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Language Access Implementation Plan

The Language Access Implementation Plan explains how the CCRB will provide services to people who have limited English proficiency (LEP).

Agency Name: New York City Civilian Complaint Review Board

Language Access Coordinator(s) name: Edwin Peña
Jessica Peña

Language Access Coordinator(s) title: Senior Investigations Managers

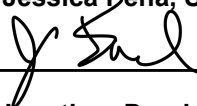
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This Plan includes information about:

1	Agency mission and services	
2	Agency language access policy	
3	Language access needs assessment	How the agency assesses the language access needs of the people it serves
4	Notice of the right to language access services	How the agency notifies the public about their right to language access services
5	Provision of language services	What language services the agency provides
6	Resource planning	How the agency ensures that it has the internal and external resources to provide language services
7	Training	How the agency trains the staff to provide language services
8	Continuous improvement planning	How the agency ensures ongoing improvement of language access
9	Goals and actions planning	How the agency will put the plan into action

Signatures

[NOTE: In this section, include the signature of the LAC and the agency head/ commissioner, and attach LAIP. The signatures signify that agencies will take necessary steps to advance equity and inclusion of individuals with LEP.]

Edwin Pena	06/05/2024
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Edwin Pena, Senior Investigative Manager/Language Access Coordinator	Date
Jessica Pena	06/05/2024
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Jessica Pena, Senior Investigative Manager/Language Access Coordinator	Date
	06/06/2024
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Jonathan Darche, Esq., Executive Director	Date



Section 1. Agency Mission and Services

The New York City Civilian Complaint Review Board (CCRB or Agency) is an independent City agency empowered to receive, investigate, hear, make findings, and recommend action on civilian complaints against members of the New York City Police Department (NYPD) that allege excessive or unnecessary force, abuse of authority, including biased-based policing and racial profiling, discourtesy, or the use of offensive language. The agency also investigates, hears, makes findings, and recommends actions on the truthfulness of statements made by a subject officer during the course of or in relation to the resolution of a CCRB complaint. The City Council recently authorized the CCRB to investigate past professional conduct in the course of performance of official duties by members of the NYPD against whom a covered entity has made a final determination that the member of service engaged in an act of bias or a severe act of bias within the past five years.

The CCRB is staffed entirely with civilian employees. The CCRB's Board is comprised of 15 members, with five members appointed by the Mayor, five appointed by the City Council (one from each borough), three designated by the Police Commissioner, one appointed by the Public Advocate, and the Chair jointly appointed by the Mayor and the Speaker of the City Council. Under the City Charter, the Board must reflect the diversity of the City's residents and all members must live in New York City. No Board member may have a law enforcement background, except those designated by the Police Commissioner, who must have prior experience as law enforcement professionals. Board members may not be public employees or serve in public office.

The Board reviews and makes findings on complaints and then forwards its findings and discipline recommendations to the Police Commissioner, who has final authority over police disciplinary matters. Pursuant to a Memorandum of Understanding between the NYPD and the CCRB, effective April 11, 2013, attorneys from the CCRB's Administrative Prosecution Unit (APU) prosecute most of the cases in which the Board substantiates misconduct and recommends Charges and Specifications, the most serious discipline.

In fulfillment of its mission, the CCRB pledges to encourage members of the community to file complaints when they believe that they have been victims of police misconduct, respect the rights of civilians and officers, encourage all parties to come forward and present evidence, expeditiously investigate misconduct allegations thoroughly and impartially, make fair and objective determinations on the merits of each case, offer civilians and officers the opportunity to mediate complaints, when appropriate, recommend disciplinary actions that are measured and appropriate, engage in community outreach, report relevant issues and policy matters to the Police Commissioner and the public, and advocate for policy changes related to police oversight, transparency, and accountability that will strengthen public trust and improve police-community relations.

The Board has appointed an Executive Director who handles the day-to-day operations of the agency. In 2023, the CCRB had a staff of 237 employees: 144 in the Investigations Division, four in the Mediation Unit, eight in the Outreach and Intergovernmental Affairs Unit, 16 in the APU, 19 in the Racial Profiling and Bias-Based Policing Investigations Unit, and 46 in the Administrative Division. The Administrative Division is comprised of four Executive Staff, seven in the General Counsel's Office, five in the Human Resources Unit, two in the Communications Unit, seven in the Management Information Systems Unit, three in the Operations Unit, three in the Civilian Assistance Unit, five in the Policy Unit, nine in the Case Management Unit, one as Board Panel Support, and one member in charge of Agency Security.

