



# CALIFORNIA STATE AUDITOR

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# FACT SHEET

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The California State Auditor released the following report today:

## **Dymally-Alatorre Bilingual Services Act**

*State Agencies Do Not Fully Comply With the Act, and Local Governments Could Do More To Address Their Clients' Needs*

### **BACKGROUND**

In 1973 the Legislature enacted the Dymally-Alatorre Bilingual Services Act (Act) to ensure that individuals who do not speak or write English or whose primary language is not English are not prevented from using public services because of language barriers. The Act requires state agencies to identify the language needs of their constituents through language surveys and depending on those results, to translate written materials into other languages and employ sufficient numbers of qualified bilingual persons. The State Personnel Board (Personnel Board) is charged with monitoring and enforcing state agencies' compliance with the Act, while local agencies have significant discretion in establishing the level and extent of bilingual services they provide.

### **KEY FINDINGS**

Our review of the Personnel Board, 10 state agencies, and a survey of 25 local agencies' compliance with the Act revealed the following:

- The Personnel Board is not adequately monitoring or enforcing state agencies' compliance with the Act. Specifically, it does not:
  - ✓ Ensure state agencies conduct language surveys to assess language needs—33 of the 151 state agencies that the Personnel Board identified as potentially subject to the Act in 2008 did not conduct the required language surveys.
  - ✓ Obtain the critical information needed to properly evaluate whether state agencies comply with the Act.
  - ✓ Follow up on the resolution of complaints with the responsible state agencies or make sure that deficient agencies take necessary actions to ensure the required qualified bilingual staff are available and/or written materials are translated.
- Of the 10 state agencies we reviewed, none had adequate procedures in place to determine whether they were translating certain written materials as required and most had not developed plans to address their staffing and written materials deficiencies. Further, nine conducted biennial language surveys in 2008, but four reported erroneous results and two more did not have documentation to support their results.
- Some state agencies do not leverage the Department of General Services' and Personnel Board's contracts to reduce the costs of providing bilingual services.
- Many city and county administrators and local department managers responding to our survey are not aware of the Act and do not have formal policies for providing bilingual services. Thus, many do not regularly assess the need to provide bilingual services, and some do not fully address their clients' language needs or translate materials explaining their services.

### **KEY RECOMMENDATIONS**

We made several recommendations to the Personnel Board to ensure it fulfills its responsibilities under the Act, such as ensuring state agencies are aware of their responsibilities to conduct language surveys and to submit implementation plans. Further, we recommended that the Personnel Board assess the adequacy of language surveys and implementation plans and ensure state agencies make appropriate changes as needed.

Additionally, we recommended that state agencies accurately assess their clients' language needs, formally analyze language survey results to identify deficiencies, develop plans for correcting staffing and written materials deficiencies, and leverage existing contracts for interpretation and translation services to potentially reduce costs.

Finally, we made numerous recommendations to local government agencies including establishing formal procedures for regularly assessing bilingual needs, translating materials that explain their services into the appropriate languages, and minimizing costs of providing bilingual services by leveraging existing contracts.

