

# SECTION: SHELTER

## TOPIC TITLE: Language Access

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### Importance of Topic:

Communication in one's primary language is an important part of bringing one's whole self to a given situation. Having a robust language access plan to meet the diverse needs of survivors allows for meaningful access to services, expands survivors' options, and enhances their safety. People with Limited English Proficiency (LEP) and People who are Deaf/Hard of Hearing have the right to be free from discrimination based on language and to have equitable access to services in their primary language.

### Statutes/Professional Standards:

- Code of Virginia Reference: None
  - [Professional Standards Reference](#): Standard #7 SDVAs respect and protect the civil and human rights of all those impacted by sexual and domestic violence. *Agency services are available and delivered regardless of the client's race, ethnicity, national origin, age, disability, religion, limited English proficiency, immigration status, sexual orientation, or gender identity or expression. Training topics: How to access/use an interpreter.*
  - Federal Code: [Title VI of the Civil Rights Act of 1964](#) (Title VI Statute, 42 U.S.C §§ 2000d - 2000d-7) prevents discrimination or exclusion on the basis of race, color, or national origin from any federally funded program or activity and [Executive Order 13166](#) (August 2000) says that people who are LEP should have meaningful access to federally conducted and federally funded programs and activities. Section 504 of the [Rehabilitation Act of 1973](#) forbids agencies receiving federal funding from discriminating against or excluding from services people with disabilities. [The Americans with Disabilities Act of 1990](#) requires agencies to make reasonable accommodations to ensure clients receive similar services in the most integrated setting possible.
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## Terms Used or Needed to Understand this Topic:

*People with Limited-English Proficiency (LEP):* Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP."

*Hard of Hearing:* Refers to a hearing loss where there may be enough residual hearing that an auditory device, such as a hearing aid or FM system, provides adequate assistance to process speech ([How are the terms deaf, deafened, hard of hearing, and hearing impaired typically used? | DO-IT](#)). (FM systems are wireless assistive hearing devices that enhance the use of hearing aids and cochlear implants and can also assist people who are hard of hearing.)

*deaf and Deaf:* Deaf with a lowercase "d" usually refers to a hearing loss so severe that there is very little or no functional hearing. Deaf with a capital "D" usually refers to a cultural group who do not necessarily consider hearing loss as a disability. Deaf with a capital D indicates a cultural identity for people with hearing loss who share a common culture and have a shared sign language.

*Interpretation:* Process of **orally** rendering a spoken or signed communication from one language into another language.

*Translation:* Converting **written** text from one language into written text in another language.

*Language Access:* A legal framework that seeks to promote effective communication for individuals who are considered to have Limited English Proficiency (LEP), and Deaf and Hard of Hearing (Title VI of the 1964 Civil Rights Act, the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973) ([Source](#)).

*Language Justice:* The right every person has to speak, understand, and be understood in the language in which they prefer and in which they feel more articulate and powerful. It recognizes language as a tool of oppression, and affirms language as a tool for healing and promoting social and racial justice. Language Justice is an ever-evolving framework that intentionally seeks to create multilingual spaces in a consistent, inviting, and democratic

way that is inclusive of all voices and no one language dominates. It honors language and culture as fundamental human rights ([Source](#)).

## **Did You Know?**

Any agency receiving federal funds, either directly or indirectly, is required to provide meaningful access to individuals with limited-English proficiency including to those who are Deaf/Hard of Hearing.

## **Racial/Social Justice Focus:**

Survivors with limited-English proficiency face unique challenges when seeking services for domestic violence. Their abusive partners may have used this limited language proficiency as part of the way to control their lives. Language access plans ensure that these survivors have an equitable chance to receive the necessary services in a language that affirms their identity/experience and allows for meaningful self-expression and maximum comprehension.

