



The National Sexual Assault Coalition Resource Sharing Project

# ReShape Newsletter

*Working together to end sexual violence.*

Over 25 million U.S. residents--almost 9%--identify as someone who speaks English as a foreign language. As the diversity of the U.S. continues to grow, sexual assault services providers continue to find ways to engage with and make their services accessible to all members of their communities. In addition to being the right thing to do, language accessibility is also legally required of federally funded programs. Coalitions deliver guidance, training, and tools to member programs for providing language access while ensuring that coalition programming is accessible to advocates who speak English as a foreign language.

Language access is an essential part of trauma-informed and anti-oppressive advocacy. This ReShape addresses language access: civil rights compliance, creating policies and procedures, training programs, and implementing a language access plan. We've included an article on a roundtable conversation with coalitions about language access, as well as links to many resources and publications on language access for those with limited English proficiency, who are Deaf/hard of hearing, or blind. This proactive approach to assisting survivors who have limited English proficiency can reduce obstacles for survivors and provide advocates with the tools and support to provide excellent services to all survivors.



# Language Access: Coalition Perspectives

Language access is social justice. To help us explore how coalitions can further our anti-oppression work through language access, RSP staff held a roundtable discussion with Elizabeth Balcarcel from the Iowa Coalition Against Sexual Assault, Eva Diaz from the Florida Coalition Against Sexual Violence, Nubia Peña from the Utah Coalition Against Sexual Assault, Karlah Tanori and Michelle Dixon-Wall from Washington Coalition of Sexual Assault Programs, and Tracy Wright from the North Carolina Coalition Against Sexual Assault. Read on to learn how we can all develop, in Tracy Wright's words, language access with "a foundation in anti-oppression and anti-racism and varied cultural norms."

Racism and xenophobia manifest in many different ways for survivors, advocates, and coalition staff who speak English as a foreign language or are people of color. "I think this is a disconnect with many of our programs...because I don't know if they recognize how social justice is linked to accessibility to our services," explained Nubia. All too often she said, "people are being denied access to the same privileges and rights that larger mainstream community has access to and that they are secondary in mind." Practicing anti-oppression work is an ongoing commitment; one that if not addressed will divide and weaken our abilities to provide the best services to survivors of sexual assault. As Karlah said, "if coalitions and organizations do not address take time to address those language barriers, then advocates do not have a foundation to do the job well and be supportive of survivors."

## What is language access?

Language access exists when all people can equitably access and receive services of the same quality. As Michelle explained, "Our voice is often the only thing we have to share, often our way of healing through telling our stories, our experiences, our truths. Our native language is what we default to when in crisis and when describing things there are not words for in other languages to us. Our language is where our poetry exists, how our mothers soothed us." Language access means making space for all survivors' voices. "Everyone has the right to have a clear understanding of any action or activity that is going to take place and deeply affect their lives," said Elizabeth.

What language access means can vary from culture to culture and person to person. "Even within the same language," said Eva, "there are accessibility complications depending upon the literacy of the individual, where they were born, where they learned the language, whether they speak a different dialect than the advocate or interpreter, and different forms of language from different countries, including slang." Simply providing materials in Spanish or Chinese is often not enough. We have to also do

research on the specific language needs of our audiences and invite them to evaluate our language access efforts.

“Coalitions need to keep track of what language is looking like and how it is evolving in different communities,” said Karlah. Elizabeth agreed, saying “for example, ‘respect’ to me means something else than to someone who was raised in the United States. Simple English words could have a deep meaning in other languages. People can feel hurt or misunderstand the context if they don’t have the background of the cultural languages differences. Also, know that the body language you use when you deliver the message has a big impact too.” One of the important tasks for coalitions is to increase their understanding of cultural translation and its role in providing accessible services. Eva explained the obligation of coalitions and local programs to avoid assumptions about multilingual staff: “I think there is also a lack of understanding of translating and interpreting and cultural brokerage and what that looks like. They will make an assumption that because you speak a certain language that you will be able to advocate for a specific culture and not realize the ways that may not be truthful for the person advocating.” As we develop a deeper understanding of the nuances of cultural translation, we can provide better materials to our member programs and the survivors they serve.