The CCRB is located at 100 Church Street, 10th Floor in Manhattan.

In 2023, the CCRB received 5,546 complaints that fell under its jurisdiction. Most of the complaints received by the agency are referred by the NYPD's Internal Affairs Bureau (IAB). Civilians can file complaints in person, in writing, by email, by calling the CCRB or 311, via the agency's website, at police stationhouses throughout the City, through social media, or at designated City Council members' offices. Most complaints are filed by phone—either with an investigator during normal business hours or by phone-recorded message during non-business hours. If the case is suitable for mediation, and if the civilian and officer agree to mediate the complaint, they can participate in an in-person or virtual mediation session moderated by a trained third-party mediator. During 2023, the CCRB conducted over 4,000 civilian interviews and had approximately 55,000 instances of telephone contact with members of the public.

Section 2. Agency Language Access Policy

The CCRB aims to make services accessible to New Yorkers with limited English proficiency (LEP). Accordingly, the agency monitors and updates its language access practices for services that include communication with members of the public.

The guidance included in this plan is intended to improve the internal management of the agency's language access program. Implementing this Language Access Plan will allow the CCRB to better serve the LEP population and consequently the agency will be able to memorialize and track this population's concerns with respect to police misconduct more accurately. Policies set forth standards and guidelines that govern the agency's delivery of language access services. This section explains agency-specific language access policies.

- The use of family members or friends to assist with interpretations is discouraged and the use of children to assist with language interpretation is prohibited. Such individuals may not have the necessary skills, qualifications, and knowledge of the canons of professional responsibility to provide accurate, impartial, and confidential interpretation. Furthermore, untrained interpreters may omit, add, substitute or volunteer answers which could lead to miscommunication.
- Language services are provided free of charge to LEP individuals.
- The agency promotes equity and inclusion of LEP individuals who seek our services.
- All documents that need translation are reviewed for Plain Language prior to being translated.
- Document translations are done by certified private vendors.

Section 3. Language Access Needs Assessment

The CCRB will utilize the United States Department of Justice (DOJ) "Four Factor Analysis" to aid the agency in determining its LEP client's language access needs and to evaluate service:

DOJ Factor 1 – The number or proportion of LEP persons in the eligible service population:

The CCRB looked at citywide data to assess the number or proportion of LEP persons and their languages in the eligible service population for our investigations, administrative prosecution, and outreach units. According to data from the American Community Survey, 48.5% of New Yorkers above the age of five, or approximately four million New

Yorkers, speak a language other than English at home, and almost 25%, or 1.8 million persons, are not English proficient. For individuals who are not English proficient, interacting with City government can be a challenge.

In February 2017, the New York City Council passed Local Law 30 (LL30), which required all City agencies to appoint a language access coordinator, develop language access implementation plans, provide telephonic interpretation in at least 100 languages, translate their most-distributed documents into the 10 designated citywide languages, and post signage about the availability of free interpretation services, among other requirements. Based on data from the U.S. Census Bureau and the New York City Department of Education, the New York City Mayor's Office of Immigrant Affairs (MOIA) identified the ten citywide languages as: Spanish, Chinese, Russian, Bengali, Haitian-Creole, Korean, Arabic, Urdu, French, and Polish.

DOJ Factor 2 – The frequency with which LEP individuals come into contact with the agency:

The CCRB engages with LEP individuals in-person, telephonically, through the agency's website, or via correspondence. In 2023, the agency made 1,065 requests for interpretive services that required outside assistance.

The agency determines the frequency with which LEP individuals come in contact with the language access program by conducting periodic examination of our internal Complaint Tracking System (CTS) and reviews of billing statements from our language services vendors. An analysis of these sources established that the four most requested languages in the past three years were Spanish, Mandarin Chinese, Russian and Polish.