*Scenario 1:* Maricella calls the hotline to find out about what services are available for her. She speaks Spanish as her primary language and knows a little bit of English, but not enough to fully understand everything another person is saying to her. Maricella is feeling threatened by her husband, the father of her two young children, and wants to talk about it with someone who is not a family member. The hotline staff who responds happens to be a bilingual advocate who speaks fluent Spanish, and while she does not speak the same dialect, she understands Maricella and can communicate clearly with her. After talking with Maricella, they agree that she could benefit from attending a support group. The program has just recently started offering a Spanish language support group due to increasing interest in their community. Maricella commits to attending and arrives at the next session. She is met with a room full of Spanish speaking survivors and two Latinx advocates and for the first time in a long time she does not feel so alone.

- How have Maricella's rights to equitable language access been supported?
- What resources in your program or community are available to help callers like Maricella?

*Scenario 2:* The telephone rings at a domestic violence shelter. The caller speaks a little English and asks if she can have an interpreter who speaks Arabic. The advocate contacts a telephone interpretation service and gets that set up. The caller identifies herself as an immigrant who came to the U.S. two years ago and has never left her house by herself in these two years—until just now. Today she is calling from a local clinic, where she has sought medical care for injuries from her husband battering her the night before. She is afraid for her safety, but there is more than just the immediate safety that she is worried about: Where will she go? How will she take care of herself financially? Can she stay in this country, or can she even go back?

The advocate screens her for services. As she is doing this, her supervisor leaves a note on her desk saying “DON'T TAKE HER.” Puzzled, the advocate puts the caller on hold and speaks to the supervisor. The supervisor says, “We're seeing all those women of color come in, fail our program, and get kicked out. We can't even get Spanish-speaking women to succeed in our program. I think it's a mistake to accept someone who only speaks Arabic.” The advocate disagrees, but in the end tells the woman, who has been waiting on hold for several minutes, that she may not come to the shelter. No reasons were given; she is not just “appropriate” for the shelter (adapted from [Disloyal to Feminism](#), Emi Koyama).

- How has this caller been denied equitable language access?
- What opportunities and resources could be utilized to ensure survivors like this one have access to robust domestic violence services?
- What could be done to increase the success for survivors of color and survivors whose first language is not English?
- How could a program set up systems to address a situation like this in order to avoid it happening again in the future?

### **Trauma-informed Focus:**

According to the National Center on DV, Trauma, and Mental Health, some of the core components of trauma-informed care include providing information about the traumatic effects of abuse, creating opportunities for survivors to discuss their responses to trauma, and providing resources and referrals. All of these are truly limited in their potential if a

survivor cannot read or understand what is being shared because of a language barrier. Additionally, trust building, peer support, and making choices are all limited when services aren't available in the primary language of a survivor.

## **Promising Practices:**

### *Overview of General Characteristics:*

- Agencies will have an understanding of language needs and demographics of their service area and the individuals who come to them for services.
- Agencies do not rely on friends and family members or use children to interpret during important and sensitive interactions.
- Vital documents are available in the languages most represented in the agency's community.
- Community education and media efforts include ways to reach people who speak other languages.
- A language access plan will include strategies for oral and written communication in multiple languages, community collaborations with organizations serving LEP communities, ongoing staff and volunteer training, recruiting and hiring bilingual/bicultural staff, plans to support survivors who are LEP as they navigate systems, and monitoring and updating the language access plan as needs, resources, and technology change.
- Agencies will be prepared to respond to a Deaf/hard of hearing survivor with identified options for relay systems for the phone and sign language interpreters when meeting in person.
- Agencies will consider and plan for budget needs for equitable language access.

### *Examples:*

- **First Step** (Harrisonburg) has been providing meaningful language access to survivors for some time and their methodology has evolved over the years as community need and agency capacity have continued to grow. Over 50 languages are spoken in the Harrisonburg public school system and there is a large refugee

population in the locality; however, Spanish continues to be the most frequently used language after English. First Step uses a variety of federal, state, and local funding sources to hire and retain bilingual advocates and to provide for regular use of the Voiance language line. This service also allows for conversations with individuals using American Sign Language. They worked hard to negotiate a reduced rate since the program used the language line so frequently and feel like having this resource available 24/7 has impacted their ability to serve the community in a positive manner. Staff receive regular training to ensure effective use of interpretation services and all staff are encouraged to interact with people for whom English is not their primary language. First Step has also been a community leader in promoting language access across systems as survivors keep meeting roadblocks when trying to access traditional supportive services beyond those provided by First Step advocates.

