



Welcoming Alabama's Linguistic Diversity: A Toolkit by the Alabama Language Access Project

Created by the Hispanic Interest Coalition of Alabama

<https://hicaalabama.org/en/languageaccess>

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About the Alabama Language Access Project

The Alabama Language Access Project (ALAP) is dedicated to strengthening awareness and implementation of language access policies in Alabama to protect and advance civil rights. The project uses policy education, advocacy, training, and resources to help organizations utilize national best practices. The project's goal is for Alabama's immigrant communities to have equal access to resources and opportunities regardless of their level of English proficiency.

About the Toolkit

This toolkit was created for social service organizations, government agencies, domestic violence and sexual assault advocates, and other community organizations serving Alabama's immigrants. It seeks to raise awareness about the importance of language access and provide concrete tools to strengthen language access.

Additional Resources

For the latest news and links to the resources contained in the toolkit, visit <https://hicaalabama.org/en/languageaccess>

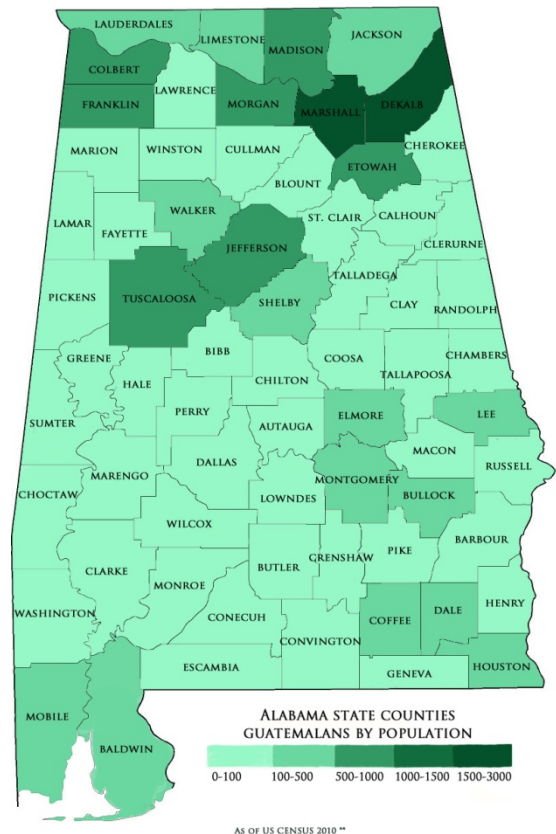
What is Language Access?

Language access describes services that bridge the communication barrier with individuals with limited English proficiency (LEP). As defined by the U.S. Department of Justice, LEP individuals are persons who do not speak English as their primary language and who may have a limited ability to read, write, speak, or understand English.

Need for Language Access in Alabama

According to the U.S. Census Bureau, in 2011 over 60,000,000 people in the U.S. speak a language other than English at home. For Alabama, more than 5% of the population speaks a language other than English at home. Between 2000 and 2010, Alabama’s Hispanic population grew by 158%, and 38% of the Hispanic population (71,000 individuals) reported that they do not speak English well. According to the American Community Survey 2009-2013, there are other immigrants in Alabama who report speaking English less than “very well.” They include immigrants who speak Chinese, Japanese, Vietnamese, Arabic, German and French.

Alabama is also home to many speakers of indigenous languages mainly from Mexico and Guatemala. The most common Mexican indigenous languages are: Nahuatl, Mixteco, Zapotec, Chatino, and Otomi. Many more Guatemalans, an estimated 40%, speak a Mayan language besides Spanish as their first language. Guatemalans are Alabama’s second largest Latino immigrant population. The most common Guatemalan languages besides Spanish are Akateko, Mam, Q’anjob’al (Kanjobal) and Quiché (K’iche’)



RESOURCE: Find statistics about LEP individuals in your community by using the U.S. Census’s American Fact Finder at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>. Under topic, select people, and then language. Under geographies, select state, county, or city. The Census currently

Why is Language Access important?

With the number of LEP individuals growing every year in the US, it is necessary to be prepared to effectively communicate with any potential recipients of your organization's services or programs. Access to educational, legal, domestic violence, and health services, among others, is very important and, in some cases, can be a matter of life or death. It is not uncommon that law enforcement, courts, shelters, hospitals, schools, nursing homes, and nonprofit organizations are not able to quickly and effectively communicate with LEPs. As a result, LEPs do not receive the services they need and the staff becomes frustrated that they cannot carry out their work effectively. Moreover, the organization wastes time with confusion and inefficiency and cannot live up to its mission to provide quality services.