Between 2021 and 2023, 86% of interpretation services were provided to LEP individuals who preferred to communicate with our staff in Spanish and Mandarin Chinese. In the last two years of this period, the agency noticed a significant increase in interpretation services provided to Spanish speakers. In 2022, 50% of the interpretation services requests were made by Spanish-speaking LEP individuals. This percentage increased to 76% in 2023. Between 2021 and 2023, 7% of interpretation services were provided to Russian and Polish LEP individuals. The remaining 7% of interpretation services were provided to individuals who preferred to communicate with agency staff in German, Twi, Bengali, Urdu, Tamil, Darija, Akan, French, Yoruba, Hindi, Japanese, Cantonese, Russian, and Arabic.

On the second Wednesday of every month, the CCRB holds a public board meeting. Board meetings provide an opportunity for members of the public to testify before the board on the topic of police oversight. At least two sign language interpreters are available for every public hearing. Foreign language interpreters are provided on-demand.

DOJ Factor 3 – Explanation of the nature and importance of the program/services for the LEP person requiring language assistance:

The CCRB is empowered to receive, investigate, hear, make findings, and recommend action on civilian complaints against members of the NYPD that allege excessive or unnecessary force, abuse of authority, including biased-based policing and racial profiling, discourtesy, or the use of offensive language. The agency also investigates, hears, makes findings, and recommends actions on the truthfulness of statements made by a subject officer during the course of or in relation to the resolution of a CCRB complaint.

It is CCRB's policy to ensure that LEP individuals receive meaningful access and an

equal opportunity to participate in services and programs provided by the agency. This policy applies to all staff members particularly those in contact with the public.

DOJ Factor 4 – The resources available to the agency and the cost of providing language services:

Contracted vendors for in-person and telephonic interpretation services, translation, and sign language.

Language Line Services and Legal Interpreting Services

The CCRB provides interpretation services over the phone, in the field, and in its office through Language Line Services and Legal Interpreting Services. These vendors provide telephonic interpretation services in over 180 languages.

Geneva Worldwide/Accurate Communication/Legal Interpreting Services

These vendors are utilized for the translation of documents.

LC Interpreting/Legal Interpreting Services

Legal Interpreting Services provide sign language interpreters for CCRB public meetings. LC Interpreting provides sign language as well as CART Captioning.

The CCRB employs non-certified bilingual staff, who can engage directly with LEP individuals when necessary.

Multi-language signs are posted in the civilian reception area advising LEP individuals of the availability of free interpretation services.

The CCRB posts various items on its website that are translated into foreign languages, including information regarding the agency's jurisdiction, mediation program, ways to file a complaint, and complaint process. Some of the translated pamphlets give information about what to do if you are stopped and frisked by the police. The CCRB's homepage can be accessed via an online translation tool that covers more than 200 languages. In 2023, the agency spent \$18,585.50 to provide language access services to LEP individuals. The agency is exploring the purchase of special dual handset telephones for accessing the Language Line at the CCRB offices.

Section 4. Notice of the Right to Language Access Services

All agency staff have access to telephonic interpretation services covering more than 240 languages from a professional citywide vendor, Language Line Solutions. Public-facing staff to go through annual training on how to provide meaningful, competent services to LEP individuals.

The CCRB has an Intake Unit that takes live calls from civilians who want to file a complaint that falls under the CCRB's jurisdiction. The Intake Unit is staffed with Spanish and Yoruba speaking staff members that can assist with prompt interpretation services. Should there be a need to communicate with a civilian in another language, the CCRB uses the Language Line for prompt service.

Multi-language signs are posted to advise LEP individuals of the availability of free language access services. These signs are prominently displayed in all publicly accessible areas within the CCRB offices.

“I Speak” cards are available at the reception desk to facilitate communication between LEP individuals and CCRB staff.

The Language Access Coordinators and the Director of the Outreach Unit assess the Outreach Unit’s language service needs using community-level data. This allows the Outreach Unit to not only arrange for an appropriate in-person interpreter for public community events event but to also advertise the event to the target populations by translating flyers prior to the event.

The CCRB’s website informs the public of upcoming board meetings and provides an email address for the Outreach Unit should interpretation assistance be required for this meeting.

