

City of Rochester, New York
Language Access Plan



Presented to:
New York State Department of Transportation

Developed by:
City of Rochester, Department of Neighborhood and Business Development,
Division of Housing

Special Thanks to:
Jim Morris, Director of Refugee, Immigration & Language Services Department,
Catholic Family Center

I. INTRODUCTION AND OVERVIEW

The city of Rochester, New York, with a population of 210,565, is a diverse community located in Western New York. As with all mid-size and large cities, Rochester benefits from thousands of residents that trace their roots to countries all over the world. Whether they are first generation immigrants or offspring of past immigrants, many in the Rochester community speak languages other than English. Among them, many residents speak little or no English. As the City provides a myriad of services to its diverse population, it is important that City staff are equipped to serve those that face an English language barrier. The City intends for all of its residents to enjoy the services and amenities of this community and will strive to make reasonable accommodations for non-English speakers.

The City of Rochester has prepared this Language Access Plan (“LAP” or “Plan”), which defines the actions to be taken by the City to ensure meaningful access to services, programs and activities on the part of persons who have limited English proficiency (LEP persons)¹. The City will review and update, on a biannual basis, this LAP in order to ensure continued responsiveness to community needs and compliance with the Executive Order 13166.

Authority and Purpose

A LAP is required by the New York State Department of Transportation. Additionally, under Title VI of the Civil Rights Act of 1964, LEP persons are entitled to language assistance with respect to services/benefits from or interactions with recipients of federal financial assistance. Per HUD guidance, agencies should provide reasonable accommodations for languages that consist of more than 5% of the population.

To ensure meaningful access for LEP persons to programs and activities, the recipient should:

1. Conduct the Four-Factor Analysis (see Section II)
2. Develop a Language Access Plan (see Section III)
3. Implement the Plan to provide appropriate language assistance

As defined by federal government, an LEP person is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with agency staff. A citizen maintains the right to self-identify as a LEP person.

Current City of Rochester Resources, Policies, and Protocols

The government of the City of Rochester is a diverse collection of departments that provide numerous services for the community within its borders. Each department has its own set

¹ For the purposes of this document, all references to languages other than English include not just spoken and written languages, but also American Sign Language (ASL).

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of needs and procedures to serve the LEP community. Some departments are more robust than others in terms of the policies and procedures they have in place. In August 2014, each department completed an LAP Survey with questions related to LEP resources, policies, and protocols. Their responses contributed to much of the content of this LAP.

Nearly every department has an employee or access to an employee who speaks Spanish. In addition, there are numerous employees that speak other languages, as shown in Appendix A and summarized in Table 1. The list of bilingual and multi-lingual employees in Appendix A should be used as a resource for all City employees that encounter LEP persons.

Table 1. Number of City Employees Fluent in Languages other than English, as Reported in the LAP Survey

Language	Number of Employees
Spanish	70
ASL	7
Slavic (Russian, Polish, Ukrainian)	5
Italian/French	3
Po/Burmese	1
Somali	1
Tamil	1

In addition, many of the available documents produced by the City are available in Spanish. For other languages, there are employees within the City who are fluent in different languages and who are made available as needed. The interactions are primarily verbal in nature. In some cases when appointments can be scheduled, arrangements are made in advance for an interpreter to accompany the constituent or to provide a staff member or outside agency employee to assist. However, there remain scenarios where LEP persons seek to interact with government staff but do not have immediate access to sufficient translation services. Table 2 below outlines the resources and services provided by department, bureau, or division, as reported in the employee LAP Survey. Multiple responses were received from the Department of Recreation and Youth Services.

