

It is the policy of the NJ Council on Developmental Disabilities (NJCDD) to provide timely, meaningful access for individuals with limited English proficiency (LEP) to all programs and activities. All personnel shall provide free language assistance services to LEP individuals whom they encounter or whenever an LEP person requests language assistance services. All personnel will inform members of the public that language assistance services are available free of charge to LEP persons and that the NJCDD will provide these services to them.

The purpose of this policy is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, for NJCDD personnel to follow when providing services to, or interacting with, individuals who are LEP. Following these guidelines is essential to the success of our mission to assure that individuals with intellectual/developmental disabilities (I/DD) in New Jersey, and their families, participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, integration, and inclusion in all facets of life through culturally competent programs. It is also crucial to achieve our vision, that all individuals with I/DD, regardless of language or language proficiency, should be participating, equally-included members of their communities who are able to make real choices and have control over their own lives, have the freedom to strive, excel, and make mistakes, are in a position to achieve personal goals and affect policy and process decisions that affect their lives, and have the same rights, privileges, responsibilities, and opportunities of as any other New Jersey resident.

The NJCDD has developed a Language Access Plan to ensure compliance with Title IV of the Civil Rights Act of 1964¹ and Executive Order 13166², to ensure equity for individuals who are LEP, and to achieve our goal of linguistic competence and responsiveness. The National Center for Cultural Competence defines linguistic competence as “The capacity of an organization and its personnel to communicate effectively, and convey information in a manner that is easily understood by diverse groups including persons of limited English proficiency, those who have low literacy skills or are not literate, individuals with disabilities, and those who are deaf or hard of hearing. Linguistic competence requires organizational and provider capacity to respond effectively to the health and mental health literacy needs of populations served. The organization must have policy, structures, practices, procedures, and dedicated resources to support this capacity.”³ NJCDD recognizes that language is a crucial aspect of culture. Language is the primary vehicle for communicating one’s knowledge, beliefs, attitudes and social expectations. NJCDD defines linguistic responsiveness as supporting the learning, development, understanding, and engagement of people from diverse language backgrounds in the policies, programs and practices of our work in the mode of communication that works best for their participation.

¹ <https://www.hhs.gov/civil-rights/for-individuals/special-topics/need-family/civil-rights-requirements/index.html>

² <https://www.lep.gov/executive-order-13166>

³ Goode & Jones (modified 2009). National Center for Cultural Competence, Georgetown University Center for Child & Human Development

NJCDD Language Access Plan

Introduction and Purpose

The New Jersey Council on Developmental Disabilities (NJCDD) will provide timely and meaningful access to all individuals accessing and participating in NJCDD's work. The NJCDD's mission is to assure that individuals with intellectual/developmental disabilities (I/DD) in New Jersey, and their families, participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, integration and inclusion in all facets of life through culturally competent programs which includes making all service and program information accessible to individuals who are limited English proficient.

For purposes of this Language Access Plan (LAP), Limited English Proficient (LEP) persons or LEP means individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. In addition, this LAP includes accommodations for individuals who have visual or auditory impairments. It also includes individuals who require TTY, TDD, ASL, or IP-Relay. All NJCDD staff will provide free language assistance services to LEP individuals whom they encounter or whenever an individual requests language assistance services. NJCDD staff will ensure that free language assistance services are available to LEP individuals engaging in Council meetings and other activities. All NJCDD staff and Council members will inform the public that NJCDD will provide language assistance services free of charge to LEP individuals.

The purpose of this plan is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, for agency personnel to follow when providing services to, or interacting with, individuals who have LEP. In accordance with the Developmental Disabilities Assistance and Bill of Rights Act 2000⁴, the NJCDD develops and implements [Five-Year State Planning Goals](#) that focus on several areas of significance to the developmental disabilities community including but not limited to: self-advocacy, family training and information, direct support staffing issues, special education advocacy, employment, transportation, health and wellness, and housing. The NJCDD addresses these needs through systems change, advocacy, and capacity-building efforts that promote self-determination, integration, and inclusion for people with developmental disabilities from all backgrounds.

