



STATE OF WISCONSIN
GOVERNOR'S COUNCIL ON DOMESTIC ABUSE

Developing a Language Access Plan
Resources for Domestic Abuse Programs

Domestic violence agencies work daily to ensure safety for survivors/victims. The ability to access services is essential to providing safety and security for survivors and their children. Challenges to access increase when the survivor is an individual with Limited English Proficiency (LEP), identifies as Deaf or hard-of-hearing, or has other communication challenges due to Developmental Disability, Intellectual Disability, or other Communication Disorder.

The Governor's Council on Domestic Abuse Access Committee has developed this document as a resource for Wisconsin domestic abuse programs to develop and/or improve their own Language Access Plan. Effective Language Access Plans ensure all survivors of domestic abuse, regardless of language barriers, receive access to all lifesaving services.

Additionally, numerous federal guidelines require agencies to ensure effective communication with all people. Equal access to services can only be guaranteed with an effective Language Access Plan.

- Title VI of the Civil Rights Act of 1964 “prohibits discrimination of the basis of race, color, and national origin” in agencies who receive federal financial assistance.¹ Executive Order 13166 requires those agencies to assess the need for and “develop and implement a system to provide [their] services so LEP persons can have meaningful access to them.”²
- The Americans with Disabilities Act (ADA) requires that places of public accommodation must ensure, regardless of ability, “equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations.” All public accommodations must provide “auxiliary aids and services”.³
- Section 504 of the Rehabilitation Act of 1973 forbids any organization who receives federal financial assistance “from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services.”⁴

For more information regarding federal guidelines and technical assistance on the requirements, review the resources below:

- Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs
https://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf
- Common Language Access Questions, Technical Assistance, and Guidance for Federally Conducted and Federally Assisted Programs
https://www.lep.gov/resources/081511_Language_Access_CAQ_TA_Guidance.pdf

Language Access Plan standards have been developed to ensure that communication with LEP, Deaf, hard-of-hearing, and/or a person with a communication disorder is accurate and equal to that of English-using individuals. Qualified interpreters, rather than children or family members, are fundamental in ensuring clear and unbiased interpretation. Proactive plans, rather than reactive, must be in place to address the needs of LEP persons.

¹ U. S. Department of Justice, *Title IV of the Civil Rights Act of 1964*. Updated January 22, 2016.
<https://www.justice.gov/crt/fcs/TitleVI-Overview> (accessed January 6, 2020)

² U.S. Department of Justice, *Improving Accesss to Services for Persons with Limited English Proficiency*. Updated March 19, 2019. <https://www.justice.gov/crt/executive-order-13166> (accessed January 6, 2020)

³ U.S. Department of Justice, *Title III Regulations*. Updated January 17, 2017.
https://www.ada.govregs2010/titleIII_2010/titleIII_2010_regulations.htm (accessed January 6, 2020)

⁴ U.S. Department of Health and Human Services, *Your Rights Under Section 504 of the rehabilitation Act*. Revised June 2006. <https://www.hhs.gov/sites/default/files/ocr/civilrights/resources/factsheets/504.pdf> (accessed January 6, 2020)

These standards, along with further clarity on the importance of meaningful language access plans, are described in depth in the following resources:

- Survivors with Limited English Proficiency: Barriers to Access (Asian Pacific Institute on Gender-Based Violence)
https://s3.amazonaws.com/gbv-wp-uploads/wp-content/uploads/2019/05/31191034/LEP-survivors-accessibility-9-2016-formatted-20191.pdf?sm_au_=iVVfTOMSdBVSTMNMJWLJ8K7WM8M4G
- Civil Rights Division Language Map App
<https://www.lep.gov/maps/>

Individuals with Limited English Proficiency

Individuals with LEP do not use English as their primary language and have a limited ability to read, write, speak, or understand English. These persons may be individuals from immigrant or refugee populations, or persons with limited communication skills. There are “at least 350 languages” spoken in homes throughout the United States and over 20% of the U.S. population “speaks a language other than English at home.”⁵ Ensuring meaningful, equal access to services is necessary to ensure the safety of all domestic violence survivors and their families.