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Table 2. Language Resources and Services, by Department, as Reported in the LAP Survey

Department, Bureau, or Division	Bilingual/ Multi-Lingual Employees in Department	Languages served	Services provided
Inspection and Compliance	5	Spanish, ASL	Verbal communication
Police	Multiple	Multiple	Verbal, access to Language Line Services
Business Development	1	Spanish	Verbal and translation as needed
Water	3	Spanish, Polish, Ukrainian	Access to in-house employees for verbal communication when needed
Architecture and Engineering	None	None	Works with another department to find interpreter when needed
Project Development	None	None	Access to bilingual staff (Spanish) when needed for verbal or written translation; utilize TTY
Operations and Parks Cemeteries	None	None	Utilize staff in other departments for communication issues
	2	Spanish	Relationship with an agency dealing with LEPs; will often call 311 for assistance with languages
Management and Budget	None	None	Worldlingo translation on City website; reach out to Communications Bureau for assistance
Housing	None	None	Staff on call for assistance in Spanish; list of available employees in other departments for language assistance; documents available in both English and Spanish
Real Estate	1	Spanish	Bilingual staff; translations of documents; request assistance from other employees
Administration and Finance (part of NBD)	2	Spanish, ASL	Interpreters for public meetings; documents in Spanish; find employee available to help translate
Assessment	1	Tamil	Contract for ASL; borrow employees from other departments; ask constituent to bring translator
Fire	Multiple	Spanish, ASL	Outreach materials translated; potential pictorial system; bilingual employees; informal agreement with agency
Purchasing	None	None	Oversee contracts with interpreter services and phone translation; reach out to other employees
Mayor's Office	None	None	Find staff within other departments
Information Technology	None	None	Automated language translator on website
Office of Public Integrity	None	None	Utilize police department resources for translation issues
Treasury	1	Spanish	Bilingual staff
Communications	3	Spanish	Contract for Spanish translations; bilingual staff
Accounting	1	Spanish	Bilingual staff; reach out to other departments
Law	None	None	Find staff within other departments
Planning and Zoning	2	Spanish	Direct constituent to staff speaking the language
Emergency Communications	18	Spanish	Bilingual staff; Language Line services

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Table 2, continued.

Department, Bureau, or Division	Bilingual/Multi-Lingual Employees in Department	Languages served	Services provided
Human Resource Management	2	Unknown	Generally have interpreters available
Neighborhood Preservation (Northwest NSC)	.5	Spanish	Some translated documents; Referrals; partnerships with agencies dealing with new Americans; arrangement for an interpreter as needed
Neighborhood Preservation (Southwest NSC)	2	Spanish, ASL	Bilingual staff; partnership with library and outside agencies
Neighborhood Preservation (Southeast NSC)	4	Spanish, ASL	Utilize family member; bilingual staff
Neighborhood Preservation (Northeast NSC)	5	Spanish	Bilingual staff; resource materials in Spanish; agency agreement
Library	Multiple	Multiple	Google Translate, agencies, bilingual staff, other agencies
Recreation and Youth Services	5	Spanish, ASL	Bilingual staff on site; documents translated into Spanish; relationship with a Hispanic-centered agency
Recreation and Youth Services	Multiple	Spanish	Bilingual staff/translated documents
Recreation and Youth Services	2	Spanish	Assistance from agency; staff assistance; have had signing interpreters come in
Recreation and Youth Services	3	Spanish	Staff is bilingual
Recreation and Youth Services	Multiple	Spanish	Bilingual staff
Recreation and Youth Services	3	Spanish	Relationship with agencies
Recreation and Youth Services	Multiple	Spanish, Somali	Bilingual staff; info translated into Spanish; outside agencies
Recreation and Youth Services	1	Spanish	Bilingual staff
Recreation and Youth Services	1	Spanish	No official policies
Recreation and Youth Services (Ryan Center)	2	Spanish	Nearby school will assist; designated staff member for all interactions once language issue identified
Recreation and Youth Services	2	Spanish	Bilingual staff
Recreation and Youth Services (Employment Skills Training)	2	Spanish	Informal agreements with agencies; bilingual staff

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In addition to the resources listed in Table 2, the City has budgeted a total of 38 positions with “Bilingual” (Spanish-speaking) in the official job title, as shown in Table 3.