About the Council

NJCDD conducts its work through programs, such as the statewide [Family Support Planning Councils](#), operating in all 21 New Jersey counties, providing education and long-term support for families of individuals with I/DD. The [People First New Jersey](#) chapters help individuals with I/DD speak for themselves, support each other, and make sure their collective voices are heard through local efforts. The [Youth Leadership Training Programs](#) provide eight, two-hour training

⁴ https://acl.gov/sites/default/files/about-acl/2016-12/dd_act_2000.pdf

sessions. They are state-wide opportunities that teach young people with I/DD a variety of skills needed to help them become better self-advocates.

The NJCDD provides a variety of free resource materials designed to support individuals with I/DD and their families, giving them access to engage with diverse communities. [People & Families](#) magazine is a nationally-recognized publication highlighting organizations, programs, and people who make positive changes for individuals with I/DD and their families. [NJ Common Ground](#) is a publication that reports on information issues impacting students with disabilities with a broad range of stakeholders – general education teachers, parents, legislators, speech therapists, and others. [Advocacy in Action is an E-Newsletter that](#) provides important announcements and updates about the Council’s activities, grants, and special initiatives. It also includes key information about public policies and other news items. The [Disability Focus Blog](#) highlights important news, legislation, and current events that affect people with I/DD and their families. It gives people from all backgrounds and communities access to important information and the ability to share their experiences and resources.

Another way the NJCDD assists in ensuring equitable access to information is through issuing [grant funding](#) to help promote the five-year plan’s goals and objectives. Grantees are innovative organizations and programs that provide services to people with I/DD. Each fiscal year, the Council issues and accepts requests for funding proposals from qualified applicants. Grants may be awarded on a single or multi-year basis to address areas of concern raised by individuals with I/DD and their family members from the community, Council members, DD Act Partners, and Council staff. NJCDD’s [Community Innovation Projects \(CIP\)](#) encourages new and innovative activities designed to bring about meaningful local change with available funding opportunities of up to \$10,000.

LEP Population in our State⁵

1,009,105 NJ residents age 5 and over speak a language other than English at home **and** speak English less than very well. The following represent the top languages in New Jersey:

- Spanish (590,443/1,368,165 or 43.15% of those who speak Spanish are LEP)
- Chinese (51,831/119,892 or 43.23% of those who speak Chinese are LEP)
- Korean (39,968/75,298 or 53% of those who speak Korean are LEP)
- Portuguese (36,752/84,801 or 46.3% of those who speak Portuguese are LEP)
- Gujarati (30,203/80,552 or 37.5% of those who speak Gujarati are LEP)
- Polish (24,022/59,210 or 40.57% of those who speak Polish are LEP)
- Arabic (23,298/71,366 or 32.65% of those who speak Arabic are LEP)
- Haitian (23,133/54,533 or 42.42% of those who speak Haitian are LEP)

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<https://data.census.gov/cedsci/table?t=Language%20Spoken%20at%20Home&g=0400000US34&d=ACS%201-Year%20Estimates%20Data%20Profiles&tid=ACSDP1Y2021.DP02>

Ensuring Language Access to Services and Resources

The NJCDD ensures access to services and resources by:

