

EXECUTIVE ORDER NO. 10 - 2012

TO: All Department Heads
FROM: Steven Bellone, County Executive
Dated: November 9, 2012
RE: **Countywide Language Access Policy**

WHEREAS, Suffolk County is a linguistically diverse county in which 20 percent of the County's population over 5 years old speaks a language other than English at home, and nearly 10 percent of the people in Suffolk County are English-language learners or they are limited-English proficient, insofar as English is not their primary language and have limited ability to read, speak, write or understand English, thereby presenting potential barriers to accessing important government programs or services;

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits agencies that receive federal funds for programs or activities from discriminating against persons on the basis of race, color or national origin; and

WHEREAS, pursuant to Presidential Executive Order 13166 (August 11, 2000), federally-funded agencies must take reasonable steps to ensure that people who have limited English proficiency (LEP) have access to the recipient's programs and services; and

WHEREAS, the public safety, health, economic prosperity, and general welfare of all Suffolk County residents is furthered by increasing language access to County programs and services; and

WHEREAS, the County is committed to ensuring that language access services are implemented in a cost effective and efficient manner;

NOW, THEREFORE, I, Steven Bellone, the County Executive of Suffolk County, by virtue of the authority vested in me pursuant to the authority of the Suffolk County Charter and Suffolk County Administrative Code, do hereby order as follows:

Definitions.

For purposes of this Order:

"Direct public services" means services administered by an agency directly to program beneficiaries and/or participants. For agencies that provide services to the public that are not programmatic in nature, such as emergency services, the provisions of this order shall be implemented to the greatest degree practicable.

"Executive County agencies" mean the agencies, departments and divisions of Suffolk County government overseen by the Suffolk County Executive as their administrative head.

"Vital documents, including essential public documents" means those documents most commonly distributed to the public that contain or elicit important and necessary information regarding the provision of basic County services.

Language Access Requirements.

1. Executive County agencies that provide direct public services shall, in all relevant programs and services, competently translate vital documents, including essential public documents such as forms and instructions provided to or completed by program beneficiaries or participants. The translation shall be in the six most common non-English languages spoken by individuals with limited-English proficiency in the County of Suffolk, based on United States census data, and relevant to services offered by each of such agencies. Competent translation shall mean a trans-language rendition of a written message in which the translator comprehends the source language and can write comprehensively in the target language to convey the meaning intended in the source language. Agencies shall not use online translation tools such as Google Translate, Yahoo!, Babel Fish, or comparable services. Translation shall be achieved on a rolling basis to be completed no later than 365 days from the signing of this Order.
2. Each such agency, in all relevant programs and services, shall provide competent interpretation services between the agency and an individual in his or her primary language with respect to the provision of services or benefits. Competent interpretation shall mean a trans-language rendition of a spoken message in which the interpreter comprehends the source language and can speak comprehensively in the target language to convey the meaning intended in the source language. The interpreter shall know relevant terminology and provide accurate interpretations by choosing equivalent expressions that convey the best matching and meaning to the source language and capture to the greatest possible extent, all nuances intended in the source message.
3. Each such agency shall publish a language access plan that will reflect how the agency will comply with this Order and all progress since it last submitted a language access plan. Such plan shall be issued within 90 days of the signing of this Order, and updated every two years thereafter.
4. Each language access plan shall set forth, at a minimum, the following:
 - a. When and by what means the agency will provide, or is already providing, language assistance services;
 - b. The titles of all available translated documents and the languages into which they have been translated;
 - c. The number of public contact positions in the agency and the number of fully bilingual employees in public contact positions, including the languages they speak;
 - d. A training plan for agency employees which includes, at minimum, annual training on the language access policies of the agency and how to provide language assistance services;

e. A plan for annual internal monitoring of the agency's compliance with this Order;

f. A plan of how the agency intends to notify the population of offered language assistant services; and

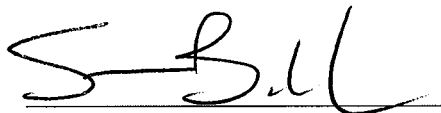
g. A language access coordinator at the agency, who shall be publicly identified.

5. The language access coordinator for each such agency shall monitor the agency's compliance with this Order by annually collecting data on the provision of language assistance services, the availability of translated materials, whether signage is properly posted, and any other relevant measures. The monitoring plan shall include feedback from the public, community groups, and other stakeholders.

6. Use of language services shall not be deemed by any county employee as a basis for inquiring into confidential information relating to immigration status or other personal or private attributes. No county employee shall inquire about or disclose confidential information, including, but not limited to, immigration status, unless such inquiry or disclosure is required by law.

7. The Deputy County Executive for Intergovernmental Affairs shall oversee, coordinate and provide guidance to agencies in implementing this Order and ensure that the provision of services by agencies meets acceptable standards of translation or interpretation.

Dated: *November 14, 2012*



Steven Bellone

Suffolk County Executive

cc: Regina M. Calcaterra, Chief Deputy County Executive
Fred Pollert, Deputy County Executive
Jon Schneider, Deputy County Executive
Hon. Joseph Sawicki, Jr., Comptroller
Hon. Judith A. Pascale, County Clerk
Hon. Thomas J Spota, District Attorney
Hon. Vincent F. DeMarco, Sheriff
Hon. Angie M. Carpenter, County Treasurer
Hon. William J. Lindsay, Presiding Officer
Hon. DuWayne Gregory, Legislator
Hon. John M. Kennedy, Legislator