudicates, and provides compliance services to people who live, work, and/or conduct business in the District of Columbia so that they are informed of, and may have timely resolution of, discrimination complaints.

OBJECTIVE 1: Shorten response times and strengthen quality controls for all internal programs, including investigations and mediations, and Language Access compliance

INITIATIVE 1.1: Improve efficiency in intakes and administrative dismissals.

In FY15, OHR will enhance the pre-complaint and intake process to become more user friendly for parties. These enhancements include plain language explanation of process, procedure, and law via OHR communication tools and outreach and in agency correspondence. Specifically, OHR will rewrite its administrative dismissal and notice letters to explain agency action with less technical or sophisticated legal language in an effort to reduce confusion to parties and unnecessary interaction with OHR. These changes will significantly reduce requests to reopen administratively dismissed cases, Respondent motions to dismiss, and other administrative functions occurring prior the investigation of a valid complaint.

Staffing levels at the intake stage will also be reevaluated and reconfigured for greater efficiency. **Completion Date: September 2015.**

INITIATIVE 1.2: Digitize Language Access Citywide Reporting Systems

In FY15, OHR will transition Language Access Quarterly Reports to a fully digitized reporting system for more streamlined and comprehensive tracking of compliance with Language Access statutes. Use of this database will enable smoother transition from agencies' Quarterly Reporting to Biennial Reporting. Presently, the Language Access Program obtains 18 discrete points of data from 34 agencies, four times per year via Microsoft Word/Excel files which must then be reconfigured. technologies. The Language Access Program this year will unveil a digital QuickBase tracking system to streamline data collection and reporting. **Completion Date: September 2015.**

INITIATIVE 1.3: Reconfigure Investigative Assignment Procedures.

OHR will establish more effective criteria to ensure docketed cases can be tracked, assigned and completed according to area of discrimination (i.e. employment, housing, etc.) and complexity of case (i.e. number of issues/bases presented). Presently, all cases docketed through the Office of Human Rights must be completed within a 6 month timeline (3 months for housing cases). Under this new system, investigations will be assigned based upon in-house investigator expertise and the level of effort required for each investigation as reflected by the allegations. . Timeline of completion for

⁴ For the purposes of the FY15 Performance Plan, the (2000) Office of Justice Program budget division is also included in the (1000) Office of Human Rights



traditional cases will be approximately 14 weeks (3-4 months), while complex cases will be 20 weeks (5 months). **This reconfiguration will enable OHR to tailor its investigative methods and bring cases to resolution in an expedited way.**
Completion Date: September 2015.

OBJECTIVE 2: Prevent discrimination by promoting awareness of and compliance with local and federal antidiscrimination laws through increased outreach and awareness activities (Age Friendly DC Goal: Domain #5).

INITIATIVE 2.1: Create Touchpoints Report

Through thorough analysis of OHR Complainants and Respondents – including ward-by-ward data, analysis of location of incident (“hot spots”) crossed with area of discrimination – OHR will better determine 1) the most frequent type of offenses; 2) where most Complainant live in the District; and 3) areas of the District where most Respondents do business. OHR’s trends and interactions with specific communities will be used to guide future outreach and awareness initiatives. **Completion Date: September 2015.**

INITIATIVE 2.2: Design and implement outreach initiative

OHR will collaborate with a marginalized community to create an outreach initiative that increases the number of complaints from this community, thereby reducing discrimination via heightened enforcement activities. OHR will accomplish this initiative through an advertising campaign and new programs like the Human Rights Liaison training, which aims to develop expertise and understanding of the functions of the OHR in the broader community. **Completion Date: September 2015.**

INITIATIVE 2.3: Ensure compliance with Bullying Prevention Program

Ensure all covered entities – specifically city agencies and educational institutions – have a compliant bullying prevention policy. In the Youth Bullying Prevention Act of 2012, youth-serving government agencies (eg: OSSE, DPR, DPL, etc.) and education institutions (in practice, Local Education Agencies, or LEAs) must have a bullying prevention policy, modeled after the Bullying Prevention Task Force’s model policy. In FY13, the Bullying Prevention Task Force and Bullying Prevention Program made public the model policy, and in the subsequent months, the Director of the Bullying Prevention Program has worked with agencies and LEAs to ensure that 1) they have a BP Policy, 2) it is compliant with the law, and 3) it uses best practices over and above the basic legal requirements in the law.

Currently, 90% of LEAs have policies, of which 60% are compliant, and 100 percent of agencies have policies and are all compliant. This fiscal year, the Bullying Prevention Program will enhance outreach to agencies and education institutions through increased trainings, in-person visits and a day-long awareness event in October, to boost the number of compliant policies. **Completion Date: September 2015.**



KEY PERFORMANCE INDICATORS – Office of Human Rights

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Average cost per mediation	NA	\$594.75	\$1,179.00	\$495.62	\$495.62	\$4925.6
Average cost per Language Access training	NA	\$1,116.61	\$788.00	\$1,075.58	\$932.14	\$932.14
Percent of cases backlogged	6.31%	4%	10.64% ⁸	2%	0%	0%
Percent adherence to optimal number of case closures per quarter	88.25%	95%	131%	97%	97%	98%
Percent of OHR complainants satisfied with the agency's customer service	100%	95%	95.54%	96%	96%	97%
Percent of agencies reporting Language Access compliance via digital reporting tool	NA	NA	NA	90	95%	95%
Number of Fair Housing outreach activities (including trainings, events, etc.)	NA	NA	78	50	55	60
Number of pre-complaint questionnaires received	NA	NA	1306	1,050	1,200	1,250
Level of educational institution compliance on Bullying Prevention	NA	NA	91%	85%	90%	90%
Percent of adherence to operational efficiency targets, based on diagnostic analysis (cases docketed/suggested number of cases docketed) ⁹	NA	95%	154%	98%	98%	98%

Commission on Human Rights

SUMMARY OF SERVICES

The Commission on Human Rights provides adjudication services through an administrative, trial-type hearing conducted before a hearing examiner or a panel of commissioners. The Commission rules and can issue injunctive relief and award damages (if discrimination is found) to people who live, work, or conduct business in the District of Columbia.

OBJECTIVE 1: Adjudicate cases with probable cause findings, determine damages associated with cases, and adjudicate all criminal background check cases.

INITIATIVE 1.1: Train DC Bar members on COHR rules and procedure

⁸ This increase in backlogged cases reflects all cases on OHR's docket as opposed to only cases which originated at OHR.

⁹ For the purposes of the FY15 Performance Plan, this KPI was moved to the correct division. This KPI was incorrectly listed under the Commission on Human Rights in the FY 2015 budget book



The Commission on Human Rights will organize and execute a program for members of the District of Columbia Bar on the rules and procedure for litigating a case before the Commission. Each year, DC Bar members bring dozens of cases before the Commission. It is imperative that these litigators understand the nuance of defending a case and appearing before the Commission, as the administrative law field differs substantially in rules and procedure from the civil and criminal fields. The Commission will prepare and present at least one training program for any and all DC Bar members interested. **Completion Date: September 2015.**

KEY PERFORMANCE INDICATORS – Commission on Human Rights

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 YTD ¹⁰	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of reductions in the total inventory of cases adjudicated at the Commission	NA	85%	42.11%	90%	95%	95%
Number of months, on average, that is used as a guideline for completion of Commission cases	NA	15	15	15	15	15

¹⁰ As of 8/13/14
Office of Human Rights
Government of the District of Columbia

ATTACHMENT 5



Bullying Prevention in District of Columbia Educational Institutions:

School Year 2013-14 Compliance Report

Prepared for the DC Office of Human Rights by

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Executive Summary

The Robert F. Kennedy Center for Justice and Human Rights' bullying prevention initiative, RFK Project SEATBELT (RFKC) was contracted by the DC Office of Human Rights (OHR), in June 2013, to provide resources and support for DC public and public charter schools' bullying prevention efforts. This contract moved to Child Trends in August 2014. From August 2013 through September 2014, an audit of each local education agency's (LEA) anti-bullying policy was conducted to determine the extent to which it is compliant with the *2012 Youth Bullying Prevention Act* (YBPA; DC Law L19-167).

All LEAs were asked to submit their policies in September 2013, in accordance with the requirements of the YBPA. Submissions were accepted until September 30, 2014. Each submitted policy was reviewed, and a report of compliance was provided to the LEA and to OHR. Policies that were resubmitted were similarly reviewed. This report summarizes the current state of LEA compliance as well as the most-often overlooked or missing required components in initially submitted policies.

Highlights of findings include:

- 57 of 61 (**93.4 percent**) of DC Public Charter LEAs as well as DC Public Schools submitted a bullying prevention policy to the DC Office of Human Rights by September 30, 2014.
- 42 of 61 DC Public Charter LEAs (**70.5 percent**) and DC Public Schools had policies compliant with the Youth Bullying Prevention Act of 2012 by September 30, 2014.
- 17 charter school policies were deemed compliant upon submission, all of which adopted the mayor's Bullying Prevention Task Force's model policy ("model policy"). The remaining 25 compliant policies were revised and resubmitted.
- On initial submission, LEAs were most often non-compliant on:
 - Coverage of electronic bullying off-campus that interferes with students' participation in or benefit from schools' services,
 - Having the verbatim definition of bullying as defined in the YBPA,
 - Stating that consequences are to be applied in a flexible manner based on students' developmental age, the nature of the incident, and disciplinary history, and
 - Providing a consistent appeals process as defined in the YBPA.

This report is limited to assessing whether or not an LEA has submitted a compliant policy. Further work is needed to understand LEAs' implementation of these bullying prevention policies across multiple campuses as well as LEAs' broader bullying prevention efforts. **It is not assumed that LEAs will successfully prevent and intervene in bullying incidents simply by having a bullying prevention policy.** However, having a compliant policy is a first step toward these goals. Further, having a compliant policy allows for greater transparency and clarity for the District's students, parents, and guardians in seeking relief after a bullying incident.

Overview

The *2012 Youth Bullying Prevention Act* (YBPA; DC Law L19-167) was signed into law on June 22, 2012 by Mayor Vincent C. Gray. The Act requires all youth-serving agencies (including, but not limited to, schools, libraries, non-profits, and community centers) to adopt a bullying prevention policy. Such policies must contain detailed and specific language in seven broad areas: statement of scope, definition, code of conduct and consequences, reporting, investigation, appeals, and retaliation. In the Act, these seven components are comprised of 43 subcomponents that detail specific language that must be present in every DC bullying prevention policy.

The YBPA also commissioned an expert task force, led by the DC Office of Human Rights (OHR) and comprised of representatives from DC's youth-serving agencies and subject matter experts, to develop a model policy to serve as an example for youth serving agencies developing their own policies. The model policy was released by the mayor's Bullying Prevention Task Force in January 2013. The model policy includes all required elements¹ as well as best practices in bullying prevention more generally, including using a public health, multi-tiered framework to guide universal and targeted prevention and intervention.

All youth-serving agencies were required to submit a compliant bullying prevention policy to OHR by September 13, 2013. Given its expertise in the field, The Robert F. Kennedy Center for Justice and Human Rights' bullying prevention initiative, RFK Project SEATBELT (RFKC) was contracted by OHR in June 2013 to review policies submitted by DC local education agencies (LEAs),² including public charter schools and DC public schools (DCPS), to determine compliance with the YBPA. To complete the project, this contract moved with the first author to Child Trends in August 2014. RFKC worked with the Safe School Certification Program (SSCP), which had previous experience reviewing bullying prevention policy compliance in the state of Iowa, to develop a checklist of required elements of the YBPA. Policy submissions were accepted through September 30, 2014. Identified components and subcomponents are detailed in table 3.

Prior to policy submission, RFKC and OHR worked together to notify LEAs about the requirements of the YBPA. Such efforts included three official requests via email, follow-up phone calls and emails, participation in webinars held by the DC Public Charter School Board (PCSB), information in the PCSB Tuesday morning bulletin, and in-person meetings with LEA leaders. Representatives from RFKC and OHR also presented information regarding the YBPA's requirements and RFKC's services to the Public Charter Schools Board in January 2014. RFKC provided assistance to LEAs prior to and throughout the submission process, including by providing links to website guidance on the required components and the model policy.

Audits were conducted exclusively at the LEA level. Individual campuses within DCPS or within multi-campus public charter schools were not assessed as to their adoption of the LEA policy. Further, only

¹ One subcomponent ("possible consequences for retaliation") was not specifically detailed in the model policy, and as such was not considered in the review of policies for this report.

² Local education agencies include both public school districts as well as charter school operators. Charter operators may have a single campus or multiple campuses in DC.

submitted policies were reviewed. Use, publication, and effectiveness of policies are not covered by the current review (see Recommendations and Next Steps). Having a compliant bullying prevention policy is an important first step in creating consistent understanding and procedures around bullying. However, a policy in and of itself does not and cannot prevent bullying.

The purpose of this report is to provide a summary of findings from the 2013-2014 audit and provide recommendations to bring the remaining LEAs into compliance.

Significant Results

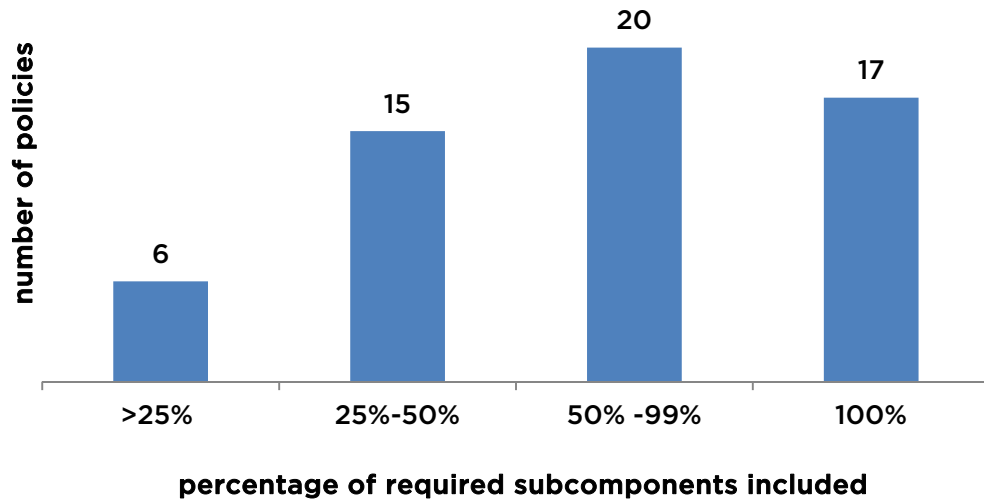
As of September 30, 2014, 57 charter schools and DCPS submitted policies for review. This represents 93.4 percent of the DC public charter school LEAs operating in the 2013/2014 school year that will continue operating in the 2014/15 school year.³ Of those submitting policies, 15 charter school policies were found to be fully compliant upon initial submission. An additional 25 policies were found to be compliant following resubmission and re-review, for a total of 40 compliant policies by September 30, 2014. This represents 75.4 percent of submitted policies and 70.5 percent of all charter school policies. Upon revision, DCPS's policy was also found to be compliant. Specific listings of schools and their compliance and revision status are reported in table 1.

Subcomponent inclusion

Components, and their related subcomponents, are detailed in table 3. On initial submission, policies could be rated between zero to 100 percent compliant, based on the 43 required subcomponents. Six policies met less than 25 percent of requirements, 17 policies met between 10 percent and 50 percent of requirements, 20 policies met between 50 percent and 99 percent of requirements, and 15 policies met 100 percent of requirements. Results reported in tables 2 and 3 are based on the initial submissions of policies and do not reflect revised policies. Table 4 reports the current status of all policies.

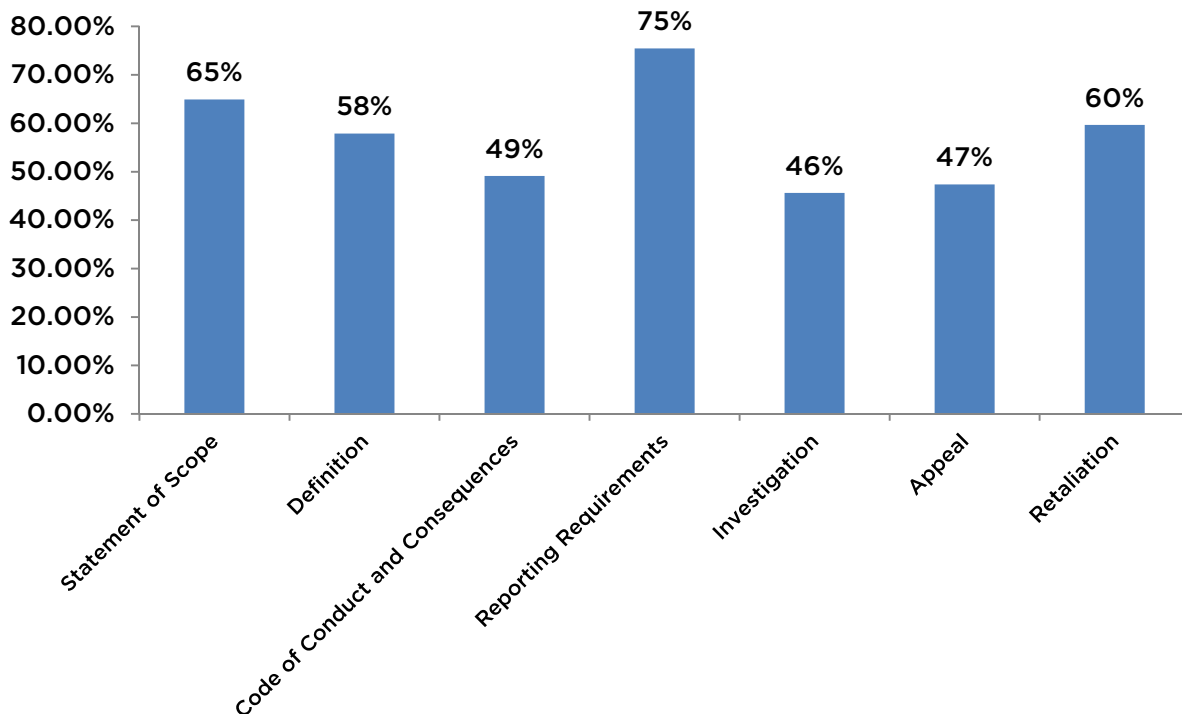
³ Three charter schools closed between the 2013/2014 school year and the 2014/2015 school year – Arts Technology Academy, Booker T. Washington, and Imagine Southeast. These schools were not included in this report.

Status of policies on initial submission



Overall, each of the seven overarching components was met by an average of 56.1 percent of submitting LEAs. Two components, statement of scope and reporting requirements, were met by over 60 percent of submitting LEAs. Investigations, code of conduct, and appeals had the lowest rates of compliance, with only 45.6 percent, 47.4 percent, and 47.4 percent of LEAs including all required subcomponents on initial submission, respectively.

Percentage of legal requirements included

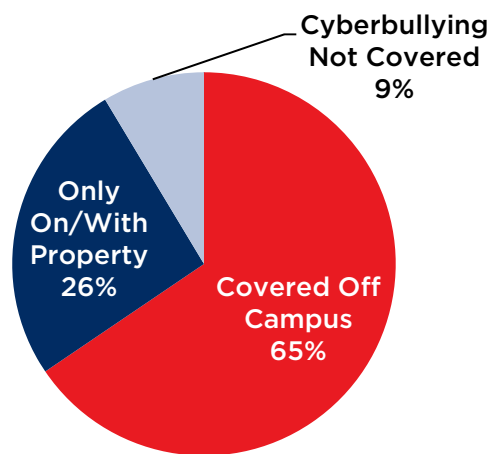


The following subcomponents were found to be missing most often (< or = 65 percent), in non-compliant policies:

- Statement of coverage of electronic bullying that causes a significant interference with a youth's ability to participate in or benefit from the school's services, activities, or privileges

Although most policies included provisions for electronic bullying on campus (89.7 percent) and with school technology (77.6 percent), a smaller percentage included required language about off-campus electronic bullying (65.5 percent). Some LEAs may be resistant to this responsibility, but it is important to stress the requirement for its inclusion.

Cyberbullying coverage on initial submission



- Definition of bullying as defined in the YBPA, including all enumerated categories

Of those that were not compliant on this component, many policies made an attempt at this definition but either left out, misspelled (e.g., interfamily violence vs. intrafamily violence), or otherwise changed some of the enumerated categories. Two schools cited a pending, but not yet enacted, federal bill (the Student Non-Discrimination Act) instead of including sexual orientation and gender identity in their definition. Bringing this category to compliance will require little work for schools, since the requirement in YBPA is for all policies to use the exact definition contained in the Act.

- **Flexibility requirements surrounding use of consequences (e.g., developmental age, previous history)**

Inclusion of these requirements varied, but generally, schools missing one, missed all flexibility requirements. It is also important to note that although consequences are defined as flexible, the vast majority included in-school and out-of-school suspensions or expulsions as consequences.⁴ In accordance with the language in YBPA, LEAs are still considered compliant even if they use these zero-tolerance-type procedures, as long as language regarding flexibility is included.

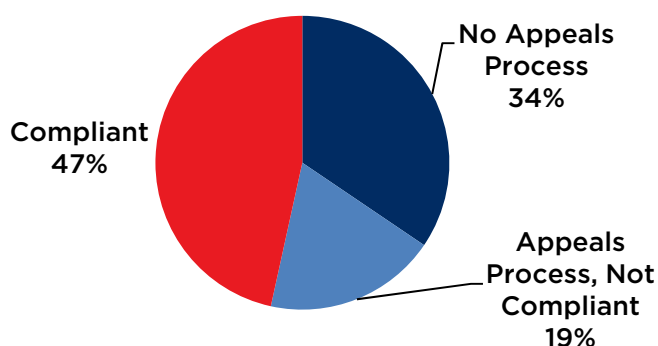
- **Name and contact information of responsible individual at school**

Interestingly, some schools provided the contact information for the responsible individual, but not the name, or vice-versa. This may reflect a concern regarding turnover in a specific position and reluctance to define the person in the policy. YBPA, however, specifically requires a name, so these policies were still found non-compliant for reporting requirements.

- **Appeals procedure requirements as defined**

Most schools failed to include any information about appeals, or simply provided a statement that students could appeal without a definition of the procedure. Many schools failed to make clear that any party dissatisfied with the outcome could appeal, as opposed to only those accused.

Appeals process inclusion on initial submission



⁴ This is also consistent with the model policy, which suggests the following for potential consequences of bullying: reprimand; deprivation of privileges; bans on participating in optional activities; deprivation of services; and banning or suspension from facilities.

- **Definition of who retaliation applies to (62.1 percent to 75.9 percent)**

YBPA provides that students may not retaliate against those who have reported the bullying, the victims, or any witnesses. Many schools specify that retaliation applies to those who report bullying (70.5 percent), but fewer (60.7 percent) specifically include the victim. Often, those who are bullied do not report bullying; instead, a witness may report the bullying for them. Still, the victim is at risk of retaliation regardless of who reported the bullying.⁵

Other findings

A number of other notable patterns emerged outside of specific component compliance. These patterns are important to note, as they may be helpful in developing technical assistance, best practices, and policies.

- **Use of model policy and YBPA**

Each of the 17 initially-compliant public charter school policies was clearly derived from the provided model policy, and included most of the optional provisions alongside the required provisions from the YBPA. Although this is laudable, whether schools submitting all optional components of the model policy (e.g., tiered public-health model) will actually implement their stated policy with fidelity is a question that must be considered. This question cannot be answered by the current analysis.

Several policies (6) submitted were likely developed under DC's previous bullying prevention law, or did not consider the YBPA at all in their creation. These policies included less than 25 percent of required components under the YBPA. Although these schools submitted policies as required, it is questionable whether they should be counted.

- **Parental notification**

Although parental notification is not included as a provision in YBPA, several schools included such a provision in their policy. Some included the language available in the model policy (e.g., "with student assent"), but many others structured such policy to require mandatory parental notification without language regarding discretion or considerations for potentially negative impacts of parental notification.⁶ For example, youth who are LGBT may not be out to hostile parents, and revealing a bullying situation may also disclose the student's real or perceived sexual orientation, creating the potential for parental rejection or other negative outcomes. However, since language pertaining to parental notification is not currently included in the YBPA, only in the model policy, inclusion of such language does not constitute a non-compliance with the law.

⁵ Mishna, F. & Alaggia, R. (2005). Weighing the risks: A child's decision to disclose peer victimization. *Children & Schools*, 27(4)217-226.

⁶ Stafanil Jr, M.(2012). Identity, Interrupted: The parental notification requirement of the Massachusetts Anti-Bullying Law. *Tul. JL & Sexuality*, 21, 125.

- **Anonymous reporting**

Some schools (3) included specific provisions preventing anonymous reporting, counter to the requirements of the YBPA. Anonymous reporting must be specifically allowed within anti-bullying policies, with a clause that formal action cannot be taken solely on the basis of an anonymous report.

- **Zero tolerance**

As noted earlier, the vast majority of schools including consequences for bullying did so in a “zero-tolerance” manner, mandating either suspension or expulsion for acts of bullying. Although the intent of YBPA was to allow flexibility in consequences, and one could argue that suspension and expulsion are not appropriate consequences for certain types of incidents, the language currently contained in the YBPA does not preclude schools from using such discipline.

- **Retaliation consequences**

In the initial compiling of requirements for the YBPA, RFKC and SSCP identified consequences for retaliation as a required component. Upon review, the model policy did not specifically contain this provision. As such, it was not included as requirement for compliance in this analysis. It is recommended that given the language contained in the YBPA, the model policy should be revised to include this provision and it should be once again required for school policies. Such revision is typically as simple as adding retaliation explicitly to the consequences section.

Eight Key Elements Survey

Outside of LEA requirements pursuant to the YBPA, a number of best practices in bullying prevention are indicators of likelihood of more-effective implementation. To this end, RFKC disseminated a survey to charter schools asking about their efforts on eight of the most critical elements as identified by recent research.⁷ Eighteen LEAs that submitted policies started the survey, and eight completed the survey. Although based on a limited sample of schools, the findings on this survey help demonstrate schools’ current efforts around bullying prevention, and the need for additional support for schools to help them identify and implement effective strategies.

Initial results indicate that schools are using a variety of methods to carry out each element, but all are in need of improvement. Initial findings are reported below:

1. Data

Ongoing collection of valid and reliable data is critical for the leadership team to be able to assess the conditions for learning at school and make decisions about the best use of resources

⁷ Espelage, D., Astor, R. et al. (2013) *Prevention of Bullying in Schools, Colleges, and Universities*. American Education Research Association. Available: <http://www.aera.net/Portals/38/docs/News%20Release/Prevention%20of%20Bullying%20in%20Schools,%20Colleges%20and%20Universities.pdf>

to address emerging issues.⁸ Teachers often underestimate, for instance, the amount of bullying that occurs at school.⁹ Having systematic data collection allows schools to identify issues that may not be readily visible and to assess the impact of their efforts.¹⁰

Each of the eight schools reported using incident data. Two schools reported using survey data from students, including multiple measures of bullying harassment, and reported these measures as valid and reliable. Only one school reported using survey data from staff. Three schools also used measures of students' sense of safety in school and students' engagement in school. In free response, schools reported primarily using referral sheets and class surveys.

2. Buy-in

In order for a school to be successful in its bullying prevention efforts, it must gain the buy-in of the majority of the school community for the process. This means that the community is regularly informed of the efforts, they have opportunities to contribute in meaningful ways, and they can see the results of their efforts.¹¹

Six schools provided responses to this item. Two responding schools reported being unsure about how they were building buy-in. The other four reported using professional development aimed at building efficacy on bullying prevention and improving school climate.

3. Leadership team

School climate and bullying prevention efforts need to be supported and actively engaged in by school administration (principal, vice principal, etc.) in order to be effective.¹² At the same time, all members of the school's community need to feel like they have a role and a voice in making decisions that affect school climate.¹³ Schools that engage school staff, parents, and students on leadership teams are higher performing than those that have a more hierarchical model.¹⁴

⁸ Ibid 6

⁹ Bradshaw, C. P. & Wassdorp, T. E. (2009). Measuring and changing a "culture of bullying." *School Psychology Review*, 38(3), 356-361.

¹⁰ Horne, A.M. & Orpinas, P. (2010). Creating a Positive School Climate and Developing Social Competence. In: S.R. Jimerson, S.M. Swearer & D.L. Espelage (Eds.), *Handbook of Bullying in Schools: An International Perspective*. New York, NY: Routledge, pp 49-51; Nickerson, A.B., Cornell, D.G., Smith, D.H., Furlong, M.J. (2013). School antibullying efforts: advice for education policymakers. *Journal of School Violence*, 12(3), 253-264.

¹¹ Ibid 9

¹² Horne, A.M. & Orpinas, P. (2010). Creating a Positive School Climate and Developing Social Competence. In: S.R. Jimerson, S.M. Swearer & D.L. Espelage (Eds.), *Handbook of Bullying in Schools: An International Perspective*. New York, NY: Routledge, pp 49-51; Nickerson, A.B., Cornell, D.G., Smith, D.H., Furlong, M.J. (2013). School antibullying efforts: advice for education policymakers. *Journal of School Violence*, 12(3), 253-264.

¹³ Edstrom L.V., Frey S.K., Hirshstein M.K. (2010). School Bullying: A Crisis or an Opportunity?. In: S.R. Jimerson, S.M. Swearer & D.L. Espelage (Eds.), *Handbook of Bullying in Schools: An International Perspective*. New York, NY: Routledge, pp 403-406.

¹⁴ Learning from Leadership Project. (2010). *Investigating the Links to Improved Student Learning: Final Research Report to the Wallace Foundation*.

Six schools provided responses to this item. Of those providing responses, three reported having a leadership team to work on bullying prevention issues. Only one school reported involving students on this team.

4. Student engagement

Students must be actively engaged in changing the school climate and preventing bullying.¹⁵ When students are engaged, they are much more likely to improve their behaviors and reconnect to school.¹⁶

Six schools provided responses to this item. Two of the six schools reported no student engagement efforts. The others reported using school assemblies (e.g., “community day”), using a curriculum in PE/health classes, or working with students as issues arise.

5. Policy enforcement

Bullying prevention policies need to be enforced consistently and fairly, and investigations must be expedient and thorough.¹⁷

Six schools provided responses to this item. Responses included that a school was already consistent in enforcement, that students were segregated by grade for recess, and that the school held parental meetings. None of these truly reflects efforts to ensure policy enforcement. One school mentioned using data to detect bullying patterns and using strategically-placed personnel.

6. Family and community engagement

Although school is the primary setting for youth interaction with peers, messages received at school must be reinforced by families and communities in order to be effective.¹⁸ Active family support and engagement also helps promote student engagement in school climate efforts.¹⁹

Only one of the eight schools indicated having a strategic effort to engage families and communities in bullying prevention efforts. This school indicated they have a full-time parents’ center with bilingual staff.

7. Programs

Two schools reported having no bullying or related programming. Three reported using character education, one reported using social-emotional learning, and one reported using Positive Behavior Interventions & Supports and HealthSmart curriculum. One reported that

¹⁵ Ibid 6

¹⁶ Christenson S.L., Havy L.H. (2004). Family-school-peer relationships: significance for social, emotional, and academic learning. In: J.E. Zins, R.P. Weissberg, M.C. Wang, and H.J. Walberg (Eds.), *Building Academic Success on Social and Emotional Learning: What Does the Research Say?*. New York, NY: Routledge, pp 59-64.

¹⁷ Ibid 6

¹⁸ Frey K.S., Holt M.K., Hymel S., Limber S.P., Raczynski K. (2013). School and community-based approaches for preventing bullying. *Journal of School Violence*, 12(3), 236-248.

¹⁹ Ibid 15

students would receive information in their advisory period, but provided no further detail. Schools did not provide information about evidence of program effectiveness.

8. Training

Although the vast majority of school staff want to do something to respond to bullying and other school climate issues, most report having little-to-no training on how to do so.²⁰ Providing training for all school staff (from cafeteria workers to teachers and principals) on areas of key need identified by the school is critical in furthering school climate efforts.²¹

80 percent of schools reported training staff on bullying prevention and policy. Beyond narrative confirmations of providing training, schools did not provide further detail.

Recommendations and Next Steps

Thirty percent of DC charter schools do not have a compliant bullying prevention policy. Having a compliant policy is the first step in implementing effective bullying prevention. Efforts must be made to ensure compliance of all LEA bullying prevention policies.

Further, audits should be conducted not only at the LEA level, but at each school, to ensure compliance. The current audit, for instance, can only say that DCPS as a whole has a compliant policy; it cannot be determined with current data whether any individual school has adopted and implemented DCPS's overarching policy. Efforts to ensure the adequate and compliant publication of the policies by each school should also be considered.

A bullying prevention policy alone cannot prevent bullying, and most likely will not achieve reductions in DC's bullying rates.²² Efforts must be made to understand the state of bullying and bullying prevention in DC schools.

Suggestions to accomplish each of these recommendations are detailed below.

1. LEA and school policy compliance

Currently, DCPS and 70.5 percent of DC public charter schools have a compliant bullying prevention policy. In order to boost compliance, the Citywide Bullying Prevention Initiative should take the following efforts to address the needs of three groups of schools: (1) those that have submitted and

²⁰ Gulemetova, M., Durry, D., & Bradshaw, C. (2011). Findings from the National Education Association's nationwide study of bullying: Teachers' and education support professionals' perspectives. *White Papers from the White House Conference on Bullying Prevention*, 11-19.

²¹ Ibid 11

²² The effectiveness of anti-bullying policies has not been well studied, but its acknowledged that policies likely play a critical role in bullying prevention, they cannot operate in isolation (see: Espelage, D., Astor, R. et al. (2013) *Prevention of Bullying in Schools, Colleges, and Universities*. American Education Research Association. Available: <http://www.aera.net/Portals/38/docs/News%20Release/Prevention%20of%20Bullying%20in%20Schools,%20Colleges%20and%20Universities.pdf>)

have minor revisions to complete; (2) those that have submitted but seem unaware of the YBPA; and (3) those that have not submitted at all.

1.1 Minor revisions

This group should be re-sent their compliance memos to bring their policies into consideration. They should also be encouraged to complete the key component survey to receive additional assistance.

1.2 YBPA awareness

This group seems to be aware of their obligation to submit a bullying policy, but unaware of the requirements of the YBPA. In addition to resending their compliance memos and the model policy to them, training should be provided to cover the required components and common pitfalls identified from the initial round of audits. This training could take place in the form of a webinar.

1.3 Non-submitters

In addition to making the training provided to group 2 available to this group, OHR should determine what regulatory measures it may have to compel those schools that have yet to submit their policies.

Additionally, recognizing the limitations of our current efforts to understand school compliance with implementing LEA policies, as well as limitations in ensuring continued compliance of LEA policies, OHR should develop a mechanism by which policy-compliance issues can be reported. It is likely overly burdensome to require a full review of all school-level policies or continuing review of LEA policies, but engaging the public in identifying potentially non-compliant policies will help assure consistency throughout DC. Further, requirements that go beyond the written policy were not assessed. For instance, the YBPA requires youth-serving agencies to make parents and youth aware of the existence of the policy. It may be necessary to remind LEAs that the purpose of having a policy is not simply to comply with the YBPA, but to provide clear guidance to parents and youth for responding to bullying.

2. Beyond policy compliance

The ultimate goal of the YBPA is to help prevent and reduce bullying in the District of Columbia. In order for schools to be successful, they must move beyond the letter of the law – that is, simply having a policy in their handbooks – to the spirit of the law. This means actually implementing policies with fidelity and working to build the environments that prevent bullying before it starts.

As evidenced by the (albeit minimal) response to the key components survey, most schools have not engaged in the critical data-based decision-making that underlies creating positive school climates and preventing behaviors like bullying.²³ Though there is no one-size-fits-all program or solution for bullying, when schools use a strategic and informed framework to identify the processes that both are feasible and fit their needs, they are more likely to implement programs with fidelity and see significant impacts in problem behavior.²⁴

²³ Thapa, A., Cohen, J., Guffe, S. & Higgins-D'Alessandro, A. (2013). A review of school climate research. *Review of Educational Research*, 83(3), 357-385

²⁴ Greenberg, M. (2010). School-based prevention: current status and future challenges. *Effective Education*, 2(1), 27-52.

