

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



LANGUAGE ACCESS PLAN

Table of Contents

Office of the Secretary	3
Office of Coastal Zone Management	
Massachusetts Environmental Policy Act Office	
Massachusetts Office of Technical Assistance	

OFFICE OF THE SECRETARY
LANGUAGE ACCESS PLAN

The [Executive Office of Energy and Environmental Affairs](#) (EEA) seeks to protect, preserve, and enhance the Commonwealth's environmental resources while ensuring a clean energy future for the state's residents. Through the stewardship of open space, protection of environmental resources, and enhancement of clean energy, EEA works tirelessly to make Massachusetts a wonderful place to live, work, and raise a family.

The [Massachusetts Office of Coastal Zone Management](#) (CZM) is to balance the impact of human activities with the protection of coastal and marine resources through planning, public involvement, education, research, and sound resource management.

The [Massachusetts Environmental Policy Act](#) (MEPA) conducts reviews of environmental impacts of projects that require "Agency Action," such as permits, land transfers, or financial assistance, by state agencies and certain municipal authorities. The intent of the MEPA review process is to provide meaningful opportunities for public review of potential environmental impacts before Agency Action is taken on the project.

The [Massachusetts Office of Technical Assistance](#) (OTA) is a non-regulatory agency that provides free and confidential technical assistance to Massachusetts manufacturers and businesses on toxics use reduction, pollution prevention, and resource conservation.

DEFINITIONS

Individuals with Limited English Proficiency (LEP): Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.¹ Individuals with LEP include individuals who are deaf and hard of hearing.

Language Access: Providing individuals with LEP with meaningful access to the same services as English-speaking individuals.

Meaningful Access: Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP needing assistance to eliminate communication barriers, such as sign language interpretation, real-time captioning, or other accessible form of communication as required by Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (collectively as the “federal non-discrimination statutes”). Meaningful access denotes access that is not significantly delayed, restricted, or inferior as compared to programs or activities provided to individuals with English proficiency.

Vital Document: Vital documents are documents containing critical information on agency programs, activities, services, including residents’ eligibility rights, available in English which may deny non-English speakers and individuals with limited English proficiency equitable and meaningful access. Vital documents may include information that is critical for accessing programs or activities, and include, but are not limited to: consent and complaint forms, online and paper applications for services, intake forms, notifications pertaining to eligibility of services, notifications pertaining to reduced or elimination of services, appeal notices, notices advising individuals with LEP of free language services, documents required by law, and notifications regarding the availability of language interpretation and assistance.

Environmental Justice Population: (A) a neighborhood that meet one or more of the following criteria: (i) the annual median household income is not more than 65 percent of the statewide annual median household income; (ii) minorities comprise 40 percent or more of the populations; (iii) 25 percent or more of the households lack English language proficiency; or (iv) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income; or (B) a geographic portion of a neighborhood designated by the Secretary as an environmental justice population in accordance with law.²

¹ Executive Office of Administration and Finance, Office of Access and Opportunity, *Language Access Policy and Implementation Guidelines 2* (March 20, 2015) available at www.mass.gov/doc/language-access-guidelines/download.

² The Massachusetts Executive Office of Energy and Environmental Affairs (“EEA”), *Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs* (“EJ Policy” updated 2021) at 4 available at <https://www.mass.gov/doc/environmental-justice-policy6242021-update/download>.

Translation: The process of converting written text from a source language into an equivalent written text in a target language as fully and as accurately as possible while maintaining the style, tone, and intent of the text, and while considering differences of culture and dialect.

Interpretation: The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then faithfully³ orally rendering it into another spoken language (target language) while retaining the same meaning. For individuals with certain disabilities that affect communication, this can include understanding, analyzing, and processing a spoken or signed communication in the source language and faithfully conveying that information into a spoken, captioned, or signed target language while retaining that same meaning.

Census Tracts: Census tracts are used by the United States Census Bureau to collect information about the people who live in every part of the country. The entire country is divided into census tracts, and, for each tract, distinct information is provided about the people who live there, including information on languages spoken.

³ Interpreting accurately and completely without adding or taking away from the meaning.

I. INTRODUCTION

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA) is committed to improving the accessibility of its programs, activities and services for individuals with limited English proficiency (LEP). EEA has prepared this Language Access Plan (LAP or “plan”) to reduce barriers and ensure LEP populations have meaningful access to services, programs, and activities. EEA will review and update this LAP at least every two years to ensure it continues to be responsive to community needs and in compliance with Executive Order 615.

