



**BALTIMORE CITY COUNCIL
PUBLIC SAFETY AND GOVERNMENT OPERATIONS
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Public Safety and Government Operations Committee will be responsible for matters concerning public safety, including, but not limited to; emergency preparedness, police services, fire/EMS, and the executive, administrative, and operational functions of the city government and libraries.

**The Honorable Mark Conway
Chair**

PUBLIC HEARING

WEDNESDAY OCTOBER 23, 2024

1:00 PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

Ordinance 24-0584

Baltimore City Government Entities – Language Access

CITY COUNCIL COMMITTEES

ECONOMIC AND COMMUNITY DEVELOPMENT (ECD)

Sharon Green Middleton, Chair
John Bullock – Vice Chair
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes
Staff: Anthony Leva (410-396-1091)

WAYS AND MEANS (W&M)

Eric Costello, Chair
Kristerfer Burnett
Ryan Dorsey
Danielle McCray
Sharon Green Middleton
Isaac “Yitzy” Schleifer
Robert Stokes
Staff: Niya Garrett (410-396-1268)

PUBLIC SAFETY AND GOVERNMENT OPERATIONS (SGO)

Mark Conway – Chair
Kristerfer Burnett
Zeke Cohen
Erick Costello
Antonio Glover
Phylicia Porter
Odette Ramos
Staff: Anthony Leva (410-396-1091)

FINANCE AND PERFORMANCE (FP)

John Bullock, Chair
Eric Costello, Vice Chair
Isaac “Yitzy” Schleifer
Danielle McCray
Phylicia Porter
Staff: Marguerite Currin (443-984-3485)

COMMITTEE OF THE WHOLE (COW)

President Nick Mosby, Chair
All City Council Members
Staff: Larry Greene (410-396-7215)

EDUCATION, WORKFORCE, AND YOUTH (EWY)

Robert Stokes – Chair
John Bullock
Zeke Cohen
Antonio Glover
Sharon Green Middleton
Phylicia Porter
James Torrence
Staff: Deontre Hayes (410-396-1260)

HEALTH, ENVIRONMENT, AND TECHNOLOGY (HET)

Danielle McCray – Chair
John Bullock
Mark Conway
Ryan Dorsey
Phylicia Porter
James Torrence
Isaac “Yitzy” Schleifer
Staff: Deontre Hayes (410-396-1260)

RULES AND LEGISLATIVE OVERSIGHT (OVERSIGHT)

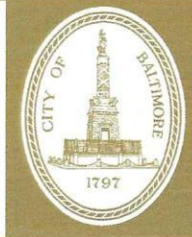
Isaac “Yitzy” Schleifer, Chair
Kristerfer Burnett
Mark Conway
Eric Costello
Sharon Green Middleton
Odette Ramos
James Torrence
Staff: Richard Krummerich (410-396-1266)

LEGISLATIVE INVESTIGATIONS (LI)

Eric Costello, Chair
Sharon Green Middleton, Vice Chair
Isaac “Yitzy” Schleifer
Robert Stokes
Danielle McCray
Staff: Marguerite Currin (443-984-3485)

CITY OF BALTIMORE

BRANDON M. SCOTT, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

SYNOPSIS

Committee: Public Safety and Government Operations

Bill: 24-0584

Baltimore City Government Entities – Language Access

Sponsor: Councilmember Ramos

Introduced: September 16, 2024

Purpose: For the purpose of requiring a certain Baltimore government entity to appoint a language access liaison and adopt a Language Access Plan; requiring a Baltimore government entity to provide language access services to specified individuals; establishing certain reporting requirements; defining certain terms; providing for a special effective date; and generally relating to the provision of language access services by Baltimore government entities.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies

Sections 53-1 to 53-7 to be under the new subtitle designation,

“Subtitle 53. Language Access”

Baltimore City Code

(Edition 2000)

Effective: On the 180th day from the date enacted

AGENCY REPORTS

Office of Equity & Civil Rights	Supportive
Dept of Housing & Community Development	Supportive
Mayor’s Office of Immigrant Affairs	Supportive
Dept of Finance	
City Solicitor	approve for form & sufficiency with amendments
Dept of Legislative Reference	
Commission for Historical & Architectural Preservation	
Deputy for Mayor & Neighborhood Development	
Pratt Library	
Baltimore City School System	
Mayor’s Commission on Disabilities	Favorable with Amendments



Dept of Public Works	Supportive
Dept of Recreation & Parks	Supportive with Comments
Commission on Aging & Retirement Education	
Mayor's Office of Neighborhood Safety & Engagement	
Police Department	No Objection
Small Minority Business Advocacy & Development	Favorable
Parking Authority	
Dept of Human Resources	Supportive
Dept of Health	Favorable with Amendment
Office of the Mayor	
Fire Department	Supportive
Mayor's Office of Employee Development	Supportive
Mayor's Office of Information Technology	Supportive
Board of Municipal & Zoning Appeals	No Comment
Baltimore Development Corporation	
Dept of Transportation	No Objection
Housing Authority	
Dept of Planning	No Objection

ANALYSIS

Bill Summary

This bill if enacted would require government entities (identified as covered entities) to provide meaningful access to all of their programs and services to Limited English Proficient Individuals (LEP). These services would need to be provided in Designated Citywide Languages – or languages spoken as the primary language of at least 3% of city residents or 500 individuals (whichever is less) according to census data.

A covered entity would include any City Government office, department, or other organization that administers a publicly funded program that delivers direct public service.

Covered entities would need to designate at least one Language Access Liaison. This individual would be responsible for developing a Language Access Plan, accessing that plan for effectiveness, initiating changes as needed to the plan, and coordinating an annual report on behalf of the covered entity.

Language Access Plans will:

1. Describe how the entity will implement its language access services.
2. The methods it (the entity) uses to comply with its:
 - a. Language Access Plan.

- b. This subtitle.
- c. Any other rules, laws, or regulations around language access.
- 3. The types of oral language services the entity will provide.
- 4. Titles of translated documents the entity will provide.
- 5. Names & contact information for employees who will be points of contact for LEP individuals.
- 6. The methods used by the entity to assess an LEP individual's language access need.
- 7. Protocols to provide public notice of the availability of language services.

Language access plans and the required reports from covered entities will be created in coordination with MIMA (Mayor's Office of Immigrant Affairs). MIMA will provide oversight, and technical assistance to entities as they create these plans and reports. MIMA will also guide adherence to this subtitle, identify and designate citywide designated languages, designate covered entities, & make each entity's Language Access Plan available on its website. Providing information about their (the covered entities) compliance available in all designated citywide languages.

The director of MIMA would under this subtitle be empowered to adopt rules and regulations necessary to carry out the provisions of this subtitle.

The Department of Health has requested an amendment to this bill to make it clear that entities would only be responsible for translating city materials and not those produced by other entities such as the State of Maryland or the Federal government.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): 24-0491 1st reader, Baltimore City Code

Analysis by: Anthony Leva
Analysis Date: October 18, 2024

Direct Inquiries to: 410-396-1091

**CITY OF BALTIMORE
COUNCIL BILL 24-0584
(First Reader)**

Introduced by: The Council President and Councilmember Ramos
At the request of: The Administration (Mayor's Office of Immigrant Affairs)
Introduced and read first time: September 16, 2024
Assigned to: Public Safety and Government Operations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Planning, Department of Housing and Community Development, Baltimore City Information Technology, Board of Municipal and Zoning Appeals, Baltimore Development Corporation, Department of Transportation, Housing Authority of Baltimore City, Mayor's Office of Employment Development, Baltimore City Fire Department, Parking Authority of Baltimore City, Health Department, Office of the Mayor, Mayor's Office of Neighborhood Safety and Engagement, Baltimore Police Department, Mayor's Office of Small and Minority Business Development, Department of Public Works, Department of Recreation and Parks, Commission on Aging, Mayor's Office of Disabilities, Pratt Library, Baltimore City Public School System, Mayor's Office of Economic and Neighborhood Development, Commission for Historical and Architectural Preservation, Office of Equity and Civil Rights, Department of Legislative Reference, Mayor's Office of Immigrant Affairs

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Baltimore City Government Entities – Language Access**

3 FOR the purpose of requiring a certain Baltimore government entity to appoint a language access
4 liaison and adopt a Language Access Plan; requiring a Baltimore government entity to
5 provide language access services to specified individuals; establishing certain reporting
6 requirements; defining certain terms; providing for a special effective date; and generally
7 relating to the provision of language access services by Baltimore government entities.