Michelle explained, “There are words that do not exist in many languages that we use in this movement and the U.S. justice system. Language is dynamic and literal meanings can change over time to reflect the culture. When we say “cool” in English we are not generally talking about the temperature and if you were to put it into Google translate you would get a temperature translation and not a slang word based on the context. Words for rape, trauma, and advocate don’t exist in the same ways in other languages. When translating concepts we have to think about what the word means to us and what it means in the context and consider describing it using more words or choosing another word in the language that more accurately portrays the spirit of the word. In Spanish, advocate would be translated to *abogado*, which is literally an attorney. And it is not what we are. To literally translate the word would not only set incorrect expectations for the survivor we are working with, but also create ethical and even legal problems. Deciding instead how to describe to someone what an advocate is as well as choosing a word that might more accurately describe what you are going for is a better choice for true language access.” This isn’t an easy or quick process. Eva described how when she was working at a local program, “I often found myself recreating the wheel when materials were not available in Spanish and take the English resource and really look at it and say it is not appropriate but maybe I can somehow adapt this for my population, so I would find myself recreating and adapting materials that were not created for my community and it was really time consuming.”

Some of the specific terminology of our field and our philosophical approaches cause interesting linguistic and cultural challenges. The anti-sexual violence field has roots in feminism and exists in the context of U.S. history and norms. Elizabeth explained how challenging it can be for immigrants to learn how to be an advocate “when they do not know anything about the movement, which leads to advocates feeling isolated. They have the passion to help the community but there are a lot of things they need to grow in too, so they need the time and the support of the supervisors and directors to do that.”

Karlah explained how WCSAP has been thinking about “how social justice and language access come together. We’re having conversations of how languages are fluid and how, in effort to be inclusive within the LGBTQ community, some have changed Latin@ to Latinx. But this move away from gender-specific wording is creating some confusion. So the conversation that we are trying to have about where that fits or how we are inclusive, how we are mindful of all communities, and how these are changing but also keep true to the foundation of language especially ELL learners and indigenous backgrounds and how some of those words are just confusing some folks as a community and seeing a need for a larger conversation about the implications of some of these new terms.” Michelle added, “So as we are trying to be radical in moving forward to making language as gender neutral as possible and trying to do it with a super gendered language like Spanish, then it is making it really inaccessible for people who are not coming from a radical framework or have lower literacy levels. How do we balance the information that we are putting it out with Latin@ and Latinx to make it still really recognizable language for folks who are not coming from a heavy dose of social justice analysis?”

### **What is the coalition’s responsibility?**

“So many organizations take examples from some other organizations or Google, and implement a policy from somewhere without being meaningful about implementation or thinking about the community as a whole. It’s like they’re just wanting to check off on a list what they have done and it creates a whole slew of barriers for the community,” said Karlah. Tracy added, “Just like we value English, we have to value different dialects of languages, slang, and any urban terminology that are reflective of peoples’ environments and are authentic to their experiences.” It is time, in Nubia’s words, for a “call to action for coalitions to do some type of strategy meetings with our teams and look at the demographics of our communities. How is it, even if they are a small part of our community, that we can make it transparent and accessible to communities that are not accessing our services?”

Eva explained how important it is to “allow for organizations to increase their knowledge...before they establish support services, and allow advocates or staff to

have input on what they feel would work best for the space that they are in.” Successful language access practices are built on a foundation of community trust and organizational competence. It takes time and thoughtful planning to create a process that works best for each coalition, their member programs, and communities across the state/territory.

