



# Speaking Up Speaking Out

Recommendations for Implementation  
of Filipino Language Access  
in San Francisco

**PREPARED BY**

Valerie Francisco-Menchavez, PhD  
*Department of Sociology and Sexuality Studies,  
San Francisco State University, San Francisco, U.S.A.*

**IN COLLABORATION WITH**

South of Market Community Action Network (SOMCAN)

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**Episcopal Community Services**  
**Filipino American Development Foundation (FADF) Galing Bata Program**  
**Filipino Community Center**  
**Filipino Mental Health Initiative**  
**Pinoy/Pinay Educational Partnerships**  
**SOMA Pilipinas**  
**United Playaz**  
**Veteran’s Equity Center**  
**West Bay Filipino Multi-Service Center**

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# EXECUTIVE SUMMARY

On April 2, 2014, the Office of Civic Engagement and Immigrant Affairs officially certified Filipino as San Francisco’s third language spoken by a “Substantial Number of Limited English Speaking Persons.” All City Departments providing information or services to the public were expected to fully implement required Filipino language access services by December 31, 2015.

This report’s primary objective is to assess and evaluate the existing and emerging barriers and needs of Filipino LEP (Limited English Proficient) residents. To assess the barriers and challenges to language access as mandated by the Language Access Ordinance, qualitative interviews with fifteen staff members of fourteen Filipino-serving, non-profit organizations in San Francisco were collected. Organizations were selected on the basis that they serve anywhere between 40-90% Filipinos in their programming. The staff members in this study could accurately assess barriers as they interact daily with Filipino LEP speakers daily providing assistance and linking them to city departments for social services such as housing, benefits, health care, youth education, senior activities, etc.

This report finds that the implementation of the Language Access Ordinance is uneven in delivering materials and information in Filipino. Across city departments, there is varying degrees of availability for language access for Filipino LEP speakers. Instead, staff members of Filipino-serving organizations are providing the needed language access services that the city of San Francisco is unable to provide; going as far as accompanying clients to city departments or acting as legal translators or become liaisons between clients and city workers because there is a lack of translators and interpreters in city departments. Filipino LEP speakers may have receptive skills (listening and reading) in English but their productive skills (speaking and writing) vary widely. The results of this report offer a compelling basis for the recommendations to strengthen the ability of San Francisco city departments to ensure materials, applications and services are increasingly offered in Filipino.



# SUMMARY OF FINDINGS

## **Filipinos in San Francisco are in Dire Need of Language Access Services**

The Filipino population in San Francisco has exceeded the threshold to be recipients of materials delivered in Filipino. All of the participants in this study who serve Filipinos in San Francisco agree that most of their members, consumers and clients require Filipino translation and interpretation to access basic services such as benefits, housing, education, healthcare, etc. Filipino families, youth and seniors are in dire need of language access services for vital and daily living purposes. However, they are often met with barriers to getting information they need to be successful in attaining basic services.

## **Filipino Community Based Organizations (CBO) are Providing Language Access Services**

Staff members of organizations are providing the needed language access services that the city of San Francisco is unable to provide. Staff in CBOs overwhelmingly report that they are doing “double duty” in providing services and translating and interpreting city and governmental documents. Staff go as far as accompanying clients to city departments or become liaisons between clients and city workers because there is a lack of translators and interpreters in city departments. CBOs are clearly overwhelmed by providing language access services, on top of the programming for the Filipino community in San Francisco, unfunded.

## **Filipinos Speak English but Comprehend in Filipino**

Even if Filipinos prefer English in conversation with city departments, they comprehend better in Filipino. Because English is a national language of the Philippines, many Filipinos have some fluency--that is, an ability to express themselves in spoken, read, or written material--in English. However, their ability to understand and comprehend details and consequences of decisions that may affect important aspects of their lives (healthcare, education, housing, benefits) is best enacted when they speak in Filipino.

## **Institutional Barriers to Language Access in Filipino**

- Poor and Wrong Translation - Many CBOs report that applications and informational materials have poorly and incorrect Filipino translation. Key words and phrases change the meaning of the subjects in the forms. This causes confusion, at best, and misleads them, at worst.
- Lack of Translated Materials, Applications, Information - There is a paucity of resources translated into Filipino. Many Filipino LEP speakers often access materials in English and although they can read it, their comprehension of their personal matters or governmental matters would be higher if it was in Filipino.
- Lack of Interpreters and Translators - There is a need for more interpreters and translators at city departments. Many Filipino LEP speakers rely on children and CBO staff members to accompany them to city departments. This is problematic because this is an unreliable method for Filipino LEP speakers who may need services at times where their personal or community network is not available.
- Immigration Status - Filipino LEP speakers may be too “afraid” to ask for Filipino language resources because they see city departments as authority that might turn them into immigration officials if they are undocumented.
- Uneven incorporation of Filipino across city departments - Lack of language access can be resolved by OCEIA which can offer a briefing in providing language access in Filipino.

# RECOMMENDATIONS

## **Enforce the Language Access Ordinance**

1. Provide correctly translated materials for all San Francisco city departments serving Filipino LEP speakers.
2. Hire certified translators and interpreters who can speak Filipino in city departments and ensure they are available during all operating hours to increase language access capacity of San Francisco city departments.
3. Increase cultural awareness and cultural competency of city departments who serve Filipino LEP speakers in English but need Filipino language resources.

## **Use Multiple Strategies to Increase Filipino Language Access**

1. Publish a “Navigating San Francisco” city guide in Filipino and English to assist Filipino LEP speakers and newcomers to identify city departments for basic service and a guide to community-based organizations in Filipino and English to assist Filipino LEP speakers and newcomers to identify organizations to support their integration to San Francisco political life.
2. Develop a consortium of translators and interpreters that can be drawn upon for needed city services and that is managed by a centralized system.
3. Re-establish newcomer status to mark educational institutions in San Francisco Unified School District as Filipino-serving and language providing, in particular Bessie Carmichael School.

## **Recognize the Work of Community-based Organizations in Providing Culturally-sensitive, Linguistically-competent and Context-specific Language Services**

1. Create a funding source or mechanism that provides compensation and resources for CBOs who are currently providing interpretation and translation at no charge.
2. Change the San Francisco city guidelines for what is defined as translation to include speaking and discussing city materials with LEP clients.
3. Recognize the significant role CBOs play in filling the gap of Filipino language access that San Francisco is fulfilling through financial compensation for tasks such as survey distribution.

## **Filipino Interpreter and Translator Workforce Development**

1. Certify Filipino interpreters and translators by providing certification and training opportunities.
2. Create a pipeline for the trained interpreters and translators to be formally inducted into the aforementioned consortium for Filipino translation and employment in city departments.

## **Public Awareness of Filipino as a Recognized Language in San Francisco**

1. Increase public awareness and strengthen the value of Filipino as linguistic and cultural heritage of San Francisco through correctly translated signage in Filipino.
2. Improve demographic data collection about Filipino LEP speakers to capture their barriers and obstacles with different city departments and services.
3. All city departments should partner with OCEIA to incorporate Filipino in their materials and information. These efforts should be tracked by OCEIA.

# INTRODUCTION

Language Access in San Francisco is part of a broader public engagement vision that links access to meeting core community needs, supporting immigrant integration, and encouraging civic participation. By supporting community-based efforts to articulate needs and develop relevant, culturally appropriate solutions; providing tools and access for meaningful and relevant participation; and leveraging collaborative efforts among city departments, officials and community leaders, the City can ensure that every resident and worker benefits from and contributes to San Francisco's overall success and well-being. The City's goal is to communicate effectively with all its diverse communities and residents, regardless of the languages they speak.

## A. SAN FRANCISCO'S LANGUAGE ACCESS ORDINANCE

Language Access has been a priority in San Francisco since 2001, when the City enacted the Equal Access to Services Ordinance to ensure meaningful access and the same level of service to Limited English Proficient (LEP) persons that was available to all English-speaking city residents. In 2009, the EAS was amended, strengthened and renamed by the Board of Supervisors as the Language Access Ordinance (LAO).<sup>1</sup> The Office of Civic Engagement & Immigrant Affairs (OCEIA) was designated as the monitoring agency for the LAO to ensure that departments provide access to accurate, timely, and vital information to residents for whom English is not a first language. Most recently, the Board of Supervisors passed another series of amendments to the LAO in March 2015 that expanded the law's scope to apply to all City Departments that provide information or services directly to the public.<sup>2</sup>

The LAO requires City Departments to provide language access services—including translated materials and signage; utilization of bilingual staff; and interpretation of meetings and hearings upon request—into each language spoken by a “Substantial Number of Limited English Speaking Persons.” These languages are defined by law as those spoken by “10,000 Limited English Speaking City Residents who speak a shared language other than English.”<sup>3</sup> The LAO also mandates that OCEIA annually determine which languages meet this threshold by “referring to the best available data from the United States Census Bureau or other reliable source.” After determining that a new language has met the “Substantial Number” threshold, OCEIA must certify that the new language is recognized under the LAO by notifying City departments and the Immigrant Rights Commission. According to the Rules and Regulations established by the Immigrant Rights Commission, implementation of a newly-required language may be phased in over a period not to exceed 18 months.<sup>4</sup>

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<sup>1</sup> San Francisco Administrative Code, Chapter 91, Section 91.4

<sup>2</sup> 2014 internal OCEIA Filipino language assessment

<sup>3</sup> San Francisco Administrative Code, Chapter 91.2.

<sup>4</sup> 2014 internal OCEIA Filipino language assessment.

# LANGUAGE THRESHOLD

Based on the American Community Survey (ACS) Five-Year Report (2012-2016, 44 percent of the total San Francisco population over age five speaks a language other than English at home. LEP individuals are identified as those who report speaking English less than “very well” or “not at all.” Among LEP populations, there are three languages that are spoken by at least 10,000 residents: Chinese (Cantonese and Mandarin), Spanish and Filipino (Tagalog).<sup>5</sup>

Table I. Non-English Languages Spoken in San Francisco, 2012-2016

LANGUAGE	TOTAL NUMBER OF SPEAKERS OF LANGUAGE	TOTAL LIMITED ENGLISH SPEAKING	MARGIN OF ERROR
Chinese (Cantonese & Mandarin)	148,453	94,294	+/-2,369
Spanish	89,731	39,353	+/-1,877
Filipino	24,233	10,177	+/-1,646
Russian	14,382	8,344	+/-1,070
Vietnamese	10,729	6,368	+/-1,223

Source: American Communities Survey 2012-2016

Even as far back as the analysis of the 2008-2012 ACS found that Filipino met the certification threshold outlined in the LAO for the first time. Therefore on April 2, 2014, OCEIA officially certified Filipino as San Francisco’s third language spoken by a “Substantial Number of Limited English Speaking Persons.” All City Departments providing information or services to the public are expected to fully implement required Filipino language access services by December 31, 2015.

## STUDY DESCRIPTION AND PURPOSE

Meeting the threshold of 10,000 LEP Filipino speakers was the first step toward San Francisco’s implementation of Filipino as a required language covered by the LAO. Because little information was previously available on the Filipino-speaking LEP population, it was also important to gain more knowledge about this group in order to help the City understand and meet their needs. This report plays a necessary role in the implementation process by incorporating the perspectives of community based organizations on the need for language resources for Filipino LEP speakers. The study offers a general perspective of the language access needs of Filipino LEP speakers and provides insights on the current capacity of City Departments to provide services in Filipino for these residents, as part of meeting the language needs of the overall LEP population.