II. PURPOSE

The purpose of this plan is to ensure equitable and meaningful access to all EEA services, programs, activities, and materials for individuals with LEP at no direct cost to them. EEA is committed to making services available to individuals with LEP as part of its mission. EEA will work with each of its agencies, each of which is developing its own LAP, to ensure Secretariat-wide compliance with Executive Order 615, which require LAPs for each agency.

The objectives of EEA’s LAP are to (i) improve quality and access when it comes to state services, programs, and activities for individuals with LEP; (ii) reduce disparities and delays, if any, in the provision of state services/programs to eligible individuals with LEP; and (iii) increase agency effectiveness and public satisfaction. Adherence to this LAP will promote compliance with federal non-discrimination statutes (e.g. Title VI of the Civil Rights Act of 1964) and guidance against national origin discrimination, federal Executive Order 13166, the state’s anti-discrimination statute, Executive Order 526, and Executive Order 615.

This LAP will eliminate barriers for individuals with LEP and allow greater access to existing services. The LAP will also ensure that all staff are educated on how to best assist individuals with LEP in accessing those resources. EEA will ensure that any of the agency’s services, programs, or activities that are available to English-speaking individuals will also be made language accessible, in a fair and timely manner, to individuals with LEP.

III. POLICY AND APPLICABILITY

It is EEA’s policy to provide equitable and meaningful access to state services, programs, and activities to constituents with LEP. This policy applies to all offices and departments within EEA, including but not limited to the Office of Coastal Zone Management, Office of Law Enforcement and Environmental Police, Massachusetts Environmental Policy Act Office, and Office of Technical Assistance.

EEA’s LEP services will be guided by four factors of analysis: (1) the number of LEP persons who could be affected by a program, activity, and service (2) the frequency that LEP individuals come in contact with the program, activity and service (3) the nature and importance of the program, activity and service to people’s lives and (4) resources available to EEA.

IV. LANGUAGE ACCESS RESOURCES

State Contracted Vendors

EEA contracts with multiple [state vendors](#) to provide translation and interpretation services for the office of the Secretary and any of its departments. The list of vendors on the [PRF75](#) (Foreign Language Interpretation and Translation Services) that EEA has awarded includes but is not limited to (i) Fox Translation Services; (ii) Language Bridge, LLC; (iii) Catholic Charitable Bureau of the Archdiocese of Boston; (iv) The ESL & TOEFL Associates, LLC; (v) International Translation Company; and (f) Baystate Interpreters, Inc. Staff can procure any vendors from the state contract list but may need to complete the process for Request for Quotes (RFQ) in COMMBUYS if EEA has not previously awarded the vendor.

Reduce Costs

EEA will standardize documents, where applicable, to reduce cost and translation needs. EEA will also engage in information sharing by Secretariat Language Access Coordinators as well as centralize interpreter or translator services to achieve cost advantages (procuring the service of a vendor for an extended period as opposed to project by project). Further, EEA will use language identification cards (or “I Speak Cards”) to determine the language(s) spoken by individuals with LEP who access its programs, activities, and services. For example, there are “I Speak Cards” in which “Mark this box if you read or speak English” is written in multiple languages (38) available for download [here](#).

Correspondence

EEA will use this generic label for documents providing awareness on programs, services, or activities. EEA will make language services available in at least the top 5 languages spoken in the Commonwealth, and other languages as requested. This generic label could also be included in correspondence or printed and electronic materials to assess additional languages needed.

This document contains important information. Please have it translated immediately.	Questo documento contiene informazioni importanti. La preghiamo di tradurlo immediatamente.	ខេត្តសានស៊ីបប៊ី បំប៉នខ្ញុំម្ចាស់សំខាន់ៗ។ រាងគ្រូប្រាសាទខេត្តសានស៊ីបប៊ី ប្រែប្រួល ឡើងវិញ។
В данном документе содержится важная информация. Вам необходимо срочно сделать перевод документа.	Este documento contém informações importantes. Por favor, traduza-lo imediatamente.	ឯកសារនេះមានព័ត៌មានសំខាន់ៗ ។
Este documento contiene información importante. Por favor, consiga una traducción inmediatamente.	此文件含有重要信息。請立即找人翻譯。	សូមបកប្រែជាបន្ទាន់ ។
تحتوي هذه الوثيقة على معلومات هامة. يرجى ترجمتها فوراً.	본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하십시오.	Ce document contient des informations importantes. Veuillez le faire traduire au plus tôt.
Docikman sa gen enfòmasyon enpòtan. Tanpri fè yon moun tradwi l touswit.	Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay.	

