



CITY OF NEW YORK  
**OFFICE OF THE COMPTROLLER**  
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BUREAU OF AUDIT

June 16, 2017

**By Electronic Mail**

Commissioner Donna M. Corrado, Ph.D.  
New York City Department for the Aging  
Office of Public Affairs  
2 Lafayette Street  
New York, NY 10007

**Re: Final Letter Report on the New York City Department for the Aging's  
Compliance with Local Law 25 Regarding Translation of Agency Website  
(Audit Number SZ17-131AL)**

Dear Commissioner Corrado:

This Final Letter Report concerns the New York City Comptroller's audit of the New York City Department for the Aging's (DFTA's) compliance with Local Law 25, which governs the translation of websites of New York City agencies. The objective of this audit was to determine whether DFTA is complying with the local law, which is intended to make City agencies more accessible to foreign-born residents with limited English proficiency by ensuring that they have adequate access to information, benefits and services provided on City websites. Our audit of DFTA is one in a series of audits we are conducting on the City's compliance with Local Law 25.

**Background**

New York City, with a population of more than 8.5 million people, is home to one of the most diverse populations in the world, with more than 3.2 million foreign-born residents from more than 200 countries.<sup>1</sup> According to the New York City Department of City Planning, nearly one-half of all New Yorkers speak a language other than English at home, and almost 25 percent of City residents age five and over, or 1.8 million persons, are not proficient in English.<sup>2</sup> For residents with limited English proficiency, interacting with City government and receiving access to City services can be a challenge.

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<sup>1</sup> NYC Department of City Planning (DCP), *NYC's Foreign-born, 2000 to 2015*, March 2017, <https://www1.nyc.gov/assets/planning/download/pdf/about/dcp-priorities/data-expertise/nyc-foreign-born-info-brief.pdf?r=2>, downloaded April 12, 2017; DCP, *Limited English Proficient Population*, <https://www1.nyc.gov/site/planning/about/language-access.page>, downloaded April 12, 2017.

<sup>2</sup> DCP, *Limited English Proficient Population*, *op. cit.*

Most City agencies have a significant presence on the internet and they rely on agency websites to provide information and interact with the public. Accordingly, in 2016, Mayor de Blasio signed Local Law 25, amending the City's Administrative Code in relation to citizens' ability to access translation of City websites. Local Law 25 requires that every website maintained by or on behalf of a City agency include a translation service enabling users to view the text of that website, wherever practicable, in languages other than English. It also requires that the translation service be identifiable in a manner that is comprehensible to speakers of the seven most commonly spoken languages in the city. As determined by the Department of City Planning, the seven most commonly spoken languages in New York City amongst residents with limited English proficiency are:

- 1) Spanish
- 2) Chinese (includes Cantonese, Mandarin, and Formosan)
- 3) Russian
- 4) Bengali
- 5) French Créole (also called Haitian Créole)
- 6) Korean
- 7) Arabic<sup>3</sup>

### **Findings and Recommendations**

Our audit found that DFTA generally complies with Local Law 25. DFTA's website, found at <http://www.nyc.gov/html/dfta/html/home/home.shtml>, includes a translation feature for viewing text in the top seven languages spoken by residents with limited English proficiency. The website provides information for seniors, including senior services and programs, benefits and resources, health and wellness, job training and volunteering. All of this information can be translated into the City's top seven languages. Furthermore, DFTA's website contains a periodically-issued "Senior News" newsletter, which can also be translated into the City's top seven languages. However, we found attachments accessed through DFTA's website that only translate into three or four of the top seven languages.

Our findings are outlined in the following table, entitled *Compliance Summary*.

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<sup>3</sup> According to the DCP report, issued in February 2017, entitled *Top Languages Spoken at Home by Limited English Proficiency (LEP) Universe: Population 5 Years and Over*.



<b>COMPLIANCE SUMMARY</b>		
<b>Criteria</b>	<b>Compliance</b>	<b>Notes</b>
Translation feature for viewing text in the top seven most commonly spoken languages of residents with limited English proficiency  (As required by Local Law 25)	Yes	DFTA’s website enables translation into various languages including all seven required languages.
Key documents translate into the top seven most commonly spoken languages of residents with limited English proficiency  (As prescribed by DFTA standards)	Partial	DFTA should ensure that all uploaded attachments to its website translate to the seven required languages.

We recommend that DFTA continue to adhere to the requirement of Local Law 25 that the agency’s website offer translations into the City’s top seven languages. Doing so will ensure that the agency will meet the needs of residents with limited English proficiency who seek to access City services online. We also recommend that DFTA ensure that all uploaded documents linked to its website translate into the top seven languages spoken by residents with limited English proficiency.

**Scope and Methodology**

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based, on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The scope period for this audit was November 14, 2016 to May 12, 2017, the last day of our fieldwork. Our methodology consisted of the following steps:

- We reviewed applicable laws, rules, policies and procedures to determine our criteria in accordance with Local Law 25.
- We researched and determined the seven most commonly spoken languages in the City among residents with limited English proficiency, as determined by the Department of City Planning.

