



Civil Rights Compliance: Promoting Access and Preventing Discrimination in Service Delivery

Agenda

1. Office of Equal Opportunity Function
2. Social Justice in Research: Race and Land-Grant Institutions
3. Definitions and Examples
4. Affirmative Action in Service Delivery
5. University of Rhode Island Policies on Nondiscrimination and Sexual Misconduct
6. Promoting Meaningful Language Access
7. Accessibility Inclusivity and Resources
8. Q&A

Learning Objectives

By the end of this session, training participants will be able to:

- Increase their knowledge and awareness of civil rights compliance
- Understand their legal obligations
- Reduce violations
- Understand the URI policies on Nondiscrimination and Sexual Misconduct
- Understand and promote meaningful access
- Identify internal resources offered by the Office of Equal Opportunity to promote equal access in all aspects of service delivery

Function of the Office of Equal Opportunity



- Lead and direct the University's civil rights compliance programs, with an emphasis on Title VI, Title VII, Title IX, ADA/Section 504, equal opportunity, and affirmative action in employment.
- Investigate and address complaints of harassment, discrimination, and hostile environment in service delivery and employment.
- Provide employee training and counseling on civil rights topics.

Function of the Office of Equal Opportunity



- Conduct civil rights compliance reviews.
- Serve as liaison between state and federal civil rights enforcement and regulatory agencies and the University.
- Identify areas of underutilization in the workforce and work with the leadership to develop strategies to increase representation in the workforce.

**Social Justice in Research
Race and Land-Grant Institutions**

Social Justice in Research

Inside Higher Ed defines social justice in research as “the purposeful commitment and advocacy to address systemic and systematic issues of equity and inclusion in particular for marginalized and oppressed peoples.”

Social justice is not about treating everyone the same (equality), but instead providing people with what they need, meeting them where they are at (equity) [1].

[1]. Susan Santone "Celebrating Diversity is Not Enough: Teaching Social Justice" AASHE Webinar from September 2019

Equality vs Equity

As you learn about the legislation that made it possible for land-grant institutions to exist, consider equity vs equality:

- **Equality** means that each person or group of people is given the same resources or opportunities. There is no consideration for whether individuals can access the resources and opportunities.
- **Equity** recognizes that each person has different circumstances and allocates the exact resources and opportunities needed to reach an equal outcome.

Our Collective History: Race and Land Grant Institutions

- **1862: The Morrill Act**

Introduced by Senator Justin Morrill of Vermont and signed into law by President Lincoln to promote access to career-oriented higher education in the areas of agriculture, science and engineering, military science, and the liberal arts.

- *Made it possible for states to establish public colleges*
- *Provided 30,000 acres of public land for every Senator or Representative*
- *Evolved to include federal funding through the Hatch Act*
- *African Americans were denied admissions*
- *What about women?*

- **1863: The Emancipation Proclamation**

- *Freed approximately 3.5 million enslaved African Americans*

- **1863: Brown became Rhode Island's first land grant university.**

Our Collective History: Race and Land Grant Institutions

- **1888:** The University of Rhode Island became the state's Agricultural Experiment Station.
-African Americans were denied admissions
- **1890: The Second Morrill Act of 1890 (The Agricultural College Act of 1890)**
Required states to create land grant institutions for African Americans or provide evidence people of color were not excluded from admission.
-Established the first 19 HBCUs
-Gave HBCU land grants financial support, but no land

Our Collective History: Race and Land Grant Institutions

- **1890:** The State Agricultural School opened, which admitted twenty-four (34) men and two (2) women.
- **1892:** The University of Rhode Island changed its name from the State Agricultural School to the Rhode Island College of Agriculture and Mechanics.
- **1894:** The Rhode Island Legislature transferred the land grant responsibilities from Brown University to Rhode Island College for the Agricultural and Mechanic Arts (today's University of Rhode Island). *The legislature was dissatisfied with Brown's **broad interpretation** of appropriate coursework. Brown challenged the decision, which the state Supreme Court transferred to the U.S. District Court as a matter of federal law. Brown appealed to the U.S. Supreme Court but decided to settle.*

Our Collective History: Race and Land Grant Institutions

- **1914: The Smith-Lever Act Extension**
 - *Established Cooperative Extension Service in partnership with USDA that included outreach programs through land-grant institutions.*
 - *HBCUs land-grant institutions did not receive funding*
- **The Bankhead-Jones Farm Tenant Act of 1935**
 - *Provided federal funding to HBCUs ineligible for funding through the Hatch and Smith-Lever Acts*
 - *HBCUs were not given land*

Our Collective History: Race and Land Grant Institutions

- **1939: The Hatch Act**

Introduced to advance research in farming, ranching, and food production & **excluded** HBCUs

- **1977: The Evans-Allen Act**

Replaced the Bankhead-Jones Farm Tenant Act of 1935

-Requires 1890 HBCU land grants to receive a minimum of 15% of Hatch Act funds to support agricultural research.

