



Dymally-Alatore Bilingual Services Act (Act)

Policy

It is the policy of the State Council on Developmental Disabilities (SCDD) to comply with the Dymally-Alatore Bilingual Services Act of 1973, hereinafter referred to as the “Act.”

The Act was created to eliminate language barriers that may preclude people of California from equal access to public services. SCDD is committed to ensuring that all persons, including non- or Limited English Proficient (LEP) persons, are provided equal access to its available services and information and that its programs are accessible to LEP persons in compliance with the Act.

State agencies involved in providing information or services to the public, where a substantial portion is non-English-speaking must provide information and services to the public in the language of the non-English-speaking person. A “substantial number of non-English-speaking people are members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise 5 percent or more of the people served by any local office or facility of a state agency.” (Government Code section 7296.2.)

The Act requires agencies to conduct a survey every two years, report the results to the survey to California Department of Human Resources (CalHR), and develop and submit to the CalHR implementation plan based on the survey results.

SCDD’s Equal Employment Opportunity (EEO) Office is responsible for coordination of the Department’s language survey and reporting of results to CalHR, and developing and submitting the implementation plan to CalHR. In addition, the EEO Office is responsible for handling concerns or complaints regarding bilingual communication issues.

The CalHR is responsible for monitoring and evaluating Department’s bilingual services practices, providing guidance and technical support to Departments regarding their bilingual services program, gathering and analyzing data, and preparing a report for the Governor and the Legislature. In addition, the CalHR is authorized to request from Departments a report on their progress in addressing identified deficiencies and issuing orders deemed appropriate to achieve the purpose of the Act.

Responsibilities

Managers/Supervisors

It is the responsibility of Managers and Supervisors to:

1. Ensure that the Act is understood and implemented throughout their programs. Management will provide resources to the extent funding are available to identify and meet substantial communications needs that will result in an overall improvement in the quality of services.
2. Ensure that program objectives standards and employee practices reflect sensitivity to language differences, and that mechanisms exist to respond appropriately to an immediate need for language assistance, or other communication services.
3. Ensure that program policies and procedures reflect the Department's commitment to quality customer service through effective communications.
4. Ensure that mechanisms exist to incorporate feedback on identifying language trends among the Department's customers.

Responsibility of SCDD employees

All SCDD employees, especially those in public contact positions, are responsible for ensuring that the public is treated with dignity and respect, identifying the language needs of our customers, and utilizing available bilingual resources to eliminate language barriers that may preclude people from equal access to public services.

Customer Service Standards

To ensure consistent customer service to the customers of SCDD, employees should follow these basic standards when serving a customer who has LEP:

- LEP individuals are identified as early as possible during the initial contact.
- LEP individuals are offered an opportunity to request an interpreter.
- An interpreter is provided as soon as possible at no cost to the customer.
- Translated written materials are provided to the customer when available.
- No delay in service takes place during this process.
- Complaints about lack of interpreter/translation services are resolved quickly and to the satisfaction of the customer.
- Language Line Solutions contract is available to all SCDD District Offices and Headquarters at: 1-800-752-6096.

If an employee is unsure of his/her responsibility for providing services to a LEP person, he/she should refer to their supervisor and/or the EEO Office at (916) 263-7919.

Resolution Process

The EEO Office will coordinate contact with the dis-satisfied customer in the appropriate language to obtain the customer's version of the incident, and information as to the needs of the customer. Every effort should be made to resolve the concern. CalHR has also established an informal language access complaint process, which the customer can call a toll-free number to receive language access complaints at: 1-866-889-3278. The Language Line Solutions contract also has a complaint process by calling: 1-800-752-6096.