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<sup>5</sup> Filipino is the official national language of the Philippines. While it is based in the Tagalog language, it is an evolving language that incorporates loan words from other languages such as American English and Spanish. For the purposes of language access in San Francisco, the term Filipino refers to the Tagalog language and will be shown in City documents as Filipino (Tagalog).



# B. HISTORY AND BACKGROUND OF FILIPINO LANGUAGES

## FILIPINO AND TAGALOG LANGUAGES

The Philippines is a former Spanish (1521-1898) and American (1898-1946) colony. This history of colonization influenced the current languages spoken in the country today. During the American occupation of the Philippines, English was used as a common language of instruction. The colonial American government decided to also establish a native language that could serve as a national language. In 1937, the Commonwealth government of the Philippines established the Institute of National Language (currently called the Commission on the Filipino Language)<sup>6</sup> to develop a language that could be used nationwide. The government decided that a new language, based in Tagalog, called Pilipino (later spelled as Filipino) would be the nation's lingua franca, or common language. Filipino and Tagalog are exactly the same in terms of grammatical structure, but Filipino incorporates loanwords from other dialects and languages, including Spanish and English. Terms such as *nars* (nurse), *titser* (teacher), *kompidensyal* (confidential) are used in standard print and television media as accepted Filipino terms. The 1987 Constitution of the Philippines outlines provisions that enhance the use of Filipino and the language continues to evolve today.<sup>7</sup>

There are over 170 languages and dialects spoken in the Philippines. Filipino and English are the national languages used in business, government and in education. Filipino is spoken and understood by over 90 percent of the population and is the language of basic instruction. For the purposes of language access in San Francisco, the term Filipino refers to the Tagalog language and will be reflected in City documents as Filipino (Tagalog).



<sup>6</sup> National Commission for Culture and the Arts, “*The Commission on the Filipino Language*” 2011. Accessed March 3, 2014. Retrieved from <http://www.ncca.gov.ph/about-culture-and-arts/articles-on-c-n-a/article.php?igm=3&i=205>

<sup>7</sup> Article XIV, Section 6 of the 1987 Constitution of the Philippines

<sup>8</sup> Peter Chua, *Ang Ating Kalagayan: The Social and Economic Profile of U.S. Filipinos* (New York: National Alliance for Filipino Concerns, 2009)

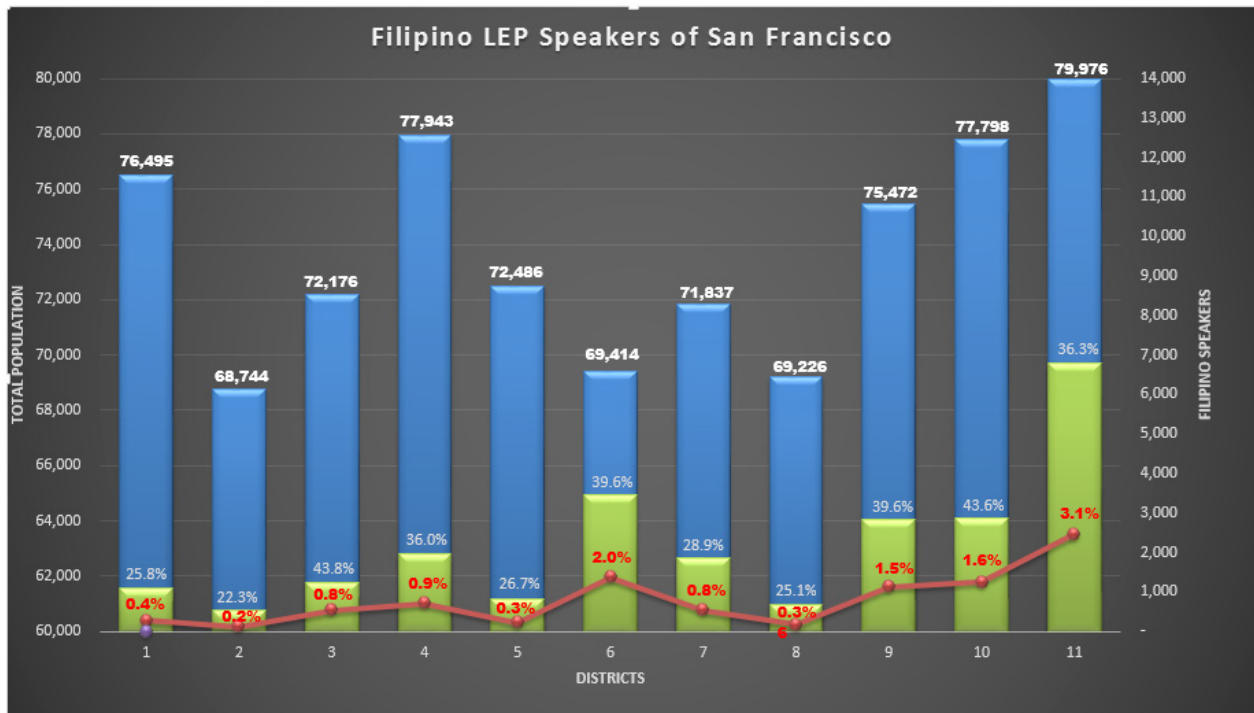
<sup>9</sup> Asian American Center for Advancing Justice *A Community of Contrast*. (ONLINE, California, 2013).

# THE FILIPINO IMMIGRANT POPULATION IN SAN FRANCISCO

According to the 2010 US Census, there are over 3.4 million people of Filipino ancestry in the United States. Community experts believe the actual number may be closer to four million because an estimated 25 percent of Filipinos in the United States are undocumented or out of status.<sup>8</sup> Almost half of the total U.S. Filipino population, or 1.47 million,<sup>9</sup> lives in California where large concentrations of Filipinos are found in three areas: Los Angeles County, San Diego County and the San Francisco/Bay Area. As of 2018, 37,350 Filipinos live in San Francisco (representing 4.5 percent of the city's total population of 825,863).

The Filipino American community has a long history in San Francisco. During the U.S. American colonialization of the Philippines (1898-1946), many Filipino men immigrated to Hawaii and the U.S. mainland to work in agriculture. The majority of Filipinos entered the country through the ports of San Francisco and Los Angeles.<sup>10</sup> The early Filipino population in San Francisco was mostly comprised of male farmworkers and seafarers who lived in Manilatown, a five to 10 block area around Kearny Street adjacent to Chinatown<sup>11</sup>. During the 1920s and 1930s, there were about 20,000 Filipinos living in this small area. Urban renewal and redevelopment caused the population to relocate to other parts of the city. Over time, many Filipino families from San Francisco relocated to Bay Area suburbs, especially to nearby Daly City, where Filipinos now represent over 30 percent of the population.<sup>12</sup> Despite the out-migration of Filipinos, there are still significant concentrations of Filipino residents living in the Excelsior (Supervisorial District 11) and in the South of Market neighborhoods (Supervisorial District 6), with smaller numbers in Supervisorial Districts 4, 9 and 10.

Figure 1: Filipino Speaking Population in San Francisco by Supervisorial District



<sup>10</sup> Filipino American National Historical Society, *Images of Filipino Americans in San Francisco*. (South Carolina: Arcadia Publishing, 2011)

<sup>11</sup> Canlas, M. *SOMA Pilipinas*. San Francisco: Arkipelago Publishing. 2002.

<sup>12</sup> Kevin Fagan, "Asian Population Swells in Bay Area, State, Nation," (San Francisco, CA), March 22, 2012.

# THE FILIPINO LEP POPULATION

According to the U.S. Department of Justice, LEP speakers are “individuals who do not speak English as their primary language and who have limited ability to read, write, speak or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking and understanding), but still be LEP for other purposes (e.g., reading or writing).”<sup>13</sup>

In San Francisco, 46 percent of all households speak a language other than English at home, and 13 percent of all households are considered linguistically isolated.<sup>14</sup> Fifty percent of California’s Filipino Americans or (749,047 out of 1,474,707) speak Filipino (Tagalog). According to the San Francisco Planning Department’s 2014 analysis of 2008-12 ACS data, 24,128 individuals in San Francisco speak Filipino (Tagalog); of this group 10,177 (or 42 percent) identify themselves as LEP.

It is worth noting that some Filipino individuals may be reluctant to self-identify as LEP, and these cultural nuances that should be acknowledged when considering the ways that Filipino LEP clients communicate when accessing City services. During the research conducted for this report, some Filipino staff and community members, as well as non-Filipino City employees, expressed the assumption that Filipino residents can speak English. This assumption can be supported by the fact that English is a medium of instruction in the Philippines as well as a national language; therefore, the population is expected to have a basic understanding of English. However, a closer consideration of English proficiency among the majority of Filipinos reveals varying levels of oral and written English fluency.

## DEMOGRAPHIC INFORMATION ON SENIORS, CHILDREN AND FAMILIES

Although information about LEP Filipino speakers is limited, the following discussion provides key demographic characteristics of the Filipino American community in San Francisco, which is critical to understanding the type of services they typically seek from city agencies.

### SENIORS

- A large portion of the senior LEP Filipino population lives in the South of Market and Tenderloin areas, in Single Room Occupancy (SRO) or affordable housing units.
- Filipino seniors that live in the Excelsior (Supervisorial District 11) tend to live with extended families and some are homeowners.
- Other than English, Filipino (Tagalog) is the third most common language spoken by San Francisco residents over the age of 60: Chinese (26%), Spanish (9%), Tagalog (6%) and Russian (4%).<sup>15</sup>

### CHILDREN AND FAMILIES

- In the 2012-2013 school year, students of Filipino descent represented 6 percent of San Francisco Unified School District (SFUSD) enrollment.<sup>16</sup> Sixteen percent of these students (about 440) were from households where the primary language was Filipino (Tagalog), Ilocano or another language of the Philippines.<sup>17</sup>
- Filipino families live throughout San Francisco, with larger concentrations in the Excelsior district, South of Market and some areas in the Richmond and Sunset. Filipino households tend to include extended and multi-generational families.
- Schools in the Excelsior area have significant concentrations of Filipino students. For example, Filipino students represent 16 percent of the enrollment at Balboa and Burton High Schools, and over 22 percent of enrollment at Denman Middle School.
- Bessie Carmichael/Filipino Education Center (located in South of Market) and Longfellow Elementary school (located in the Excelsior) are the only Filipino bicultural and bilingual public elementary schools in California.

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<sup>13</sup> U.S. Department of Justice, Department of Justice Language Access Plan, 2012. Retrieved from <http://www.justice.gov/open/language-access-plan.pdf>

<sup>14</sup> The U.S. Census Bureau defines a “Linguistically Isolated Household” as one in which “no person 14 years old and over speaks only English, and no person 14 years old and over speaks a language other than English speaks English ‘very well’”.

<sup>15</sup> Department of Aging and Adult Services, *Assessment of the Needs of San Francisco Seniors and Adults with Disabilities*, San Francisco, CA: 2012, <http://www.sfhsa.org/asset/ReportsDataResources/DAASNeedsAssessmentPartI.pdf> (accessed February, 19, 2014).

