



**Boston Public Health Commission
Language Access Plan
Revised August 2021**

1. Introduction

The Boston Public Health Commission (BPHC), is committed to compliance with Title VI of the Civil Rights Act of 1964 and relevant implementing regulations to ensure meaningful access to BPHC programs and services for individuals with Limited English Proficiency (LEP), meaning individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. This document provides guidelines and procedures for the BPHC to take reasonable steps to provide LEP persons meaningful opportunities to be informed of and participate in its programs and services and increase access to health care services for those who may experience barriers to care due to cultural, language, or literacy differences.

2. Boston Public Health Commission Mission and Vision

The mission of the Boston Public Health Commission is to protect, preserve, and promote the health and well-being of all Boston residents, particularly the most vulnerable. BPHC envisions a thriving Boston where all residents live healthy, fulfilling lives free of racism, poverty, violence, and other systems of oppression, and where all residents have equitable opportunities and resources, leading to optimal health and well-being.

3. Language Access Plan

BPHC staff shall take reasonable steps to ensure that LEP persons have meaningful access to the BPHC's programs and services by implementing a Language Access Plan (LAP). This LAP applies to BPHC departments that interact with the public and provides guidelines and procedures for the BPHC to take reasonable steps to provide persons with LEP meaningful opportunities to be informed of and participate in BPHC programs and services. BPHC staff shall take reasonable steps to effectively inform members of the public that language and communications assistance services are available free of charge to persons with Limited English Proficiency (LEP) and shall provide free language and communications assistance to individuals with LEP whenever appropriate or requested.

4. Limited English Proficiency (LEP) Population Assessment

The BPHC is guided by the Four Factor Analysis that assesses each neighborhood of Boston individually based on an assessment that balances the factors provided herein, without imposing undue financial burdens, and in accordance with applicable federal LEP Guidance. The Four Factor Analysis provides reasonable steps to provide meaningful access to the BPHC's programs and services to LEP persons. The BPHC will annually review data collected pursuant to the provisions of the Four Factor Analysis provided herein.

The Four Factor Analysis is as follows:

1. The number or percentage of LEP persons eligible to be served or likely to be served using Standards of Thresholds (Attachment A), which is supported by census data or other relevant data. Threshold Languages are determined annually in consultation with analysis by Boston Planning and Development Agency, which monitors Boston's demographics;
2. Frequency with which LEP persons come into contact with BPHC programs and services;
3. Nature and importance of the public meeting, process, or document; and
4. BPHC has committed resources to providing the LAP services free of charge through its budget and, or requiring entities providing programs or services on BPHC's behalf to provide such services.

The resources available to implement the LAP will take into account the most proficient, cost-effective, and reasonable measures to provide LEP services. For example, utilizing the contract vendor or bilingual staff, or use of technology tools. The BPHC budget for LAP services shall be reviewed annually by the LAP Coordinator and Director of the Office of Racial Equity and Community Engagement. This commitment is subject to the availability of appropriated funds. BPHC commits to using commercially reasonable efforts to appropriate such funds. It may not occur in full if the translations required would create an undue administrative and financial burden on BPHC weighed against how important the document information is. For example, as described in more detail below, certain summaries of some longer technical documents may be translated in the place of full translations.

5. Provision of Language Access Services

BPHC staff shall make efforts to conduct or arrange for an initial assessment of the need for language and communications assistance and should make efforts to obtain such services if they are needed to effectively communicate with the LEP individual(s). Such efforts may consider whether more effective alternatives exist rather than reliance upon translated documents to obtain or process vital information. Language and Communications Access will be planned for and integrated into public-facing programs and services.

A. Language Access Coordinator

The BPHC has appointed a Language Access Coordinator who will be responsible for ensuring the BPHC's implementation and ongoing compliance with this LAP. The Language Access Coordinator will also, collaborating with other city departments as appropriate, work toward the continued operation and, as applicable, timely completion of each portion of this LAP. The Language Access Coordinator will be responsible for monitoring and overseeing the effectiveness of the BPHC's LAP.

B. Interpretive Services (Oral Language)

BPHC departments that provide public-facing programs or services will provide oral interpretation at no charge to LEP persons to ensure meaningful access to BPHC programs and services. BPHC shall notify the public of its ability to request an interpreter through notices from the BPHC for public meetings and hearings; such notification shall be provided in the threshold language, as applicable.