8 BY adding

9 Article 1 - Mayor, City Council, and Municipal Agencies
10 Sections 53-1 to 53-7 to be under the new subtitle designation,
11 "Subtitle 53. Language Access"
12 Baltimore City Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
15 Laws of Baltimore City read as follows:

16 **Baltimore City Code**

17 **Article 1. Mayor, City Council, and Municipal Agencies**

18 **SUBTITLE 53. LANGUAGE ACCESS**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 24-0584

§ 53-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) *COVERED ENTITY.*

“COVERED ENTITY” MEANS ANY BALTIMORE CITY GOVERNMENT DEPARTMENT, OFFICE, OR OTHER ORGANIZATION THAT ADMINISTERS A PUBLICLY-FUNDED PROGRAM THAT DELIVERS A DIRECT PUBLIC SERVICE, REGARDLESS OF WHETHER THE DEPARTMENT, OFFICE, OR ORGANIZATION IS A RECIPIENT OF FEDERAL FINANCIAL SUPPORT.

(C) *DESIGNATED CITYWIDE LANGUAGE.*

“DESIGNATED CITYWIDE LANGUAGE” MEANS A LANGUAGE THAT, ACCORDING TO UNITED STATES CENSUS DATA, IS THE PRIMARY LANGUAGE USED BY AT LEAST 3 PERCENT OF THE CITY’S TOTAL POPULATION OR 500 LEP INDIVIDUALS, WHICHEVER IS LESS.

(D) *DIRECT PUBLIC SERVICE.*

“DIRECT PUBLIC SERVICE” MEANS THE PROVISION OF A GOOD OR SERVICE, INCLUDING MONETARY GOODS, TO A CITY RESIDENT BY A COVERED ENTITY.

(E) *GRANT.*

“GRANT” MEANS FUNDS, REGARDLESS OF SOURCE, THAT ARE CONTROLLED BY THE CITY AND ALLOCATED FROM THE CITY TO A GRANTEE FOR A SPECIFIC PURPOSE.

(F) *GRANTEE.*

“GRANTEE” MEANS A LEGAL ENTITY TO WHICH A GRANT IS MADE.

(G) *LANGUAGE ACCESS SERVICES.*

“LANGUAGE ACCESS SERVICES” MEANS THE METHODS USED BY A COVERED ENTITY TO LIMIT LANGUAGE BARRIERS AND PROVIDE LEP INDIVIDUALS WITH MEANINGFUL ACCESS.

(H) *LIMITED ENGLISH PROFICIENT INDIVIDUAL.*

“LIMITED ENGLISH PROFICIENT INDIVIDUAL” OR “LEP INDIVIDUAL” MEANS:

(1) AN INDIVIDUAL WHO DOES NOT SPEAK ENGLISH AS THE INDIVIDUAL’S PRIMARY LANGUAGE; AND

(2) AN INDIVIDUAL WHO HAS A LIMITED ABILITY TO READ, SPEAK, WRITE, OR UNDERSTAND ENGLISH.

Council Bill 24-0584

(I) *MAJOR PUBLIC CONTACT.*

“MAJOR PUBLIC CONTACT” MEANS THE EMPLOYEES AND REPRESENTATIVES OF A COVERED ENTITY REGULARLY INTERACT WITH MEMBERS OF THE PUBLIC IN THE COURSE OF DAILY BUSINESS.

(J) *MEANINGFUL ACCESS.*

“MEANINGFUL ACCESS” MEANS AN LEP INDIVIDUAL HAS THE ABILITY TO USE TIMELY, ACCURATE, AND EFFECTIVE LANGUAGE ACCESS SERVICES AT NO COST TO THE INDIVIDUAL IN ORDER TO RECEIVE SERVICES AND BENEFITS COMPARABLE TO THOSE ENJOYED BY ENGLISH PROFICIENT INDIVIDUALS.

(K) *MIMA.*

“MIMA” MEANS THE MAYOR’S OFFICE OF IMMIGRANT AFFAIRS OR ITS SUCCESSOR AGENCY.

(L) *SUBGRANT.*

“SUBGRANT” MEANS AN ALLOCATION OF GRANT FUNDS BY A GRANTEE TO A SEPARATE LEGAL ENTITY.

(M) *SUBGRANTEE.*

“SUBGRANTEE” MEANS A LEGAL ENTITY TO WHICH A SUBGRANT IS AWARDED.

(N) *VITAL DOCUMENT.*

“VITAL DOCUMENT” MEANS ANY FORM, PERMIT, RECORD, OR OTHER OFFICIAL GOVERNMENT DOCUMENT THAT AN INDIVIDUAL APPLYING FOR A SERVICE OR BENEFIT FROM A COVERED ENTITY MUST UNDERSTAND, RESPOND TO, OR COMPLETE TO ACCESS OR CONTINUE TO ACCESS A DIRECT PUBLIC SERVICE.

§ 53-2. COVERED ENTITY WITH MAJOR PUBLIC CONTACT.

(A) *IN GENERAL.*

A COVERED ENTITY WITH MAJOR PUBLIC CONTACT SHALL PROVIDE AN LEP INDIVIDUAL WITH MEANINGFUL ACCESS TO ALL OF THE COVERED ENTITY’S SERVICES AND PROGRAMS.

(B) *LANGUAGE ACCESS LIAISON.*

(1) *IN GENERAL.*

A COVERED ENTITY WITH MAJOR PUBLIC CONTACT SHALL DESIGNATE AT LEAST 1 EMPLOYEE TO BE THE LANGUAGE ACCESS LIAISON FOR THE COVERED ENTITY.

Council Bill 24-0584

1 (2) *DUTIES.*

2 A LANGUAGE ACCESS LIAISON SHALL:

- 3 (I) CONSULT WITH MIMA AND THE DIRECTOR OF THE COVERED ENTITY TO
4 DEVELOP A LANGUAGE ACCESS PLAN AS REQUIRED UNDER SUBSECTION (C) OF
5 THIS SECTION.
- 6 (II) CONTINUALLY ASSESS THE COVERED ENTITY'S LANGUAGE ACCESS PLAN FOR
7 EFFECTIVENESS AND INITIATE CHANGES, IF NEEDED; AND
- 8 (III) COORDINATE THE PREPARATION AND SUBMISSION OF THE ANNUAL REPORT
9 REQUIRED UNDER § 53-4 OF THIS SUBTITLE.

10 (C) *LANGUAGE ACCESS PLAN.*

11 (1) *IN GENERAL.*

12 IN CONSULTATION WITH MIMA, THE LANGUAGE ACCESS LIAISON AND DIRECTOR OF A
13 COVERED ENTITY WITH MAJOR PUBLIC CONTACT SHALL DEVELOP AND IMPLEMENT A
14 LANGUAGE ACCESS PLAN.

15 (2) *CONTENTS.*

16 A LANGUAGE ACCESS PLAN SHALL INCLUDE:

- 17 (I) A DESCRIPTION OF HOW THE COVERED ENTITY WILL IMPLEMENT ITS LANGUAGE
18 ACCESS SERVICES;
- 19 (II) THE METHODS THE COVERED ENTITY WILL USE TO MONITOR THE COVERED
20 ENTITY'S COMPLIANCE WITH:
- 21 (A) THE LANGUAGE ACCESS PLAN;
- 22 (B) THE PROVISIONS OF THIS SUBTITLE; AND
- 23 (C) ANY OTHER APPLICABLE LAWS, RULES, AND REGULATIONS REGARDING
24 LANGUAGE ACCESS;
- 25 (III) THE TYPES OF ORAL LANGUAGE SERVICES THAT THE COVERED ENTITY WILL
26 PROVIDE;
- 27 (IV) THE TITLES OF TRANSLATED DOCUMENTS THAT THE COVERED ENTITY WILL
28 PROVIDE;
- 29 (V) THE NAMES AND CONTACT INFORMATION OF EMPLOYEES WHO WILL SERVE AS
30 POINTS OF CONTACT FOR LEP INDIVIDUALS;

Council Bill 24-0584

(VI) THE METHODS THE COVERED ENTITY WILL USE TO ASSESS AND EVALUATE THE LANGUAGE ACCESS NEEDS OF A LEP INDIVIDUAL ATTEMPTING TO ACCESS THE ENTITY'S SERVICES; AND

(VII) PROTOCOLS TO PROVIDE PUBLIC NOTICE OF THE AVAILABILITY OF LANGUAGE SERVICES TO LEP INDIVIDUALS.

(3) *PUBLICATION.*

A COVERED ENTITY SHALL MAKE THE ENTITY'S LANGUAGE ACCESS PLAN AVAILABLE TO THE PUBLIC.