<sup>16+17</sup> San Francisco Unified School District, “*Facts at a Glance*” SFUSD, 2013. Accessed on March 4, 2014. <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/sfusd-facts-at-a-glance%20-2013.pdf>

# METHODOLOGY

To assess the barriers and challenges to language access as mandated by the Language Access Ordinance, the data gathered was produced in collaboration with the South of Market Community Action Network (SOMCAN), Dr. Valerie Francisco-Menchavez and a team of undergraduate, graduate students and alumni at San Francisco State University.

Qualitative interviews were conducted with 15 staff members of 14 Filipino-serving, non-profit organizations in San Francisco. Organizations were selected on the basis that they serve anywhere between 40-90% Filipinos in their programming. The staff members selected to be interviewed for this study are those who interact daily with Filipino LEP speakers daily, linking them to city departments for social services such as housing, benefits, health care, youth education, senior activities, etc. Participants in the study demonstrated daily contact with Filipino immigrants in San Francisco, both LEP and non-LEP. The participation of staff members in community-based organizations was key because they often serve as an intermediary between city departments and the LEP community. These organizations and staff members have an informed perspective on language access as they are often filling the gaps in the city's lack of language services in Filipino. Organizations listed below were contacted through a snowball sampling from SOMCAN who has working relationships with many of the organizations who participated in the study.

All of the data for this report was gathered through in-person interviews that lasted anywhere from 30 minutes to 1.5 hours. In each interview, English was used to facilitate the interview guide. However, the interview guide was also accessible to the interviewees before each interview via email in both Filipino and English. Interviews were often held in organizational spaces or places most convenient for the participants. The interviews were recorded by researchers and transcribed for analysis. Data analysis included qualitative coding through a program called Dedoose wherein Dr. Francisco-Menchavez's research team created codes based on recurrent themes that came up in the interviews. The team then conducted two data analysis workshops to clarify and operationalize the codes then did another set of selective coding on the interviews. This systematic and rigorous assessment of the qualitative data through coding, memos and analysis yielded the themes that are explored in the report.

The sampling method of the report was not able to include and identify all Filipino LEP-serving organizations in San Francisco, specifically those serving women and transitional youth. However, the range of programming areas in which the organizations listed focus on sectors with notable LEP speakers that allows the study to speak on the broad spectrum of services in which Filipino LEP speakers need through city departments.

On January 29, 2018, SOMCAN and Dr. Francisco-Menchavez convened the participants of the study and members in organizations to solicit feedback on the findings and recommendations of the report. Further, the discussion included ways in which organizations could use the report to have impact. The feedback from this session informs this report. This report also includes analysis of general statistics and demographic data available on Filipinos in San Francisco provided by City and County of San Francisco. Data was also gathered from the American Community Survey (ACS).

The organizations that participated in this assessment are listed below:

	<b>ORGANIZATIONS</b>	<b>OTHER PROGRAMMING AREAS</b>
<b>SENIORS</b>		
1	Canon Kip Senior Center, Episcopal	Homeless, People with Disability
2	Bernal Heights Neighborhood Center	Housing, Youth, Workforce/employment
3	Veteran’s Equity Center	Housing
4	Westbay Multi-Service Center	Mental Health
<b>FAMILIES</b>		
5	SOMCAN’s United Families	Workforce/Worker Rights, Tenant Rights, Homelessness
<b>YOUTH</b>		
6	Filipino American Development Foundation (FADF) Galing Bata Program	SFUSD
7	United Playaz	Violence Prevention, Workforce
8	SOMCAN’s YOHANA	Families, Community Planning
9	FCC’s KABATAAN	Transitional Youth
10	Pinoy/Pinay Educational Partnerships	SFUSD
<b>LGBTQ</b>		
11	API Equality – Northern California	
<b>OTHER</b>		
12	Bill Sorro Housing Program (BiSHoP)	Housing
13	Filipino Community Center’s Workers Rights Program	Workers’ Rights
14	Filipino Mental Health Initiative	

# INTERVIEW FINDINGS

## *Assumed Assimilability*

Due to the large influx of professional Filipinos that arrived here through the 1965 Immigration act, Filipinos are seen as highly mobile, middle-class immigrants as they have assumed work in professional sectors such as nursing and teaching in the United States. Incorporated into the idea that Filipinos who come to the US are professional and upwardly mobile is the belief that they speak and understand English with ease. The assumption of English fluency comes from the fact that English is technically an official language of the Philippines. However, this misleading image of Filipino immigrants downplays the increasing number of Filipinos in San Francisco who do not come with a professional background, lack post-secondary education and therefore, have limited exposure to learning and mastering English before migration.

Given that Filipinos have some fluency in English, many city departments, and staff therein, assume that they do not need interpretation and translation. In fact, many service providers admit that Filipinos often choose English as their preferred language in applications or reading information about services. One reason why Filipino LEP speakers prefer English is because the materials translated into Filipino is poorly worded and confusingly translated.

Additionally, Filipinos' decision to engage in services in English comes from their interpretation of their proper assimilation into American society through language. However, as L states,

*It's not safe to assume that, that because we speak English--that it's ok. That it's ok that we don't have translated materials in our native tongue.*

Although many Filipinos can read and exchange conversationally through English, longtime community members or newcomers continue to conduct their daily lives in Filipino (and/or other dialects) in their family homes, neighborhoods, at work with co-workers. Therefore, they sustain Filipino as their primary language of exchange.

Many believe that the expectation to know English is an indicator of integration into American society and Filipinos often aspire to become part of American life--whether it is politically (through citizenship), economically, socially and linguistically. However, when Filipino LEP speakers have trouble with engaging their personal and professional matters in English, they interpret their confusion with cultural values of “hiya” or shame. R from a housing organization that serves seniors and families said,

*They'll be like, "I speak English!" They'll try to have it be like the primary language but an education piece that needs to happen; like don't be ashamed because your primary language is Tagalog or if your limited in English.*

Many service providers are educating Filipino LEP speakers that access to Filipino translation and interpretation should not be mired in expectations about one's ability to become American or participate in the American society, rather it is their right and the city's obligation to provide language services.

The assimilation to American life is deeply intertwined with Filipinos' ability to use English to interact with institutions and authorities like city departments for basic services such as benefits or housing. However, their inability to engage in English proficiently keeps them from seeing themselves as a potentially assimilable person, and thus someone that is undeserving of the very services that are afforded to them by the city of San Francisco. C from a multi-service organization said,

*Filipinos we work with here are more reluctant to ask for help in Tagalog because there's an assumption that like they should know how to speak English, because if they don't, then maybe they're not American enough. Especially with the way that the government is right now, y'know? [They're] just very reluctant, questioning-should I and do I even have that right to translation. Do I even have that right?*

The idea of not being "American enough" is conflated with Filipino LEP speakers' inability to speak English proficiently. They interpret that failure as their failure to incorporate into American society. Additionally, a rising anti-immigrant sentiment coupled with Filipinos' insecurities about being "American enough", influences the probability of Filipinos to procure city services in a language they are proficient in, which is Filipino.

## ***Fluency is not Comprehension***

In what follows, "fluency" will be defined as a person's ability to speak, write, read and express oneself easily when conducting professional, civic and personal matters<sup>18</sup>. In this study, we have found that assumptions of fluency by city departments are often inaccurate assessments of fluency for Filipino LEP speakers. Filipino LEP speakers may have receptive skills (listening and reading) in English but their productive skills (speaking and writing) vary. Even though Filipinos are conversant in English, the degrees of their comprehension and fluency when it comes to conducting professional, civic and personal matters widely vary.

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<sup>18</sup> "Many individuals have some proficiency in more than one language, but are not completely bilingual. They may be able to greet a limited English proficient individual in his or her language, but not conduct agency business, for instance, in that language. The distinction is critical in order to ensure meaningful communication and appropriate allocation of resources. As valuable as bilingualism and ability to conduct monolingual communication in a language other than English can be, interpretation and translation require additional specific skills in addition to being fully fluent in two or more languages." (<https://www.lep.gov/faqs/faqs.html>, retrieved December 5, 2017)

Because English is an official language in the Philippines, Filipinos will often choose English as their preferred language in initial conversation with staff in city departments. However, their ability to converse in English does not necessarily mean that Filipino LEP speakers are fluent, much less comprehend services or matters that contain institutional jargon. L says,

*They understand like conversational, “How are you?” or like, “What did you do today?” That’s fine, but when you are trying to give somebody instructions and especially application instructions, emergency instructions, things you need to do when you go to the hospital, it’s not going work. That’s a bit more complicated for them to comprehend.*

Like many Filipino-serving providers, L’s comments reflect the working definition of fluency in the day to day lives of Filipino LEP speakers. Conversational English could be interpreted by a staff member in a city department as an indicator that a Filipino LEP speaker does not need language services. However, the details and minutiae of services that have jargon or specific instructions may get lost in a conversation or fast-paced English. Although, Filipinos prefer to converse in English, processing information or making informed decisions about their family lives will be better understood if materials are in Filipino.

For matters that are detail-oriented and require comprehension of consequences and options, many LEP Filipinos prefer to speak, read and write in Filipino. They demonstrate this by seeking out Filipino-speaking staff at community-based organizations, asking for translation and interpretation of letters, forms, phone calls and in-person meetings in Filipino.

*Sometimes they will just have a blank stare and then they’ll show me a letter. I’ll read it to them and say, “Oh it says here that you have an appointment” and then they will still have a blank stare. Then I’ll ask them if they want me to speak to them in Tagalog and then they say, “Yea, yea please.” I’ll say, “Nana, did you read this letter [in English]?” “Yes.” “Ok so you know what you need to do or do you want me to help you?” They will say, “I don’t know what I need to do even after I read it.*

In this comment, J, describes a typical interaction with a senior Filipino LEP client. In an interview, she presented huge binders of letters per client from various city departments with “translation” written atop each document in red ink. It was clear that she spent the same amount of time providing language services in translation and interpretation as she did assisting Filipino LEP clients access the social services they needed. Many Filipino LEP speakers are able to read the basic deadlines and information on a letter, but they are in desperate need of understanding the nuances of the services.



Staff at service-providing organization can decipher which community members are in need of language services because they approach them with questions in Filipino right away. They field questions about forms and letters in Filipino or native dialects like Ilokano or Pangalatok from the start of their conversations.

*They will actually tell you. They are not shy. And I think that they will know when they are talking to one of our staff, they will actually seek help from a particular person that they can speak to. And most of the time also in our culture, they think that my information is better because I'm talking in Tagalog.*

When L notes that a client thinks her information is “better” in Filipino points to the ways in which Filipino speakers comprehend information beyond conversational fluency. L, like many service providers, often defer to explaining details of important matters in the Filipino language because the nuances of decisions and consequences can be fully internalized by a LEP client in this way. Because LEP speakers often remember staff who were helpful in their process of attaining particular services and will continually seek support from specific persons in the future, we can deduce that this method of navigating city department bureaucracy is mainly because there is no properly translated information in Filipino available to LEP speakers.

