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DC ST § 2-1931
§ 2-1931. Definitions.

DC ST § 2-1931

District of Columbia Official Code 2001 Edition Currentness
Division I. Government of District.
Title 2. Government Administration. (Refs & Annos)
Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1931. Definitions.

For purposes of this subchapter, the term:

(1) "Access or participate" means to be informed of, participate in, and benefit from public services, programs, and activities offered by a covered entity at a level equal to English proficient individuals.
(2) "Covered entity" means any District government agency, department, or program that furnishes information or renders services, programs, or activities directly to the public or contracts with other entities, either directly or indirectly, to conduct programs, services, or activities. The term "covered entity" shall not include the Advisory Neighborhood Commissions.
(3)(A) "Covered entity with major public contact" means a covered entity whose primary responsibility consists of meeting, contracting, and dealing with the public.
(B) Covered entities with major public contact are:
(i) Alcoholic Beverage Regulation Administration;
(ii) Department of Health;
(iii) Department of Mental Health;
(iv) Department of Human Services;
(v) Department of Employment Services;
(vi) Fire and Emergency Medical Services;
(vii) District of Columbia Housing Authority;
(viii) District of Columbia general ambulatory and emergency care centers;
(ix) Homeland Security and Emergency Management Agency;
(x) Metropolitan Police Department;
(xi) District of Columbia Public Schools;
(xii) Department of Motor Vehicles;
(xiii) Department of Housing and Community Development;
(xiv) Department of Public Works;
(xv) Department of Corrections;
(xvi) Office on Aging;
(xvii) District of Columbia Public Library;
(xviii) Department of Parks and Recreation ;
(xix) Department of Consumer and Regulatory Affairs ;
(xx) Child and Family Services Agency;
(xxi) Office of Human Rights;
(xxii) Office of Personnel;
(xxiii) Office of Planning;
(xxiv) Office of Contracting and Procurement;
(xxv) Office of Tax and Revenue; and
(xxvi) Office of the People's Counsel.
(C) Other covered entities with major public contact may be designated by the Language Access

Director through the Mayor, by regulation, after consultation with the D. C. Language Access Coalition in accordance with § 2-1935(b)(6).
(4) "Language Access Director" means the official in the Office of Human Rights who, pursuant to § 2-1935, coordinates and supervises the activities of District agencies, departments, and programs undertaken to comply with the provisions of this subchapter.
(5) "Limited or no-English proficiency" means the inability to adequately understand or to express oneself in the spoken or written English language.
(6) "Oral language services" means the provision of oral information necessary to enable limited or no-English proficiency residents to access or participate in programs or services offered by a covered entity. The term "oral language services" shall include placement of bilingual staff in public contact positions; the provision of experienced and trained staff interpreters; contracting with telephone interpreter programs; contracting with private interpreter services; and using interpreters made available through community service organizations that are publicly funded for that purpose.
(7) "Vital documents" means applications, notices, complaint forms, legal contracts, and outreach materials published by a covered entity in a tangible format that inform individuals about their rights or eligibility requirements for benefits and participation. The term "vital documents" shall include tax-related educational and outreach materials produced by the Office of Tax and Revenue, but shall not include tax forms and instructions.

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 2, 51 DCR 4688; Mar. 14, 2007, D.C. Law 16-262, § 404, 54 DCR 794.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-262, in par. (3)(B)(ix), substituted "Homeland Security and Emergency Management Agency" for "Emergency Management Agency".

Legislative History of Laws

Law 15-167, the "Language Access Act of 2004", was introduced in Council and assigned Bill No. 15-139, which was referred to the Subcommittee on Human Rights, Latino Affairs and Property. The Bill was adopted on first and second readings on March 2, 2004, and April 6, 2004, respectively. Signed by the Mayor on April 21, 2004, it was assigned Act No. 15-414 and transmitted to both Houses of Congress for its review. D.C. Law 15-167 became effective on June 19, 2004.

For Law 16-262, see notes following § 2-904.

Delegation of Authority

Delegation of Authority for Rulemaking under the Language Access Act, see Mayor's Order 2007-127, May 31, 2007 (54 DCR 9065).

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DC ST § 2-1932
§ 2-1932. Oral language services provided by covered entities.

DC ST § 2-1932

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Division I. Government of District.
Title 2. Government Administration. (Refs & Annos)
Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1932. Oral language services provided by covered entities.

(a) A covered entity shall provide oral language services to a person with limited or no-English proficiency who seeks to access or participate in the services, programs, or activities offered by the covered entity.

