

# SB2511

Measure Title: RELATING TO LANGUAGE ACCESS.

Report Title: Office of Language Access; Program Specialist Positions; Appropriation (\$)

Description: Appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

Companion: [HB1943](#)

Package: None

Current Referral: CPH, WAM

Introducer(s): DELA CRUZ, GALUTERIA



*The Judiciary, State of Hawai‘i*

**Testimony to the Senate Committee on Commerce,  
Consumer Protection, and Health**

Senator Rosalyn H. Baker, Chair  
Senator Jill N. Tokuda, Vice Chair

Tuesday, February 6, 2018, 9:00 a.m.  
State Capitol, Conference Room 229

by  
Debi Tulang-DeSilva  
Program Director  
Office of Equality and Access to the Courts

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Bill No. 2511, Relating to Language Access.

**Purpose:** Appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

**Judiciary's Position:**

The Judiciary supports Senate Bill No. 2511.

This measure appropriates funds for the establishment of two full-time permanent positions within the Office of Language Access (OLA) to assist state agencies and state-funded agencies in implementing the requirements of Hawai‘i’s language access law. The Judiciary recognizes that many people who require or receive Judiciary services may not be able to meaningfully participate due to limited English proficiency (LEP). Thus, the Judiciary has prioritized its resources over the years to enhance the language access services it provides for LEP court customers. Through its Office on Equality and Access to the Courts, the Judiciary is

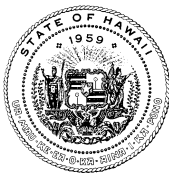


Senate Bill No. 2511, Relating to Language Access  
Senate Committee on Commerce, Consumer Protection, and Health  
Tuesday, February 6, 2018, 9:00 a.m.  
Page 2

committed to providing meaningful access to court processes and services to persons with LEP. Since its establishment, the OLA has been extremely supportive of the Judiciary's efforts to promote language access and has been a valuable collaborative partner on many language access projects. In order to sustain the assistance and support that the OLA provides the Judiciary and numerous other state agencies, the Judiciary supports the passage of Senate Bill No. 2511.

We appreciate the Legislature's action to support efforts that promote access to justice and respectfully request your support of Senate Bill No. 2511.

Thank you for the opportunity to provide testimony on this measure.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
OFFICE OF LANGUAGE ACCESS  
830 PUNCHBOWL STREET, ROOM 322  
HONOLULU, HAWAII 96813

February 2, 2018

To: The Honorable Senator Rosalyn H. Baker, Chair  
The Honorable Senator Jill N. Tokuda, Vice Chair  
Senate Committee on Commerce, Consumer Protection, and Health

From: Aphirak Bamrungruan, Executive Director

Subject: **SB 2511** – RELATING TO LANGUAGE ACCESS

Hearing: Tuesday, February 6, 2018, 9:00 AM  
Conference Room 229, State Capitol

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**Agency's Position:** The Office of Language Access (OLA) supports the intent of the measure, provided that the measure's passage does not replace or adversely impact priorities in the Governor's Executive Budget Request.

**Purpose and Justification:** The purpose of the measure is to appropriate funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the Office of Language Access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

Hawaii is one of the most culturally diverse states and has one of the highest proportions of non-English speakers in the nation. According to the U.S. Census Bureau, 2012-2016 American Community Survey (ACS) 5-year estimates, the total population in the state of Hawaii was 1,413,673. An estimate of 25.7% or 339,539 of Hawaii residents, 5 years and older, speak a language other than English at home. Of those, 166,949 or 12.6% indicated that they speak English "less than very well."

English proficiency (or lack of) has strong impacts on people's economic and social activities, health literacy and wellness, access to education, employment, and important public assistance, benefits, programs and services. In 2006, the Hawaii State Legislature passed the Hawaii Language Access Law (Codified under Hawaii Revised Statutes 321C) and OLA was established in 2007 to address the language access needs of limited English Proficient (LEP) persons and ensure their meaningful access to services, programs, and activities offered by the

executive, legislative, and judicial branches of state government, including departments, offices, commissions, boards, or other state-funded agencies (including the counties). In 2013, Act 217, Session Laws of Hawaii 2013, gave OLA further responsibilities to establish and operate a Language Access Resource Center.

Under the Hawaii Language Access Law, OLA's task is to provide highly specialized technical assistance and to coordinate resources to reduce the burden of implementing language access obligations. OLA is charged with providing oversight, central coordination, and technical assistance to all state and state-funded agencies in their implementation of language access compliance – a civil right under both state and federal law.

OLA began with six positions but lost five positions in 2009 due to the Reduction-In-Force. In 2012, OLA received enough funds to restore two of the five lost positions and has been operating with only three authorized full-time equivalent positions until the present time. The lack of personnel has limited OLA's ability to fully perform its mandated functions. Additional staffing will enable OLA to better assist state agencies in complying with language access laws and performing its statutorily mandated compliance and technical assistance functions.