C from a family-serving organization comments on her own education that reflects the experiences of the families she serves:

*So, because, we were educated like, for myself, I know when I was growing up in Philippines, I was educated in English. [But] I was spoken to, or like, family would speak to me in Tagalog and friends would talk to me, or no, friends would talk to me in Tagalog and then parents would speak to me in Ilocano. So, but, I was learning all of that simultaneously...I think for families here, the assumption is just because they speak the English language, that they understand. But it doesn't mean that. Like they're processing English similar like if someone's speaking to them in Tagalog. But that's not true.*

Many staff members who share the same background of being educated in the Philippines and migrating to San Francisco agree that their multilingual capacity coming from the Philippines often hinders their fluency in English. Many service providers comment on the ability of Filipino LEP speakers to process ideas or activities in English, Filipino and other dialects as well, A from a youth-serving organization observes,

*Yeah, but I feel like at the same time it's whatever their feeling like if they want to speak, they'll speak in English then all of a sudden they'll speak in Tagalog and then they'll speak back in English.*

This comment illustrates Filipino LEP speakers' ability to use more than one language to make sense of the world around them. Juxtaposing this multilingualism to the definition from the Department of Justice of LEP speakers as people who do not use English primarily, Filipino LEP speakers demonstrate that although they use English in their everyday lives, they depend on Filipino or other dialects to converse.

Services providers report many Filipinos express that their preferred language is Filipino or their native dialects over English. However, because they are conversant in English and interact with city departments which have multi-ethnic staff S from an organization providing services specific to gender and sexuality needs reflects,

*Filipino immigrant folks who do speak multiple languages, I think just want to be speaking English with other folks, especially b'cuz it's a multi-ethnic space.*

However, engaging in initial conversation is very different from being fluent. In fact, translation and interpretation becomes one of the main services many Filipinos, especially seniors, request from service providers. From the very basic letter describing benefits to an appointment at a city department to renew a document, many Filipinos who are LEP require language resources that are not available through the city. JP serves as a housing specialist in a multi-issue organization and says,

*Seniors, they are the ones who are the most non-English proficient but they will say that they will understand it you know but we have to repeat it in Tagalog just because you know they might understand it but they don't grasp the idea of it so it's it's hard. We also have families who are limited in English proficiency.*

Service providers find that their clients' fluency in English is often not enough and the proof is in the number of cases where they have to provide more thorough explanation of benefits and processes.

## Barriers to Filipino Language Access

Staff at service providers in 14 non-profit organizations and programs reported that a range of 70-100% of clients that are Filipinos and LEP require assistance with translation and interpretation. Staff noted three key barriers that Filipino LEP speakers face with regard to gaining information and services from the city of San Francisco in Filipino: (1) Lack of access to language resources in city departments, (2) Improper translation of documents such as forms and documents, (3) Requests for language access does not reflect need.

**1** Service providers have stated that access to language resources--whether it be letters, forms, applications, reading material, and workers who speak Filipino--is lacking. 7 out of 10 staff who serve Filipino seniors and families have experienced a lack of access to readily available material for LEP speakers to use and interact with. Staff in non-profit organizations have incorporated a service of accompanying LEP Filipino speakers to city departments because they understand the dearth of language services for Filipinos. For example, L states,

*You just don't want your client to get lost in this huge system. One time I accompanied a client whose name was Anais and if she had went by herself, she would have not understood that they were already calling her name because they were pronouncing her Filipino name in an anglicized way. She would have missed her whole appointment. Would've had to incur penalties and then navigate the bureaucracy again without guarantee for success.*

Many service providers are certain that if Filipino LEP speakers go to handle personal business and professional matters through a city department, there will be no accessible language access resource there. Service providers are so sure of this, they extend their services beyond the organizational walls and often go to city departments with Filipino LEP speakers to assist them with language needs and to ensure that Filipino LEP speakers can retrieve the services they need.

Because there is no accessible and readily available language resources in city departments, many LEP Filipino speakers experience grave consequences such as losing appointments, incurring penalties, losing benefits and housing, missing out on activities and helpful information, etc. J states,

*With seniors, they want to do it on their own, they go to the city agency and at the end of the day, they have a problem because they did not understand what they signed or what's going to happen after that. Now we have a problem and they come here to get assistance and we have to fix it. At the end of the day, the benefits are affected.*

The consequences of a lack of Filipino language resources is double-edged: a Filipino speaker is unable to receive the services and benefit they need and Filipino service providers have to then create another layer of support programming for follow up processes, beyond their first priorities. Needless to say the lack of language access for the Filipino community puts a strain on the ability of Filipinos to attain services for their own betterment.

**2** Correct translation of vital information is a key barrier for LEP Filipino speakers. Sentences and paragraphs that are poorly translated into Filipino are confusing and misleading. L discusses an example,

*In one informational sheet, the text used the word 'kanan' which means right in terms of direction when the English word is supposed to be 'right' in terms of what their rights under the law should be. You see? The same word has different translation in Tagalog. And now the paragraph doesn't make any sense.*

This example of poorly translated materials demonstrates that the materials available to LEP Filipino speakers disallows them to clearly understand basic information that they need to enact their civic rights and liberties. When forms and information are in Filipino but are translated poorly, it eclipses the possibility of Filipino LEP speakers from gathering the right data they need to apply for basic services such as housing. J states an example of poorly translated information in the context of housing for LEP Filipino speakers,

*For example, there is senior housing available, I tell them to fill out the application but there's no Tagalog or it has bad translation. Then they believe that the housing building is only for Russians. Because of the wrong information they are getting, because there is no Filipino language translation educating the community.*

Incorrect translation of informational materials and documents leads to the inability of Filipino LEP speakers to simply apply and qualify for a basic service such as low-income housing. The lack of translation disenfranchises Filipino LEP speakers from attaining services and opportunities that are sorely needed such as housing, healthcare, employment, etc.

Additionally, poor and incorrect translation is also indicative of cultural incompetence. S, from an organization offering services on sexuality, states,

*When we've had other resources in Tagalog, it's... they're bad! (laughs) They're bad resources. Ugh, gosh! They're just like really, y'know they'll use like a weird word for gay and it's just like uncomfortable, like I would never show that to my mom y'know? I'd never use any of these words with people in my life and so the resources are actually just disconnected from the ways that people speak, they're not culturally competent or relevant enough to encompass both like Tagalog or Ilocano speaking folks, let alone everyone else, and also be respectful and affirming to LGBTQ people.*

In this comment, poor translation does not only disqualify Filipino LEP speakers from obtaining particular services, it also isolates particular groups in the Filipino LEP speaking community. If the translation is not accurate or culturally relevant, the information and application may turn off Filipino community members from services from the city.

**3** The metrics for evaluating the need for language access cannot be properly indicated with requests for translation and interpretation at city departments. The need for language resources must include the volume of LEP Filipino speakers who are served in the community-based organization with simple tasks such as reading and interpreting a letter, filling out a form and communicating with city staff. Out of the 14 interviews, 98% of the staff at service providing organization state that up to three quarters of their client base requires translation and interpretation on a day to day basis. In their interactions with service providers, they often engage firstly in English as to not “burden” the staff members of organizations but eventually many revert to Tagalog to understand their business in a more thorough manner.

JV from a family serving program states,

*10 out of 10 kung Pilipino, at pag alam ko marunong siya mag tagalog basta alam ko pilipino siya, tinatagalog ko talaga siya. (10 out of 10 if their Filipino, and if they know how to speak Filipino, just as long as they're Filipino, I speak Filipino to them.)*

Many of the organizations' work is conducted in Filipino as soon as Filipino LEP speakers interact with them. The overwhelming number of clients that begin their conversations with organizational staff in Filipino proves that the need for language services is evident.

Additionally, when LEP Filipino speakers refuse to request language assistance from city departments for Filipino it may mean that Filipino isn't their language of choice. Since the Philippines is made up of 175 ethnolinguistic groups, some Filipino LEP speakers are more comfortable conversing, reading and writing in their dialect. They may defer to English instead of Filipino which may be their third choice in language. R who serves families and seniors, says,

*Don't assume everyone speaks Tagalog, ok? Even that's another problem there. I see it when you ask them, "Oh, do you speak Tagalog?" They're like, "No, I speak Bisaya but they would rather put English as their primary language. But I do encourage them like, "If you speak Bisayan put Bisayan if Pampanga put Pampanga so that we could kind of like take note of that ourselves, of how many speak [that]. It's important.*

Here, R notes that many Filipino LEP speakers are comfortable in their dialect which may be the reason they choose English as their preferred language. This can be the driving factor for Filipino LEP speakers to not request language resources and therefore that formal requests cannot be the only metric in which language access should be assessed.

At best, limited language access underlies Filipino LEP speakers inability to become politically incorporated into the city of San Francisco. At worst, the lack of language resources leads to the legal disenfranchisement of Filipino LEP speakers. R, from a youth-serving organization states:

*From my experience, from what I understood they have one translator. But when we work with juvenile and adults, that ONE person has to be at one of the facilities. So it's hard for him to transport back and forth because, you know the distance of the location. And so you know, sometimes we may have a kid who's twelve being seen at a juvenile. And then we have an adult that we work with, in the justice system. They won't be seen... And right now they're being detained in camps. You know like out of the state, we got a lot of people with no resources and no support in terms of you know, the law, no 'interpretators' there for them, and often times they're scapegoated... And sit in anguish in a lot of these... dungeons, without being heard or knowing what's going on. A lot of overcrowded jails.*

Staff at organizations serving people who are vulnerable to being labeled a criminal or "illegal" lament the gaps in language resources because it is not merely about disseminating information, but at times it is about disseminating information that can mean freedom or detention.

Finally, limited language access provided by San Francisco puts the onus on Filipino LEP speakers to figure out how they can navigate the bureaucracy of the city. Many Filipino LEP speakers rely on family members to accompany them to their meetings at city departments, JV states,

*I would ask from the family if there's somebody from the family who can speak English too and then I orient or coach the on possible questions.*

Even then family members who assist Filipino LEP speakers maybe limited in their English proficiency as well. Therefore, the often only avenue of support for language resources are community based organizations (CBOs).

## ***CBOs Providing Language Services in Addition to Programming***

*I was at the Social Security yesterday. I pressed the Tagalog because my client is a Tagalog. And who came out? The Chinese eligibility worker. I was asking her, 'You know what, I was asking for Filipino [worker] because I have someone that speaking Tagalog.' 'Oh it is because they worker is not available right now.' So she ended up having to talk to us. I ended up running from table to table just to assist the Tagalog client. - J, Seniors Programming Staff*

Staff members at 13 out of 14 community based organizations stated that translation and interpretation, and other language services are an unfunded and unrecognized service provided to Filipino LEP speakers in San Francisco. For example, the opening vignette to this section is a demonstrative moment where a Filipino LEP speaker does not received the legally ordained language access to Filipino needing a staff member from a CBO to bridge the client's need to the city service. A recurring theme throughout our interviews is that CBOs are inundated with providing language services alongside and on top of their own programming around housing, senior services, social services and benefits, youth work, housing, gender and sexuality issues, immigration and law issues.

For staff members at CBOs, the lack of language access adds to their already often bursting caseloads. And yet they manage to assist their Filipino LEP speaking clients beyond the walls of their organizations, M from a multi-sector community center says:

*It's just really challenging because a lot of our staff like, just have a lot on their plates, and [translation and interpretation] that's not something that they can actually provide to the clients. We have a worker's rights program and a lot of the times, most of the time when there's case hearings, the staff members will go and, um, they're not usually representing them but sometimes, they do have to as the advocate or to provide like legal translation and interpretation. There's a lot of labor beyond our services.*

In M's recounting of what staff in her organization provides for Filipino LEP speakers who are workers, she states that often even in legal hearings, translation is not provided by the city of San Francisco. And it is the work of CBOs that bridge that gap. The labor of assisting clients in filing cases and advocating for workers are parts of the programming M's organization provides, but they are also doing the work of translation and interpretation on top of that. This work is not funded but is necessary.