Only two of the responding schools indicated they collect survey data from students. It is widely acknowledged that relying solely on incident-based reporting of bullying likely does not capture the full extent of the issue.²⁵ Further, only measuring the problem behavior, and not known protective and risk factors such as the school climate, limits schools' ability to identify and create needed supports to not only intervene in bullying, but prevent it.²⁶

In order to both assess and assist schools in their efforts to move beyond policy compliance and toward achieving the ultimate goal of reducing bullying in DC, the DC Office of Human Rights should consider the following:

2.1 Data collection

The YBPA requires that all educational institutions provide "an annual report regarding the aggregate incidents of bullying, and any other information that the Mayor determines is necessary or appropriate" (Section 8a). Recognizing that incident data is often skewed²⁷ and provides little information on which schools can base their prevention efforts, OHR should require the additional use and reporting of a valid and reliable survey tool in each school, to be aggregated in the annual report. Measures should include not only student and staff perceptions and experiences with bullying, but also risk and protective factors such as engagement with school, relationships with peers and adults, and general perceptions of safety in the school environment. Requiring this across all LEAs will provide local comparisons for assessing each LEA's progress and need, as well as a broader set of indicators to help identify those schools in need of support and the types of supports those schools may need.

2.2 Assessment and recognition of bullying prevention efforts

Although the YBPA strongly acknowledges the need for bullying prevention, these components are not currently mandatory. Instead, OHR should consider mechanisms by which to incentivize the use of bullying prevention efforts. This can be achieved, for instance, by assessing LEAs' and individual schools' efforts in bullying prevention and improving school climate, providing technical assistance to support such efforts, and awarding and recognizing schools making exceptional progress so they can serve as role models across DC and the country.

3. Additional recommendations

Throughout the review of existing DC bullying prevention policies, several issues were identified that need clarification or further guidance. These include:

3.1 Clarifying obligation for addressing off-campus electronic bullying and coordination with other agencies

Currently, the YBPA provides that all agencies must address cyberbullying that significantly affects a youth's ability to participate in or benefit from the agency's services. If the youth involved are engaged

²⁵ See, for instance, Catalanello, R. (2011, May 8). School bullying widely underreported. *Tampa Bay Times*. Available: <http://www.tampabay.com/news/education/k12/school-bullying-widely-underreported/1168558>

²⁶ See Espelage et al., 2013 Ibid 3; Orpinas, P. & Horne, A. M. (2010). Creating a positive school climate and developing social competence. In: S.R. Jimerson, S.M. Swearer, & D.L. Espelage (Eds.) *Handbook of Bullying in Schools: An International Perspective*, New York: Taylor and Francis, 49-59.

²⁷ Ibid 24.

with multiple agencies, all of which are required to investigate and respond to the bullying, there might arise a situation in which different determinations are made and/or the offending youth receives overly burdensome consequences. OHR should work to clarify how agencies should work together in such situations.

3.2 Providing additional regulation and clarity on consequences and the use of suspension and expulsion

The YBPA has strong language requiring flexibility in the use of consequences rather than the reliance on zero tolerance, in which any incident will result in suspension or expulsion. Unfortunately, many schools still include suspension and expulsion as potential consequences for bullying, even though they include the required flexibility language. Further efforts need to be made to ensure that suspension and/or expulsion are only used for the most serious of incidents.

3.3 Providing guidance on the inclusion of mandatory parental notification

Many schools included language mandating the notification of parents in an incident of bullying. Parental involvement is certainly an important element in addressing bullying, but unfortunately, mandatory parental notification has the potential to place some youth at increased risk. For example, youth who are LGBT may not be out to potentially hostile parents, and revealing a bullying situation may also disclose the student's real or perceived sexual orientation, creating the potential for parental rejection or other negative outcomes. OHR should provide further guidance on how schools can balance the need to notify parents with this potential risk.

3.4 Revise the model policy to include consequences for retaliation

The YBPA requires that bullying prevention policies not only provide potential consequences for bullying behavior, but also for retaliatory behaviors that are related to a bullying incident. This requirement is not explicitly stated in the model policy, though it could be assumed that consequences apply to both types of behaviors. For clarity purposes, consequences for retaliation should be specifically included in the model policy.

Conclusions

Overall, DC should be lauded for its efforts to not only pass a comprehensive bullying prevention law, but also to ensure educational institutions' compliance with the law. By adopting the recommendations included above, DC will be a role model for the country in its efforts to prevent bullying.

Individual School Results

Table 1.

LEA Policy Submission and Compliance, Current as of September 30, 2014

	Submitted	Compliant	Revision Submitted
<i>Public LEA</i>			
D.C. Public Schools	Yes	Yes	Yes
<i>Charter LEA</i>			
Academy of Hope PCS	No	N/A	N/A
Achievement Prep Academy PCS	Yes	No	No
Apple Tree Early Learning PCS	Yes	Yes	Yes
BASIS DC PCS	Yes	No	No
Bridges PCS	Yes	No	No
Briya PCS	Yes	Yes	Yes
Capital City PCS	Yes	Yes	No
Carlos Rosario International PCS	Yes	No	Yes
Cedar Tree PCS	Yes	Yes	No
Center City PCS	Yes	Yes	Yes
Cesar Chavez PCHS	Yes	Yes	Yes
Community Academy PCS	Yes	No	No
Community College Preparatory Academy PCS	Yes	No	No
Creative Minds International PCS	Yes	Yes	Yes
DC International School	Yes	Yes	Yes
DC Prep PCS	Yes	No	No
DC Scholars PCS	Yes	Yes	No
Democracy Prep	Yes	Yes	Yes
District of Columbia Bilingual PCS	Yes	Yes	No
E.L. Haynes PCS	Yes	Yes	Yes
Eagle Academy PCS	Yes	Yes	Yes
Early Childhood Academy PCS	Yes	Yes	No

	Submitted	Compliant	Revision Submitted
Elsie Whitlow Stokes Community Freedom PCS	Yes	Yes	No
Excel Academy PCS	Yes	No	No
Friendship PCS	Yes	Yes	No
Harmony DC PCS	Yes	No	No
Hope Community PCS	No	N/A	N/A
Hospitality PCS	Yes	Yes	No
Howard University PCMS	Yes	Yes	Yes
IDEA Public Charter School	Yes	Yes	Yes
Ideal Academy PCS	No	N/A	N/A
Ingenuity Prep PCS	Yes	Yes	No
Inspired Teaching Demonstration PCS	Yes	No	No
KIPP DC	Yes	Yes	Yes
Latin American Montessori Bilingual PCS (LAMB)	Yes	No	No
LAYC Career Academy PCS	Yes	Yes	Yes
Lee Montessori PCS	Yes	Yes	No
Mary McLeod Bethune PCS	Yes	No	No
Maya Angelou PCS	Yes	Yes	Yes
Meridian PCS	Yes	Yes	Yes
Mundo Verde Public Charter School	Yes	Yes	Yes
National Collegiate Preparatory PCS	Yes	Yes	Yes
Next Step PCS	Yes	Yes	Yes
Options PCS	Yes	No	No
Paul PCS	Yes	Yes	Yes
Perry Street Prep PCS	Yes	Yes	No
Potomac Prep PCS (Formerly Potomac Lighthouse)	Yes	Yes	Yes
Richard Wright PCS for Journalism and Media Arts	Yes	Yes	No
Roots PCS	Yes	Yes	No
SEED PCS	Yes	No	No

	Submitted	Compliant	Revision Submitted
Sela PCS	Yes	Yes	No
Shining Stars Montessori PCS	Yes	Yes	N/A
Somerset Preparatory Academy PCS	Yes	No	No
St. Coletta Special Education PCS	Yes	Yes	Yes
Thurgood Marshall Academy PCS	Yes	Yes	No
Tree of Life PCS	Yes	Yes	Yes
Two Rivers PCS	Yes	Yes	Yes
Washington Latin PCS	Yes	Yes	Yes
Washington Mathematics Science Technology PCHS	Yes	Yes	Yes
Washington Yu Ying PCS	Yes	Yes	No
William E. Doar, Jr. PCS for the Performing Arts	No	N/A	N/A

Submitted (Charters)	57	93.4%
Compliant (All Charters)	42	70.5%
Compliant (Submitted Charters)	-	75.4%

Table 2.
Overarching Component Compliance (Initial Submission)

	Statement of Scope	Definition	Code of Conduct and Consequences	Reporting Requirements	Investigation	Appeal	Retaliation	Percentage Subcomponents Compliant
DC Public Schools	Yes	No	Yes	Yes	No	No	Yes	82.9%
Achievement Prep Academy PCS	Yes	Yes	Yes	Yes	No	Yes	Yes	95.1%
Apple Tree Early Learning PCS	No	Yes	No	Yes	No	No	No	48.8%
BASIS DC PCS	Yes	Yes	No	No	No	Yes	Yes	85.4%
Bridges PCS	No	Yes	Yes	No	No	No	No	58.5%
Briya PCS	No	No	No	No	No	No	No	24.4%
Capital City PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Carlos Rosario International PCS	No	No	No	No	No	No	No	0.0%
Cedar Tree PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Center City PCS	Yes	Yes	No	Yes	Yes	Yes	Yes	90.2%
Cesar Chavez PCHS	No	No	Yes	Yes	Yes	No	No	68.3%
Community Academy PCS	No	Yes	No	No	No	No	No	26.8%
Community College Preparatory	Yes	Yes	Yes	Yes	No	Yes	Yes	95.1%
Creative Minds International PCS	No	No	No	No	No	No	No	22.0%
DC International School	Yes	Yes	No	Yes	Yes	No	Yes	70.7%
DC Prep PCS	No	No	No	No	No	No	No	2.4%
DC Public Schools	Yes	No	Yes	Yes	No	No	Yes	82.9%
DC Scholars PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Democracy Prep	Yes	No	No	Yes	No	No	No	51.2%
District of Columbia Bilingual PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
E.L. Haynes PCS	Yes	Yes	No	Yes	Yes	No	Yes	68.3%
Eagle Academy PCS	Yes	No	No	Yes	No	Yes	No	75.6%
Early Childhood Academy PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Elsie Whitlow Stokes Community Freedom PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Excel Academy PCS	Yes	No	No	No	No	No	Yes	48.8%
Friendship PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Harmony DC PCS	No	No	No	No	No	No	Yes	36.6%
Hospitality PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Howard University PCMS	No	No	No	No	No	No	No	26.8%
IDEA Public Charter School	No	No	No	No	No	No	No	9.8%
Ingenuity Prep PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Inspired Teaching Demonstration PCS	No	No	No	No	No	No	No	4.9%
KIPP DC	Yes	Yes	No	Yes	Yes	No	Yes	78.0%
Latin American Montessori Bilingual PCS (LAMB)	Yes	No	Yes	Yes	No	Yes	Yes	95.1%
LAYC Career Academy PCS	Yes	No	Yes	Yes	No	No	Yes	68.3%

	Statement of Scope	Definition	Code of Conduct and Consequences	Reporting Requirements	Investigation	Appeal	Retaliation	Percentage Subcomponents Compliant
Lee Montessori PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Mary McLeod Bethune PCS	No	No	No	Yes	No	No	No	36.6%
Maya Angelou PCS	Yes	Yes	No	Yes	No	No	No	36.6%
Meridian PCS	Yes	Yes	Yes	Yes	No	Yes	Yes	97.6%
Mundo Verde Public Charter School	No	No	No	No	Yes	No	Yes	61.0%
National Collegiate Preparatory PCS	Yes	No	No	Yes	No	No	No	36.6%
Next Step PCS	No	No	No	Yes	No	No	No	58.5%
Options PCS	No	No	No	Yes	No	No	No	41.5%
Paul PCS	No	No	No	No	No	No	Yes	34.1%
Perry Street Prep PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Potomac Prep PCS	Yes	Yes	No	Yes	No	No	No	31.7%
Richard Wright PCS for Journalism and Arts	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Roots PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
SEED PCS	Yes	No	No	No	No	No	No	41.5%
Sela PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Shining Stars Montessori PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Somerset Preparatory Academy	No	No	No	Yes	No	No	No	29.3%
St. Coletta Special Education PCS	No	Yes	No	Yes	Yes	Yes	Yes	82.9%
Thurgood Marshall Academy PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Tree of Life PCS	Yes	Yes	Yes	Yes	Yes	Yes	No	97.6%
Two Rivers PCS	No	No	No	Yes	No	No	No	43.9%
Washington Latin PCS	No	Yes	Yes	Yes	Yes	Yes	No	90.2%
Washington Mathematics Science Technology PCHS	No	No	No	No	No	No	No	29.3%
Washington Yu Ying PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	100.0%
Number Included	37	33	28	43	26	27	34	
Percentage Included	64.9%	57.9%	49.1%	75.4%	45.6%	47.4%	59.6%	

Table 3.
Subcomponent Inclusion by Subcomponent (Initial Submission)

Component	Subcomponent	Number of Policies	Percent of Policies
Statement of Policy	Enforced On Property	57	98.3%
	Electronic Communication On Property	52	89.7%
	Electronic Communication With Property	45	77.6%
	Sponsored Functions	50	86.2%
	Your Transportation	44	75.9%
	Sponsored Transportation	43	74.4%
	Electronic Communication Interference	38	65.5%
Definition	Definition	33	56.9%
Code of Conduct	Code of Conduct	44	75.9%
	List of Consequences	47	81.0%
	Appropriately Corrected	37	63.8%
	Prevent Another Occurrence	38	65.5%
	Protect Target	38	65.5%
	Flexible to Individual Incident	38	65.5%
	Nature of Incident	36	62.1%
	Developmental Age of Person Bullying	35	60.3%
	Behavior History of Person Bullying	35	60.3%
Reporting	Procedure for Reporting Bullying or Retaliation	49	84.5%
	Anonymous Reporting	42	72.4%
	No Formal Response	42	72.4%

Investigation	Reports of Policy Violations	45	77.6%
	Complaints of Bullying or Retaliation	48	82.8%
	Name of Investigator	26	44.8%
	Contact Information of Investigator	29	50.0%
Appeals	Person Accused	32	55.2%
	Target	29	50.0%
	Unsatisfied Persons	32	55.2%
	Unsatisfied Party May Appeal	36	62.1%
	30 Days For Appeal To Be Made	31	53.5%
	Secondary Investigation Completed 30 Days	32	55.2%
	Circumstances Require Time	30	51.7%
	Circumstances Set in Writing	30	51.7%
	Additional Time Not More Than 15 Days	30	51.7%
	Informed of Human Rights Act	29	50.0%
Retaliation	Employee Volunteer Youth Shall Not Retaliate	48	82.8%
	Statement Prohibiting Retaliation	48	82.8%
	Victim	36	62.1%
	Witness	38	65.5%
	Person Who Reports	44	75.9%
	Someone With Reliable Information	37	63.8%
	Employee Volunteer Youth Shall Report	40	49.0%

Table 4.**Overarching Component Compliance (Current as of September 30, 2014; Submitted Policies)**

	Statement of Scope	Definition	Code of Conduct and Consequences	Reporting Requirements	Investigation	Appeal	Retaliation
DC Public Schools	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Achievement Prep Academy PCS	Yes	Yes	Yes	Yes	No	Yes	Yes
Apple Tree Early Learning PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BASIS DC PCS	Yes	Yes	No	No	No	Yes	Yes
Bridges PCS	No	Yes	Yes	No	No	No	No
Briya PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Capital City PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Carlos Rosario International PCS	No	Yes	No	No	No	No	No
Cedar Tree PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Center City PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cesar Chavez PCHS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Community Academy PCS	No	Yes	No	No	No	No	No
Community College Preparatory	Yes	Yes	Yes	Yes	No	Yes	Yes
Creative Minds International PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
DC International School	Yes	Yes	Yes	Yes	Yes	Yes	Yes
DC Prep PCS	No	No	No	No	No	No	No
DC Scholars PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Democracy Prep	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District of Columbia Bilingual PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
E.L. Haynes PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Eagle Academy PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Early Childhood Academy PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Elsie Whitlow Stokes Community Freedom PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Excel Academy PCS	Yes	No	No	No	No	No	Yes
Friendship PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Harmony DC PCS	No	No	No	No	No	No	Yes
Hospitality PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Howard University PCMS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
IDEA Public Charter School	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ingenuity Prep PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Inspired Teaching Demonstration PCS	No	No	No	No	No	No	No
KIPP DC	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Latin American Montessori Bilingual PCS (LAMB)	Yes	No	Yes	Yes	No	Yes	Yes
LAYC Career Academy PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes

	Statement of Scope	Definition	Code of Conduct and Consequences	Reporting Requirements	Investigation	Appeal	Retaliation
Lee Montessori PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mary McLeod Bethune PCS	No	No	No	Yes	No	No	No
Maya Angelou PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Meridian PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mundo Verde Public Charter School	Yes	Yes	Yes	Yes	Yes	Yes	Yes
National Collegiate Preparatory PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Next Step PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Options PCS	No	No	No	Yes	No	No	No
Paul PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Perry Street Prep PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Potomac Prep PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Richard Wright PCS for Journalism and Arts	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Roots PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
SEED PCS	Yes	No	No	No	No	No	No
Sela PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Shining Stars Montessori PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Somerset Preparatory Academy	No	No	No	Yes	No	No	No
St. Coletta Special Education PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Thurgood Marshall Academy PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tree of Life PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Two Rivers PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Washington Latin PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Washington Mathematics Science Technology PCHS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Washington Yu Ying PCS	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Number Included	49	49	47	49	43	47	49
Percentage Included	86.0%	86.0%	82.5%	86.0%	75.4%	82.5%	86.0%

ATTACHMENT 6

Ten Years of Language Access in Washington, DC

HAMUTAL BERNSTEIN, JULIA GELATT, DEVLIN HANSON, AND WILLIAM MONSON
APRIL 2014

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Ten Years of Language Access in Washington, DC

Ten years ago, the District of Columbia enacted the DC Language Access Act of 2004, which requires all District agencies, and especially those with significant public contact, to ensure that limited English proficient (LEP) and non-English proficient (NEP) residents have full access to services. Because LEP/NEP residents often face barriers in their interactions with public agencies, the District passed language access legislation to require local agencies to provide translation and interpretation resources to all LEP/NEP clients. DC is one of only a few cities in the United States to have passed such legislation.

The imperative for language access stems from the District's rich diversity. The metropolitan region has become an important immigration hub over the past several decades, with significant growth and diversification of residents in the inner and outlying suburbs of Virginia and Maryland, as well as in the District. The District's foreign-born population accounts for more than a third of its population growth since 2007. Similar to trends throughout the region, the District has an extremely diverse immigrant population; no one country of birth makes up more than 16 percent of the foreign-born. In this context, ensuring access for LEP/NEP residents is critical. In the greater DC area,¹ 1 in 10 individuals over the age of 5 is LEP/NEP; in the District, the share is about 1 in 20. More than 85 percent of LEP/NEP people living in the District are foreign-born, but a substantial proportion (15 percent) are US-born. Given both the large number and the diversity of LEP individuals in DC, challenges arise when attempting to provide services to this community. The District's Language Access Program has strived over the past 10 years to support these language needs.

This report offers an overview of the Language Access Program and Washington's LEP/NEP population. We first present the context of the District as a city that draws immigrants from around the world. We then describe DC's Language Access Program, its creation, and evolution, and profile the city's LEP/NEP population. Next, we identify accomplishments and challenges for each of the three major domains required for ensuring full language access: identifying language needs, serving language needs, and monitoring the provision of those services. We conclude with recommendations for next steps for city government officials and other stakeholders as they continue to strengthen the Language Access Program in the District.

The demographic profile is based on the American Community Survey (ACS), which is the best available data source providing detailed demographic and household characteristics on a large, representative sample of US households. The program overview is based on existing literature, DC government documents and reports, and perspectives from a small group of stakeholders. Specifically, we reviewed the literature on best practices for language access policy and on immigration and language access in DC. In addition, we conducted 11 interviews with 14 stakeholders from city government and immigrant-serving nonprofits in DC, who have worked directly on language access issues at different stages of the implementation of the program. Although the research team drew on multiple sources as described, interview participants were recruited by the Office of Human Rights and the mayor's constituent offices. It is important to note this limitation to the study, as it introduced a potential source of bias.

The findings describe a pioneering Language Access Act that emerged through a community-based effort led by the DC Language Access Coalition, made up of diverse immigrant-serving organizations that recognized the importance of ensuring full access to DC's LEP/NEP residents. Coordinated and monitored by the Office of Human Rights, the Language Access Program is supported by the active engagement of partners and implemented directly by frontline and Language Access team staff at a wide range of District agencies. The structure and specific activities of the Language Access Program have evolved and modernized over the past decade, with significant accomplishments in increasing

public and agency awareness, as well as expanding available translation and interpretation resources. The complexity of assessing the language needs of an extremely diverse LEP/NEP population, across a wide array of agencies and with limited resources, poses a key challenge to the success of the program. Recommendations focus on continuing to improve data collection and analysis, recognizing the importance of human capital and bilingual skills, improving service quality and accessibility, improving coordination between agencies, pursuing aggressive community engagement, continuing the transparent monitoring system, examining enforcement possibilities, and considering further investments in a program that still faces considerable hurdles despite significant strides over the past decade.

Global DC

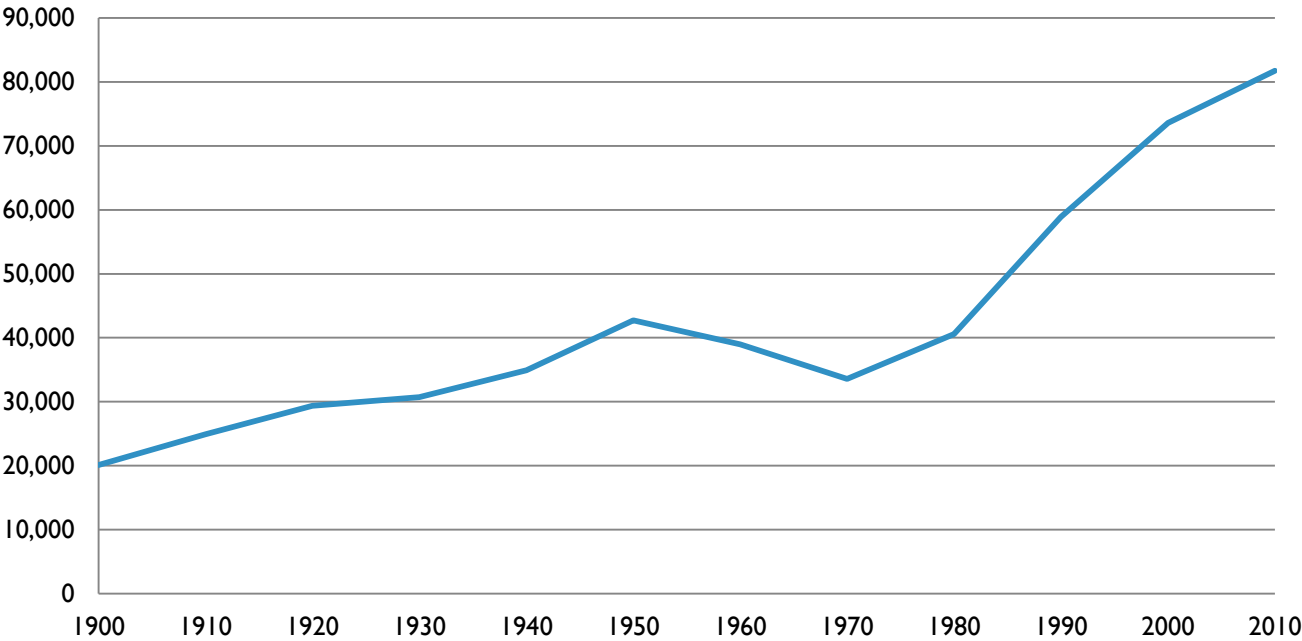
The DC Language Access Act of 2004 has been shaped by both the size and the diversity of the immigrant community in the District. More than 85,000 immigrants currently live in the District of Columbia, and their population continues to grow. Metropolitan DC is now one of the most significant immigration hubs in the country. It has the seventh-largest immigrant concentration (21.5 percent foreign-born), following New York, Los Angeles, Miami, Chicago, Houston, and San Francisco. In terms of size, 1.2 million foreign-born live in the metropolitan DC region, a similar scale to Houston, San Francisco, and Dallas–Fort Worth (Singer 2012).

While the District has not always been an immigrant destination, the size of the immigrant community has grown rapidly over the past 40 years and continues to grow (figure 1). As the nation's capital and the seat of federal government, Washington, DC, offers a global environment as the location for foreign embassies, international organizations, major research institutions and universities, and a range of organizations in the private and non-profit sectors that are associated with the policymaking community and knowledge industry. The presence of such a range of organizations provides great economic opportunities and also produces a wide array of labor needs to support the large, relatively highly-skilled, high income metropolitan population. This has led to needs, in particular, in the service and construction fields, often filled by foreign-born workers.

As the region has diversified, inflows of students and knowledge workers have been joined by refugee populations as immigrants from all global regions have joined family and friends already settled here (Singer 2012). Many inflows of immigrants in the District and the surrounding metropolitan area were driven by refugee resettlement. For instance, in the 1970s, the Vietnam War sent several waves of Vietnamese immigrants into the United States as refugees, including many that settled in the DC area. In the 1980s, civil conflict and natural disasters drove Central Americans to migrate to the United States, and many of them, especially immigrants from El Salvador, have settled in the DC area (Singer 2012). Since the 1990s, conflict in African countries has brought a wave of African, especially Ethiopian and Somali refugees into the DC area (Singer and Wilson 2006). The settlement of immigrants in DC has been driven by economic, political, religious, and academic motivations. As this section will describe, the District's job opportunities have attracted a diverse group of immigrants from all regions of the world, filling high growth occupations at both the high and low skill levels.

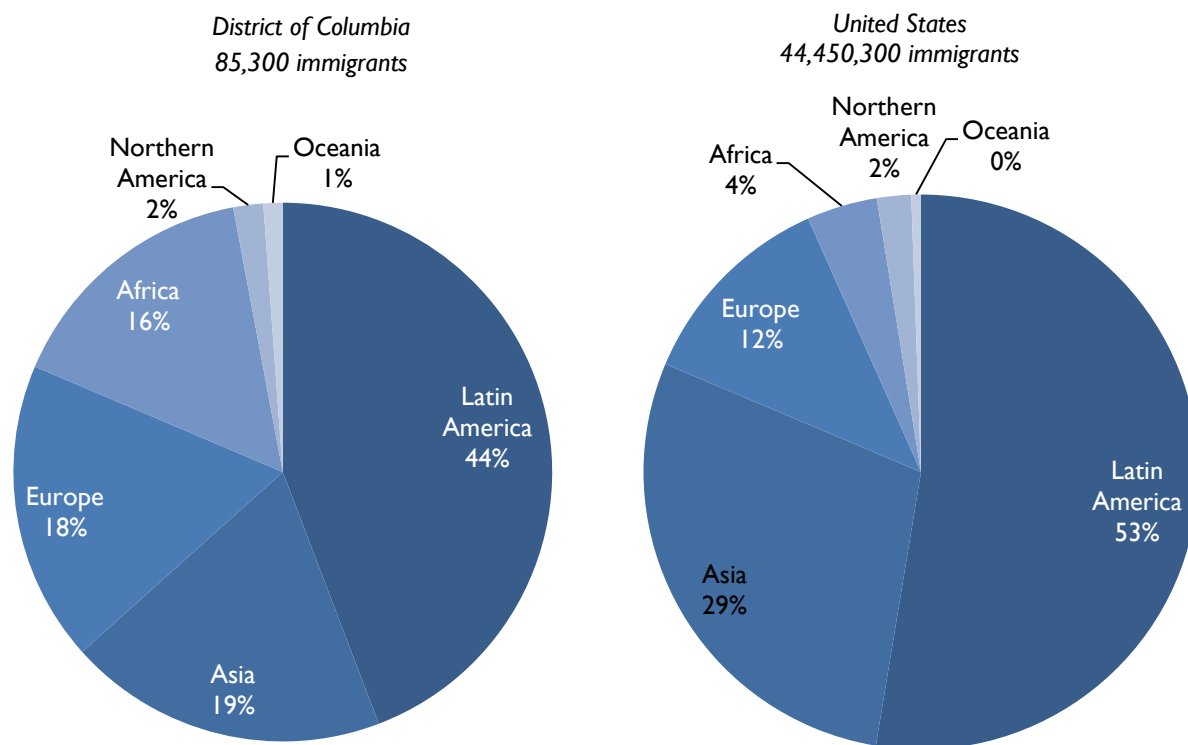
The District of Columbia has attracted a relatively more diverse immigrant population than the United States. A large share of immigrants in the District of Columbia comes from Latin America (similar to the rest of the country), but the District much larger shares of African and European immigrants. While immigrants from Asia make up a smaller share of the immigrant population in DC than in the United States as a whole, they still make up 19 percent (figure 2). Immigrants' countries of origin are similarly diverse. No one country of origin constitutes more than 16 percent of the immigrant population in the District. Further, the top 10 countries of origin total less than 50 percent of the immigrant population. In contrast, immigrants from Mexico make up close to 30 percent of all immigrants nationwide, and the top 10 countries cover nearly 60 percent of the immigrant population. The number of immigrants from each world region has grown in the past two decades (figure 3).

Figure 1. Number of Immigrants Living in the District of Columbia, 1900–2010



Sources: 1900–2000 values from “Historical Census Tables on the Foreign-Born Population of the United States 1850 to 2000”; 2010 value is one-year estimate from the American Community Survey, accessed through American FactFinder.

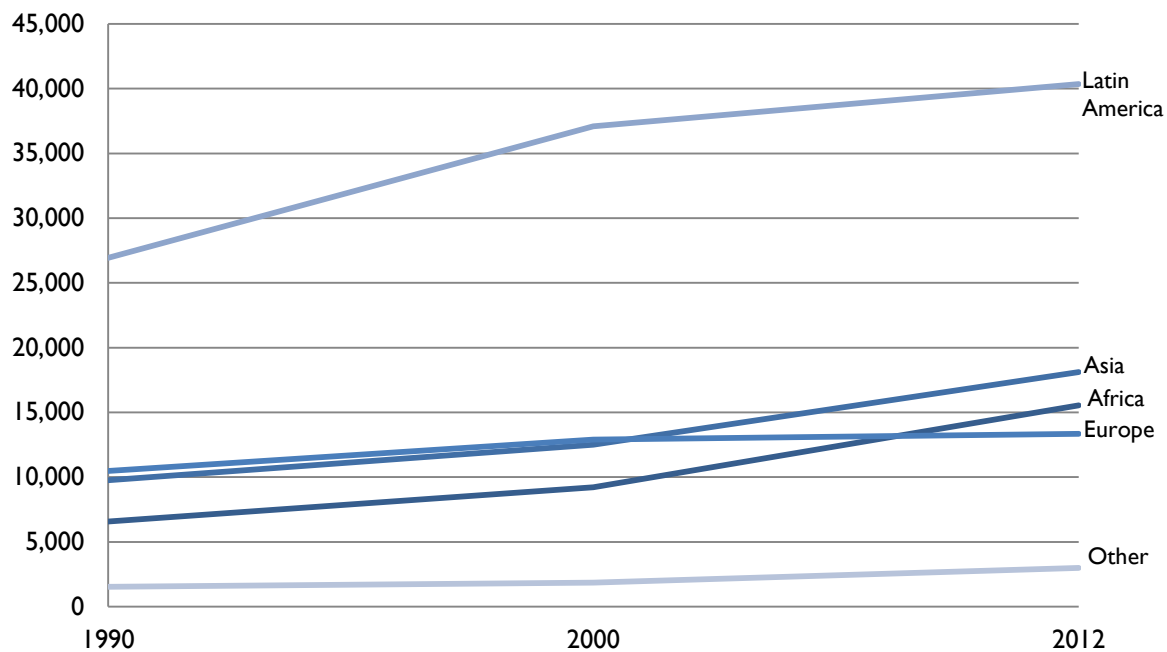
Figure 2. Distribution of Immigrants by Region of Birth



Source: 2012 three-year data from the American Community Survey, accessed through American FactFinder.

Note: The top 10 countries of origin among immigrants in the United States are Mexico (28.8%), China (5.5%), India (4.7%), Philippines (4.5%), Vietnam (3.1%), El Salvador (3.1%), Cuba (2.7%), Korea (2.7%), Dominican Republic (2.2%), and Guatemala (2.1%). The top ten countries of origin among immigrants in the District of Columbia are El Salvador (15.8%), Ethiopia (6.2%), Mexico (3.6%), China (3.4%), Guatemala (3.0%), India (2.9%), Nigeria (2.4%), Philippines (2.4%), Jamaica (2.3%), and Trinidad and Tobago (2.3%).

Figure 3. Number of Immigrants Living in the District of Columbia by World Region of Origin, 1990–2012

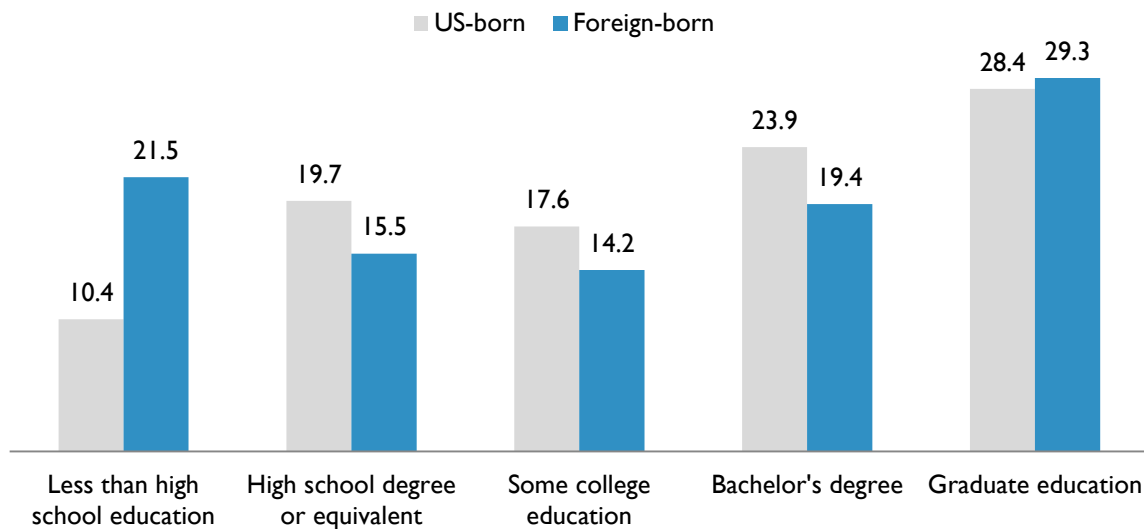


Source: “State Immigration Data Profiles: District of Columbia,” Migration Policy Institute Data Hub, <http://www.migrationpolicy.org/data/state-profiles/state/demographics/DC>. Numbers are calculated based on the ACS and IPUMS data.

Note: Other includes immigrants from North America and Oceania.

Work opportunities in the District of Columbia have attracted both high- and low-skilled immigrants. Nearly half of the immigrant population in the District has a bachelor's degree or higher. This is a much higher share than the national average of 27 percent and is similar to share of native-born DC residents with a bachelor's degree or higher (53 percent). While a portion of the immigrant substantial proportion of the population is highly educated, 20 percent have less than a high school degree. This is lower than the 31 percent of immigrants in the United States with less than a high school degree, but is still much higher than the 10 percent of native-born individuals in the District with less than a high school degree (figure 4).