OLA appreciates this committee for its commitment to language access and for the opportunity to provide this testimony.

**SB-2511**

Submitted on: 2/1/2018 8:54:04 AM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Serafin Colmenares	State Health Planning and Development Agency	Support	No

Comments:

The State Health Planning and Development Agency (SHPDA) supports SB2511. The Legislature in 2013 approved the creation of a Language Access Resource Center within the Office of Language Access (OLA) but failed to provide staffing support for its implementation. This bill would create two permanent positions that would enable OLA to fulfill its mandate of helping state and state-funded agencies comply with the requirements under Hawaii's language access law.

Ryan H. Engle  
Board President  
  
Angela Kuo Min  
Executive Director



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**TESTIMONY IN SUPPORT OF S.B. No. 2511  
RELATING TO LANGUAGE ACCESS**

**Committee on Commerce, Consumer Protection, and Health  
Tuesday, February 6, 2018  
Conference Room 229**

CHAIR ROSALYN H. BAKER, VICE CHAIR TOKUDA, AND MEMBERS OF THE  
COMMITTEE:

Volunteer Legal Services Hawaii supports the passage of S.B. No. 2511 and the recommendation to appropriate funds relating to the Office of Language Access.

In the last thirty-six years, Volunteer Legal Services Hawaii has provided legal assistance to the low- and moderate- income community of Hawaii; many who identify themselves as English not being their first language and/or being limited in English proficiency. Our office recognizes the needs for interpreter and translator resources to continue serving the multi-ethnic and multi-cultural community of Hawaii, and to provide all residents of Hawaii meaningful access to justice.

I support S.B. No. 2511 to increase staff at the Office of Language Access. Thank you.

Sincerely,

Angela Kuo Min  
Executive Director





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Senate Committee on Commerce, Consumer Protection, and Health  
Hawai'i State Capitol, Conference Room 229  
February 6, 2018, 9:00 am

To: Chair Rosalyn Baker, Vice Chair Jill Tokuda, and Senate Commerce, Consumer Protection, and Health Committee Members

From: Hawai'i TESOL

Subject: Support for SB2511, RELATING TO LANGUAGE ACCESS

Hawai'i TESOL is the largest state-wide organization representing teachers of English to speakers of other languages (TESOL) – commonly referred to as “ESL teachers” – most of whom support the English language development of immigrant students in Hawaii’s DOE schools. **We support SB2511, which appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.**

About 1 in 4 of Hawai'i residents speaks a language other than English at home, and about 1 in 8 has reported to speak English “less than very well”. In 2006, the Hawai'i State Legislature passed the Hawai'i Language Access Law, which established the Office of Language Access (OLA) to ensure that Hawai'i residents who are not proficient in English are not denied access to essential government services, programs, and activities. This is an especially important issue for many of our state’s public school immigrant students whose parents and primary caregivers speak a language other than English.

SB 2511 would renew our state’s commitment to the Language Access Law by adding two full-time permanent positions so that the office can successfully carry out its statutory functions. Hawai'i TESOL supports this bill, which seeks to increase the current number of staff at OLA. Funding of these two additional positions will support OLA in carrying out the Hawaii’s Language Access law and Title VI of the Civil Rights Act of 1964 by ensuring that the parents and primary caregivers of immigrant children in DOE schools get important school-related information in their home languages.

We hope that the legislature continues to recognize the importance of language access for our state’s immigrant families and will consider funding these positions to help OLA carry out its mission.

Thank you for the opportunity to submit testimony.

Sincerely,  
Shawn Ford  
Socio-political Action Representative  
Hawai'i TESOL







February 6, 2018 @ 9am  
Committee on Commerce, Consumer Protection and Health  
Conference Rm 229

TESTIMONY SUBMITTED BY: FAYE KENNEDY, CHAIR HFCR

TESTIMONY IN STRONG SUPPORT OF SB 2511  
RELATING TO LANGUAGE ACCESS

The Hawai'i Friends of Civil Rights supports programs and policies that ensure equal access, diversity and inclusion in the state. HFCR supports SB 2511 requesting two positions to meet the objectives and mandate of state law that established the Office of Language Access. HFCR supports OLA's mandate regarding non-discrimination, equal access and equal treatment to government services. Language access is a civil right. Many community members with limited English proficiency face barriers and do not often receive needed government services. These barriers to equal opportunity are often related to a person's race, color, ethnicity, or national origin. Limited language access may deny civil rights to certain segments of our multicultural and multilingual state. Although most residents living in Hawai'i read, write, speak, and understand English, a significant percentage in the state are second language learners with limited English proficiency. To have equal access to state services and full participation in the community, persons who are second language learners with limited English proficiency require language assistance.