(b) A covered entity shall, at least annually, determine the type of oral language services needed based upon:

(1) The number or proportion of limited or no-English proficient persons of the population served or encountered, or likely to be served or encountered by the covered entity, in the District of Columbia;
(2) The frequency with which limited or no-English proficient individuals come into contact with the covered entity;
(3) The importance of the service provided by the covered entity; and
(4) The resources available to the covered entity.

(c)(1) In making the determination under subsection (b) of this section of the type of oral language services needed, the covered entity shall consult the following sources of data to determine the languages spoken and the number or proportion of limited or no-English proficient persons of the population that are served or encountered, or likely to be served or encountered, by the covered entity in the District of Columbia:

(A) The United States Census Bureau's most current report entitled "Language Use and English Ability, Linguistic Isolation" (or any other successor report);
(B) Any other language-related information;
(C) Census data on language ability indicating that individuals speak English "less than very well";
(D) Local census data relating to language use and English language ability;
(E) Other governmental data, including intake data collected by covered entities; data collected by the District of Columbia Public Schools; and data collected by and made available by District government offices that conduct outreach to communities with limited-English proficient populations and that serve as a liaison between the District government and limited-English proficient populations, such as the Office of Latino Affairs and the Office of Asian and Pacific Islander Affairs; and
(F) Data collected and made available by the D.C. Language Access Coalition.

(2) A covered entity shall annually collect data about the languages spoken and the number or proportion of limited or no-English proficient persons speaking a given language in the population that is served or encountered, or likely to be served or encountered, by the covered entity. A covered entity's databases and tracking applications shall contain fields that will capture this information during the fiscal year that this subchapter takes effect with respect to the covered entity pursuant to § 2-1936. If it is demonstrated to the Office of Human Rights that this is not feasible due to budgetary constraints, a covered entity shall make all due efforts to comply with this paragraph by the beginning of the next

fiscal year. All information collected under this section shall be provided to the Language Access Director and made available to the public, upon request, within a reasonable time.

(d) To the extent that a covered entity requires additional personnel to meet its requirement to provide oral language services based on the determination set forth in this section, the covered entity shall hire bilingual personnel into existing budgeted vacant public contact positions.

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 3, 51 DCR 4688.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 15-167, see notes following § 2-1931.

DC CODE § 2-1932

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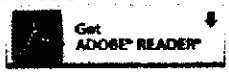

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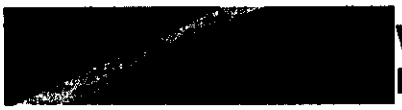

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DC ST § 2-1933
§ 2-1933. Written language services by covered entity.

DC ST § 2-1933

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Title 2. Government Administration. (Refs & Annos)
Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1933. Written language services by covered entity.

(a) A covered entity shall provide translations of vital documents into any non-English language spoken by a limited or no-English proficient population that constitutes 3% or 500 individuals, whichever is less, of the population served or encountered, or likely to be served or encountered, by the covered entity in the District of Columbia.

(b) If the provisions of this subchapter are contractually imposed on a non-covered entity, subsection (a) of this section shall apply.

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 4, 51 DCR 4688.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 15-167, see notes following § 2-1931.

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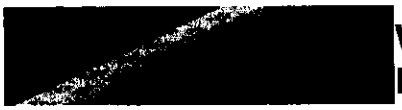

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DC ST § 2-1934

§ 2-1934. Additional obligations of covered entities with major public contact.

DC ST § 2-1934

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Division I. Government of District.
Title 2. Government Administration. (Refs & Annos)
Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1934. Additional obligations of covered entities with major public contact.

(a)(1) A covered entity with major public contact shall establish a language access plan, by regulation.

(2) Each language access plan shall be established in consultation with the Language Access Director, the D.C. Language Access Coalition, the entity's language access coordinator, and agency directors that conduct outreach to limited or no-English populations. Each language access plan shall be updated every 2 years and shall set forth, at minimum, the following:
(A) The types of oral language services that the entity will provide and how the determination was reached;
(B) The titles of translated documents that the entity will provide and how the determination was reached;
(C) The number of public contact positions in the entity and the number of bilingual employees in public contact positions;
(D) An evaluation and assessment of the adequacy of the services to be provided; and
(E) A description of the funding and budgetary sources upon which the covered entity intends to rely to implement its language access plan.
(3) In establishing and updating the language access plan, the entity shall consult with the sources of data set forth in § 2-1932(c)(1).