Figure 4. Educational Attainment of Immigrants versus the Native-Born Population in the District of Columbia



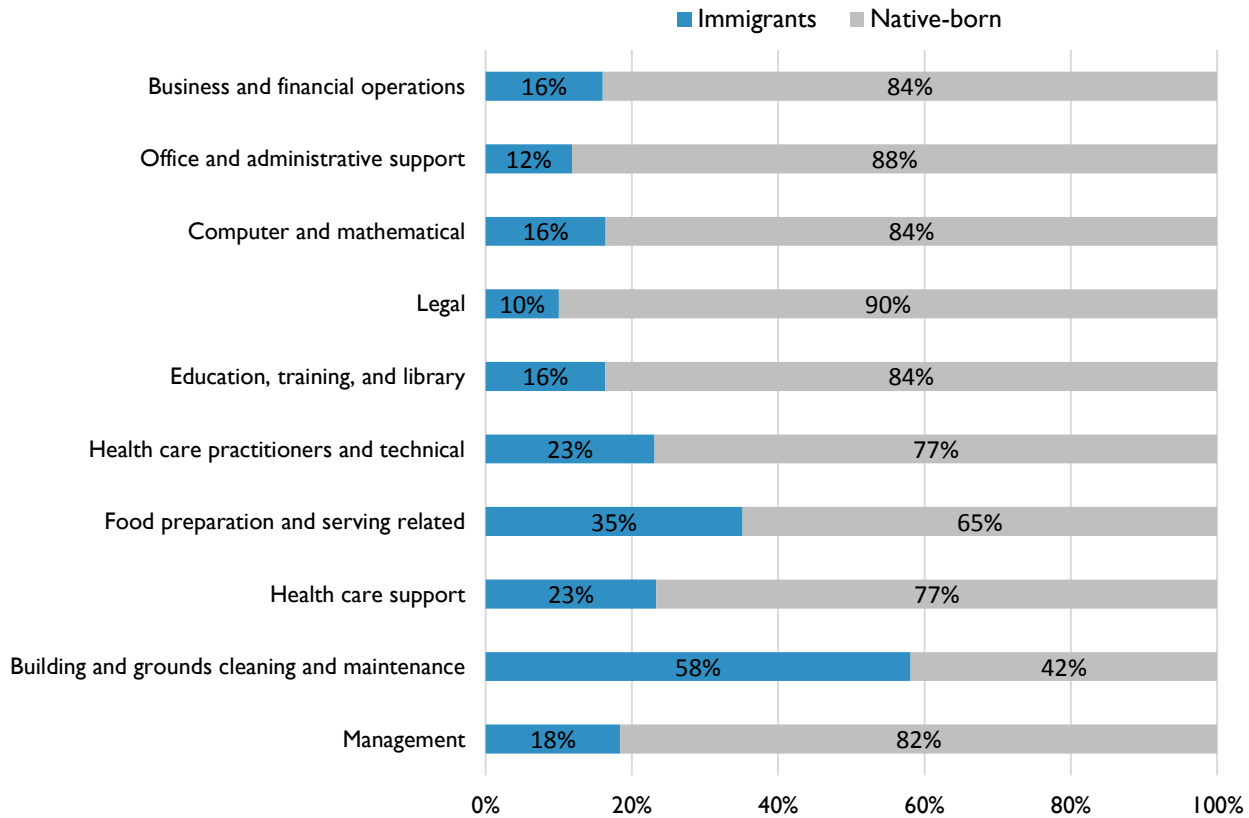
Source: 2012 three-year data from the American Community Survey, accessed through American FactFinder.

The District attracts both highly educated and less-educated immigrants based on its job opportunities. Figure 5 presents the fastest growing occupations in the District and the share of immigrants working in those occupations. The high-growth occupations are a mix of high-skilled and low-skilled occupations, and immigrants constitute a substantial share of workers in high-growth industries. While immigrants make up only 19.8 percent of the workforce in the District overall, they are well over 20 percent of individuals working in 5 of the top 10 high-growth occupations. Well over half of the individuals in the District working in building and grounds cleaning and maintenance are immigrants, and more than a third of individuals working in food preparation and serving related occupations are immigrants. Additionally, immigrants make up almost a quarter of all individuals working in health care practitioner and technical occupations and in health care support occupations.

Immigrants in the District have extremely high labor force participation and employment rates. One in five workers living in the District is an immigrant. In the District, immigrants are much more likely to be employed than the native-born population. This is the result of both higher labor force participation rates and higher employment rates among those in the labor force. The labor force participation rate for immigrants age 18 and older is 79 percent, while the rate for native-born age 18 and older is 72 percent. Among those participating in the labor force, immigrants also have higher employment rates than the native-born population; approximately 91 percent of immigrants are employed compared with 88 percent of the native-born population. In addition to being more likely to be employed, according to the Fiscal Policy Institute, immigrant workers living in the District are, also,

10 percent more likely to be business-owners than native-born workers (Kallick, Parrott, and Mauro 2012).

Figure 5. Share of Immigrants and Native-Born Working in High-Growth Occupations in the District of Columbia, 2012



Sources: Projections of fast-growth, by number, occupational categories from “Metropolitan Statistical Area 2010–2020 Industry and Occupational Projections,” DC Department of Employment Services, July 9, 2012, <http://does.dc.gov/node/184892>. Immigrant shares calculated using the share of employed workers in the occupation in 2012 who were foreign-born, based on the 2012 three-year ACS PUMS data accessed through IPUMS.

Immigrants in the District have income and tax contribution levels as the native-born population. In the District, the median income of immigrant households is about \$65,000, which is similar to native-born households at about \$63,000. An Urban Institute study found that in 2000 immigrants living in the District of Columbia paid close to \$1 billion in federal, state, and local taxes (Capps et al. 2006). This accounted for 16 percent of the total taxes paid by DC residents. The same study found variation in the size of tax payments for both the native-born and immigrant populations based on education: both immigrant and native-born households with higher levels of education paid more in taxes. While immigrants with less than a high school education paid less than households with higher levels of education, those with less than a high school education also contributed more in taxes than similarly educated native-born households.

The Creation of DC's Language Access Program

The Context for Passage

Washington, DC, is one of the few municipalities in the country with a formal language access law.² The Language Access Act of 2004 resulted from a grassroots process in which community-based organizations serving immigrant and LEP/NEP populations in the District created a formal coalition, the DC Language Access Coalition (DCLAC). This followed years of work in the community by immigrant-serving organizations, particularly Latino organizations advocating for Spanish-language services. The District had a history of providing access to city services for Spanish-speaking residents. The 1974 Bilingual Translation Services Act and the 1976 “Spanish Language Laws” were attempts to respond to the needs of LEP/NEP residents in the District. As the metropolitan region became an increasingly diverse immigration hub, with the number of foreign-born residents rising from 128,000 in 1970 to 832,000 in 2000 and increasing numbers of immigrants arriving from various parts of Africa and Asia, the need for multilingual language access support became more pressing (Singer and Wilson 2004). The DCLAC brought Latino organizations together with other groups representing Asian and African population needs in the District to highlight the need for greater access and advocate together for LEP/NEP residents.

Living in or doing business in the District presented numerous language access challenges to LEP/NEP individuals. As members of the community, LEP/NEP individuals encountered public services in myriad ways, from riding on public transportation, to interacting with their children’s teachers and school administrators, to obtaining business licenses and driver’s licenses, applying for public benefits, and engaging with service providers and agencies. Most interactions of this type require reading and filling out forms and verbally communicating with frontline staff or administrators. The DCLAC and other stakeholders recognized that the processes presented potential language barriers and advocated for the language access policy.

The DC Language Access Act was passed and signed into law on April 21, 2004. At the time, language access was an issue resonating at the local, state, and federal levels. In 2000, President Clinton signed an executive order requiring all federally funded agencies to create language access plans. Several state and local jurisdictions passed formal legislation to implement language access in their areas, including San Francisco and Oakland in 2001 and New York City in 2003 (American University Washington College of Law Immigration Justice Clinic 2012).³

The Provisions of the Language Access Act

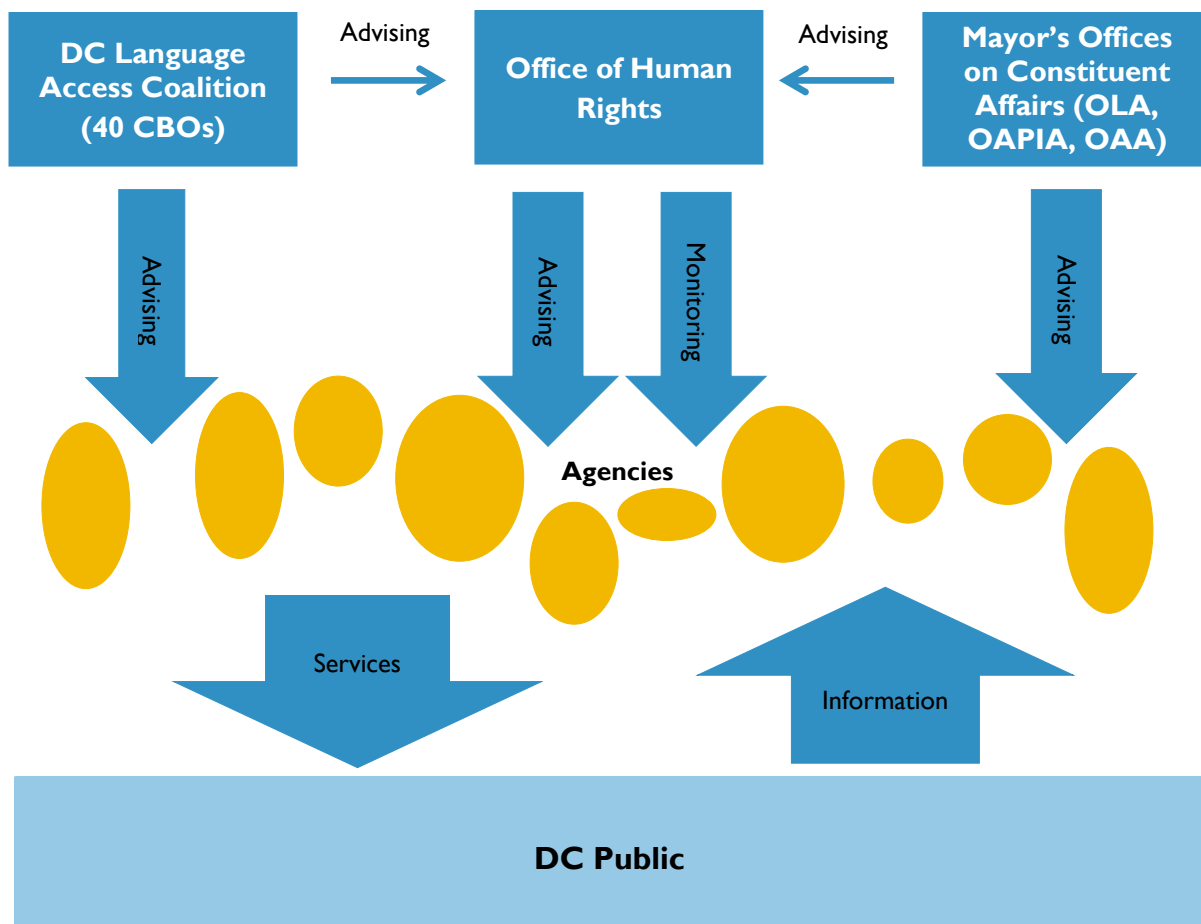
The major features of the Language Access Act include requirements for all District government programs, departments, and services with “major public contact” to assess and meet the language needs of “the population served or encountered, or likely to be served or encountered.” Entities are required to provide oral interpretation services to all clients and annually assess their oral interpretation services based on a four-point test, following a similar approach to federal guidelines (US Department of Justice 2011):

1. The number or proportion of limited or non-English proficient persons of the population served or encountered, or likely to be served or encountered by the covered entity, in the District of Columbia;
2. The frequency with which limited or non-English proficient individuals come into contact with the covered entity;
3. The importance of the service provided by the covered entity; and
4. The resources available to the covered entity.⁴

Entities are also required to provide written translations of documents and oral interpretation services for any language spoken by an LEP/NEP population that constitutes 3 percent or 500

individuals, whichever is less, of their service population, again, defined as “the population served or encountered, or likely to be served or encountered.”⁵

To implement these requirements, the Act provides an organizational structure for planning, supporting, and monitoring language access services. Each entity with major public contact is required to establish and implement a biannual language access plan (BLAP) and designate a Language Access Coordinator. The legislation outlines the requirements and metrics to be included in the language access plans, which are to be renewed every two years. The chief coordination role is assigned to the Office of Human Rights (OHR), led by a language access director, whose responsibilities include monitoring departments’ reporting and compliance, providing technical assistance and support, and investigating complaints from the public. The DCLAC has a consultative role, along with the mayor’s constituent offices for minority outreach.⁶



The Act requires agencies to digitally collect data on language needs of clients, and it describes the additional data sources that entities should consult in assessing language needs. It lists various secondary sources, including census data sources and DC Public Schools (DCPS) data. Additionally, the Act identifies DCLAC and the mayor’s constituent offices responsible for LEP/NEP outreach as data sources (table 1).

Agencies are required to train personnel in public contact positions on how to serve customers with language access needs and hire bilingual personnel as needed. Finally, agencies are required to conduct public meetings on their language access plans to obtain community feedback, and to develop plans for periodic public outreach to members of the LEP/NEP community.

Table 1. Data Sources Cited in the Language Access Act for Informing Assessment of Language Access Needs

From census sources	From local stakeholders
US Census Bureau’s “Language Use and English Ability, Linguistic Isolation” or successor reports	Intake data collected by covered entities
Any other language-related information	Data collected by DC Public Schools
Census data on language ability indicating that individuals speak English “less than very well”	Data collected by and made available by the mayor’s constituent offices (OLA, AAPIA, OAA)
Local census data relating to language use and English language ability	Data collected and made available by the DCLAC

Not all DC agencies that were designated as “covered entities with major public contact” were required to comply with these requirements immediately. The Act provided for a three-phase implementation: an initial group of eight agencies was required to develop language access plans immediately, an additional six by October 2004, an additional eight by October 2005, and the remainder by October 2006.⁷

Regulations passed in 2008 clarified that *all* District agencies with public contact are required to 1) support language needs with oral interpretation and written translation following the same requirements and baselines above, even when services are provided by subcontractors or grantees; 2) annually assess language needs and track language needs in their electronic data systems; 3) hire bilingual personnel as needed; 4) train staff on use of a telephonic interpretation line; and 5) provide multilingual signage.⁸ Only those “covered entities with major public contact”—mentioned in the Act or later designated by OHR—are required to designate language access coordinators; participate in the BLAP, quarterly reporting, and monitoring process; and pursue explicit community outreach surrounding language access.⁹

There was no mention of any specific languages in the Act, although one study interviewee reported that at the DC Council hearing where the Language Access Act was passed, the six most commonly used languages were highlighted: Spanish, French, Amharic, Chinese, Vietnamese, and Korean. One interviewee involved in DCLAC recalled that they had referenced DCPS statistics in order to identify top language needs. Thus, the exact origin of the list of six languages is unclear.

Evolution of DC's Language Access Program

Creating this major institutional change was a significant undertaking. All interviewees for this study described the trepidation surrounding the policy change and the worries at agencies about the additional logistical and financial burdens of complying with the Language Access Act. Many recalled how agencies were at different starting points in 2004; some already provided some Spanish-language support services at the time of the Act's passage, while others had virtually no language resources or knowledge of the language needs of clients. The agencies varied not only in function but also in size (number of employees and budget), as well as level of interaction with and outreach to LEP/NEP residents.

The creation of a new system of requirements, services, and reporting that would be applied in a diverse array of agency environments required significant coordination. The Office of Human Rights created a new language access director position; the candidate eventually chosen came from OHR's existing staff. The director, along with only one additional staff member,¹⁰ coordinated with agencies to designate language access coordinators (LACs) and conduct baseline assessments of agencies' language access needs and capacities. One interviewee shared that in the early stages of implementation, OHR looked to other jurisdictions that had developed language access policies, including San Francisco and Oakland. OHR staff also participated in formal best-practices sharing organized by the Annie E. Casey Foundation.

The funding for language access services was left to agencies, a dynamic described as an "unfunded mandate" by all interviewees. The resource base has varied significantly across agencies. In the Departments of Health and of Human Services, the LAC has been a full-time position. At the Metropolitan Police Department, a number of staff people are dedicated to language access and minority liaison work. At most agencies, the LAC role was added to the other duties of the individual chosen. Agencies report the amount of funding they spend on language access resources in their quarterly reports, mainly funds spent on document translations and telephone interpretation.

The DCLAC, which was prescribed a key monitoring and consultative role in the Act, also faced resource constraints. The DCLAC is an informal coalition made up of immigrant-serving nonprofits (today it has 40 members). Funding for staffing a leadership position was provided by one member community-based organization (CBO) for several years; and in 2010, the outreach functions were spun out into a separate organization, Many Languages One Voice (MLOV). The core legal and strategic competence remains with DCLAC, which lacks dedicated paid staff. The DCLAC regularly publishes opinions and advises OHR on language access policies; it also plays a key role in referring language access complaints and assisting individuals who experience violations of their rights under the Act.

In order to provide effective access to city services for LEP/NEP residents, stakeholders have worked in three major domains: identifying language needs, serving language needs, and monitoring that service provision.

Identifying Language Needs

OHR, the agencies, and the consultative organizations shared the task of identifying language needs. The initial group of agencies put together baseline assessments, and an orientation session was held with OHR and the participating agencies. Agency understanding of client language needs was limited not only by a lack of understanding of how well language needs were being met, but also by the nature of their tracking data to document encounters with LEP/NEP clients. OHR worked with agencies to help them figure out how to track usage of language access services and record client language needs in an agency-centralized manner by improving digital case management systems as well as training staff.

Agencies also engaged in a range of events and activities to raise public awareness about language access resources and identify community needs, such as by providing multilingual interpretation and

translated documents at informational and celebratory events, participating in job fairs and other public fora, and meeting with specific immigrant communities. Agencies reported working with other agencies and the mayor's constituent offices to maximize public contact.

Serving Language Needs

OHR provided technical assistance to agencies in translating documents and providing telephonic or in-person interpretations. For the first group of eight agencies, OHR commissioned the translation of vital documents into six languages: Spanish, French, Amharic, Chinese, Korean, and Vietnamese. After the first group, agencies were responsible for commissioning and paying for translations of vital documents out of their own budgets. Agencies relied on different providers, whose inconsistent quality led to an effort by the District to select three vetted citywide translation and interpretation vendors in 2012 for all outsourcing. Agencies were also responsible for providing telephonic or in-person interpretation. At the time of the Act, there was a citywide contract for a telephonic interpretation service, which all agencies could access. Training efforts focused on ensuring that all frontline staff members were aware of the interpretation line and understood how to access it and offer it to clients in order to ensure their rights under the Act. OHR developed training on the Language Access Act and services, and OHR staff participated directly in agency-level staff trainings by providing modules on language access and cultural competency. Training of frontline staff and managers was required by the Act. By 2004, some agencies already had small numbers of bilingual personnel (some to comply with federal requirements), and others had no bilingual personnel at all.

Monitoring Language Access Services

OHR had the key monitoring role, working with agencies through the LACs, whom OHR met with regularly and convened quarterly (bimonthly beginning in fiscal year 2013). OHR set up a reporting and monitoring structure whereby agencies would send quarterly reports to OHR on their implementation, and these reports would be compiled to produce an annual compliance report that was made publicly available. One interviewee commented that this reporting structure was designed to help institutionalize language access consciousness and activity, routinize the process at the agencies, and raise the visibility and priority for language access issues within agencies. OHR used the annual compliance report to report back to agencies and to the public about the accomplishments and continued gaps in compliance, developing a testing methodology that evolved significantly over time.

OHR was also responsible for investigating complaints from the public about individual rights violations, eventually reporting the numbers of formal complaints and judged violations in the annual compliance report.

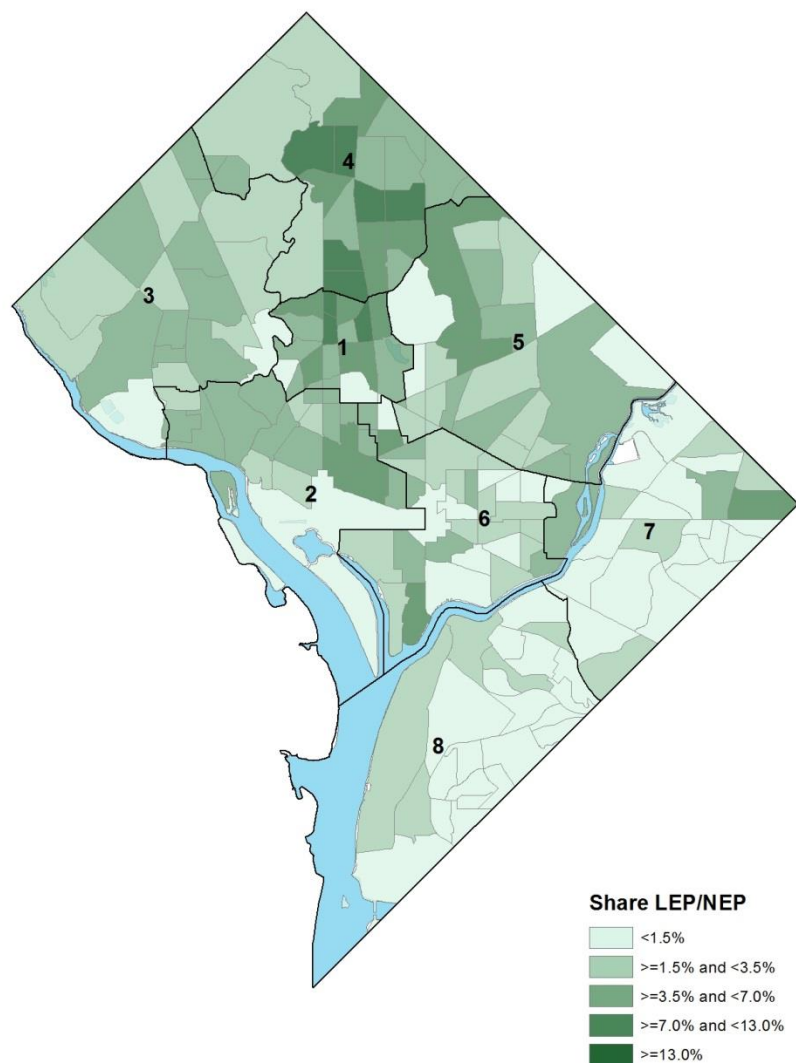
Demographic Analysis of the LEP/NEP Community

In this section, we describe the language and demographic characteristics of LEP/NEP individuals in the District of Columbia and the greater DC area using data from the American Community Survey (ACS). We present these data to provide one perspective on the needs that can be addressed through the Language Access Act of 2004. As explained earlier, the Act is designed to serve the language needs of current and potential clients of DC city agencies. Because different agencies serve different subpopulations of LEP/NEP individuals in the District (the elderly, workers, children, low-income families, business owners, etc.), we provide demographic characteristics of LEP/NEP people and families, to help policymakers and city agencies understand the contours of the population being served. Also, because some city agencies serve individuals who live outside the District but work, conduct business, or attend school in the District, we present characteristics of LEP/NEP people and families living in the greater DC area as well as those who live within the boundaries of the District. We define the greater DC area as the District plus the counties directly surrounding it: Montgomery and Prince George's counties in Maryland; and Arlington County, Fairfax County (including Fairfax and Falls Church cities), and Alexandria City in Virginia.

In this section, we show that roughly 5 percent of the population in the District is LEP/NEP. Over half of LEP/NEP individuals in the District speak Spanish, while other top languages include Amharic/Ethiopian, French, and Chinese, among others. About two-thirds of LEP/NEP households in the District are linguistically isolated (meaning that nobody above the age of 14 in the household is English proficient); one-third of households contain an English-proficient teenager or adult. LEP/NEP residents in the District are particularly concentrated along the 16th Street and Georgia Avenue corridors in Wards 1 and 4 (figure 6).

These constraints mean that the analysis presented here should not be used alone to determine the language service needs for any particular agency. The findings can be useful, however, in combination with service usage data and primary data collection at the community level, alongside a recognition of the different characteristics of agencies' client bases.

Figure 6. Share of Residents Age 5 and Older Who Are LEP/NEP, by Census Tract and Ward in the District of Columbia.



Source: ACS 2012 five-year estimates accessed through the National Historical Geographic Information System (Minnesota Population Center 2011).

About the Data

We use the American Community Survey (ACS) to describe the LEP/NEP population because it is, by far, the largest survey in the United States that captures detailed information on such topics as US residents' country of birth, language spoken at home, and English-speaking ability. The ACS is the only data source that provides detailed characteristics of immigrants and LEP/NEP individuals in the District from a diverse set of countries and language groups. In this section, we draw on data both from tables produced by the US Census Bureau, accessed through American FactFinder, and tables we created ourselves using the ACS public use microdata sample (PUMS).

The ACS is the survey that replaced the "long form" of the decennial census. It captures more detailed demographic and household characteristics than the decennial census, on a large, representative sample of US households—about 1 in 38 households per year. In addition, because the ACS collects information on a yearly basis, we are able to combine information from multiple years to create a larger sample size. Nevertheless, the ACS has some coverage gaps, especially for LEP/NEP individuals and immigrants, which we describe in appendix A. We also detail the Census Bureau's substantial efforts to provide translation and interpretation services and to include LEP/NEP individuals in the ACS to the greatest extent possible.

The American Community Survey collects information on individuals' English speaking ability and home language using three questions. First, respondents are asked whether they speak a language other than English at home. If they answer yes, they are asked to report what language they speak at home. Only one language is captured, so those who speak more than one language at home must pick a single language to list. Because the language spoken at home is self-reported, the Census Bureau tabulates languages in the way they are recorded. For example, some individuals write down a language category, rather than a specific language: a large portion of those who speak a Chinese language write down "Chinese" rather than "Mandarin," "Cantonese," or another specific Chinese language. Further, in order to protect confidentiality and simplify data tables and datasets, the Census Bureau combines some less-common languages into categories. For example, the language Tigrinya is combined with Amharic into the category "Amharic/Ethiopian."

After writing down the language spoken at home, individuals who speak a language other than English at home are then asked "How well do you speak English?" and are presented with the response categories "Very well," "Well," "Not well," and "Not at all." Researchers generally define those who speak "Well" "Not well" or "Not at all" as limited English proficient (LEP). Those who speak English "Not at all" are sometimes classified as non-English proficient (NEP). While reports of English ability are subjective, and different individuals may have different thresholds for determining that they speak English "very well," these measures have been shown to correlate, overall, with English ability as measured through more specific questions and language tests (Siegel, Martin, and Bruno 2001).

While the ACS is the best source of secondary data for providing an overview of the LEP/NEP population at the local level, the sample sizes are too small to permit a ranking of the top six or ten languages spoken in the District among LEP/NEP individuals with any great certainty. Beyond the top language spoken (Spanish), we cannot state with high confidence that language number two in the 2012 ACS is really more common among LEP/NEP individuals in the District than language number three, or if the difference stems from unavoidable random sampling error. What we can say is that language number two is more common than language number four or five, for example, or that language number four in the greater DC area is more common than languages eight through ten. Despite this limitation, we include some rank orderings of languages below to give a suggestion of the top languages. Further, some newer or smaller immigrant communities may be too small to appear yet in the Census data, even though they may represent a sizable portion of the service population of a particular DC agency.

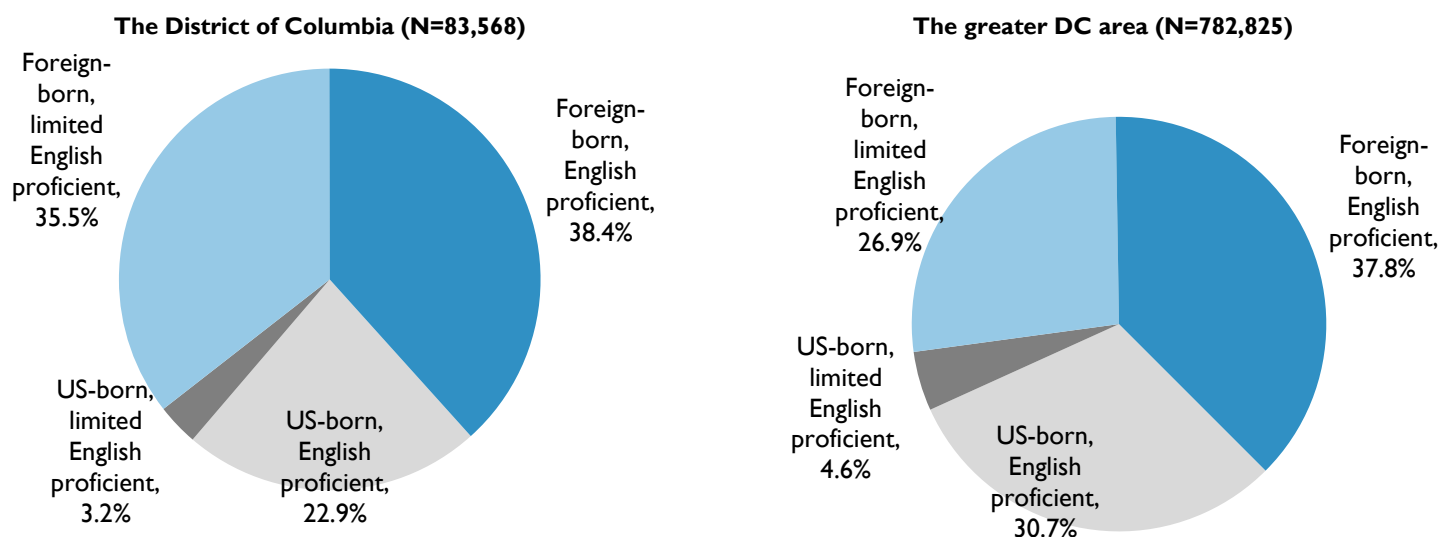
Analysis

English Ability

The Language Access Act is intended to help those who speak languages other than English to have meaningful access to city services. A substantial share (15 percent) of residents in the District speak a language other than English at home; in the greater DC area, that share is almost twice as high (29 percent). Most foreign language speakers in the greater DC area are English proficient. In the District, 32 percent of those who speak a language other than English at home are LEP/NEP and may require translation/interpretation services, while 68 percent are English proficient. In the greater DC area, 39 percent of those who speak a language other than English at home are LEP/NEP.

Most of those who speak a language other than English at home are foreign-born. In the District, about two-thirds (65 percent) of those speaking a language other than English at home are foreign born, while in the greater DC area, about three-quarters (74 percent) are foreign-born (figure 7).

Figure 7. Place of Birth and English Proficiency of Those Speaking a Language Other Than English at Home in the District of Columbia and in the Greater DC Area



Source: 2012 three-year public-use microdata from the American Community Survey, accessed through the Integrated Public Use Microdata Sample (IPUMS) (Ruggles et al. 2010).

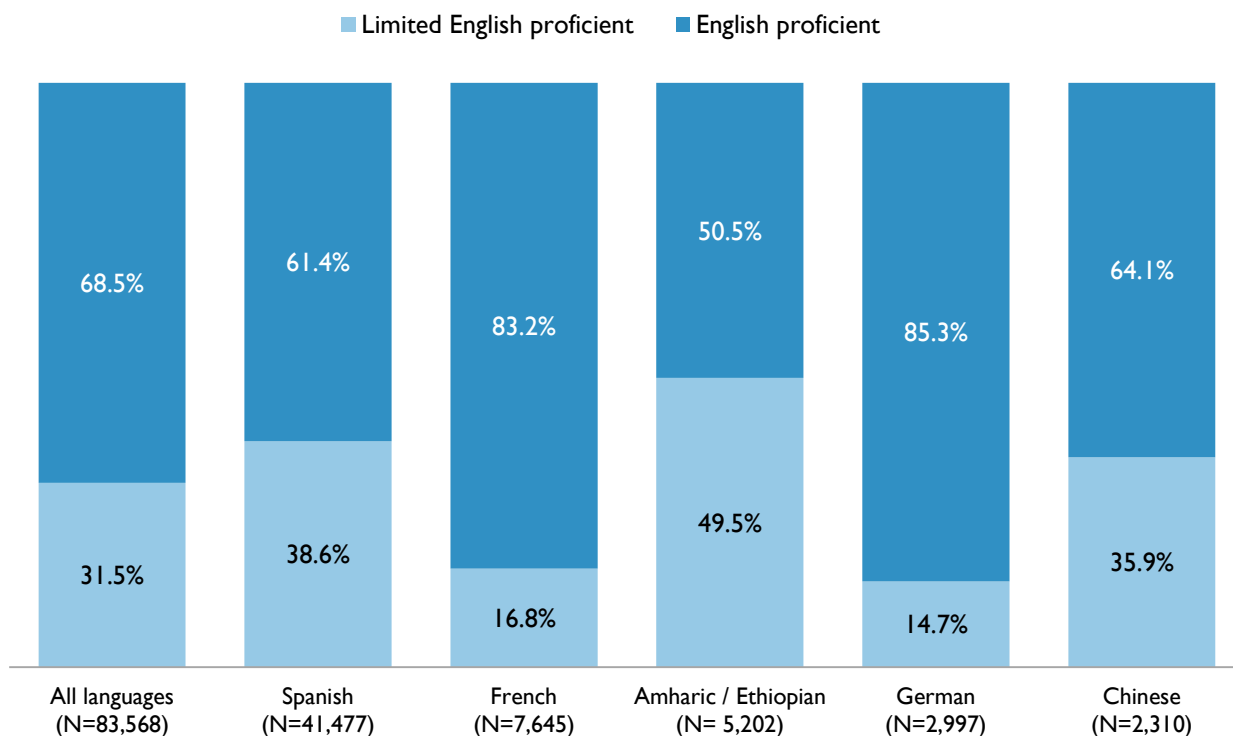
About 26,400 people, or 5 percent, of DC residents age 5 and older, are LEP/NEP; in the greater DC area, 303,500 people, or 11 percent, are LEP/NEP. Of those who are LEP/NEP in the District, 85 percent are foreign-born and 15 percent are US-born. In the greater DC area, 92 percent of LEP/NEP individuals are foreign-born.

LEP/NEP individuals are particularly concentrated in certain neighborhoods of the District. The areas between 16th Street and Georgia Avenue in Wards 1 and 4 have particularly high concentrations of LEP individuals, as do some areas of Petworth. In contrast, most areas of southeast DC have low shares of LEP/NEP residents.

Top languages spoken. The District and the greater DC area are home to substantial language diversity. The top language spoken in the District, other than English, is Spanish. After Spanish, the top languages are French, Amharic/Ethiopian, German, and Chinese.¹¹ In the greater DC area, the top foreign languages spoken are Spanish, French, Chinese, Amharic/Ethiopian, and Korean.

Speakers of these different languages in the District have different levels of English proficiency and, thus, different needs for interpretation. LEP/NEP rates range from 50 percent among Amharic/Ethiopian speakers to 15 percent among German speakers (figure 8). As a result, the top languages spoken among LEP/NEP individuals in the greater DC area form a slightly different list.

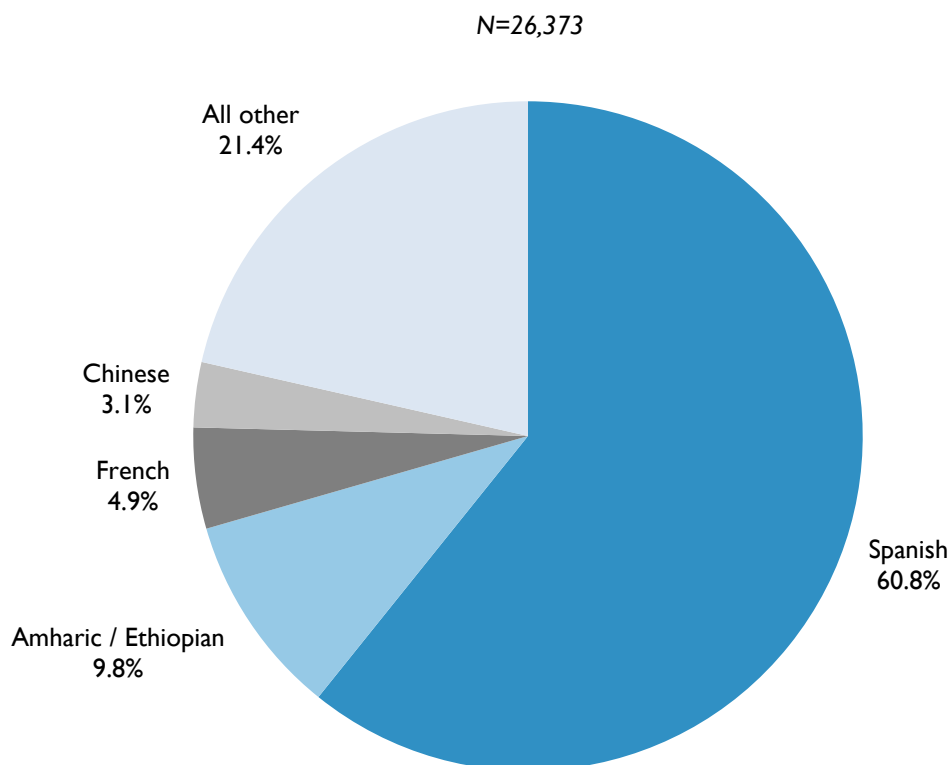
Figure 6. English Proficiency by Language Spoken at Home in the District of Columbia



Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

The most common language among LEP/NEP individuals in the District is Spanish, spoken by a majority (60 percent) of LEP/NEP individuals. After Spanish, the top languages are Amharic/Ethiopian, French,¹² and Chinese. The sample sizes available are insufficient to precisely order the top ten languages among LEP/NEP individuals in the District, but other top languages include (in alphabetical order) Filipino/Tagalog, German, Kru,¹³ Italian, Portuguese, and Vietnamese. The top four languages account for 79 percent of all LEP/NEP individuals in the District (figure 9).