Eva described how she “built a nice network of Spanish speaking women who I worked with when I was an advocate including other advocates, teachers, translators, and other professionals...They were very diverse in their backgrounds. They gave great feedback on the language, caught misspelled words, and words that I hadn’t caught, not very commonly used words. Building a network of people who speak the languages, who speak different dialects is very, very important.” Michelle also has used a “translation think tank” to have consistency in service provision and to think through translation of various concepts. Elizabeth noted the variety of backgrounds, life experiences, and literacy levels of survivors and advocates we serve. She has found it vital in presentations to “keep my vocabulary as simple as possible and try to avoid the fancy words, so people all understand and don’t get lost.” We need to think about equity and access in every step of our projects and products. For example, Tracy shared, “When we release any products that are created, release all of them at once. Release the one that has been interpreted at the same time.”

Approaching language access as a social justice issue means that we use a process that is respectful for multilingual coalition staff and advocates. Eva expressed how significant it is “when you understand that you don’t have that skill (being bilingual), and when you are mindful about how you treat others who do have that skill so they don’t feel like ‘you want me for this skill but you’re not treating me like a human being. I’m just necessary for this process.’ It’s dehumanizing.” She added, “I have had experiences of someone who sounds like English is not their first language getting transferred to bilingual staff person when they are someone from a different culture with a different language need.” Nubia explained how tokenization can set employees up to fail: “We may have a Native American who is expected to speak on all of the issues on behalf of all Native communities, but they may happen to be Dené and can’t speak to Navajo concerns, or maybe they can speak to Navajo concerns but not Paiute. Having to consistently wear the same hat for various communities that you do not effectively know is really ensuring that we are 1) not supporting the staff of color and 2) not effectively creating services that are meeting the needs of the marginalized communities within our community.”

All the participants stressed the importance of giving adequate resources—time and money—to language access. “There are sustainability concerns for persons of color and how that creates a barrier for that individual. Consider the economic justice

component...this shouldn't just be an additional task given to the person of color in the agency. There should be budgets put aside that are for developing not just brochures but comprehensive programs," explained Nubia. Karlah talked about the necessity of coalitions and local programs giving bilingual advocates "additional time to advocate, enough additional time to translate, and support to advocate and translate within systems that have their own barriers to language. If that is not addressed, the survivors are the ones who the barriers affect." Eva said, "It takes a really long time to do the tasks that we are assigned and we have to do those tasks on top of the tasks that non-bilingual staff does as well, and that is not necessarily taken into account." Elizabeth added, "I think that is really important in working with the bilingual advocates that supervisors take the time to understand what level they can speak [English], and get the opportunity and the trust to invest in educating that person so that the advocate can do their job the best way they can. Sometimes we just tokenize a person and say this person can understand a little English so she can translate, she can do this, and she can do that, and can take care of all that is concerned about Latinos."

Pursuing full language access for survivors, member programs, and our own coalition staff is an ongoing journey. Nubia explains that we can all "benefit more extensively from understanding what social justice means and why it should be a part of our mission as we serve the underserved communities in our state." It is an essential part of our work, says Elizabeth, because "This is a human right. We have to provide what they need at the level they need. We should not have to struggle to find resources; those resources should be right there when we need it."

"I hope we can continue these conversations and share resources. This is a priority for ally work and coalition building, and a part of the conversation around social justice," said Tracy. We hope you will join the RSP and your peer coalitions on this journey.

# Language Access: Civil Rights Compliance

If English is not a survivor's primary language, an interpreter (for spoken language) or translation (for written language) should be provided for meaningful access to advocacy, support, and other services. The [US Department of Justice](#) explains, "Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English may have limited English proficiency (LEP) and may be eligible to receive language assistance with respect to the particular service, benefit, or encounter." Under [Title VI](#) of the Civil Rights Act of 1964, the federal government requires programs that receive federal funds to have a plan and resources to address the needs of survivors who are LEP.

The Civil Rights Act protects people from discrimination based on their race, color, or national origin in programs and activities that receive federal financial assistance. Civil rights laws, enforced by The Office for Civil Rights (OCR), Office of Justice Programs at the U.S. Department of Justice, protect people from discrimination based on race, color, national origin, religion, sex, disability, and age. Furthermore, VAWA protects people from discrimination based on sexual orientation and gender identity. People who fall into these categories are protected classes. Protected classes cannot be denied services or access to the programs or activities of agencies or organizations that receive federal government funding.