(4) *BIANNUAL UPDATE.*

A COVERED ENTITY SHALL UPDATE AND SUBMIT TO MIMA THE ENTITY'S LANGUAGE ACCESS PLAN BY JANUARY 1 OF EVERY EVEN-NUMBERED YEAR.

§ 53-3. GRANTEES AND SUBGRANTEES.

A GRANTEE OR SUBGRANTEE WITH MAJOR PUBLIC CONTACT SHALL TAKE REASONABLE STEPS TO PROVIDE LEP INDIVIDUALS WITH MEANINGFUL ACCESS.

§ 53-4. LANGUAGE ACCESS SERVICES.

A COVERED ENTITY SHALL PROVIDE THE FOLLOWING LANGUAGE ACCESS SERVICES TO AN LEP INDIVIDUAL:

(1) TRANSLATE TO EACH DESIGNATED CITYWIDE LANGUAGE AND MAKE AVAILABLE ALL VITAL DOCUMENTS, INCLUDING WEBSITE CONTENT AND OTHER MATERIALS NEEDED TO ACCESS THE ENTITY'S SERVICES;

(2) MAKE AVAILABLE ORAL LANGUAGE SERVICES IN ALL DESIGNATED CITYWIDE LANGUAGES AND, WHEN PRACTICABLE, OTHER LANGUAGES, TO AN LEP INDIVIDUAL SEEKING TO PARTICIPATE IN A PROGRAM OR SERVICE OFFERED BY THE AGENCY; AND

(3) WHEN PRACTICABLE, HIRE QUALIFIED MULTILINGUAL INDIVIDUALS INTO EXISTING BUDGETED VACANT POSITIONS THAT HAVE HIGH CONTACT WITH THE PUBLIC.

§ 53-5. ANNUAL REPORT.

(A) *IN GENERAL.*

ON OR BEFORE OCTOBER 31 OF EACH YEAR, EACH COVERED ENTITY SHALL FILE AN ANNUAL REPORT WITH MIMA AND THE DEPARTMENT OF LEGISLATIVE REFERENCE.

(B) *CONTENTS.*

THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

Council Bill 24-0584

(1) AN ASSESSMENT OF THE COVERED ENTITY’S PREPARATION AND IMPLEMENTATION OF ITS LANGUAGE ACCESS PLAN; AND

(2) DATA AND PERFORMANCE METRICS AS REQUIRED BY THE DIRECTOR OF MIMA.

§ 53-6. ROLE OF MIMA OR ITS SUCCESSOR AGENCY.

MIMA SHALL:

(1) PROVIDE OVERSIGHT, COORDINATION, AND TECHNICAL ASSISTANCE TO A COVERED ENTITY WITH MAJOR PUBLIC CONTACT AS THE COVERED ENTITY PREPARES AND IMPLEMENTS A LANGUAGE ACCESS PLAN;

(2) PROVIDE GUIDANCE TO COVERED ENTITIES AS THE COVERED ENTITIES ADHERE TO THE REQUIREMENTS OF THIS SUBTITLE;

(3) IDENTIFY AND DESIGNATE CITYWIDE DESIGNATED LANGUAGES;

(4) DESIGNATE COVERED ENTITIES WITH MAJOR PUBLIC FACING CONTACT; AND

(5) MAKE EACH COVERED ENTITY’S LANGUAGE ACCESS PLAN AVAILABLE ON MIMA’S WEBSITE AND, UPON REQUEST, PROVIDE INFORMATION ABOUT COVERED ENTITIES’ COMPLIANCE WITH THIS SUBTITLE AVAILABLE TO THE PUBLIC IN ALL DESIGNATED CITYWIDE LANGUAGES.

§ 53-7. RULES AND REGULATIONS.



SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT – REGULATIONS”} OF THE CITY GENERAL PROVISIONS ARTICLE, THE DIRECTOR OF MIMA SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 180th day after the date it is enacted.

**PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

24-0584

**Baltimore City Government
Entities – Language Access
AGENCY REPORTS**


F R O M	Name & Title	James W. Wallace, Fire Chief 	CITY OF BALTIMORE MEMO	
	Agency Name & Address	Baltimore City Fire Department 401 E. Fayette Street, Mezzanine		
	Subject	City Council Bill #24-0584 – Baltimore City Government Entities – Language Access		

TO: The Honorable Nick J. Mosby, President
 And All Members of the Baltimore City Council
 City Hall, Room 408

DATE: October 10, 2024

The Baltimore City Fire Department (BCFD) is in support of Council Bill 24-0584.

JW/abl

F R O M	Name & Title	Mary Beth Haller, Interim Commissioner of Health	Health Department AGENCY REPORT	
	Agency Name & Address	Health Department 1001 E. Fayette Street Baltimore, Maryland 21202		
	Subject/ Position	24-0584 - Baltimore City Government Entities - Language Access Favorable with Amendment		

To: President and Members
of the City Council
c/o 409 City Hall


October 23, 2024

The Baltimore City Health Department (BCHD) appreciates the opportunity to review Council Bill 24-0584, entitled “Baltimore City Government Entities - Language Access.” The bill expands and codifies the City’s existing language access policy. Specifically, it outlines requirements for City agencies, offices, and organizations that administer publicly-funded programs that deliver direct public services. These requirements include, but are not limited to:

- Designating at least 1 employee to serve as a “language access liaison.”
- In consultation with the Mayor’s Office of Immigrant Affairs (MIMA), developing, publishing, and implementing, a “language access plan.”
- Translating all “vital documents,” including web content, into “designated Citywide languages.” Currently, those languages are Spanish, Arabic, Chinese, French, and Korean.
- Making oral language services available to limited English proficient (LEP) individuals seeking to participate in agency programs or services.

BCHD has designated a language access liaison, who has been working to implement the requirements outlined in the bill. Translation of documents is facilitated by MIMA, who has coordinated a vendor contract for translation and interpretation services.

BCHD is in favor of ensuring all Baltimore City residents – regardless of language proficiency – have access to City programs and services. The purpose of this bill aligns with the agency’s mission, which is “to protect health, eliminate disparities, and enhance the wellbeing of everyone in our community through education, coordination, advocacy, and direct service delivery.” However, BCHD recommends an amendment to clarify that agencies must only translate documents that have been produced by the City, as opposed to other entities (such as the State or Federal government). This aligns with MIMA’s practices, which are to translate only documents that have been produced by the City. Updating the bill language to reflect the City’s practices will ensure agencies are able to comply. This is of great importance to BCHD, as an agency that uses many State and Federal forms that are not the City’s property. As such, BCHD respectfully requests a **favorable with amendment report** on Council Bill 24-0583.

F R O M	NAME & TITLE	Todd Carter Chief Information Officer <i>Todd A. Carter</i>	CITY of	
	AGENCY NAME & ADDRESS	Baltimore City Office of Information & Technology 401 E. Fayette Street, 3rd floor	BALTIMORE	
	SUBJECT	24-0584 Baltimore City Government Entities - Language Access	M E M O	

October 16, 2024

TO: The Honorable President and
Members of the City Council
Room 400 City Hall
c/o Natawna Austin, Executive Secretary

Position: Favorable

Background

The Baltimore City Office of Information and Technology (BCIT) has completed its review of Council Bill 24-0583 Baltimore City Government Entities - Language Access. The purpose of this bill is to require certain Baltimore government entities to appoint a language access liaison and adopt a Language Access Plan. This bill also requires Baltimore government entities to provide language access services to specified individuals and establishes certain reporting requirements related to the provision of language access services by Baltimore government entities. Entity in the bill refers to Baltimore City government department, office, or other organization that administers a publicly-funded program that delivers a direct public service, regardless of whether the department, office, or organization is a recipient of federal financial support.

Analysis

BCIT strives to provide equitable, culturally sensitive and effective access to City services to all residents, regardless of their ability to speak, read or write English. Language accessibility services are available to individuals who have Limited English Proficiency (LEP) that enable them to effectively communicate with BCIT in person, via the phone, in writing, and through electronic media. BCIT strives to engage ALL residents to help design, build and implement technology that creates a safe, thriving, and smart City. The agency has several divisions that have direct contact with the public. BCIT has reviewed the legislation, designated a language access liaison and will adhere to the requirements of the bill.

Fiscal Impact

There is fiscal impact due to this bill, but the exact figures are unknown. Calls to the 311 Center are already accessible to LEP individuals through the language line and therefore, will not result in an additional cost. In order to make the 311 web and mobile applications available in the top five non-English languages, it will cost approximately \$50,000 per language. As new applications are developed or purchased for residential use, there may

be additional cost incurred for them to be accessible in the top five non-English languages. Those costs will need to be estimated for new projects on a case-by-case basis.


