



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

December 17, 2015

Donna M. Corrado, PhD.
Commissioner
Department for the Aging
2 Lafayette Street
New York, NY 10007

Re: Services for Limited English Proficiency New Yorkers

Dear Commissioner Corrado:

I am writing to request a meeting with your office regarding the New York City Department for the Aging's (DFTA) efforts to provide services to Limited English Proficiency (LEP) New Yorkers, including its plan to service emerging immigrant senior communities.

Over 10 percent of older people registered in DFTA's client database cannot speak or understand English.¹ While DFTA has taken steps to comply with Executive Order 120 by issuing a Language Access Plan, my office has several concerns about the scope of the plan, including how DFTA determines where to provide interpreters.

According to your letter of April 20, 2015 to our office, "DFTA standards require that Agency sponsored senior centers employ at least one person fluent in the language(s) spoken by more than 30% of its participants."

This standard creates a classic chicken and egg problem, leaves aging communities in a Catch-22. LEP seniors may not seek out services from DFTA because no services are provided in their language. However, in so doing, those seniors do not "trigger" the 30 percent requirement DFTA relies on to determine where to provide interpreters.

Therefore, rather than conditioning translation/interpretation services on how many seniors actually show up to seek services, DFTA should require senior centers to provide linguistically competent staff and cultural programming to match the demographics of the surrounding neighborhoods, using Census data and community input as reference points.

Other services for LEP individuals already use similar standards. For example, Section 203 of the Voting Rights Act requires translation of ballots in political subdivisions where there are more than 10,000 or over five percent of the total voting age citizens, who are members of a single minority language group, have depressed literacy rates, and do not speak English fluently.²

¹ <http://www.nyc.gov/html/dfta/downloads/pdf/LanguageAccessPlan2015.pdf>.

² <http://www.civilrights.org/voting-rights/vra/faq.html#question19>.



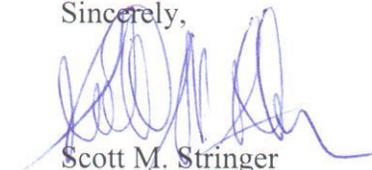
Moreover, Health and Human Services guidance on when recipients of federal health funds must translate documents states that “strong evidence of compliance” is “translation of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered.”³

Similarly, DFTA standards should be based on who services are targeted to, *not* who takes advantage of said services, to better adapt to the growing needs of aging communities.

Please contact Nicole Ferree at (212) 669-3899 to set up a meeting with our office to address this matter in further detail.

We look forward to your response.

Sincerely,



Scott M. Stringer
New York City Comptroller

³ <http://www.hhs.gov/ocr/civilrights/resources/specialtopics/lep/lepguidance.pdf>.