Section 5. Provision of Language Access Services

Translation Services

Most essential and frequently distributed documents, such as forms, correspondence, and informational brochures about CCRB services, are translated into Spanish, Bengali, French, Polish, Urdu, Chinese, Haitian- Creole, Italian, Korean, Arabic and Russian.

The agency is in the process of securing funding from the New York City Office of Management and Budget to translate all essential documents in the 10 designated languages outlined in LL30.

When an LEP individual is required to fill out and/or sign a document that has not been translated, the interpreter verbally translates the information in the document to the LEP individual in the person’s native language before the individual completes and/or signs the document.

The agency has a dedicated email address for language access-related matters that are monitored by the Language Access Coordinators. Staff use this email to request translation services of any needed agency documents. The Language Access Coordinators liaise with the agency’s Operations Unit to ensure that documents are translated by one of the contracted vendors.

Interpretation Services

The CCRB provides interpretation services to individuals whose primary language is not English through in-person or telephonic interpretation.

If an LEP individual appears at the CCRB offices and a bilingual staff member who can assist this individual in their preferred language is not available, the CCRB will contact Language Line Services for telephonic interpretation. The agency does not rely on bilingual staff members to provide in-depth interpretation. These individuals are utilized to provide immediate guidance or assistance until a certified interpreter is connected

with the LEP individual. When scheduling an in-person appointment with an LEP individual at the CCRB offices or in the field, the CCRB arranges for a certified interpreter to conduct the interpretation.

Language access in agency communications

Citywide Meetings

The agency holds a public board meeting every month either at the CCRB offices or a community center within the five boroughs of New York City. Interpreters are provided upon requests made by the event host(s) or expected attendees. The CCRB ensures that American Sign Language interpreters are present for every meeting.

Outreach

The Outreach Unit is committed to providing presentations to LEP communities. Ahead of every presentation, the community outreach team requests the assistance of the host entity to identify any potential need for interpretation services. If the need arises, these events will be covered with interpreters from a contracted vendor. The Outreach team conducts presentations throughout the five boroughs to a wide variety of groups, including:

- High schools, middle schools, Alternative/transfer, and colleges
- Public libraries
- Tenant associations
- Advocacy organizations
- Community groups
- Non-governmental organizations
- Religious organizations
- Community board meetings
- Precinct council meetings
- LGBTQIA-related groups
- NYCHA
- Homeless Shelters and Street Homeless Outreach organizations
- Cure Violence and Crisis Management System groups
- Immigrant Population
- Criminal Justice-Involved Adult and Youth Groups
- Fatherhood/Family Engagement programs

Every NYPD Precinct, Police Service Area, and Transit Bureau District stationhouse has a poster explaining how to contact the CCRB to file a complaint against a member of the NYPD. Currently, these posters are in English. As this poster is considered an essential document, the CCRB will update it to convey its message in multiple languages in compliance with Local Law 30.

The community outreach team offers attendees of its events a CCRB brochure that describes what to do if you have experienced or witnessed police misconduct. This reader-friendly pamphlet details the agency's jurisdiction, the many ways of filing a complaint, and how complaints are resolved. The materials are available in English, Spanish, Italian, Korean, Chinese, Arabic, Haitian-Creole and Russian

(www1.nyc.gov/site/ccrb/about/outreach/publications.page). The CCRB is in the process of ensuring that these brochures will be available in all 10 languages. With the funds that the CCRB has earmarked for translation of documents, the CCRB is prioritizing making these pamphlets available in the remaining 10 languages.

Agency Website

The website notes interpretation services are free of charge upon request.

All essential information on the CCRB's website can be translated into 113 languages with the assistance of the Google Translate tab located within the website. Google Translate is an automated function that may not always provide an accurate translation.

Plain language

Printed material that is disseminated to the public is written in a way that is easy to understand. Trained staff members from the General Counsel's office review the most distributed documents to ensure that they adhere to the plain language guidelines.

Policies and Procedures

Through internal memorandums, the CCRB staff is made aware of the agency's commitment to providing language access services to LEP individuals who seek our services. These memorandums outline the procedures to be followed when interacting with LEP individuals. These documents will be revised as needed to note any changes in policy and procedures and are distributed twice a year to all staff to reinforce the importance of providing language access services to the public.

Languages beyond the top 10

Should an LEP individual require in-person services beyond the top 10 languages noted, a bilingual staff member would assist until a certified interpreter is contacted.