Table 3. Number of Budgeted Bilingual Positions, by Department, as Reported by DHRM

Department	Positions
311 Call Center	11
911 Call Center	3
Communications	1
Environmental Services	2
Finance	1
Human Resource Management	3
Library	1
Neighborhood & Business Development	10
Police	1
Recreation & Youth Services	5
TOTAL	38

Not all departments can meet the on-demand needs of LEP persons. To address this deficiency, various departments have informal agreements in place with the following entities to provide assistance with language access:

- Catholic Family Center
- Ibero-American Action League
- Urban League of Rochester
- Rochester City School District
- Monroe Community College
- Action for a Better Community
- University of Rochester
- Rochester Institute of Technology
- Interpreter Service

In addition, the Police Department and 311 Call Center have a contract to utilize the *Language Line* for on-demand translation services. The Police Department has the most robust set of policies and protocols for handling LEP persons. Appendix B consists of the department’s language plan.

II. FOUR FACTOR ANALYSIS

Overview and Guidance

Per HUD's guidance in developing a LAP, this section includes a Four Factor Analysis that will influence the proposed actions for the LAP. The Four Factors are:

1. The number or proportion of LEP persons served or encountered in the eligible service population.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity, or service provided by the program.
4. The resources available and costs to the recipient.

Each factor is examined in more detail below, as they pertain to the City of Rochester. It should be noted that HUD does not require an extensive statistical analysis of language-based data. However, between US Census data and anecdotal information from various sources, this LAP includes a dependable approximation of the various languages spoken in the city.

Factor #1: The number or proportion of LEP persons served or encountered in the eligible service population.

As mentioned in Section I, HUD guidance suggests that agencies should make reasonable accommodations for languages that consist of more than 5% of the population. According to the US Census (2010-2012 American Community Survey 3-Year Estimates), there are 195,194 people in the city of Rochester age five years and older. Of that population, approximately 17,000 people (9%) speak English less than "very well". This US Census category is similar to LEP persons, as defined by HUD for the purposes of LAP development. The primary language spoken by this segment of the population is Spanish (5%), distantly followed by Asian, African, and Indic languages (<1%). See Table 4 below. Therefore, only Spanish-speaking LEP persons meet the HUD guidance threshold of 5%.

The US Census groups several languages into subgroups. The largest subgroups represented in Rochester are Other Asian Languages, African Languages, and Other Indic Languages. For the purposes of this LAP, it is important to investigate which specific languages are prominent within those subgroups. The list of subgroups was cross-referenced with anecdotal information from the LAP Survey and information provided by Catholic Family Center (CFC), a not-for-profit organization that features language services. Anecdotally, but not supported by definitive data, other prominent languages encountered in the city of Rochester that fit into those subgroups include Somali (Other African

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Languages), Ethiopian (Other African Languages), Nepali (Other Indic Languages or Other Asian Languages) and Burmese (Other Indic Languages or Other Asian Languages). Therefore, for planning purposes, it can be surmised that the subgroups near the top of Table 4 primarily consist of Somali, Ethiopian, Nepali, and Burmese. Regardless of how the data is organized, it is clear that no language other than Spanish represents more than 1% of the population.

Table 4: Language Spoken at Home by Persons that Speak English Less Than “Very Well”

Language	Estimate	% of Total Pop	<i>Likely Makeup of Subgroup</i>
Spanish	10,041	5.14%	
Other Asian Languages	1,329	0.68%	<i>Nepali and/or Burmese</i>
African Languages	864	0.44%	<i>Somali and/or Ethiopian</i>
Other Indic Languages	743	0.38%	<i>Nepali and/or Burmese</i>
Chinese	665	0.34%	
Vietnamese	659	0.34%	
Laotian	515	0.26%	
French Creole	347	0.18%	
French	296	0.15%	
Arabic	291	0.15%	
Korean	197	0.10%	
Polish	171	0.09%	
Italian	161	0.08%	
Other Slavic Languages	155	0.08%	
Russian	149	0.08%	
Serbo-Croatian	103	0.05%	
Mon-Khmer, Cambodian	100	0.05%	
German	82	0.04%	
Other Native North American Languages	68	0.03%	
Other Indo-European Languages	45	0.02%	
Japanese	44	0.02%	
Hindi	41	0.02%	
Other West Germanic Languages	35	0.02%	
Scandinavian Languages	33	0.02%	
Thai	33	0.02%	
Urdu	30	0.02%	
Hebrew	25	0.01%	
Hungarian	24	0.01%	
Yiddish	23	0.01%	
Tagalog	22	0.01%	
Gujarati	12	0.01%	
Other Pacific Island Languages	12	0.01%	
Greek	11	0.01%	
None: Armenian, Hmong, Navajo, Persian, Portuguese, Portuguese Creole,	0	0.00%	