- **1977: The National Agriculture Research, Extension, and Teaching Policy Act**

Provides 1890 HBCUs with federal funds to support agricultural extension programs.

- Funds are disbursed directly to HBCUs, not to the state.

Our Collective History: Race and Land Grant Institutions

- **1994: The Equity in Education Land-Grant Status Act of 1994**

Expanded land grant system to include 29 tribal colleges

-The land given to states to establish land-grant institutions was owned by Native Americans

Today, 52% of land grant institutions are funded through the Morrill Act, 31% are funded through the Equity in Education Land-Grant Status Act, and 17% are funded through the Morrill Act of 1890, which gave *HBCU land grants financial support*.

Relevant Legislation & Definitions

- Title VI of the Civil Rights Act of 1964
- Title VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- The Rehabilitation Act of 1973
 - Section 503
 - Section 504
 - Section 508
- Americans with Disabilities Act
- Age Discrimination in Employment Act
- Affirmative Action
- Discrimination
- Harassment

Legislation

Title VI of the Civil Rights Act of 1964: Prohibits discrimination based on **race, color, and national origin** in any program or activity receiving Federal financial assistance.

What constitutes a program or activity covered by Title VI was clarified by Congress in 1988 when the Civil Rights Restoration Act of 1987 (CRRA) was enacted. The CRRA provides that, in most cases, when a recipient/covered entity receives Federal financial assistance for a particular program or activity, all operations of the recipient/covered entity are covered by Title VI, not just the part of the program that uses the Federal assistance. Thus, all parts of the recipient's operations would be covered by Title VI, even if the Federal assistance is used only for one part.

Title VI of the Civil Rights Act of 1964 & National Origin Discrimination

Executive Order No. 13166: Improving access to services for persons with limited English proficiency (LEP).

Legislation

Title VII of the Civil Rights Act of 1964: Prohibits employment discrimination based on **race, color, religion, sex, and national origin**. It generally applies to employers with 15 or more employees, including federal, state, and local governments.

Title IX of the Education Amendments of 1972 is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education **program or activity** receiving Federal financial assistance.

Legislation

The Rehabilitation Act of 1973, as Amended (Rehab Act), prohibits discrimination on the basis of disability in programs conducted by federal agencies, in **programs receiving federal financial assistance**, in federal employment, and in the **employment practices of federal contractors**.

- **Section 503:** Prohibits discrimination and requires employers with **federal contracts or subcontracts that exceed \$10,000** to take affirmative action to hire, retain, and promote qualified individuals with disabilities.
- **Section 504:** Prohibits discrimination against individuals with disabilities in any federal **program or activity receiving Federal financial assistance**. This set the stage for the enactment of the Americans with Disabilities Act.
- **Section 508:** Prohibits the Federal government from procuring electronic and information technology goods and services that are not fully **accessible** to those with disabilities.

Legislation

Title II of the Americans with Disabilities Act of 1990; As amended 2008; prohibits discrimination solely on the basis of disability in employment, public services, programs, and activities.

Legislation

Age Discrimination in Employment Act: Forbids **age discrimination** against people who are **age 40 or older**. It does not protect workers under the age of 40.

**Some states have laws that protect younger workers from age discrimination.*

Affirmative Action

Who introduced Affirmative Action?

John F. Kennedy

March 6, 1961

Executive Order No. 10925



What is Affirmative Action?

Positive steps taken by an employer that contribute toward greater employment opportunities for minorities, females, the elderly, and the disabled. In federal employment, extra effort must be made to include qualified women, minorities, employees over 40, and the disabled at grade levels and in job categories where they are underrepresented.