Regarding language access, the OCR explains, "Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP people. [The Guidance](#) explains that the obligation to provide meaningful access is fact-dependent and starts with an individualized assessment that balances four factors:

1. the number or proportion of LEP people eligible to be served or likely to be encountered by the program or grantee;
2. the frequency with which LEP individuals come into contact with the program;
3. the nature and importance of the program, activity or service provided by the recipient to its beneficiaries; and
4. the resources available to the grantee/recipient and the costs of interpretation/translation services."

As recipients of federal funding, coalitions and member programs should assess their services and service recipients. Upon determination that the organization should provide language assistance services (virtually all coalitions and programs will or should determine that language access is needed), the next step is developing an

implementation plan to address the identified needs of the LEP populations it serves. DOJ strongly encourages a written plan, but does not require it to be written as long as the organization provides linguistically accessible services. For a sample written policy, see <http://www.hhs.gov/civil-rights/for-providers/clearance-medicare-providers/example-policy-procedure-persons-limited-english-proficiency/index.html>.

With all the variance in our states and territories' populations, each coalition will need to devise an individual plan. [The Office of Civil Rights' Guidance](#) provides five steps that may be helpful in designing such a plan: "identifying LEP individuals who need language assistance, language assistance measures (such as how staff can obtain services or respond to LEP callers), training staff, providing notice to LEP people (such as posting signs), and monitoring and updating the LEP plan."

Coalitions can take some specific actions and support member programs to follow these steps and maintain compliance:

- Check your demographics at <https://www.lep.gov/> or <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>. As you research demographics, pay attention to a few things:
  - Assess transient or seasonal populations as well as year-round populations. This is generally less of a question for coalitions than member programs. For many of our member programs, there is a high immigrant population during harvest seasons, for example, but not at other times of year. Their plan for staffing, budgeting, and service provision will need flexibility to match seasonal workers.
  - Assess dialects and the specific regions where immigrants originate. Spanish, Chinese, American Sign Language, and English are just a few examples of languages with significant differences across dialects. The interpretation and translation services we provide are most successful if in the correct dialect.
  - There are a few languages, like Hmong, that are only oral or just recently became written languages. Written translations may be of limited use here, but programs could make audio recordings of vital documents.
- Have "[I speak](#)" cards available (in a place that all staff can find them). These cards are an easy way for someone to tell us what language they speak, if the person can read in their native language.
- Have working technology and equipment for serving people who are visually impaired and Deaf or hard of hearing. All staff should know how to operate the equipment.
- Train staff on your language access plan, how to work with interpreters and translators, how to use assistive technology, and civil rights compliance.

- Provide notice to people with LEP, such as prominently placed signs, about language accessibility and services available. The notice should be written in the most common dialects in your region. It helps to have “I speak” cards posted near the sign.
- Maintain a current list of certified interpreters in the community(ies) for commonly encountered languages, and online and telephone interpretation services for less commonly available languages.
- Avoid using automated translation software or web-based translation. Human translation and interpretation will always give you the most accurate translation and shows the community you are intentional and thoughtful in your multilingual services.
- Assess and update your efforts to people with LEP, inviting the people who have used your language access services to evaluate your efforts. Check the resources listed in this ReShape and your state/territory governmental agencies for any changes in policy or tools. Document your efforts in a written plan.
- Partner with culturally specific organizations in your state/territory utilizing their expertise to review language access plans, printed materials, and technical assistance surrounding language access, and identify barriers to language access. Multilingual advocates and staff from culturally specific organizations are often asked to provide assistance for free. Provide compensation for their time.

Coalitions can assist local programs in providing meaningful language access through training and technical assistance including:

- Training on language access, such as how to work with interpreters and advocating for language access in systems.
- Assisting member programs with identification of certified interpreters and translators, including in-person, online, and telephone language assistance
- Technical assistance on creating their own language access plan, including budgeting for language access, model interpreter contracts, or hiring and supporting multilingual advocates.

