

Language Access Plan

Department of Financial Protection and Innovation



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Introduction

The California Department of Financial Protection and Innovation (“DFPI”) adopted Language Access Plan Guidelines on July 11, 2025. The guidelines require each DFPI department to develop a Language Access Plan. This work is part of ensuring meaningful access to programs and services.

DFPI and its departments will provide extensive access to information, programs, and services to individuals with limited English proficiency (“LEP”). The plan will ensure that language is not a barrier to accessing [housing, licensing, other department function], and other services provided by our agency.

In developing this Language Access Plan, we have reviewed:

- our programs and services for the public.
- the ways we communicate with members of the public and the people we serve.
- how we currently provide information and services in languages other than English.

Department Programs and Services

Serve Californians by effectively overseeing financial service providers; enforcing laws and regulations; promoting innovation and fair and honest business practices; enhancing consumer awareness; and protecting consumers by preventing potential marketplace risks, fraud, and abuse.

The programs and services we provide to the public or our target service population are:

The **Corporations and Financial Institutions Division** oversees a wide range of financial institutions and services that play a crucial role in the economic system. Its regulatory scope encompasses various types of banks, credit unions, lenders, and non-bank financial services, ensuring that they operate within legal and ethical boundaries to protect consumers and maintain financial stability.

The **Enforcement Division** investigates and enforces the laws subject to the Department of Financial Protection and Innovation to protect consumers and ensure a fair marketplace for the financial services industry.

The **Office of Financial Technology Innovation** assists Fintech businesses to grow and develop in ways that are both responsible and responsive.

The **Office of Public Affairs** supports and empowers consumers to take control of their financial futures by telling stories that illustrate the DFPI’s work to protect consumers and developing partnerships to meet consumers where they live and work.

Language Access Requirements and Languages Identification

DFPI used one of the following methods to identify the most common languages our Department comes into public contact with:

- ☐ Method 1: The Top 5 Languages identified by the American Community Survey Data of the U.S. Census Bureau (C16001). Departments will ensure alignment with threshold languages determined spoken by individuals surveyed under the Dymally-Alatorre Multilingual Services Act (Dymally-Alatorre Act), when applicable.
- ☒ Method 2: Languages identified by the Civil Rights Act Title VI Four-Factor Analysis.

We have also considered any other program-specific laws or requirements. These include but are not limited to:

FACTOR 1: DEMOGRAPHICS

The decision to provide language assistance services must include an assessment of the number or proportion of LEP persons from a particular language group served or encountered in the surrounding community area. The greater the number or proportion of LEP persons served or encountered, the more likely language services are needed. Generally, identifying any community where the LEP population equals five (5) percent or more in any given language automatically triggers providing language assistance services as a mandatory and normal part of your program operation. There are a variety of sources for demographic information. The U.S. Census Bureau is one potential source. Detailed information about the racial and ethnic populations you serve or might serve, including the languages involved, can also be found in U.S. Department of Education data from school enrollment. U.S. Census Bureau, Department of Education and other helpful demographic data for California can be found at www.lep.gov/maps by selecting the Demographic Data link. You may also go to <http://data.census.gov> to access numerical data and mapping tools down to census block groups. Community-based organizations can also help you identify language needs in the communities that you serve.

FACTOR 2: FREQUENCY OF LEP CONTACT

Each division and their respective program areas must consider how often various language groups come in contact with the program. Furthermore, they must consider how their programs or activities affect LEP persons in each service area and should have the flexibility to tailor their actions to those needs. The greater the frequency equals the greater the need for enhanced language services. For example, frequent contacts with Spanish-speaking people who are LEP requires bilingual Spanish speaking staff. Less frequent contact with other language groups suggests a different and less intense approach. For programs where public outreach or involvement is central to DFPI's mission, staff must consider whether appropriate outreach to LEP persons could increase the frequency of contact with those groups, triggering a higher level of language assistance.

FACTOR 3: NATURE AND IMPORTANCE OF THE SERVICES PROVIDED

Once the program has assessed what languages to consider by looking at demographic and frequency of contact, look at the nature and importance of your programs, activities, and services that you provide to that population. The more influential the activity, information, service, or program, or the greater the possible consequences of contact to the LEP persons, the more likely language services will be needed. Suppose the denial or delay of access to services or information could have serious implications for the LEP person. In that case, procedures must be put into place to provide language assistance to LEP persons as part of standard business practices.

FACTOR 4: RESOURCES AND COST

Identify available resources to ensure you can provide language assistance to stakeholders participating in your programs or activities. The frequency and importance of contacts will dictate the level of language services you should commit to providing. A variety of language services must be provided at little or no cost, such as bilingual staff as interpreters. Programs must carefully explore the most cost-effective means of delivering competent and accurate language services.