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and Other Unspecified Languages		
TOTAL	17,326	8.88%

CFC also has a refugee assistance program. Data collected through this program can further inform both the current prominent languages and the potential influx of languages in future years. CFC indicated that over the past several years, significant numbers of people have come to Rochester from Bhutan, Burma, Cuba, Iraq, and Somalia (see Table 5), increasing the likelihood of people needing services in those languages.

Table 5: Refugee Arrivals Between 1/1/2007 and 5/31/2014

Nation of Origin	Cases	Individuals	Languages Spoken
Afghanistan	10	29	Farsi
Bhutan	843	2,022	Nepali
Burma	381	923	Burmese
Burundi	19	57	Swahili, French, Kirundi
Central African Republic	1	3	not documented
Chad	2	7	not documented
China	1	1	Chinese
Congo	39	117	French & others
Congolese	1	3	French & others
Cuba	289	417	Spanish
Eritrea	26	35	Anharic, Swahili, Tigrinia
Ethiopia	10	16	Anharic, Swahili, Tigrinia
FSU	4	9	not documented
Iran	2	7	Persian
Iraq	155	394	Arabic
Iraqi	1	1	Arabic
North Korea	3	5	Korean
Liberia	8	21	not documented
Nepal	13	24	Nepali
Rwanda	1	5	not documented
Somalia	218	441	Somali
Sudan	30	46	Various
Turkey	1	5	not documented
Ukraine	16	48	Ukrainian
Vietnam	1	3	Vietnamese
Zaire	1	1	not documented
Zambia	1	3	not documented
Zimbabwe	1	2	not documented
TOTAL	2,078	4,645	

Source: Catholic Family Center

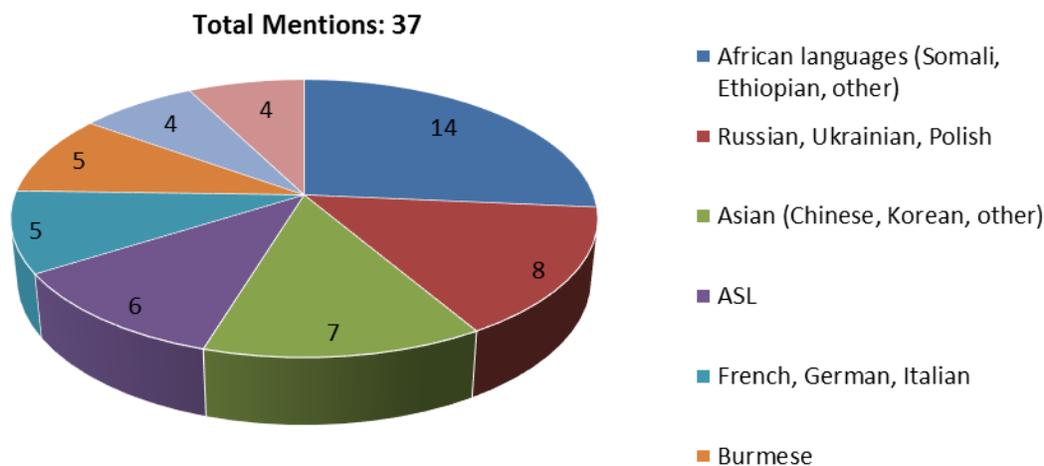
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Lastly, the Rochester area also has a large deaf and hard of hearing population, due to the proximity of the National Technological Institute for the Deaf at RIT and the Rochester School for the Deaf. While no data is available to indicate the number of people speaking American Sign Language (ASL), anecdotal evidence suggests that it is one of the more prominent languages behind Spanish.

