

OFFICE OF EQUITY AND SOCIAL JUSTICE

LANGUAGE ACCESS REQUIREMENTS

Purpose: To provide King County departments and agencies with an overview of legal obligations, regulations and policy directives aimed at serving Linguistically Diverse (LD)/Limited English Proficient (LEP) members of the public.

Federal Requirements	Summary of requirement specific to language access	Website
Title VI of the Federal Civil Rights Act of 1964	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Failure by a recipient to provide meaningful access to LEP persons can constitute national origin discrimination.	Link: United States Code Chapter 21- Civil Rights
Executive Order 13166	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	Link: Overview of Executive Order 13166

	<p>system to provide those services so LEP persons can have meaningful access to them. Also requires that federal agencies work to ensure recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. Meaningful access is defined as language assistance services that result in accurate, timely, and effective communication with the LEP individual.</p>	
<p>Affordable Care Act Section 1557</p>	<p>Covered entities must provide information about communication assistance. Entities must post taglines informing the LEP public of the availability of language services in the top 15 languages spoken by LEP individuals in the relevant state or states.</p>	<p>Link: Summary of the Section 1557 of the Affordable Care Act</p>
<p>The Stafford Act</p>	<p>Requires the Administrator of FEMA to lead efforts to prevent discrimination against</p>	<p>Link: United States Code</p>

	LEP individuals in emergency management and assistance. (see §5196 Disaster related information services)	Chapter 68 - Disaster Relief
Executive Order 12250	Requires that federal agencies coordinate their Title VI enforcement efforts under the guidance of the Federal Coordination and Compliance Section of the Department of Justice Civil Rights Division.	Link: Executive Order 12250
American with Disabilities Act of 1990	Title II of the ADA, 42 U.S.C. §§ 12101-12213, requires comparable access by all state and local government programs, regardless of whether or not the programs get federal financial assistance. Reasonable steps shall be taken to members of the public with disabilities have an equal opportunity to participate in, and enjoy the benefits of service, program or activity conducted by a public entity.	Link: Americans with Disabilities Act Title II Regulations

<p>Section 504 of the Rehabilitation Act of 1973</p>	<p>Section 504, 29 U.S.C. § 794, requires programs which receive federal financial assistance to provide accommodations, such as qualified interpreters, real-time captioning (also called CART), assistive listening devices, or other auxiliary aids, to people with disabilities when necessary to ensure effective communication.</p>	<p>Link: Summary of Section 504, Rehabilitation Act of 1973</p>
<p>State Requirements</p>	<p>Summary of requirement specific to language access</p>	<p>Website</p>
<p>Emergency Communications RCW 38.52.070</p>	<p>Requires agencies of this state to consider, as part of their determination of the extent of the obligation to provide emergency notification to significant population segments, the following factors: The number or proportion of the limited English proficiency persons eligible to be served or likely to be encountered; the frequency with which limited English proficiency individuals</p>	<p>Link: Emergency Communications Plan requirements</p>

	<p>come in contact with the emergency notification; the nature and importance of the emergency notification, service, or program to people's lives; and the resources available to the political subdivision to provide emergency notifications.</p>	
<p>Interpreter for LEP during Legal Proceedings Title 2 RCW 2.43</p>	<p>Requires agencies of this state to secure the rights, constitutional or otherwise, of persons who, because of a non-English-speaking cultural background, are unable to readily understand or communicate in the English language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them.</p>	<p>Link: Appointment of Interpreter Link: Waiver of Right to Interpreter Link: Language Assistance Plan</p>
<p>Interpreter in Legal Proceedings for Deaf, Deaf-Blind, Hard of</p>	<p>Requires agencies of this state to secure the constitutional rights of Deaf persons and of other persons who, because of impairment of hearing or</p>	<p>Link: Appointment of Interpreter</p>

<p>Hearing, Deaf Hard of Hearing persons. Title 2 RCW 2.42</p>	<p>speech, are unable to readily understand or communicate the spoken English language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them.</p>	<p>Link: Waiver of Right to Interpreter Link: Visual Recording of Testimony</p>
<p>County Requirements</p>	<p>Summary of Requirement</p>	<p>Link</p>
<p>King County Code (K.C.C. §2.15.030) Immigrant and Refugee Ordinance 18665</p>	<p>King County and all its contractors shall provide free interpretation and translation services as required by this chapter to limited-English-proficient persons' person shall not wait unreasonably longer to receive assistance. King County agencies and offices shall develop language assistance plans that outline translation needs based on top six languages spoken in King County. Lastly, reasonable efforts to provide oral interpretation of applications or forms and acknowledgement by LEP</p>	<p>Link: King County Code §2.15.030</p>

	<p>person that form was completed by an interpreter. A person who has been injured or otherwise sustained damages as a result of a violation of this chapter may file a complaint with the King County office of civil rights in accordance with K.C.C. 12.22.040.</p>	
<p>Written Language Translation King County Executive Order (INF 14.2 (AEO))</p>	<p>King County departments and offices should create a process to receive all printed public communication materials intended for broad distribution to inform and educate people.</p> <p>All departments and offices to translate information in at least Spanish, a summary document that provides overview information about the department and its services which will be posted on departmental home pages.</p>	<p>Link: Written Language Translation Process Executive Order</p>

	<p>All departments and offices to translation targeted “public communication materials” and “vital documents” into the target audience’s language when the target audience is a specific community or group with “Limited English Proficiency”</p> <p>All departments and agencies to consider and use alternative forms of language assistance rather than translation when the alternative would be more effective or practical.</p>	
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If you have additional questions, please contact:

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