- Identifying and using user-friendly materials for individuals with low-literacy;
- Making the NJCDD website accessible in the top 15 languages spoken by residents in NJ and that can be accessed by families and professionals who are blind or visually impaired as well as providing a wide variety of resources for individuals and families to access spanning a variety of topics related to the I/DD community;
- Scheduling meetings in advance so if language interpretation services or other language accommodations are needed they can be made in advance for equal access to the meeting and meeting materials if applicable;
- Conducting meetings and or programming in locations accessible by public transportation and that have disability accessibility, and supporting low-income families to access services;
- Hiring staff who represent the diverse communities we serve, including staff who are bilingual, and/or who have disabilities;
- Promoting and attending cultural competence workshops for staff, DD Act Partners, Council members, advocates, and the community;
- Continually monitoring the impact of services, including the diversity of individuals and families in the I/DD community receiving services and Council member representation, to ensure they reflect the full diversity of NJ, as well as the extent to which various categories of participants indicate that program services are of high quality and useful;
- Through grants, allocating funds to target specific populations for services to families who are demonstrated to be economically impacted or are in under-served/unserved geographic areas;
- Making information available in various formats via the web and hard copy;
- Offering meetings at multiple times such as in evenings, weekdays, or weekends and through various forms of attendance: in-person, video conferencing, dial-in (phone only).

Responsible Parties:

The NJCDD's Executive Director, under the direction of the Council, is responsible for implementation and monitoring of the NJCDD's language, culture, and disability access policies, including ensuring that staff and Council members are aware of and compliant with these policies. The NJCDD's Executive Director oversees activities to identify effectiveness of approaches, activities and materials.

The NJCDD's Executive Director and staff ensure language access to technical assistance activities. NJCDD's Administrative Assistant ensures that staff and Council members are aware of how to use the Language Line when needed. The Communication Officer ensures that workshop support materials are translated into needed languages. Council staff will ensure that workshops are available in multiple languages as needed. The Fiscal Manager maintains the contract with the Language Line. The Communication Officer ensures that the website is

accessible in multiple languages. In coordination with the Communication Officer, Council staff are responsible for ensuring that products developed are translated at least into Spanish, and for considering the need to translate those products into other languages.

Areas of Service Delivery and Programming

The NJCDD focuses on these five areas of service delivery and programming to ensure access to LEP individuals:

1. Assessment of individuals and families of individuals with I/DD language access needs and NJCDD's capacities on an ongoing basis.
2. Translation of vital documents into the LEP languages largely served by the NJCDD as soon as possible but not later than within 1 month of their development (or earlier for vital documents with deadlines, such as dates to apply for programs or requests for proposals) following a specific request. A "vital document" is defined as outreach and educational materials published by the NJCDD that informs the public about their rights or available training, technical assistance, and support services. This provision also applies to all contractors/vendors/grantees that the NJCDD funds to carry out services to our constituency.
3. Provision of oral language services through referrals, partnerships with community-based agencies, and the Language Line on an ongoing basis. "Oral language services" means the provision of oral information as requested in advance and necessary to enable limited or non-English proficiency individuals and their families to access or participate in programs or services offered by the NJCDD.
4. To enhance the capacity of NJCDD staff to effectively provide language access to and serve LEP individuals.
5. To conduct ongoing outreach/community engagement activities that target LEP populations served or encountered by NJCDD services and programming. These activities include providing LEP communities with information about the NJCDD's benefits, services and language access plans as well as DD Act Partners and other community resources as identified, and soliciting input/feedback from LEP individuals with I/DD and their families to determine effectiveness of the LAP plan and update it as needed.

The NJCDD will consider all circumstances, including the following four factors, when providing language services to individuals requesting LEP services: (1) the number or proportion of LEP persons served in the eligible service population; (2) the frequency with which LEP persons come in contact with our services; (3) existing resources within the community that can provide services; (4) the resources the NJCDD has access to and the costs involved to provide services.

Procedures for providing oral language (interpretation) services:

The NJCDD will adopt a procedure within three months of adopting this LAP for providing oral interpretation services to individuals requesting LEP services. Multilingual signage shall be posted in public contact places asking LEP customers to identify the language they need in physical work spaces as well as during functions of the Council such as conferences, meetings, and training including online platforms. The NJCDD, if feasible, will utilize bilingual personnel for initial interpretation services and may use telephonic interpretation services, contract interpreters, or community or professional services as necessary if appropriate. The NJCDD will maintain a list of its bilingual staff that are willing to provide interpretation services as well as a list of the most common languages encountered in the state. At no time, will the NJCDD allow minors to provide translation/interpretation services, nor expect that the individual or family receiving services to translate/interpret for themselves.

