
SENATE 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
32 proficient persons," free of charge and regardless of what
33 language is spoken; and
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1 WHEREAS, as a result of Hawaii's language access law, the
2 Office of Language Access was established to promote equal
3 access and full participation for persons with limited English
4 proficiency through oversight, coordination, and technical
5 assistance to state and state-funded entities and by reviewing
6 and monitoring language access plans; and
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8 WHEREAS, the Office of Language Access has promoted
9 language access through education and training to state agencies
10 and state-funded entities and through outreach to the general
11 public at community events and conferences, and in public
12 service announcements; and
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14 WHEREAS, many residents in Hawaii are still unaware of the
15 language access law and of the everyday challenges faced by
16 limited English proficient persons, such as when a patient who
17 speaks only Chinese comes in for an appointment with a doctor
18 who speaks only English, when a state social worker who speaks
19 English and Ilokano meets with a client applying for food stamps
20 who speaks only Marshallese, or when a public school nurse who
21 speaks English calls home about a child with a fever and speaks
22 to the child's mother who only speaks Korean; and
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24 WHEREAS, ongoing education and efforts are needed to ensure
25 that language access becomes the "norm" in the provision of
26 government services; and
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28 WHEREAS, having a centralized language access resource
29 center can help ensure that state agencies and covered entities
30 have resources and training to provide language access to such
31 government agencies; and
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33 WHEREAS, declaring a month dedicated to the promotion of
34 language access, will allow the Office of Language Access, in
35 conjunction with community organizations, to showcase the
36 language access law, its requirements, and its benefits; now,
37 therefore,
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39 BE IT RESOLVED by the Senate of the Twenty-fourth
40 Legislature of the State of Hawaii, Regular Session of 2008,
41 that September 2008 is designated as Language Access Month to
42 raise awareness of the language access laws and the provision of
43 equal access to state and state-funded government services; and
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1 BE IT FURTHER RESOLVED that the Office of Language Access
2 under the Department of Labor and Industrial Relations is
3 requested to conduct a feasibility study on establishing a
4 statewide centralized language access resource center, to
5 include:

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



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2 BE IT FURTHER RESOLVED that certified copies of this
3 Resolution be transmitted to the Executive Director of the
4 Office of Language Access, Director of Labor and Industrial
5 Relations, Governor of the State of Hawaii, and Hawaii's
6 congressional delegation.