HFCR supports SB2511 as we believe that language access to state services is a civil right and OLA is an important state agency that has an important mandate. OLA needs additional resources to adequately meet its mandates relating to language access and non-discrimination.



**Year 2017-2018**

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**Kenneth M. Nakasone**  
*Legal Counsel*

**Mailing Address**  
**P O Box 1572**  
**Honolulu, HI 96806**

**THE FILIPINO CHAMBER OF COMMERCE OF HAWAII**  
*Promoting Hawaii's Business Since 1954*

February 5, 2018

To: Senator Rosalyn H. Baker (Chair), Senator Jill N. Tokuda (Vice Chair) and  
Esteemed Members of the Hawaii State Senate Committee on Commerce,  
Consumer Protection, and Health

From: Brandon T. Dela Cruz, President  
Filipino Chamber of Commerce of Hawaii (FCCH)

**Subject: Strong Support of S.B. 2511 – Related to Language Access**

My name is Brandon T. Dela Cruz, President of the Filipino Chamber of Commerce of Hawaii (FCCH). The FCCH is the voice of Filipino business in Hawaii and is an integral part of the community intricately tied to the over 300,000 people within the state that are connected to the vibrant cultural heritage to the Philippines.

**I am writing on behalf of the FCCH in strong support for S.B. 2511 – related to language access.**

The Office of Language Access (OLA) was established to ensure that Hawaii's Limited English Proficient (LEP) populations have meaningful access to government services, programs, and activities. However, OLA has been operating with only three staff since 2013.

The FCCH is in full support this bill, which seeks to increase the current number of staff at OLA. Funding of these two additional positions will support OLA in carrying out the Hawaii's Language Access law and Title VI of the Civil Rights Act of 1964. Simply put, strengthening access to government services, programs, and activities is good business for everyone.

Thank you for hearing this bill and for the chance to offer my strong support for its passage.

Sincerely,

Brandon T. Dela Cruz  
President  
Filipino Chamber of Commerce of Hawaii

# Filipino American Citizens League

Jake Manegdeg, President, Charlene Cuaresma, Vice President  
c/o 728 Nunu St., Kailua, HI 96734

Testimony in Strong Support of SB 2511  
Senate Committee on Commerce, Consumer Protection, and Health  
Senate Committee on Ways and Means  
Feb. 6, 2018, 9 a.m., Conference Room 229

To: Sen. Rosalyn H. Baker, Chair and Sen. Jill N. Tokuda, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

From: Jake Manegdeg, President and Charlene Cuaresma, Vice President  
Filipino American Citizens League

Report Title: Office of Language Access; Program Specialist Positions; Appropriation (\$)  
Description: Appropriates funds for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law.

Filipino American Citizens League President Jake Manegdeg and I are proud to strongly support this bill. The League was formed nearly twenty years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

Funding of two FTE positions for the Office of Language Access is vital for the ability of our government agencies to assure equal access and non-discrimination of state-funded programs and services that are not only essential for people's survival today, but also for their ability to fully participate in, and contribute significantly to, society's daily economic transactions. See the attached American Immigration Council report. It shows when immigrants, whose first language is not English, do well, our society does well. In other words, the prudent compliance monitoring, planning, coordination, and management expertise that the Office of Language Access can offer our state agencies translates into mutually beneficial public health and economic vitality for all of Hawai'i's communities.

Clearly, adequate staff positions to implement the provisions of Act 217 of the language access law are more cost effective than the cost of litigation for non-compliance of civil rights laws due to the failure to hire staff for the language access resource center.

Thank you very much for hearing this bill and for your consideration of its merit.

Very Sincerely,

Jake Manegdeg and Charlene Cuaresma

May 2015

**NEW AMERICANS IN HAWAII:**

**The Political and Economic Power of Immigrants, Asians, and Latinos in the Aloha State**

Immigrants, Asians, and Latinos account for growing shares of the economy and electorate in Hawaii. Over 1 in 6 residents of Hawaii are immigrants (foreign-born), and more than half of them are naturalized U.S. citizens who are eligible to vote. “New Americans”—immigrants and the children of immigrants—account for 18.1% of registered voters in the state. Immigrants are not only integral to the state’s economy as workers, but also account for billions of dollars in tax revenue and consumer purchasing power. Moreover, Latinos and Asians (both foreign-born and native-born) wield \$31.9 billion in consumer purchasing power, and the businesses they own had sales and receipts of \$18.9 billion and employed nearly 116,000 people at last count. Immigrant, Latino, and Asian workers, consumers, and entrepreneurs are integral to Hawaii’s economy and tax base—and they are an electoral force with which every politician must reckon.