- The **Sexual Assault Center and Domestic Violence Program with the City of Alexandria** has several staff who speak languages other than English, including Spanish, Farsi, Dari, Arabic, Amharic, and some Portuguese. They also have access to language line services, specifically Language Line Solutions. They were able to access language needs in their community with information from the city census, police reports, social services, and the school systems. The three most frequent languages are Spanish, Amharic, and Arabic. Having bilingual staff has really made a difference in their service to clients, and they specifically recruit for bilingual staff. They have not had many Deaf survivors contact them for services, but can access ASL interpreters as needed and use TTY or Virginia Relay. Due to their close proximity to Washington, DC, they can collaborate with [DAWN](#), an organization working to end abuse in the Deaf community. As with most programs, they have had to move their services to a virtual environment with the pandemic and reduce the number of people allowed in their safe house, using hotels as needed.
- The **Shelter for Help in Emergency** (SHE) in Charlottesville has a grant from the Office on Violence Against Women (OVW) to explore the need for services to the Deaf Community. While this grant is still in its early stages, SHE has hired a coordinator for this program and has begun research into services for Deaf survivors.

*Program Focus:*

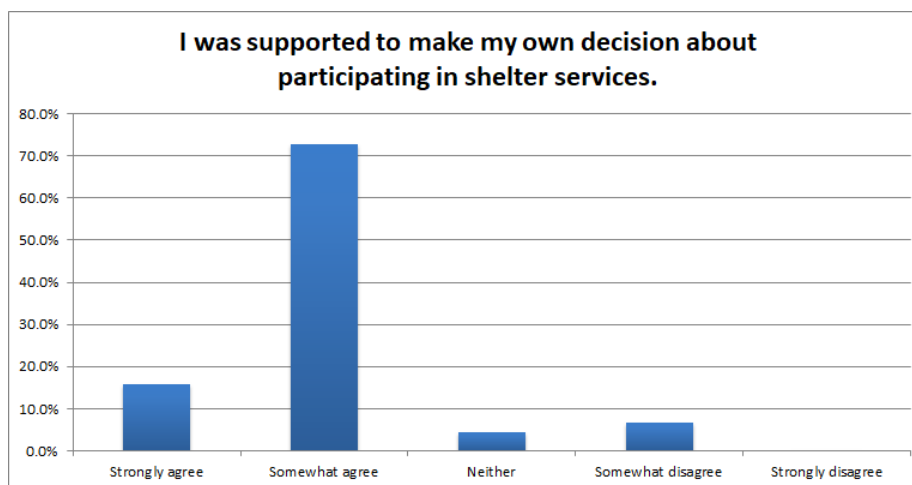
- Does your program have arrangements in place to work with trained, experienced, and qualified interpreters?
- Has your organization thought about translating vital documents/forms into the most common languages in your service area?
- Does your website have an option for other languages used in your area, if not for all of your services, at least for crisis services? Are you using a translation widget such as Google or has your translation been vetted by a native speaker?
- Does your agency have relationships with community-based organizations serving people who are LEP?
- Are staff trained in using “I speak” cards and appropriate techniques for communicating via interpretation?
- Are staff trained in using video relay services to communicate with individuals using American Sign Language?
- Does your agency need to prioritize hiring bilingual/bicultural staff, and if so, do they qualify for a salary differential? Is it clear that these staff should not be serving as interpreters for other organizations since their role is to serve as advocates for the survivors? For example, police or court personnel should not be relying on agency staff to act as interpreters.
- Does your organization include language access as part of its mission?