As needed, documents are translated beyond the 10 languages outlined in LL30 to service LEP individuals.

Emergency Preparedness and Response

The CCRB does not provide emergency services to the public. In the event of an emergency in which the agency needs to provide critical information to the public (i.e., reduction in office hours or office closure), this message will be available in over 100 languages through the agency's website.

During the Covid-19 pandemic, the CCRB performed almost all of its functions digitally. All CCRB staff members are equipped with agency-issued laptops with remote access to the agency's databases. In the event of an emergency, agency-wide automated phone calls and emails are sent to all staff members. Staff also have digital access to use their office phone numbers.

Section 6. Resource Planning

The agency has continued to request funds through the New York City Office of Management and Budget to assist in the translation of essential and frequently used documents. As these requests have not been fulfilled, the agency has allocated funds from its own budget to translate essential documents to bring us closer to being in full compliance with LL30.

Bi-/multi-lingual staffing

Bi-/multi-lingual staff is used for basic communication with LEP individuals who appear at the agency in-person or contact us telephonically. The Agency has been operating without a Director of Recruitment for about a year due to budgetary restraints. Once hired, the CCRB will attempt to recruit from a diversity of schools and backgrounds and other-than-English language skills are inquired about during interviews.

Bi-/multi-lingual staffing is one element that is weighed in the hiring of prospective candidates.

Language service vendor contracts

Vendor name	Procurement method	Purpose of the contract	Language(s) provided by the vendor	Period of contract	Total award amount of contract
LIS-Translations Group Inv.	Purchase Order POD	Mediation, Outreach Investigation Staff In-person or Virtual Interpretation	Spanish, Chinese	7/1/2023-6/30/2024	\$8,000
Language Line Services, Inc.	Purchase Order POD	Telephonic Translation Services	Spanish, Mandarin, Russian, Arabic, Polish, Cantonese, French, Bengali, Haitian-Creole, Turkish, Punjabi, Wolof, Albanian, Korean, Farsi, Soninke, Urdu, Ukrainian, Hebrew, Uzbek, Portuguese	7/1/2023-6/30/2024	\$12,000
LC Interpreting Services, LLC	Contract CT1	Sign Language for monthly Board Meetings and CART Services	Sign Language	7/1/2023-6/30/2024	\$12,749
LH Reporting Services, LLC	Contract CT1	Board Meeting Transcription Service	Board Meeting Transcription Service	7/1/2023-6/30/2024	\$10,000
Legal Interpreting Services Inc	Purchase Order POD	Document Translation		7/1/2023-6/30/2024	\$15,000

Partnership with Community Based Organizations (CBO)

Currently, the CCRB does not utilize CBOs for language access purposes. In the future, the agency would explore the potential of doing so to ensure that translated materials are culturally sensitive.

Section 7. Training

As of October 2020, the Language Access Coordinators developed a comprehensive training that is provided to all new investigators as part of their onboarding process. This training includes all aspects of LEP policy and its implementation. Topics include: protocols for use of bilingual staff; procedure for providing or arranging interpretive or translation services; how to identify a LEP individual's native language; how to utilize contracted language service vendors; and how to interact with individuals from the deaf and hard of hearing communities. This training has also been provided to all public-facing staff members, including the agency's security staff.

In 2023, the Language Access Coordinators conducted four virtual training sessions. Training materials are updated as needed based on policy changes or feedback from staff about the language access services provided. The training presentation slides are readily available to the staff through an internal public drive.

Training topic	Target staff	Training method & frequency	Trainer
<i>What topic will be covered in the training? Is the training a part of existing trainings (such as new hire orientation)?</i>	<i>Which internal and contracted staff will be trained?</i>	<i>What mode will the training be in? (self-paced virtual, in-person, etc.) How frequent will the training be provided?</i>	<i>Who will conduct the training?</i>
Legal obligations and agency policy on language access as it pertains to LL30	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
When and how to use telephone and in-person interpretations	Front line staff	Virtual Training	Language Access Coordinators
Available signage in the civilian waiting areas for added assistance	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
When and how to use translation services	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
When to use and not use bilingual staff	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
How to identify the primary language of a person with LEP	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
How to track an individual's preferred language	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
How to track whether and how language services are provided to the individual	Front line staff	Virtual Training. Upon every newly hired training class	Language Access Coordinators
How to provide culturally and linguistically appropriate customer service to individuals with LEP	Outreach Unit	Virtual Training. Upon every newly hired training class	Language Access Coordinators

Section 8. Continuous Improvement Planning

The CCRB website lists the name, email address, and telephone number for its Language Access Coordinators. It also lists an email address where staff and members of the public can report any feedback or complaints related to language access services provided by the CCRB (language.access@ccrb.nyc.gov).