For more information regarding interpreting services or technical assistance on providing services to individuals with LEP, the below resources are available:

- End Domestic Abuse Wisconsin
<https://www.endabusewi.org>
- Black and Brown Womyn Power Coalition
<https://www.bbwpcoalition.org/>
- Wisconsin Department of Health Services – Limited English Proficiency Resources
<https://www.dhs.wisconsin.gov/civil-rights/lep-resources.htm>

Deaf and Hard-of-hearing Individuals

The National Association of the Deaf explains that there is significant diversity within the deaf and hard-of-hearing community. Diversity exists based on when and how a person became deaf or hard-of-hearing, as well as cultural identity, educational background, and family structure. In the United States, Deaf (uppercase) individuals are a part of a specific group of deaf people who share the same language, American Sign Language (ASL), and culture. Hard-of-hearing may mean that a person has some hearing loss, or it could mean a person who is deaf but who does not identify as part of the Deaf community. Individuals who are a part of the Deaf and Hard-of-hearing community get to choose their own labels based on what cultural group they feel they most align with. No matter the title, it is critical that language access is provided equally and effectively for all people so that access to services is not negatively impacted.⁶

For resources on interpreting services or technical assistance on working with the Deaf and Hard-of-hearing community, the below resources are available:

- Deaf Unity
<https://www.deafunitywi.org/services/index.php/about>

⁵ Violence, A. P.-B. (n.d.). *Survivors with Limited English Proficiency: Barriers to Access*. Retrieved from https://s3.amazonaws.com/gbv-wp-uploads/wp-content/uploads/2019/05/31191034/LEP-survivors-accessibility-9-2016-formatted-20191.pdf?sm_au_=iVVWDskFRQkZV508JWLJ8K7WM8M4G (accessed January 6, 2020)

⁶ Deaf, N. A. (2020). *Community and Culture - Frequently Asked Questions*. Retrieved from National Association of the Deaf: <https://www.nad.org/resources/american-sign-language/community-and-culture-frequently-asked-questions/>

- Wisconsin Department of Health Services – Sign Language Interpreters
<https://www.dhs.wisconsin.gov/odhh/interpreting/index.htm>
- Serving Individuals Who Are Deaf, Hard of Hearing, or Deaf-Blind and Do Not Use ASL
<https://www.api-gbv.org/resources/deaf-blind-hard-of-hearing/>
- 24-Hour, free crisis interpreting (DeafLEAD)
<https://www.deafinc.org/deaflead/24-hour-free-crisis-interpreting.html>
- Free ASL Interpreters (DeafLEAD)
<https://www.deafinc.org/deaflead/need-an-interpreter.html>

Individuals with Other Communication Challenges due to Developmental Disability, Intellectual Disability or Communication Disorder

Some people with Developmental Disabilities (DD), Intellectual Disabilities (ID), or Communication Disorders may have difficulty communicating verbally, while also being at a high risk of experiencing domestic violence. For some people expressive language may be affected more than receptive language. Additionally, the ability to express oneself verbally does not indicate ability to understand others or live independently. Some common alternative communications people with I/DD, Autism, and/or communication disorders may use include Augmented and Alternative Communication (AAC), American Sign Language (ASL), Speech Generating Devices, pointing to letters/words/pictures, or writing. I/DD may also affect a person's ability to read and write, but not in all cases. A person may use an assistive device or need materials in a different format to meet their needs.

For additional resources to assist with working with this population, please review below:

- Department of Health Services – Wisconsin’s Assistive Technology Program
<https://www.dhs.wisconsin.gov/disabilities/wistech/index.htm>
- ASHA Augmentative Communication Resources
https://www.asha.org/PRPSpecificTopic.aspx?folderid=8589942773§ion=Key_Issues
- Disability Rights Wisconsin- Assistive Technology
<http://www.disabilityrightswi.org/resources/assistive-technology/>

Language Access Plan Development Tools

- Points of Contact Worksheet (National Latin@ Network)
<https://nationallatinonetwork.org/lep-toolkit-tools/management-tools>
- Program Language Assessment (National Latin@ Network)
<https://nationallatinonetwork.org/lep-toolkit-tools/management-tools/program-language-assessment>
- Measuring Capacity (Vera Institute)
<https://indicators.endabusepwd.org/#!/>
- Language Access Plan Template (National Latin@ Network)
<https://nationallatinonetwork.org/lep-toolkit-tools/language-access-plan-template>
- Example Language Access Plan Template (Kansas Coalition Against Sexual and Domestic Violence)
<https://www.kcsdv.org/wp-content/uploads/2018/03/model-LEP-plan.pdf>
- Example Language Access Plan Template (Idaho Coalition Against Domestic Violence)
https://icdv.idaho.gov/wp-content/uploads/sites/80/2019/10/ICDV_Idaho_Programs_LEP_Model_Policy_2014_Final-8-6-2014.pdf
- Language Access Policy Template (Asian Pacific Institute on Gender-Based Violence)
<https://www.api-gbv.org/resources/language-access-policy-template/>
- Developing a Language Access Plan for Your Agency (Asian Pacific Institute on Gender-Based Violence)
<https://www.api-gbv.org/resources/language-access-plan/>
- Translating Justice (Vera Institute)
<http://reachingvictims.org/resource/translating-justice-trainers-toolkit/>