Conclusion

BCIT supports CCB 24-0584, Baltimore City Government Entities - Language Access. If you have any questions, please contact Leyla Layman, Chief of Staff, at (443) 202-4511.

cc: Ms. Nina Themelis, Director, Mayor's Office of Government Relations



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable City Council President Nick Mosby Members of the City Council
FROM	Reginald Moore, Executive Director, Baltimore City Recreation & Parks 
DATE	October 18, 2024
SUBJECT	City Council Bill 24-0584 Baltimore City Government Entities - Language Access

Baltimore City Recreation & Parks (BCRP) has been assigned Baltimore City Government Entities - Language Access For the purpose of requiring a certain Baltimore government entity to appoint a language access liaison and adopt a Language Access Plan; requiring a Baltimore government entity to provide language access services to specified individuals; establishing certain reporting requirements; defining certain terms; providing for a special effective date; and generally relating to the provision of language access services by Baltimore government entities.

The BCRP Division of Human Resources (BCRP HR) does not have a practice in place to support the Language Access Program. BCRP HR models protocol provided by the City of Baltimore Human Resources.

However, BCRP Community Engagement & Strategic Partnerships (CESP) has worked very closely with MIMA on community outreach and engagement, especially to the Latino community. CESP currently enjoys the benefits of two City certified bilingual staff members (though soon to be one).

Translation services are costly and BCRP does not proactively translate materials, such as marketing fliers, registration forms, waivers, etc. Though BCRP is able to provide some spanish translation, Korean, French, or Chinese (top non-English languages in Baltimore requires these services is not available. BCRP has also had the occasion to translate materials into Nepalese. CESP conducted a bilingual hybrid charette and the rate was \$150/hr. There is access to telephonic interpretation through MIMA, but that is not effective for live translation, particularly when hosting a meeting. Community charrettes needing translation will require that translation costs be

City Hall – Room 250, 100 Holliday Street, Baltimore, MD 21202

|

accounted for in the Capital project budget.

BCRP encourages and supports the Language Access legislation to create a level playing field for all City residents, but it is paramount that the requisite budget and infrastructure be put in place to achieve this.

If you have any questions, please contact Jenny Morgan at jmorgan@baltimorecity.gov

CITY OF BALTIMORE

Brandon M. Scott, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

Rebecca Lundberg Witt, *Executive Director*

September 30, 2024

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: CC Bill #24-0584- Baltimore City Government Entities- Language Access

Ladies and Gentlemen:

City Council Bill No. 24-0584 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

Pursuant to Article 32, Section 5-507 (b) the BMZA shall provide reports on legislation submitted to the City Council Section per Section 5-501 (2) which includes the following: (i) a variance; (ii) a conditional use; (iii) a map amendment; (iv) an educational campus master plan; (v) a hospital general development plan; (vi) an area of special sign control; and (vii) a planned unit development. The BMZA, as a quasi-judicial agency, will not be providing a report or comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca R Witt".

Rebecca Lundberg Witt
Executive Director

CC: Mayor's Office of Council Relations
City Council President
Legislative Reference



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Richard Worley
Police Commissioner

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

October 23, 2024

RE: City Council Bill #24-0584
Baltimore City Government Agencies—Language Access

Dear Council President Mosby and Members of the City Council:

The Baltimore Police Department (BPD) has reviewed Council Bill 24-0584, which requires Baltimore City government entities to appoint language access liaisons and adopt a Language Access Plan. This bill also requests that agencies adhere to proposed reporting requirements including biennial updates and annual assessment reports.

BPD frequently interfaces with the public, making language accessibility for Limited English Proficiency (LEP) individuals a crucial need, necessary to successfully deliver aid, provide information, and complete evidence collection for non-English speaking residents. The department lists Policy #1735 on its website which details current language access services and tools and methods used for LEPs including language ID cards, translated forms and documents, and language interpreting. Department members encountering LEPs are trained to utilize language telephone lines, summon a Qualified Bilingual on call member of the department (QBM), or request the need for an on-site professional interpreter. As a result of BPD's proactive actions on language access, the department is included in MIMA's Cohort 4, which is the final group of agencies included in the Language Access Policy roll out.

Additionally, BPD already has an assigned member of staff serving as our Language Access Coordinator/Liaison. This position is listed within BPD's Compliance unit.

The Baltimore Police Department has no objection to City Council Bill#24-0584. We are grateful for the opportunity to comment on this piece of legislation and look forward to contributing to this citywide effort.

Sincerely,

A handwritten signature in cursive script that reads "Erin C. Murphy".

Erin C. Murphy, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Nina Themelis, Director, Mayors Office of Government Relations
Andrew Smullian, BPD Deputy Chief of Staff

[Type here]

[Type here]

[Type here]



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Alice Kennedy, Housing Commissioner
DATE	October 23, 2024
SUBJECT	24-0584 Baltimore City Government Entities - Language Access

The Honorable President and
Members of the City Council
City Hall, Room 400

10/23/24

Position: Favorable

Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 24-0584 Baltimore City Government Entities - Language Access for the purpose of requiring a certain Baltimore government entity to appoint a language access liaison and adopt a Language Access Plan; requiring a Baltimore government entity to provide language access services to specified individuals; establishing certain reporting requirements; defining certain terms; providing for a special effective date; and generally relating to the provision of language access services by Baltimore government entities.

If enacted, City Council Bill 24-0584 would require all Baltimore City government departments and offices along with any organization administering publicly funded programs that deliver direct public services to appoint a designated language access liaison and adopt a Language Access Plan. That plan must be developed in coordination with the Mayor's Office of Immigrant Affairs (MIMA), the given entity's Director, and the entity's designated language access liaison. Each entity will file an annual report with MIMA and the Department of Legislative Reference detailing the preparation and implementation of their Language Access Plan. If approved, this Bill will go into effect the 180th day after the date it is enacted.

DHCD Analysis

DHCD is dedicated to taking steps to providing meaningful access to City services for all people, including those with limited English proficiency. Nearly 57,000 individuals (10.3% of Baltimore's population) speak a language other than English at home and Over 20,000 of those individuals speak English less than "very well". Individuals who do not speak English as their

primary language and have limited ability to speak, write, or understand English are considered to have Limited English Proficiency (LEP). Currently, the top five languages spoken by LEP individuals in Baltimore are: Spanish (9,659), Arabic, (1,622), Chinese (1,515), French (1,451), and Korean (658).

DHCD currently undertakes a multi-pronged approach to make our public facing services and materials available to LEP residents of Baltimore City. Those efforts include the provision of translated materials such as brochures, applications, records and other forms, along with interpretation and transcripts of certain meetings. Additionally, we provide Language Service access through our Baltimore City Interagency Telephonic Interpretation Account and our bilingual employees that are willing to be called on if necessary. DHCD also provides services for meetings held in communities with high concentrations of LEP individuals and has procured translation services for on-site support as needed.

Notably, DHCD posts signage notifying LEP individuals in the following locations:

- Service counters for permits, zoning, plans development and review
- Agency reception areas
- Agency public meeting rooms

Additionally, our agency uses the following strategies to notify LEP individuals of available services:

- Social media platforms: Twitter, Facebook, and YouTube
- Brochures and Flyers at community meetings/public gatherings
- Door hangers

We also utilize the *Neighborly* platform, an online application portal, to promote several important programs in multiple languages including Community Catalyst Grants, Homeownership Incentives, Housing Preservation Programs, Housing Upgrades to Benefit Seniors (HUBS), Tax Sale Exemption Program, Emergency Mortgage & Housing Assistance Program and AHTF – New Construction/Preservation of Existing Rental Housing.

As part of a cohort of City agencies identified to create a Language Access Guidance document pursuant to Title VI of the Civil Rights act of 1964, DHCD has already been working with the Mayor's Office of Immigrant Affairs (MIMA) on the translation of identified vital documents. DHCD also maintains a permanent Equity Officer to continue to advance this work. We look forward to working with MIMA to continue the meaningful goal of increasing language access for all residents of Baltimore City.

Conclusion

DHCD respectfully requests a **favorable** report on City Council Bill 24-0584.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Quinton M. Herbert, JD, Director, and Chief Human Capital Officer
DATE	October 18, 2024
SUBJECT	Council Bill 24-0584 – Baltimore City Government Entities – Language Access

The Honorable President and
Members of the City Council
City Hall, Room 400

DATE: October 18, 2024

Position: Support

SUMMARY OF POSITION

The Department of Human Resources (“DHR”) has reviewed Council Bill 24-0584 – Baltimore City Government Entities – Language Access and supports this bill.