Factor #2: The frequency with which LEP persons come into contact with the program.

According to the LAP Survey, most of the City's departments have relatively infrequent contact with LEP persons that speak languages other than Spanish, with the exception of the public libraries and the public safety departments (Fire and Police). As seen in Figure 1, different departments of the City encounter LEP persons rarely more than once a month. Most frequently mentioned are African languages (such as Somali and Ethiopian), Russian, Ukrainian, Polish, Chinese, Korean, and ASL.

Figure 1: Languages other than Spanish Encountered by City Departments, as Reported in the LAP Survey



Anecdotally, the Fire Department mentioned they have seen an increase in many of the above languages, which are intermittent and localized to particular areas of the city. The local libraries report hearing multiple languages, but that almost all interactions with staff occur in English or Spanish. Youth Services frequently encounters Somali as well as other African languages at the recreation centers.

Although not captured in the LAP Survey, it is expected that the Water Bureau and the Department of Environmental Services have somewhat regular contact with LEP persons

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that speak languages other than Spanish. Both of those departments have staff that regularly work in the field.

Factor #3: The nature and importance of the program, activity, or service provided by the program.

The City of Rochester provides innumerable programs, activities, and services to its residents and businesses. For an operation of this scale, it is difficult to comprehensively identify which of these have a critical need for language translation services.

Through the process of developing this Plan, several resources and services were identified as being critical or highly important and therefore should be considered for translation into at least Spanish. Printed materials were identified primarily, while programs, activities, or services that entail personal interaction are addressed by establishing a consistent protocol for accessing internal or external translators (see Action #1 A in Section III). The critical or highly important printed materials include, but are not limited to:

- Permit applications
- Notice and Orders issuance and other critical notices from Inspection and Compliance Services
- Homebuyer Services Application and related documents
- Home repair/rehabilitation assistance applications
- Business Permits and Permit Renewals
- Public Meeting notices
- Various program/service/information literature found in various department/office lobbies
- Freedom of Information Applications
- Business assistance forms

In addition to the above list, each department should perform a careful examination of its programs, activities, services, and documents that should be offered in alternate languages. See Action #1 D in Section III.

Factor #4: The resources available and costs to the recipient.

The City of Rochester faces increasingly strained financial and staff resources, similar to municipalities throughout the country. As such, dedicating additional resources to improving language access requires creativity and a careful consideration of the costs and benefits. As described in more detail in Section III, the City intends to address language services using a variety of strategies that are consistent with current resource constraints. These include:

- Establishing more consistent protocols across various departments (staff time, no cost)

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- Expanding partnerships with external agencies to improve referral resources for LEP persons (staff time, no cost)
- Promoting this LAP and the various resources available to all employees, i.e. List of Translators, partnerships with external organizations, etc. (staff time, no cost)
- Expanding the use of on-demand translation services, written or verbal, that can be accessed by all departments (staff time, costs dependent on scale of request)
- More intentional examination of printed materials that warrant translation (staff time, costs dependent on scale of request)

Beyond these various improvements, the City would have to expend resources that would substantially exceed the benefits. Regarding offering translation services, written or verbal, to languages other than Spanish, the factual and anecdotal evidence (see Factor #1) does not indicate significant expenditures are justified. However, the general strategies outlined above and the specific Actions identified in Section III represent reasonable language services improvements for speakers of all languages.

III. LANGUAGE ACCESS PLAN

The City of Rochester Language Access Plan (LAP) shall be fully implemented subject to the availability of fiscal and staff resources. This LAP represents the City of Rochester's administrative blueprint to provide meaningful access to various services, programs and activities on the part of LEP persons². The Plan outlines the tasks that the City and its various departments will undertake to meet this objective.