Figure 7. Language Spoken among LEP/NEP Population in the District of Columbia



Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

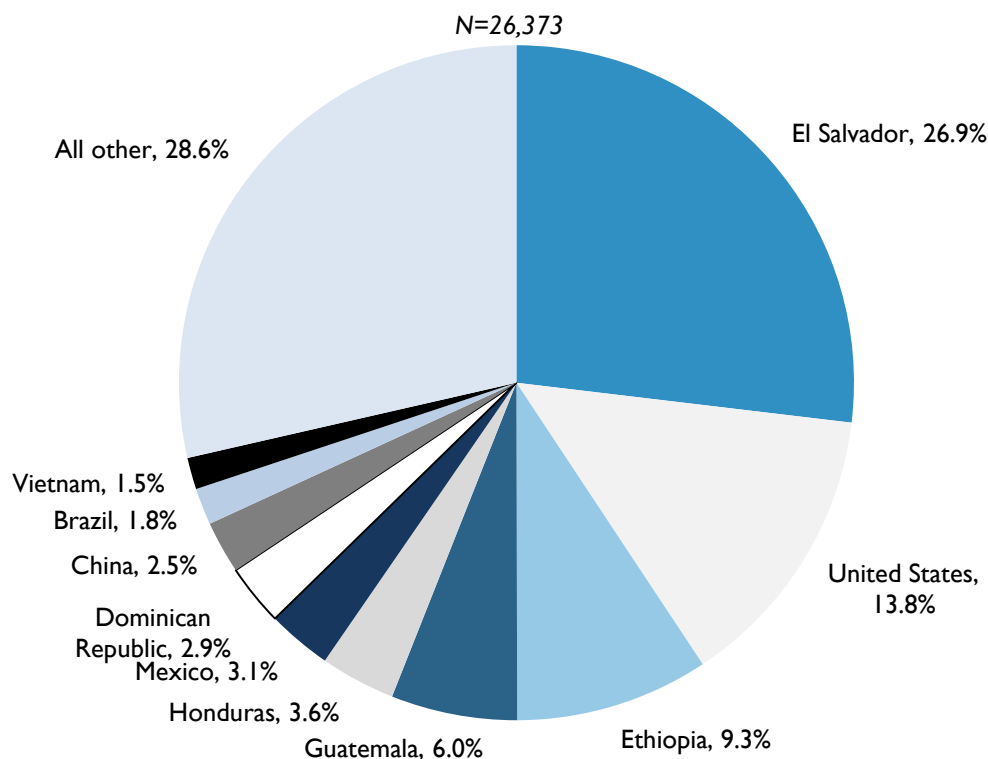
In the greater DC area, the top ten languages spoken among LEP/NEP residents are Spanish, Chinese, Korean, Vietnamese, Amharic/Ethiopian, French, Filipino/Tagalog, Arabic, Kru, and Persian/Iranian/Farsi. Apart from Spanish speakers, however, the number of speakers of each language is not statistically significantly from the number of speakers of the language right below it in this ordering. Therefore, this list should be taken as suggestive, rather than a definitive ranking of the top languages in the greater DC area. Looking at the top languages among LEP/NEP individuals in the greater DC area from 2005 to 2012 does not show any notable trends in the language composition of the LEP/NEP population over this seven-year period.

Demographic Portrait of LEP/NEPs

Below, we outline the demographic characteristics of LEP/NEP individuals and families in the District and the greater DC area, focusing on their country of birth, age, citizenship status, and household characteristics. We present these characteristics to give a better understanding of the diversity of individuals who make up the LEP/NEP population in the area, and to highlight portions of the LEP/NEP population that are particularly likely to interact with certain DC government offices. Figures 12 and 13 on pages 24 and 25 summarize the characteristics of LEP/NEP individuals in the District.

Countries of birth. The top country of origin among LEP/NEP individuals in the District is El Salvador, accounting for over one-quarter of the LEP population. The second-largest country of birth of LEP/NEP individuals in the District is the United States,¹⁴ followed by Ethiopia. The other top countries of birth of LEP/NEP individuals are, in alphabetical order, Brazil, China, the Dominican Republic, Guatemala, Honduras, Mexico, and Vietnam. Figure 10 shows the national-origin breakdown of the LEP/NEP population in the District.

Figure 8. Countries of Birth of the LEP/NEP Population in the District of Columbia

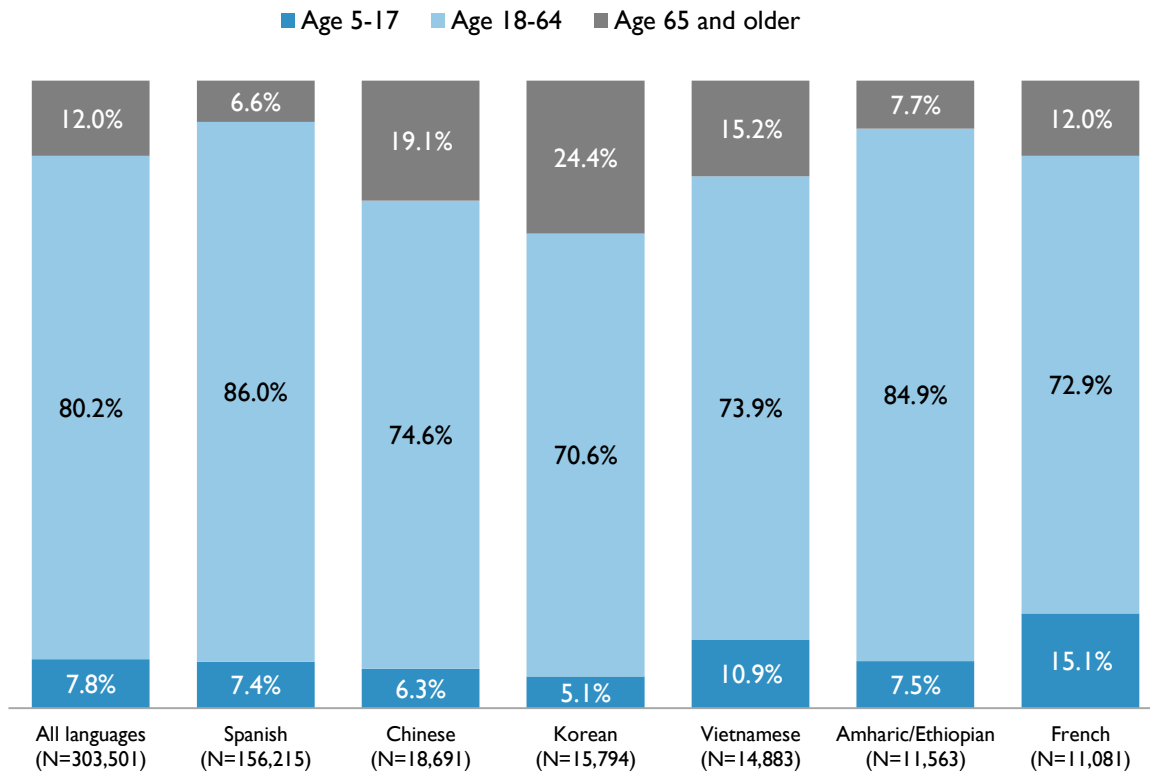


Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

Age. In the District, 84 percent of LEP/NEP individuals are working-age adults (age 18–64), while 7 percent are children (age 5–17), and 9 percent are seniors (age 65 and older). The share of individuals who are LEP/NEP in the District is small among each age group. In the District, only 3 percent of children age 5 to 17 are LEP/NEP, only 5 percent of working-age adults age 18–64 are LEP/NEP and only 4 percent of seniors age 65 and older are LEP/NEP.

Figure 11 shows the age breakdown of LEP/NEP individuals speaking one of the top six languages in the greater DC area. We show these numbers for the greater DC area because the counts are too small in the data to calculate age by language spoken among LEP/NEP individuals in the District alone. Across the top six languages spoken by LEP/NEP individuals in the greater DC area,¹⁵ the majority of LEP/NEP individuals are working-age adults. These age distributions show that relative to speakers of other languages, a larger proportion of French- and Vietnamese-speaking LEP/NEP individuals are children (though the numbers of French- and Vietnamese-speaking children are still much smaller than the number of Spanish-speaking children), and a larger share of LEP/NEP Korean speakers are seniors.

Figure 9. Age Distribution of LEP/NEP Individuals by Language in the Greater DC Area



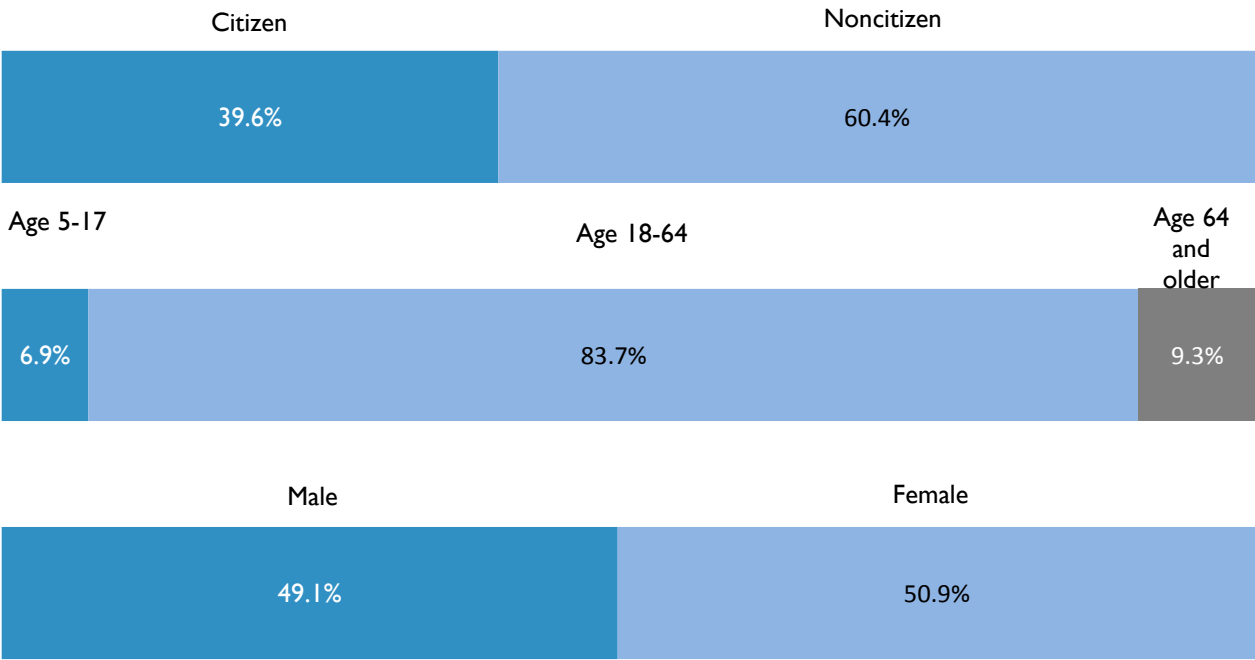
Source: 2012 3-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

The top language spoken by LEP/NEP children, working-age adults, and seniors in the greater DC area is Spanish. After that, the most common four other languages spoken by LEP/NEP children in the greater DC area are French, Vietnamese, Chinese, and Filipino/Tagalog. Among working-age LEP/NEP adults, the top four languages spoken other than Spanish are Chinese, Korean, Vietnamese, and Amharic/Ethiopian. Among LEP/NEP seniors in the greater DC area, the most common languages spoken other than Spanish are Korean, Chinese, Vietnamese, and Persian/Iranian/Farsi.¹⁶

LEP/NEP status may affect access to city services and government agencies not only for LEP/NEP individuals, but also for children who live with LEP/NEP parents. Among young children (age 3–4) in the District, roughly 10 percent live with LEP/NEP parents—that is, they do not live with a mother or father who is English proficient. Among school-age children (age 5 to 17) in the District, about 7 percent live with LEP/NEP parents. Four percent of children (from birth to age 17) in the District live in linguistically isolated households, where nobody age 14 or older speaks English “very well.”

In the District, about 40 percent of LEP/NEP residents are citizens, while 60 percent are noncitizens.¹⁷ Fifty-one percent of LEP/NEP individuals in the District are female, while 49 percent are male.

Figure 10. Demographic Characteristics of LEP/NEP Individuals in the District of Columbia (N=26,373)

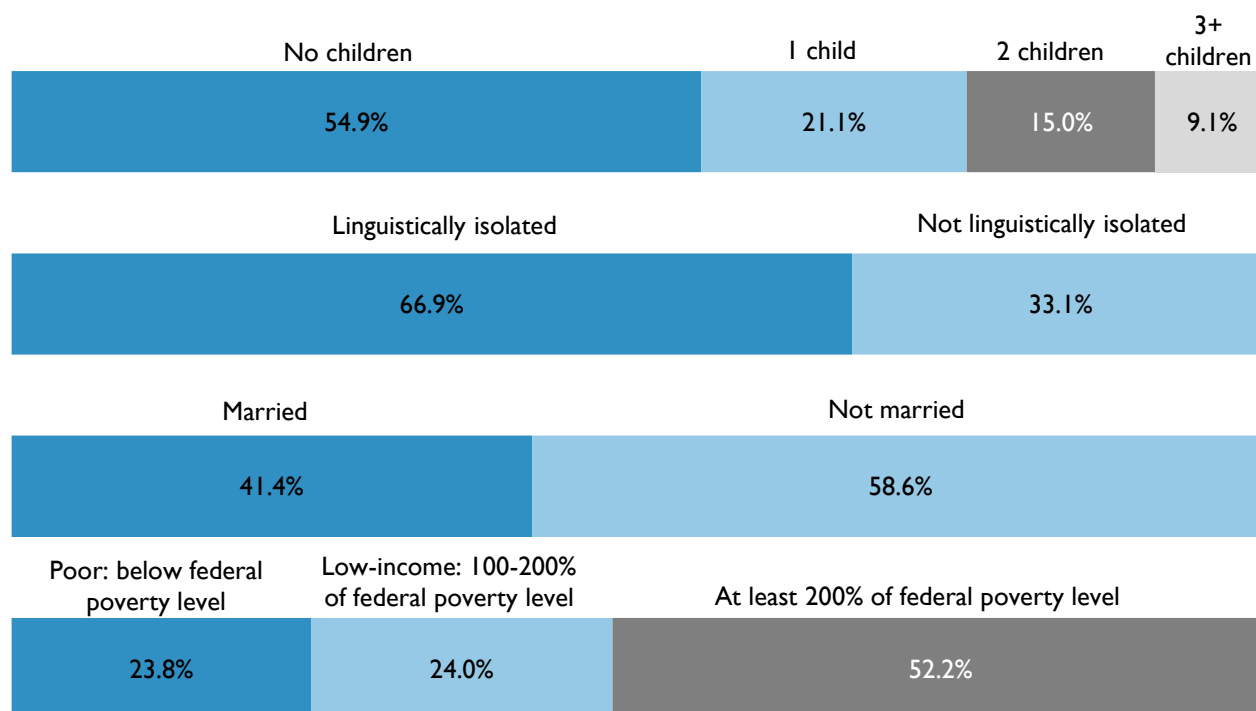


Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

Household characteristics. LEP/NEP householders in the District are more likely to be married than English-proficient householders. About 41 percent of LEP/NEP householders are married, compared with 24 percent of English-proficient householders. In the District, about 55 percent of LEP/NEP heads of household have no children in their home, and 45 percent have one or more children. Among English-proficient heads of household, 76 percent have no children present, and only 24 percent have at least one child.

As a result of these higher rates of marriage and greater number of children, LEP/NEP families (headed by a LEP/NEP individual) are larger, on average, than English-proficient families. The average size of LEP/NEP families is 2.5 people, compared with 1.8 people in non-LEP/NEP families.

Figure 11. Demographic Characteristics of LEP/NEP Households in the District of Columbia (N=9,495)

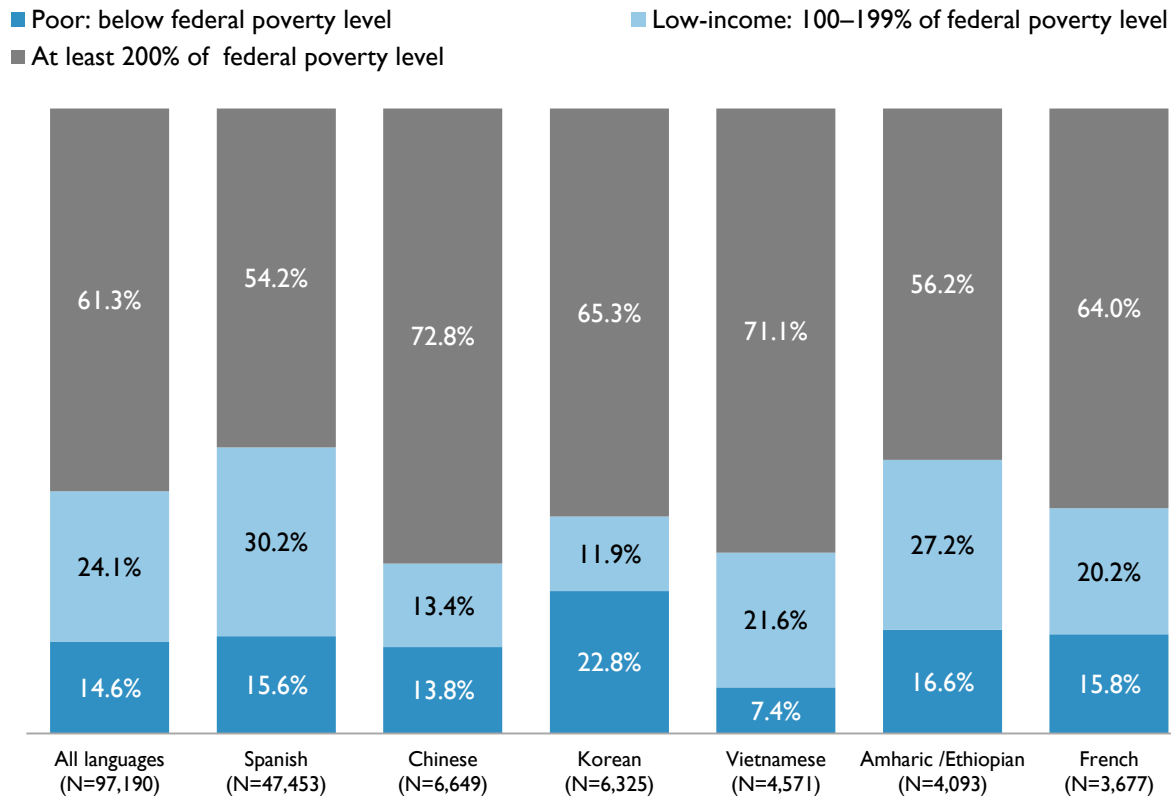


Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

In the District, slightly less than half of LEP/NEP households have low incomes. About 24 percent of LEP/NEP households have income below the federal poverty level, and another 24 percent have incomes between 100 percent and 200 percent of the federal poverty level.

Poverty rates among LEP/NEP individuals vary slightly by language spoken. Figure 14 shows poverty rates by language spoken, for the top languages spoken by LEP individuals in the greater DC area; sample sizes are not sufficient to calculate these numbers for the District alone.

Figure 12. Poverty among LEP/NEP Households by Language in the Greater DC Area

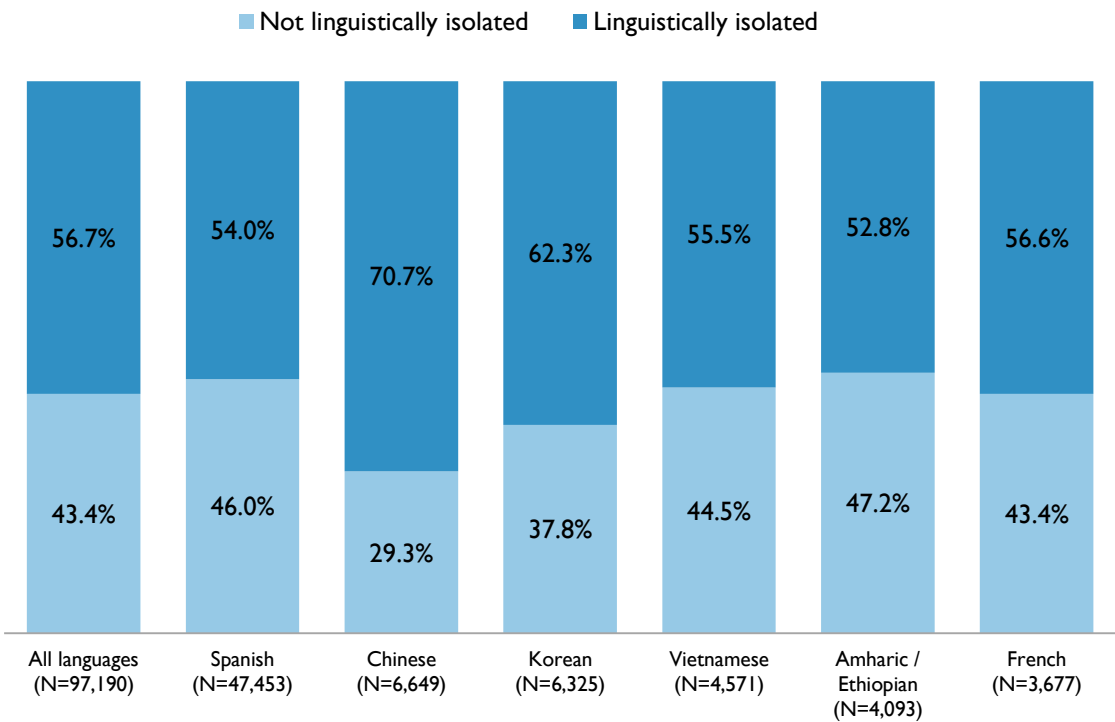


Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

About two-thirds (67 percent) of households headed by an LEP/NEP individual are linguistically isolated. In the greater DC area, 57 percent of households headed by an LEP/NEP individual are linguistically isolated. However, the share of linguistically isolated households in the greater DC area seems to have fallen from 2005–07, when it was 63 percent.

Rates of linguistic isolation also vary slightly by language spoken in the household. Seventy-one percent of Chinese-speaking households in the greater DC area are linguistically isolated, versus 53 percent of Amharic/Ethiopian-speaking households.

Figure 13. Share of Linguistically Isolated LEP/NEP Households in the Greater DC Area, by Language



Source: 2012 three-year public-use microdata from the American Community Survey, accessed through IPUMS (Ruggles et al. 2010).

As these data show, LEP/NEP individuals in the District and the greater DC area come from various countries, speak various languages, and have varying socioeconomic and household characteristics. As a result, different agencies across DC are working to meet different language needs, depending on the characteristics of their particular client population. Schools that interact with LEP/NEP parents may need to accommodate different language needs than public benefits administrators that serve low-income families. The next section outlines some of the successes and challenges in meeting these diverse language needs to date.

Navigating the Implementation of Language Access: Accomplishments and Challenges

Washington, DC, has a complex Language Access Program that is now implemented (at varying funding and compliance levels) in 34 agencies. Agency efforts are coordinated, monitored, and enforced through the Office of Human Rights, which has evolved its nuanced approach considerably over the decade. The program has made significant strides in identifying, serving, and monitoring the diverse language needs presented by the public in a challenging fiscal and institutional climate. The city has achieved successes and faces continued challenges on a wide range of issues: public awareness of language access services, the collection of accurate tracking data on needs and service use, the analysis of diverse data sources to inform policy and planning, constraints on available demographic measures, training of District personnel and staffing of language access duties, the continued development and improvement of

translation and interpretation services, coordination across agencies, the will and support of agency leadership, monitoring and reporting, and the enforcement of compliance.

Identifying Language Needs

Public Awareness of Language Access Services

Although agencies are required to analyze multiple data sources to inform their assessment of their clients' language needs, usage data play a key role. Usage data reflect only those encounters with clients who have come forward and presented language access needs. For this reason, public engagement to educate the LEP/NEP community about their language access rights and the services available is critical. Public awareness of services is the foundation of any effective program targeted to hard-to-reach populations.

Interviewees largely agreed that public awareness of DC's language access resources has increased over the past decade. Most interviewees reported their belief that members of the public are aware of their rights under the Language Access Act and the language access services available in different agencies. Some interviewees expressed concern, however, that further public education is necessary, particularly in the African community. Spanish and Asian language groups have a longer history of organizational representation and advocacy in the District and, therefore, may be better informed and represented.

Public education efforts have relied on initiatives by agencies, the mayor's constituent offices, and the DCLAC (and MLOV), as well as OHR itself. The mayor's constituent offices play an important liaison role for individual residents, often referring or connecting individuals to services and following up on specific instances of barriers to translation or interpretation on behalf of individuals. Immigrant-serving CBOs also take on this role, linking individuals to District services and legal-aid organizations supporting victims of language access violations.

Tracking Language Access Needs and Services Use

Documenting clients' language needs as well as their use of multilingual services is crucial from both a user and a management perspective. Documenting the language need of a client with language barriers on first contact ensures that staff are aware and prepared to manage the client's particular needs in subsequent encounters. Tracking client need and use is also critical for producing data to inform Language Access Coordinators, OHR, and other stakeholders.

Interviewees agreed that some agencies have made progress on tracking data. Improvements include adding language need fields to case management data systems, and increasing employee training and awareness of the importance of documenting language needs. Several government interviewees reported that after years of work, they had managed to create more cohesive data tracking systems. OHR has been working with agencies to continue improving data tracking, but highlights the issue as a major implementation gap in its most recent compliance report; a recent study with DCLAC input makes the same point (OHR 2013; American University Washington College of Law Immigrant Justice Clinic 2012).¹⁸ Ensuring that all employees consistently offer and document needs is an ongoing challenge; field-testing results indicate significant gaps in consistent offering of language access services by frontline employees. Encounters in which language access services are not offered doubtlessly also go unreported, leading to an underestimation of need. In addition, some LACs are still receiving user data in inconsistent formats across different units in agencies and suspect that not all bilingual encounters are reported.

Some interviews also cited self-identification by users as a challenge to tracking and serving needs. Not all those who might benefit from multilingual resources are willing to identify with a non-English language need; an individual may insist on communicating in English despite difficulties. Distrust may be another factor; individuals may not want to be identified as LEP or NEP because they fear discrimination or possible attention to immigration status.

Analysis of Data to Inform Policy

LACs are required, with the assistance of OHR and other stakeholders, to analyze their user data as well as other sources of demographic statistics in order to inform decisions about which languages to support and how to do so most effectively. Effective analysis of data is important for evaluating the effectiveness of existing services, anticipating emerging unmet needs, and making management and budgetary decisions for targeting limited resources. Full support of all language needs is limited not only by the resource and other constraints on *providing service* but also the data collection and analysis required to *identify needs*.

Efforts to be responsive to changing needs are ongoing. Several interviews referenced an initial (and still dominant) focus on Spanish as the default language, especially for document translations, and a more recent recognition and addition of Amharic as the second-most commonly encountered language in some agencies. Anecdotally, one government interviewee described the response of an agency to a change in language line usage. The agency is following up with additional research and recognition of Tigrinya as a newly emerging language.¹⁹ Advocates have proposed other new language needs, such as Tagalog, Arabic, and African languages such as Kru or Ibo.

Interviewees agreed that LACs are still facing significant challenges in collecting and analyzing language needs data. A recent study criticized the weakness of agency research and analysis to determine which language groups are meeting the 3 percent or 500-person benchmark (AU WCL IJC 2012). Several interviewees discussed the complexity of assessing language needs and analyzing performance usage data and demographic data, including addressing concerns about the accurate representation of the size of specific communities in Census and other statistics. The mayor's constituent offices and OHR were often mentioned as information sources, but LACs did not highlight the DCLAC's role in informing decisions, which is surprising given the role ascribed to DCLAC in the language of the Act.

More fundamentally, interviews revealed that some stakeholders were ignorant of the agency-level requirements for determining language needs. Almost all interviewees described the Language Access Act as requiring translation into the specific "core list" of languages, listed as five, six, or seven (depending on the interviewee). This reflects an institutionalization of the six languages initially chosen at the launch of the implementation period, but which are actually not required by the Act unless they meet the 3 percent or 500-person benchmark for each specific agency. Many stakeholders, including OHR, have recommended that the list be revisited to ensure that it is accurately covering the most important current language needs of client and potential client populations (OHR 2011).

Constraints on Available Demographic Measures

Some interviewees expressed concern that census data undercount members of certain national origin or language groups and, particularly, LEP/NEP individuals or undocumented immigrants. Many of the interviewees described this as a limitation for assessing language needs. As described in detail earlier and in appendix A, the US Census Bureau uses several tools in order to attempt to reach a sample of Americans that is representative, including immigrants and those with limited English proficiency. However, even if the Census Bureau can reach a fully representative sample of individuals, the sample size is only so big; and, in a jurisdiction as small as Washington, DC, it may be difficult to estimate language needs among small subpopulations. For example, census data do not have large enough sample sizes to permit reliable estimates of top language needs among poor households or among the elderly in the District. Such subpopulations may access certain city services at high rates, leading to a strong policy imperative to collect additional sources of data on these groups. These limitations of the demographic data highlight the need for stakeholders and District government to consider the multiple data sources available, including user data as well as other sources of information that may reveal difficult-to-capture community needs.

Serving Language Needs

Training of District Employees and Staffing of Language Access Duties

Employees of the District of Columbia are on the front lines of language access service. Face-to-face and telephone encounters are primary sites for detecting and serving language needs. Interviewees agreed that DC employees have become more aware of language access, and that trainings on both the rights of LEP/NEP clients and language access services have been effective, although challenges remain. One of the most common challenges cited is agencies' capacity to meet language needs on top of the rest of their caseload. In high-traffic offices dealing with vulnerable, disadvantaged clients, providing language access adds more work to an already overburdened system.

Increasing bilingual staff capacity would assist greatly, as several studies recommend (Chatlosh and Ayometzi 2013; AU WCL IJC 2012). Some interviewees said that finding sufficient bilingual employees is not the main barrier to filling bilingual needs, pointing instead to limited funds and DC hiring practices that make it difficult to incorporate bilingual requirements into job descriptions. Some interviewees emphasized lack of understanding or appreciation of language ability as a valuable skill that should be recruited and rewarded.

LACs are given significant responsibilities and often not supported with sufficient resources at their agencies. In addition to significant reporting requirements, LACs are responsible for training, oversight, management of translations, dealing with complaints, resolution of individual cases of language access difficulties, and, in some cases, serving as the general reference person for all issues requiring bilingual support. Anecdotally, one government interviewee reported that when his agency was seeking to hire bilingual employees, he was asked to test the language proficiency level of applicants.

In recognition of the difficulties that LACs were facing, often isolated and slowed down by bureaucratic hurdles within their agencies, OHR shifted toward a team-focused system in 2013. Under the new approach, OHR asked agencies to spread responsibility and knowledge across multiple employees. OHR now requires that each agency nominate a team of individuals from different agency functions (contracts, hiring, frontline operations, language access, and others) to coordinate on that agency's language access services and meet once annually. Several interviewees commented that this approach was preferable to the old system.

Language Access Materials and Services

Stakeholders agree that use of language access services has increased over the past decade, citing increased language line usage and the availability of more documents in translation. More vital documents are translated, and language line use has increased significantly in many agencies. More languages are also increasingly being covered, although Spanish is still privileged and other languages are not receiving equivalent resources in most cases. Spanish speakers are the largest single language-need group in both the DC and metropolitan DC populations, so resources may be proportionate to need for particular services. Yet, it is important that agencies not treat Spanish supports as sufficient for covering the diverse language access needs that may make up their current and potential client base.

Providing effective services still faces many challenges. Although documents may be translated, some interviewees voiced concern about quality control. Others pointed out the difficulty of maintaining updated documents. Web resources in multiple languages also require further attention, as highlighted in OHR's recommendations in the latest annual compliance report (OHR 2014). Interviewees referenced agency documents available online as well as the OHR website itself.²⁰ Since early 2013, OHR has led an initiative to require agencies to provide multilingual access links on their agency pages; links in each of the six high-frequency languages will take users to basic descriptions of that agency's activities as well as translated vital documents. Coordinating across agencies has been a challenge, but many of the websites have become operational.

Although telephone language line usage has increased across city agencies, providing in-person bilingual interpreters may be more effective in certain situations and is certainly preferable if the resources exist. Several interviewees noted that in particularly sensitive interactions, telephone line interpretation can make clients uncomfortable and less willing to communicate; it can also lead to miscommunication, which may have consequences for clients' understanding of requirements, deadlines, or other information. Many interviewees highlighted the need for more in-person bilingual interpretation to complement the language line resource.

Many interviewees also described widespread informal interpretation practices, when an individual client will rely on a friend or family member to interpret, or a bilingual employee whose job description does not prescribe that function is called on to interpret or translate, raising privacy and confidentiality concerns.²¹ Several interviewees described Latino employees being pushed to take on interpretation duties regardless of their actual language ability.

Coordination and Centralization

Best practices on municipal language access provision emphasize the benefits of centralizing resources across agencies. This could mean facilitating communication or coordination between agencies, identifying common procurement sources for translation and interpretation, centralizing data collection, or other forms of cooperation. OHR's coordination offers a promising lead for such centralization efforts. Centralization can be a slow process, but it appears that some efforts have been effective. Many interviewees mentioned the 2012 establishment of common procurement sources for translation and interpretation providers, most describing it as a positive development (though some expressed concerns about the particular choice of providers).

Some interviewees highlighted the potential for greater coordination among agencies, though the diversity of agency contexts is a challenge. Some LACs describe the quarterly meetings of all the LACs with OHR as an effective space for mutual learning, though several expressed frustration about the diversity of agencies and sometimes-mismatched needs and interest levels. To supplement the quarterly meetings, some LACs interact with other individual LAC that may be facing similar issues with specific subpopulations or working on a similar scale.

Will and Support from Agency Leadership

Although language access is coordinated by the Office of Human Rights, implementation takes place in agency environments and relies on agency budgets. Although agencies generally have advanced on this issue over the past decade, interviewees revealed that language access is not prioritized in all agencies. One government interviewee described feeling grateful that his agency director prioritized the issue and delegated necessary resources, while he described other efforts as being more marginalized and less supported by their agency leadership.

OHR has made more recent efforts to foster high-level contact with agency leadership, seeking to develop stronger relationships directly between OHR and the agency directors in order to build awareness and support for language access. Recent processes of reviewing the fiscal year 2013–14 BLAPs, for example, prioritized a direct connection between OHR and directors.

Monitoring Services Provision

Monitoring and Reporting

OHR has changed the reporting, monitoring, and scoring process significantly over the years, developing an annual report that is far more detailed than that prepared by other jurisdictions with active language access programs, such as Montgomery County, MD; Arlington County, VA; or Oakland, CA. OHR's annual compliance reports evolved considerably over the years. The first one, in 2007, presented only summary results. In later years, under different language access directors, the reports developed a more detailed scoring mechanism for measuring compliance. OHR added a field-testing

component in fiscal year 2009 to more closely monitor agencies (OHR 2009) and modified the scoring methodology in fiscal year 2012 after a review of rating and assessment methods. The annual compliance report now includes a narrative-based scorecard for each agency (OHR 2013), designed to provide more transparency and more useful guidance.

The BLAPs were also redesigned in two phases, initially in 2011, under a new director, to move away from a narrative-based approach that was producing inconsistent results across agencies. Several LACs were convened on a number of occasions to provide their feedback on the new reporting format. Under a new director in 2013, the BLAPs were revised again, to approach a more survey-like approach with multiple-choice options and checklists.

Several interviewees objected to the amount of detail required in the BLAPs and questioned the value of the reporting. Some expressed concerns about the amount of time required to prepare the reports and wondered about the added value of providing the required information other than for OHR reporting.