***Immigrants and their children are growing shares of Hawaii’s population and electorate.***

▪ **The foreign-born share** of Hawaii’s population rose from 14.7% in 1990, 2000, 2013, 2013.<sup>1</sup> to 17.5% in <sup>2</sup> to 17.6% in <sup>3</sup> according to the U.S. Census Bureau. Hawaii was home to 246,464 immigrants in 2013.<sup>4</sup>

▪ **56.7% of immigrants (or 139,732 people) in Hawaii were naturalized U.S. citizens in 2013<sup>5</sup>**—meaning that they are eligible to vote.

▪ Unauthorized immigrants comprised roughly **2.4% of the state’s population** (or 35,000 workers) in 2013, according to a report by the Pew Hispanic Center.<sup>6</sup>

▪ **18.1% (or 99,209) of registered voters** in Hawaii were “New Americans”—naturalized citizens or the U.S.-born children of immigrants who were raised during the current era of immigration from Latin America and Asia which began in 1965—according to an analysis of 2012 Census Bureau data by the American Immigration Council.<sup>7</sup>

***Nearly half of all residents of Hawaii are Asian or Latino.***

▪ The **Asian share of Hawaii’s population** was 37.8% (or 531,218 people) in 2013.<sup>8</sup> The **Latino share of the population** grew from 7.4% in 1990 to 9.8% (or 138,064 people) in 2013,<sup>10</sup> according to the U.S. Census Bureau.

▪ **Asians accounted for 41.9%** (or 201,000) **of Hawaii voters** in the 2012 elections, and **Latinos 5.2%** (or 25,000), according to the U.S. Census Bureau.<sup>11</sup>

▪ In Hawaii, **88% of children with immigrant parents were U.S. citizens** in 2009, according to data from the Urban Institute.<sup>12</sup>

- In 2009, **94.7% of children in Asian families** in Hawaii were U.S. citizens, as were **98.9% of children in Latino families**.<sup>13</sup>

*Immigrant, Asian, and Latino entrepreneurs and consumers add tens of billions of dollars and tens of thousands of jobs to Hawaii's economy.*

- **The 2014 purchasing power of Asians in Hawaii totaled \$28 billion**—an increase of 129.3% since 1990. **Latino buying power totaled \$3.9 billion**—an increase of 308% since 1990, according to the Selig Center for Economic Growth at the University of Georgia.<sup>14</sup>
- Immigration boosts housing values in communities. From 2000 to 2010, according to the Americas Society/Council of the Americas, the value added by immigration to the price of the average home was \$1,728 in Honolulu.<sup>15</sup>
- Hawaii's 56,872 **Asian-owned businesses had sales and receipts of \$18.2 billion and employed 111,924 people** in 2007, the last year for which data is available. **Latino-owned businesses had sales and receipts of \$671.7 million and employed 3,977 people** in 2007, according to the U.S. Census Bureau's Survey of Business Owners.<sup>16</sup> The state's 4,374 **Latino-owned businesses had sales and receipts of \$671.7 million and employed 3,977 people** in 2007, according to the U.S. Census Bureau's Survey of Business Owners.<sup>17</sup>
- From 2006 to 2010, there were 15,997 new immigrant business owners in Hawaii, and they had total net business income of \$772 million, which makes up 19.8% of all net business income in the state, according to Robert Fairlie of the University of California, Santa Cruz.<sup>18</sup>
- In 2010, 22.5% of all business owners in Hawaii were foreign-born, according to the Fiscal Policy Institute.<sup>19</sup>

*Immigrants are essential to Hawaii's economy as workers and taxpayers.*

- Immigrants comprised **20.5% of the state's workforce** in 2013 (or 150,209 workers), according to the U.S. Census Bureau.<sup>20</sup>
- Latinos in Hawaii paid **\$468 million in federal taxes and \$259 million in state/local taxes in 2013**, according to the Partnership for a New American Economy. In particular, foreign-born Latinos paid \$88 million in federal taxes and \$47 million in state/local taxes.<sup>21</sup>
- The federal tax contribution of Hawaii's Latino population included **\$324 million to Social Security and \$76 million to Medicare in 2013**. Foreign-born Latinos contributed \$59 million to Social Security and \$14 million to Medicare that year.<sup>22</sup>

*Unauthorized immigrants are important to Hawaii's economy as workers and consumers.*