Written Translation Guidelines

When translating a document, staff must follow these steps:

- Identify which language(s) are needed for translation for the impacted community. Projects with statewide implications should have the above-referenced label inserted and translated. For details on how to identify languages, refer to the section “Protocol for Requesting Languages Services”.
- Documentation for translations should be free of industry or technical jargon and in plain English.
- Translate vital documents of interest for individuals with LEP into the top 5 languages. Vital documents are documents that contain critical information on agency programs, activities, and services, including residents’ eligibility rights.
- Email a Word document version of the materials to be translated to the vendors listed on the State Contracted Vendors to request a quote. It is recommended that staff seek at least three (3) quotes from vendors on the statewide contract to assess which vendor provides the best rates and is able to meet the applicable deadline.
- The vendor contact information can be found on the [PRF75 Statewide Contract](#).

Interpretation for Live Event Services

EEA shall provide for simultaneous oral interpretation of live meetings, events, and proceedings (including community engagement meetings and public hearings) by qualified interpreters. EEA will also provide interpretation services for other programs and activities, as deemed appropriate, and in additional requested languages, provided that such services enable individuals with LEP to meaningfully participate in those meetings, events, programs, and activities. EEA staff will ensure that for lengthy live meetings, events, and proceedings, at least two interpreters per language will be booked to allow breaks; this is intended to prevent errors caused by mental fatigue. EEA will provide adequate opportunity for the interpreters to review the materials prior to the live meetings, events, and proceedings.

ASL Services

Any requests for American Sign Language interpreters should be made at least two weeks prior to the date of service through the Massachusetts Commission for the Deaf and Hard of Hearing and no less than two days prior to the date of service unless the request is an emergency. EEA does not require staff to seek prior approval before submitting a request to procure an ASL interpreter. Please note that after a request is filled, cancellation can be made no more than two business days before the date of service to avoid being billed for the service. The process for requesting an ASL interpreter or CART provider can be found [here](#).

CART Services

Any person who identifies as “Oral Deaf” will use verbal communication or Communication Access Real-Time Translation (CART). CART is a verbatim translation of the spoken word into written text. Requests for CART services should be made at least two weeks prior to the date of service through the Massachusetts Commission for the Deaf and Hard of Hearing and no less than two days prior to the date of service unless the request is an emergency. EEA does not require staff to seek prior approval before submitting a request to procure a CART or captioning interpreter. After a request has been filled, cancellation can be made no more than two

business days before the date of service to avoid service fees. The process for requesting an ASL interpreter or CART provider can be found [here](#).

Meaningful Access for People with Disabilities

The purpose of meaningful access for effective communication for people with disabilities is to promote compliance with federal non-discrimination statutes and ensure that a person with vision, speech, language, hearing, or other disability can convey information to, communicate with, and receive information from the EEA. Auxiliary aids and services may be required in order to meaningfully communicate with people with disabilities. People with disabilities may require different auxiliary devices or assistive technology for language and communication access depending on their functional needs.

EEA will provide screen readers for people who are blind or low-vision as well as alternative text to describe images that screen readers cannot interpret and provide written information in Braille. EEA will also provide ASL or CART services for people who are Deaf or hard-of-hearing. Requests for reasonable accommodations for people with disabilities should be directed to Secretariat Diversity, Equity and Inclusion Director, Secretariat ADA Coordinator, and Non-Discrimination Coordinator, Melixza Ensenyie, Executive Office of Energy and Environmental Affairs, 100 Cambridge Street, Boston, MA 02114, at (617) 872-3270, Melixza.Esenyie2@mass.gov or [here](#). [EEA Policy on Ensuring Meaningful Access for Persons with Disabilities can be accessed here](#).

Protocol for Requesting Language Services

EEA staff must identify the top five languages spoken in the Commonwealth for interpretation of public meetings and translation of vital documents. If interpretation and translation are needed for a public meeting on a statewide initiative or project, vital documents should be translated, and meetings interpreted into the top five languages spoken by individuals with LEP in the Commonwealth using data from the American Community Survey (ACS) or other appropriate sources.

For projects that are not site-specific, do not have a fixed address, or are contiguous, all documents should be translated, and meetings should be interpreted into any languages spoken by at least five percent of the population who also identify as having limited English proficiency within a quarter-mile radius of the project. Additional languages should be provided as requested.