C. Translation Services (Written Language)

Documents that contain information that is critical to ensuring meaningful access to BPHC's programs and services are considered Vital Documents. BPHC staff has conducted an initial review of public-facing written documents for the purpose of assessing whether a document is a Vital Document and requires translation . The BPHC shall translate Vital Documents into Threshold Languages, as applicable. BPHC shall continue to review public-facing written documents for the purpose of assessing whether a new document is a Vital

Document and requires translation. BPHC staff may consider whether more effective alternatives exist rather than reliance upon written documents to obtain or process vital information.

Although many documents will be completely translated under this LAP, the BPHC recognizes that some Vital Documents are not entirely comprised of information critical to ensuring meaningful access to programs and services. Summaries or fact sheets may be created in lieu of an entire document and such Summaries and Fact Sheets will be considered Vital Documents. In addition, when a document is very long and portions are not considered vital, BPHC may choose to translate only the vital portions. BPHC may also use technology embedded in its website to provide translated summaries to provide such information contained in a document to an LEP person, e.g. Google Translate. Further, some documents would be impractical to translate in every instance because of their volume, associated costs, and time involved.

Wherever possible, back translation (the translation of a translated text into its original language) should be used to test the quality of the translation.

D. Assessment of the Need for Language and Communications Assistance:

BPHC staff can determine whether a person needs language and communications assistance in several ways:

- Individual self-identifies as limited English proficient, or as having a communications-related disability;
- Individual asks for an interpreter;
- Individual asks for a document translation;
- Individual asks for assistive technology;
- Individual has LEP or disability information documented;
- Individual cannot grasp or respond to questions in English;
- Individual does not speak or understand English well enough to effectively take part in the conversation.

BPHC staff can identify whether a planned activity requires interpretation services to be made available in several ways:

- Individual attending is determined to require some sort of language and communications accommodations;
- The planned interaction is of legal consequence or holds legal precedence;
- The planned interaction is hosted in and/or for a specific neighborhood that meets the language threshold;
- The planned interaction is hosted for an identified community with specific language assistance needs.

BPHC staff can identify whether a planned interaction requires assistive technology to be made available in several ways:

- Individual attending makes specific request to require some sort of language and communications accommodation, including screen readers and closed captioning for access to persons with disabilities;
- Individual attending makes specific request for a type of assistive technology accommodation;
- The planned interaction requires simultaneous interpretation services in one or more languages;

- The planned interaction is hosted in the BPHC offices. If requested, assistive listening services must be made available for use;
- The planned interaction contemplates soliciting feedback from individuals and communities with disabilities.

6. Training

The BPHC will provide training for staff, to include, at a minimum, staff who regularly interact with members of the public, under the supervision of the Language Access Coordinator, about the LAP and implementation plan. Training will include:

1. An overview of the BPHC's LAP;
2. How and when to access language services through Language Bank Volunteer, contract vendor, or bilingual staff, when appropriate; and
3. How to work with an interpreter.

7. Record Keeping and Evaluation

The BPHC's Language Access Coordinator shall:

1. Ensure tracking of language assistance services provided by BPHC in the following ways: (i) LEP person served; (ii) the language; and (iii) type of service and how language service was provided;
2. Work with programs and offices providing public-facing services to address issues related to language services;
3. Provide the BPHC Executive Director with reports on language assistance and/or services provided annually;
4. Identify staff requiring training on the delivery of language services; and
5. Evaluate the tracking information and data above, reach out to BPHC staff for feedback, and report to the Executive Director regarding the sufficiency and appropriateness of language services in light of the requirements of Title VI and provide the Executive Director with changes or updates to the LAP;

8. Outreach and Public Awareness

The BPHC will provide notification of the availability of free language assistance services through public notices (e.g., digital, distribution through community organizations), announcements at public community meetings, and email distribution. Notices regarding the availability of free language assistance services will also be posted on the BPHC's website. Such notices posted on the BPHC's website will be published in the applicable threshold languages. The Language Access Coordinator will coordinate with staff responsible for public-facing programming and services to develop community resources, partnerships, and other relationships to help with the provision of language services. The coordination will consist of sharing multilingual information and resources with public-facing staff so they may provide outreach with such information and resources by emails and at community meetings. Coordination and outreach will be an ongoing effort whereby public-facing staff, working with the Language Access Coordinator, will work with and gather feedback from community-based organizations around language access and educating the community on the BPHC's LAP and available services and resources. Such list will be updated continuously based upon outreach, coordination with organizations, and best practices.