It’s also important that the coalition’s language access plan addresses how to make our training and technical assistance linguistically accessible for local program staff and allied professionals. All printed publications and materials as well as the coalition website should be translated into the dominant languages of the state/territory. We all learn best in our own language, so interpretation and translation should be made available at all trainings and meetings. Some coalitions have found it best to book interpreters for every event and then cancel if interpretation isn’t needed. Others close registration leaving enough time (at least 4-6 weeks) before events to hire interpreters.

Whatever solution works best for your coalition is fine, so long as the need for accommodation does not affect a participant's eligibility to attend the event. It's worth noting that many people with LEP are accustomed to not being provided interpretation. Based on years of not getting accommodations, some will assume that the coalition can't or won't provide interpretation for them, and won't even think to ask. If you know you have local program staff that would benefit from interpretation, it's helpful to arrange interpretation and let them know it will be provided unless they request it not be.

The language access plan for coalitions and local programs should include specifics on hiring interpreters and translators, and direction on who may act as an interpreter. Only professional interpreters should be used, although DOJ recognizes there are rare situations where informal interpreters are appropriate to use until a professional is available. It is never acceptable to use children as interpreters. Professional interpreters are trained to provide word-for-word interpretation and to protect privacy. Family members and friends are not trained in the same way, might not know the technical language well enough to translate correctly, and have an intimacy with the survivor that can interfere with sharing information. The survivor may filter information to protect the family member/friend or the perpetrator, or the family member/friend might offer their interpretation instead of the survivor's words.

See the resources in this ReShape or talk to your RSP TA Provider for more information and support in creating a language access plan for your coalition.

## Resources for Coalitions:

### **Supporting Multilingual and Bicultural Rural Advocates**

*By Elizabeth Balcarcel and Leah Green*

Coalitions provide support for member advocacy programs as they work to find, hire, and retain multilingual and bicultural rural advocates. Rural dual/multi-service advocacy programs that are able to provide culturally and linguistically appropriate services to sexual violence survivors make services for all rural survivors more inclusive and accessible. Multilingual and bicultural advocates are an important part of rural agencies being able to provide these culturally and linguistically appropriate services. This is why it is important to understand who these advocates are, where they come from, and how we can create a supportive work environment for them. [Read more here.](#)

### **Cultivating Inclusive Practices: Working with Rural Immigrant and Refugee Communities**

*by Elizabeth Balcarcel, Hibo Jama, and Mira Yusef, with Leah Green*

To explore the needs of all immigrant and refugee survivors, this paper presents the experiences of immigrants from Asia, Africa and Latin America. Join us as we explore these communities through the eyes of culturally specific statewide agencies in Iowa serving immigrant and refugee survivors of sexual violence. You will learn about the innovative approaches these programs use when working with the immigrant and refugee communities. These same approaches can be applied to mainstream programs in an effort to expand sexual violence services nationwide. [Read the full article here.](#)

### **Eight Step Advocacy Plan for Deaf and Hard of Hearing Survivors of Sexual Assault**

*by Leah Green, with Peggy Chicoine, Stephanie Mathis, and Jennifer Upah-Kyes*

This guide provides concrete information on how to work with Deaf and hard of hearing sexual assault survivors. Deaf survivors of sexual assault face numerous obstacles, such as isolation, stereotyping, and lack of anonymity in accessing all kinds of services. The steps in this guide will direct you towards providing Deaf sexual assault survivors with trauma-informed and culturally appropriate services, assist you in identifying accommodations in services and changes in technology, and encourage you to reach out to Deaf sexual assault survivors in your community. [Read the full paper here.](#)

[The Office for Civil Rights \(OCR\)](#) in the Office of Justice Programs at DOJ is a treasure trove of resources and training materials that are in the public domain. That means you can certainly use the materials and watch the videos, but you can also post the materials and videos to your own website and use them to train sub-recipients.