For site-specific projects, EEA will examine the relevant census tracts within the project area. EEA will identify all census tracts within one mile of the project's boundary. Staff will assess these tracts for any languages spoken by at least five percent of the population who also identify as having limited English proficiency. EEA requires that a copy of the public notice for site-specific projects be provided to municipal office buildings, public libraries, senior centers, and houses of worship within the designated geographic area.

Staff must consult the following resources to determine the breadth and scope of language services needed:

- The American Community Survey available via the [United States Census Bureau](#);
- Any demographic data, available via public sources, on language ability indicating that individuals speak English "less than very well";
- EEA's [EJ Map Viewer](#) (state level); and,
- Community organizations, school systems, medical offices, faith-based organizations, and other community-based organizations can often assist with identifying populations where additional outreach is needed.

Competence of Interpreters

EEA staff must obtain at least three quotes from the vendors as noted above to assess the best rates and deadline requirements. To ensure reliable service, it is best practice to inquire about the vendor's area of specialization (i.e., field or industry) and the qualifications of interpreters to provide simultaneous oral interpretation for live meetings, events, and proceedings. An interpreter must demonstrate proficiency in and ability to communicate information in both English and the other language, and to be proficient in the appropriate mode of interpreting (i.e., consecutive, simultaneous, or ASL). It is also crucial that the interpreter is knowledgeable in both languages of any specialized terms or concepts distinct to the program, service, or activity and of any distinguishing vocabulary or phraseology used by the affected individuals with LEP. Furthermore, interpreters must (i) understand and follow confidentiality and impartiality rules to the same extent as EEA staff and, to the extent their position requires, and (ii) understand and adhere to their roles as interpreters without deviating into a role as legal advisor, engineer, community expert, or another role.

Requesting Translation of Documents

EEA staff should take the steps outlined above to ensure meaningful access to programs, activities, or services by individuals with LEP. EEA staff must ensure that translation of vital documents for public meetings are accessible at least 14 days prior to the public event, if feasible, to ensure that the information reaches the targeted audience in a timely manner to allow for meaningful community participation.

V. IMPLEMENTATION

This LAP shall be fully implemented, reflecting the EEA's commitment to ensuring that all Massachusetts residents have equitable access to information and resources, and can meaningfully participate in programs and activities.

For staff, this plan centralizes resources and training and outlines the standard of meaningful access for individuals with LEP. EEA's LAP strives to ensure meaningful and equitable involvement of all people through the implementation of the following guidelines:

Secretariat Language Access Coordinator

The Secretariat Language Access Coordinator, Caroline Lemoine, Deputy Director of Environmental Justice, at (857) 378-1703 or caroline.lemoine2@mass.gov, is responsible for

implementing this plan and ensuring it is compliant. The responsibilities of the EEA Language Access Coordinator include:

- Conducting staff training quarterly;
- Assisting with the procurement of language assistance services;
- Periodically or at least every two years reassessing and updating its LAP to reflect updated information on relevant LEP populations;
- Consulting with stakeholders; and
- Facilitating EEA's Language Access Working Group.

Action Steps

The Secretariat Language Access Coordinator will develop language access training for personnel whose responsibility is to arrange language access services for their respective program, division, or office. The Secretariat Language Access Working Group will assist with the development of training components and provide appropriate recommendations.

Reasonable steps will be taken to ensure that appropriate staff receive proper training relative to the LAP, Title VI of the Civil Rights Act of 1964, Executive Order 615, and internal processes for requesting language access services. Trainings may include, but are not limited to:

- Working effectively with individuals with LEP and over-the-phone interpreters;
- Importance of language access in agency decision-making processes;
- Protocols for accessing resources necessary for language access; and
- Implementation of LAP.

The LAP will be:

- Posted internally for all employees;
- Incorporated into the orientation for new employees;
- Presented to management so they are fully aware of and understand the LAP, to reinforce the plan's importance and ensure its implementation by staff; and
- Presented to EEA staff who have contact with the public so that such staff is trained to work effectively with individuals with LEP and over-the-phone interpreters.

Language Service Needs Assessment

EEA's Language Access Coordinator will develop a needs assessment. The needs assessment will:

- Identify and characterize the nature and importance of the various services, activities, and programs provided by the agency to help determine the priorities for providing services to ensure access for individuals with LEP;

- Gather data on the language makeup of the population served by EEA and consider whether the data indicates that any particular language groups are not being served or are being under-represented; and
- Identify all points of contact between the agency and the public and all potential language or language-related barriers to services and programs.

