

Guidance on Temporary Languages

New York City Administrative Code § 23-1105

1. Executive Summary

[Local Law 13 of 2023](#) amends the New York City Administrative Code by adding a new section [23-1105](#). This document outlines guidance for Section 23-1105. It provides background on both the requirements and the best practices on implementing Section 23-1105 for agencies providing City services to “individuals whose primary language is not English arriving in the city and seeking city services.”

Key points:

- Mayor’s Office of Immigrant Affairs (MOIA) has designated Wolof and Pulaar/Fulani as the current “temporary languages” based on data from the Office of Asylum Seeker Operations (OASO).
- Wolof and Pulaar/Fulani are considered oral languages with limited use of the written format. MOIA recommends that agencies refer to “[Best Practices](#),” to plan ways to utilize video and audio whenever possible, and to prioritize interpretation services for these languages.
- Agencies under OASO’s coordination, including NYC Emergency Management, NYC Health + Hospitals, and NYC Department of Homeless Services, and other relevant agencies are all required to provide translation and interpretation in “temporary languages.”
- The list of “temporary languages” will be updated at least quarterly.

2. Requirements Under Section 23-1105

- The office of the language services coordinator must designate and post on its website the City’s “temporary languages,” which are based on global events/ trends leading to an increase of individuals arriving NYC who speak those languages and seek urgent City services.
- Agencies providing those City services, such as shelter, food, or other urgent assistance, must then translate relevant documents and provide interpretation services in the designated “temporary languages.”
- Any temporary locations for providing services must post multilingual signage, including in the “temporary languages,” about the availability of interpretation services.

3. “Temporary Languages” Designation

3.1 Data source and rationale

Section 23-1105 does not specify the data source for how the City needs to determine “temporary languages.” MOIA identified several data and proxy measures, including telephonic interpretation requests, country of origin data from the U.S. Department of Homeland Security (DHS), and the preferred languages of people in OASO’s care. While these datasets provide valuable insights, they have limitations in terms of scope, timeliness, and granularity.

Based on an analysis of existing data, OASO's datasets will be what is used to determine "temporary languages" to fulfill Section 23-1105 requirements. OASO's data was chosen because it provides the most current and relevant information on newly arrived individuals seeking City services. However, it's important to note that this data does not capture individuals who are not in the OASO system.

To address this limitation, MOIA continues to engage with federal agencies like the U.S. DHS, community-based organizations, and community members to better understand the full spectrum of language needs.

Lack of operational language data, especially in emergencies and crises, poses challenges that can exacerbate equity gaps.¹ All agencies are urged to work cross-agency to strengthen their collection and use of language data.

3.2 Current designation

The current "temporary languages" come from OASO's aggregation of preferred language data from NYC Emergency Management, NYC Health + Hospitals, and NYC Department of Homeless Services.

Determining "Temporary Languages":

- **Federal guidance:** The "safe harbor" guidelines set by the U.S. Department of Health and Human Services state that recipients of federal funds should provide written translations into languages spoken by 5% or 1,000, whichever is less, of the population.²
- **City-specific threshold:** Given that 1,000 people represent about 1% of the overall current population in OASO's care, MOIA adopted a 1% threshold for designating "temporary languages." This threshold may be revisited as population changes and more data becomes available.
- **Exclusion of designated Citywide languages:** The languages already designated under Local Law 30 (2017) Spanish, Chinese, Russian, Bengali, Haitian-Creole, Korean, Arabic, Urdu, French, and Polish) are excluded from the "temporary languages" list to avoid duplication. These designated Citywide languages are determined based on a rubric using the U.S. Census data and the NYC Department of Education data.

Based on this 1% threshold and omitting the designated Citywide languages, Wolof and Pulaar/Fulani are currently designated as New York City's "temporary languages." Based on MOIA's research and conversations with language experts and community members, Wolof and Pulaar/Fulani are considered oral languages with limited use of the written format. MOIA recommends agencies refer to our recommended "[Best Practices](#)," utilize video and audio when possible, and prioritize interpretation services for these languages. Note that the 1% threshold only applies to the written translation of documents. Under Local Law 30, covered agencies are required to provide telephonic interpretation services in at least 100 languages, including both common and esoteric languages.³

3.3 Required Actions

¹ [Why We Need to Collect Data on the Languages of Crisis-Affected People](#) (Translators without Borders)

² [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons](#) (U.S. Department of Health and Human Services)

³ [The New York City Administrative Code § 23-1102](#)

Agencies under OASO’s coordination, including NYC Emergency Management, NYC Health + Hospitals, and NYC Department of Homeless Services, and other relevant agencies providing urgent City services to newly arrived individuals are required to provide translation and interpretation in “temporary languages.”