24-0584 focuses on the establishment of a "Language Access" ordinance in Baltimore City. It outlines requirements for Baltimore City government entities to provide language access services to individuals with Limited English Proficiency (“LEP”). It requires Baltimore government entities to:

1. Appoint a Language Access Liaison: Each entity must designate someone responsible for overseeing language access.
2. Adopt a Language Access Plan: Agencies must develop a formal plan for providing language access services.
3. Provide Language Access Services: These services must be offered to individuals with limited English proficiency (LEP) to ensure they can access government resources and services.
4. Reporting Requirements: Entities are required to submit reports on their language access efforts.

Overall, it aims to improve the provision of services to non-English speaking individuals in Baltimore by ensuring consistent language access policies across government entities. DHR recognizes the vital role of language access in promoting inclusion and equal opportunity.

While DHR supports the spirit of the Bill, there are significant employee related and budgetary considerations to account for when assigning the Language Access Liaison role as outlined in the

Bill:

1. **Out-of-title pay:** If a current employee is tasked with taking on the duties of the Language Access Liaison, they may be eligible for out-of-title pay, which would increase the City's payroll costs.
2. **Salary Increase:** Should the employee's job description be updated to formally include these new responsibilities, it may potentially lead to a salary increase due to the expanded scope of duties.
3. **Requiring performance:** The requirements of the new position as outlined by MIMA add significant duties and responsibilities to employees performing this function. To the extent that these duties and responsibilities are in addition to those in the employee's classification specification, agencies may have difficulty requiring an employee to perform the additional duties required by the Bill.

If the Language Access Liaison is required to be bilingual, the following considerations should be considered:

- **Time dedication:** It's important to assess how much time the employee will spend utilizing their language skills, as this may affect the stipend amount.
- **Proficiency requirements:** If bilingual proficiency is required, the City may need to cover the costs of language proficiency testing.
- **Bilingual classifications:** The Department of Human Resources (DHR) may need to create new classifications to formally incorporate the use of bilingual skills.
- **Multiple languages:** The City should determine whether employees who are proficient in multiple languages will receive additional compensation for each language or a single stipend.

Under Md. Code Regs. 17.04.02.10 - Bilingual Pay, effective since July 1, 1998, the following applies:

- An employee may be designated by an appointing authority to provide translation services if such services are necessary for the unit's operations.
- If bilingual skills are not included in the employee's classification, the appointing authority cannot require the employee to provide translation services unless the employee receives a bilingual bonus or the hourly equivalent, which is at least \$25 per month.

Assuming a \$25 monthly stipend¹, based on Maryland regulations, if one representative is appointed from each agency (37 agencies, including quasi-governmental entities), this would result in a minimum annual cost of approximately \$11,100.

If the Language Access Liaison is not required to be bilingual, it is recommended that the appointed employee be a Managerial and Professional Society (MAPS) employee, following the same model used for Equity Coordinators who take on additional duties alongside their primary roles. In this case, the selected employee may be eligible for a 2.5% stipend. If the employee is later relieved of the Language Access Liaison duties, they would no longer be eligible for the

¹ It is worth noting that MIMA anticipates the required duties under the Bill taking an average of eight hours per week. Employees would be required to receive at a minimum the equivalent of the minimum wage for each hour spent performing those duties. If MIMA's estimations are correct, the additional cost could easily exceed \$200,000 per year in additional compensation for employees performing this function.

stipend.

DHR understands the importance of developing and maintaining a robust Language Access Plan that includes the translation of vital documents, provision of oral language services, and other necessary resources. The language access liaison will partner with MIMA to develop the plan.

DHR is prepared to support the ongoing monitoring and reporting of language access efforts. This will allow the City to track progress and ensure that LEP individuals receive the services they need, equivalent to those provided to English-speaking residents.

In conclusion, while DHR fully supports the goals of this ordinance as a key step toward a more inclusive and accessible Baltimore, we emphasize that appropriate budget consideration is necessary for the successful establishment of the Language Access Liaison position. We are committed to working closely with MIMA and other City agencies to ensure the ordinance is effectively implemented.

For additional questions or concerns, contact me at Quinton.Herbert@baltimorecity.gov or by phone at (410) 396-1563.

Sincerely,

Quinton M. Herbert, JD
Chief Human Capital Officer



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Chris Ryer, Director, Department of Planning <i>Chris Ryer</i>
DATE	October 16, 2024
SUBJECT	City Council Bill #24-0584 - Baltimore City Government Entities - Language Access

Position: No Objection

SUMMARY OF POSITION

The Department of Planning does not believe we are included in the definition of a covered entity, and so take no position on this bill.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at eric.tiso@baltimorecity.gov or at 410-396-8358.



BRANDON M. SCOTT
MAYOR
*100 Holliday Street, Room 250
Baltimore, Maryland 21202*

TO	The Honorable President and Members of the Baltimore City Council
FROM	Corren Johnson, Director – Department of Transportation
DATE	September 23, 2024
SUBJECT	24-0584 Baltimore City Government Entities - Language Access

Position: No Objection

Introduction

For the purpose of requiring a certain Baltimore government entity to appoint a language access liaison and adopt a Language Access Plan; requiring a Baltimore government entity to provide language access services to specified individuals; establishing certain reporting requirements; defining certain terms; providing for a special effective date; and generally relating to the provision of language access services by Baltimore government entities.

DOT Analysis

Council Bill 24-0584 would establish language accessibility requirements for City government entities which receive grants and provide public services, with DOT included. The Department provides a breadth of services on public right-of-way, including sidewalk and alley repair, traffic calming, illegal parking enforcement, and abandoned vehicle removal, among others. Due to its large portfolio, the DOT processes a substantial volume of service requests, inquiries, and complaints on a daily basis. These requests are mainly processed in English, the language most commonly spoken in the City. As a result, some residents are unable to access necessary services without assistance or translation services. Improving language accessibility, therefore, could help to connect these residents to City services.

In implementing the legislation, it is important that the entire service process is accounted for. A large share of DOT requests is placed through the online 311 portal, which operates primarily in English. A lack of language options may discourage many residents from submitting important concerns, limiting the DOT's awareness of important issues within their communities. Additionally, a lack of proficiency in other languages may limit the DOT's ability to follow up with residents when



BRANDON M. SCOTT
MAYOR

*100 Holliday Street, Room 250
Baltimore, Maryland 21202*

additional information is needed. While these circumstances may be infrequent due to the nature of the Department's work, gaps in communication can arise as a result of language barriers. Interagency translation and interpreting services may help to bridge the gaps between the Department's customer care staff and residents with limited English proficiency.

Conclusion

The Department foresees only minor fiscal and operational concerns as a result of this legislation. Therefore, recognizing the need for improved language accessibility, the Department has no objection to the advancement of Council Bill 24-0584.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Khalil Zaied, Director, Department of Public Works <i>Khalil Zaied</i>
DATE	October 17, 2024
SUBJECT	City Council Bill 24-0584 Baltimore City Government Entities – Language Access

The Honorable President and
Members of the City Council
City Hall, Room 400

DATE: October 17, 2024

Position: In Support

SUMMARY OF POSITION

This memo is reporting on City Council Bill 24-0484, introduced by the Council President and Councilwoman Odette Ramos behalf of the Administration (Mayor's Office of Immigrant Affairs ("MIMA")). The purpose of the bill is to require Baltimore government entities to appoint a language access liaison and adopt a Language Access Plan. It also mandates that these entities provide language access services to specified individuals, establish certain reporting requirements, define specific terms, provide for a special effective date, and generally relate to the provision of language access services by Baltimore City Agencies.

The Department of Public Works recommends a favorable report on City Council Bill 24-0584, . We are committed to collaborating with the Baltimore City Council, the Mayor's Office, MIMA, and other city agencies to develop a comprehensive Language Access Plan that accommodates all the constituents served by DPW.

CITY OF BALTIMORE
BRANDON M. SCOTT,
Mayor



October 9, 2024

Honorable President &
Members of the City Council of Baltimore
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: Council Bill 24-0584 Baltimore City Government Entities—Language Access

Dear Mr. President and Council Members:

I have had an opportunity to review Council Bill 24-0584 Baltimore City Government Entities—Language Access. It is imperative that we provide equitable access to the City's resources. I applaud the Mayor's Office of Immigrant Affairs for raising this issue and their support in developing our language access plan. The Mayor's Office of Small & Minority Business Advocacy & Development supports the bill.