- Unauthorized immigrants comprised roughly **3.7% of the state's workforce** (or 25,000 workers) in 2012, according to a report by the Pew Hispanic Center.<sup>23</sup>
  - If all unauthorized immigrants were removed from Hawaii, **the state would lose \$2 billion in economic activity, \$900.3 million in gross state product, and approximately 8,460 jobs**, even accounting for adequate market adjustment time, according to a report by the Perryman Group.<sup>24</sup>
- Unauthorized immigrants pay taxes.*
- Unauthorized immigrants in Hawaii paid **\$31.2 million** in state and local taxes in 2012, including \$19.8 million in sales taxes, \$6.3 million in personal income taxes, and \$5 million in

property taxes, according to data from the Institute for Taxation and Economic Policy.<sup>25</sup>

- Were unauthorized immigrants in Hawaii to have legal status, they would pay **\$41.2 million** in state and local taxes, including \$21.8 million in sales taxes, \$13.8 million in personal income taxes, and \$5.5 million in property taxes.<sup>26</sup>

***Immigrants are integral to Hawaii's economy as students.***

- Hawaii's 4,388 **foreign students contributed \$107.1 million** to the state's economy in tuition, fees, and living expenses for the 2013-2014 academic year, according to NAFSA: Association of International Educators.<sup>27</sup>
- Foreign students contribute to Hawaii's metropolitan areas. From 2008 to 2012, according to the Brookings Institution, 5,723 foreign students paid \$77.3 million in tuition and \$60.9 million in living costs in the Honolulu metropolitan area.<sup>28</sup>
- Foreign students also contribute to innovation in Hawaii. In 2009, "non-resident aliens" comprised 27.7% of master's degrees and 42.9% of doctorate degrees in science, technology, engineering, and mathematics (STEM) fields, according to the Partnership for a New American Economy.<sup>29</sup>

***Naturalized citizens advance educationally.***

- The number of immigrants in Hawaii with a college degree **increased by 24.1%** between 2000 and 2011, according to data from the Migration Policy Institute.<sup>30</sup>
- In Hawaii, **86% of children with immigrant parents** were considered "English proficient" as of 2009, according to data from the Urban Institute.<sup>31</sup>
- The English proficiency rate among **Asian children in Hawaii was 93.4%**, while for **Latino children it was 96.3%**, as of 2009.<sup>32</sup>

- 1 U.S. Census Bureau, *The Foreign-Born Population: 2000*, December 2003.
- 2 Ibid.
- 3 2013 American Community Survey (1-Year Estimates).
- 4 Ibid.
- 5 Ibid.
- 6 Jeffrey S. Passel, D’Vera Cohn, and Molly Rohal, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14* (Washington, DC: Pew Research Center’s Hispanic Trends Project, November 18, 2014), p. 29.
- 7 Walter A. Ewing and Guillermo Cantor, *New Americans in the Voting Booth: The Growing Electoral Power of Immigrant Communities* (Washington, DC: American Immigration Council, October 2014), p. 25.
- 8 2013 American Community Survey (1-Year Estimates).
- 9 U.S. Census Bureau, *The Hispanic Population: 2000*, May 2001.
- 10 2013 American Community Survey (1-Year Estimates).
- 11 2012 Current Population Survey, Table 4b. Reported Voting and Registration, by Sex, Race and Hispanic Origin, for States: November 2012.
- 12 The Urban Institute, data from the Integrated Public Use Microdata Series datasets drawn from the 2005 - 2009 American Community Survey.
- 13 Ibid.
- 14 Jeffrey M. Humphreys, *The Multicultural Economy 2014* (Athens, GA: Selig Center for Economic Growth, University of Georgia, 2014), pp. 22, 24.
- 15 Jacob Vigdor, *Immigration and the Revival of American Cities: From Preserving Manufacturing Jobs to Strengthening the Housing Market* (New York, NY: Americas Society/Council of the Americas, 2013).
- 16 U.S. Census Bureau, *Estimates of Business Ownership by Gender, Ethnicity, Race, and Veteran Status: 2007*, June 2011.
- 17 Ibid.
- 18 Robert W. Fairlie, *Open for Business: How Immigrants are Driving Small Business Creation in the United States* (New York, NY: Partnership for a New American Economy, 2012), p. 32.
- 19 David Dyssegaard Kallick, *Immigrant Small Business Owners: A Significant and Growing Part of the Economy* (New York, NY: Fiscal Policy Institute, 2012), p. 24.
- 20 2013 American Community Survey (1-Year Estimates).
- 21 Partnership for a New American Economy, *The Power of the Purse: The Contributions of Hispanics to America’s Spending Power and Tax Revenues in 2013* (New York, NY: 2014).
- 22 Ibid.
- 23 Jeffrey S. Passel, D’Vera Cohn, and Molly Rohal, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14* (Washington, DC: Pew Research Center’s Hispanic Trends Project, November 18, 2014), p. 29.
- 24 The Perryman Group, *An Essential Resource: An Analysis of the Economic Impact of Undocumented Workers on Business Activity in the US with Estimated Effects by State and by Industry* (Waco, TX: April 2008), p. 69.
- 25 Institute on Taxation and Economic Policy, *Undocumented Immigrants’ State and Local Tax Contributions* (Washington, DC: April 2015).
- 26 Ibid.
- 27 NAFSA: Association of International Educators, *The Economic Benefits of International Students to the U.S. Economy: Academic Year 2013-2014* (Washington, DC: 2014).
- 28 Neil Ruiz, *The Geography of Foreign Students in U.S. Higher Education: Origins and Destinations* (Washington, DC: The Brookings Institution, 2014).
- 29 Partnership for a New American Economy, *Help Wanted: The Role of Foreign Workers in the Innovation Economy* (New York, NY: 2013), p. 21.
- 30 Migration Policy Institute Data Hub, Hawaii: Language & Education.
- 31 The Urban Institute, data from the Integrated Public Use Microdata Series datasets drawn from the 2005 - 2009 American Community Survey.
- 32 Ibid.