- The National Archives

Affirmative Action in Service Delivery

Affirmative Action in Service Delivery

Examples of Affirmative Action in Service Delivery

- Conduct outreach to ensure all members of the public, regardless of protected status, are aware of the program and/or service funded by the federal grant.
- Post all positions for employment, volunteer roles, or opportunities to serve on boards, advisory groups, or committees.
- Diversify boards, advisory groups, and committees to ensure members are representative of the communities the federally funded program and/or service serves (e.g., the Rhode Island population).
- Comply with principles of affirmative action in hiring and recruitment when filling roles.

Discrimination

To discriminate against an individual is to treat someone differently, usually in a negative way, due to a given characteristic associated with their protected status(es).

Who is Protected from Discrimination?

A **protected class** is a group of people who benefit from protection by law. Claims relate to how the individual has been denied certain rights based on being a member of a group. Federal and state laws prohibit discrimination against members of protected groups in a number of settings, including:

- Race
- Color
- National Origin (includes language)
- Sex
- Sexual Orientation
- Gender Identity or Expression
- Religion
- Disability
- Genetic Information
- Age
- Pregnancy
- Protected Veteran



Policies on Nondiscrimination and Sexual Misconduct

Harassing Conduct

Sexual Misconduct

An umbrella term covering any unwelcome behavior or attempted behavior of a sexual nature that is enacted on another person without that person's consent.

Sexual Harassment Under Title VII (Employment)

Definition: Unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Such conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassing Conduct

Physical

- Unwelcome physical conduct of a sexual nature
- Examples:
 - Uninvited touching
 - Hugging or kissing
 - Patting or pinching
 - Brushing up against the body

Harassing Conduct

Verbal

- Unwelcome verbal conduct of a sexual nature
- Examples:
 - Repeated, unwanted flirtation, advances, or propositions
 - Sexual jokes, discussion about sexual conduct, gossip regarding one's sex life
 - Inquiries about someone's sexual experiences
 - Comments about an individual's body
 - Teasing or negative statements about one's sexual orientation

Harassing Conduct

Non-verbal

- Unwelcome non-verbal conduct of a sexual nature
- Examples:
 - Staring or leering
 - Indecent exposure
 - Display of sexually suggestive objects, pictures, posters, or cartoons
 - Transmission of sexually explicit material or other inappropriate messages through e-mail, text messages, or other social media

Harassing Conduct

Online: Cyber Harassment

- The use of information and communication technologies by an individual or group to repeatedly cause harm to another person.
- Examples:
 - Sending threatening or abusive messages
 - Publishing derogatory private information about someone
 - Cyberstalking via email, text, and social media, or any other online/digital platform or service

Sexual Harassment Under Title IX

Sexual Harassment under Title IX means conduct on the basis of sex, occurring within the United States, which satisfies one or more of the following categories:

- (1) An employee of the University conditioning the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) "Sexual assault" as defined in the Clery Act, or "dating violence," "domestic violence," or "stalking" as defined in VAWA.

Reporting Discrimination, Hostile Environment, Harassment or Sexual Harassment

Sexual misconduct reporting form

The University of Rhode Island is committed to providing and maintaining a healthy learning and working environment.

FILE A REPORT



Online Sexual Misconduct Reporting Form: <https://web.uri.edu/titleix/report/>

THE UNIVERSITY OF RHODE ISLAND

INCIDENT REPORT FORM

Complainant Information

FORMAL
 INFORMAL

Name _____ Date _____

Campus Address _____ Work Telephone: _____

Home Address _____ Home Telephone: _____

City _____ State _____ Zip _____

Gender of complainant: Female Male

Are you a student employee job applicant other _____

Name of department: _____

Name of immediate supervisor: _____

Name and title of person(s) charged: _____

If you are a student and the alleged violation is against your professor and occurred while you were taking a class, please provide the semester, class title and section number: _____

Where did the alleged violation take place? _____

Basis of alleged complaint:

Age (40 and older) _____ Date of birth _____

Disability _____

Gender _____

National Origin _____

Race/color: Specify _____

Race by association _____

Religion _____

Sexual Orientation _____

Other _____

Nature of charge:

Access/accommodation _____

Discrimination _____

Harassment _____

Sexual _____ Racial _____

Gender _____ Other _____

Hazing _____

Intimidation/Retaliation _____

Other _____

Name of witnesses, if any: _____ Date of alleged violation: _____

_____ Have you brought this charge to anyone else's attention?
 Yes, to whom _____ No

What action would you like taken? _____

Reporting Sexual Harassment: Other Options

All reports of Sexual Misconduct may also be submitted to one of the following individuals:

- The University's Title IX Coordinator, who is the University official charged with coordinating compliance with Title IX and its implementing regulations.
- A designated Deputy Title IX Coordinator.
- An Official with Authority, who is a University officer who has the authority to institute corrective measures, specifically: the President, the Provost, Vice Presidents, Deans, and the Assistant Vice President of Human Resource Administration.