*Survivor voice:*

Documenting Our Work Evidence

- “found a safe environment. Finding people that speak Spanish.”
- “[translated from Spanish] I liked it, because I knew more about my rights as a woman and as a mother”
- “more staff that speaks Spanish”

- “[translated from Spanish] If the center did not exist, my son and I would be on the street”
- “Make these forms Spanish”



Data from Survivor Voice Survey, 2021

### COVID-19 Focus:

The provision of emergency shelter and other domestic violence services must be voluntary and without conditions or requirements. Pandemics mean that provision of shelter and services may be contingent on being negative for symptoms of COVID-19 or proving that you have a negative COVID-19 test which could be used to deny services, however this is against statutes relating to voluntary services. Services cannot be withheld from survivors based on COVID-19 test status. Steps can be taken, though, to promote the best safety practices.

#### *During COVID-19:*

- Did your program have to enact any new eligibility requirements for people seeking shelter?
- How are you encouraging survivors to make their own choices and feel empowered in a time where many choices have been taken away?
- How have you worked with survivors to notify them of the changes that have been made and problem solve with survivors as issues related to COVID-19 come up?



### *COVID-19 Examples:*

- First Step (Harrisonburg) – As a result of COVID causing a need for reduced capacity in their shelter, First Step has used hotels to house survivors. Advocates have continued to work with these survivors. Although not as cost-effective as a single shelter building, the option to offer hotel space can help those survivors who might find communal living to be overwhelming. Due to the added expense with hotels, First Step is uncertain if they will be able to continue this option after pandemic funding ends.

### **Additional Resources + Links:**

#### *Videos:*

- Office of Family Violence Language Access Planning Webinar Series
  - [Language Access Planning Webinar 1: Strategies for Compliance](#) (47:30): Kentucky Coalition Against Domestic Violence recorded webinar; 2019.
  - [Language Access Planning Webinar 2: Understanding Culture and Language](#) (1:31:08): Casa de Esperanza recorded webinar; 2019.
  - [Language Access Planning Webinar 3: Ensuring Meaningful Access for Survivors with Limited English Proficiency](#) (1:13:24): Casa de Esperanza recorded webinar; 2019.

#### *Publications:*

- [Violence in the Lives of the Deaf or Hard of Hearing](#): This special collection offers a wealth of information about the Deaf culture as well as specific information about serving deaf survivors of domestic violence.
- [What are some best practices for serving Deaf survivors of gender based violence?:](#) This article is an overview of how to serve deaf survivors. It contains multiple links to other resources.
- [Virginia Relay](#): A free public service, Virginia Relay enables people who are Deaf, Hard of Hearing, DeafBlind or have difficulty speaking to communicate with

standard telephone users. The conversation is relayed between the two by a specially trained Virginia Relay Communication Assistant (CA). Relay services are available 24 hours a day, 365 days per year, with no limit on the number or length of calls a user may make. By law, every call is handled with the strictest confidentiality. Special features are available for individuals who have difficulty speaking, as well as Spanish-speaking and sign language users. Anyone can make a Virginia Relay call just by dialing 7-1-1.

- [Virginia Department for the Deaf and Hard of Hearing \(VDDHH\)](#): This website includes a directory of qualified interpreters.
- [Commonly Asked Questions](#): Collection of frequently asked questions regarding language access from the Department of Justice.
- [Starting a New Language Access Plan](#): National Latino Network - collection of resources and guidance for organizations who are developing a language access plan.
- [Your Right to an Interpreter Poster - Editable Version](#): Mass Legal Services - Poster to help individuals identify the language needed for interpretation.
- [I Speak Card](#): US Census - Tool to identify language spoken by an individual.
- [Trauma-Informed Principles through a Culturally Specific Lens](#): National Latin@ Network - Primer with tips and examples for implementing trauma-informed practices in a culturally responsive manner.
- [What Federal Agencies and Federally Assisted Programs Should Know about Providing Services to LEP Individuals](#): Department of Justice Flyer on providing services to LEP individuals. It includes the Four Factor Individualized Assessment for an agency to understand what is required of them.
- [From Language Access to Language Justice - Centering Survivors' Voices in the Anti-Violence Movement](#): Center for Innovation and Resources, Inc. - 2 page flyer about the shift to a Language Justice model and moving beyond mandated requirements.