In fact, one CBO staff member read out loud the definition of translation services that were counted as such by the city, J reads from a city document,

*Translation definition: translation is a provision of translation of documents, presentations and assisting with appointments for consumers who cannot read or speak English. Translation also applies to the use of American sign language. Service for an individual, translation of forms, letters, applications, phone calls, service for groups, written translation from English to monthly activity calendars. What it doesn't include: it is speaking in the group or talking with a consumer, so that is not included as translation.*

J's point here is to say that the daily service and work of CBOs in translating and interpreting city documents, information, applications, etc. is not seen as the labor that can be funded and compensated by the city. This is a mistake that should be rectified as the bulk of Filipino translation and interpretation is clearly done in conversation and speaking with individual or a group of Filipino LEP speakers.

Staff are not only interpreting applications but they are also the liaison between city departments and Filipino LEP speakers. Often the translation of one application or introductory document leads to a slippery slope of assisting with language resources until a client's needs are met. B from a housing program states:

*We assist in things especially when it comes to housing in language assistance in terms of course filling out the application, that's one thing already and second, when we're going through the post application process which is usually the interview process. They may need more, sometimes accompany them during the interview process making sure they have all the documents so yes, and when it comes to evictions or displacement definitely cause those are legal documents. And they may not be aware first of their rights and also how to and I would translate the legal document whatever the legal document means um also, um also when it comes to housing I also translate their lease agreement so that they know.*



Clearly a case to support Filipino LEP speakers is complicated and labor-intensive. Therefore, the lack of properly translate and readily available documents and materials in Filipino doubles the work of CBOs. L says:

*It is double because there's no good translation of it and we look at it. Let's say upstairs, you'll have Filipinos for instance, and if you give them a good application to complete they can independently do it themselves. Because these services is not meant to baby sit, we are meant to guide and it is supposed to be there to guide them to be self-sufficient. And you know I mean there's more than that, so if we only have a good partnership with them meaning that they are doing their job [translation] because there's no other way that we can get into this housing from the mayor's office. Its just not going to work, one issue is very simple, please give us a very good translated application or instruction or information, clear and simple, give it to them and they can do it, because what if we cannot always assume that the city will have these dollars to provide these services, but what are you doing to make sure that people can help themselves and rely on their own.*

In this quote L, makes three important points. First, that city departments are supposed to make services available for all of its residents so they are able to access services independently. Second, CBOs are meant to support and assist residents to achieve particular services. Third, the partnership between the city, in providing language resources, and the CBOs should yield successful clients obtaining necessary services. However, L points out that the break down in this situation—the lack of language access and uneven application across city departments—leads to Filipinos' inability to access resources but also their inability to develop self-sufficiency to navigate the city's bureaucracy on their own. Thus, sandbagging the ability of CBOs to play a successful role in partnering with the city to deliver services.

Lastly, third party vendors who are hired to translate are often compensated for poorly worded materials. Staff at CBOs are increasingly correcting and replacing translation of surveys, informational materials, application, etc. It is important to recognize that CBOs are providing services in Filipino with a context-specific and culturally-competent strategies, and, should be compensated fairly.

# CONSEQUENCES FOR FILIPINOS IN SAN FRANCISCO

Because language resources are inaccessible or unavailable when LEP Filipinos seek services through city departments, community members would rather seek support through community-based organizations to assist in obtaining the services they need. Still, the lack of language access that is mandated by the city puts the burden on staff of community-organizations. *“100% of the consumers my organization serves are in need of translation and interpretation,”* says L of a veterans and senior serving organization.

Service providers note that these gaps in language access create a burdensome co-dependency between Filipino community members and the often invisible and unpaid services of translation and interpretation by CBOs. First, staff are inundated with requests to provide assistance for services such as housing for families or benefits for seniors. However, these services are inextricable from the work of translation and interpretation. Because forms and letters are not translated in Filipino, community members continually seek out staff for every need they have regarding dealings with governmental institutions. Although service providing organizations are happy to serve the community, the work of translation and interpretation is an added service layered on top of the programs they run. And if basic public resources like applications and forms are not translated or are not translated in a readable manner, Filipino community members will keep seeking out services from organizations.

Second, the paucity of linguistically relevant materials for LEP Filipino speakers affect the ways in which they can make confident decisions about their lives in relation to institutions like the social services or benefits. L, a service provider for seniors states, *“Language is very important because that’s how you give them information and whatever information they get, that’s how they make decisions for themselves.”* In this quote, L underscores the significance of language, not just as a means to acquire information, but also to empower citizens to make informed decisions about vital parts of their life that may include social security, healthcare and housing. Eclipsing citizens’ access to these basic needs by denying them language access is also denying them the ability to decide for themselves.

Third, availability of resources is not just a mere problem of language access, it is also a problem in Filipinos integration into political and social life of San Francisco. Filipinos who could very well navigate bureaucracy and social services choose not to because their needs in translation and interpretation is not prioritized by city departments. The lack of language access creates an unfair barrier for Filipinos to understand that public-serving departments of the city are there to serve them. Rather, institutions without language access seem like closed institutions that do not have capacity to serve the Filipino community. M says, *“I think that just turns into like them constantly not asking for help and not getting the help that they need.”*

Although Filipino is certified as a language to be translated, it is not readily accessible. Filipinos feel isolated from the institutions that are supposed to be serving them because they are unable to access services and navigate bureaucracy. The larger consequence in not fulfilling this ordinance is the disavowal of a whole community’s access to institutional support.

# SOLUTIONS

## **Enforce the Language Access Ordinance (LAO)**

To address these barriers in language access for Filipino LEP speakers, San Francisco must enforce the LAO mandating city departments to make all of their materials available in Filipino. Further, the city of San Francisco must ensure that a ready and available staff is employed in departments that assist Filipino LEP speakers.

## **Use Multiple Strategies to Increase Filipino Language Access**

To increase Filipino language access for LEP speakers, proactive initiatives such as publishing a guide in navigating the city's services and community organizations in Filipino would be of huge help to newcomers, limited proficiency speakers and the Filipino community in San Francisco. Further, many Filipino speakers in San Francisco may already be looking for a way to develop into a career in translating and interpretation. The city should invest in building a consortium of translators and interpreters who are trained by city guidelines. Because of the uneven application of LAO across city departments, a tighter collaboration between OCEIA and city departments must be forged. From a consultation on Filipino translation for materials to a culturally-competent delivery of materials in language, OCEIA must be a partner to the city on these issues. For example, strengthening the Bilingual Community Council at the San Francisco Unified School District level by sending OCEIA representatives to work on curriculum and materials delivered in various languages would be key.

## **Recognize the Work of Community-based organizations (CBOs) in Providing Culturally-competent and Linguistically-Competent Language Services**

It is an understatement to say that CBOs are overworked in the area of translation and interpretation. Funding opportunities must be created to compensate the incredible amounts of work staff at CBOs do to fill the gaps that are left open by city's lack of access to Filipino. Moreover, the city must recognize that the work of CBOs in interpretation and translation is not merely delivering information, rather it is a culturally-sensitive, culturally-competent method of language access and more importantly, specific to the context of the current political moment in San Francisco. To this end, when CBOs are called to do translation and interpretation in assistance to the city, these organizations should be compensated for their knowledge of community conditions as well as their ability to provide language access.

## **Public Awareness of Filipino as a Recognized Language in San Francisco**

Lastly, that Filipino is the 3<sup>rd</sup> certified language for translation and interpretation is an important initiative of San Francisco. Displaying this in city life would mark and signify to Filipino LEP speakers that the city understands that Filipinos are a fabric of the city. This could soften the often hard and rejecting experience many Filipinos have with the city. A robust education and outreach effort to educate city employees and the community about language access provision should be undertaken by the City of San Francisco. The new Filipino language access requirements should be emphasized. A general review on how the city departments provide language services and the reminder of requirements under the LAO should be widely spread.

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# APPENDICES

## APPENDIX A: RESEARCH INSTRUMENTS

### RECRUITMENT SCRIPT

*For Service Providers*

I am reaching out to you with hopes that you can participate in a Filipino Language Access Needs Assessment. We know that Filipinos are a formidable population in San Francisco and we are evaluating the existing and emerging barriers and needs of Filipino LEP (Limited English Proficient) residents in San Francisco. We want to know who is helping Filipino LEP residents, how help is getting to them and how we can help them even further.

But we need your help!

As a service provider at [name of CBO], we understand that you are doing all you can to assist Filipino LEP residents. We hope to learn about the Filipinos who need language services, how they can access language services easier and what types of services they need. Additionally, we want to learn about the challenges LEP Filipino residents face and also the challenges you face as service providers.

Could a research team member come to your office (or a convenient location for you) to interview for anywhere between 50-60 minutes about your work in your organization with Filipino clients?

Your participation is completely voluntary, and you are free to refuse participation and stop at any time. All your answers are completely anonymous. There are no “right” or “wrong” answers to any of the questions. Please answer as best you can.

This needs assessment conducted in partnership with South of Market Community Action Network (SOMCAN) and the San Francisco Office of Civic Engagement and Immigrant Affairs (OCEIA). This research is being conducted by Professor Valerie Francisco-Menchavez, assistant professor of sociology at San Francisco State University with a team of undergraduate and graduate students from SFSU. If you have any questions, you may contact the researcher’s advisor, Professor Francisco-Menchavez at [vfm@sfsu.edu](mailto:vfm@sfsu.edu). Questions about your rights as a study participant, or comments or complaints about the study, may also be addressed to the Human and Animal Protections at 415: 338-1093 or [protocol@sfsu.edu](mailto:protocol@sfsu.edu).

Thank you in advance for your time and work with the Filipino community in San Francisco!

Sincerely,  
[Your name here]

## **RECRUITMENT SCRIPT**

*For Filipino Limited English Proficiency San Francisco Residents*

I am reaching out to you with hopes that you can participate in a Filipino Language Access Needs Assessment. We know that Filipinos are a formidable population in San Francisco and we are evaluating the existing and emerging barriers and needs of Filipino LEP (Limited English Proficient) residents in San Francisco. We want to know who is helping Filipino LEP residents, how help is getting to them and how we can help them even further.

But we need your help!

Could a researcher come to a convenient location for you to interview for anywhere between 50-60 minutes about accessing services in Filipino?

Your participation is completely voluntary, and you are free to refuse participation and stop at any time. All your answers are completely anonymous. There are no “right” or “wrong” answers to any of the questions. Please answer as best you can.

This needs assessment conducted in partnership with South of Market Community Action Network (SOMCAN) and the San Francisco Office of Civic Engagement and Immigrant Affairs (OCEIA). This research is being conducted by Professor Valerie Francisco-Menchavez, assistant professor of sociology at San Francisco State University with a team of undergraduate and graduate students from SFSU. If you have any questions, you may contact the researcher’s advisor, Professor Francisco-Menchavez at [vfm@sfsu.edu](mailto:vfm@sfsu.edu). Questions about your rights as a study participant, or comments or complaints about the study, may also be addressed to the Human and Animal Protections at 415: 338-1093 or [protocol@sfsu.edu](mailto:protocol@sfsu.edu).

Thank you in advance for your time!