Enforcing Compliance

Enforcing against noncompliance was one of the most commonly cited challenges to the Language Access Program. OHR monitors compliance in two major ways: through review and scoring of agency compliance based on quarterly reports and BLAPs, and through investigation of individual complaints of language access violations.

OHR reports on agencies' compliance annually in the compliance report. It computes a score for individual agencies based on field testing and performance in attaining requirements. Advocates object to the fact that agencies are never rated as noncompliant, even if OHR identifies major implementation gaps in its annual review. This connects to the larger challenge that the Language Access Program confronts: the "lack of teeth" to the Language Access Act—namely, the lack of a mechanism that enforces significant consequences for agencies found to be less than 100 percent compliant with the requirements of the Act (AU WCL ICJ 2012).

The advocacy community is also concerned about the individual complaints process, and the DCLAC has provided guidance and suggestions to OHR to improve the system. Several interviewees highlighted the opacity and length of the complaints investigation process, the lack of multilingual options for the actual complaints submittal link on the OHR website, and the lack of transparency about the number of informal complaints (noting that OHR does not report individual complaints that may have been submitted but do not end up generating a full investigation). The DCLAC has also pressed for an individual right-of-action and a right to appeal OHR decisions. One interviewee reported that OHR had worked to improve the complaints process, using regulatory modification to add a right to appeal an OHR decision to the Office of Administrative Hearings, or providing more informal support through conscientious treatment of individual complaints by specific OHR staff members (following up with individual complainants to encourage them to stick with the complaints process). Though criticisms about the effectiveness of the complaints process are common, one interviewee described the corrective action process—which is initiated when OHR finds a violation and requires action on the part of the offending agency—as an effective threat, one that has encouraged his agency to act conscientiously on language access service provision.

Recommendations

Based on insights collected through the stakeholder interviews and review of best practices as well as our understanding of DC's institutional and demographic context, we propose several recommendations for city officials and stakeholders as they continue to improve the Language Access Program and weigh difficult decisions about future planning and the use of limited resources.

These recommendations echo many already provided in previous studies, highlighting the substantive consensus that largely exists among language access stakeholders about remaining gaps and priorities for improving implementation.

Improve Data Collection and Analysis

- Continue public engagement efforts to raise public awareness of language access services among constituent groups, particularly newcomers and their families.
- Further develop rigorous data collection on the language needs of clients and potential clients.
 - Continue to develop effective data tracking and strive for consistency and coordination across agencies; help agencies learn from each other.
 - Continue to seek current demographic data and share all information and research with agencies; this should include studies by formal consultative bodies (Chatlosh and Ayometzi 2013; Lee 2011) as well as cutting-edge research on municipal integration policies toward LEP/NEP populations.
- Explore new sources of data to inform language needs assessment.
 - Collect additional data to assess customer satisfaction with language access services, potentially using customer surveys at points of service (New York City Mayor’s Office of Immigrant Affairs 2013; Laglagaron and Sperling 2009).²²
 - Collect community-based primary data, partnering with CBOs to capture characteristics and language needs of hard-to-reach populations (US DOJ 2011).²³
- Consider how data analysis practices can be improved in order to better meet the requirements of the Act and improve services.
 - Provide more detailed guidance to LACs on how to analyze their usage data and other data sources.
 - Ensure that all stakeholders understand the requirements of the Act.
 - The languages that hit the 500 person or 3 percent benchmark should be determined as required by the Language Access Act, based on agency-specific context and the existing and potential customer base of each agency.
 - Assist agencies in evaluating their language access services, or commission an objective evaluator to conduct a comprehensive needs assessment and implementation evaluation of Language Access Program.

The District is not alone

District officials should take the opportunity to learn from good practices in use in other jurisdictions dealing with similar challenges. Neighboring jurisdictions such as Montgomery County, MD, and Arlington County, VA, as well as Fairfax County, VA, all have made efforts to support the language needs of their diverse residents. These are counties with significant foreign-born populations and LEP/NEP needs, with similar or even greater linguistic diversity than District residents. The LEP/NEP populations in the greater DC area, including these suburbs, have a wide range of linguistic needs. Serving a super-diverse client base poses similar opportunities and challenges outside the District.

Recognize Importance of Human Capital

- Invest in the District’s multilingual personnel.
 - Modify hiring and recruitment practices so agencies can recruit and retain highly skilled bilingual employees required, whether that means greater outreach, changes in job descriptions, wage differentials,²⁴ or other tools.
 - Whenever possible within agency constraints, hire additional bilingual personnel in top languages used by agency clientele.
- Leverage existing resources more effectively at low cost.
 - Recognize, test, and train current personnel who have bilingual skills.
 - Take advantage of Washington’s highly-educated foreign-born population to fill bilingual need; engage directly with CBOs to help identify qualified bilingual individuals²⁵ and seek support from the business community.
 - Continue team-based agency approach in order to support LACs, and foster high-level support from managers, Directors, and above.²⁶

Leveraging bilingual skill

Montgomery County also has a language access policy, framed by a 2010 executive order that requires county agencies to take meaningful steps to provide access to LEP/NEP residents. The organizational setup has some similarities with the District’s, requiring departments to create language access plans and designate liaisons responsible for assessing and serving language needs. An LEP leadership team, made up of representatives from multiple departments, may serve an advisory committee function. The language access coordinator is based in the Office of Community Partnerships, the government office responsible for community outreach.

The county shows some promising practices in particular on leveraging bilingual skills. Montgomery County was an early mover on rewarding bilingual county employees, providing a pay stipend for those certified proficient in second languages at a basic or advanced level. These bilingual staff resources are centralized through a language certified employees database, which departments can access to fill particular needs as they arise. The county also takes advantage of the public’s linguistic skill through a volunteer-staffed language bank, with bilingual individuals on call to help translate or interpret for both county agencies and nonprofit organizations.

Improve Quality and Accessibility of Current Services and Materials

- Ensure that all language needs are being served, in all needed languages, at high quality, and in accessible formats, while taking into account resource constraints.
 - Be sensitive to the dynamic nature of LEP/NEP needs, in consideration of changing inflows and residence patterns, emerging language and service needs, and movement towards English proficiency.
 - Consider certification of interpreters and translators in order to ensure quality (Laglagaron and Sperling 2009).
 - Consider evaluating the quality of the new providers to ensure that translation quality is sound, and incorporate perspectives from customers, LACs, the Mayor’s constituent offices, and DCLAC/MLOV.

Collecting information on the customer experience

New York City, a much larger city drawing on potentially greater resources, is another interesting case that can offer some good practices. New York has several similar organizational features to the District’s Language Access Program model, such as language access coordinators for different agencies and a field testing process of actual agency compliance through “secret shopping” conducted since 2010. One notable innovation is the use of customer satisfaction surveys, distributed in the top six languages throughout service points in different agencies (New York City Office of Immigrant Affairs 2013). This provides municipal agencies an opportunity to collect feedback from customers about their use of language access services. Although this data source faces limitations and still must be complemented by additional sources of information on unmet community needs, it could provide a valuable further source of evidence to inform policy decisions.

- Continue cross-agency coordination to promote efficiencies in leveraging existing resources.²⁷

Consider Investing More Resources in the Language Access Program

- Carefully consider the costs and benefits of keeping language access at current, agency-specific funding levels.
- Bearing in mind the policy tradeoffs and limited budget, consider investing more funds in order to ensure full access to LEP/NEP residents.

Improve Coordination between Agencies

- Continue efforts to coordinate language access efforts across agencies and centralize resources for LACs.
 - Consider creating an LEP/NEP data and evaluation oversight committee to help OHR provide technical assistance to agencies (Laglagaron and Sperling 2009); this could include the DCLAC and mayor's constituent offices as well as external research and service provision experts.
- Continue to recognize that one size may *not* fit all for such a diverse array of agencies.
 - Facilitate coordination between subgroups of agencies that could learn from each other or coordinate more effectively on a smaller scale.
 - Collect information on what LACs still require in order to accomplish their responsibilities.
 - Encourage agencies to be responsive to the language needs of their specific client bases.

Pursue Aggressive Community Engagement

- OHR and agencies should continue to actively cooperate and involve DCLAC/MLOV and the mayor's constituent offices so community engagement grows, particularly for less-established language communities.
- Engaging the LEP/NEP users in public fora and through advertising campaigns should continue, complemented by a focus on centralizing resources for LEP/NEP residents in an accessible, modern format such as web or smart phone resources.
- Web investments should take into account best practices such as stand-alone URLs, quality control on translations, and so on.²⁸

Making web access accessible

Arlington County passed a language access resolution in 2004, with a key assistance and monitoring role provided by the Office of Human Rights and authority falling to the county manager. Arlington offers some promising practices on website accessibility for LEP/NEP residents, geared in particular for Spanish-speaking residents, who are the county's single largest language need group. Spanish-language website resources are centralized as a mirror page to the main county website. There are gaps in providing translation of all website material, but lessons can be drawn on easy accessibility.

Continue Transparent Monitoring Process

- Consider stakeholder suggestions and feedback on the monitoring process.
- Consider modifications to the reporting process in dialogue with LACs, the DCLAC, and mayor's offices.
- Provide LACS further education on the rationale of BLAP revisions and the current reporting structure and requirements.

Examine Enforcement Possibilities

- Consider the objections to the current enforcement process and explore possibilities for how to add “teeth” to the Language Access Act.
- Continue attempts to increase the transparency of the individual complaints process.
- Consider reporting informal complaints that are reported to agency staff, mayor’s constituent offices, DCLAC, and CBOs but that do not go through the full OHR investigation process.
- Strive for timely processing of individual complaints, and reduce barriers to individuals in order to make sure that all complaints are investigated.

Summary

This report provides an overview of the District of Columbia’s Language Access Program and LEP/NEP population in the context of the city’s diverse population and global stature. District agencies are challenged to meet a diverse set of language needs in serving the 5 percent of District residents with limited English proficiency. Speaking primarily Spanish, but also a wide range of languages including Amharic/Ethiopian, French, Chinese, Filipino/Tagalog, German, Kru, Italian, Portuguese, and Vietnamese, the diverse LEP/NEP population in the District and in the greater DC area presents a challenge to agencies seeking to serve the language needs of their clients.

To meet these needs, stakeholders recommend that the District consider investing further resources into the provision of high-quality services informed by rigorously collected and analyzed data. Next steps could include providing further assistance in interpreting both census statistics as well as usage data, and continuing to encourage agencies to collect consistent information about their current and potential client base as well as explore additional data sources. Other next steps should include careful consideration of bilingual personnel resources and recruitment and retention practices, and continued efforts to strive to improve language access services provided by agencies. Efforts to ensure quality control, engage the LEP/NEP community, and fairly and transparently monitor and enforce the requirements of the Language Access Act should continue and take key stakeholder perspectives into account.

The diversity of customer bases and resources available across different agencies poses a challenge to coordination and monitoring. It is crucial to keep in mind that while coordination across agencies must continue, one size does not fit all when it comes to language access. Agencies should strive to tailor language access resources to their particular client and potential client needs.

The Language Access Program builds on a strong legislative base and a vibrant community of stakeholders that contribute to assessing, supporting, and monitoring services to the District’s diverse LEP/NEP population. Decisionmakers and stakeholders should continue to work together to improve the Language Access Program and strive to ensure that the District provides necessary supports for its diverse population.

Appendix A. Limitations of the American Community Survey

The US Census Bureau, which runs the ACS, expends considerable time and effort attempting to reach a sample of Americans that represents the full diversity of the country, including immigrants and those with limited English proficiency. First, to protect against non-response by LEP/NEPs, they maintain a language assistance program, which translates documents into multiple languages, recruits and trains bilingual interviewers and provides telephone or Internet assistance in multiple languages (US Census Bureau 2009). The Census Bureau also conducts research to understand the census-taking experiences of limited English proficient individuals in order to make improvements (see, for example, Whitworth 2001 or Pan and Lubkemann 2012). The Census Bureau analyzed the share of households that do not answer the ACS because of language barriers. Nation-wide, this share is essentially 0 percent. There are only two US counties (both outside of the DC metro area) where language problems lead to more than 1 percent of households failing to answer the survey (Griffin and Broadwater 2005).

Undercount rates for other Census data (the 2010 Decennial Census) is estimated at around 1.5 percent for the Hispanic population, 2.1 percent for the black population, and about 0.1 percent for the Asian population nationwide.²⁹ Demographers estimate that this share is larger for immigrants. Some estimate an undercount of about 10 percent for undocumented immigrants and 2.5 percent for legal immigrants (Hoefer, Rytina, and Baker 2011). Evidence suggests the Census is getting better at surveying immigrant households (Passel, Cohn, and Gonzalez-Barrera 2013). Sampling weights are provided and used in this analysis to help correct for under-sampling of certain populations at the state and local levels.

Appendix B. Agencies Required to Conform to the Language Access Act by Compliance Date

Phase I (April 4, 2004)

- Department of Health
- Department of Human Services
- Department of Employment Services
- Metropolitan Police Department
- District of Columbia Public School System
- Office of Planning
- Fire and Emergency Medical Services
- Office of Human Rights

Phase 2 (October 1, 2004)

- Department of Housing and Community Development
- Department of Mental Health
- Department of Motor Vehicles
- Child and Family Services Agency
- Alcoholic Beverage Regulation Administration
- Department of Consumer and Regulatory Affairs

Phase 3 (October 1, 2005)

- Department of Parks and Recreation
- Office on Aging
- District of Columbia Public Library
- Office of Personnel
- Office of Contracting and Procurement
- Department of Corrections
- Department of Public Works
- Office of Tax and Revenue

Phase 4 (October 1, 2006)

- DC Housing Authority
- Office of the People's Counsel
- Homeland Security and Emergency Management Agency
- other covered entities

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Notes

¹ We define the greater DC area as the District plus the counties directly surrounding the city: Montgomery and Prince George's counties in Maryland; and Arlington County, Fairfax County (including Fairfax and Falls Church cities), and Alexandria City in Virginia.

² Other jurisdictions include Oakland and San Francisco, CA; New York, NY; and some counties, including Montgomery County, MD.

³ Washington State passed its language access legislation in 2006.

⁴ Language Access Act of 2004.

⁵ This benchmark was designed to be low because of the relatively small size of the population and the high linguistic diversity of the LEP population in Washington, DC. In larger cities, the parallel threshold triggering language access requirements is much higher. In San Francisco, the benchmark is 10,000 people or 5 percent, and Oakland's is 10,000 people (see City of Oakland, "Agenda Report," September 24, 2013, <http://www2.oaklandnet.com/oakca1/groups/hrm/documents/report/oako45044.pdf>).

⁶ This group included the Office on Latino Affairs (OLA) and the Office on Asian and Pacific Islander Affairs (OAPIA). It later included the Office on African Affairs (OAA), which was established several years after the Act's passage.

⁷ See appendix B for the tiered list of agencies, available in the 2007 Language Access Fact Sheet (DC OHR 2007a).

⁸ According to 2008 regulations, Section 1205.1 states that "covered entities are any District government agency, department, or program that furnishes information or renders services, programs, or activities directly to the public or contracts with other entities, either directly or indirectly, to conduct programs, services or activities to the public." Section 1205 lists the requirements, which echo the language in the original Act regarding the four-point test, and the 500 person or 3 percent benchmark for triggering translation of vital documents.

⁹ Detailed requirements are listed in Section 1206.

¹⁰ OHR staffing for administration of the Language Access Act has varied over the decade, fluctuating between one and two full-time staff members and paid interns.

¹¹ Those who speak "Chinese" might speak Mandarin, Cantonese, or another Chinese language. The ACS provides numbers of Mandarin and Cantonese speakers, for those who self-report those languages, but it appears most people speaking a Chinese language do not specify which language, so these numbers are unreliable. Those who speak "Amharic/Ethiopian" might speak Amharic, Tigrinya, or other languages common in Ethiopia.

¹² Many of the French-speaking LEP/NEP individuals in the District are from French-speaking African countries.

¹³ Kru is spoken primarily in the Ivory Coast, Burkina Faso, and Liberia.

¹⁴ Of the US-born LEP/NEP population in the District, 64 percent speak Spanish and 31 percent are children (age 5-17). It is possible that some individuals in this category were born in the United States but grew up outside the United States speaking a language other than English. It is also possible that these individuals apply a higher standard of what counts as speaking English "very well" than foreign-born individuals. Otherwise, we cannot be sure what lies behind the existence of these substantial numbers of US-born LEP/NEP individuals.

¹⁵ The number of French-speaking LEP/NEP individuals in the greater DC area is statistically significantly greater than the number of Tagalog/Filipino-speaking LEP/NEP individuals in greater DC.

¹⁶ We provide these numbers for the greater DC area, because the counts are too small to calculate them for The District proper.

¹⁷ The category "noncitizens" includes foreign-born individuals in several immigration statuses: legal permanent residents with green cards; temporary legal immigrants, such as students or those on temporary work visas; refugees and asylees; and undocumented immigrants. The category "citizens" includes US-born citizens as well as foreign-born individuals who have gone through the naturalization process to obtain citizenship.

¹⁸ The American University report suggests that language line use and sign-in sheets is not a comprehensive enough measure of client needs (page 2); it also notes gaps in monitoring.

¹⁹ Tigrinya is spoken by members of the Tigray-Tigrinya ethnic group in parts of Ethiopia and Eritrea.

²⁰ In particular, the mechanism by which individuals submit reports of violations they experienced at an agency.

²¹ The Language Access Program has a formal waiver process and form that were designed to accommodate this practice. The form is supposed to be used by frontline employees when clients opt out of language access services because they have brought their own informal interpreters with them.

²² See also Robin Ghertner, “Practitioner’s Corner: How to Assess the Effectiveness of Language Access Programs,” Migration Policy Institute, accessed March 31, 2014, <http://www.migrationpolicy.org/programs/language-access-translation-and-interpretation-policies-and-practices/practitioners-corn-1>.

²³ The DOJ guidelines also emphasize the importance of contact with CBOs to help identify populations that require outreach.

²⁴ Wage bonuses are provided to certified bilingual employees in neighboring Montgomery County, MD. See Lily Qi, “Practitioner’s Corner: Doing More with Less on Language Access,” Migration Policy Institute, accessed March 31, 2014, <http://www.migrationpolicy.org/programs/language-access-translation-and-interpretation-policies-and-practices/practitioners-corner-more>.

²⁵ A recent initiative led by the Office of African Affairs to create job circles and culminating in a bilingual job fair to connect the African community to municipal positions is a good model.

²⁶ Best practices suggest that it is important to develop support from middle and senior management, see Laglagaron and Sperling (2009, 14).

²⁷ Qi, “Doing More with Less on Language Access,” <http://www.migrationpolicy.org/programs/language-access-translation-and-interpretation-policies-and-practices/practitioners-corner-more>.

²⁸ See “Practitioner’s Corner: Top 10 Best Practices for Multilingual Websites” adapted from Lee Van’s *Hispanic Online Best Practice*, Migration Policy Institute, accessed March 31, 2014, <http://www.migrationpolicy.org/programs/language-access-translation-and-interpretation-policies-and-practices/practitioners-corn-o>.

²⁹ See “Census Bureau Releases Estimates of Undercount and Overcount in the 2010 Census,” US Census Bureau, press release, May 12, 2012, https://www.census.gov/newsroom/releases/archives/2010_census/cb12-95.html.



ATTACHMENT 7

District of Columbia **Office of Human Rights**



Language Access in the District: 2014 Annual Compliance Review



Office of Human Rights
DISTRICT OF COLUMBIA

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Winta Teferi, Director Language Access Program

This has been a truly incredible and dynamic year for Language Access in the District: The 10-year anniversary of the DC Language Access Act of 2004 was celebrated through spirited citywide events, regulations guiding the implementation of the Language Access Act were updated for the first time in six years, a walkthrough protocol for public official visits in linguistically diverse neighborhoods was adopted, and DC joined jurisdictions around the country in working towards greater access and inclusion for immigrant communities.

It is therefore with great excitement that I present to you the Office of Human Rights' (OHR) "Language Access in the District: 2014 Annual Compliance Review" and invite you to read about our collective achievements as a city. This report includes individual compliance scorecards for 33 District agencies identified as major public contact entities, and policy recommendations combining input from limited and non-English proficient (LEP/NEP) communities, agency frontline staff, advocates, and consultative entities on strategic priorities for deepening language access in the years ahead.

The District continues to be a popular destination for a growing and increasingly diverse foreign-born population, and remains one of the most linguistically diverse cities in the nation. More than 15.6 percent of people in the District speak a language other than English at home, and 26,400 residents - five percent of the District population - over the age



of five speak limited or no English. Without language access, thousands of our residents would be excluded from accessing critical public services, and

from contributing to the local economy. Language access is vital to our city. It not only promotes wellbeing and inclusion for all our residents, but more importantly, it is an economic strategy for attracting and retaining a global workforce and business community that is known to fuel local economic development and growth.

Tasked with stewarding this exciting citywide inclusion effort for the District, I am committed to building on DC's growing role as a national model for language access implementation, and the tangible infrastructural improvements achieved over the last 10 years. As we continue to celebrate these achievements, we must remain vigilant to close compliance gaps and prioritize the development of innovative and transformative approaches by providing linguistically and culturally accessible services. I look forward to continue working with agencies, Language Access Coordinators, community partners, and LEP/NEP communities to translate the Language Access Act from a set of legal requirements to day-to-day practices that can create an inclusive and effective service delivery culture throughout our government.

Introducing the Team

Our team is comprised of the Language Access Program Director, Program Specialist, Language Access Fellows, as well as a rotating internship program attracting skilled multilingual students and young professionals who are passionate about advancing the work of the program.



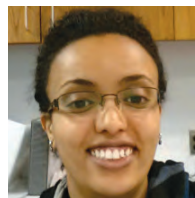
Winta Teferi | Director

With over 10 years of combined experience in organization development consulting, program management and multicultural community building, Winta has worked in both government and non-profit arenas on issues of access, inclusion and civic engagement. Before joining OHR, Winta worked as a Program Analyst for the Mayor's Office on African Affairs, and as Program Director of IMPACT Silver Spring. She holds a M.A. in Organization Development from American University and a B.A. in Economics from the University of Maryland. She is fluent in Amharic and French.



Gretta Rivero | Program Specialist

Gretta is the primary technical assistance provider to District agencies and community partners, cultivating strong relationships and ensuring that all program stakeholders obtain up-to-date language access resources, information and support. Gretta brings strong project management and community outreach experience. A DC native, she earned her B.A. in Liberal Arts with an emphasis on visual arts at American University and studied French civilization and fine arts at the Sorbonne University of Paris. With roots in Venezuela, Gretta is fluent in Spanish and French.



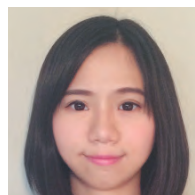
Elsa B. Teklehymonot | Fellow

Elsa has contributed immensely to advancing the program's compliance monitoring and quality assurance efforts during her year-long fellowship at OHR. Born and raised in Ethiopia, Elsa studied in Uganda and Ireland where she earned two M.A. degrees, one in gender studies and economics and another in development studies. Elsa brings over seven years of experience on issues of gender equality, access and economic empowerment. She is fluent in Amharic and Tigrigna.



Silvia Torres-Simonetti | Fellow

An attorney with experience in Family Law in Venezuela, and a Spanish and French translator certified by the American Translators Association (ATA), Silvia brings her legal background and strong language skills to OHR's Language Access team. Silvia conducts outreach in the Latino community, educates LEP/NEP residents on their rights, assists with investigation of Language Access discrimination complaints, and reviews and translates agency's vital documents into Spanish and French.



Ivory Chen | Research and Data Analysis Intern

Originally from China, Ivory brings strong research and analytical skills, as well as a passion for ensuring access for Asian immigrant communities. She recently earned an M.A. in sociolinguistics and linguistic anthropology from the University of Chicago, and holds a B.A. in translation and interpretation from the Beijing Foreign Studies University. She is fluent in Chinese and Taiwanese.

About Language Access

The Language Access (LA) Program organizes its work into four areas. The program provides support and accountability for covered entities to ensure that they meet their obligations under the Language Access Act and guarantee equal access for all District residents.



Enforcement

Individuals who believe their rights have been violated under the law may file a language access complaint with OHR. Once docketed cases are investigated, the OHR Director in consultation with the LA Director issues written findings and works with agencies found in non-compliance to identify and monitor systemic corrective actions.



Technical Assistance

The program serves as a citywide point of contact for all covered entities on issues related to Language Access. The team responds to daily inquiries from agencies who seek guidance and resources; routinely trains covered entities' staff on compliance requirements and cultural competency; and provides targeted support to major public contact entities by working with their Language Access Coordinators and Teams via quarterly meetings and individualized consultations.

Our primary focus is to ensure equity of service to individuals despite English language proficiency.

Community Engagement

The LA Program works closely with the DC Language Access Coalition, the Mayor's ethnic constituency offices, and diverse immigrant-serving community-based partners to ensure LEP/NEP communities are aware of their rights under the law. The program goes out in the community delivering "Know Your Rights" trainings, giving LEP/NEP residents an opportunity to learn about their rights and share their experiences on accessing government services.



Compliance Monitoring

The program fulfills this function by ensuring each major public contact agency identifies an attainable two-year plan that guides individual agency accountability to the Act, and by reviewing the agency's progress on this plan on a quarterly basis. Thirty-three major public contact agencies currently have biannual plans. Agency Language Access Coordinators report to and meet with the program quarterly to monitor progress and quality of services delivered to LEP/NEP customers.



Enforcement

OHR's Language Access Program is responsible for investigating complaints from the public about individual or systemic language access violations by covered entities in the District. The LA team's first step when receiving a complaint is to work with agencies to ensure that the LEP/NEP customer receives the immediate services they are qualified to receive, whether or not a formal complaint is docketed. For complaints docketed, the case is investigated over a 90 - 120 day period, followed by a final decision and monitoring of corrective actions that address non-compliance findings. In FY14, OHR received seven informal complaints and requests that were resolved outside the investigation process, and 17 complaints of which nine were docketed for full investigation. Out of the six non-compliance findings issued in FY14, three were against the Department of Human Services, two against Metropolitan Police Department and one against the Department of Motor Vehicles. One complaint against MPD is currently under investigation, and two complaints (DC Board of Elections & DC Taxicab Commission) were withdrawn by the complainant.

Complaints Received in FY14

17

Total Docketed Cases: 9

Total Dismissed Cases: 8

Reasons for Dismissals

Lack of jurisdiction (4); unable to contact complainant and insufficient information (2); and failure to state a claim (2).

FY14 Complaints by Agency

Dept. of Motor Vehicles: 3

Metropolitan Police Dept.: 3

Dept. of Human Services: 3

DC Taxicab Commission: 1

DC Housing Authority: 1

DC Board of Elections: 1

Agencies outside jurisdiction: 4

Unspecified: 1

FY14 Docketed Cases by Agency

Dept. of Human Services: 3

Metropolitan Police Dept.: 3

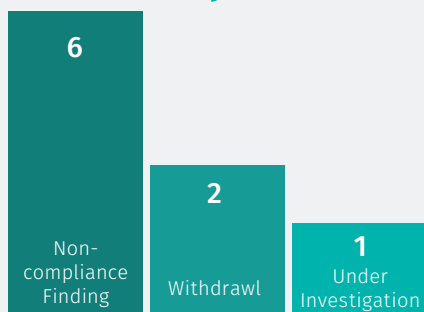
Dept. of Motor Vehicles: 1

DC Board of Elections: 1

DC Taxicab Commission: 1

Outcome of Cases Docketed in FY14

9



Non-Compliance Findings by Agency

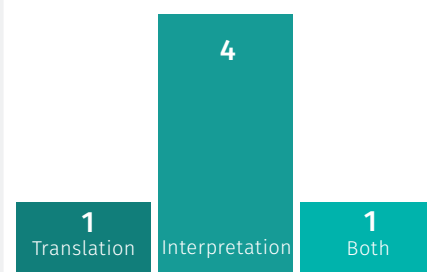
Dept. of Human Services: 3

Metropolitan Police Dept.: 2

Dept. of Motor Vehicles: 1

Reasons for Non-Compliance

Agencies were found in non-compliance for failure to translate documents, provide interpretation, or both.



Technical Assistance

OHR's Language Access Program provides technical assistance to 33 agencies with major public contact and all covered entities to ensure they serve and meet the needs of limited and non-English proficient customers. The LA program kicked off FY14 by identifying Language Access Coordinators' needs and priorities, and sustained support for agencies throughout the year by providing one-on-one consultations, training over 1441 agency staff on compliance requirements and cultural competency, and hosting six bimonthly meetings addressing specific compliance topics. Additionally, the program worked closely with Language Access Coordinators on special projects such as planning and implementing citywide events, developing FY15/16 Biennial Language Access Plans (BLAPs), and adopting a new digital planning and reporting tool.

"WE ARE TASKED WITH BRIDGING THE ACCESS GAP TO ENSURE BETTER PUBLIC SERVICES FOR INDIVIDUALS WHO ARE DECENT, CARING AND HARDWORKING, BUT MAY HAVE DIFFICULTIES COMMUNICATING IN THE ENGLISH LANGUAGE. AT LANGUAGE ACCESS COORDINATOR MEETINGS I FEEL INSPIRED AND WELL-PREPARED TO CARRY OUT THAT IMPORTANT TASK."

1441

DC government employees and contractors participated in OHR's 61 Language Access & Cultural Competency trainings in FY14.

VOICES FROM THE FRONTLINES: EMPLOYEE FEEDBACK FROM LANGUAGE ACCESS & CULTURAL COMPETENCY TRAININGS

TOP 3 CHALLENGES OF SERVING LEP/NEP CUSTOMERS:

BUILDING TRUST
OVERCOMING CULTURAL DIFFERENCES
OVERCOMING STEREOTYPIC EXPECTATIONS OF LEP/NEP CUSTOMERS AND GOVERNMENT EMPLOYEES

TOP 3 BENEFITS OF LIVING AND WORKING IN A MULTILINGUAL SOCIETY:

EXPOSURE TO THE WORLD AND AN OPPORTUNITY TO LEARN FROM OTHER CULTURES
FOOD, ART, AND MUSIC
DIVERSE PERSPECTIVES AND CULTURAL ASSETS

TOP 3 RECOMMENDATIONS FOR BETTER SUPPORTING FRONTLINE STAFF:

OPPORTUNITY TO LEARN LANGUAGES
ONGOING TRAINING AND CULTURAL LEARNING OPPORTUNITIES
SUPPORT IN OUTREACH AND RELATIONSHIP BUILDING WITH DIVERSE LEP/NEP COMMUNITIES

Community Engagement

The LA team works closely with the DC Language Access Coalition, the Mayor's ethnic constituency offices, and diverse immigrant-serving community-based partners to ensure stakeholders and LEP/NEP communities are aware of their rights. In FY14, OHR successfully reached over 1000 diverse LEP/NEP residents through its "Know Your Rights" trainings and door-to-door outreach leading up to the "DC Speaks Your Language" forum.

FY14 COMMUNITY ENGAGEMENT

500 LEP/NEP residents received information on language access rights • **411** LEP/NEP residents participated in "Know Your Rights" trainings • **150** participated in "DC Speaks Your Language" forum • **71** community leaders and teachers trained to be volunteer language access ambassadors and liaisons

26*

immigrant-serving outreach partners provided vital access to their diverse networks and constituents

7**

key ethnic media outreach partners

23

unique languages were identified within LA Program's network of bilingual volunteers

7945 "I SPEAK" CARDS DISSEMINATED

in six different languages

* AmeriHealth DC • Ayuda • BRIYA Public Charter School • Carlos Rosario Public Charter School • Central American Resource Center (CARECEN) • Chinatown Service Center • Chinese Community Cultural Center • Community Preservation and Development Corporation • DC Schools Project • Equal Rights Center • Ethiopian Community Center • Ethiopian Community Services Center • Georgetown Human Rights Institute • HEP B Initiative of Washington, DC • HIPS • Korean American Grocers Association • Korean Cultural Center • Many Languages One Voice • Mekane Selam St. Urael Ethiopian Orthodox Tewahedo Church • Omega Gospel Mission Church • Oromo Community Organization • Our Lady Queen of the Americas Church • Shrine of the Sacred Heart Church • Terrific Inc. Asian & Pacific Islander Senior Center • The DC Hunger Project • The Social Tea House • Washington English Learning School

** El Zol Radio Station • La Mera • Washington Hispanic • Ethiopiawinet Radio • Addis Dimts Radio • New Tang Dynasty Television • The Korea Daily

Compliance Monitoring

OHR's Language Access Program is tasked with ensuring that covered entities – all District government agencies, programs, contractors and vendors – meet their legal obligations under the Language Access Act. Section 2(3)(A) of the Act establishes specific planning and reporting requirements for covered entities with major public contact, which are defined as agencies whose primary responsibility consists of meeting, contracting, and dealing with the public. In FY14, the LA program provided targeted monitoring and guidance to 33 agencies with major public contact, working closely with Language Access Coordinators and Teams within these agencies to plan, implement and evaluate the provision of language support to LEP/NEP customers.

Planning & Reporting Requirements for Major Public Contact Agencies:

Biennial Language Access Plans (BLAP):

Each major public contact agency is required to develop a two-year plan containing detailed and tangible action steps unique to the agency that will be pursued over a two year period to meet data collection, translation, interpretation, training, and outreach requirements of the Act.

Quarterly Reporting:

Each major public contact agency is required to submit quarterly progress reports to OHR containing data on LEP/NEP constituents encountered and language services provided to serve them. These reports also provide updates on translated vital documents, trainings and outreach activities conducted, and complaints received by the agency within each quarter.

LEP/NEP Outreach:

Agencies are required to conduct outreach to LEP/NEP communities to disseminate information about the services and language assistance they offer.

Compliance Requirements for Covered Entities:

- Collect data on language(s) spoken by the population served or encountered, or likely to be served or encountered, by the covered entity;
- Provide oral language services to LEP/NEP individuals who seek to access or participate in the services, programs, or activities offered by the covered entity;
- Provide and use translated vital documents when language encounters cross the three percent or 500 customer threshold; and
- Train agency staff on their legal obligations and resources available to them for serving LEP/NEP customers.

As required by the Act, the LA Program led a BLAP review process for all 33 major public contact entities on their FY15–FY16 plans. Draft plans identified compliance gaps and laid out specific action steps the agency will take over the course of the coming two years to fully meet the requirements of the Act. With input from Language Access consultative agencies and the DC Language Access Coalition, the LA program reviewed the drafts and provided detailed feedback for agencies to incorporate into their final plans. Once finalized and approved by the LA Director, agency BLAPs for FY15-16 will be published in the DC register.

At the end of each fiscal year, the Language Access Program conducts Language Access compliance assessments for each agency with major public contact as a key component of the program's annual report. Each agency with major public contact is provided with individual scorecards determining their performance scale for the fiscal year, including narratives on agency strength, weaknesses and the way forward. See page 18 for the compliance rating methodology for FY14, followed by individual scorecards for all 33 major public contact agencies.



FY14 Highlights

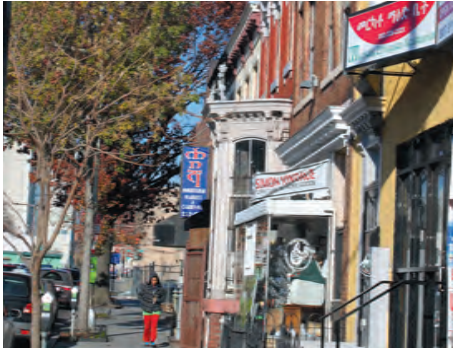
As part of the District's ongoing efforts to ensure equal access for all District residents, OHR worked with agencies and community partners on a number of citywide projects and strategic efforts to address persistent gaps and move the District closer to full compliance.

New Language Access Regulations

Newly amended regulations governing the DC Language Access Act of 2004 were finalized and formally published in September 2014. Updated for the first time in six years, these regulations offer detailed guidance on the implementation of the Act, and enhance the District's ability to meet the language needs of its LEP/NEP populations. The changes designate five new agencies as major public contact entities and task them with identifying an LA Coordinator, and with submitting periodic plans and reports for compliance under the law. Amendments to the regulations also specify new requirements for all covered entities such as assigning a Language Access Point of Contact for the agency, and reporting agency's encounters with LEP/NEP customers on an annual basis. Other key changes include modifications to the administrative process for tracking and investigating complaints received by OHR.