Other Reporting Options

- **U.S. Department of Education,**
Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
1. 617.289.0111
- **Rhode Island Commission for Human Rights**
180 Westminster Street, 3rd Floor
Providence, RI 02903
1. 401.222.2662
- **U.S. Equal Employment Opportunity Commission**
Boston Area Office
J.F.K. Federal Building, Room 475
Boston, MA 02203
Toll Free 1.866.408.8075
1.617.565.3200
- **U.S. Department of Homeland Security**
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW Building 410, Mail
Stop #0190
Washington, D.C. 20528
CRCLCompliance@hq.dhs.gov
Fax: 202-401-4708
- **U.S. Department of Agriculture**
Office of the Assistant Secretary for Civil
Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
Fax: (833) 256-1665 or (202) 690-7442
Email: program.intake@usda.gov

Posters

Some grant-awarding authorities, such as the U.S. Department of Agriculture, require specific posters to be prominently displayed in all offices accessed by customers, service recipients, or program participants, or by external agency officials conducting reviews.

The U.S. Equal Employment Opportunity Commission has a “Know Your Rights” poster the University of Rhode Island is required to display in locations where notices to applicants and employees are customarily posted. Some grant-awarding authorities also require you to post this in areas accessed by customers, service recipients, or program participants, or by external agency officials conducting reviews.

Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces laws that prohibit workplace discrimination in employment. If you believe you've been discriminated against, the EEOC may be able to help.

Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (employers)
- Unions
- Staffing agencies

What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy and related conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer request for, or purchase, use, or disclosure of genetic test genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 726-2606 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at <http://www.usda.gov/indianaffairs/indianaffairs/3027.pdf> from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by mail.

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-8410; or
fax: (833) 256-1666 or (202) 690-7442; or
email: program.intake@usda.gov.

This institution is an equal opportunity provider.

AND JUSTICE FOR ALL

FNS USE ONLY SOLO PARA FNS

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Conforme a la ley federal y las políticas y regulaciones de derechos civiles del Departamento de Agricultura de los Estados Unidos (USDA), esta institución tiene prohibido discriminar por motivos de raza, color, origen nacional, sexo (incluyendo identidad de género y orientación de sexual), edad, discapacidad, venganzas o represalia por actividades realizadas en el pasado relacionadas con los derechos civiles.

La información del programa puede estar disponible en otros idiomas además del inglés. Las personas con discapacidades que requieren medios de comunicación alternativos para obtener información sobre el programa (por ejemplo, Braille, letra agrandada, grabación de audio y lenguaje de señas americano) deben comunicarse con la agencia estatal o local responsable que administra el programa o con el TARGET Center del USDA al (202) 726-2606 (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al (800) 877-8339.

Para presentar una queja por discriminación en el programa, el reclamante debe completar un formulario AD-3027, Formulario de queja por discriminación del programa del USDA, que se puede obtener en línea, en <http://www.usda.gov/indianaffairs/indianaffairs/3027.pdf>, en cualquier oficina del USDA, llamando al (866) 632-9992, o escribiendo una carta dirigida al USDA. La carta debe contener el nombre, la dirección y el número de teléfono del reclamante, y una descripción escrita de la supuesta acción discriminatoria con suficiente detalle para informar al Subsecretario de Derechos Civiles (ASCR, por sus siglas en inglés) sobre la naturaleza y la fecha de la presunta violación de los derechos civiles. La carta o el formulario AD-3027 completado debe enviarse al USDA por medio de:

correo postal:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-8410; o
fax:
(833) 256-1666 o (202) 690-7442; o
correo electrónico:
program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades.

Promoting Meaningful Access

Purpose and Authority

The Policy on Language Access establishes effective guidelines for personnel working in the Coastal Resources Center to follow when providing services to or interacting with, Limited English Proficiency (LEP) individuals or individuals who are deaf or hard of hearing, or may require another type of accommodation.