# THE FILIPINO COMMUNITY CENTER, INC.

94-428 Mokuola St., Suite 302 Waipahu, Hawai'i 96797 Phone: 680-0451 Fax: 680-7510 www.filcom.org

*Our mission is to develop, own and operate a community center that provides social, economic and education services and to promote and perpetuate Filipino culture and customs in the State of Hawai'i.*

Senate Committee on Commerce, Consumer Protection, and Health

Hawai'i State Capitol, Conference Room 229

February 6, 2018, 9:00 am

To: Hon. Chair Rosalyn H. Baker, Hon. Vice Chair Jill N. Tokuda and Committee Members

From: The Filipino Community Center, Inc.  
Franz D. Juan, Executive Director

Subject: Support for SB2511, RELATING TO LANGUAGE ACCESS (companion HB1943)

The Filipino Community Center, Inc.'s mission, in part, is to provide social, economic and education services and to promote and perpetuate Filipino culture and customs in the State of Hawaii. The importance of delivering quality language assistance to our community and to the State of Hawaii is an integral part of a community moving forward through education.

**We support SB2511, renewing our State's commitment to the Language Access Law by adding two full-time permanent positions so that the office can successfully carry out its statutory functions.**

The ability to successfully carry out the statutory functions and the necessary provisions as identified in the Hawaii Language Access Law is vital. Ensuring that Hawaii residents who are not proficient in English and thus denied access to essential governmental services, programs, and activities is a key component to community growth, prosperity, and equality.

Therefore, we support SB2511. Thank you for the opportunity to testify.



February 6, 2018 @ 9am

COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH

TESTIMONY IN SUPPORT OF SB 2511 RELATING TO LANGUAGE ACCESS  
SUBMITTED BY AMY AGBAYANI, CHAIR FILIPINA ADVOCACY NETWORK (FAN)

Chair Baker, Vice Chair Tokuda and members of the committee.

Filipina Advocacy Network (FAN) strongly supports SB2511 providing two positions for the Office of Language Access. The Hawai'i State Legislature passed legislation establishing the Office of Language access to ensure access to state-funded services for persons with limited English proficiency. This important agency is under-funded and cannot effectively implement its mandate without additional resources. Language access to state services is a critical government responsibility and a civil right. The Office of Language Access is the state agency that can help other state agencies provide appropriate language assistance that will benefit our community in multiple ways. Non-discrimination, equal access, appreciation of diversity and need for inclusion are the basis for funding OLA.

Obtaining government information and access to state services should be available to all persons in the state. Although not the same, limited English speakers encounter similar problems and need similar programs available to deaf and hard of hearing individuals. Our recent problem with the incorrect missile alert warning highlights the needs of individuals who are unable to read or understand English messages. At this time, there is inadequate communication protocols to warn our multilingual communities of hurricanes and other natural disasters.

“According to the American Community Survey data collected for five years from 2010 to 2014, around one-in-four people aged 5 and older during the period spoke a language other than English at home in Hawaii. Speaking a non-English language at home does not mean that the person cannot speak English. About half of the non-English speakers at home were fluent English speakers describing their English speaking ability as “very well”, while another 30 percent rated their English speaking ability as “well”. However, 19 percent of the non-English speakers in Hawaii, or about 62,000 people, spoke English “not well” or “not at all”. At the household level, 6.3 percent of total households in Hawaii, or about 28,400 households, had no one aged 14 and older who could speak English very well in the household. “

Hawai'i has a significant percentage of people in all counties who are unable or have only a limited ability to read, write, speak or understand English. Without language assistance, these residents face barriers to government information and services and unable to fully participate in the economy and community activities.”