## **ISKRIP PARA SA PAGRE-RECRUIT O PAGKUHA NG MAINTERBYU**

*Para sa mga Filipinong Residente ng San Francisco na Limitado ang Kahusayan sa Ingles (has Limited English Proficiency)*

Sumusulat/Tumatawag po ako sa inyo sa pag-asang puwede kayong sumali sa Pagtatasa ng mga Kailangang Tulong sa Wika ng mga Filipino. Alam namin na malaki ang populasyon ng mga Filipino sa San Francisco. Dahil dito, pinag-aaralan namin kung ano ang mga kasalukuyan at posibleng hadlang, pati na rin ang mga kailangan, ng mga Filipinong LEP (Limitado ang Kahusayan sa Ingles) na residente ng San Francisco. Gusto po naming malaman kung sino-sino ang tumutulong sa mga residenteng Filipino na LEP, kung paano napupunta sa kanila ang tulong, at kung paano namin sila mas matutulongan.

Pero kailangan namin ang tulong ninyo!

Puwede po bang pumunta ang researcher o mananaliksik sa lugar na kumbinyente sa inyo, para ma-interbyu kayo nang mga limampung minuto hanggang isang oras (50-60 minutes), tungkol sa pagkuha ninyo ng mga serbisyo gamit ang wikang Filipino?

Lubos na boluntaryo po ang pagsali ninyo, at puwede naman kayong tumangging sumali at itigil ang interbyu sa anumang panahon. Hindi papangalanan ang lahat ng mga sagot ninyo. Wala pong “tama” o maling” sagot sa alinman sa mga tanong. Pakisagot lang sa abot ng inyong makakaya.

Ang pagtatasang ito ng mga pangangailangan o needs assessment ay magkatuwang na isinasagawa ng South of Market Community Action Network (SOMCAN) at ng San Francisco Office of Civic Engagement and Immigrant Affairs (OCEIA). Isasagawa ito ni Dr. Valerie Francisco-Menchavez, na assistant professor ng sociology sa San Francisco State University. Kasama niya ang grupo ng mga estudyante ng SFSU na nasa kolehiyo o nasa gradwadong pag-aaral. Kung may mga tanong po kayo, puwede ninyong kontakin ang tagapayo nila na si Professor Francisco-Menchavez sa [vfm@sfsu.edu](mailto:vfm@sfsu.edu). Kung may tanong naman kayo tungkol sa inyong mga karapatan bilang kalahok sa pag-aaral, o kung may komento kayo o reklamo tungkol sa pag-aaral, puwede ninyong ibigay ang mga ito sa Human and Animal Protections at 415: 338-1093 or [protocol@sfsu.edu](mailto:protocol@sfsu.edu).

Nagpapasalamat na kami ngayon pa lamang para sa oras ninyo!

# Interview Question Guide

For Service Providers

TOPIC	QUESTIONS
Organizational information	<ol style="list-style-type: none"> <li>1. What is the name of your organization?</li> <li>2. What specific geographic area (neighborhood or district) does your organization serve?</li> <li>3. What kind of services does your organization provide to the community?</li> <li>4. Does your organization collect demographic information? What type?</li> </ol>
Limited English Proficient Clients	<ol style="list-style-type: none"> <li>5. Do you serve Limited English Proficient (LEP) clients?</li> <li>6. What percentage of your total clients are LEP speakers?</li> <li>7. What languages do your clients speak?</li> <li>8. What language services do you currently offer to your LEP clients?</li> <li>9. How do you determine if a client needs language assistance?</li> </ol>
Services to Filipinos	<ol style="list-style-type: none"> <li>10. Do you serve Filipino clients?</li> <li>11. What language(s) do your Filipino clients prefer to <i>SPEAK</i>? Please note the primary language.</li> <li>12. What language do your Filipino clients prefer to <i>READ</i>?</li> <li>13. Do you have Filipino clients that request language assistance?</li> <li>14. Do you have bilingual staff that is available to interpret and translate in Filipino (Tagalog)?               <ol style="list-style-type: none"> <li>a. How many?</li> <li>b. If so, what type of bilingual credentials do they have?</li> </ol> </li> <li>15. How many Filipino LEP clients are male? How many are female?</li> <li>16. What are the age ranges of the Filipino clients requesting language services?</li> </ol>
Needs for Filipino Language Access	<ol style="list-style-type: none"> <li>17. On average, how many out of the 10 clients do you speak Tagalog to?               <ol style="list-style-type: none"> <li>a. Of the 10 clients, how many do you have to assist in obtaining services?</li> </ol> </li> <li>18. What are the challenges you face regarding language access for Filipino clients?</li> <li>19. What are trends or opportunities between the language needs of Filipino LEP clients and the services they need?</li> </ol>
Referrals to Public Agencies	<ol style="list-style-type: none"> <li>20. What public agencies do you refer your clients to?               <ol style="list-style-type: none"> <li>a. Who in those agencies do you refer them to?</li> <li>b. Do you have a specific person that is most helpful for Filipino clients?</li> <li>c. Of those public agencies, how many of your clients receive the service they needed?</li> </ol> </li> <li>21. When you refer clients, do you have to further assist them?               <ol style="list-style-type: none"> <li>a. How do you help clients at public agencies if you go with them (i.e. physical attendance, interpreting with agency employees, filling out forms, staying with them)?</li> <li>b. If you have to follow up with services (from agencies or non-profits), how do you assist clients? What is the step by step process in assisting them?</li> </ol> </li> </ol>
Organizing in Filipino Communities	<ol style="list-style-type: none"> <li>22. How has this political climate changed the ways Filipino community members seek out services? What about this political climate influences the Filipinos you serve in your organization? What are the issues that community members are most concerned about? Why?</li> <li>23. What are some things you feel passionate about in organizing with Filipinos in SF?</li> <li>24. What are some challenges in organizing and providing services with Filipinos in SF?</li> </ol>



# Pagtatasa sa mga Kailangan para Makakuha ng Tulong sa Wikang Filipino (Filipino Language Access Needs Assessment)

*Gabay sa Pagtatanong ng mga Tagabigay ng Serbisyo (Service Providers)  
sa mga Organisasyon*

PAKSA	MGA TANONG
Impormasyon Tungkol sa Organisasyon	<ol style="list-style-type: none"> <li>1. Ano ang pangalan ng inyong organisasyon?</li> <li>2. Anong espesipikong lugar (komunidad o distrito) ang pinagsisilbihan ng inyong organisasyon?</li> <li>3. Ano-anong uri ng serbisyo ang ibinibigay ng inyong organisasyon sa komunidad?</li> <li>4. Nangongolekta ba ang inyong organisasyon ng demograpikong impormasyon? Anong uri?</li> </ol>
Mga Kliyenteng Limitado ang Kahusayan sa Ingles (Limited English Proficient, LEP)	<ol style="list-style-type: none"> <li>5. Nagsisilbi ba kayo sa kliyenteng Limitado ang Kahusayan sa Ingles (Limited English Proficient, LEP)?</li> <li>6. Anong porsiyento ng kabuuang bilang ng inyong kliyente ang Limitado ang Kahusayan sa Ingles?</li> <li>7. Ano-anong wika ang sinasalita ng inyong mga kliyente?</li> <li>8. Ano-anong serbisyo sa wika ang kasalukuyan ninyong inihahandog sa inyong mga kliyenteng LEP?</li> <li>9. Paano ninyo nalalaman na kailangan ng kliyente ng tulong sa wika?</li> </ol>
Mga Serbisyo sa mga Filipino	<ol style="list-style-type: none"> <li>10. Nagbibigay ba kayo ng serbisyo sa mga kliyenteng Filipino?</li> <li>11. Anong (mga) wika ang mas gusto ng mga kliyente ninyong Filipino para sa PAGESASALITA? Pakisulat ang pangunahing wika.</li> <li>12. Anong wika ang mas gusto ng mga kliyente ninyong Filipino para sa PAGBABASA?</li> <li>13. May mga kliyente ba kayong Filipino na humihiling ng tulong sa wika?</li> <li>14. May staff o kawani ba kayo na kayang mag-interpret at magsalin sa Filipino (Tagalog)?             <ol style="list-style-type: none"> <li>a. Ilan sila?</li> <li>b. Kung ganoon, anong uri ng mga kredensiyal sa pagiging bilingual (nakapagsasalita ng dalawang wika) mayroon sila?</li> </ol> </li> <li>15. Ilan sa mga kliyenteng Filipino na LEP ang lalaki? Ilan ang babae?</li> <li>16. Ano-ano ang mga edad ng kliyenteng Filipino na humihiling ng serbisyo sa wika?</li> </ol>

<p>Mga Pangangailangan sa Paggamit ng Wikang Filipino</p>	<p>17. Ilan sa sampung (10) kliyente ang karaniwang bilang ng kinakausap ninyo sa Tagalog?</p> <p>a. Sa sampung (10) kliyenteng ito, ilan ang kailangan ninyong tulungan sa pagkuha ng mga serbisyo?</p> <p>18. Ano-ano ang mga problemang mayroon kayo kaugnay ng paggamit ng wika para sa mga kliyenteng Filipino?</p> <p>19. Ano-ano ang mga kalakaran o oportunidad na nasa pagitan ng mga pangangailangan sa wika ng mga kliyenteng Filipino na LEP at ng mga serbisyong kailangan nila?</p>
<p>Pagrerekomenda sa mga Pamublikong Ahensiya</p>	<p>20. Sa ano-anong mga pampublikong ahensiya ninyo inirerekomenda ang inyong mga kliyente?</p> <p>a. Kanino ninyo sila inirerekomenda sa mga ahensiyang ito?</p> <p>b. Mayroon bang espesipikong tao na pinakamatulungin sa mga kliyenteng Filipino?</p> <p>c. Sa mga pampublikong ahensiyang iyon, gaano karami sa inyong mga kliyente ang tumatanggap</p> <p>d. ng serbisyong kailangan niya?</p> <p>21. Kapag nagrerekomenda kayo ng mga kliyente, kailangan ba ninyong patuloy na tulungan sila?</p> <p>a. Paano ninyo tinutulungan ang mga kliyente sa pampublikong ahensiya kapag sinasamahan ninyo sila (halimbawa, pisikal kayong naroroon, nag-iinterpret kayo para sa mga empleyado ng ahensiya, sinasagutan ang mga form, nananatili kayong kasama nila)?</p> <p>b. Kung kailangan ninyong mag-follow up sa mga serbisyo (mula sa mga ahensiya o non-profit), paano ninyo tinutulungan ang mga kliyente? Ano-ano ang mga hakbang sa proseso ng pagtulog sa kanila?</p>
<p>Pag-oorganisa sa mga Komunidad ng mga Filipino</p>	<p>22. Paano nabago ng klimang pampulitika ang mga paraan ng pagkuha ng serbisyo ng mga miyembro ng komunidad ng mga Filipino?</p> <p>a. Anong katangian ng klimang pampulitika ang naka-iimpluwensiya sa mga Filipinong pinagsisilbihan ng inyong organisasyon?</p> <p>b. Ano-ano ang mga problema na pinaka-ikinababahala ng mga miyembro ng komunidad? Bakit?</p> <p>23. Ano-ano ang mga bagay na pinakamalapit sa inyong puso sa pag-oorganisa ng mga Filipino sa SF?</p> <p>24. Ano-ano ang mga problema sa pag-oorganisa at pagbibigay ng serbisyo sa mga Filipino sa SF?</p>
<p>Pag-oorganisa sa mga Komunidad ng mga Filipino</p>	<p>22. Paano nabago ng klimang pampulitika ang mga paraan ng pagkuha ng serbisyo ng mga miyembro ng komunidad ng mga Filipino?</p> <p>a. Anong katangian ng klimang pampulitika ang naka-iimpluwensiya sa mga Filipinong pinagsisilbihan ng inyong organisasyon?</p> <p>b. Ano-ano ang mga problema na pinaka-ikinababahala ng mga miyembro ng komunidad? Bakit?</p> <p>23. Ano-ano ang mga bagay na pinakamalapit sa inyong puso sa pag-oorganisa ng mga Filipino sa SF?</p> <p>24. Ano-ano ang mga problema sa pag-oorganisa at pagbibigay ng serbisyo sa mga Filipino sa SF?</p>