9. Language Access Complaints and Feedback

The Language Access Coordinator is the BPHC's designated representative to receive and coordinate all complaints and feedback regarding implementation of the LAP. BPHC staff who receive a report, or become aware that a LEP person believes that he/she has not been provided with language assistance services, in accordance with the provisions of the BPHC's LAP, should report such information to the Language Access Coordinator. The Language Access Coordinator will work with the relevant BPHC staff and complainant to ensure compliance with the LAP.

10. Resources

Demographic Data Report: Boston Planning and Development Agency Demographic Data Report: Language by neighborhood (to be updated annually, Attachment A)

Providers: BPHC professional contract vendors for translation and interpretation services, primarily through Interpreters & Translators, Inc. as well as other vendors contracted directly through BPHC bureaus.

The BPHC regularly consults with city agencies such as the Mayor's Office of Neighborhood Services, Mayor's Office for Immigrant Advancement, and Commission for Persons with Disabilities, etc. to ensure that additional professional providers are made available if/when necessary (Professional

Attachment A: Threshold Languages

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Standards for Threshold Languages (City-Wide)

Standards for threshold languages for planned constituent-facing interaction depends on the intended service area and type of interaction in consideration. If the interaction is planned for city-wide consumption or is purposed to be accessible to residents across all neighborhoods, interpretation services will be made available in threshold languages. U.S. Census American Community Survey 5-year sample data is used to identify individuals aged 5+ who speak English less than very well by the language they speak at home. Interpretation means listening to a communication in one language and converting it to another spoken language while retaining the same meaning. The staff responsible for meetings or interactions should make such services available as follows:

1. When advertising or organizing the planned interaction, such as community meetings, the responsible staff should include on such advertisements or notices in threshold languages notifying people that they can inform a BPHC responsible staff member in advance that they will attend and need interpretation services. When informed that someone attending needs interpretation services, the staff responsible for the interaction will take reasonable steps to provide interpretation services; and
2. BPHC may offer interpretation services a planned community meetings and interactions in accordance with the BPHC LAP.

Threshold Languages are determined annually by reference to Boston Planning and Development Agency data, which monitors Boston's demographics. The 2020 threshold languages are the following:

- Spanish
- Haitian
- Mandarin - Chinese
- Vietnamese
- Cantonese - Chinese
- Cape Verdean or Kabuverdianu
- Portuguese
- Russian
- Arabic
- French
- Somali

Translation services shall be made available upon request in threshold languages spoken by a LEP population within the City of Boston that constitutes either 5% of the agency's constituents or 1,000 individuals, whichever is less. Translation services, meaning the replacement of a communication from one language into an equivalent written text in another language, shall be provided for all vital documents.

Standards for Threshold Languages (Neighborhood)

If the interaction or community meeting is planned for a specific neighborhood or smaller area, the threshold languages are those that are spoken by a LEP population within a certain proximity to LEP population's residence, or neighborhood or neighborhoods that constitutes either 5% of the neighborhood population or 1,000 individuals, whichever is less. This standard will be applied to both interpretation services as well as translation of vital documents. For these geographies smaller than the city, data from the U.S. Census are more limited. Data on limited English speakers by specific language are only available for

Spanish, Chinese, Vietnamese, Haitian/French, Arabic, Korean and Tagalog. Data by neighborhood for these languages are presented below:

- **Allston** Chinese
- **Back Bay** none
- **Beacon Hill** none
- **Brighton** Chinese, Spanish
- **Charlestown** none
- **Chinatown/Downtown** Chinese
- **Dorchester** Spanish, Vietnamese, Haitian/French
- **East Boston** Spanish
- **Fenway** Chinese
- **Hyde Park** Spanish, Haitian/French
- **Jamaica Plain** Spanish
- **Longwood** none
- **Mattapan** Haitian/French, Spanish
- **Mission Hill** Spanish
- **North End** none
- **Roslindale** Spanish
- **Roxbury** Spanish, Haitian/French
- **South Boston** Spanish
- **South End** Chinese, Spanish
- **West End** none
- **West Roxbury** Haitian/French