Following these guidelines is essential to providing equal opportunity and maintaining compliance with Title VI, the ADA, and Section 504 of the Rehabilitation Act.

Definitions and Applicability

Language Access: Reasonable steps taken to provide Limited English Proficient people with reasonable access to the same services as English-speaking individuals.

Meaningful Access: Access to programs, activities, and services that are not significantly restricted, delayed, or inferior as compared to programs or activities provided to English-proficient persons. Providing meaningful language access includes offering translated written materials and using interpreters for spoken interactions.

Qualified Interpreter: A qualified interpreter is an individual who has been assessed for professional skills, demonstrates a high level of proficiency in at least two languages, and has the appropriate training and experience to interpret with skill and accuracy while adhering to industry standards.

Definitions and Applicability

Interpretation: The process of managing the oral or voice communication from one source language into one or more output languages.

Translation: The communication of the meaning of a source-language text by means of an equivalent target-language text.

Reaching Communities with Limited English Proficiency

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on **race, color, and national origin** (including language) in any program or activity receiving Federal financial assistance.

Recipients of federal funds must take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

Accessibility Inclusivity & Resources

Responsibilities: Engaging with Service Recipients

It is unlawful to deny a request for language support services to a qualified individual who is participating in or wants to participate in a university program.

Promoting equal access begins with outreach!

Sample Outreach Statement

The University of Rhode Island encourages all people to participate in its programs and activities. If you anticipate needing any type of accommodation or have questions about accessibility inclusion, please contact [insert first and last name] at [insert telephone number or other contact information here such as an email address].

If you speak a language other than English as your primary language and require interpretation or translation services, contact [insert first and last name] at [insert telephone number or other contact information here such as an email address].

Contact must be made in advance of the date of required services or anticipated participation. Interpretation and accommodation services are offered at no cost and are available upon request. If requests are received after this date, we might not have enough time to make the necessary arrangements.

Responsibilities: Engaging with Service Recipients

The Office of Equal Opportunity offers the following guidance and resources to help you identify LEP persons participating in services, programs, or activities:

1. At the point of contact with an LEP person, the appropriate point of contact will determine whether the individual is an LEP person, and what their primary language is.
2. When identifying the language needs of the LEP person, if necessary, staff may use “**I Speak**” language identification cards as the primary method to identify LEP persons (*Appendix A*).

I speak ...

A

Amharic

እኔ አማርኛ ነው ምናገረው.

Arabic

أنا أتحدث اللغة العربية

Armenian

Ես խոսում եմ հայերեն

B

Bengali

আমী বাংলা কথা বোলতে পারী

Bosnian

Ja govorim bosanski

Bulgarian

Аз говоря български

Burmese

ကျွန်တော်/ကျွန်မ မြန်မာ လို ပြောတတ် ပါတယ်။

Appendix A: “I Speak” Cards

“I Speak” cards provide a practical way to identify which language an individual speaks.

Responsibilities: Engaging with Service Recipients

3. All vital and written materials will be identified for translation and promptly translated. All unanticipated or individualized documents will also be individually translated or at a minimum sight translated.

What are vital documents?

Vital Document: Documents that affect access to, retention in, or termination or exclusion from a recipient's program services or benefits.

Examples include, but are not limited to:

- Applications
- Consent forms
- Complaint forms
- Intake forms

Vital Documents Continued

- Letters or notices pertaining to eligibility for benefits, rights, denial or termination of services or benefits or that require a response from the LEP person.
- Written tests that test competency for a particular license, job, or skill for which knowing English is not required; documents that must be provided by law; and notices regarding the availability of free language assistance services for LEP individuals.

Responsibilities: Engaging with Service Recipients

4. After a need for interpretation services is established, the Coastal Resources Center may provide interpretation assistance by qualified interpreters including employees, volunteers, shared state resources, contacted vendors, or telephonic interpretation services.

Responsibilities

Individuals responsible for planning University events and activities are responsible for implementing and administering the Policy on Language Access, and must designate staff person(s), liaison(s), or volunteer(s), responsible for:

1. Notifying service recipients or program participants of language assistive, interpretation, translation, and accommodation services.
2. Maintaining an accurate and current list showing the name, language, phone number, and hours of bilingual staff members, liaisons, or volunteers.
3. Contacting the appropriate bilingual staff members, liaisons, or volunteers, to interpret if an interpreter is needed. The person must be presently available and qualified to interpret.