"A failure to understand the system, the law, or the language of legal proceedings renders justice incomprehensible at best. At worst, it can result in severe injustice."

**-Justice in the Balance, 2020:
Report on the Commission of the
Future of the California Court**

Language Access and Rights Denied

In January 2014 Deisy Garcia and her children were stabbed to death by her partner in New York City. She had filed police reports in May 2013 and twice in November of 2013 but they were never translated into English, and therefore never followed up on.

In 2013 an organization that serves limited English proficient domestic violence survivors filed a lawsuit against the city on behalf of six other Latina women, alleging the NYPD denies interpreters to limited-English speakers, depriving them of access to NYPD services

Language Justice

Language justice is on the rise as a form of social justice. It is the commitment to build movements that reflect the diversity of the United States and to create multilingual spaces where everyone can participate. Each participant can fully understand and express themselves in the language that is most comfortable to them. In practice, building a multilingual space requires thoughtful planning of an event to ensure everyone can equally participate with interpreters trained in language justice. The Highlander Research and Education Center in Tennessee and the Wayside Center for Popular Education in Virginia provide trainings and materials related to language justice. The Mary Reynolds Babcock Foundation and El Centro Hispano in North Carolina also developed a guide called

"In order to build broader movements for justice, it is important to create multilingual spaces where language is used democratically and as a tool of empowerment, so that people can communicate, learn and strategize together."

-Highlander Research and Education Center

“Interpretation & Translation: Power Tools for Sharing Power in Grassroots Leadership Development.” [\[PDF\]](#)

Language Access as a Right

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color and national origin in programs receiving federal financial assistance. In the case *Lau v. Nichols* (1974), the U.S. Supreme Court stated that one type of national origin discrimination is discrimination based on a person’s inability to speak, read, write or understand English.

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Title VI covers a recipient’s entire program or activity, meaning all of a recipient’s operations even if only one program of the recipient receives federal assistance. A recipient of federal funds could include state and local agencies, nonprofits, and other organizations. For more information, visit www.LEP.gov.

Language Access and Noncompliance

In 2008 Baltazar Cruz gave birth to her daughter at a hospital in Mississippi. Ms. Cruz speaks the indigenous Mexican language Chatino, limited Spanish, and virtually no English.

Two days later, the child was taken from her following allegations by a hospital employee who spoke only in Spanish to the mother. The baby remained with a foster couple for a year and Ms. Cruz’s parental rights were nearly terminated until the Southern Poverty Law Center intervened with a lawsuit.

Her full parental rights were restored in 2010 and the U.S. Department of Health and Human Services launched an investigation into the hospital’s actions.

Noncompliance

Recipients who fail to provide services to LEP individuals may be discriminating on the basis of national origin in violation of Title VI and its implementing regulations. Recipients of federal financial assistance must take reasonable steps to ensure meaningful access. In the event that a recipient is not complying with the law, an individual may file a complaint with the

Department of Justice's Civil Rights Division. An investigation may be conducted and if voluntary compliance cannot be achieved in the case of demonstrated non-compliance, the case will be referred to the appropriate division for litigation, or the division may seek to terminate the federal financial assistance through an administrative hearing.

To learn more about filing a complaint and to access the form in various languages, visit the Department of Justice's website at <http://www.justice.gov/crt/about/cor/complaint.php>.

Steps towards Welcoming Alabama's Linguistic Diversity

The Alabama Language Access Project has identified five primary steps you and your organization can take to strengthen language access.

- 1) Develop a Language Access Plan
- 2) Find and use qualified interpreters and translators
- 3) Increase the number of trained interpreters in Alabama
- 4) Educate LEP individuals about their rights
- 5) Create a welcoming environment

1) Develop a Language Access Plan

An organization's Language Access Plan is an administrative blueprint that identifies how an agency will ensure that meaningful access will be available to LEP individuals. The Language Access Plan outlines the tasks to be undertaken, establishes deadlines, identifies responsible personnel, and prioritizes the steps to be taken. Not only does it help LEP individuals, but it also provides staff with a clear plan to do their job and therefore alleviates any stress or confusion that might arise in the absence of a plan.

There are many resources for developing a language access plan, which are included below, but here is a basic overview of the steps to develop a plan:

- 1) Determine demographic profile of your community—Track the languages you encounter and how often interpretation is necessary.
- 2) Create a process for identifying LEP persons who need language assistance, e.g. sign cards, posters, and/or a video.
- 3) Identify ways language assistance can be provided (for both oral and written information). Important documents, especially those that must be signed, should be translated.
- 4) Create a policy and plan and train staff and volunteers to implement them.