A large percentage of persons in Hawai'i do not speak English or have difficulty using English. For example, 40 percent of persons of Vietnamese ethnicity and 35 percent of persons of Chinese ethnicity have either limited ability or are unable to speak English. Among Filipino ethnic groups, 26 percent of Ilocanos are not fluent in English and 15 percent of Pacific Islanders have limited English proficiency.

Non-English language speaking at home was more prevalent in Honolulu County than in the neighbor island counties. The proportion of non-English speakers was highest in Honolulu County at 28 percent and lowest in Hawaii County at 19 percent. Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home in Hawaii. Speakers of these three languages made up about half of non-English speakers at home in Hawaii.

See these reports for more information on language use in Hawai'i:

[http://dbedt.hawaii.gov/economic/reports\\_studies/non-english-speaking-population-in-hawaii/](http://dbedt.hawaii.gov/economic/reports_studies/non-english-speaking-population-in-hawaii/)

[http://files.hawaii.gov/dbedt/economic/data\\_reports/Non\\_English\\_Speaking\\_Population\\_in\\_Hawaii\\_April\\_2016.pdf](http://files.hawaii.gov/dbedt/economic/data_reports/Non_English_Speaking_Population_in_Hawaii_April_2016.pdf)

Maraming salamat po for your consideration and support to members of our community who need language assistance for state services. OLA needs these two positions to effectively meet its objectives and mandate.

# **FILIPINOS FOR AFFIRMATIVE ACTION**

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P.O. Box 61626 Honolulu, HI 96839

## **TESTIMONY IN STRONG SUPPORT OF SB 2511**

**Submitted to**  
**Senate Committee on Commerce, Consumer Protection, and Health**  
**Hawai`i State Capitol, Conference Room 229**  
**February 6, 2018, 9:00 am**

**TO:** Chair Rosalyn H. Baker  
Vice-Chair Jill N. Tokuda  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

**FR:** Agnes Malate  
Filipinos for Affirmative Action

**RE: IN SUPPORT OF SB 2511 RELATING TO OFFICE OF LANGUAGE ACCESS**

My name is Agnes Malate. As a Board Member of the Filipinos for Affirmative Action (FFAA) I am in full support of SB 2511 to establish two full-time equivalent (2.0 FTE) permanent positions within the Office of Language Access (OLA).

First of all, I would like to thank the Legislature in having the foresight to establish the Office of Language Access (OLA) a decade ago. OLA serves an important role in providing equal access to services offered by state and state-funded agencies for persons who have limited proficiency in English. FFAA supported the passage of Hawai`i's Language Access Act in 2006, which was a major milestone in decades long efforts by numerous agencies and community groups who have advocated for limited English proficient individuals to have equal access to state and government services, programs, and activities.

In 2009, OLA's staff was reduced from six to five, retaining only the executive director position. Since then two positions have been restored in 2013, however, but critical positions remain vacant due to lack of funding. As a result, OLA has not been able to fully meet its original statutorily-mandated charge to ensure that state agencies are in compliance and to provide technical assistance. Numerous state agencies have been unable to implement key components of their language access plans due to lack of oversight and technical assistance. Funding the two positions is necessary to support operational costs to monitor, review, and assist agencies in complying with language access requirements. Further delay in filling these positions could result in greater cost to the State in the long-term if agencies are found noncompliant.

I urge you to preserve the intent of the Language Access Act and ensure that OLA continues to fulfill its vital role. Thank you for the opportunity to provide testimony on this bill and for the Legislators' continued support of the Office of Language Access.

**SB-2511**

Submitted on: 2/5/2018 1:27:11 PM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

We STRONGLY SUPPORT this bill.



## **TINALAK FILIPINO EDUCATION COUNCIL**

February 5, 2018

To: Chair Rosalyn Baker, Vice Chair Jill Tokuda and Senate Commerce, Consumer Protection and Health Committee Members

From: Tinalak Filipino Education Council

Subject: **Support for SB2511, Relating to Language Access**

The Tinalak Filipino Education Council was established in 2012 to serve as an advisory council to the Dean of the University of Hawai'i, Manoa's College of Education. We are composed of the COE's tenure track Filipino faculty and doctoral students. Our mission is to recruit and retain Filipino educators and to foster Filipino culture-based education.

**We support SB2511**, for the establishment of two full-time equivalent (2.00 FTE) permanent program specialist positions within the office of language access to assist state agencies and state-funded agencies in implementing the requirements of Hawaii's language access law and Title VI of the Civil Rights Act of 1964.

About 1 in 4 of Hawaii residents speak a language other than English at home and about 1 in 8 indicated that they speak English "less than very well." In terms of our Multilingual/English learner (EL) students, the most home languages spoken are Filipino (Tagalog, Ilokano, Pampangan, etc) at 30%. With this statistic, we have a vested interest in providing the necessary language services for our multilingual Filipino families who have limited English proficiency. This would help state agencies like the HODOE better serve the needs of our families.