- Document Translation:
 - Translate essential documents into designated "temporary languages"
 - Focus on documents related to shelter, food, and other urgent assistance
 - Consider alternatives for oral languages (e.g., audio recordings)
- Interpretation Services:
 - Provide interpretation in "temporary languages" for all client interactions
 - Ensure availability of telephonic interpretation in at least 100 languages
- Signage:
 - Post multilingual signage at all service locations
 - Include information about free interpretation services availability
- Language Identification:
 - Implement a process to verify an individual's preferred language, dialect, or variant
 - Utilize MOIA-provided language identification tools (e.g., "I Speak" cards)

3.4 Language Data

Below is a list of preferred languages shown in OASO’s data. The percentage is an average from FY24 Q4 data (April – June 2024).

#	Preferred Language	Percent
1	Spanish	75.5%
2	French	9.2%
3	Wolof	3.0%
4	English	2.6%
5	Russian	2.2%
6	Arabic	2.1%
7	Fulani (aka Peul, Pulaar, Fula, Fulah, Fulfulde)	1.1%
8	Chinese	0.8%
9	Haitian Creole	0.5%
10	Portuguese	0.5%
11	Creole and pidgins	0.5%
12	Turkish	0.3%
13	Persian (Farsi)	0.2%

14	Ukrainian	0.1%
15	Urdu	0.02%
16	Georgian	0.02%
17	Uzbek	0.02%
18	Mandinka (aka Mandingo)	0.01%
19	Pashto Pushto	0.01%
20	All others	1.5%

It is crucial to understand that the OASO’s language data is a tool for informed decision-making, not a prescriptive checklist. Language needs can vary across agencies and service types. Therefore:

- **Use the language data as a starting point:** The OASO’s language data provides simple overview. Use it to anticipate potential language needs, but do not limit planning to just these languages or only in this order.
- **Contextualize language strategy:** Supplement the “temporary languages” with agency-specific language data. Track the preferred languages of your specific service users.
- **Consider language marginalization:** The order of the “temporary languages” listed reflect reported frequency, not importance. Languages spoken by smaller communities may appear lower on the list but are still vital for those individuals. Ensure these language needs aren’t overlooked.
- **Ensure meaningful access:** Meaningful access is not about the number of languages covered, but thoughtful communication planning. Consider factors like literacy levels, cultural nuances, dialects and variants, and the appropriateness of written and oral communication. Please refer to the “[Best Practices](#)” section for further guidance.

3.5 Future Updates

Section 23-1105 does not specify how often the “temporary languages” must be updated. To be responsive to demographic changes and the evolving language needs, MOIA will revisit and refine this temporary language list, threshold standard, and guidance at least quarterly. OASO will notify relevant City agencies of these changes.

4. Best Practices

4.1 Importance of Language Variants and Dialects

- When providing services in the “temporary languages,” carefully consider variants, dialects and regional differences within each language. Do not make assumptions based solely on country of origin.
- Have a process to verify an individual’s preferred language, dialect, or variant. Utilize language identification tools, such as “I Speak” cards and “notification of free interpretation services” posters, provided by MOIA. Please contact MOIA to further customize these tools.

- **For lingua francas** (Spanish, French, Arabic, Portuguese), note regional variations. Especially for Arabic, some lingua franca dialects may not be easily understood by speakers of other dialects.⁴
- **For oral languages** (Fulani/Pulaar⁵, Mandinka/Mandingo⁶), there are various dialects that are not always easily understood by speakers of other dialects. Utilize country of origin data to ensure that the correct dialect is identified.
- **For Chinese**, there are two primary Chinese writing systems: Traditional and Simplified Chinese. There are also many oral Chinese dialects, the most common of which are Mandarin and Cantonese. Readers of the two writing systems and the speakers of different dialects may not be able to understand each other easily.

4.2 Considerations for Regional, Indigenous, and Oral Languages

Speakers of regional or indigenous languages are often multilingual with different preferred written and spoken languages. It is imperative to correctly identify the languages in which individuals are most proficient and comfortable reading and speaking.

- Identify both the preferred written and spoken languages for multilingual individuals.
- **For oral languages with written forms not widely used by the population** (e.g., Wolof, Fulani/Pulaar, and Mandinka/Mandingo), translated written materials are not the best means of communication. Instead, prioritize interpretation services and utilize alternative methods, such as video or audio recordings.
- Consider varying **literacy levels**. Provide alternatives to written materials, such as audio or visual, to ensure wide access.

5. Contact Information

MOIA provides guidance and technical assistance to agencies in implementing language access and services. Please contact MOIA's Language Access team at languageaccessnyc@moia.nyc.gov for further guidance.

⁴ [Language Factsheet – Arabic](#) (Translators without Borders)

⁵ [Fulfulde Language Family Report](#) (SIL International)

⁶ [About the Manding Languages](#) (University of Wisconsin)