EEA's Language Access Coordinator will facilitate bi-monthly meetings with the Language Access Working Group to disseminate information and share lessons learned and best practices to implement EEA's LAP.

VI. WEBSITE CONTENTS

Website Content

EEA website content will be periodically reviewed and modified so that vital information is translated into the top 5 languages as identified above in Language Service Needs Assessment.

Artificial Intelligence and Language Translate

Websites and their content, in relation to certain vital documents available in text format, will include appropriate disclaimers as shown [here](#). EEA agencies, consistent with policies promulgated by the Information Technology Division or EEA's Chief Information Officer will use existing web-based services or programs that translate website content as shown [here](#). EEA encourages constituents to seek additional support from our agency to verify the precision of the auto-translated content free of cost if needed.

Social Media Platforms

EEA will utilize its social media platforms to provide translated vital information and increase messaging to populations with LEP. EEA will disseminate information using its Office of Environmental Justice and Equity monthly newsletter and EEA's X (formerly known as Twitter) page to share important information.

Vital Documents Translation

Vital documents contain critical information on agency programs, activities, and services, including residents' eligibility rights, that are available in English but may deny non-English speakers and individuals with limited English proficiency equitable and meaningful access. Vital documents may contain information that is critical for accessing programs or activities, including but not limited to consent and complaint forms, online and paper applications for services, intake forms, notifications pertaining to eligibility of services, notifications pertaining to reduced or elimination of services, appeal notices, notices advising individuals with LEP of free language services, documents required by law, and notifications regarding the availability of language interpretation and assistance. When necessary, EEA will provide financial support for agencies to provide professional and culturally competent translations of vital documents.

VII. MONITORING AND REVIEW OF THE LANGUAGE ACCESS PLAN

EEA will review, revise, publicize, and implement its plan at least every two years, and, where appropriate, on an ongoing basis, will assess whether a change in services, programs, or

activities is necessary to ensure that non-English speakers and individuals with LEP have continuous and equitable access. To ensure stakeholder participation in the plan's revision and further development, EEA will consult with community-based organizations that provide services to the populations it serves. EEA will also provide a survey after the provision of language assistance services to collect feedback on the accuracy and quality of the language assistance services provided. Further, in conducting its review, EEA will consider assessing changes in:

- Any significant changes in the demographics or language needs of LEP populations within the service area or population affected or encountered by the agency;
- Availability of resources;
- Processes for staff requesting assistance for interpretation and translation needs;
- Processes for training staff on the implementation of this plan;
- Whether the existing plan is meeting the needs of LEP populations; and
- Types of activities or services provided to LEP populations.

The designated Secretariat's Language Access Coordinator shall monitor the effectiveness of this plan and that of each of the agencies under EEA's purview including any affiliated agency. The Secretariat's Language Access Coordinator shall facilitate a quarterly meeting with all EEA agencies' Language Access Coordinators to assess the implementation of each plan.

EEA will post this draft Language Access Plan for a 60-day public comment period and will consider all comments received, with improvements to its draft Language Access Plan incorporated as necessary.

VIII. COMPLAINTS

EEA continuously strives to improve the development and implementation of EEA's LAP. EEA responds to public inquiries and complaints with thorough investigations, implementation of necessary corrective actions, and feedback and communication with the complainant. If you believe that you have been discriminated against with respect to an EEA program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at <https://www.mass.gov/info-details/executive-office-of-energy-environmental-affairs-civil-rights-and-non-discrimination-policy-and-grievance-procedure> to learn how and where to file a complaint of discrimination.

By electronic mail:

Melixza.Esenyie2@mass.gov

By regular mail, hand delivery or overnight delivery service:

Melixza G. Esenyie
Non-Discrimination Coordinator
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Boston, MA 02114

For any questions relating to this LAP, you may contact EEA Language Access Coordinator:

Caroline Lemoine
Deputy Director of Environmental Justice for External Affairs
Secretariat Language Access Coordinator
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
Email: caroline.lemoine2@mass.gov

To file a complaint with the Massachusetts Governor's Office of Access and Opportunity, the written complaint may be submitted to the attention of:

Office of Access and Opportunity
Yarlennys Villaman
Director of Community Affairs
Language Access Coordinator
24 Beacon Street
Office of the Governor
State House, Room 54
Boston, MA 02133
(617) 947-9759
Yarlenys.k.villaman@mass.gov