Website Accessibility Project

Over 30 agencies now provide a description of their programs and services on their website in Amharic, Chinese, French, Korean, Spanish and Vietnamese. As of the official launch of this project in April 2014, a "Language Support" section had been added to District agency websites that links LEP/NEP users to agency services, and other in-language vital documents translated by the agency. The next phase of the Citywide Website Accessibility Project will include efforts to expand to other languages, and centralize all of the agency's existing translated vital documents to ensure they reach their intended audience and can be accessed with ease by both LEP/NEP customers and agency staff.



District-wide Walkthrough Planning Protocol

The first ever citywide neighborhood walkthrough protocol was developed in October 2014 to provide planning tips and guidance for public official visits in linguistically diverse neighborhoods. The development of this protocol was the result of unique government-community collaboration in which senior staff from multiple District agencies including OHR, DOH, ABRA, DCRA, the Mayor's Community and Constituency Affairs Offices met with the DC Language Access Coalition. The goal of the protocol is to guarantee that language assistance is provided at all times - whether in emergency or planned circumstances - whenever public officials conduct walkthroughs in linguistically diverse neighborhoods.

Quality Review Project

OHR initiated this project in 2014 as part of an ongoing effort to institute a comprehensive quality assurance mechanism for securing quality translation and interpretation services. The LA program convened a quality review panel of 12 qualified bilingual reviewers to assess the quality of Amharic, Chinese, French, Korean, Spanish and Vietnamese translations from over 14 agencies. Initial findings show more than 95 percent of the translations, on average, achieved a passing rating for their quality; with a relatively higher incidence of poor quality reported for African (Amharic) and Asian (Chinese, Korean, Vietnamese) translations. Quality concerns such as word-by-word translation, the usage of wrong terms and incorrect meanings continue to exist. The LA team will use findings from this review to work with OCP vendors, LA coordinators, and consultative partners to address these concerns and refine citywide quality assurance strategies.



Electronic Monitoring

In an effort to streamline planning and reporting requirements associated with the implementation of the Language Access Act for major public contact agencies and all covered entities, the Language Access Program has embarked on a technology project to digitize LA compliance monitoring. OHR is currently developing a new tool for reporting and tracking which, once launched, will allow agencies to enter their Biennial Language Access

Plans (BLAP), quarterly reports, encounters with LEP/NEP populations, and language services electronically. This application is designed to create an efficient system for agencies, stakeholders, and OHR to track each agency's progress, and access comprehensive data on encounters with LEP/NEP customers.

10 Years of Language Access

Ten years ago, the District pledged its support to the fast-growing immigrant community by unanimously passing the DC Language Access Act, which aims to ensure all residents have equal access to government services regardless of English language proficiency.



150 LEP/NEP residents offer their recommendations for improving Language Access in roundtable discussions conducted simultaneously in nine different languages.

In celebration of the Language Access Act's ten year anniversary, OHR's Language Access Program partnered with agencies and stakeholders to host citywide events throughout FY14. OHR commissioned an Urban Institute report and held a panel to analyze demographic trends and successes and challenges in implementing the Language Access Act. "DC Speaks Your Language," a multilingual community dialogue and resource fair, was held in June where over 150 diverse limited and non-English proficient residents made recommendations for strengthening Language Access in the District. In addition to these celebrations, the District became a 'Welcoming City' in 2014 and joined a network of cities across the U.S. that share practices and policies for creating welcoming environments for immigrants that maximize opportunities for economic growth.

"It was simply a dream – the way everything was planned out from the signage to the meals to the seating – and the opportunity for true community input and engagement across linguistic lines."

-Sapna Pandya, Executive Director, Many Languages One Voice

10 Years of Access Report

OHR commissioned the Urban Institute for its “10 Years of Language Access in Washington, DC” report, which reflects on ten years of implementation and makes recommendations on how to further improve government services for those who are limited and non-English proficient. The report also analyzed demographic and linguistic trends regarding immigrants in DC. The report is available online at ohr.dc.gov/10years/report.

Report Recommendations

- Continuing to improve data collection and analysis
- Recognizing bilingual skills in agency recruitment and retention
- Improving the quality and accessibility of services
- Considering further investments in the program
- Examining enforcement possibilities

District a “Welcoming City”

The District joined the Welcoming Cities Initiative, building on the city’s growing reputation as an attractive gateway city. As a member, the District will learn from national best practices on inclusion and help inform other jurisdictions on how to strengthen their own language access work. “Washington, DC is a national leader in implementing a language access policy that helps all residents become fully participating community members,” said David Lubell, Executive Director of Welcoming America.



“DC Speaks Your Language”: Modeling Multilingual Community Engagement

During roundtable discussions facilitated in nine different languages, LEP/NEP community members shared their personal stories, identified the barriers they encounter as non-English speakers, and provided recommendations directly to over 20 District government agency directors and representatives who came to hear from them. Community members were also accompanied by interpreters and language ambassadors as they received dental check-ups, applied for economic benefits, and received information on education, housing, job training, English as a Second Language (ESL) classes and more. OHR thanks the multi-stakeholder planning team comprised of agency representatives and community-based organizations, as well as the 52 bilingual volunteers who provided their linguistic skills at this event. OHR will use feedback from the forum to inform citywide priorities and advise agencies on best practices for strengthening linguistically and culturally competent service delivery.

By the Numbers:

LEP/NEP & Foreign-Born Residents in the District*

1/3

of DC population growth attributed to the foreign-born population since 2007

14.4% of District residents are foreign-born (2013)

Foreign-born **population doubled** since 1970s

District foreign-born places of birth by region:

44%

Latin America

19%

Asia

18%

Europe

16%

Africa

2%

Northern America

1%

Oceania

92,819

residents in the District are foreign-born

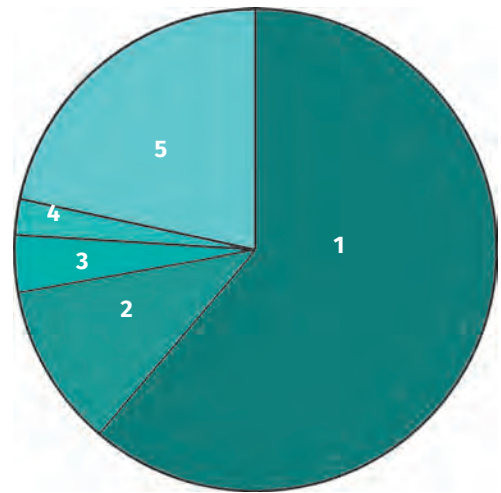
eighty-five percent

of LEP/NEP individuals in DC are foreign-born

1 in 20

District residents over age five are LEP/NEP

Spanish is the most commonly spoken language among LEP/NEP people in the District



The four most common languages spoken among LEP/NEP people in the District are:

1. Spanish (60.8%)
2. Amharic (9.8%)
3. French (4.9%)
4. Chinese (3.1%)
5. Other (21.4%)

*Statistics are based on the 2012 American Community Survey (ACS) data provided by the DC Office of Planning's Data Center, and drawn from the Urban Institute's recent report on Language Access Implementation in the District.

2/3 of LEP/NEP households are linguistically isolated**



40 percent
of LEP/NEP residents in DC are US citizens



26,400

people in the District over the
age of five are LEP/NEP

10%

of young children
(ages 3 - 4) in the
District live with
LEP/NEP parents



25%

of LEP/NEP population in the District
originally came from El Salvador



LEP/NEP people live in **all eight
wards** but are concentrated in
wards one and four

51%

of LEP/NEP people in
DC are female



49%

of LEP/NEP people in
DC are male

eighty-four percent

of LEP/NEP population in DC are working age adults (18-64)

Percent English proficient by language used at home:

61%

Spanish

83%

French

51%

Amharic/Ethiopian

85%

German

64%

Chinese

68%

All Languages

** The US Census Bureau defines a linguistically isolated household as one in which no one 14 years old and over is English proficient.





Methodology, Findings & Recommendations

Compliance Rating Methodology

The requirements mandated in the Language Access Act of 2004 and corresponding regulations fall into seven key areas for agencies with major public contact. All major public contact agencies are required to fulfill the following requirements to provide full access and participation in public services, programs, and activities for individuals in the District of Columbia with limited or no-English proficiency.

About the Scorecards: Compliance Requirements for Agencies:

Language access compliance reviews were completed for 33 District government agencies in FY14. Each score is meant to measure an agency's overall compliance. A narrative is also provided to explain areas of improvement, gaps in compliance, and recommended priorities for FY15.

Agencies are provided with the number of compliance requirements met in FY14 based on their preparedness to assist LEP/NEP communities, agency accessibility and quality of service. Agencies where field tests were conducted are scored out of 14 requirements, while agencies without field tests are scored out of 12 requirements. The total agency score and total possible scores are available at the bottom of the compliance details report on page 62.

Field testing results are based on in-person or telephone-based interactions with the agency, where undisclosed testers speaking in a non-English language assess the quality of service. Testing is concentrated towards agencies with high frequency of contact, and therefore not all agencies received field tests in FY14.

- (1) Data is collected on primary languages spoken;
- (2) Interpretation services are provided;
- (3) Vital documents are translated and used in the provision of services when language encounters cross the 3 percent or 500 customer threshold; and
- (4) Personnel in public contact positions are trained on how to serve these customers.

Major public contact agencies must also:

- (5) Complete a biennial language access plan;
- (6) Designate a Language Access Coordinator; and
- (7) Hold public meetings and conduct outreach to LEP/NEP communities.

Based on the method applied in FY13, the LA Program took the key requirements above, divided these into three categories (preparedness, accessibility and quality) and created 12 – 14 measures of performance by which agencies are assessed.

Preparedness measures actions taken and resources developed to prepare for interactions with LEP/NEP individuals, including but not limited to training, data collection and the performance of the Language Access Coordinator.

Accessibility captures the services or information an agency delivers or produces including, but not limited to, interpretation services, translation of vital documents and outreach.

Quality measures whether or not LEP/NEP customers received adequate language assistance or were turned away. This is evaluated based on complaints filed against the agency, field testing results and trends observed by OHR.

.....
 Covered entities defined as "any District agency, department, or program that furnishes information or renders services, programs or activities directly to the public or contracts with other entities, either directly or indirectly, to conduct programs, services or activities. The term "covered entity" shall not include Advisory Neighborhood Commissions.

OHR measures agency compliance in terms of preparedness, accessibility and quality of services by assigning a one point weight to each of the measurement statements below identified by an “x” and counted if affirmative. Data sources used to assess whether or not the agency met the compliance requirements included: FY13-14 BLAPs; FY14 Quarterly Reports; BLAP review notes; communication with LA Program (bimonthly meeting with Language Access Coordinator, report submission and requests for information); progress review on the status of FY13 LA program recommendations; input from community advocates; informal complaints captured from the public during community outreach; inquires about possible violations; docketed complaints; and determinations issued by OHR.

PREPAREDNESS

- (1) The agency provided data on FY14 encounters.
- (2) The method for collecting data was comprehensive and reliable.
- (3) The agency trained staff.
- (4) The agency communicated effectively with the LA Program throughout FY14.

ACCESSIBILITY

- (5) The agency managed and is meeting requests for interpretation and/or translation services.
- (6) Vital documents were translated and/or updated in FY14.
- (7) The languages that vital documents were translated into in FY14 reflect the needs of LEP/NEP populations served at the agency.
- (8) Significant outreach efforts to LEP/NEP communities were conducted in FY14.
- (9) Translated vital documents are accessible on the agency website.

QUALITY

- (10) OHR did not observe recurring problems or a trend in the nature of formal and/or informal complaints filed against the agency.
- (11) There were no instances in which the agency was found in non-compliance in FY14 (i.e. via formal complaints or audits).
- (12) There were no instances in which testers were turned away during field tests (i.e. agency employee hung up on the tester or told them they are unable to assist them.)
NOTE: MEASURE OMITTED FOR AGENCIES THAT DID NOT RECEIVE FIELD TESTS
- (13) There were no instances in which testers accessed employee or interpretation but did not receive the requested information or services.
NOTE: MEASURE OMITTED FOR AGENCIES THAT DID NOT RECEIVE FIELD TESTS
- (14) OHR has observed significant improvement, rather than a decline, in Language Access implementation in FY 14.

Summary of Findings

The LA Program assessed 33 District agencies on FY14 efforts to implement and fulfill the requirements of the Language Access Act.

ACCESSIBILITY

Almost all major public contact agencies translated at least one vital document and a total of **1638 documents** were collectively translated by agencies in FY14.

QUALITY

More than **67 percent** of field tests conducted in-person at **eight agencies** with extensive LEP/NEP contact provided the requested service or adequate language assistance.

PREPAREDNESS

23 agencies reported more than one method for tracking LEP/NEP customers. However, agencies tend to rely heavily on Language Line usage reports as their primary source of data; with the exception of few agencies, such as DOC, DHS, and OUC who track encounters electronically through their customer management system.

QUALITY

Nine complaints were filed against agencies alleging a violation of the Language Access Act of 2004 in FY14: **6** were found in non-compliance, **2** were withdrawn by complainant, and **1** is under investigation.

QUALITY

Only **40 percent** of field tests conducted over the phone at agencies with extensive LEP/NEP contact provided the requested service or adequate language assistance.

PREPAREDNESS

18 agencies reported providing OHR-led training to public contact and/or senior staff on Language Access compliance requirements and cultural competency. A few agencies reported providing either in-house and/or online training, while others reported plans to provide training in FY15.

ACCESSIBILITY

30 agencies reported participating in at least one community outreach activity. Some agencies hosted targeted outreach events in LEP/NEP communities or implemented topic-specific campaigns to raise awareness of a particular service or project in an LEP/NEP community.

Overall Compliance

6

agencies – CFSA, DCPL, DCHR, OPC, OUC, and OZ – received perfect compliance scores for successful implementation of the Language Access Act in FY14.

8

agencies – DPR, DPW, DDOE, DDOT, HSEMA, OA, DBH, and DOC – met most compliance requirements, except for one or two compliance areas that still require attention from the agencies.

15

agencies – ABRA, DCHA, DCPS, DCRA, DDS, DOES, DOH, DHCD, DMV, DSLBD, MPD, OCP, OP, OSSE, and OTA – complied with more than half of the requirements, but failed to satisfy two or more requirements.

4

agencies – DCLB, DHS, FEMS, and OTR – met only half or less compliance requirements and will require substantial efforts in FY15 to effectively meet the needs of LEP/NEP customers.



Progress Update on FY13 Recommendations

Below are brief updates on recommendations presented in OHR's FY13 report for citywide improvement in language access compliance.

FY13 Recommendation: Continue Prioritizing Translation & Website Accessibility

FY14 Update: Twenty-seven of the 33 agencies translated at least one document and contributed towards the 1638 total vital documents collectively translated by agencies in FY14. While this is an encouraging achievement, persistent challenges remain in: a) ensuring translation efforts reflect the needs of agency's service population, b) addressing access gaps to basic forms and notices, c) getting translated documents to the intended audiences or agency staff, and d) improving website accessibility to LEP/NEP users.

FY13 Recommendation: Increase Citywide Recruitment & Hiring of Bilingual Staff

FY14 Update: Major public contact agencies reported a total of 750 bilingual and/or multilingual staff in FY14 who speak Spanish (569), Amharic (54), French (41), Chinese (20), Vietnamese (15) and over 40 other different languages. A handful of agencies – such as MPD, CFSA, DHS and DPR – made visible efforts to attract bilingual staff by leaning on Mayor's ethnic constituency offices and community partners for access to diverse networks. These same agencies took steps to advertise positions explicitly expressing preference for bilingual skills. The LA Program will continue providing technical assistance to agencies who have requested guidance particularly in attracting bilingual staff who speak emerging Asian and African languages.

FY13 Recommendation: Institutionalize Team-based Model for Shared Accountability

FY14 Update: Over 30 agencies have successfully identified and put in place Language Access Teams per OHR recommendations. While LA teams at 18 agencies – including CFSA, DBH, DOC, OA and DPR – share responsibilities and reported meeting as a team at least once in FY14, full and ongoing engagement of team members remains a challenge for Language Access Coordinators who often have minimal support and leverage in stewarding language access compliance in their agencies.

OHR Recommendations for FY15 - FY16

1. Towards a Culture of Quality & Culturally Competent Customer Service

District government has undergone remarkable transformation over the last decade in serving non-English speaking customers. As is clear from the 71,139 language line calls made by agencies in FY14, the use of real-time phone-based interpretation services is now embedded into every day practice for frontline employees. While this is a great step, agencies can do more to heighten cultural awareness of staff, influence how they view clients from culturally and linguistically diverse populations, and reinforce agency-wide commitment to providing equitable and quality services to LEP/NEP customers. OHR recommends the following strategies for improving service delivery culture in FY15:

- Expand training opportunities so front-line staff can connect with diverse communities outside of the service delivery context, and reflect openly on the challenges and benefits of serving a diverse population.
- Create welcoming physical spaces that send a hospitable message to everyone walking in to receive services, and displaying culturally and linguistically targeted signage to visually orient LEP/NEP customers on the process ahead and availability of language assistance.
- Hire bilingual staff in centers where LEP/NEP customers are commonly encountered, and leverage the cultural and linguistic skills of bilingual staff to train all employees.

2. Understanding Needs Through Quality Data Collection

Collecting comprehensive and reliable data on LEP/NEP encounters is the cornerstone of the Language Access Act. Without determining who they are serving or are likely to serve, agencies compromise their own flexibility to prioritize the appropriate language assistance needed to accommodate their service population. While some agencies are gradually putting solid systems in place to collect reliable data, many interactions between agencies and LEP/NEP individuals go unrecorded – particularly encounters with locally-funded service providers and grantees, language assistance provided by bilingual staff, and field encounters with LEP/NEP individuals and businesses. Based on these findings, OHR recommends the following strategies for addressing this compliance gap in FY15:

- Expand Language Access Coordinators' authority and resources to monitor data collection practices throughout the agency's public contact activities and departments, and to institute reasonable internal reporting requirements.
- Ensure the Language Access Coordinator role, and/or membership in the agency's Language Access Team, is assigned to individuals who are already involved in customer service-related activities and can influence agency's business process.
- Convening and training all grantees and contractors carrying out direct services on their legal obligation to a) document all contact with LEP/NEP customers; b) report this data to the covered entity on a quarterly basis; and c) certify in writing that these requirements will be satisfied.

3. Improving Accessibility

Translation of vital documents continues to be a significant challenge for most agencies. In the absence of reliable data on their LEP/NEP encounters, agencies primarily revert to translating vital documents into Spanish only, and when resources allow, additional languages that may not mirror the needs of their customers. OHR reminds agencies that combining data on LEP/NEP encounters with an assessment of emerging LEP/NEP communities will be required to properly identify languages encountered or likely to be encountered by the agency. OHR recommends the following action steps for using resources more strategically as agencies work to improve access to written translations for LEP/NEP customers:

- Agencies should take full advantage of the Biannual Language Access Planning process to get input from OHR's Language Access team, the Mayor's ethnic constituency offices, and the DC Language Access Coalition.
- Ensure all translated documents are organized online by language so LEP/NEP customers and agency staff can easily access them. Publicizing 'language support' pages will create a trusted destination for LEP/NEP customers to connect with the agency in their language.
- Ensure all vital documents include multilingual tag lines instructing LEP/NEP customers to call for language support guarantees that documents not translated are still accessible to all audiences. This is a temporary measure agencies can easily implement by including tag lines in the agency's top ten encountered/likely to be encountered languages.



Stakeholder Recommendations

LEP/NEP Resident Recommendations

On June 21, 2014, OHR's Language Access Program hosted "DC Government Speaks Your Language," a citywide dialogue on language access and multilingual resource fair to celebrate the ten-year anniversary of the Language Access Act of 2004. Over 50 diverse LEP/NEP residents speaking nine different languages discussed their experiences and provided the following recommendations for improving access for LEP/NEP

- Ensure the District's diverse LEP/NEP residents are aware of their right to language assistance by using ethnic media and community-based organizations to increase public awareness.
- Provide in-language prompts for all District agencies' automated telephone services to facilitate navigation and access for LEP/NEP callers.
- Hire linguistically and culturally diverse DC government staff who can provide customer service that is culturally competent, sensitive and respectful to LEP/NEP communities.

Top priorities amongst all stakeholders include hiring of more bilingual staff at agencies as well as increased cultural competency training for existing staff.

Consultative Partners' Recommendation

The Language Access Act names the Mayor's Offices on African Affairs (OAA), Asian and Pacific Islander Affairs (OAPIA), and Latino Affairs (OLA) as consultative agencies, and the DC Language Access Coalition (LA Coalition) as an external stakeholder mandated to advise and assist OHR in the implementation of the Act. To the right are recommendations from these partners on priorities agencies should act on to improve access and quality of service provided to LEP/NEP individuals living, working, and conducting business in DC. Recommendations reflect the needs and experiences unique to each consultative agency's constituency, as well as those generated by the 40 plus diverse member organizations represented by the LA Coalition.

Office on Latino Affairs (OLA)

- Provide all frontline employees with more Language Access trainings and resources.
- Prioritize new translations for legally binding forms, notices requiring an immediate response, and general resource guides.
- Translate and post multilingual signage.
- Promote available services and resources through more multilingual outreach.

DC Language Access Coalition

- Provide recurring training for frontline staff and management on language access responsibilities and accessing resources.
- Ensure accurate data collection and distribution on both currently served and likely to be served LEP/NEP groups.
- Create a more linguistically inclusive environment within DCPS by assigning full time language coordinators at each school.

Office on African Affairs (OAA)

- Improve access to services and programs for African communities by partnering with community-based organizations to provide linguistically and culturally targeted outreach to Amharic, French, Arabic and Tigrigna-speaking LEP/NEP residents.
- Improve website accessibility to LEP/NEP users by including Language Preference menus on agency homepages leading to translated documents, content and notifications for all languages.

Office on Asian and Pacific Islander Affairs (OAPIA)

- Improve quality of translated documents in the Asian languages. Recurring issues include: mistranslation of words; words left untranslated; literal translations; and misused nouns and grammar.
- Market and publicize interpretation services as “Free and Fast” services to motivate participation.
- Improve data collection on population and services available to the AAPI population.





FY14 Agency Compliance Scorecards

Alcoholic Beverage Regulation Administration

8/12

overall compliance
score

preparedness

3/4

ABRA showed improvements by training staff and working proactively on planning and reporting requirements. Lack of comprehensive system for data collection remains a glaring gap in agency's preparedness.

accessibility

2/5

ABRA conducted outreach to diverse audiences, but lack of translated vital documents continues to compromise agency's accessibility to LEP/NEP customers.

quality

3/3

ABRA was not tested in FY14, and no complaints were filed against the agency in FY14.



FY14 Encounters
33



FY13 Score
8/12

FY14 Top Languages Encountered:

Spanish, Amharic, Korean, Mandarin, Turkish, Cantonese

The Alcoholic Beverage Regulation Administration (ABRA) reports that in FY14 it encountered a total of 33 LEP/NEP customers (primarily Spanish, Korean, and Amharic-speakers) based on data collected from sign-in sheets and language line usage reports. Given the ethnic and linguistic diversity of the District's hospitality and restaurant business community, LEP/NEP licensees are highly likely to interface with this agency for licensing, inspections, and other services. OHR strongly recommends that ABRA take immediate steps to implement a comprehensive system for tracking interactions with LEP/NEP customers at outreach events, inspections, and hearings for a more accurate picture of agency's encounters.

OHR credits ABRA for delivering nine multilingual workshops and trainings in FY14. However the lack of multilingual forms, notices, and instructions presents an ongoing barrier to access for LEP/NEP customers. OHR urges ABRA to prioritize key vital documents – such as the License Application Forms and Instructions – to be translated into top encountered, or likely to be encountered languages, and take swift action to ensure that these translations are available in both electronic and paper formats. Additionally, the agency should partner with the Mayor's ethnic constituency offices, and other immigrant serving organizations to more intentionally engage LEP/NEP communities and significantly increase contact with this population throughout FY15.

Child and Family Services Agency



preparedness
4/4

CFSA is well prepared to serve LEP/NEP clients and regularly trains public contact staff. Agency should continue to refine data collection strategies to better track encounters with LEP/NEP customers.

accessibility
5/5

CFSA translated a total of 35 vital documents in FY14. Agency can improve its accessibility by making translated vital documents available on its website.

quality
3/3

In FY14, no field testing was conducted at CFSA and no complaints were filed against the agency.



FY14 Encounters
1008



FY13 Score
11/12

FY14 Top Languages Encountered:

Spanish, Amharic, Haitian Creole, Vietnamese, Chinese, Farsi, Mandarin, French, Burmese, and Tigrinya

OHR applauds the Child and Family Services Agency (CFSA) for its ongoing efforts to fully meet the compliance requirements of the Language Access Act and take proactive steps to facilitate meaningful access and inclusion of LEP/NEP residents. In FY14, the agency worked closely with the Language Access Program to successfully meet planning and reporting requirements.

CFSA translated 27 vital documents - including notification letters, investigation summaries, and assessment evaluations - into Spanish, five documents into Amharic, two documents into Korean and French, and one into Amharic, French, Vietnamese, Chinese, and Korean. OHR encourages the agency to continue pursuing translation of prioritized documents in other languages and to further improve accessibility of its website to LEP/NEP customers by centralizing links to non-confidential documents and resources on the 'language support' webpage for each language.

CFSA's fourth quarter report highlights 20 community events the agency participated in to engage diverse LEP/NEP groups. Two of these events specifically targeted Spanish, Amharic and French speaking LEP/NEP residents. OHR commends CFSA for its proactive efforts to partner with ethnic constituency offices to reach and serve diverse LEP/NEP communities.

DC Housing Authority



preparedness
3/4

Agency successfully implemented electronic data collection on LEP/NEP encounters during FY13-14 BLAP period. Training of public contact staff remains a major preparedness priority.

accessibility
5/5

DCHA's website is accessible in Spanish and includes online updates on housing applications. Agency should ensure translations in other languages are also available online.

quality
2/5

One out of five telephone testers were turned away in FY14. Agency needs to improve quality of service to LEP/NEP customers.



In-Person Tests

No in-person tests were conducted at DCHA.



Telephone Tests

4 out of 5 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 1,454 **FY13 Score:** 11/14

FY14 Top Languages Encountered:

Spanish, Vietnamese, Amharic, Chinese, Korean, French, Swahili, Bengali, Thai, and Arabic

OHR recognizes the DC Housing Authority (DCHA) for installing telephones with dual headsets in two of its busiest customer service centers serving LEP/NEP customers. This investment will facilitate effective use of telephonic interpretation by frontline staff and improve customer service.

Based on FY14 testing results indicating that one out of five telephone testers was turned away for not speaking English, OHR advises the agency to consistently train public contact staff and cultivate agency's internal commitment to providing quality customer service and meaningful access to LEP/NEP customers. As recommended previously in agency's FY13 scorecard, DCHA is encouraged to also train frontline staff on how to consistently and accurately track encounters with LEP/NEP customers in accordance with the Act. OHR looks forward to supporting the agency in implementing a rigorous FY15 plan for agency-wide trainings.

A section of the agency's website is available in Spanish with direct access to online application updates and other relevant information. For other languages that meet the legally required threshold, OHR advises the agency to provide a link to translated and uploaded vital documents on the 'language support' page for each language.

DC Lottery and Charitable Games Control Board



preparedness
1/4

Without a reliable data collection strategy, and no efforts to train staff in FY14, the agency is not adequately prepared to provide language assistance to LEP/NEP customers.

accessibility
2/5

While agency conducts outreach to reach LEP/NEP communities, the lack of translated vital documents presents a significant barrier to access.

quality
2/3

Though no complaints have been filed against the agency, DCLB needs to make significant strides to improve services to LEP/NEP customers and retailers.



FY14 Encounters
487



FY13 Score
5/12

FY14 Top Languages Encountered:

Korean, Amharic, Hindi, Tigrinya, Punjabi, Chinese, Spanish, Urdu, Tagalog, Panis, and Yoruba

As a major public contact agency providing critical services, the DC Lottery and Charitable Games Control Board (DCLB) needs to take proactive steps to address ongoing compliance gaps and fulfill training, accessibility, reporting, and planning requirements of the Language Access Act.

In FY14, DCLB reported 487 LEP/NEP encounters solely on the basis of language line reports and retailers who identified a non-English language as their primary spoken language. OHR recommends the inclusion of other methods, such as the creation of new sign-in sheets and the implementation of an electronic tracking system, to ensure data on LEP/NEP encounters is documented. Data collection is a critical preparedness measure which will allow DCLB to understand the linguistic needs of its retailers and customers, and set guidelines for its translation efforts.

With only one document translated into Korean and none translated in the past two fiscal years, the translation of vital documents presents a critical gap in DCLB's accessibility. OHR strongly recommends DCLB prioritize the translation of the agency's core services and programs in top encountered languages, and review all documents to create a translation plan for FY15. In addition to translating documents, OHR encourages enhancing the accessibility of translated documents by uploading them to the agency website and providing a link on the 'language support' pages.

DC Public Library



preparedness
4/4

Agency has a comprehensive data collection mechanism and sufficiently trains public contact staff.

accessibility
5/5

Availability of translated documents allows LEP/NEP residents to access agency's services and information in person and on the agency website.

quality
3/3

No cases were filed against the agency in FY14. Agency was also not tested.



FY14 Encounters
38,142



FY13 Score
12/12

FY14 Top Languages Encountered:

Spanish, Chinese, Amharic, French, Russian, Vietnamese, Italian, Portuguese, Korean, and Arabic

OHR applauds DC Public Library (DCPL) for its exceptional efforts to fully meet the requirements of the Language Access Act and take proactive steps to facilitate meaningful access and inclusion of LEP/NEP residents. DCPL worked closely with the Language Access Program on planning and reporting requirements, and successfully brought on a full-time Language Access Coordinator tasked with supporting the agency's compliance.

DCPL's comprehensive mechanism for data collection and reporting on LEP/NEP encounters relies primarily on Library Card Application forms and Language Line usage reports to identify the top non-English languages encountered by the agency. OHR acknowledges DCPL's exemplary commitment to understanding the linguistic needs of its customer base, which allows the agency to target translations accordingly, and work to make its programs and services accessible to LEP/NEP residents.

OHR also commends DCPL's consistent commitment to Language Access trainings and FY14 efforts to train 49 employees and all new hires on Language Access compliance and cultural competency.

OHR encourages DCPL to continue efforts to engage the District's increasingly diverse LEP/NEP population by ensuring that information on DCPL's events and activities are routinely translated and widely circulated.

DC Public Schools



preparedness
3/4

Agency collects comprehensive data on LEP/NEP encounters. Adoption of a language access policy and agency-wide training remain top preparedness priorities for DCPS.

accessibility
4/5

Agency has translated 59 vital documents in FY13/14; however the DCPS Parent Handbook remains the only translated document currently accessible on the agency's website.

quality
3/5

No complaints were filed against DCPS in FY14. 7 out of 17 telephone testers were turned away during tests.



DISTRICT OF COLUMBIA
PUBLIC SCHOOLS



In-Person Tests

All 23 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

Only 7 out of 17 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 8,868 **FY13 Score:** 10/14

FY14 Top Languages Encountered:

Spanish, Amharic, Chinese, French, Vietnamese, Russian, Arabic, Tagalog, Bengali, and Igbo

OHR credits DC Public Schools (DCPS) for FY14 results of the in-person field tests, which show all 23 in-person tests at eight DCPS schools were provided adequate language assistance and received requested information and resources. However, field tests conducted over the phone indicated that in roughly 60 percent of calls made by testers, callers were not provided with language assistance or information - i.e. calls were hung-up, and testers were told they couldn't be assisted.

OHR reiterates FY13 recommendations and urges DCPS to take immediate steps to implement a phased plan for training central office staff and school personnel on language access requirements. English Language Learners comprise one of the fastest-growing groups in the country, and schools are increasingly linguistically diverse, so DCPS cannot afford another year without training personnel and administrative staff on the legal obligation to provide language assistance to students and parents.

OHR stresses that DCPS should accelerate language access compliance efforts in FY15 and equally prioritize: a) adoption of an internal language access policy; b) designation of Language Access Points of Contacts in schools that have a large English Language Learner student population; and c) centralizing all translated vital documents on its website.

Department of Behavioral Health



preparedness
3/4

Reliable mechanism for data collection was implemented. With agency-wide training of staff, DBH will be well-positioned to successfully meet the needs of its LEP/NEP customers.

accessibility
4/5

Translated vital documents reflect LEP/NEP customers' needs. More efforts are needed to improve accessibility of translated documents online.

quality
3/3

No complaints have been filed against DBH in FY14. Agency has shown improvements in its implementation of LA.



FY14 Encounters
9,336



FY13 Score
10/12

FY14 Top Languages Encountered:

Spanish, Amharic, Vietnamese, Creole, Chinese, Korean, Mandarin, and Urdu

OHR recognizes and supports the Department of Behavioral Health (DBH) for its FY14 efforts to improve LEP/NEP data collection. It successfully incorporated a language preference drop-down menu into its customer tracking system as an additional mechanism for tracking encounters with LEP/NEP customers. Agency's quarterly reports to OHR also provide data on Language Line and live interpretation use by grantees and public service organizations who provide services on behalf of DBH. These steps ensure comprehensive tracking of LEP/NEP encounters, and allow DBH to be better prepared to serve multilingual customers in their language.

In FY14, DBH translated nine documents - including a set of consent forms and agency helpline cards recommended for translation in the FY13 scorecard - into languages reflecting the needs of the LEP/NEP population. OHR acknowledges DBH's ongoing translation efforts and recommends it enhance document accessibility by centralizing them on its website and by providing a link on the 'language support' pages for each language.

OHR commends the great efforts made by the agency to fulfill requirements of the Language Access Act and work diligently to improve quality of services to LEP/NEP customers. OHR encourages DBH to provide training to frontline staff in FY15 to increase cultural competency and Language Access awareness within the agency.

Department of Consumer and Regulatory Affairs



preparedness
3/4

DCRA currently relies on Language Line usage reports as its main source for reporting LEP/NEP encounters. Agency needs to refine data collection mechanism.

accessibility
4/5

Agency conducts outreach to LEP/NEP communities. However very few translated vital documents are available on DCRA's website.

quality
3/5

No complaints were filed against agency in FY14. Four (4) telephone testers were turned away during tests.



DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS



In-Person Tests

13 out of 14 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

Only 6 out of 15 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 623 **FY13 Score:** 11/14

FY14 Top Languages Encountered:

Amharic, Vietnamese, Spanish, French, Mandarin, Portuguese, Urdu, Korean, and Haitian

OHR notes the strong score the Department of Consumer and Regulatory Affairs (DCRA) received on in-person field tests conducted in its service centers in FY14. However, only 40 percent of telephone tests resulted in testers receiving the service or information they requested, while in 60 percent of the tests, the agency employees hung-up on testers and/or told them they were unable to help. In light of these results, OHR urges DCRA to take proactive steps to monitor the quality and accessibility of customer service provided to LEP/NEP callers over the phone, and prioritize agency-wide training in FY15 to ensure all public contact staff are aware of and equipped to fulfill their legal obligation to provide language assistance.

In FY13 DCRA reported translation of 24 vital documents into the top six languages. OHR recommends the agency upload already translated documents and resources on its website by centralizing links on the 'language support' page for each language.

In addition, as OHR indicated in the agency's FY13 compliance review, DCRA needs to assess and refine its data collection mechanism and tracking of LEP/NEP customers; for instance ensuring encounters with professional interpreters, bilingual personnel, and other frontline staff are tracked via the main agency customer tracking system.

Department of Corrections



preparedness
3/4

DOC should take steps to enhance data collection mechanism and provide agency-wide language access compliance trainings to ensure DOC is fully prepared to serve LEP/NEP customers and inmates.

accessibility
5/5

OHR credits DOC for online availability of vital documents in Spanish, and agency's outreach efforts in FY14. DOC needs to improve agency's accessibility in other top languages encountered by the agency.

quality
3/3

No field tests were conducted at DOC, and no complaints were filed against the agency in FY14.



FY14 Encounters
351



FY13 Score
11/12

FY14 Top Languages Encountered:

Spanish, Amharic, French, Arabic, Italian, Korean, Portuguese, Bengali, Russian, and Turkish

OHR commends the Department of Corrections (DOC) for its efforts in FY14 to meet the requirements of the Language Access Act, and for successfully implementing a team-based model to achieve these outcomes. OHR also credits the agency for translating 12 vital documents into Spanish in FY14, and for making them accessible under a dedicated tab on the agency's website for information and documents in Spanish. OHR recognizes these efforts to ensure accessibility to Spanish-speaking LEP/NEP customers, and encourages DOC to make similar efforts to translate and centralize vital documents in other top languages encountered by the agency.