# APPENDIX B: IMPLEMENTING RULES AND REGULATIONS

## CERTIFICATION OF LANGUAGE ACCESS SUBSTANTIAL NUMBER THRESHOLDS

In accordance with the San Francisco Language Access Ordinance (LAO), San Francisco Administrative Code (Chapter 91, Section 91.15), the Immigrant Rights Commission (“IRC”) hereby adopts the following Rules and Regulations for the Certification and Implementation of languages that meet the Substantial Number threshold as outlined in the LAO (91.2 (k)):

a. The Executive Director (“Director”) of the Office of Civic Engagement and Immigrant Affairs (“OCEIA”) shall follow a three step process in order to certify a language meeting the Substantial Number threshold. Such process shall include: 1) Determination that a language has met the threshold; 2) Certification of that language by written notification; and 3) Implementation, including submission of a written Implementation plan and timeline.

b. Determination. The Director shall make a determination that a language has met the Substantial Number threshold by obtaining such evidence from a reliable data source that demonstrates that a language has reached the threshold. Director may make a Determination after gathering data from the U.S. Census Bureau’s American Community Survey (ACS) or any other reliable source and validating this information using any or all of the following methods:

i. Validation by data analysts in the SF Planning Department or OCEIA.

ii. Comparison with previously published data studies from an accredited university or research firm.

iii. In the event that the ACS data set used to make a Determination contains a margin of error that may place the validity or reliability of the data in question, or where there is little available information about the specific needs of the Limited English Speaking (LEP) population speaking the language, OCEIA may choose to conduct a baseline study to obtain additional information to support the certification and determine community needs. This study shall be conducted and completed within a maximum three-month period prior to certification and include input from city and community members as well as experts from academia, government and other reliable sources of population data. OCEIA may use its previously established methodology of expert interviews, surveys of service providers, and individual focus groups with 1) native speakers of the language to be certified who live or work in San Francisco; 2) frontline city public contact staff serving the specific LEP population; and 3) frontline community-based staff serving the specific LEP population.

c. Certification. A language is certified, meaning that it is recognized under the Ordinance as a language that meets the Substantial Number threshold, when the Executive Director notifies City Departments and the IRC. This shall occur after the Director has made a Determination. The Director may notify City Departments and the IRC via memoranda sent electronically.

d. Implementation. The Director shall submit an Implementation Plan to the IRC within 45 days after certification. The Implementation Plan shall outline the timeline and requirements that City Departments must follow in order to comply with the addition of a new Substantial Language.

e. Timing for compliance. Implementation of new requirements may be phased over a period not to exceed 18 months and all City Departments that provide information or services to the public must be in full compliance within this timeframe. OCEIA shall publish the timeline for implementation, training and full compliance related to any additional languages and notify the IRC prior to implementation.

f. Compliance Priority. OCEIA will determine the priority to implement and fully comply with new requirements, with emphasis placed on departments that provide critical information or crisis, emergency and public safety services, including but not limited to the following:

- |                                    |   |
|------------------------------------|---|
| 1. 311                             | 7. Fire Department (SFFD)                       |
| 2. Department of Elections         | 8. Police Department (SFPD)                     |
| 3. Emergency Management            | 9. Office of Economic and Workforce Development |
| 4. Human Services Agency           | 10. Public Health                               |
| 5. Municipal Transportation Agency | 11. Rent Board                                  |
| 6. Public Works                    |   |

# APPENDIX C: LANGUAGE ACCESS ORDINANCE

## CITY AND COUNTY OF SAN FRANCISCO

### SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 91: - LANGUAGE ACCESS

#### SEC. 91.1 - PURPOSE AND FINDINGS.

**(a) Title.** This Chapter shall be known as the “Language Access Ordinance.”

**(b) Findings.**

**(1)** The Board of Supervisors finds that San Francisco provides an array of services that can be made accessible to persons who are not proficient in the English language. The City of San Francisco is committed to improving the accessibility of these services and providing equal access to them.

**(2)** The Board finds that despite a long history of commitment to language access as embodied in federal, state and local law, beginning with the landmark Civil Rights Act of 1964, there is still a significant gap in the provision of governmental services to limited-English language speakers.

**(3)** In 1973, the California State Legislature adopted the Dymally-Alatorre Bilingual Services Act, which required state and local agencies to provide language services to non-English speaking people who comprise 5% or more the total state population and to hire a sufficient number of bilingual staff.

**(4)** In 1999, the California State Auditor concluded that 80% of state agencies were not in compliance with the Dymally-Alatorre Act, and many of the audited agencies were not aware of their responsibility to translate materials for non-English speakers.

**(5)** In 2001, in response to these findings, the San Francisco Board of Supervisors enacted the Equal Access to Services Ordinance, which required major departments to provide language translation services to limited-English proficiency individuals who comprise 5% or more the total city population. **(6)** Eight years later, the Board finds that differential access to City services still exists due to significant gaps in language services, lack of protocols for departments to procure language services, low budgetary prioritization by departments for language services.

**(7)** The Board finds that the lack of language services seriously affects San Francisco’s ability to serve all of its residents. A 2006 survey by the United States Census Bureau found that 45% of San Franciscans are foreign-born and City residents speak more

than 28 different languages. Among the 24% of the total population who self-identify as limited-English speakers, 50% are Chinese speakers, 23% are Spanish speakers, 5% are Russian speakers and 4% speak Tagalog.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

#### SEC. 91.2. - DEFINITIONS.

As used in this Chapter, the following capitalized terms shall have the following meanings:

**(a)** “Annual Compliance Plan” is set forth in Section 91.10 of this Chapter.

**(b)** “Bilingual Employee” shall mean a City employee who is proficient in the English language and in one or more non-English language.

**(c)** “City” shall mean the City and County of San Francisco.

**(d)** “Commission” shall mean the Immigrant Rights Commission.

**(e)** “Concentrated Number of Limited English Speaking Persons” shall mean either 5 percent of the population of the District in which a Covered Department Facility is located or 5 percent of those persons who use the services provided by the Covered Department Facility. The Office of Civic Engagement and Immigrant Affairs shall determine annually whether 5 percent or more of the population of any District in which a Covered Department Facility is located are Limited English Speaking Persons who speak a shared language other than English. The Office of Civic Engagement and Immigrant Affairs shall make this determination by referring to the best available data from the United States Census Bureau or other reliable source and shall certify its determination to all City Departments and the Commission no later than December 1 of each year. Each Department shall determine annually whether 5 percent or more of those persons who use the Department’s services at a Covered Department Facility are Limited English Speaking Persons who speak a shared language other than English using either of the following methods specified in Section 91.2(k) of this Chapter.

**(f)** “Covered Department Facility” shall mean

any Department building, office, or location that provides direct services to the public and serves as the workplace for 5 or more full-time City employees.

**(g)** “Department(s)” shall mean both Tier 1 Departments and Tier 2 Departments.

**(h)** “Districts” shall refer to the 11 geographical districts by which the people of the City elect the members of the City’s Board of Supervisors. If the City should abandon the district election system, the Commission shall have the authority to draw 11 district boundaries for the purposes of this Chapter that are approximately equal in population.

**(i)** “Limited English Speaking Person” shall mean an individual who does not speak English well or is otherwise unable to communicate effectively in English because English is not the individual’s primary language.

**(j)** “Public Contact Position” shall mean a position, a primary job responsibility of which, consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.

**(k)** “Substantial Number of Limited English Speaking Persons” shall mean either 10,000 City residents, or 5 percent of those persons who use the Department’s services. The Office of Civic Engagement and Immigrant Affairs shall determine annually whether at least 10,000 limited English speaking City residents speak a shared language other than English. The Office of Civic Engagement and Immigrant Affairs shall make this determination by referring to the best available data from the United States Census Bureau or other reliable source and shall certify its determination to Departments and the Commission no later than December 1 of each year. Each Department shall determine annually whether 5 percent or more of those Limited English Speaking Persons who use the Department’s services Citywide speak a shared language other than English. Departments shall make this determination using one of the following methods:

**(1)** Conducting an annual survey of all contacts with the public made by the Department during a period of at least two weeks, at a time of year in which the Department’s public contacts are to the extent possible typical or representative of its contacts during the rest of the year, but

before developing its Annual Compliance Plan required by Section 91.10 of this Chapter; or

(2) Analyzing information collected during the Department's intake process. The information gathered using either method shall also be broken down by Covered Department Facility to determine whether 5 percent or more of those persons who use the Department's services at a Covered Department Facility are Limited English Speaking Persons who speak a shared language other than English for purposes of Section 91.2(e) of this Chapter; or

(3) Analyzing and calculating the total annual number of requests for telephonic language translation services categorized by language that Limited English Speaking Persons make to the Department garnered from monthly bills generated by telephonic translation services vendors contracted by Department.

(l) "Tier 1 Departments" shall mean the following City departments: Adult Probation Department, Department of Elections, Department of Human Services, Department of Public Health, District Attorney's Office, Department of Emergency Management, Fire Department, Human Services Agency, Juvenile Probation Department, Municipal Transportation Agency, Police Department, Public Defender's Office, Residential Rent Stabilization and Arbitration Board, Sheriff's Office. Beginning July 1, 2010, the following departments shall be added to the list of Tier 1 Departments: San Francisco International Airport, Office of the Assessor Recorder, City Hall Building Management, Department of Building Inspection, Department of the Environment, San Francisco Public Library, Mayor's Office of Economic and Workforce Development, Planning Department, Department of Public Works, Public Utilities Commission, Recreation and Park Department, Office of the Treasurer and Tax Collector, and the San Francisco Zoo.

(m) "Tier 2 Departments" shall mean all City departments not specified as Tier 1 Departments that furnish information or provide services directly to the public.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; amended by Ord. 187-04, File No. 040759, App. 7/22/2004; Ord. 202-09, File No. 090461, App. 8/28/2009)

### **SEC. 91.3. - ACCESS TO LANGUAGE SERVICES.**

(a) Utilizing sufficient Bilingual Employees in Public Contact Positions, Tier 1 Departments shall provide information and services to the public in each language spoken by a Substantial Number of Limited English

Speaking Persons or to the public served by a Covered Department Facility in each language spoken by a Concentrated Number of Limited English Speaking Persons. Tier 1 Departments comply with their obligations under this Section if they provide the same level of service to Limited English Speaking Persons as they provide English speakers.

(b) Tier 1 Departments need only implement the hiring requirements in the Language Access Ordinance by filling public contact positions made vacant by retirement or normal attrition. Nothing herein shall be construed to authorize the dismissal of any City employee in order to carry out the Language Access Ordinance.

(c) All Departments shall inform Limited English Speaking Persons who seek services, in their native tongue, of their right to request translation services from all City departments.