- We reviewed and analyzed DFTA’s website, and tested its ability to translate into the top seven most commonly spoken languages for residents with limited English proficiency.
- We reviewed and analyzed DFTA’s 2016 Language Access Plan to determine what steps DFTA took to comply with Local Law 25.<sup>4</sup>
- We reviewed the Language Access Plan to determine which documents DFTA deemed essential to provide direct public services, and that needed to be translated.
- We reviewed and analyzed whether DFTA’s essential documents and forms could be downloaded on the website, and tested whether they could be translated to the seven most commonly spoken languages for residents with limited English proficiency.
- We conducted interviews with DFTA’s staff members to discuss the agency’s website efforts and verify its compliance with Local Law 25.

Based on our understanding of the Local Law 25 requirements, we outlined all the criteria necessary for agencies to be in compliance. The following table, entitled *Core Criteria*, outlines agencies’ core criteria required to achieve compliance under Local Law 25. A summary of these core criteria forms the basis for the compliance summary reported for each audited agency.

CORE CRITERIA	
Compliance	Detailed Criteria
<b>Spanish</b>	Agency’s website includes a translation feature for viewing text in Spanish
<b>Chinese</b>	Agency’s website includes a translation feature for viewing text in Chinese
<b>Russian</b>	Agency’s website includes a translation feature for viewing text in Russian
<b>Bengali</b>	Agency’s website includes a translation feature for viewing text in Bengali
<b>French Créole/ Haitian Créole</b>	Agency’s website includes a translation feature for viewing text in French Créole/Haitian Créole
<b>Korean</b>	Agency’s website includes a translation feature for viewing text in Korean
<b>Arabic</b>	Agency’s website includes a translation feature for viewing text in Arabic

<sup>4</sup> DFTA’s 2016 Language Access Plan is the most current plan available from the agency or the website. Each agency is required to develop a Language Access Plan, using a four factor analysis based on guidance issued by the U.S. Department of Justice. These issues include: the number or proportion of LEP persons in the eligible service population; the frequency with which LEP individuals come in contact with the agency; the importance of the benefit, service, information, or encounter to the LEP person; and the resources available to the agency and the costs of providing various types of language services.



Commissioner Corrado

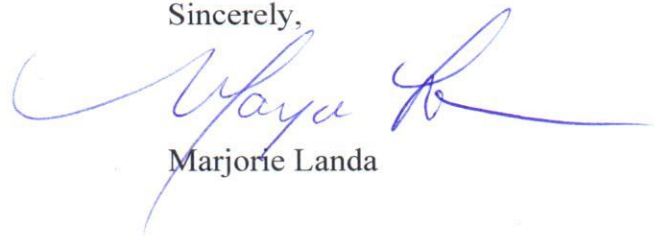
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The issues covered in this report were discussed with DFTA officials during and at the conclusion of this audit and DFTA officials agreed that a formal exit conference was not necessary. On May 24, 2017, we submitted a draft report providing DFTA with the opportunity to formally respond. DFTA's written response was received on June 15, 2017. In that response, DFTA agreed with the report's recommendations and stated that "DFTA will continue to adhere to the requirements of Local Law 25 that the agency's website offer translations into the City's top seven languages. We will also ensure that all essential uploaded documents linked to DFTA's website translate into the top seven languages spoken by residents with limited English proficiency."

The full text of DFTA's comments is included as an addendum to this report.

Sincerely,



Marjorie Landa

c: John Jones, Controller  
Sasha Fishman, Associate Commissioner for Budget and Fiscal  
Emily Newman, Acting Director, Mayor's Office of Operations  
George Davis, III, Deputy Director, Mayor's Office of Operations

June 15, 2017

Donna M. Corrado, PhD  
Commissioner

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Marjorie Landa  
Deputy Comptroller for Audit  
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New York, NY 10007-2341

Re: Comptroller's Audit Report of New York City Department for the Aging's Compliance with Local Law 25 Regarding Translation of Agency Website (Audit Number SZ17-131AL)

Dear Deputy Comptroller Landa:

Thank you for the opportunity to respond to your May 24, 2017 "Audit Report of New York City Department for the Aging's Compliance with Local Law 25 Regarding Translation of Agency Website." We are pleased to share with you our response to your recommendations below.

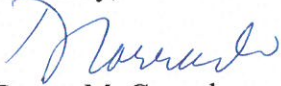
**Comptroller's Recommendation:** We recommend that DFTA continue to adhere to the requirements of Local Law 25 that the agency's website offer translations into the City's top seven languages. Doing so will ensure that the agency will meet the needs of residents with limited English proficiency who seek to access City services online.

We also recommend that DFTA ensure that all uploaded documents linked to its website translate into the top seven languages spoken by residents with limited English proficiency.

**DFTA's Response:** DFTA will continue to adhere to the requirements of Local Law 25 that the agency's website offer translations into the City's top seven languages. We will also ensure that all essential uploaded documents linked to DFTA's website translate into the top seven languages spoken by residents with limited English proficiency.

If you have any questions about our reply, please contact John Jones at (212) 602-4495 or by e-mail at [jjones@aging.nyc.gov](mailto:jjones@aging.nyc.gov).

Sincerely,



Donna M. Corrado,  
Commissioner

cc: Steven Foo, DFTA  
John Jones, DFTA  
Karen Taylor, DFTA  
Sasha Fishman, DFTA  
Mindy Tarlow, Mayor's Office of Operations  
George Davis, III, Mayor's Office of Operations