Regards,

A handwritten signature in black ink, reading "Christopher R. Lundy". The signature is fluid and cursive, with the first name "Christopher" being more prominent.

Christopher R. Lundy, Esq.
Director Mayor's Office of Small &
Minority Business Advocacy &
Development ([SMBA&D](#))
3000 Druid Park Drive, Suite 3000B
Baltimore, Maryland 21215
christopher.lundy@baltimorecity.gov



October 7, 2024

To the Honorable City Council President, Nick Mosby and
Members of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 24-0584 – Baltimore City Government Entities – Language Access.

The Mayor's Office of Immigrant Affairs (MIMA) is herein reporting on City Council Bill 24-0584 – Baltimore City Government Entities – Language Access. MIMA supports Bill 24-0584 seeking to codify language access to achieve federal compliance and ensure that Limited English Proficient individuals have equitable access to essential city services.

Baltimore City is home to almost 57,000 individuals (10.3% of the city's population) who speak a language other than English at home, and over 20,000 of those individuals speak English less than very well. These individuals are *Limited English Proficient* (LEP), meaning that they do not speak English as their primary language and have limited ability to speak, write, or understand English. Currently, the top five languages spoken by LEP individuals in Baltimore are: Spanish (9,659), Arabic, (1,622), Chinese (1,515), French (1,451), and Korean (658). It is important to note that the number of LEP individuals is likely underreported due to language limitations in data collection tools, meaning the actual need for language access may be even greater.

LEP individuals bring diverse perspectives, skills, and experiences that enrich our City, but they also face unique challenges as they navigate City services. Not only are they navigating the challenges of a new culture and home, but the limited availability of information in their languages presents a barrier to learning and acclimating to a new environment.

MIMA's Current and Ongoing Efforts

Since 2019, MIMA has worked with over a dozen City agencies to help them comply with existing Language Access requirements. These efforts have focused on developing tools, protocols, and resources to ensure that agencies can deliver services in ways that remove language barriers to essential City services for LEP residents. MIMA's work aligns with the federal mandates, *Title VI of the Civil Rights Act of 1964*, *Federal Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency*, and with local policy, the *Language Access Policy* issued by the City's Chief Administrator (CAO Policy) in February 2024.

Title VI of the Civil Rights Act states that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The category of "national origin" is interpreted to include language. *Federal Executive Order 13166* more specifically mandates language assistance and defines language access requirements in federal assisted programs. The *CAO Policy* directs certain Baltimore City agencies that provide direct services or emergency information to the public, to engage in the language planning process, and consult with MIMA to ensure compliance with federal law.

MIMA's Current Role

To support agencies with achieving compliance with language access requirements under existing policies, MIMA currently provide the following services:

- Provides assistance completing a four-factor analysis, or needs assessment, of City agencies' current language access activities, services, and protocols;

- Manages a centralized budget for language access services, specifically oral interpretation and written translation of vital documents;
- Provides language access resources (telephonic interpretation, document translation, and staff training) to City agencies;
- Manages contracts for interpretation and translation services;
- Provides assistance developing language access plans; and
- Provides training City agency staff on language access policies and services.

Strengthening Language Access with Bill 24-0584

The proposed legislation builds on these efforts and includes new provisions to strengthen the existing policy and practices, including:

- Defining “covered entities”, meaning the government offices, departments, and entities, that will be required to comply with local language access requirements;
- Designating MIMA as the office responsible for coordinating the implementation of the City’s Language Access Policy, and monitoring and oversight activities, to ensure covered entities’ compliance with all applicable language access policies;
- Outlining the City’s responsibility to overcome language barriers experienced by LEP individuals when seeking services;
- Establishing the steps to provide LEP individuals with meaningful access to services;
- Requiring language access plans that will be created and implemented by covered entities, in consultation with MIMA; and
- Requiring covered entities to submit annual reports on their language access activities to MIMA.

Rationale for the Legislation:

1. **Establishes a lasting commitment to delivering equitable City services.** Bill 24-0584 formalizes the CAO’s existing directive, ensuring a lasting commitment to equitable service delivery for all City residents, including LEP individuals.
2. **Builds on current policy and best practices.** The bill incorporates the framework of the existing CAO Policy, MIMA’s years of experience in implementing language access measures within City agencies, as well as best practices from local jurisdictions such as Washington D.C., Montgomery County, Philadelphia, and others. If approved, Baltimore City will join a network of localities that have introduced and passed legislation to establish a local language access law.
3. **Ensures federal compliance.** As a recipient of federal funding, the City is required to provide language assistance to LEP individuals. This legislation would strengthen the City’s ability to meet those requirements by formalizing local protocols, so they align with federal guidelines. It would also position the City to maintain compliance with federal law and remain eligible for future federal funding opportunities.

For the reasons stated, the Mayor’s Office of Immigrant Affairs supports City Council Bill 24-0584. Establishing Baltimore City’s Language Access Policy as local law aligns with the City’s commitment to equity, diversity, and inclusion. MIMA stands ready to serve as a hub for technical assistance and resources to City agencies, ensuring that LEP residents have the access they need to thrive in Baltimore regardless of the language they speak.

For additional questions or concerns, please contact:

Catalina Rodriguez Lima
 Director
 Mayor’s Office of Immigrant Affairs
Catalina.rodriguez-lima@baltimorecity.gov

CITY OF BALTIMORE

Brandon M. Scott, Mayor



Mayor's Office of Employment Development

MacKenzie Garvin
Director
417 E. Fayette Street, Suite 468
Baltimore, MD 21202

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holiday Street
Baltimore, Maryland 21202

RE: City Council Bill, 24-0584

Dear President and City Council Members,

The Mayor's Office of Employment Development (MOED) is herein reporting on City Council bill- 24-0584 - Baltimore City Government Entities – Language Access.

The Mayor's Office of Employment Development's (MOED) mission is to deliver economic justice to Baltimore residents. To MOED, economic justice means creating an equitable workforce system that responds to all residents' needs and provides viable economic opportunities to all residents, especially those who have been generationally and systemically disadvantaged.

MOED coordinates and directs workforce development initiatives responsive to the needs of Baltimore City employers and job seekers in order to enhance and promote the local economy. Our vision is for all city residents to maximize their career potential, and all employers to have the human resources to grow and prosper.

MOED understands the importance of providing meaningful language access to City resources, including workforce development. MOED has been intentional in its efforts to increase bilingual staff and currently employs fluent Spanish-speaking staff members. These staff members help connect customers (job seekers and businesses) with job related services and employment opportunities. These staff members help ensure that all members of the local community have equal access to the services and resources offered by the MOED.

To this end, MOED is in support of City Council Bill **24-0584 - Baltimore City Government Entities – Language Access.**

Sincerely,

MacKenzie Garvin

MacKenzie Garvin, Executive Director
Mayor's Office of Employment Development



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Caron Watkins Interim Director, Office of Equity & Civil Rights Interim Chief Equity Officer
ANALYST	Zachary Wellman Equity Policy Analyst, Office of Equity & Civil Rights
DATE	October 23, 2024
SUBJECT	OECR Report on Baltimore City Council Bill 24-0584 Baltimore City Government Entities - Language Access

OECR POSITION: Favorable

SUMMARY OF LEGISLATION

The Office of Equity & Civil Rights (OECR) has reviewed and is herein reporting on City Council Bill 24-0584 – *Baltimore City Government Entities - Language Access*. This is a language access ordinance for Baltimore residents who are Limited English Proficient (LEP). The ordinance is an administration initiative led by the Mayor’s Office of Immigrant Affairs (MIMA).

The bill seeks to accomplish the following:

- Require Baltimore City Government Entities to provide LEP individuals with access to all offered services and programs.
- Require Entities to appoint at least one language access liaison.
- Require the language access liaison and the director of an Entity to collaborate with MIMA to create a Language Access Plan
- Outline the contents of the Language Access Plan.
- Require the Language Access Plan to be made available publicly.
- Require the Language Access Plan be updated and submitted to MIMA by January 1st of every even numbered year.
- Require Entities to file a report on the Language Access Plan with MIM by October 31st each year.
- Outline the role of MIMA in providing oversight, assistance, and coordination of Language Access Liaisons, Plans, and Reports.
- Provide for an effective date for the ordinance of 180 days after it is enacted.

The bill accomplishes this by adding Article 1 - Mayor, City Council, and Municipal Agencies, Subtitle 53 - Language Access to the Baltimore City Code.