Staff Responsibilities: Utilizing Vendor Services

If a bilingual staff, liaison, or volunteer, is not available and does not speak the needed language, an outside qualified interpreter must be hired to assist the service recipient. Approved vendors providing transition or interpretation services are available on the state's Master Price Agreement (*Appendix B*). AT&T USADirect is also available as a resource (*Appendix C*).

There will be a cost associated with vendor services.

Appendix B: Interpreting and Translation Services



STATE OF RHODE ISLAND - Department of Administration
Division of Purchases
One Capitol Hill
Providence, RI 02908-5864

Tel. (401) 574-8100
Fax. (401) 574-8387
Website: www.ridop.ri.gov

MPA CONTRACT USER GUIDE

MPA TITLE: Interpreting and Translation Services

MPA #: 54

MPA RENEWAL OPTION(S): Two (2) One-Year Renewal Terms, at sole option of the State

SECTION 1. CONTRACT USE:

Who can use this? This is a Master Price Agreement and, as such, has Statewide Applicability. Political Subdivisions (municipalities, institutions for higher education, municipal/state schools, quasi-public agencies), as authorized by law, may participate in this Agreement. For any projects with a political subdivision, all ordering and billing shall be between the vendor and the political subdivision.

Open Enrollment? Yes

Appendix B: Interpreters -Sign Language and CART Services



Division of Purchases

One Capitol Hill | Providence, RI 02908 | (401) 574-8100
Nancy R. McIntyre, State Purchasing Agent

MPA 358 CONTRACT USER GUIDE

MPA TITLE: Interpreters – Sign Language and CART Services

MPA #: 358

MPA RENEWAL OPTION(S): One (1) One-Year Renewal Terms, at the sole option of the State.

SECTION 1. CONTRACT USE:

Who can use this? This is a Master Price Agreement and, as such, has Statewide Applicability. Political Subdivisions (municipalities, institutions for higher education, municipal/state schools, quasi-public agencies), as authorized by law, may participate in this Agreement. For any projects with a political subdivision, all ordering and billing shall be between the vendor and the political subdivision.

Open Enrollment? No

Emergency Use? Yes

What is CART Service?

CART Service means Communication Access Realtime Translation Service. CART Service provides instantaneous translation of what is being said into visual print display so that it can be read (instead of heard).

CART Service is one means of communication access for deaf or hard-of-hearing individuals who read English fluently.

Credit: Massachusetts Commission for the Deaf and Hard of Hearing

Is a CART Provider an interpreter?

An "interpreter" translates one language into another, like English into American Sign Language. CART Providers convert spoken English into a printed English format. The CART Provider does not "interpret" from one language to another, but is more similar to a Transliterater who changes spoken English communication into a visually enhanced English-based format or Signed English transliteration. CART providers, ASL Interpreters, Signed English Transliterators, and Oral Transliterators all provide communication access services, each through its own mode, for particular deaf, hard of hearing, and late-deafened people.

Credit: Massachusetts Commission for the Deaf and Hard of Hearing

Requesting a CART Provider or Sign Language Interpreter



Division of Purchases

One Capitol Hill | Providence, RI 02908 | (401) 574-8100
Nancy R. McIntyre, State Purchasing Agent

MPA 358 CONTRACT USER GUIDE

MPA TITLE: Interpreters – Sign Language and CART Services

MPA #: 358

MPA RENEWAL OPTION(S): One (1) One-Year Renewal Terms, at the sole option of the State.

SECTION 1. CONTRACT USE:

Who can use this? This is a Master Price Agreement and, as such, has Statewide Applicability. Political Subdivisions (municipalities, institutions for higher education, municipal/state schools, quasi-public agencies), as authorized by law, may participate in this Agreement. For any projects with a political subdivision, all ordering and billing shall be between the vendor and the political subdivision.

Open Enrollment? No

Emergency Use? Yes

Where Do I request a CART Provider or Sign Language Interpreter?

Please contact the Rhode Island Commission on the Deaf and Hard of Hearing Statewide Referral Specialist, Holly St. Pierre.

Phone: (401) 222-5300 (voice),

VP: (401) 354-7630,

Fax: (401) 222-5736

Email: cdhh.Interpreter@cdhh.ri.gov to request services or to inquire further about services.