Specifically, the following steps shall be taken in providing interpretation services to individuals requesting LEP services:

Written notice of right to receive free oral interpretation of written materials to LEP groups:

The NJCDD will determine which documents are vital and shall translate the same in the languages of LEP groups who constitute 5% or 1,000, whichever is less, subject to the four-factor test. Multilingual notices will be attached to documents sent to LEP individuals asking if they need to have the documents translated in their language, if needed.

Determination of Written Translation: The Council Staff will survey staff to identify departmental information that requires written translation based on the Reasonableness Test. Written translations of this information will be available at the NJCDD office.

Written notice of right to receive free oral interpretation of written materials to LEP groups: A written notice of the right to receive free oral interpretation of written materials, in their own language, shall be provided to LEP groups who meet the 5% threshold but number less than 50.

Office Notice of availability of interpretation/translation services to qualified LEP individuals:

The Council Staff will post a written notice at the NJCDD office as well as on the website informing LEP individuals of the availability of Interpretation/Translation Services. The staff will be surveyed to determine the most common services requested. Notices, in the most common languages identified by staff, will be developed and posted or attached to identified documents.

Data collection and reporting system:

The NJCDD will collect data on services, programs, and activities accessed by the LEP population by developing forms/or utilizing the internal database system to collect information on (a) what languages LEP individuals served speak, (b) what services they access from our organization, and (c) the frequency in which LEP individuals use these services.

Providing interpretation/translation services to LEP Individuals:

The NJCDD will maintain a record of all LEP individuals served, including their characteristics, languages, and complaints/suggestions, if any, in the internal database system.

Evaluation and revision process:

This language access plan will be reviewed annually and evaluated and revised, if needed, every three to five years. The NJCDD's Council Staff shall be responsible for the evaluation and revision of the plan.

Reporting:

The NJCDD will develop a quarterly activity report on LEP services reported, including identifying communities where LEP individuals reside and their primary languages, requests for services both met and unmet, complaints and suggestions for improving the current plan.

Staff training:

Members of the staff, particularly those who are in contact with the public, shall be trained on the agency's language access plan. The agency's Council Staff (or any designated person) shall be responsible for providing the training. The primary purpose of the training will be to impart the necessary background and understanding to implement the objectives of the plan. The initial training of all staff shall take place within three months of adopting the LAP, and refresher training will be provided annually. All new staff will be trained no later than three months from their start date.

The training will cover: (a) the plan; (b) the organization's policy and procedure; (c) the application of the developed information and statistical forms; (d) the complaint/suggestion process; and (e) the reporting requirements of the staff.

Council Staff will be the NJCDD's language access plan coordinators/contact persons. Contact information is as follows: info@njcdd.org

The Council Staff will:

1. Coordinate the overall implementation of the plan;
2. Develop and implement a training program of the plan;
3. Develop the organizational policy and procedure concerning the plan;
4. Maintain the plan and the organization's policies and procedures;
5. Develop/maintain the reporting system to obtain key information concerning the LEP services provided by the NJCDD;
6. Acquire, compile, and report LEP statistical information into the internal data system;
7. Coordinate and maintain the multi-lingual listings on employees who volunteer to assist with interpretation/translation services;
8. Create the "Office Notice;"
9. Handle requests for written translations;

10. Coordinate the delivery of LEP services, when necessary;
11. Respond to any inquiries or complaints/suggestions regarding the plan;
12. Monitor the plan and the accompanying organizational policy and procedure, including participation in the annual review/revision of the LAP to address the organization's success in providing meaningful access to the organization's services and programs for LEP individuals;

This plan shall take effect upon approval by the Executive Director

APPROVED: Mercedes Witowsky

Mercedes Witowsky

Date: 10/1/2022