EQUITY ANALYSIS

Council Bill 24-0584 intends to expand access to city services and programs for LEP individuals who speak Citywide Designated Languages (to be established by MIMA under the ordinance). Baltimore City is home to 57,000 individuals who speak a language other than English at home and 20,000 individuals who speak English less than “very well;” therefore, approximately 13.75% of Baltimore residents are considered LEP. Council Bill 24-0584 would empower MIMA, in collaboration with all City Entities, to make considerable strides in improving the equity of the City’s growing immigrant and LEP population. This bill will achieve this by establishing a process in which documents, services, and programs that are traditionally inaccessible due to English exclusivity are made accessible to LEP residents.

OECR employees interact with LEP individuals on a daily basis, whether through complaints, calls, site visits, community outreach, or other in-person services administered on behalf of its numerous boards and commissions, such as the Police Accountability Board and Wage Commission. A Language Access Liaison is an essential part of ensuring equitable service of residents in City Entities like the OECR. This is because they function as the first point of contact for agency employees regarding language access-related issues, vastly improving the depth and scope of services City employees are empowered to provide residents. Liaisons are also responsible for establishing a tailored Language Access Plan and administering language access training to other agency employees, ensuring that city employees are prepared to equitably service LEP individuals who are traditionally excluded or forgotten.

Out of faith in the equitable impact language access has on the daily lives of immigrants and LEP residents, the OECR has already worked with MIMA to take steps toward achieving what Bill 24-0584 intends to codify. The OECR appointed a Language Access Liaison and communicated to its staff the services the office provides to LEP residents through the Liaison. Additionally, the OECR Language Access Liaison and director worked with MIMA to establish a Language Access Plan as of March 2020; upon the passage of this bill, the OECR is committed to collaborating with MIMA to update the Plan. Finally, in support of the efforts outlined in Bill 24-0584 to require all City produced documents be accessible to LEP residents, the OECR has translated the following documents into at least one most spoken non-English languages in Baltimore (Spanish, French, Chinese, Arabic, or Korean):

- Workers Right to Fair Pay brochure (Spanish)
- Notice to Employees, Living Wage (Spanish)
- Prevailing Wage Rates (Spanish)
- Fair Housing- General Brochure (Spanish, French, Chinese, Arabic, and Korean)

Without equitable language access, LEP residents are more vulnerable to labor exploitation, poor service delivery, workplace/school discrimination, and police misconduct, all of which the OECR is on the frontline of combatting.

CONCLUSION

The OECR believes there is significant equitable intent behind Council Bill 24-0584. It also believes that the bill's impact will result in measurable improvements to Baltimore residents' equity by prioritizing the inclusion of LEP residents in the function City Entities. As such, the Office of Equity & Civil Rights respectfully requests a **favorable** committee report on City Council Bill 24-0584.

Respectfully Submitted,



Caron Watkins

Interim Director, Office of Equity & Civil Rights

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

October 22, 2024

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 24-0584 – Baltimore City Government Entities – Language Access

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 24-0584 for form and legal sufficiency. The bill would create “Subtitle 53. Language Access” under Article 1 of the Baltimore City Code. The new Subtitle 53 will require covered entities within the City government to appoint a language access liaison and adopt a Language Access Plan. Covered entities must also provide language access services to specified individuals, and submit annual reports as required in the ordinance.

City Council Bill 24-0584 comports with federal law, which requires programs that receive federal financial assistance to protect individuals from discrimination on the basis of race, color, religion, sex, and national origin under Title VI of the Civil Rights Act of 1964. 42 U.S.C. § 2000d. Failure to ensure that persons who do not speak English very well or are limited English proficient (“LEP”) can effectively participate in, or benefit from, federally assisted programs may violate Title VI’s prohibition against discrimination based on national origin. 67 Fed. Reg. 41455-01 (June 18, 2002). City of Baltimore government entities that are recipients of federal funding are already required to comply with Title IV requirements for language access. 28 CFR 42.102(f); 28 CFR 42.104(b). The bill is unlikely to conflict with Title VI; in fact, the legislation is even more expansive, as it requires meaningful access by covered entities who do not receive federal funding and uses a lower population threshold to determine designated citywide languages than Title VI. 65 Fed. Reg. 52762-01 (August 30, 2000).

Law Department Recommendations

City Council Bill 24-0584 defines “covered entity” in Sec. 53-1(B). The Law Department recommends amending the language to define a covered entity as, “Any Municipal Agency as defined in Section 2(j) of Article 1 of the City Charter that delivers a direct public service”. City Charter, Art. I, § 2(j). An appropriate amendment is attached to this report. The bill defines “direct public service” in Sec. 53-1(D) and limits that provision to a “City resident”. However, Title VI

protects “everyone who is in the United States”. 42 U.S.C § 2000d. The Law Department recommends amending the language of Sec. 53-1(D) to remove “...to a City resident” from the definition. An appropriate amendment is attached to this report. The bill defines “major public contact” in Sec. 53-1(I). As written, the definition appears to be void for vagueness, as there is no language that outlines what conducts entails an interaction. *See, e.g., A.B. Small Co. v. Am. Sugar Ref. Co.*, 267 U.S. 233, 239(1925). The Law Department recommends clarifying specific interactions that constitute major public contact. One possible clarification would be to define an employee with major public contact to be one who averages a certain number of contacts with a member of the public per day. An amendment to this effect is attached to this report.

To provide for the language access required by the ordinance, the bill authorizes covered entities to designate an employee as Language Access Liaison in Sec. 53-2(B)(1). The Law Department suggests that the bill be amended to include the Department of Human Resources (“DHR”) into the designation process so that the bill conforms to the requirements of Section 97(i) of Article VII of the City Charter with respect to Civil Service employees by inserting in Sec. 53-2(B)(1), on page 3, line 29, “In consultation with the Department of Human Resources, where required,...”. An appropriate amendment is attached to this report. The bill also mandates the creation of a Language Access Plan that meets the requirements of City Council Bill 24-0584.

The bill requires grantees and subgrantees to take “reasonable steps” to provide LEP individuals with meaningful access in Sec. 53-3. The term “reasonable steps” is not defined in the bill. As written, this lack of guidance on what types or kinds of steps will be reasonable is void for vagueness because the grantees have no “rule or standard” for what kind of conduct is required. *See A.B. Small Co., supra*. The bill must be amended to define the standards that would need to meet in order to be in compliance with the law. Alternatively, the bill could be amended to simply require grantees and subgrantees to provide LEP individuals with meaningful access. A draft amendment to this effect is attached to this report.

Additionally, under Title VI, once an entity receives federal financial assistance, the federal government has jurisdiction over those contractors. 42 U.S.C. §2000d-1. Unless a reason can be articulated as to why the bill includes grantees and subgrantees but not contractors, the bill should be amended to apply to contractors as well. This avoids an Equal Protection challenge. *See, e.g., Baltimore Gas and Elec. Co. v. Heintz*, 760 F.2d 1408, 1417 (4th Cir. 1985) (*citing Western & Southern L.I. Co. v. Board of Equalization*, 451 U.S. 648, 668, (1981)). An appropriate amendment is attached to this report.

The bill requires the translation of all “vital documents” in Sec. 53-4(1); however, in briefings to City agencies provided by the Mayor’s Office of Immigrant Affairs (“MIMA”), representatives from MIMA clarified that the only documents created by the City’s covered entities were subject to the translation requirement. The Law Department recommends amending the language proposed for §53-1(N) from “...all vital documents...” to “...all *City-created* vital documents” to reflect that only City-created documents require translation. An appropriate amendment is attached to this report.

The Law Department also recommends aligning the language in the bill with the budgeting process in the City Charter by amending Sec. 53-6 to read, “*Subject to appropriation of funds in*

the Ordinance of Estimates or supplemental appropriations, MIMA shall...". Baltimore City Charter, Art. VI, §§ 5-9. An appropriate amendment is attached to this report.

Subject to the required amendments, the Law Department can approve this bill for form and legal sufficiency.

Sincerely,

A handwritten signature in black ink, appearing to read "DLuckey", is positioned above the typed name.

Desiree Luckey
Assistant Solicitor

cc: Ebony Thompson, City Solicitor
Stephen Salsbury, Deputy City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor

AMENDMENTS TO COUNCIL BILL 24-0584
(1st Reader Copy)

Proposed by: Law Dep't

Amendment No. 1 (Conform definition of “Covered Entity” to Charter)

On page 2, strike lines 5 through 8 and substitute ““COVERED ENTITY” MEANS ANY MUNICIPAL AGENCY AS DEFINED IN SECTION 2(J) OF ARTICLE I OF THE CITY CHARTER THAT DELIVERS A DIRECT PUBLIC SERVICE”.