Frequently Asked Question

Can family members interpret for service recipients or program participants?

Some LEP persons may prefer to rely on a family member or friend as an interpreter. Family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter has been made at no charge to the person. Such an offer and the response must be documented in the person's file.

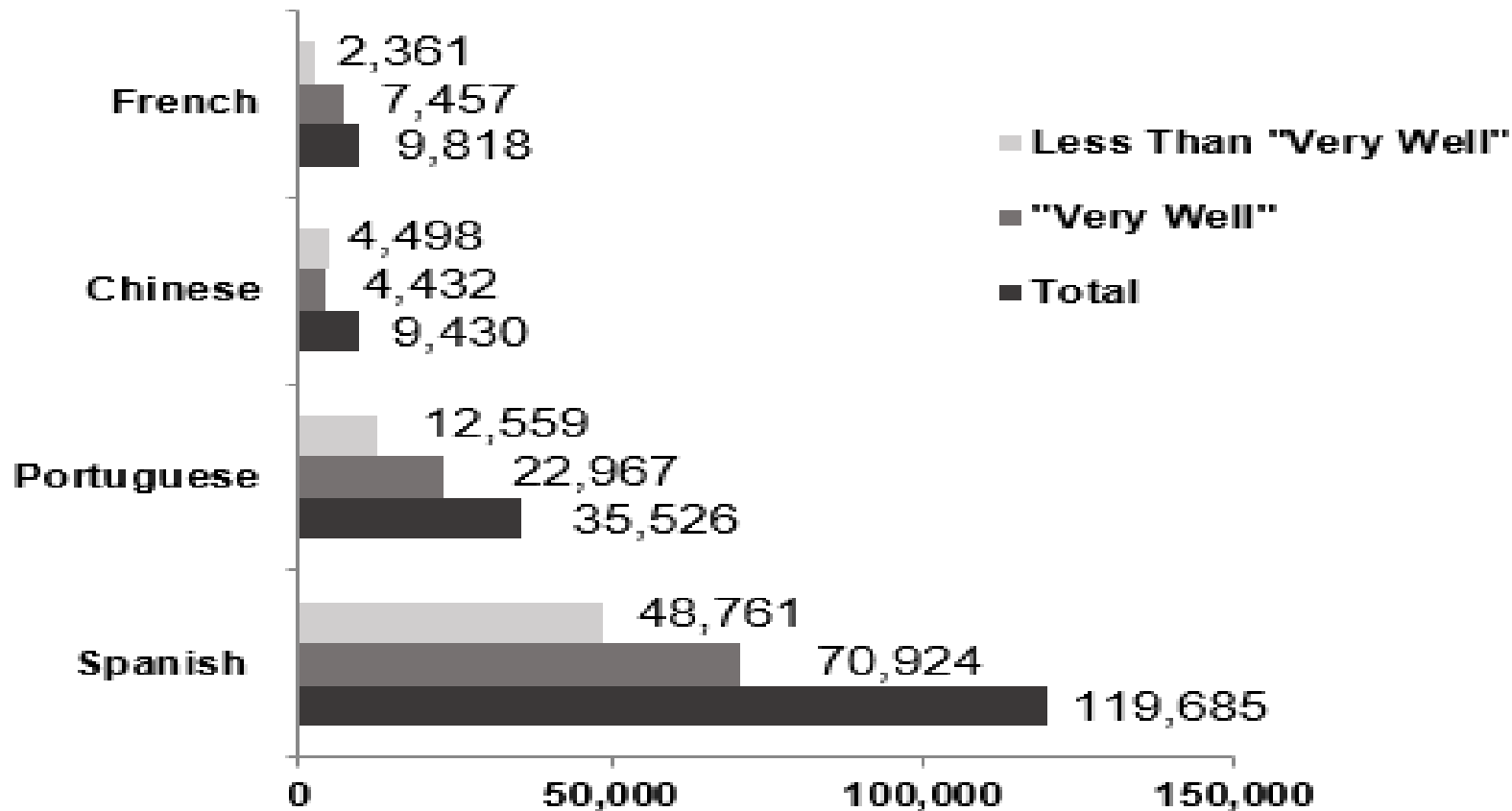
How likely are you to encounter individuals with Limited English Proficiency in service delivery?