(b) A covered entity with major public contact shall designate a language access coordinator who shall report directly to the director of the entity and shall:

(1) Establish and implement the entity's language access plan in consultation with the Language Access Director, the D.C. Language Access Coalition, and the agency directors of government offices that conduct outreach to communities with limited or no-English proficient populations; and
(2) Conduct periodic public meetings with appropriate advance notice to the public.

(c) A covered entity with major public contact shall develop a plan to conduct outreach to communities with limited or no-English proficient populations about their language access plans and about the benefits and services to be offered under this subchapter.

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 5, 51 DCR 4688.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 15-167, see notes following § 2-1931.

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DC ST § 2-1935

§ 2-1935. Language access oversight; duties of Language Access Director.

DC ST § 2-1935

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Division I. Government of District.
Title 2. Government Administration. (Refs & Annos)
Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1935. Language access oversight; duties of Language Access Director.

(a) The Office of Human Rights shall provide oversight, central coordination, and technical assistance to covered entities in their implementation of the provisions of this subchapter and ensure that the provision of services by covered entities meets acceptable standards of translation or interpretation.

(b) There shall be within the Office of Human Rights a Language Access Director to coordinate activities under this subchapter. The Language Access Director shall:

(1) Review and monitor each covered entity's language access plan for compliance with this subchapter and Title VI of the Civil Rights Act of 1964, approved July 2, 1964 (78 Stat. 252; 42 U.S.C. §§ 2000d through 2000d-7);
(2) Track, monitor, and investigate public complaints regarding language access violations at covered entities, and where necessary, issue written findings of noncompliance to the covered entities regarding failures to provide language access; provided, that this responsibility shall not supersede or preclude the existing individual complaint process and mechanism under the jurisdiction of the Office of Human Rights;
(3) Review and monitor the language access coordinators with respect to their performance of responsibilities under this subchapter;
(4) Consult with language access coordinators, the D.C. Language Access Coalition, and the heads of government offices that conduct outreach to communitles with limited or no-English proficient populations;
(5) Serve as the language access coordinator for the Office of Human Rights; and
(6) Through the Mayor, by regulation, after consultation with the D.C. Language Access Coalition, designate additional covered entities with major public contact.

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 6, 51 DCR 4688.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 15-167, see notes following § 2-1931.

Delegation of Authority

Delegation of Authority for Rulemaking under the Language Access Act, see Mayor's Order 2007-127, May

31, 2007 (54 DCR 9065).

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DC ST § 2-1936
§ 2-1936. Phased implementation.

DC ST § 2-1936

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Title 2. Government Administration. (Refs & Annos)
Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1936. Phased implementation.

(a) This subchapter shall apply on June 19, 2004 to:

(1) Department of Health;
(2) Department of Human Services;
(3) Department of Employment Services;
(4) Metropolitan Police Department;
(5) District of Columbia Public School System;
(6) Office of Planning;
(7) Fire and Emergency Medical Services; and
(8) Office of Human Rights.

(b) This subchapter shall apply as of October 1, 2004 to:

(1) Department of Housing and Community Development;
(2) Department of Mental Health;
(3) Department of Motor Vehicles;
(4) Child and Family Services Agency;
(5) Alcoholic Beverage Regulation Administration; and
(6) Department of Consumer and Regulatory Affairs.

(c) This subchapter shall apply as of October 1, 2005, to:

(1) Department of Parks and Recreation;
(2) Office on Aging;
(3) District of Columbia Public Library;
(4) Office of Personnel;
(5) Office of Contracting and Procurement;
(6) Department of Corrections;
(7) Department of Public Works; and
(8) Office of Tax and Revenue.

(d) This subchapter shall apply as of October 1, 2006 to all covered entities.

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 7, 51 DCR 4688.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 15-167, see notes following § 2-1931.

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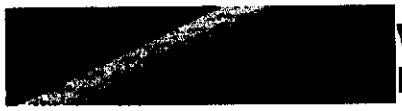

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DC ST § 2-1937
§ 2-1937. Inclusion in the budget and financial plan. [Repealed]

DC ST § 2-1937

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Chapter 19. Government Language Accessibility. (Refs & Annos)
Subchapter II. Language Access.
➡§ 2-1937. Inclusion in the budget and financial plan. [Repealed]

CREDIT(S)

(June 19, 2004, D.C. Law 15-167, § 9, 51 DCR 4688; Aug. 16, 2008, D.C. Law 17-219, § 7047, 55 DCR 7598.)

HISTDRICAL AND STATUTDRY NDTES

Legislative History of Laws

For Law 15-167, see notes following § 2-1931.

For Law 17-219, see notes following § 2-218.75.

DC CDDE § 2-1937

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