- a. How would complaints about the quality of translation be handled by CCRB?

Complaints regarding the quality of translation services provided by a private vendor are routed to the Language Access Coordinators. With the assistance of the General Counsel's office, the Language Access Coordinators would investigate the complaint and notify the complainant in their preferred language of the results of the investigation.

- b. How does the CCRB provide quality assurance and handle complaints of poor quality of service by a vendor?

The Language Access Coordinators would discuss the issue(s) with a direct supervisor of the private vendor employee who handled the request(s). If the Language Access Coordinators identify a pattern of issues with the vendor, in conjunction with the agency's Operations Unit, they would report the issue to a member of the of the vendor's executive staff seeking a planned course of action to correct the issues.

The language access coordinators will closely monitor the trends of the language services provided by the agency to properly allocate agency resources to communities that show an increase in contact with our services.

Section 9. Goals and Actions Planning

Priority Language Access Need	Root Cause(s)	Language Access Goal
<i>Indicate the priority language access needs determined by your agency that, if resolved, will advance equity and inclusion of individuals with LEP</i>	<i>Identify the root cause(s) or contributing factors that explain the current LA needs.</i>	<i>Based on the priority needs and root causes, develop your agency's LA goals.</i>
The translation of all pending essential written material commonly distributed to the public.	Compliance with Local Law 30	Obtain the necessary funding from the Office of Management and Budget to obtain the necessary funds to achieve this goal.
Certification of bilingual staff in a language other than English.	Ability to provide immediate assistance to LEP individuals without the need of seeking the assistance of a private vendor	Obtain the necessary funding from the Office of Management and Budget to obtain the necessary funds to achieve this goal.

Action Steps/ Milestones	Stakeholders	Timeline
<i>Based on each LA goal, identify action steps your agency will take in the next three FYs. Action plans can include new and current initiatives, which address root causes. Utilize bullet points if multiple actions are needed to achieve an LA goal.</i>	<i>Identify internal and/or external stakeholders that the agency will work with for each action steps.</i>	<i>Indicate the timeframe in which each action steps will be implemented.</i>
The translation of all pending essential written material commonly distributed to the public.	Language Access Coordinators Operations Unit Office of Management and Budget	2024-2026
Certification of bilingual staff in a language other than English.	Language Access Coordinators Operations Unit Office of Management and Budget	2024-2026
Creation of a Translation and Interpretation Feedback Form to be mailed to LEP individuals and to be added to the CCRB's website for providing feedback on the agency's language access services.	Language Access Coordinators General Counsel's Office Communications Unit	2024-2025
Translate CCRB posters located at every NYPD Precinct, Police Service Area, and Transit Bureau District stationhouse explaining how to contact the CCRB to file a complaint.	Language Access Coordinators Outreach Unit General Counsel's Office Operations Unit	2024-2025
Create a system within the agency's Complaint Tracking System to capture the preferred language of all civilians listed within this database. This information will be utilized by our staff to ensure that all verbal and written communication with this person will be conducted in their preferred language.	Language Access Coordinators Investigations Division Leadership Director of Analytics and Application Development/Acting Director of Policy	2024
Develop and implement means for evaluating the quality of the services it provides to LEP individuals through surveys of LEP persons and staff who use the interpretation and translation services of private vendors.	Language Access Coordinators General Counsel's Office	2024-2025
Include inserts with correspondence with LEP individuals with phone numbers in a variety of languages should they need translated services.	Language Access Coordinators Operations Unit	2024-2025
Continuing to recruit bi-/multi-lingual staff by targeting schools with a diverse language population.	Investigations Division Leadership Director of Recruitment	2024-2026