(Added by Ord. 128-01, File No. 011051, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

### **SEC. 91.4. - TRANSLATION OF MATERIALS.**

(a) Tier 1 Departments shall translate the following written materials that provide vital information to the public about the Department's services or programs into the language(s) spoken by a Substantial Number of Limited English Speaking Persons: applications or forms to participate in a Department's program or activity or to receive its benefits or services; written notices of rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services, including the right to appeal any Department's decision; written tests that do not assess English language competency, but test competency for a particular license or skill for which knowledge of written English is not required; notices advising Limited English Speaking Persons of free language assistance; materials explaining a Department's services or programs; complaint forms; or any other written documents that have the potential for important consequences for an individual seeking services from or participating in a program of a city department.

(b) Tier 2 Departments shall translate all publicly-posted documents that provide information (1) regarding Department services or programs, or (2) affecting a person's rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services into the language(s) spoken by a Substantial Number of Limited English Speaking Persons.

(c) Departments required to translate materials under the provisions of this Section shall post notices in the public areas of their facilities in the relevant language(s) indicating

that written materials in the language(s) and staff who speak the language(s) are available. The notices shall be posted prominently and shall be readily visible to the public.

(d) Departments required to translate materials under the provisions of this Section shall ensure that their translations are accurate and appropriate for the target audience. Translations should match literacy levels of the target audience.

(e) Each Department shall designate a staff member with responsibility for ensuring that all translations of the Department's written materials meet the accuracy and appropriateness standard set in Subsection (d) of this Section. Departments are encouraged to have their staff check the quality of written translations, but where a Department lacks biliterate personnel, the responsible staff member shall obtain quality checks from external translators. Departments are also encouraged to solicit feedback on the accuracy and appropriateness of translations from bilingual staff at community groups whose clients receive services from the Department.

(f) The newly added Tier 1 Departments as set forth in Section 91.2(l) shall comply with the requirements of this Section by January 31, 2011.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

### **SEC. 91.5. - DISSEMINATION OF TRANSLATED MATERIALS FROM THE STATE AND FEDERAL GOVERNMENT.**

If the State or federal government or any agency thereof makes available to a Department written materials in a language other than English, the Department shall maintain an adequate stock of the translated materials and shall make them readily available to persons who use the Department's services.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001)

### **SEC. 91.6. - PUBLIC MEETINGS AND HEARINGS.**

(a) City Boards, City Commissions and City Departments shall not automatically translate meeting notices, agendas, or minutes.

(b) City Boards, City Commissions and City Departments shall provide oral interpretation of any public meeting or hearing if requested at least 48 hours in advance of the meeting or hearing.

(c) City Boards, City Commissions and City Departments shall translate meeting minutes if:

- (1) requested;
- (2) after the legislative body adopts the meeting minutes; and
- (3) within a reasonable time period thereafter.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

**SEC. 91.7. - RECORDED TELEPHONIC MESSAGES.**

All Departments with recorded telephonic messages about the Department’s operation or services shall maintain such messages in each language spoken by a Substantial Number of Limited English Speaking Persons or where applicable a Concentrated Number of Limited English Speaking Persons. Such Departments are encouraged to include in the telephonic messages information about business hours, office location(s), services offered and the means of accessing such services, and the availability of language assistance. If the Department is governed by a Commission, the messages shall include the time, date, and place of the Commission’s meetings.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001)

**SEC. 91.8 - CRISIS SITUATIONS.**

All Tier 1 Departments involved in health related emergencies, refugee relief, disaster-related activities all other crisis situations shall work with the Office of Civic Engagement and Immigrant Affairs to include language service protocols in the Department’s Annual Compliance Plan.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

**SEC. 91.9 - COMPLAINT PROCEDURE.**

(a) Departments shall allow persons to make complaints alleging violation of this Chapter to the Department in each language spoken by a Substantial Number of Limited English Speaking Persons. The Complaints may be made by telephone or by completing a complaint form.

(b) Departments shall document actions taken to resolve each complaint and maintain copies of complaints and documentation of their resolution for a period of not less than 5 years. A copy of each complaint shall be forwarded to the Commission and the Office of Civic Engagement and Immigrant Affairs within 30 days of its receipt.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

**SEC. 91.10 - ANNUAL COMPLIANCE PLAN.**

Each Tier 1 Department shall draft an Annual Compliance Plan containing all of the following information:

(a) The number and percentage of Limited English Speaking Persons who actually use the Tier 1 Department’s services Citywide, listed by language other than English, using either method in Section 91.2(k) of this Chapter;

(b) The number and percentage of limited English speaking residents of each District in which a Covered Department Facility is located and persons who use the services provided by a Covered Department Facility, listed by language other than English, using either method in Section 91.2(k) of this Chapter;

(c) A demographic profile of the Tier 1 Department’s clients;

(d) The number of Public Contact Positions in the Tier 1 Department;

(e) The number of Bilingual Employees in Public Contact Positions, their titles, certifications of bilingual capacity, office locations, the language(s) other than English that the persons speak;

(f) The name and contact information of the Tier 1 Department’s language access liaison; (g) A description of any use of telephone-based interpretation services, including the number of times such services were used and the language(s) for which they were used;

(h) A narrative assessment of the procedures used to facilitate communication with Limited English Speaking Persons, which shall include an assessment of the adequacy of the procedures;

(i) Ongoing employee development and training strategy to maintain well trained bilingual employees and general staff. Employee development and training strategy should include a description of quality control protocols for bilingual employees; and description of language service protocols for Limited English Speaking individuals in crisis situations as outlined in Section 91.8;

(j) A numerical assessment of the additional Bilingual Employees in Public Contact Positions needed to meet the requirements of Section 91.3 of this Chapter;

(k) If assessments indicate a need for additional Bilingual Employees in Public Contact Positions to meet the requirements of Section 91.3 of this Chapter, a description of the Tier 1 Department’s plan for filing the positions, including the number of estimated

vacancies in Public Contact Positions;

(l) The name, title, and language(s) other than English spoken (if any) by the staff member designated with responsibility for ensuring the accuracy and appropriateness of translations for each language in which services must be provided under this Chapter;

(m) A list of the Tier 1 Department’s written materials required to be translated under this Chapter, the language(s) into which they have been translated, and the persons who have reviewed the translated material for accuracy and appropriateness;

(n) A description of the Tier 1 Department’s procedures for accepting and resolving complaints of an alleged violation of this Chapter consistent with Section 91.9;

(o) A copy of the written policies on providing services to Limited English Speaking Persons;

(p) A list of goals for the upcoming year and, for all Annual Compliance Plans except the first, an assessment of the Tier 1 Department’s success at meeting last year’s goals;

(q) Annual budget allocation and strategy, including the total annual expenditure for services that are related to language access:

(1) Compensatory pay for bilingual employees who perform bilingual services, excluding regular annual salary expenditures;

(2) Telephonic translation services provided by City vendors;

(3) Document translation services provided by City vendors;

(4) On-site language interpretation services provided by City vendors;

(5) The total projected budget to support progressive implementation of the Department’s language service plan;

(r) Summarize changes between the Department’s previous Annual Compliance Plan submittal and the current submittal, including but not limited to: (1) an explanation of strategies and procedures that have improved the Department’s language services from the previous year; and (2) an explanation of strategies and procedures that did not improve the Department’s language services and proposed solutions to achieve the overall goal of this Language Access Ordinance; and

(s) Any other information requested by the Commission necessary for the implementation of this Chapter. (Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

**SEC. 91.11 - COMPLIANCE PLANS SUBMITTALS AND EMERGING LANGUAGE POPULATIONS.**

**(a) Compliance Plans Submittals.** The Director of each Tier 1 Department shall approve and annually file electronic copies of the Annual Compliance Plan by December 31st with the Mayor's Office, the Commission, and the Office of Civic Engagement and Immigrant Affairs.

**(b) Inclusion of Emerging Language Populations in a written report to the Board.** By March 1st of each year, the Office of Civic Engagement and Immigrant Affairs shall compile and summarize in a written report to the Clerk of the Board of Supervisors all departmental Annual Compliance Plans. In the written report of the Clerk of the Board, the Office of Civic Engagement and Immigrant Affairs may recommend appropriate changes to all departmental Annual Compliance Plans in order to meet the needs of emerging language populations. Emerging language populations is defined as at least 2.5 percent of the population who use the Department's services or 5,000 City residents who speak a shared language other than English.

**(c)** By June 30th of each year, the Office of Civic Engagement and Immigrant Affairs may request a joint public hearing with the Board of Supervisors and the Commission to assess the adequacy of the City's ability to provide the public with access to language services.

**(d)** The Office of Civic Engagement of Immigrant Affairs shall keep a log of all complaints submitted and report quarterly to the Commission.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.12 - RECRUITMENT.**

It shall be the policy of the City to publicize job openings for Departments' Public Contact Positions as widely as possible including, but not limited to, in ethnic and non-English language media.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.13 - COMMISSION RESPONSIBILITIES.**

The Commission shall be responsible for monitoring and facilitating compliance with this Chapter. Its duties shall include: conducting outreach to Limited English Speaking Persons about their rights under this Chapter; reviewing complaints about alleged violations of this Chapter forwarded from Departments; working with Departments to resolve complaints; maintaining copies of complaints and their resolution for not less than 8 years, organized by Department;

coordinating a language bank for Departments that choose to have translation done outside the Department and need assistance in obtaining translators; and reviewing Annual Compliance Plans.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.14 - OFFICE OF CIVIC ENGAGEMENT AND IMMIGRANT AFFAIRS' RESPONSIBILITIES**

Subject to the budgetary and fiscal provisions of the Charter, the City may adequately fund the Office of Civic Engagement and Immigrant Affairs to provide a centralized infrastructure for the City's language services. The Office of Civic Engagement responsibilities include the following:

**(a)** Provide technical assistance for language services for all Departments;

**(b)** Coordinate language services across Departments, including but not limited to maintaining a directory of qualified language service providers for the City, maintaining an inventory of translation equipment, providing assistance to Departments, Board of Supervisors, and the Mayor's Office in identifying bilingual staff;

**(c)** Compiling and maintaining a central repository for all Departments translated documents;

**(d)** Providing Departments with model Annual Compliance Plans; and

**(e)** Reviewing complaints of alleged violations with quarterly reports to the Commission.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.15 - RULES AND REGULATIONS.**

In order to effectuate the terms of this Chapter, the Commission may adopt rules and regulations consistent with this Chapter.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.16 - ENFORCEMENT.**

If after an investigation and attempt to resolve an incidence of Department non-compliance, the Commission is unable to resolve the matter, it shall transmit a written finding of non-compliance, specifying the nature of the non-compliance, to the Department, the Department of Human Resources, the Mayor, and the Board of Supervisors.

(Added by Ord. 126-01, File No. 010409, App.

6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.17 - SEVERABILITY.**

If any of the provisions of this Chapter or the application thereof to any person or circumstance is held invalid, the remainder of this Chapter, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Chapter are severable.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

#### **SEC. 91.18 - DISCLAIMERS.**

**(a)** By providing the public with equal access to language services, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

**(b)** The obligations set forth in the Language Access Ordinance are directory and the failure of the City to comply shall not provide a basis to invalidate any City action.

**(c)** The Language Access Ordinance shall be interpreted and applied so as to be consistent with Title VI and VII of the Civil Rights Act of 1964, California's Fair Employment and Housing Act, and Article X of the San Francisco Charter and so as not to impede or impair the City's obligations to comply with any court order or consent decree.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)