Thank you for the opportunity to testify.

**SB-2511**

Submitted on: 1/31/2018 9:10:39 PM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaulana Dameg		Support	No

Comments:

**SB-2511**

Submitted on: 1/31/2018 10:16:35 PM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow		Support	No

Comments:

After the fiasco in Maui where a judge refused to hear testimony in Hawaiian ('olelo Hawai'i is an official language of the state), subsequent demonstrations on three islands, and impassioned testimony (most in 'olelo Hawai'i) this week at the capitol, this is a no brainer. We must stop treating the host culture like third class citizens. Pass this bill now.

lynne matusow

**SB-2511**

Submitted on: 2/2/2018 9:47:28 AM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paola Rodelas		Support	No

Comments:

Aloha, Chair Baker and the Commerce, Consumer Protection, and Health Committee:

I support SB2511, which seeks to increase the current number of staff at the Office of Language Access (OLA). The Office of Language Access (OLA) was established to ensure that Hawaii's Limited English Proficient (LEP) populations have meaningful access to government services, program, and activities. However, OLA has been operating with only three staff since 2013.

As an immigrant who moved to the U.S. at a young age, I had to help my parents navigate through various government bureaucracies ever since I was a child because of their limited English. Increasing staffing at OLA would help immigrant families like mine.

Sincerely,  
Paola Rodelas Groves  
Kapahulu resident



**SB-2511**

Submitted on: 2/4/2018 11:47:29 PM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clement C. Bautista		Support	No

Comments:

Senator Rosalyn H. Baker, Chair

Senator Jill N. Tokuda, Vice Chair

Members of the Committee on Commerce, Consumer Protection and Health

The Office of Language Access (OLA) provides an essential function that increases the awareness of and participation in government functions of large segments of Hawaii's community that would otherwise face language barriers. This office provides oversight, central coordination, and technical assistance to state agencies and state-funded entities in the implementation of language access requirements under Hawaii and federal laws, rules, and guidance. It also creates and distributes multilingual materials to help state agencies and covered entities to effectively communicate with Limited English Proficient (LEP) persons, as well as resolving public complaints relating to language access barriers.

Since its inception, the OLA has been severely downsized, which not only negatively impacts the staff and efficiencies of various agencies and departments, but increases rather than decreases the barriers faced by LEP persons in participating in our democracy. I strongly support the increase in funding to support the OLA in staffing and resources which reinforces our commitment to the democratic process.

Thank you,

Clement Bautista

Filipino-American Historical Society of Hawaii

Testimony in Strong Support of SB 2511  
RELATING TO LANGUAGE ACCESS

To: Filipino Legislative Caucus  
February 5, 2018

From: Deanna Espinas  
2103 Palolo Avenue  
Honolulu, HI 96816  
Email: [espiahawaii@juno.com](mailto:espiahawaii@juno.com)

Subject: Strong Support of S.B. 2511 – Related to Language Access

My name is Deanna Espinas, and I am a member of the Filipino-American Historical Society of Hawaii (FAHSOH).

Language can be a barrier for Limited English Proficient (LEP) individuals trying to access state and state-funded services. The Hawaii Language Access Law requires every state and state-funded agency to ensure meaningful access to their services to all of Hawaii's diverse population, regardless of what language is spoken. The Office of Language Access (OLA) is tasked with providing oversight, central coordination, and technical assistance to those agencies in their implementation of language access requirements.

I respectfully ask for your consideration and passage of S.B. 2511 to increase the OLA's ability to fully perform its mandated functions. It is important that OLA has sufficient staff to ensure that Hawaii's LEP population has meaningful access to all necessary state and state-funded services.

Thank you for this opportunity to provide testimony in strong support of S.B. 2511.

Respectfully submitted,

Deanna Espinas

**SB-2511**

Submitted on: 2/5/2018 12:43:32 PM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl		Support	No

Comments:

SUPPORTING all viable resources given to bring Hawaiian language to the position that it should be in our islands.

**SB-2511**

Submitted on: 2/5/2018 1:01:24 PM

Testimony for CPH on 2/6/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Gustafson		Support	No

Comments:

I support SB2511 which provides funds for the state Office of Language Access (OLA) resource center and multilingual website. OLA provides resources to state agencies to meet the state and federal laws relating to equal rights and non-discrimination issues. Many residents in our state, whose native language is not English, have difficulty obtaining information about government regulations and services. We see language access as a civil rights issue for our multilingual community. OLA needs two additional positions to meet its mission.

I respectfully request you approve these positions so that OLA can adequately meet its objectives to serve our state.