[VAWA Nondiscrimination Provision FAQ](#) This FAQ covers such topics as the definition of sexual orientation, gender identity, and sex-segregated and sex-specific programming as well as requirements for grantees and administrators.

[Office of Civil Rights Training for Grantees](#) These training videos, available online, include such topics "Overview of the Office for Civil Rights and Laws Enforced" and "Civil Rights Obligations of State Administering Agencies." The link includes instructions to reuse or repost the videos. They are in the public domain, and SASP administrators and coalitions can post the videos on their own websites.

[Statutes and Regulations](#) This page contains a list of the civil rights statutes and regulations that OCR covers and that state administering agencies, pass through coalitions, and sub-recipients are required to comply with.

[Department of Justice Guidance to Federal Financial Assistance Recipients](#) regarding Title VI prohibition against national origin discrimination affecting Limited English Proficient Persons

[LEP.gov](#) is a clearinghouse, providing and linking to information, tools, and technical assistance regarding limited English proficiency and language services for federal agencies, recipients of federal funds, users of federal programs and federally assisted programs, and other stakeholders.

[OCR Compliance and Enforcement](#) This guide describes the enforcement procedures for the Office for Civil Rights including information about the complaint process, compliance reviews, policy guidance, and technical assistance.

NSVRC's Multilingual Access Project Advisory Council <http://www.nsvrc.org/projects/multilingual-access/acceso-multilinguistico>

Preventing sexual violence in Latin@ Communities: A National Needs Assessment from the NSVRC, available in [English](#) and [Spanish](#).

[Arte Sana](#) provides training and TA, including the [Our Voices Conference](#) and Alianza Latina en contra la Agresión Sexual (ALAS), is a closed group through Arte Sana. To learn more contact [artesanando@yahoo.com](mailto:artesanando@yahoo.com).

[Existe Ayuda](#) (Help Exists) Toolkit provides replicable Spanish language tools and resources to help improve the cultural competence of service providers and the accessibility of services for Spanish-speaking victims of sexual violence.

[Casa de Esperanza](#) is a national domestic violence resource center for organizations working with Latin@s in the United States. They have many language access resources that apply to sexual violence programs as well, including the [Language Access toolkit](#) from the National Latin@ Network. This toolkit provides plans for developing a plan to enhance current plans for sexual assault and domestic violence providers.

[Mujeres del Movimiento](#) is a national Latina listserv sponsored by the MESA: Multicultural Efforts to end Sexual Assault at Purdue University.

[Lideres Campesinas](#) provides support to the leaders of many grassroots and mobilizing efforts to improve the lives of farmworker communities and has many resources.

[Language Access: Translation and Interpretation Policies and Practices](#) project of the Migration Policy Institute provides resources is an agency that was created to assist local government administrators, policymakers, and others who are looking for ways to provide high-quality and cost-effective translation and interpretation services

[The Refugee Health Technical Assistance Center](#) is a program that dedicated to improving the well-being of refugees by providing tools, resources, and support for health and mental health providers in order to better meet the needs of refugees in resettlement. This site provides information on Standards on Culturally and Linguistically Appropriate Services (CLAS), Interpreter best practices, and preparing for and conducting a remote interpretation session.

How Can My Organization Create Accessible Materials in Alternate Languages? <http://news.vawnet.org/2012/12/materials-alternate-languages/>



**The National Sexual Assault Coalition Resource Sharing Project (RSP)** was created to help state sexual assault coalitions across the country access the resources they need in order to develop and thrive. The project is designed to provide technical assistance, support, and the facilitation of peer-driven resources for all state and territorial sexual assault coalitions. The RSP recognizes the needs of all sexual assault coalitions, especially those designated as new or emerging, regarding issues of organizational growth, professional development, and policy development.

The RSP is led by the Iowa Coalition Against Sexual Assault (IowaCASA) with project partners the North Carolina Coalition Against Sexual Assault (NCCASA) and the Washington Coalition of Sexual Assault Programs (WCSAP). The RSP is made possible by a grant from the Office on Violence Against Women (OVW), United States Department of Justice.

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