- 5) Hire bilingual and/or bicultural staff. When possible, hiring bilingual staff will reduce the need for interpreters and help your organization identify ways to become more multicultural.
- 6) Monitor and update policy on an ongoing basis.

RESOURCES: Language Access Plan Samples and Tools

Multiple resources: LEP.gov

Language Identification Flash Cards [\[PDF\]](#)

Police:

Overcoming Language Barriers: Solutions for Law Enforcement [\[PDF\]](#)

San Jose Police Department Language Access Plan [\[PDF\]](#) New York Police Department: NYPD Language Access Plan [\[PDF\]](#)

Courts:

Language Access Planning and Technical Assistance for Courts [\[PDF\]](#)

National Center for State Courts [\[Link\]](#)

Tennessee Spoken and Written Language Assistance Plan [\[PDF\]](#)

Domestic Violence Shelters: Model Protocol: Services for LEP Immigrant and Refugee Victims of Domestic Violence [\[PDF\]](#)

Department of Human Resources: New York DHR Language Access for Individuals with Limited English Proficiency [\[PDF\]](#)

Schools: New York City Department of Education [\[PDF\]](#)

Health Care Providers:

Better Communication, Better Care: Provider Tools to Care for Diverse Populations [\[PDF\]](#)

Language Access Plan for New York City Health and Hospitals Corporation [\[PDF\]](#)

Department of Corrections:

Sample Planning Tool from LEP.gov [\[Link\]](#) New York City Department of Corrections Language Access Plan [\[PDF\]](#)

2) Find and use qualified interpreters and translators

Using interpreters and translators is a key part of implementing a language access plan. However, there is often much confusion about the difference between interpreters and translators. An **interpreter** conveys meaning orally. A **translator** conveys meaning through written text.

One of the key ways to know if someone has had training in this profession is whether she or he accurately refers to her or himself as an interpreter or translator.

In implementing a language access plan or communicating with a LEP individual, you will primarily utilize interpreters. Interpreters should be trained individuals who uphold a code of ethics in carrying out

RESOURCES

Is your interpreter qualified? Questions to ask [\[PDF\]](#)

Working with Interpreters: 10 Important Tips for Communicating with Clients with Limited English Proficiency [\[PDF\]](#)

Interpreters YouTube Channel [\[Link\]](#)

their work. These principles include disclosing any lack of objectivity or conflict of interest, faithfully conveying the message of the speaker, maintaining confidentiality, and remaining impartial. If they are working in a legal or medical setting, they should have specific training to interpret this specialized vocabulary.

Just because someone is bilingual does not mean s/he is a qualified or certified interpreter.

Ideally, a qualified interpreter has received basic interpreter training and understands the core tenets of the profession. Moreover, a certified interpreter has successfully completed a written and oral exam. In legal or medical situations, it is highly recommended to use certified interpreters so you know they are fully competent. When you do not have access to a certified interpreter, ensure the interpreter is qualified. Check out the RESOURCES box for a sheet of questions to determine if your interpreter is qualified.

RESOURCES: Finding an Interpreter or Translator

Your organization can either contract with individual interpreters/translators or an agency that will screen and schedule interpreters/translators for you. Your organization may also sign up for telephonic interpretation to have interpretation available 24/7. When contracting with interpreters or an interpreting agency, inquire about their qualifications or screening process.

Interpreter Resources

Alabama Administrative Office of the Courts: Alacourt.gov maintains a list of registered interpreters by various languages. Not all of the interpreters listed are necessarily qualified or certified. While listed as court interpreters, these individuals may be available for other interpreting positions.

American Translators Association Online Directory: http://www.atanet.org/onlinedirectories/individuals_tabs.php

Registry of Certified Medical Interpreters: <http://www.certifiedmedicalinterpreters.org/registry>

Certification Commission for Healthcare Interpreters: <http://www.cchicertification.org/>

Local Agency Resources

Alamex: <http://alamexllc.com/>

Foreign Language Services: <http://www.flstranslation.com/>

Deep South Language Services: <http://deepsouthlanguage.com/>

M&N Language Services: www.mnlanguageservices.com

Telephonic Interpretation Resources

There are many national companies that offer phone interpretation in many languages, including some indigenous languages. Typically, an organization can set up an account as either pay-as-you-go or with a monthly fee. Here are some examples:

In implementing a program, carrying out a meeting, or hosting an event, you may need to utilize simultaneous or consecutive interpreting. In **simultaneous interpreting**, the interpreter will interpret at the same time as the speaker is talking. S/he will speak into a microphone as the participants utilize headsets. In **consecutive interpreting**, the interpreter waits for pauses

as the speaker delivers his/her message to interpret the idea to the audience. If you are a speaker or facilitator at an event using either type of interpretation, watch for the interpreter to give signals that you may be speaking too quickly or softly.