Four Factor Analysis

Factor I: The number or proportion of LEP persons eligible or like to be encountered:

The United States Census Bureau, 2015 American Community Survey, 1-year estimates, has identified Spanish, Portuguese, Chinese, and French as the most spoken languages, other than English, in Rhode Island.

Therefore, these are the four (4) languages most likely to be encountered.



Four Factor Analysis

Factor II: The frequency with which LEP persons come in contact with the program or activity:

The U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates show **77.6%** of the Rhode Island population only speaks English, while **22.4%** speaks a language other than English, and **8.4% of the population speaks English less than very well.**

Those who speak English less than very well will require language assistive services.

Four Factor Analysis

Factor III: The nature and importance of the program, activity, or service:

In order to comply with federal laws and regulations, Coastal Resources Center personnel and representatives are required to provide free language assistance services to LEP persons and must inform the public about available language assistance services.

Coastal Resources Center personnel and representatives include program leaders, specialists, teams, and volunteers who come into regular contact with service recipients or program participants.

Four Factor Analysis

Factor IV: The Resources available to the recipient and costs

Coastal Resources Center personnel and representatives are encouraged to explore cost-effective means of delivering competent and accurate language services.

Examples of cost-effective resources include:

- “I Speak” Cards
- Sharing of language assistive materials and services
- Formalized use of qualified interpreter staff or volunteers
- External vendors

Expense Associated with External Vendors

Externally funded programs are encouraged to build language support services into the program budget and to utilize resources on Appendixes B and C, when necessary.

Utilizing Vendors: Tips to Work with Telephone Interpreters

Conduct a live test to evaluate how potential vendors perform during agency-specific hypothetical exercises. This will allow you to assess vendor quality.

Live testing demonstrates the quality, logistics, and suitability of vendors. Involve known language professionals in the live testing process, and craft effective agency-specific hypothetical scenarios to test vendors.

Adapted from the Federal Coordinator and Compliance Section at LEP@usdoj.gov.

Utilizing Vendors: Tips to Work with Telephone Interpreters

- Know the target language (and preferably dialect) for interpretation ahead of time.
- Know how to use conference calls or three-way calling features.
- If your meeting is longer than 30 minutes, try to schedule an in-person interpreter.
- At the start of the call, record the interpreter's ID number, introduce yourself, and the interpreter, and define the role of the interpreter to the service recipient on the other line. Let the party know they may be asked to stop, clarify, or rephrase throughout the call.

Adapted from the Federal Coordinator and Compliance Section at LEP@usdoj.gov.

Utilizing Vendors: Tips to Work with Telephone Interpreters

- Talk directly to the LEP individual, not the interpreter.
- Pause after one or two sentences to allow time for interpretation.
- Ask one question at a time.
- Speak clearly, at a normal pace, and refrain from technical language.

Adapted from the Federal Coordinator and Compliance Section at LEP@usdoj.gov.

Utilizing Vendors: Tips to Work with Telephone Interpreters

If you think something is wrong with the interpretation, feel free to ask the LEP individual: Would you mind repeating back to me what I said so that I can make sure I am communicating clearly?

If you believe that your communication with the LEP individual has been compromised by the quality of interpretation, END THE CALL. Call the telephone interpretation service to obtain a new interpreter. Once you have successfully completed your call with a new interpreter, please provide feedback as noted.

Adapted from the Federal Coordinator and Compliance Section at LEP@usdoj.gov.

Common Errors in Telephonic Interpretation

- Inaccurate or inconsistent systems to accurately identify the language spoken by the LEP individual
- Unreasonably long wait times
- Unavailable languages (don't only test for Spanish)
- Interpretation errors and inaccuracies
- Failure to convey the substance and tone of the entire conversation in English or the non-English language
- Use of old, outdated, or archaic terminology
- Lack of skill in the target language
- Inappropriate conversations with LEP individuals or intervening in the conversation

Adapted from the Federal Coordinator and Compliance Section at LEP@usdoj.gov.

Plan for Monitoring and Internal Reviews

Survey

Title VI Compliance Toolkit

Accessibility Compliance Toolkit

Data Quality Control Review

Questions?

Contact Information



Dorca Paulino-Smalley
Director, Office of Equal Opportunity
Calotti Administration Building
75 Lower College Road
Kingston, Rhode Island 02881

Contact Information

Email: dorca_paulino@uri.edu

Phone: 401-874-4979

TTY - via RI Relay at 1-800-745-5555