
SENATE CONCURRENT RESOLUTION

URGING THE LEGISLATURE TO DECLARE SEPTEMBER AS LANGUAGE ACCESS MONTH AND REQUESTING THE OFFICE OF LANGUAGE ACCESS TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING A STATEWIDE CENTRALIZED LANGUAGE ACCESS RESOURCE CENTER.

1 WHEREAS, Title VI of the Civil Rights Act of 1964, 42
2 U.S.C. §2000d ("Title VI"), provides that "[n]o person in the
3 United States shall, on the ground of race, color, or national
4 origin, be excluded from participation in, be denied the benefit
5 of, or be subjected to discrimination under any program or
6 activity receiving Federal financial assistance."; and

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8 WHEREAS, according to the 2000 Census, two hundred ninety
9 thousand of Hawaii's 1,200,000 people, or approximately twenty-
10 four per cent of the population, speak a language other than
11 English at home, including over two hundred fifty thousand
12 persons who speak an Asian or Pacific Island language; and

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14 WHEREAS, for this portion of Hawaii's population for whom
15 English is not their primary language and who have identified
16 themselves as having limited English proficiency ("LEP"),
17 language is a barrier that often prohibits them from fully
18 participating in the community and undermines their efforts to
19 become self-sufficient and productive; and

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21 WHEREAS, in 2006, the Legislature recognized and
22 acknowledged that language is a barrier for LEP individuals
23 living in Hawaii and enacted Hawaii's language access law, Act
24 290, Session Laws of Hawaii 2006, later codified as sections
25 371-31 to 371-37, Hawaii Revised Statutes; and

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27 WHEREAS, Hawaii's language access law seeks to breakdown
28 language barriers by requiring every state agency, and any
29 organization that receives state funding and provides services
30 to the public, to "take reasonable steps to ensure meaningful
31 access to services, programs, and activities by limited English



1 proficient persons," free of charge and regardless of what
2 language is spoken; and

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4 WHEREAS, as a result of Hawaii's language access law, the
5 Office of Language Access was established to promote equal
6 access and full participation for persons with limited English
7 proficiency through oversight, coordination, and technical
8 assistance to state and state-funded entities and by reviewing
9 and monitoring language access plans; and

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11 WHEREAS, the Office of Language Access has promoted
12 language access through education and training to state agencies
13 and state-funded entities and through outreach to the general
14 public at community events and conferences, and in public
15 service announcements; and

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17 WHEREAS, many residents in Hawaii are still unaware of the
18 language access law and of the everyday challenges faced by
19 limited English proficient persons, such as when a patient who
20 speaks only Chinese comes in for an appointment with a doctor
21 who speaks only English, when a state social worker who speaks
22 English and Ilokano meets with a client applying for food stamps
23 who speaks only Marshallese, or when a public school nurse who
24 speaks English calls home about a child with a fever and speaks
25 to the child's mother who only speaks Korean; and

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27 WHEREAS, ongoing education and efforts are needed to ensure
28 that language access becomes the "norm" in the provision of
29 government services; and

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31 WHEREAS, having a centralized language access resource
32 center can help ensure that state agencies and covered entities
33 have resources and training to provide language access to such
34 government agencies; and

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36 WHEREAS, declaring a month dedicated to the promotion of
37 language access, will allow the Office of Language Access, in
38 conjunction with community organizations, to showcase the
39 language access law, its requirements, and its benefits; now,
40 therefore,

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42 BE IT RESOLVED by the Senate of the Twenty-fourth
43 Legislature of the State of Hawaii, Regular Session of 2008, the
44 House of Representatives concurring, that September 2008 is



1 designated as Language Access Month to raise awareness of the
2 language access laws and the provision of equal access to state
3 and state-funded government services; and
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5 BE IT FURTHER RESOLVED that the Office of Language Access
6 under the Department of Labor and Industrial Relations is
7 requested to conduct a feasibility study on establishing a
8 statewide centralized language access resource center, to
9 include:

- 10 (1) A survey of existing language resources as well as the
11 language service needs and costs of state agencies and
12 covered entities; and
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14 (2) An analysis of the functions of a language resource
15 center, including but not limited to:
 - 16 (A) Compiling and maintaining a roster of available
17 language interpreters and translators;
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19 (B) Coordinating training programs to increase the
20 availability of qualified language interpreters
21 and translators;
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23 (C) Matching and referring qualified language
24 interpreters and translators to the needs of
25 state agencies and other covered entities seeking
26 assistance;
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28 (D) Training state employees in positions of public
29 contact that are first to respond to limited
30 English proficient customers who seek to access
31 state-funded services, programs, and activities;
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33 (E) Developing the Office of Language Services'
34 capacity and resources to assist state agencies
35 with their language services needs in the future;
36 and
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38 (F) Standardizing the testing and certification of
39 language interpreters and translators to ensure
40 the quality and accuracy of their services; and
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1 BE IT FURTHER RESOLVED that the Office of Language Access
2 submit a report of findings and recommendations, including
3 proposed legislation and a budget, to the Legislature no later
4 than twenty days prior to the convening of the Regular Session
5 of 2009; and

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7 BE IT FURTHER RESOLVED that certified copies of this
8 Concurrent Resolution be transmitted to the Executive Director
9 of the Office of Language Access, Director of Labor and
10 Industrial Relations, Governor of the State of Hawaii, and
11 Hawaii's congressional delegation.