DOC reports 351 encounters with LEP/NEP customers mainly captured through JACCS, DOC's case management system, which documents inmate information during intake. OHR advises DOC to enhance data collection strategies to ensure encounters with LEP/NEP customers and inmates are well documented. Including additional data points - such as the language line usage reports and self-reported language information on sign-in sheets - will ensure that agency is aware of, and can adequately respond to the full scope of interactions with LEP/NEP customers and inmates.

In FY15, OHR recommends DOC partner with the Language Access Program to provide agency-wide training on language access compliance.

Department on Disability Services



preparedness
4/4

DDS staff is well prepared to serve LEP/NEP customers. Agency should continue refining mechanisms for collecting and centralizing data on LEP/NEP encounters.

accessibility
3/5

Translating vital documents into languages beyond Spanish, and making translations available online would improve agency's overall accessibility.

quality
2/3

No field tests were conducted at DDS, and no complaints were filed against the agency in FY14.



FY14 Encounters
512



FY13 Score
8/14

FY14 Top Languages Encountered:

Spanish, Amharic, Vietnamese, Mandarin, French, Portuguese, Korean, Arabic, Karen, and Hindi

OHR acknowledges proactive steps the Department on Disability Services (DDS) has taken since FY13 to enhance the agency's linguistic and cultural competency: hiring bilingual staff now poised to provide in-person interpretation to LEP/NEP customers; assigning a dedicated bilingual staff to its intake office; training public contact staff on language access compliance and cultural competency; and instituting a form for bilingual staff to capture interactions with LEP/NEP individuals.

In FY14, DDS translated 28 vital documents - toolkits, intake forms, brochures, and reference cards - into Spanish. OHR notes the agency's investment, and recommends translation of these vital documents into all top encountered languages. Translated vital documents should also be made available online on the 'language support' page for each language.

As OHR indicated in the agency's FY13 compliance review, DDS should assess and refine its data collection mechanism and tracking of LEP/NEP customers. DDS reported 410 less encounters in FY14 compared to FY13. Although DDS explains a growing reliance on bilingual staff reduced language line usage, the encounters reported from bilingual staff tallies do not compensate entirely for the sharp decrease overall encounters. OHR encourages DDS to adopt an efficient system for collecting data from bilingual staff, and for ensuring all LEP/NEP customers are tracked.

Department of Employment Services



preparedness
3/4

OHR urges DOES to better prepare for serving LEP/NEP customers by instituting a reliable system for tracking LEP/NEP customers and encounters, and by providing language access and cultural competency training for all staff.

accessibility
3/5

OHR urges DOES to translate vital documents into frequently encountered languages other than Spanish and ensure the District's linguistically diverse job seekers, businesses, and residents can access critical services.

quality
3/5

Telephone field test results indicate agency should improve in providing assistance via phone.



In-Person Tests

All of the 12 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

8 out of 14 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 13,271 **FY13 Score:** 11/14

FY14 Top Languages Encountered:

Spanish, Amharic, Chinese, Korean, Vietnamese, Portuguese, French, Tigrinya, Arabic, and Japanese

OHR commends DOES for the perfect score received on in-person field tests that were conducted in its Office of Wage and Hour, Office of Worker's Compensation, and three of its American Job Centers. However, telephone test results indicated that in more than 40 percent of tests LEP/NEP customers did not receive the requested service or information (agency employees hung-up on testers and/or told them they are unable to help). In light of these results, OHR recommends DOES closely monitor language support gaps for LEP/NEP customers over the phone, and train all frontline staff on language access compliance requirements.

In FY14, DOES completed Spanish translation of two vital documents (the 'DC Minimum Wage' poster and 'Accrued Sick and Save Leave Act' documents) which were disseminated to over 30,000 businesses in the District. Given DOES's frequent encounters with diverse LEP/NEP customers who speak other languages besides Spanish, it is imperative that the agency secure resources to replicate translation and outreach efforts with other languages that meet the legally-mandated threshold.

Department of Health



preparedness 3/4

DOH can be better prepared to serve LEP/NEP customers by streamlining data collection, reporting comprehensive data to OHR, and taking immediate action to train all agency and service provider staff on language access.

accessibility 3/5

While DOH took steps to translate a number of vital documents in FY14, agency should take steps to centralize these documents on its website and track translation efforts by its grantees and providers.

quality 2/5

No complaints were filed against DOH in FY14. However field testing results point to real concerns in the quality of service provided to LEP/NEP customers, particularly over the phone.



In-Person Tests

8 out of 12 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

Only 1 out of 13 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 15,337 **FY13 Score:** 8/14

FY14 Top Languages Encountered:

Amharic, Spanish, French, Chinese, Cantonese, Korean, Tigrinya, Portuguese, Urdu, and Swahili

OHR recognizes improvements in FY14 in-person field testing results (compared to FY13 results) indicating tested DOH service provider sites (i.e. Community Connections, Vital Records Division, Whitman Walker Clinic, etc.) offered adequate language assistance. However, more than 92 percent of the telephone tests conducted at these sites indicate LEP/NEP customers were systematically denied access, and were not provided the requested services and/or information. OHR advises DOH to take immediate steps to train all of its service providers on language access compliance and closely monitor the quality of customer service provided to LEP/NEP customers over the phone.

As DOH-funded service providers are a vital point of entry for thousands of LEP/NEP customers who interface with the agency every year, DOH must place significant focus on ensuring that its providers fully comply with the Language Access Act by capturing data on encounters with LEP/NEP customers, training all public contact staff, translating vital documents, and routinely reporting their progress back to DOH. OHR reiterates recommendations made in FY13 for the agency to improve overall reporting, and provide OHR with comprehensive and disaggregated data.

Department of Housing and Community Development

8/14

overall compliance
score

preparedness

3/4

Refining mechanism for collecting LEP/NEP encounters from DHCD and grantee locations would improve agency's overall preparedness to serve its LEP/NEP customers.

accessibility

2/5

While DHCD conducts aggressive outreach, no vital documents have been translated by the agency since 2010. OHR urges immediate action to address this gap.

quality

3/5

No complaints were filed against DHCD in FY14. Field test results indicate the agency provided quality in-person service and acceptable telephone-based assistance to LEP/NEP customers.



In-Person Tests

All of the 5 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

5 out of 6 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 977 **FY13 Score:** 8/12

FY14 Top Languages Encountered:

Spanish, French, Vietnamese, Amharic Chinese, and Korean

OHR applauds the Department of Housing and Community Development (DHCD) on FY14 field tests results indicating all but one tester were provided adequate language assistance and received the information requested in their language. Of the six telephone tests conducted at DHCD's Housing Resource Center, one caller was unable to receive assistance because the employee hung up the call. OHR recommends DHCD closely monitor customer service provided to non-English speakers, and train frontline staff to reinforce equitable service for LEP/NEP customers.

Given the agency's targeted mission to revitalize underserved communities, and its existing partnership with immigrant-serving community-based grantees to deliver services, it is imperative comprehensive data collection and customer tracking be in place to ensure all LEP/NEP encounters are documented by DHCD and its grantees. OHR instructs the agency to prioritize streamlining data collection by a) systematically recording primary languages data during first encounters with LEP/NEP customers at all DHCD and grantee locations; b) including language access and data collection provisions in DHCD RFAs and grants; and c) requiring all bilingual staff at DHCD and grantee locations to tally language assistance provided.

OHR recommends DHCD take immediate steps to translate relevant vital documents that were slated for translation in agency's FY13-14 BLAP.

Department of Human Resources



preparedness

4/4

Agency trained all employees including new hires in FY14. All preparedness requirements were met in FY14.

accessibility

5/5

Translated vital documents reflected LEP/NEP clients' needs and are easily accessible on agency's website.

quality

3/3

No complaints were filed against DCHR in FY14. Steady improvement has been observed in language access implementation.



FY14 Encounters
36



FY13 Score
11/12

FY14 Top Languages Encountered:

Spanish, French, Korean, Turkish, and Tagalog

OHR applauds the Department of Human Resources (DCHR) for its ongoing efforts to fully meet the requirements of the Language Access Act. In FY14, DCHR worked with the Language Access Program to provide seven trainings on Language Access and Cultural Competency and ensured that all agency staff, including new hires, were trained. DCHR was equally proactive in meeting outreach requirements by participating in community events and by partnering with OHR in the planning and implementation of 'DC Speaks Your Language' LEP/NEP community forum in June 2014.

DCHR reports minimal encounters with LEP/NEP customers, as the agency interacts primarily with District government employees and English-proficient job seekers. Still, DCHR is working to ensure that appropriate signage and meaningful language support are available for LEP/NEP job seekers and residents who do call or visit the agency's customer service and professional development center.

OHR encourages DCHR to continue supporting citywide language access implementation in the coming fiscal year by facilitating citywide trainings on language access and cultural competency through its Center for Learning and Development, and by supporting agencies in attracting and recruiting bilingual talent.

Department of Human Services



preparedness
4/4

DHS has a comprehensive system in place for identifying and tracking LEP/NEP encounters. Instituting rigorous language access and cultural competency trainings for all frontline staff is needed to strengthen preparedness.

accessibility
3/5

DHS' website is currently inaccessible to LEP/NEP customers. Agency can mitigate this by uploading translated documents under its 'language support' web pages.

quality
0/5

Three complaints were filed against DHS and agency was found in non-compliance in all cases. While field testing results improved, almost half of the tests were met with inadequate quality of service.



In-Person Tests

15 out of 19 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

Only 3 out of 14 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 17,333 **FY13 Score:** 7/14

FY14 Top Languages Encountered:

Spanish, Amharic, Mandarin, Cantonese, French, Vietnamese, Arabic, Portuguese, Tigrinya, and Korean

OHR credits the Department of Human Services (DHS) for slight improvements in service quality observed in FY14 field test results conducted at select service centers (Fort Davis, Anacostia, Taylor St., H St., and Childcare and Adult Protective Services). However, only 20 percent of telephone tests and 85 percent of in-person tests received adequate language assistance or requested services. In other tests, language assistance was denied as employees hung-up on the tester, or told testers they were unable to help.

These results - along with the three FY14 public complaints for which DHS was found in non-compliance - point to systemic barriers preventing LEP/NEP residents from accessing DHS services. As an agency tasked with providing protection and critical social services for our most vulnerable populations, these barriers have dire consequences for LEP/NEP families who are denied meaningful access. OHR once again urges DHS to take serious measures in FY15 to address persistent gaps in compliance.

OHR acknowledges FY14 improvements made in public education and outreach, internal training of public contact staff, and translation of 16 vital documents into Spanish. In FY15, the agency should translate vital documents into other languages meeting the legally mandated threshold, and ensure translated documents are accessible on the DHS website.

Department of Motor Vehicles



preparedness
4/4

DMV collects comprehensive data on encounters with LEP/NEP customers and trained all front-line staff on Language Access compliance requirements and Cultural Competency.

accessibility
5/5

DMV has translated 13 of its vital documents into 6 languages and made them available on its website. Agency conducted outreach to LEP/NEP communities.

quality
1/5

One complaint was filed against the DMV and the agency was found in non-compliance. Testing results indicate quality of customer service remains an area of improvement for the agency.



In-Person Tests

14 out of 18 in-person field tests provided service, information or appropriate resources.



Telephone Tests

No telephone tests were conducted at DMV.

FY14 Encounters: 4,025 **FY13 Score:** 9/14

FY14 Top Languages Encountered:

Spanish, Amharic, Chinese, French, Arabic, German, Portuguese, Vietnamese, Italian, and Korean

OHR credits the Department of Motor Vehicles (DMV) for taking steps to better meet requirements and for working closely with OHR to fulfill training, outreach, reporting, and planning requirements.

DMV translated 13 of its most requested vital documents in FY14, including those related to the implementation of the Limited Purpose credentials. Nevertheless, OHR encourages DMV to further improve accessibility of its website to LEP/NEP customers by centralizing links to translated and already uploaded vital documents on the 'language support' pages.

During FY14, DMV did exceptional work in providing language access compliance trainings internally for over 200 public contact staff with some OHR-led cultural competency trainings. However, three field testers were turned away without language assistance and a complaint was filed against DMV for which the agency was found in non-compliance, so OHR urges DMV to issue clearer directives and offer additional training to front-line staff to boost its commitment to quality and inclusive customer service.

OHR recommends DMV take steps to ensure all service centers display effective multilingual signage to inform LEP/NEP customers about language assistance and orient them on the agency's service delivery process.

Department of Parks and Recreation



preparedness
3/4

Instituting a comprehensive and reliable data collection mechanism remains a top priority for DPR without which the agency will not be equipped to understand the needs of its service population.

accessibility
4/5

Agency shows progress in availability of translated documents. Expanding translations beyond Spanish to reflect top languages, and centralizing documents, would boost agency's accessibility.

quality
3/3

No complaints were filed against the agency in FY14. No field tests were conducted this year.



FY14 Encounters
1,638



FY13 Score
8/12

FY14 Top Languages Encountered:

Spanish, Amharic, French, Russian, German, Chinese, Italian, Vietnamese, Korean, and Farsi

OHR credits the Department of Parks and Recreation (DPR) for proactive efforts in FY14 to engage LEP/NEP residents and to make the city's parks and recreation centers more welcoming community spaces. The agency worked closely with the Language Access Program on the implementation of the 'DC Speaks Your Language' forum for LEP/NEP residents, and partnered with the Mayor's ethnic constituency offices, and community partners to attract and hire bilingual employees.

DPR reports 1638 LEP/NEP customers in FY14 and 1,942 customers who have indicated non-English language preferences in its automated registration system. This data is solely collected through program registrations, and does not account for LEP/NEP residents who visit individual sites and centers. DPR should take immediate steps to institutionalize a comprehensive data collection strategy for capturing all encounters - across its many parks, centers and programs - in a consistent and reliable manner.

OHR credits DPR for training all DPR staff on language access for a second year in a row. Given the increased LEP/NEP encounters reported in the last year, the agency needs to continue efforts to attract bilingual staff, cultivate real partnerships with diverse immigrant-serving organizations, and enhance its internal cultural and linguistic capacity to match the needs of an increasingly diverse LEP/NEP population.

Department of Public Works



preparedness
3/4

DPW is adequately prepared to serve LEP/NEP customers, but could be better equipped by broadening data sources and by training all public contact staff on language access compliance requirements.

accessibility
5/5

DPW translated four vital documents into Spanish in FY 14. Agency should take steps to translate these same documents, and other prioritized vital documents into top encountered languages.

quality
2/3

No field tests were conducted at DPW in FY14, and no complaints were filed against the agency.



FY14 Encounters
239



FY13 Score
10/12

FY14 Top Languages Encountered:

Spanish, Chinese, French, and Korean

In FY14, Department of Public Works (DPW) translated four vital documents (flyers and brochure) into Spanish and uploaded them to the agency website. OHR credits the agency for these efforts, and encourages DPW to submit a list of agency vital documents and pursue translation of prioritized documents into other languages that meet the legally mandated threshold. The agency can further improve the accessibility of its website to LEP/NEP customers by centralizing links to uploaded translated documents on the 'language support' page for each language.

DPW reports 239 encounters with LEP/NEP customers in FY14, which reflects a slight increase compared to the agency's 157 encounters in FY13. While quarterly reports submitted to OHR indicate that the agency is capturing data through a combination of methods, FY14 encounters appear to rely mainly on Language Line usage reports. OHR urges DPW to put mechanisms in place to collect data from multiple sources and ensure that reported encounters fully capture all contact the agency has with LEP/NEP individuals.

In FY15, OHR encourages DPW to plan ahead and schedule language access trainings that accommodate employees who work non-traditional shifts, and ensure all front-line personnel receive training by the end of the fiscal year.

Department of Small and Local Business Development

8/14

overall compliance
score

preparedness 2/4

Collecting data from grantees and training all DSLBD and grantee staff on language access compliance requirements would significantly improve agency's preparedness to serve LEP/NEP customers.

accessibility 3/5

Translation of key vital documents and proactive outreach to LEP/NEP business owners are two critical steps DSLBD needs to take in FY15 to improve agency's accessibility.

quality 3/5

While no complaints were filed against the agency in FY15, field testing results indicate agency needs to significantly improve customer service for LEP/NEP customers.



In-Person Tests

2 out of 4 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

2 out of 4 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 6 **FY13 Score:** 3/12

FY14 Top Languages Encountered:

Spanish, French, and Korean

OHR credits the Department of Small and Local Business Development (DSLBD) for its increased commitment to Language Access implementation, and significant strides in FY14 to bring the agency into greater compliance with the Language Access Act. FY14 field test results indicate that 50 percent of both in-person and telephone tests conducted at the agency did not provide the requested service or information. In light of these results, and compliance gaps identified in agency's FY13 scorecard, DSLBD must take action to improve overall preparedness and ensure all agency and grantee staff are trained on Language Access requirements and prepared to serve LEP/NEP-owned businesses and customers.

DSLBD reported only six LEP/NEP encounters in FY14. Given the significantly large immigrant and LEP/NEP-owned businesses represented in the District, OHR encourages DSLBD to reinforce data collection and reporting requirements for its grantees and service providers, and conduct targeted outreach to engage LEP/NEP-owned businesses and communities. In FY15, DSLBD needs to prioritize additional vital documents – such as instructions and forms related to CBE certification – for translation based on LEP/NEP customers encountered or likely to be encountered by the agency.

Department of the Environment



preparedness
4/4

DDOE is well prepared to serve LEP/NEP clients through its well-trained staff and comprehensive tracking of encounters with LEP/NEP customers.

accessibility
4/5

DDOE translated 10 vital documents in FY 14 and participated in 6 community events to engage LEP/NEP communities.

quality
3/3

No field testing was conducted at DDOE in FY14, and no public complaints were filed against the agency.

DISTRICT
DEPARTMENT
OF THE
ENVIRONMENT



FY14 Encounters
1,690



FY13 Score
12/12

FY14 Top Languages Encountered:

Spanish, Cantonese, Chinese, Amharic, Korean, Vietnamese, Arabic, Tagalog, Tigrinya, and Portuguese

OHR applauds the District Department of the Environment (DDOE) for its proactive efforts to meet requirements and to facilitate meaningful access and inclusion of LEP/NEP residents. DDOE's FY14 accomplishments include capturing LEP/NEP encounters comprehensively using varied data sources; coordinating with the Language Access Program to train all public contact and senior managers on language access and cultural competency; and actively engaging LEP/NEP communities through six community events the agency participated in to provide linguistically-targeted information.

In FY14, DDOE translated seven vital documents including notices, letters, and forms into Spanish; and three into Amharic, Chinese and Spanish. OHR encourages the agency to continue translating documents prioritized during the FY13/14 BLAP period into other languages that meet the threshold and to further improve accessibility of its website to LEP/NEP customers by centralizing links to in-language documents and resources on the 'language support' page for each language.

OHR recommends DDOE continue outreach efforts in FY15 to ensure that LEP/NEP residents and businesses are accessing key DDOE services – such as the Solar Advantage Plus Program – and participate in agency's environmental education programs.

Department of Transportation



preparedness
4/4

Continued language access compliance trainings and improved mechanism for collecting data on LEP/NEP encounters will ensure that agency is prepared to serve LEP/NEP customers.

accessibility
4/5

DDOT translated six vital documents into Spanish. Agency should prioritize translation of additional vital documents into top languages encountered in FY14.

quality
3/3

No field tests were conducted at DDOT in FY14, and no complaints were filed against this agency.



FY14 Encounters
73



FY13 Score
10/12

FY14 Top Languages Encountered:

Spanish, French, Amharic, Chinese, Vietnamese, and Korean

OHR recognizes the District Department of Transportation (DDOT) efforts in FY14 to meet compliance requirements of the Language Access Act, and credits the agency for working with the Language Access Program to train 77 public employees on language access compliance and for participating in seven community events targeting, Spanish, Tagalog, Cantonese and Mandarin-speaking residents, among others.

DDOT reports 73 encounters in FY14. While the agency has made steady progress on tracking LEP/NEP customers by capturing encounters through sign-in sheets, Language Line usage reports, and records from bilingual staff, instituting a comprehensive and reliable data collection strategy remains a critical gap in compliance for the agency. OHR advises DDOT to consider its business processes, and identify new methods for recoding and tracking LEP/NEP encounters to ensure that the language needs of its customers are accurately documented and addressed.

In FY15, DDOT is encouraged to continue efforts to train its staff - including its field staff, and the 22 public service organizations that provide education and transportation services on behalf of the agency - to ensure that they are equipped to serve LEP/NEP customers.

Fire and Emergency Medical Services

4/14

overall compliance
score

preparedness

2/4

Creating an effective data collection mechanism, training public contact staff, and cultivating internal buy-in, are critical gaps FEMS' must address in order to be prepared to serve LEP/NEP residents.

accessibility

1/5

FEMS reports 42 instances where Language Line was used. Agency needs to translate vital documents and equip all first responders with access to phone-based interpretation in the field to ensure that agency's services are accessible to LEP/NEP customers.

quality

1/5

FY14 testing results indicate agency has to take immediate steps to transform and improve customer service provided to LEP/NEP customers.



In-Person Tests

None of the 7 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

None of the 5 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 42 **FY13 Score:** 2/14

FY14 Top Languages Encountered:

Spanish, Amharic, Mandarin, Korean, Vietnamese, Russian, Arabic, French, Tagalog and Thai

FY14 field test conducted at Fire and Emergency Medical Services (FEMS) indicate no testers were provided language assistance. FEMS is an agency with major public contact that is charged with providing critical emergency and safety services to the public. There are potentially dire consequences to the glaring compliance gaps exhibited by the agency with respect to Language Access implementation. Persistent gaps in compliance have not been addressed by agency leadership.

During FY14 OHR issued a memo listing chronic areas of non-compliance at FEMS and urged the agency to take action on four baseline language access compliance requirements, such as submission of bi-annual plan, FY14 reporting, training of staff and attendance at mandatory meetings. OHR encourages the agency to follow through on efforts to address these gaps, and on commitments made during FEMS leadership meeting with OHR to implement effective data collection methods for tracking LEP/NEP encounters.

Homeland Security and Emergency Management Agency



preparedness
3/4

Identifying additional sources of data (beyond Language Line usage reports and sign-in sheets) will allow agency to better track LEP/NEP encounters and get a better picture of the linguistic needs of the LEP/NEP population HSEMA is encountering or likely to encounter.

accessibility
5/5

One vital document translated and uploaded on agency website in FY14. Without translated vital documents, LEP/NEP residents will be unable to access critical information on emergency preparedness and safety.

quality
4/5

FY14 in-person field test results indicate improvements need to be made to HSEMA's customer service to LEP/NEP customers at the main office.



In-Person Tests

Only 1 out of 4 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

All of the 4 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 138 **FY13 Score:** 10/12

FY14 Top Languages Encountered:

Spanish, Amharic, Chinese, Vietnamese, Korean, Thai, Tigrinya, Russian, and German

OHR commends Homeland Security and Emergency Management Agency (HSEMA) for a perfect score on FY14 telephone field tests conducted at the main office. While all testers who called the agency were offered adequate in-language assistance, three in-person testers were not provided the requested service or information. Based on these results, OHR recommends HSEMA take immediate steps to train front-line staff assigned to receive customers on a walk-in basis, and ensure the agency's reception areas and entry points are equipped to serve LEP/NEP customers.

In FY14, HSEMA uploaded one translated vital document on the agency's website, and one of its vital documents, 'Shelter-in-Place' is now available electronically in the top six languages encountered by the agency. OHR encourages HSEMA to pursue translation of prioritized vital documents and ensure that key documents on emergency preparedness are available to LEP/NEP residents in a language they can understand, and further improve accessibility of its website to LEP/NEP customers by providing links to translated documents on the 'language support' page for each language.

Metropolitan Police Department



preparedness
4/4

MPD is well prepared to serve LEP/NEP customers and has put satisfactory systems in place for effective data collection and staff training.

accessibility
5/5

Although agency can improve on accessibility of translated documents on agency's website, MPD consistently translates documents in languages that reflect the needs of the population it serves.

quality
2/5

Field testing results and recurring public complaints point to a major gap in MPD's ability to provide quality services to LEP/NEP customers.



In-Person Tests

10 out of 12 in-person field tests provided the requested service, information or appropriate resources.



Telephone Tests

6 out of 11 telephone tests provided the requested service, information or appropriate resources.

FY14 Encounters: 4,692 **FY13 Score:** 13/14

FY14 Top Languages Encountered:

Spanish, Mandarin, Vietnamese, Amharic, Korean, French, Cantonese, Japanese, Thai, and Chinese

OHR recognizes Metropolitan Police Department (MPD) for sustained and overall effective efforts to comply with requirements and for proactive work on systemic corrective actions identified by OHR. OHR also credits MPD for working closely with the agency to successfully fulfill planning and reporting requirements, and partner on LEP/NEP outreach initiatives.

In light of FY14 field testing results, in which almost half of telephone tests conducted at MPD did not provide language assistance, and three complaints filed against MPD in FY14, OHR urges the agency to focus on quality of service provided to LEP/NEP customers. In FY15, OHR recommends MPD accelerate efforts to partner with OHR in delivering instructor-led training for all frontline staff, and utilize roll calls and other administrative mechanisms to reinforce agency's overall commitment to quality and inclusive service.

In FY14, MPD reported translating 13 documents and publications into six languages, 3 documents into Spanish, and one into Urdu and Chinese. OHR encourages the agency to continue translation of prioritized documents, and implement plans to improve accessibility of its website to LEP/NEP customers by centralizing links to all translated documents on the 'language support' page for each language.

Office on Aging



preparedness
3/4

While OA has instituted a comprehensive data collection mechanism, agency should refine its process to better track data on emerging encountered languages.

accessibility
4/5

Interpretation services were provided and documents were translated. However better accessibility could be achieved by making translated documents centrally available on agency's website.

quality
3/3

OA was not tested in FY14 and no complaints were filed against the agency in FY14.



FY14 Encounters
2,605



FY13 Score
9/12

FY14 Top Languages Encountered:

Spanish, Chinese, Korean, Amharic, Vietnamese, French, Tigrinya, Armenian, Arabic, and Tagalog

OHR credits the Office on Aging (OA) for significant efforts made in FY14 to serve the District's LEP/NEP senior population: working with the LA program to convene and train its service providers on Language Access compliance requirements; training new hires and public contact staff; and conducting targeted outreach to reach linguistically diverse LEP/NEP communities.

OHR also acknowledges OA's ongoing efforts to translate vital documents into languages that reflect the needs of its LEP/NEP customers, and the steps the Language Access team takes to review and verify the quality of translations. OA can improve accessibility of its website by uploading translated documents under the 'language support' page for each language. This would make it easier for LEP/NEP customers to access electronic documents in their language, and also make the documents centrally available for OA staff and community-based partners to use.

In FY15, OA should prioritize refining its data collection mechanism. To date, OA has primarily relied on data collected from sign-in sheets and language line usage reports to document LEP/NEP encounters. OHR highly recommends the inclusion of other methods - capturing language information on customer tracking software, and requiring bilingual staff to tally interactions with LEP/NEP customers - to ensure it is continuously tracking trends and changes in the language needs of the senior population.

Office of Contracting and Procurement



preparedness
3/4

OCP would be better prepared to serve LEP/NEP customers once all public contact staff in the agency are trained on language access requirements and resources.

accessibility
3/5

Beyond a summary of agency's services, no vital documents are translated. OCP should translate vital documents and upload them on its website. Targeted outreach is needed to ensure agency is accessible to all vendors.

quality
2/3

No complaints were filed against the agency in FY14, and the agency was not tested.



FY14 Encounters
8



FY13 Score
8/12

FY14 Top Languages Encountered:

Spanish

With eight encounters reported in FY14, an increase from zero reported in FY13, it appears Office of Contracting and Procurement (OCP) has had slightly more contact with LEP/NEP-owned businesses and/or residents over the last year. To further increase the agency's limited exposure to the District's LEP/NEP business community, OHR strongly recommends OCP conduct targeted outreach to diverse immigrant-owned businesses, and ensure that this population is aware of OCP's role and services.

Additionally, ensuring that vital documents promoting key services offered by OCP – such as its 'FAQ on Requirements for Doing Business with the District', or description and schedule of 'Vendor Workshops and Trainings' – would prove useful for LEP/NEP businesses who may currently be excluded from access to agency resources and thus opportunities to bid on contracts. In FY15, OHR urges OCP to prioritize such vital documents for translation in languages encountered, or likely to be encountered by the agency.

OHR recommends OCP accelerate efforts to be in full compliance with Language Access requirements by putting in place a reliable system for tracking interactions with LEP/NEP customers, and by training all front-line staff on Language Access requirements and resources.

Office of Planning



preparedness
4/4

With a comprehensive data collection mechanism in place and regular trainings for frontline staff, OP is adequately prepared to serve LEP/NEP customers.

accessibility
2/5

A description of core services must be available in top languages encountered by the agency. Targeted outreach to LEP/NEP stakeholders should be prioritized in FY15.

quality
2/3

No complaints were filed against the agency in FY14, and no field test were conducted.



FY14 Encounters
16



FY13 Score
11/12

FY14 Top Languages Encountered:

Chinese and Spanish

OHR acknowledges the Office of Planning (OP) for continuing efforts in FY14 to comply with the Language Access Act and for working closely with the Language Access program to fulfill training, planning and reporting requirements. OHR also credits OP for capturing language information on sign-in sheets used at public meeting as an additional source of data.

While OP consistently reports minimal contact with LEP/NEP populations, including only 16 encounters in FY14, OHR maintains that applying more culturally and linguistically targeted strategies in public engagement efforts would yield more interaction with LEP/NEP stakeholders. In FY15, OHR advises OP to work with its Neighborhood Planning Division and ensure planners assigned to neighborhoods are aware of the linguistic and cultural diversity within those areas. In addition, the Mayor's ethnic constituency agencies, the DC Language Access Coalition's diverse immigrant-serving member organizations and ethnic media outlets are important partners to increase LEP/NEP participation in planning and engagement efforts.

In FY15, OHR recommends that OP proactively translate key vital documents – such as notices related to neighborhood engagement activities, workshop announcements, etc. – into languages that are likely to be encountered by the agency to aid outreach efforts and improve OP's overall accessibility to LEP/NEP communities.

Office of Tax and Revenue



preparedness
1/4

Instituting a comprehensive data collection mechanism and training public contact staff remain top preparedness priorities for OTR.

accessibility
2/5

Agency needs to immediately translate its vital documents into languages that meet the threshold. As is, agency is not accessible to LEP/NEP customers.

quality
2/3

While no formal complaints have been filed against the agency, OTR did not respond to public requests for translated documents.



FY14 Encounters
1456 (up to June '14)



FY13 Score
6/12

FY14 Top Languages Encountered:

Spanish, Amharic, Mandarin, Vietnamese, Korean, Somali, Russian, Hebrew, Tamil, and Hindi

OHR urges the Office of Tax and Revenue (OTR) to take swift action to put in place the requisite infrastructure needed to meet language access compliance requirements. Per OHR records, the agency is lagging behind on key compliance requirements for major public contact agencies, namely the adoption of a signed Language Access Policy and routine planning and reporting expectations that often go unfulfilled.

OTR interacted with 1456 LEP/NEP customers in FY14, but is not positioned to provide meaningful access to this population. As outlined in previous compliance assessments, taglines on agency-generated correspondence instructing LEP/NEP customers to contact OTR for assistance does not constitute meaningful access. OHR requests OTR accelerate efforts and translate non-federal vital documents into top languages encountered by the agency. OTR is advised to prioritize translation of key documents - its FAQ Sheets, FR500 Form, Clean Hands Certification Form, and a description of its core services - by making these translations available online.

OTR relies on two methods - tally of bilingual staff interactions and Language Line reports - to report data on LEP/NEP encounters. OHR urges the agency to ensure that other sources - such as reception area/event sign-in sheets and language preference drop-down menu in customer management tracking software - be utilized to ensure that the agency is collecting comprehensive data on its encounters with LEP/NEP customers.

Office of the People's Counsel



preparedness
4/4

With a reliable data collection mechanism in place and staff routinely trained on Language Access requirements and resources, the agency is fully prepared to serve LEP/NEP customers.

accessibility
5/5

LEP/NEP customers are likely to enjoy full access to OPC's services as most, if not all, its vital documents are accessible in languages that reflect needs, and agency conducts culturally competent outreach.

quality
3/3

OPC was not tested in FY14, and no complaints were filed against the agency in FY14.



FY14 Encounters
4,579



FY13 Score
12/12

FY14 Top Languages Encountered:

Spanish, Amharic, Chinese, French, Vietnamese, Arabic, Japanese, Portuguese, Yoruba, and Tigrinya

OHR commends Office of the People's Counsel (OPC) for exemplary efforts in FY14 to meet the compliance requirements of the Language Access Act and for taking proactive steps to facilitate meaningful access and inclusion for LEP/NEP residents. The agency worked closely with the Language Access Program throughout the year to fulfill planning, reporting, and training requirements.

OPC combines information from agency's customer tracking software, language line reports, and sign-in sheets to successfully report comprehensive and detailed data on LEP/NEP customers and languages encountered by the agency. OHR recognizes OPC for exceptional levels of compliance in data collection, as well as in outreach to LEP/NEP populations, which is reflected in agency's 4,579 encounters reported for FY14. OPC conducted and co-sponsored a total of 55 community-based events in FY14 targeting diverse LEP/NEP communities.

In FY15, OHR strongly encourages OPC to focus on expanding translation of vital documents to not only Spanish, but also other languages – such as Amharic and Chinese – encountered frequently by the agency.

Office of the State Superintendent for Education



preparedness
2/4

Instituting a comprehensive agency-wide data collection mechanism and training public contact and grantee staff remain top preparedness priorities for OSSE.

accessibility
4/5

Agency needs to take immediate steps to translate vital documents into languages that meet the legally mandated threshold and make them available on OSSE's website.

quality
2/3

While no formal complaints have been filed against the agency in FY14, OSSE needs to do more to ensure quality access and services are provided to LEP/NEP residents.



FY14 Encounters
13,499



FY13 Score
12/14

FY14 Top Languages Encountered:

Spanish, Amharic, Mandarin, Vietnamese, Korean, Somali, Russian, Hebrew, Tamil, and Hindi

OHR credits the Office of the State Superintendent for Education (OSSE) for taking steps over the last two years to improve the agency's compliance. However, given OSSE's extensive contact with LEP/NEP populations, oversight of federal programs at local education agencies, and partnerships with grantees that provide critical services targeting LEP/NEP populations, it is vital it maintains an agency-wide commitment to tackle ongoing compliance gaps and serve the needs of LEP/NEP communities.

While OSSE has shown improvements in data collection, it has yet to implement plans since FY12 to: a) update statewide data tracking system to capture students' language needs; b) introduce a drop-down field to the Parent Call Center database to include language line use; c) provide bilingual staff with a form to track encounters; and d) recruit Divisional Language Access Liaisons to support efforts within individual divisions as members of the Language Access Team.

OHR also recommends prioritizing the following in FY15: a) adding a 'language support' feature on agency's website by uploading translations of agency's core services; b) uploading all existing translated documents on language support pages; c) providing OHR with a list of documents to be translated in FY15-16; and d) training all public contact staff, grantees and service providers on their legal obligation to provide language assistance.

Office of the Tenant Advocate



preparedness
3/4

Agency-wide training on Language Access compliance requirements and a streamlined data collection system are needed to ensure that OTA staff are fully prepared to serve LEP/NEP customers.

accessibility
3/5

LEP/NEP customers would experience difficulty accessing services and information because translated documents do not reflect the language needs of the community, nor are they centrally available on OTA's website.

quality
2/3

No complaints were filed against the agency in FY14, and no field tests were conducted.



FY14 Encounters
114



FY13 Score
8/12

FY14 Top Languages Encountered:

Spanish, Amharic, Vietnamese, Chinese, French, and Korean

OHR acknowledges the Office of Tenant Advocate (OTA) for its outreach efforts in FY14 and credits the agency's proactive steps to partner with local organizations and ethnic media outlets to increase participation of diverse LEP/NEP residents in its programs and services. While the agency participated in a total of seven outreach events targeting LEP/NEP tenants and landlords in FY14, OHR must underscore the total of 114 LEP/NEP encounters reported for FY14 as an indication that more work needs to be done to improve agency's overall accessibility to linguistically diverse residents.