Action #1 Establish contracts or memorandums of understanding for on-call translation services, both for verbal and printed resources.

- A. The City should release an RFP for on-call translation services and consider the costs and benefits of proposals submitted. Should the City decide to not pursue a paid contract with a translation service provider, key departments and offices (i.e. Neighborhood Service Centers, Libraries, recreation centers, etc.) should pursue partnerships with ethnicity-based organizations to solicit volunteer translators to assist with LEP persons. An additional option would be to expand current contracts held by the Communications Department and 311 Call Center to allow access to translation services from multiple departments.
- B. A document listing key public service locations (i.e. Neighborhood Service Centers, City Clerk, City Treasurer, Libraries, etc.) and contact information would be useful for other primary points of public contact, as well as posted in highly-visible areas.
- C. Key documents in each department should be identified as needing translation into prominent languages. Priority documents would include those most frequently used and those that would result in notable hardship if not translated, i.e. contracts, notice and orders, business permit renewals, etc. See Section II, Factor #3 for other examples. It should be noted that business assistance procedures, in particular, often entail complex documentation required by state and federal sources. Translation of these printed documents may not be sufficient. Consideration should be given to in-person translation services to guide applicants through the process.
- D. The City website should include a notice referring people to organizations (contracted or otherwise) that offer language services.
- E. General voicemail boxes for each department should have a Spanish translation.
- F. Vital public meetings or hearings should have a Spanish translation.

² For the purposes of this document, all references to languages other than English include not just spoken and written languages, but also American Sign Language (ASL).

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Action #2 Update list of bilingual/multi-lingual employees (Translator List) and provide to all departments.

Make the Translator List a readily available resource at points of public contact such as security desks, Treasury Counter, Neighborhood Service Centers, Permit Office, Parking Violations Bureau, Department of Human Resource Management, Bureau of Business and Housing Development, etc. It should also be made available to all employees via the Employee Portal. See Appendix A for an updated version of the Translator List.

Action #3 Develop a language identifier card to assist City staff at key points of public contact.

The card would allow residents/customer to identify their preferred language, which would assist City staff with connecting them to internal or external translators. The card would include instructions on referring residents/customers to outside agencies if their particular language is not covered by in-house translators. The Police Department has a version of this resource (see Appendix B). The card should be used in conjunction with the Translator List mentioned in Action #2.

Action #4 Distribute this LAP throughout City Hall to promote availability of existing and planned resources, as well as improve service for residents/customers.

Distribution should be accompanied by a brief explanation by department/bureau/division managers of how to use the LAP, basic policies for interaction with LEP persons, and available resources.

Action #5 Encourage staff to learn basic Spanish, ASL, and other prominent languages.

Have DHRM promote the employee tuition benefit as it relates to language skill development. The promotion could identify local organizations that offer language classes. To encourage greater participation, the benefit could be promoted in the context of rolling out the LAP, which is intended to strengthen the City's resources and services to people with limited English proficiency.

Action #6 Continue to make hiring of bi-lingual employees a priority.

The City currently has 38 staff positions budgeted that are bilingual in nature. DHRM should maintain or increase the number of bilingual positions and continue to view language skills as a major asset for new hires.

Action #7 Implement, monitor, and update the LAP.

The Communications Bureau will be tasked with implementing and monitoring the progress of the LAP. The Plan should be updated biannually. This task will entail collaboration with various departments within the City. The Language Access Coordinator is:

Assistant to the Director of Communications
Department of Communications
Phone # (585) 428-6427

Language Access Complaint Procedure

You may file a complaint with the City of Rochester Language Access Coordinator if you believe you have been denied the benefits of this Plan. You must file your complaint within six months of the alleged denial. You must file a written complaint.

To file a complaint with the Language Access Coordinator, submit the written complaint to:

Language Access Coordinator
Department of Communications
30 Church Street, 202A
Rochester, NY 14614