



Legislation Text

File #: 2157-2022, Version: 1

The purpose of this legislation is to enact new chapter 174 of the Columbus City Codes, pertaining to the requirement of language access services for residents of limited English proficiency.

The City provides programming and services that need to be accessible to all residents, from registration forms for programs, 311, and emergency services. Some city offices have instituted clear policies for providing these materials and services in other languages, as may be necessary for much of the City's New American population, which may have limited English proficiency. However, in order to ensure that Columbus is a welcoming city, it is necessary to introduce into our City Code a requirement that all city offices, based on their level of providing vital public documents and services to residents, provide some level of language access services so that our diverse immigrant, refugee, and migrant population can have the same levels of access as those with greater English proficiency. So this ordinance creates new chapter 174 to require city offices to provide these services, as are deemed necessary by each office, and to create policies that will cover such items as identifying public documents for translation, interpretation services, annual reporting, and community outreach efforts.

The City of Columbus represents and welcomes all residents, regardless of national origin, and all City offices are committed to making Columbus a city that provides opportunity for all. This ordinance continues Council's efforts to make Columbus a truly welcoming city.

To enact new chapter 174 of the Columbus City Codes; to ensure language access services for persons of limited English proficiency to better interact with city government, and to declare an emergency. **(AMENDED BY ORD. 3503-2022 PASSED 12/12/2022)**

WHEREAS, the City of Columbus represents and welcomes all residents regardless of national origin, and is committed to making Columbus a city that provides opportunity for all; and

WHEREAS, the City of Columbus is home to an increasingly diverse population, including immigrants, refugees, and migrants from across the world, who add to the economic strength and cultural richness of the community; and

WHEREAS, in many cases, these New Americans have limited English proficiency, but need the same access to city services as proficient English speakers; and

WHEREAS, the City of Columbus needs basic rules in place to ensure this access, regardless of the city office that these residents are attempting to access; and

WHEREAS, to ensure this, City Council is enacting new chapter 174 of the Columbus City Codes to require language access services be provided for vital public documents and city programming; and

WHEREAS, an emergency exists in the normal operations of the various City departments in that it is important to immediately beginning planning for implementation of the provisions of this new code so as to afford access to residents of limited English proficiency to vital city services; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That new chapter 174 of the Columbus City Codes is hereby enacted, reading as follows:

Chapter 174 - LANGUAGE ACCESS AND CITY SERVICES

174.01 - Definitions

As used in this chapter:

(A) “Direct public services” means services administered by the city directly to specific program beneficiaries or participants.

(B) “Interpretation” means the act of listening to a communication in one language and orally converting it to another language, either by spoken word or converted to written word from an oral communication, while retaining the same meaning.

(C) “LEP” means “limited English proficiency.”

(D) “Translation” means the written transfer of a message from one language into another language while retaining the same meaning.

(E) “Vital public documents” means those documents most commonly accessed by, distributed to, or completed by the public that contain or elicit important and necessary information regarding the provision of basic city services or affect a person’s legal rights or obligations. These shall include, but are not limited to, public health directives, public safety alerts, housing applications, utility bills, and zoning applications.

174.02 - Language access for city services

(A) All city offices that provide direct public services shall ensure access to such services by adopting and implementing a language access services policy for LEP persons. Those offices that already provide language access services to the public prior to the enactment of this chapter, or those that provide services that are not programmatic in nature, such as emergency services, shall adhere to this chapter to the degree practicable.

(B) Each city office shall implement language access services according to the needs of the persons served by each respective office, as determined by the city officer, director, or administrator. Such factors to determine what language access services are made available may include the following:

(1) The number or proportion of LEP persons served or encountered in the eligible service population, including information regarding specific languages spoken;

(2) The frequency with which LEP persons come into contact with the department;

(3) The nature and importance of the program, activity or service to the LEP person, including consequences of lack of language services or inadequate interpretation or translation; and

(4) The resources available to the office and the costs of providing various types of language services.

(C) City offices shall provide, to the extent practicable, language access services in any non-English language that it determines necessary for implementation of these services. Those languages can be determined based on a variety of relevant sources, including United States Census data, intake data collected by city offices, data on telephonic language translation service requests or usage, and community feedback.

(D) City offices shall ensure that language access services include the following elements for LEP persons:

- (1) identification and translation of vital public documents distributed to or completed by residents;
- (2) interpretation services, including the use of telephonic or in-person interpretation services;
- (3) training of certain employees, as determined by the department or division, on cultural competencies, language access policies and procedures;
- (4) periodic community engagement efforts that may include public notices, media outreach, and public meetings;
- (5) annual review of language access services to gauge effectiveness in reaching LEP populations;
- (6) clearly visible, multilingual signage in city facilities to accommodate public interactions between LEP persons and city employees.

174.03 - Annual reporting

Following implementation of a language access services policy, city offices shall annually prepare a report detailing progress in efforts to implement and continue language access services and submit this report to the mayor and city council no later than June 1 of each year.

174.04 - Community engagement

City offices shall create procedures for persons to provide comment on the language assistance offered or provided to them by the office, such as comments on the type, effectiveness, or quality of language assistance made available. Offices shall make a summary of any collected information available to the public in the office's annual reporting and shall use the information so gathered to inform language access service improvements on a periodic basis.

SECTION 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and to allow City offices sufficient opportunity to prepare and execute the new requirements, the enactment of new sections 174.02-174.05 shall take effect and be in force from and after January 1, 2023. if approved by the Mayor, or if, after ten days, the Mayor neither approves nor vetoes the same.