OHR urges OTA to take immediate steps to translate vital documents and ensure that at a minimum, prioritized documents such as the Tenant Bill of Rights or the FAQ on Tenant Rights are available in top languages encountered by the agency. OHR suggests OTA also review documents already translated in order to make sure they still reflect the needs of LEP/NEP clients, and upload all translated documents on the agency website for greater accessibility.

In FY15, OTA needs to ensure that both the agency's public contact staff and grantees who receive funding from the agency are trained on their Language Access compliance requirements and are prepared to provide quality service to LEP/NEP customers.

Office of Unified Communications



preparedness
4/4

With a comprehensive data collection mechanism and sufficient staff training, the agency is adequately prepared to assist LEP/NEP customers.

accessibility
5/5

Language Line usage reports demonstrate agency routinely provides interpretation services to LEP/NEP callers. Agency's translated documents are centralized under 'language support' page for each language.

quality
3/3

No complaints were filed against the agency in FY14, and no field tests were conducted. Steady progress in customer service observed at the agency.



FY14 Encounters
10,135



FY13 Score
12/12

FY14 Top Languages Encountered:

Spanish, Amharic, Chinese, French, Vietnamese, Korean, Arabic, Japanese, Portuguese, and Tigrinya

OHR applauds the Office of Unified Communications (OUC) for effective and exceptional efforts in FY14 to fully meet all requirements of the Language Access Act. In FY14, OUC took proactive steps to facilitate meaningful access and inclusion of LEP/NEP residents, and worked closely with the Language Access Program to fulfill training, planning and reporting requirements.

OUC reported 10,135 LEP/NEP encounters in FY14. OHR credits the agency for successfully implementing a comprehensive data collection strategy that fully captures the agency's extensive contact with LEP/NEP customers through its customer service hotlines and outreach activities. In an effort to ensure reliability and accuracy of this data, OHR recommends that OUC take additional steps to clearly identify the source of each set of data when reporting encounters to OHR.

In light of OUC's extensive contact with LEP/NEP populations, OHR encourages the agency to continue ensuring all public contact staff are routinely trained on Language Access requirements and are equipped to provide quality service to all LEP/NEP customers. In addition to training, OHR further recommends OUC take steps in FY15 to translate outreach material into additional languages and enhance its cultural and linguistic competency by attracting bilingual staff who reflect the populations the agency serves.

Office of Zoning



preparedness
4/4

Agency has a comprehensive mechanism in place for tracking data on LEP/NEP encounters. OZ is well prepared to serve LEP/NEP customers, and should continue ensuring agency-wide training on Language Access requirements.

accessibility
5/5

OZ has comprehensive signage in place to facilitate access for customers who need language assistance. Translated documents are centralized and easily accessible on agency's website.

quality
3/3

No complaints were filed against the agency in FY14, and no field tests were conducted.



FY14 Encounters
9



FY13 Score
12/12

FY14 Top Languages Encountered:

Spanish and Korean

OHR congratulates the Office of Zoning (OZ) on fully meeting the requirements of the Language Access Act for a third year in a row. In FY14, OZ worked closely with the Language Access Program to successfully fulfill accessibility, training, planning and reporting requirements.

OZ reports minimal encounters with LEP/NEP customers – nine in FY14 and seven in FY13. To increase the agency's limited interactions with LEP/NEP communities, OHR recommends OZ translate its introductory 'Zoning 101' training into languages likely to be encountered, and partner with the Mayor's ethnic constituency office, and members of the DC Language Access Coalition to conduct targeted outreach to linguistically diverse neighborhoods. This will ensure that LEP/NEP residents are informed about and can access the agency's zoning services.

OHR credits OZ for translating seven documents into Spanish in FY14, and for centralizing all translated documents - including agency's brochure, a glossary of terms, and forms – under the 'language support' page for six different languages. OHR encourages OZ to pursue plans to translate 'Zoning 101' and other tutorials into additional languages, and ensure that documents that are currently available in Spanish are also available in other languages the agency is likely to encounter.

By the Numbers:

Implementation of Act Requirements

152,732

LEP/NEP encounters reported by major public contact agencies

71,139

agency calls to provide telephonic interpretation

1,638

vital documents translated by agencies

Top 10 languages based on Language Line usage

59,057	5,627	1,900	1,019	844	474	450	312	222	196
Spanish	Amharic	Chinese	French	Vietnamese	Arabic	Cantonese	Tigrinya	Korean	Bengali

Top 10 languages based on agency reported encounters

101,602	14,091	9,103	4,954	2,524	2,347	1,486	1,457	1,145	492
Spanish	Amharic	Chinese	French	Vietnamese	Russian	Italian	Korean	Portuguese	Arabic

3,017

agency staff, grantees and contractors trained on language access

seven-hundred and fifty

bilingual employees were reported to be working at the 33 agencies with major public contact

Percent of Training by Type

1	51%
2	25%
3	12%
4	3%
5	5%

Top five languages of bilingual staff:
Spanish (598); Amharic (54); French (41); Chinese (20); and Vietnamese (15).

Compliance Details

Agency scores are based on questions related to compliance with the Language Access Act. An 'x' indicates successful completion of the requirement. An 'n/a' indicates the particular question does not apply to the specific agency for FY14.

AGENCY NAME	ABRA	CFSA	DCHA	DCLB	DCPL	DCPS	DBH	DCRA	DDS	DOES	DOH	DHCD	DCHR	DHS	DMV	DPR
PREPAREDNESS																
P1. Agency provided data on FY14 encounters	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
P2. Method for collecting data was comprehensive.		X	X		X	X	X	X	X	X	X		X	X	X	
P3. Agency staff trained in FY14.	X	X			X				X			X	X	X	X	X
P4. Agency communicated effectively.	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X
PREPAREDNESS SCORE	3	4	3	1	4	3	3	3	4	3	3	3	4	4	4	3
ACCESSIBILITY																
A5. Requests for interpretation and/or translation services were met.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
A6. Vital documents were translated and/or updated in FY14.		X	X		X	X	X	X	X	X	X		X	X	X	X
A7. Vital documents translated in FY14 reflect the needs of LEP/NEP.		X	X		X	X	X						X		X	X
A8. Efforts were made to reachout to LEP/NEP communities in FY14.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
A9. Translated vital documents accessible on agency website.		X	X		X			X					X		X	
ACCESSIBILITY SCORE	2	5	5	2	5	4	4	4	3	3	3	2	5	3	5	4
QUALITY																
Q10. No recurring problems or a trend observed in the nature of complaints.	X	X		X	X	X	X	X	X	X	X	X	X			X
Q11. Agency was not found in non-compliance in FY14.	X	X	X	X	X	X	X	X	X	X	X	X	X			X
Q12. No tester was turned away during tests.	n/a	n/a		n/a	n/a		n/a		n/a			X	n/a			n/a
Q13. All testers who accessed employee or interpretation received requested information or services.	n/a	n/a	X	n/a	n/a	X	n/a	X	n/a	X			n/a			n/a
Q14. OHR has observed significant improvement in LA implementation in FY14.	X	X			X		X						X		X	X
QUALITY SCORE	3	3	2	2	3	3	3	3	2	3	2	3	3	0	1	3
TOTAL AGENCY SCORE	8	12	10	5	12	10	10	10	9	9	8	8	12	7	10	10
TOTAL POSSIBLE SCORE	12	12	14	12	12	14	12	14	12	14	14	14	12	14	14	12

[illegible]

**DISTRICT OF COLUMBIA
OFFICE OF HUMAN RIGHTS**

Language Access Program Fiscal Year 2014

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Washington, DC 20001

ATTACHMENT 8

District of Columbia **Office of Human Rights**



Highlights of Fiscal Year 2014



Office of Human Rights
DISTRICT OF COLUMBIA

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Our Mission

The District of Columbia Office of Human Rights (OHR) works to eradicate discrimination, increase equal opportunity and protect human rights for individuals who live in, work in, or visit the District of Columbia. The agency enforces local and federal human rights laws, including the DC Human Rights Act, by providing a legal process to those who believe they have been discriminated against. OHR also aims to end discrimination in the District through proactive policy and awareness initiatives, and by identifying and investigating practices that may be discriminatory.

In addition, OHR oversees the Language Access Program and the Citywide Youth Bullying Prevention Program.

DC Human Rights Act of 1977

The District of Columbia Human Rights Act of 1977 (HRA) bans discrimination in the areas of employment, housing, public accommodations and educa-

tional institutions based on 19 protected traits. The Act – one of the most progressive non-discrimination laws in the nation – allows individuals who believe they were the targets of discrimination to file complaints with OHR and receive damages or remedies if discriminatory behavior is found. The Act only applies to discriminatory incidents that occur in the District.

Protected Traits

The HRA prohibits discrimination based on these 19 traits: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, political affiliation, disability, matriculation, familial status, genetic information, source of income, place of residence or business, and status as a victim of an intrafamily offense. Some exceptions apply.





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“Increased efficiency in investigations, and an unprecedented number of campaigns educating the public about their civil rights, made fiscal year 2014 one of the most productive in the history of the office.”

– Mónica Palacio, Director

Mónica Palacio, Director

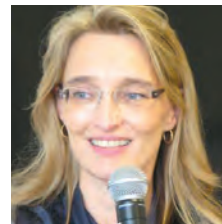
Since becoming Director of OHR in November 2013, Mónica Palacio has emphasized thorough and efficient investigations of discrimination and innovative approaches for reporting discrimination and educating residents about the District's human rights laws.

Dear Friends of OHR,

As I reflect on the work of our office over the last year, I feel great pride in what we have accomplished. District residents and visitors have an exceptional team working on their behalf, dedicated to ending and addressing all forms of discrimination. The OHR team is constantly brainstorming innovative ways to tackle discrimination. It is a team that prides itself on professionalism and fairness. I could not be more pleased to serve as the leader of this agency.

In the last year, we have invested in significantly expanding our outreach and awareness efforts to ensure District residents and visitors know their rights under our anti-discrimination laws, and understand how to file complaints with OHR when they believe those rights have been violated. This investment in outreach has led to a 41 percent increase in the number of complaints docketed with our office, and a dramatic increase in the number of partnerships we built with community organizations, advocates and private companies and associations. For example, our new Human Rights Liaison program trained 24 representatives from direct service providers to identify potential discrimination and assist their clients in filing complaints or reaching out to our office.

Our team also took a fresh look at long-standing issues of discrimination and unfair treatment in the District and launched new innovative strategies to address them. We worked closely with partner agencies, taxi companies and advocates to tackle discrimination and accessibility-related issues in taxicabs, including the creation of a new taxi-specific complaint form. We also executed our #SafeBathroomsDC campaign, which allowed



people to tweet us when they found single-stall public bathrooms that were supposed to be labeled as gender-neutral. Strong inter-agency partnerships, collaboration with advocates, and innovative

social media strategies helped achieve our mission and make the District more welcoming and safe for all communities.

OHR's dynamic outreach work in housing and across many communities meant an increase in the number of inquiries and complaints filed with our office. All the while our investigators and mediators have sustained exceptional service, and have become more efficient and effective in their work. In fact, we have managed to dramatically reduce the number of cases that stay with our office for more than six months, so individuals who file complaints can expect timely determinations after we accept their case.

Thank you for taking the time to learn about our important work in this report and for your support of our efforts to prevent discrimination in the District.

Sincerely,

Mónica Palacio

Director Palacio's Biography
Read Director Palacio's biography at
ohr.dc.gov/page/palacio.



The driving principle behind OHR's work is that all people deserve the opportunity to achieve their full potential free of discrimination. To prevent discrimination and address it when it occurs, OHR's work is concentrated into four areas.

Our primary focus continues to be addressing complaints of discrimination.

Complaints of Discrimination

Individuals who believe they experienced discrimination in the District can file a complaint with our office. Our staff will mediate and investigate the complaint cost-free, and make a determination that can result in damages being awarded.



Language Access Program

Our team builds the capacity of District agencies to ensure they communicate with limited or non-English proficient customers in their preferred language. We also investigate complaints when services are denied.



Citywide Bullying Prevention Program

The program aims to ensure schools, youth-serving agencies, and youth-serving government grantees create and implement bullying prevention policies based on best practices.



Policy & Awareness Initiatives

Our team develops policy and awareness initiatives and conducts extensive outreach to proactively prevent discrimination and educate the public about civil rights laws.



Complaints of Discrimination

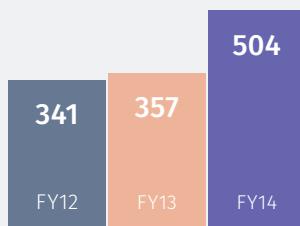
Complaint Process

Individuals who believe they have been subject to discrimination in employment, housing, public accommodations, or educational institutions in the District may file a complaint with OHR online or at our office. Our complaint process is **cost-free** and **does not require an attorney**. After the initial complaint questionnaire is submitted, an intake interview will be held, and OHR will determine whether we have jurisdiction to investigate the case. Details about the alleged discriminatory incident will also be gathered during the interview. If OHR has jurisdiction, it is docketed and sent through to mandatory mediation, where the parties will work with one of our mediators to find an agreement that can quickly resolve the case. If an agreement cannot be reached in mediation, OHR begins a **full investigation**, which can include interviewing witnesses, and reviewing relevant documents and policies. After a legal sufficiency review, the Director, with the assistance of the General Counsel, will determine if there is **probable cause of discrimination** and may send the case to the Commission on Human Rights if probable cause is found. The Commission will review the case and hold hearings to make a final determination and may award damages if discrimination is found.

OHR docketed **504 complaints** in FY14, including one Director's Inquiry, a **41 percent** increase in cases docketed over FY13. In addition, **1,306 complaint inquiries** were filed with our office.

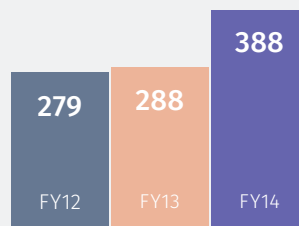
Total Docketed Cases

504



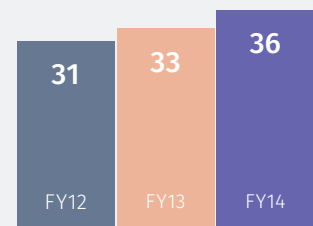
Employment Cases

388



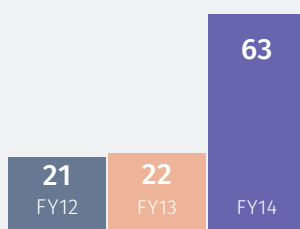
Housing Cases

36



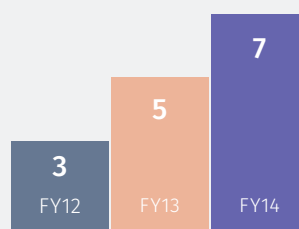
Public Accommodation Cases

63



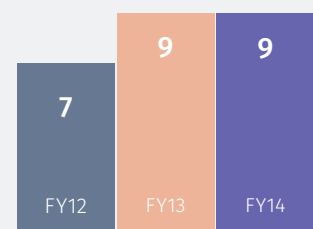
Educational Institution Cases

7



Language Access Cases

9



Mandatory Mediation

Complaints of discrimination filed with our office must go through a mandatory mediation process. An OHR mediator works with both parties to assist them in finding a mutually agreeable resolution. Agreements can be monetary, or can include other reparations such as job reinstatement, employee training or changes in business practices. If the parties do not settle the case, OHR begins a full investigation. If an agreement is found, the case will be closed without a formal investigation. In FY14, OHR mediated 416 cases, of which **186 were settled**. Over **\$2.12 million** was awarded in settlement agreements.

Commission on Human Rights

When probable cause of discrimination is found by OHR, a final attempt to encourage settlement is made. If the attempt fails, the case is certified to the Commission on Human Rights for a final determination. An administrative law judge at the Commission will review the case and recommend a determination to a panel of three Commissioners appointed by the Mayor, who will agree with or modify the determination. In FY14, **six new cases** were certified to the Commission and 13 cases were closed by decision or order, with **\$426 thousand** in penalties ordered. The Commission also received four criminal background cases to review. It currently has seven cases pending.

Sex was the most common protected trait in FY14 docketed cases, followed by **race** and then **disability**. **Public accommodations** saw the largest increase in docketed cases by area over FY13, and **gender identity and expression** the largest increase by protected trait.

Mediated Cases

416

cases that went through our mandatory mediation process

Mediation Settlement Rate

44.7%

percentage of mediated cases that ended with a settlement

New Cases at Commission

6

number of new cases certified to the Commission

Settlement Amounts

\$2.12 M

settlement agreement total across the 186 settled cases

Commission Background Cases

4

criminal background cases received by the Commission

Commission Penalties

\$426 K

amount of penalties ordered by the Commission

FY14 Docketed Cases by Area and Protected Trait

Of the 504 complaints docketed in FY14, some were filed with more than one protected trait. Therefore, the protected traits below outnumber the total number of cases docketed.* Fields marked with an “X” indicate the particular trait is not protected under the Human Rights Act for that area type.

	Employment	Housing	Public Accommodations	Educational Institutions
Age	52	2	2	0
Color	6	0	2	0
Disability	57	13	15	2
Familial Status	X	1	0	0
Family Responsibilities	8	0	0	0
Gender Identity & Expression	2	0	27	0
Genetic Information	0	X	0	X
Marital Status	2	1	0	0
Matriculation	1	0	0	X
National Origin	44	2	4	1
Personal Appearance	1	0	7	1
Place of Residence or Business	X	1	0	X
Political Affiliation	1	0	0	0
Race	63	9	17	4
Religion	6	0	0	0
Sex	90	1	3	1
Sexual Orientation	20	1	1	0
Source of Income	X	7	2	0
Status as a Victim of an Intrafamily Offense	X	0	X	X

Retaliation is not a protected trait, however OHR accepts cases for which retaliation is claimed. In FY14, OHR docketed 113 retaliation cases in employment, four in housing, seven in public accommodations and two in educational institutions.

There were **25 cases docketed** in FY14 with claims of a violation under the **DC Family and Medical Leave Act**.

* In FY14, protected traits were recorded differently than in past years, leading to the total number of traits reported being slightly less per case than in FY13. This change did not impact mediations, investigations or determinations.

Investigation Initiatives

#SafeBathroomsDC

The #SafeBathroomsDC campaign (see page 10) – which asked the public to submit reports of single-stall public bathrooms that were not gender-neutral as required – resulted in **146 reports of non-compliance** to our office via Twitter and an online submission form. Over **60 businesses** changed their bathrooms to be compliant, while 17 were docketed for formal charges because of a failure to respond or failure to become compliant. The remaining 69 businesses were either still within their grace period at the end of FY14 or were misreported and already compliant. Additional reports have continued to be submitted in FY15.



Above: GLBT Affairs Director Sterling Washington with #SafeBathroomsDC sign.

Taxi Discrimination Complaints

OHR partnered with the DC Taxicab Commission (DCTC) to launch a joint taxicab discrimination complaint form, ensuring taxi-related complaints are submitted to and investigated by both agencies. The new form is the result of an OHR Director's Inquiry into DCTC's handling of customer complaints, which revealed that DCTC followed its policies and procedures for investigations, but only categorized a small fraction of complaints as discriminatory. The joint complaint form has increased the number of complaints that allege discrimination, and is one part of a larger effort to educate drivers and residents about District non-discrimination laws.

Commission on Human Rights Awards

The 2013 Commission on Human Rights Awards honored Dr. Edgar Cahn for his contributions to the advancement of human rights in the District, especially his lifetime of work on behalf of low-income and marginalized communities. Also honored were the Youth Human Rights Ambassadors with the best projects focusing on human rights in the District. The Ambassador program – run by the Commission and Georgetown University Law Center – sends law students into District schools to teach students about human rights in the District and beyond.

Below: Commission on Human Rights Chief Judge David Simmons, Chairwoman Nkechi Taifa, and honoree Dr. Edgar Cahn at the Awards.



Initiatives & Awareness

Through policy initiatives, awareness efforts, and outreach to community members and organizations, OHR works to proactively prevent discrimination and inform individuals they can file complaints if discrimination occurs.

Campaigns and initiatives in FY14 include:

#DC19 Campaign

Appearing throughout the Metro system in September and October, the #DC19 campaign uses icons and simple messages to quickly educate passing commuters about the extensive anti-discrimination protections available in the District. The campaign focuses on eight of the protected traits – age, color, disability, national origin, race, religion, sex, and sexual orientation – and encourages residents to file a complaint with OHR if they believe they have been discriminated against in the District. To see all the campaign advertisements, visit ohr.dc.gov/page/DC19.

Right: The religious discrimination ad from the #DC19 campaign.



146

reports of non-compliance were received via the campaign in FY14

#SafeBathroomsDC Campaign

Launched in April, the #SafeBathroomsDC campaign aims to rapidly increase the number of single-occupancy gender-neutral public bathrooms in the District by using an innovative reporting method. Previously, reporting a single-occupancy bathroom that was not compliant would require submitting an OHR complaint form. The new method allows individuals to submit complaints with a tweet or through a short form on our website. One-hundred and forty-six businesses were reported to OHR in FY14, making the District a safer place for transgender and gender non-conforming people. To see the campaign advertisements, visit ohr.dc.gov/bathrooms.

Accessible DC Project

OHR released an Accessible DC guidebook that explains how making restaurants accessible for people with disabilities is good for business, and provides both simple and more difficult tips for becoming an accessible restaurant. OHR staff visited four high-development corridors to speak with restaurant owners and managers about the campaign and to ask them "Take the Pledge" to become more accessible. Over 500 guidebooks were mailed to restaurants, with more coming in FY15. To download the guidebook and learn more about the project, visit ohr.dc.gov/accessibleDC.

Right: OHR staff talks with restaurant manager about Accessible DC project.





Above: Human Rights Liaisons receive their certificates after the all-day training.

HUMAN RIGHTS LIAISON PROGRAM

Our new Human Rights Liaison Program invites direct service providers from community organizations to an all-day training intended to enhance representatives' ability to identify potential discrimination against their clients and file complaints with OHR. After completion of the training, representatives act as a point of contact within their organizations for colleagues who have questions about the District's non-discrimination law or OHR's complaint procedure. The Program, launched in September, has trained **24 Human Rights Liaisons from 19 organizations** across two training sessions. OHR continues to act as a resource for the liaisons when questions arise.

FAIR HOUSING OUTREACH

Our outreach team participated in **78 housing discrimination related events, meetings and presentations** as part of our efforts to raise awareness among residents in the District. Our staff attended dozens of tenant association meetings, presented to civil rights lawyers and built partnerships with housing advocacy organizations. As a result, OHR has seen an increase in housing discrimination cases and inquiries in FY14.

FAIR HOUSING SYMPOSIUM

Over **160 people** attended our 13th Annual Fair Housing Symposium, hosted with the Equal Rights Center and DC Department of Housing & Community Development. The event raises awareness about housing discrimination issues such as steering.

Below: Symposium attendees listen to Director Palacio speak.



By the Numbers: OHR Outreach and Impact

63%

increase in **social media followers** on OHR's Facebook, Twitter and Instagram

143 outreach meetings & events attended by OHR

160 attendees at annual fair housing symposium

24

community leaders trained to be
Human Rights Liaisons

146

reports via #SafeBathroomsDC



thirty-five

attendees at LGBT Employment Town Hall

6,923



views of Facebook posts about the #DC19 campaign



15

Metro stations with a #DC19 advertisement in September or October



520

Accessible DC guidebooks mailed to District restaurants to encourage accessibility

64

attendees at launch of #SafeBathroomsDC



78

housing outreach meetings and events attended

outreach events or meetings were held in
all 8 wards

#DC19 CAMPAIGN

This disability campaign ad (at right) is one of eight ads in the #DC19 campaign aimed at raising awareness about civil rights protections in the District.

You're protected no matter where you **sit**.

DC's non-discrimination law covers **19 traits**, including **disability**.

Office of Human Rights
DISTRICT OF COLUMBIA

ohr.dc.gov/dc19
facebook.com/dcohr
twitter.com/dchumanrights
instagram.com/dchumanrights

If you believe you've experienced discrimination in DC, we can help.
Learn more about civil rights laws that protect you and how to file a complaint at ohr.dc.gov/page/complaints. **#DC19**

#SAFEBATHROOMSDC CAMPAIGN

This #SafeBathroomsDC ad (at right) is one of four ads aimed at encouraging people to report public single-stall bathrooms that are not gender-neutral.

#safebathroomsDC

Public bathrooms are frustrating enough.
Help make them a bit easier for our transgender community.

If a bathroom has just one toilet and is labeled "men" or "women", let us know and we'll get it switched to be gender-neutral.

 Tweet the business name, location & a photo using **#safebathroomsDC**

 Or, fill out a quick form on our website at ohr.dc.gov/bathrooms

Office of Human Rights
DISTRICT OF COLUMBIA

Language Access Program

Through technical assistance, investigating complaints, agency compliance assessments, and outreach, our Language Access Program works to ensure limited and non-English speaking people have equal access to government services.



Chinese speaking participants provide feedback on language access services at “DC Government Speaks Your Language.”

The District is celebrating 10 years of language access.

Compliance Reports

Access annual Language Access Compliance reports at ohr.dc.gov/page/languageaccess.

In celebration of the Language Access statute’s 10th anniversary, our team engaged diverse linguistic communities from across the District to collectively assess the last 10 years of language access, and develop a shared vision for the future. Our “DC Government Speaks Your Language” event in June had nearly **150 participants**, representing nine different languages, who shared feedback on their experiences accessing

District government services. The team also worked to train 1,441 government employees on how to provide quality service and continued its training of Language Access Coordinators from 34 agencies with major public contact. Additionally, **16 language access inquiries and nine complaints** were docketed with OHR, and investigations launched to ensure the reported agencies are in compliance.

Agency Trainings

1441

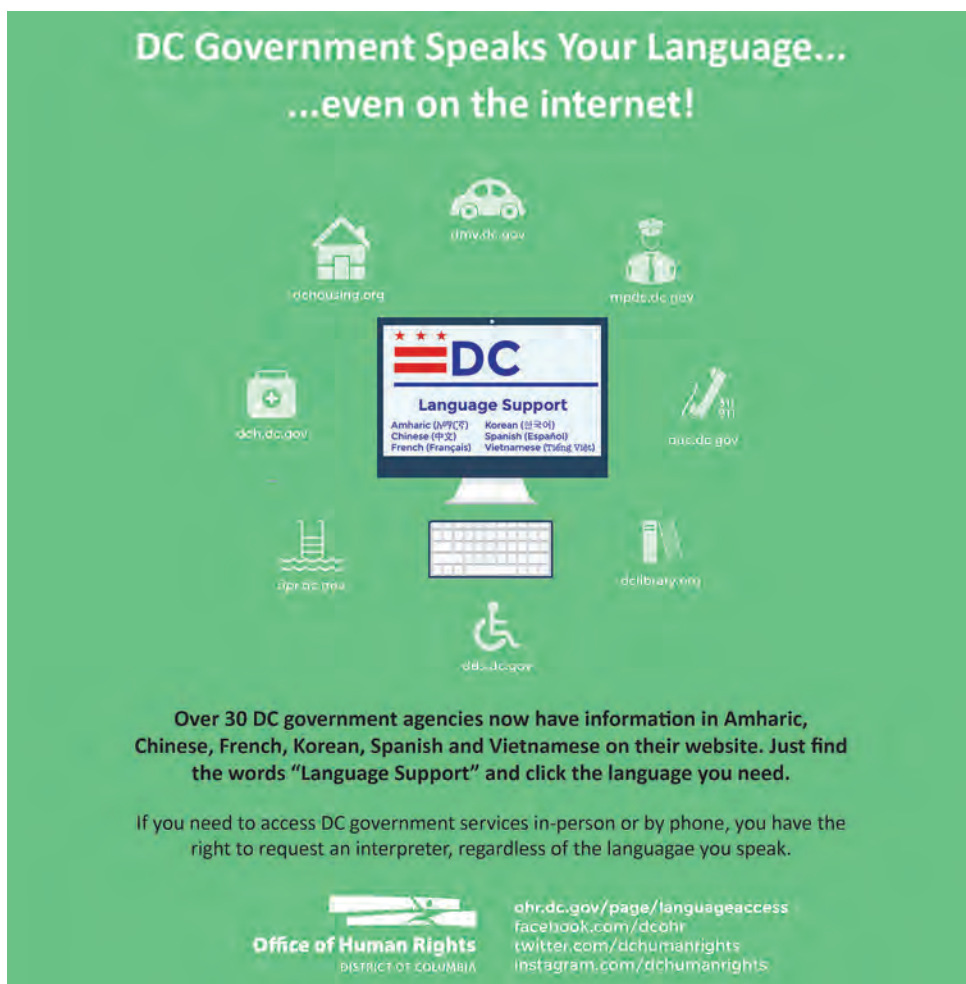
The team conducted **61 trainings** for District government agencies, training **1,441 employees** on language access compliance and cultural competency.

10 Years of Access Report

OHR commissioned the Urban Institute for its **“10 Years of Language Access in Washington, DC”** report, which reflects on 10 years of implementation and makes recommendations on how to further improve government services for those who are limited and non-English proficient. The report also analyzed demographic and linguistic trends regarding immigrants in the DC Metropolitan Area. The report is available online at ohr.dc.gov/10years/report.

Planning & Compliance

Through the end of FY14 and into the beginning of FY15, our team is assisting and advising agencies in building Biennial Language Access Plans (BLAP) that lay out **strategies and objectives for enhancing language access services** over the next two years. The annual language access compliance rating for each agency with major public contact – to be released in early 2015 – is partially determined by the execution of its last BLAP in 2012.



Our team – with the help of the Office of the Chief Technology Officer and other District agencies – launched **Language Support Web Pages** on nearly 30 agency websites, making it easier for limited and non-English speaking residents to access critical agency information online.

Individuals who speak Amharic, Chinese, French, Korean, Spanish, or Vietnamese are now able to access a description of core services using an in-language hyperlink feature near the bottom of each participating agency's homepage. The new language-specific descriptions of agency services are a first step to creating greater virtual access for limited and non-English proficient residents who visit agency websites. Our team will be working with agencies to continue translating additional information and materials to be made available within agencies and on their websites. To learn more or to download the advertisements in multiple languages, visit ohr.dc.gov/page/campaigns.

Citywide Youth Bullying Prevention Program

Our Citywide Youth Bullying Prevention Program advises schools, agencies and government grantees on implementing effective bullying prevention policies.



Program Director Suzanne Greenfield and fellow Fahim Gulamali at "It Takes a District: Tools & Tips to Prevent Bullying."

Nearly all District schools now have bullying prevention policies.

The Citywide Youth Bullying Prevention Program completed the first phase of a continuous effort to ensure all schools, youth-serving agencies and youth-serving government grantees adopt bullying prevention policies based on best practices and effectively implement them. By September, nearly all District schools and covered agencies had bullying prevention policies, and the majority met the requirements included in the Youth Bullying Prevention Act of 2012.

As the Program moves into its second phase – focused on advising entities on effective policy implementation – our team will continue working with the community to ensure all policies meet legal requirements. Additionally, we will work to help adults, including parents and educators, understand the importance of an approach focused on providing support both for the person who is bullied and the person who is bullying, instead of an over-reliance on discipline.

Know Your Policy Web Portal
Find policy information for your school at ohr.dc.gov/page/knowyourpolicy.



97%

of DC Public Charter Local Education Agencies submitted a bullying prevention policy to the Program.



82%

of bullying prevention policies submitted by Public Charter Local Education Agencies were fully compliant with all requirements.



100%

of DC Public Schools and District government agencies names in the Youth Bullying Prevention Act are covered by a system-wide bullying prevention policy that is fully compliant with all requirements.

For bullying prevention **tipsheets** and **resources** in multiple languages, visit ohr.dc.gov/page/bullyingprevention.

Note: The compliance numbers above are through November 2014 and vary slightly from the earlier school compliance report mentioned to the right.

How often does bullying occur in District middle schools?

30% of students report being bullied on school property in last 12 months

12% of students report being electronically bullied in last 12 months

13% of students report missing one or more days of school because they felt unsafe in past 30 days

Source: 2012 District of Columbia Youth Risk Behavior Survey Surveillance Report



Phase 1: FY14

Assist entities with adoption of policies



Phase 2: FY15

Assess and assist entities in implementing policies

School Compliance Report

The “Bullying Prevention in DC Educational Institutions: Compliance Report for School Year 2013 - 2014,” prepared for OHR by Child Trends and the Robert F. Kennedy Center for Justice and Human Rights, is the first Program report to assess the bullying prevention policies of District schools. It details the **policy compliance levels for each Local Education Agency**, and recommends next steps for ensuring that our city is fully engaged in reducing bullying behaviors and their effects, and for collecting appropriate data to assist covered entities in assessing the success of their efforts. The full report is available at ohr.dc.gov/page/bullyingprevention/reports.

Know Your Policy Web Portal

To assist parents in obtaining information about bullying prevention, OHR launched a Know Your Policy web portal that allows them to **quickly access bullying prevention policies and points of contact** by school and government agency. The web portal is available at ohr.dc.gov/page/knowyourpolicy.

It Takes a District: Tools & Tips to Prevent Bullying

Parents, government representatives, advocates, educators and youth gathered for “It Takes a District: Tools & Tips to Prevent Bullying.” The OHR event included a series of workshops on bullying prevention, building resilience, and strategies for addressing conflict, in addition to a resource fair. The event is part of a larger effort to **ensure parents and guardians are involved in the bullying prevention work of the District**, which is critical to successful prevention efforts.

Looking Forward

It cannot be emphasized enough that OHR is at a special stage in its history. The investigation and mediation of discrimination complaints are as important as ever, and we continue prioritizing the completion of cases in a methodical and efficient manner. Yet OHR is expanding its proactive role in discrimination prevention and is developing innovative methods to make the office more accessible to constituents. In the next year, OHR will continue advancing its mission through creative prevention and education efforts, outreach to new communities, and unique awareness campaigns to educate residents and visitors. We are extremely excited about our next year, and we hope you are too.



Row 1 (left to right): Attendees at #SafeBathroomsDC Launch Event; Director Palacio speaks at opening of Mundo Verde Bilingual Public Charter School; Programs from the Commission on Human Rights Awards. **Row 2 (left to right):** Suzanne Greenfield on radio show about bullying prevention; Participants at DC Government Speaks Your Language Community Forum; Teresa Rainey and Jaime Wojdowski tabling at a Pride event. **Row 3 (left to right):** Dog looks out of OHR bag at Capital Pride; Staff and interns volunteer at Capital Area Food Bank; Diana Godoy speaking to group at CentroNía.

Meet the Staff

Mónica Palacio, Director

Josephine Ansah-Brew, Administrative Officer

Evelin Argueta, Receptionist

Sunu Chandy, General Counsel

Rahsaan Coefield, Director of Investigations

Thomas Deal, Human Rights Officer

Stephanie Franklin, Policy & Communications Officer

Sandy Gallardo, Human Rights Specialist

Carson Gardner, Human Rights Officer

Diana Godoy, Human Rights Officer

Suzanne Greenfield, Director of the Citywide Bullying Prevention Program

Dianne S. Harris, Administrative Law Judge

J.P. Howard, Administrative Law Judge

Elliot Imse, Director of Policy & Communications

Ayanna Lee, Operations and HR Manager

Jewell Little, Attorney Advisor

Aimee Peoples, Human Rights Officer

Nellie Phelan, Mediator

Deidra Precia, Human Rights Specialist

Teresa Rainey, Community Outreach Coordinator

Gretta Rivero, Language Access Specialist

Eloisa Rocha-Bermudez, Human Rights Specialist

Al Santiago, Human Rights Officer

Melissa Sharpe-Jones, Human Rights Officer

David C. Simmons, Chief Administrative Law Judge

Akita Smith-Evans, Senior Human Rights Officer

Georgia Stewart, Mediation Manager

Winta Teferi, Language Access Program Director

Jaime Wojdowski, Human Rights Officer

Special thanks to Alexis Taylor, who served as OHR's General Counsel for over 10 years, and left the agency in August 2014.

Working to End Discrimination.

Our successful year is largely due to the hard work and great ideas of our incredible staff. At the top of most pages in the report are the results of our staff survey. We hope this provides you with a glimpse of who our team is and how we view the non-discrimination work of our agency.

In the coming year, we are excited to work with Mayor Muriel Bowser and her administration in fulfilling the mutual vision of a District that promotes equality for all. Thank you for your support in this effort.



**DISTRICT OF COLUMBIA
OFFICE OF HUMAN RIGHTS**

Highlights of Fiscal Year 2014

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