3) Increase the number of trained interpreters in Alabama

There is great need to strengthen the professional interpreting field in Alabama. With few training or certification programs, there are many potentially qualified individuals who have lacked the opportunity to receive formal training. Below are opportunities in Alabama and the Southeast. If your organization is able to invest in interpreter training for your bilingual staff, it is a recommended step to build the multilingual capacity and professionalism of your organization.

AshaKiran (Huntsville, Alabama)

Culturally Sensitive Trauma-informed Interpreting is a 42-hour training that prepares interpreters for working with victims of domestic violence, sexual assault, human trafficking and other violence.

Deep South Language Services (Alabama)

Interpreting 101: Skill Building and Ethics for Interpreters-Two-day training covering the basics of interpreting in community settings. (www.deepsouthlanguage.com)

M&N Language Services (Alabama)

Healthcare Interpreter Training (www.mnlanguageservices.com)

Culture Connect (Atlanta)

Breaking Boundaries in Healthcare Interpreter Training-45 hour training recognized by the International Medical Interpreter Association (IMIA). (www.cultureconnectinc.org)

Georgia State University's Certificate in Translation and Interpretation Program (Atlanta)

Graduate certificate program that will offer in-state tuition for Alabama residents because Alabama lacks a similar program. (<http://wlc.gsu.edu/home/graduate/graduate-certificate/>)

Wayside Center for Popular Education (Virginia but able to travel)

This organization can coordinate interpretation for events and offer training/consultation on interpretation, particularly with a focus on language justice. (www.waysidecenter.org)

RESOURCES

Language Access: What are your rights?
(English) [\[PDF\]](#)

Know Your Rights Beneficiary Brochures
Available in Various Languages [\[PDF\]](#)

Your Right to an Interpreter Poster
Editable [\[PDF\]](#)

4) Educate LEP individuals about their rights

LEP individuals may not be aware of their rights to language access. By sharing information about language access in your office or distributing information in immigrant communities, we can ensure that LEP individuals understand their rights and how to advocate for them. In addition, many immigrants are eager to learn English and in some communities there are free or low-cost classes available. For the greater Birmingham area, refer to the Literacy Council of Central Alabama’s website for local English classes. Increasing one’s English proficiency takes significant time. For critical conversations around medical, legal, or other serious issues, a language access plan ensures there is no miscommunication.

5) Create a welcoming environment

An essential step to welcoming our immigrant neighbors is creating an environment that embraces diversity and demonstrates cultural sensitivity. It is often not enough to be able to just provide services in someone’s language. To be able to provide the best services or program, organizations must strive to be culturally responsive—recognizing the unique needs, experiences, and strengths of each cultural community. There are several simple steps to take and some key things to avoid to ensure that individuals with limited English proficiency do not feel uncomfortable at your organization or event.

Immigration Status—Do not ask about immigration status unless it is absolutely necessary to provide assistance. It is important that immigrant community members feel they are able to trust your organization.

Language—Do not make someone feel uncomfortable about their level of English. Have materials about your language access plan available so someone will easily know they can be served in their language.

Cultural Differences—Be aware of cultural differences. More specifically when dealing with people from Spanish-speaking countries, there are usually multiple last names and sometimes there is no middle name, so when you hear three names it may actually be a first name and then two last names. A person’s first last name is the one they adopt as their primary last name and pass to their children. Another small difference is that the United States is a world minority when it comes to the order of how it writes the date. Most countries write it as “DD/MM/YYYY,” an important detail to check when someone is completing a form or application.

Multilingual Spaces—You may need to host an event in which there will be participants who speak different languages. Ensure you are organizing an inclusive event where everyone can listen and share with their own voice and language by using headsets and interpreters.

¿Hablas español? —To create a welcoming environment, knowing just a few words of another language can go a long way. Check with your local library to see if it offers an online program for residents such as Mango Languages or a meetup group for people who want to practice languages. There are also several free or low cost apps available such as Duolingo or iSpeak. Also, for Spanish, check out the site Studyspanish.com.

This list is not exhaustive but merely a starting point to understand some of the principal issues you may encounter and how to ensure you are able to respond in a manner that is culturally sensitive and welcoming. Additionally, your organization may pursue further training to build the cultural competency of your staff.

TRAINING RESOURCES

¡HICA! provides training and consultation about working with Latino families, including our programs, Latino culture, and the migrant experience. Contact us at info@hispanicinterest.org for more information.

Deep South Language Services is available to provide diversity and cultural sensitivity training. Contact them at info@deepsouthlanguage.com.

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