Amendment No. 2 (Conform to Federal law)

On page 2, in line 15, strike “TO A CITY RESIDENT”.

Amendment No. 3 (Clarify “major public contact”)

On page 3, in line 3, strike “regularly” and insert “who”; and on that same page, in line 4, after “PUBLIC”, strike “IN THE COURSE OF DAILY BUSINESS” and substitute “AT LEAST TWICE ON AN AVERAGE WORKDAY”.

Amendment No. 4 (Conform to Charter requirements regarding Civil Service employees)

On page 3, in line 29, after “DESIGNATE” insert “, IN CONSULTATION WITH THE DEPARTMENT OF HUMAN RESOURCES, WHERE REQUIRED,”.

Amendment No. 5 (Clarify “reasonable steps”)

On page 5, in lines 13 and 14, strike “TAKE REASONABLE STEPS TO”.

Amendment No. 6 (Include contractors)

On page 5, in line 13, after “SUBGRANTEE” insert “OR CONTACTOR”.

Amendment No. 7 (Clarify types of documents to be translated)

On page 5, in line 18, after “ALL” insert “CITY-CREATED”.

Amendment No. 8 (Conform to City budget process)

On page 6, in line 5, before “MIMA” insert “SUBJECT TO APPROPRIATION OF FUNDS IN THE ORDINANCE OF ESTIMATES OR SUPPLEMENTAL APPROPRIATIONS”.

**PUBLIC SAFETY AND
GOVERNMENT OPERATIONS
COMMITTEE**

24-0584

**Baltimore City Government
Entities – Language Access
ADDITIONAL MATERIALS**

**AMENDMENTS TO COUNCIL BILL 24-0584
(1st Reader Copy)**

By: Baltimore City Health Department
{To be offered to the Public Safety and Government Operations Committee}

Amendment No. 1

On page 3, in line 20, strike “GOVERNMENT”; and, on that same page in that same line, after “DOCUMENT” insert “PRODUCED BY THE CITY”.

**AMENDMENTS TO COUNCIL BILL 24-0584
(1st Reader Copy)**

By: Department of Law
{To be offered to the Public Safety and Government Operations Committee}

Amendment No. 1

On page 2, strike beginning with “BALTIMORE” in line 5 down through and including “SUPPORT.” in line 8 and substitute “MUNICIPAL AGENCY, AS DEFINED IN ARTICLE 1, § 2(J) OF THE CITY CHARTER, THAT DELIVERS A DIRECT PUBLIC SERVICE.”.

Amendment No. 2

On page 2, in line 15, strike “TO A CITY RESIDENT”.

Amendment No. 3

On page 3, in line 3, strike “REGULARLY” and substitute “WHO”; and, on that same page, strike beginning with “IN” in line 3 down through and including “BUSINESS.” in line 4 and substitute “AT LEAST TWICE IN AN AVERAGE WORKDAY.”.

Amendment No. 4

On page 3, in line 29, strike “DESIGNATE” insert “DESIGNATE, IN CONSULTATION WITH THE DEPARTMENT OF HUMAN RESOURCES, WHERE REQUIRED.”.

Amendment No. 5

On page 5, in line 13, strike “GRANTEE OR SUBGRANTEE” and substitute “GRANTEE, SUBGRANTEE, OR CONTRACTOR”; and, on that same page, strike beginning with “TAKE” in line 13 down through and including “TO” in line 14.

Amendment No. 6

On page 5, in line 18, after “ALL” insert “CITY-CREATED”.

Amendment No. 7

On page 6, in line 5, strike “MIMA” and substitute “SUBJECT TO THE APPROPRIATION OF FUNDS IN THE ANNUAL ORDINANCE OF ESTIMATES AND SUPPLEMENTARY APPROPRIATIONS MIMA,”.



Sent via Email

October 22, 2024

From: Ashley Woolard, Esq.
Lead Attorney, Health & Benefits Equity Project
Public Justice Center, Inc.

To: Chair Mark Conway, District 4 City Council Representative
Odette Ramos, District 14 City Council Representative
Kristerfer Burnett, District 8 City Council Representative
Zeke Cohen, District 1 City Council Representative
Eric Costello, District 11 City Council Representative
Antonio Glover, District 13 City Council Representative
Phylicia Porter, District 10 City Council Representative
Anthony Leva, Legislative Services Analyst

Re: Letter of Support for Bill 24-0584: Language Access

Dear Councilmembers:

On behalf of the **Public Justice Center (PJC)**, I am writing to express our **strong support for Bill 24-0584**, which would codify Baltimore City's Language Access Policy and the City's commitment to ensuring that all individuals with Limited-English proficiency have timely and effective access to public services.

The PJC is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. We are located at 201 North Charles Street, Baltimore, MD 21201 and engage in local and state-wide advocacy on behalf of our low-income clients. Language access is a core advocacy priority for the PJC and important to the client communities that we serve. Many of our clients, as well as many of our staff members, reside across Baltimore City. Likewise, many of our clients receiving services from the PJC for a legal matter, including housing, workers' rights, education, and healthcare and public benefits access, have Limited-English proficiency and require an interpreter and translated vital documents to access public services. The most common foreign languages our organization encounters are Spanish, French, and Sudanese Arabic.

Nearly 40% (20,000) immigrants and refugees who call Baltimore home experience language as a barrier to accessing critical services in the City. While

Jeniece Jones, MPA, JD
Executive Director

Debra Gardner
Legal Director

ATTORNEYS
Andrew J. Ashbrook*
Elizabeth Ashford
Sahar Atassi
Levi Bradford
Amy Gellatly
Samantha Gowing
Matthew Hill
John Pollock
David Rodwin
Maria Roumiantseva
Albert Turner
Sam Williamson
Ashley Woolard
Lucy Zhou

Angelea Aldana Dwyer, J.D.
Amanda Insalaco, J.D.

MANAGING PARALEGAL
Carolina Paul

PARALEGALS
Omar Arar
Kelsey Carlson
Erin Conley
Naja Crockett
David Reische
Lee Woo Kee

Shuron D. Jones
NCCRC Enactment Specialist

Brenda Midkiff
Director of Finance &
Administration

Sabrina Harris
Office Manager

Rebecca Reynolds
Administrative Coordinator

Kathleen Gregory, CFRE
Director of Development

Erin Brock
Development Manager

Dan Gugliuzza
Development Associate,
Operations and Grants
Compliance

Robin McNulty
Institutional Giving Manager

*Admitted In New York only

201 N Charles Street,
Suite 1200
Baltimore, MD 21201
410.625.9409
www.publicjustice.org

language should not be a barrier to receiving public services, many of our clients and allies who assist individuals with LEP in navigating public services, including public benefits, frequently encounter language access violations in government offices and entities. This includes refusals by frontline staff in agencies to provide oral interpretation by phone or in person; vital written communications about public benefits being written and sent to the client in English when the agency has documented that the client has Limited-English proficiency; and general failures of certain entities to notify individuals with Limited-English proficiency of their right to free language services, a violation of state and federal law.

When City-run entities do not provide language assistance services, our residents with Limited-English proficiency are unjustly denied access to critical services designed to help them acclimate to the City and meet their basic needs. This results in serious inequities between English-speaking residents and residents with Limited-English proficiency.

Bill 24-0584 is a vital step towards achieving language access equity in Baltimore City. By designating the Mayor's Office of Immigrant Affairs (MIMA) as the entity responsible for monitoring and coordinating implementation of the City's Language Access Policy, Bill 24-0584 would hold the City accountable for ensuring that all residents, regardless of their primary and preferred language, are able to access any City-run service that they need. Further, Bill 24-0584 clearly identifies the steps that the City will take in honoring its local, state, and federal obligations to provide meaningful access to its programs and activities to individuals with Limited-English proficiency. Finally, HB 24-0584 promotes transparency in the City's progress towards achieving language access equity by requiring all covered entities to file an annual report with MIMA.

Baltimore City is a linguistically and racially diverse city, and the rights of our residents with Limited-English proficiency to access City services without discrimination must be safeguarded. HB 24-0584 symbolizes our City's commitment to strong language access rights compliance and enforcement on behalf of our residents with Limited-English proficiency. Thank you for your time, and **we respectfully urge you to provide a FAVORABLE report for HB 24-0584.** If you have any questions about this testimony, please do not hesitate to contact me at the information below.

Warmly,



Ashley Woolard, Esq.
Public Justice Center, Inc.
Lead Attorney, Health & Benefits Equity Project
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 224
woolarda@publicjustice.org