



# City of Chicago



O2015-1531

## Office of the City Clerk Document Tracking Sheet

**Meeting Date:** 3/18/2015  
**Sponsor(s):** Emanuel (Mayor)  
**Type:** Ordinance  
**Title:** Amendment of Municipal Code Title 2 by adding new Chapter 40 entitled "Citywide Language Access to Ensure the Effective Delivery of City Services"  
**Committee(s) Assignment:** Committee on Human Relations

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OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

March 18, 2015

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Family and Support Services, I transmit herewith, together with Aldermen Pawar, Colon, Moore, Mell, Reboyras, Suarez, Maldonado, Cullerton, Osterman, Reilly, Munoz, Tunney, Moreno, Pope, Balcer, Burnett, Cappleman, Smith, Mitts, Laurino, Burke, P. O'Connor, M. O'Connor, Quinn, and Silverstein, an ordinance establishing departmental language access policies.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

## ORDINANCE

WHEREAS, The City of Chicago consistently seeks to improve service delivery and efficiency of government services by standardizing language access efforts across the City's public-facing departments; and

WHEREAS, it is essential that all residents, regardless of their proficiency in English, have meaningful access to City programs, services, and activities; and

WHEREAS, over 400,000 City residents do not speak English as their primary language and have a limited ability to read, speak, write or understand English and are therefore considered to have limited-English proficiency; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits agencies that receive federal funds for programs or activities from discriminating against persons on the basis of race, color or national origin; and

WHEREAS, the City seeks to enhance access to City services for residents with limited-English proficiency in order to promote the general health, safety, and economic prosperity of Chicago; now, therefore,

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The Municipal Code of Chicago is hereby amended by adding a new Chapter 2-40 as follows:

#### **CHAPTER 2-40      CITYWIDE LANGUAGE ACCESS TO ENSURE THE EFFECTIVE DELIVERY OF CITY SERVICES**

##### **2-40-010 Definitions.**

For purposes of this Chapter, the following terms shall have the following definitions:

“Direct public services” shall mean services administered by a City department directly to program beneficiaries and/or participants.

“Essential public documents” shall mean those documents most commonly distributed to the public that contain or elicit important and necessary information regarding the provision of basic City services.

“LEP” shall mean limited-English proficiency.

##### **2-40-020 Language Access Plans.**

(a) All City departments that provide direct public services shall ensure meaningful access to such services by taking reasonable steps to develop and implement department-specific language access plans regarding LEP persons. Those departments that provide services to the

public that are not programmatic in nature, such as emergency services, shall implement this Chapter to the degree practicable.

(b) Each pertinent City department shall have flexibility to determine appropriate language assistance for its service population. In implementing a program of language assistance, the department shall:

1. designate a Language Access Coordinator within 45 days of the effective date of this Chapter to oversee the creation and execution of a department-specific internal language access policy and implementation plan;
2. develop such language access policy and implementation plan within 180 days of the effective date of this Chapter. Such plan shall be developed by undertaking the four-factor analysis outlined below, which is based on guidance issued by the U.S. Department of Justice effective June 12, 2002 (67 FR 41455). The four factors are:
  - i. The number or proportion of LEP persons served or encountered in the eligible service population;
  - ii. The frequency with which LEP persons come into contact with the department;
  - iii. The nature and importance of the program, activity or service to the LEP person (including consequences of lack of language services or inadequate interpretation/translation); and
  - iv. The resources available to the department and the costs of providing various types of language services;
3. provide services in any non-English language spoken by a limited or non-English proficient population that constitutes 5% or 10,000 individuals, whichever is less, in Chicago, as those languages are determined based on a variety of relevant sources, including United States Census data;
4. ensure that the language access policy and implementation plan includes the following elements for LEP individuals:
  - i. identification and translation of essential public documents provided to or completed by program beneficiaries and/or participants.
  - ii. interpretation services, including the use of telephonic interpretation services;
  - iii. training of frontline workers and managers on language access policies and procedures;

- iv. posting of signage in conspicuous locations about the availability of free interpretation services;
- v. establishment of an appropriate monitoring and measurement system regarding the provision of department language services;
- vi. creation of appropriate public awareness strategies for the department's service populations.

**2-40-030 Use of plain language.**

Department language access policies shall reflect principles of plain language communications. For example, signs and flyers shall be easy to understand, and not include arcane or technical language, unnecessary polysyllabic words, legal jargon or other text requiring an advanced reading level.

**2-40-040 Compliance plan.**

Beginning one year after developing a language access policy and implementation plan and continuing each year thereafter, each participating department's Language Access Coordinator shall prepare and submit to the Mayor's Office of New Americans a compliance plan, detailing progress in the year concluded and plans for the year ahead.

**2-40-050 No private right of action.**

Nothing in this Chapter shall be construed to create a private right of action.

**SECTION 2.** The Mayor will appoint a working group tasked with developing an implementation plan for a City-issued photo identification card that can be used for connecting Chicago residents to services, programs, and benefits, regardless of immigration status, homeless status, or gender identity. The working group will report to the Mayor and City Council within 120 days of the effective date of this ordinance.

**SECTION 3.** This ordinance shall take effect upon its passage and approval.