FEDERAL AUTHORITIES

Section 601 of Title VI of the Civil Rights Act of 1964 provides that no person “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 United States Supreme Court in *Lau v. Nichols* (1974) stated that one type of national origin discrimination is discrimination based on a person’s inability to speak, read, write, or understand English. Title VI covers a recipient’s entire program and activity, which means all parts of the recipient’s operations are covered. Simply put, any organization that receives federal financial assistance is required to follow Executive Order 13166.

- etc.

STATE AUTHORITY

The California Civil Rights Act, also known as the Unruh Civil Rights Act, prohibits discrimination by agencies that receive state funds and requires them to provide equal access to benefits without regard to the beneficiary’s race, color, national origin (language use), or ethnic group identification among other classifications.

The Dymally-Alatorre Bilingual Services Act (Act) requires all state departments involved in furnishing information or rendering services to the public, whereby contact is made with five (5) percent of non- or limited-English speaking people, shall employ a sufficient number of qualified bilingual persons in public contact positions to ensure information and services are provided in the language of the non- or limited-English speaking person. Each state agency shall

conduct an assessment and develop and update an implementation plan. Each agency shall conduct a survey of each of its local offices every two years to determine all of the following:

- The number of public contact positions in each local office.
- The number of bilingual employees in public contact positions, and the languages they speak, other than English.
- The number and percentage of non-English-speaking people served by each local office, broken down by native language.
- The number of anticipated vacancies in public contact positions.
- Whether the use of contracted telephone-based interpretation services, in addition to bilingual persons in public contact positions, is serving the language needs of the people served by the agency. Each division and/or program shall calculate the percentage of non-English-speaking people served by division, program and/or each local office by rounding the percentage to the nearest whole percentage point.

The Act was last amended in 2003 to include the Language Survey Implementation Plan that is due October 1 of every odd year to the California Department of Human Resources (CalHR). The Plan requires state departments to give specific information about its Bilingual Services Program and any corrective action taken to correct deficiencies found in its last language survey.

Please note that this plan does not address DFPI's process for conducting or reporting on the biennial language survey required under the Dymally-Alatorre Bilingual Services Act.

Language Services

This section includes the actions DFPI will take to provide information and services in languages other than English.

With due consideration to the four-factor analysis, each program will decide when to provide interpretation assistance and how to provide that assistance in a timely and effective manner, appropriate to the circumstance.

Each program will consider a process for handling in-person services to LEP persons. Each program will take steps to ensure that it makes reasonable efforts to provide language assistance as needed for in-person contact with LEP persons. One way to determine the native language of unexpected visitors is to use the language identification cards (or "I Speak Cards"), which invite LEP person to identify their language needs to staff. Once the language has been identified, staff will reach use the language line to complete the interaction.

The following is a consideration on how to assist a walk-in LEP customer:

- 1) Attempt to communicate in English first to determine if the customer can understand English sufficiently to be fully understood;

- 2) If the customer cannot understand or effectively communicate in English, determine the language they are speaking. If you recognize the language the customer is speaking but do not speak their language, skip to Step 4;
- 3) If you cannot recognize the language the customer is speaking, show them the “I Speak Cards” so the customer can point to their language;
- 4) Staff will utilize the “How to Obtain an Over the Phone Interpreter”.

Direct In-Language Communication

Certified bilingual and multilingual staff and/or contracted private interpreters will provide language services to individuals with LEP. Language services will be free of charge. Private interpreter services will not be reimbursed by DFPI when visiting our office.

We discourage using an unofficial interpreter, including family members or friends. Exceptions for unofficial interpreters include:

- Emergency situations
- Getting non-essential information, like identifying the person’s preferred language
- Public events or when a qualified interpreter is not readily available.
- Departments that administer licensing examinations may set their own interpreter guidelines, standards, and requirements for examinations.

Interpretation

The DFPI is improving methods to identify LEP individuals who access the Department telephonically or in person, building on existing tools like “I Speak” cards, tracking of the need for an interpreter in online and paper complaint forms, and the use of in-language prompts on the phones.

Relevant public contact employees enter LEP and primary language information for the consumer in the DFPI’s case management system and the Outreach and Education team identifies and tracks language requests before presentations. Upon LEP identification, DFPI takes reasonable steps to conduct all communication using a qualified multilingual staff member, qualified staff or contract interpreter, or through telephonic or video interpretation. Generally, DFPI does not utilize an unofficial interpreter, including an LEP person’s family member or friend, except in emergency situations or to obtain non-essential information such as identifying the language the person speaks.

Translation

The DFPI programs determine whether documents critically affect the ability of the consumer to make decisions about their participation in the program. Examples of vital documents include, but are not limited to, complaint forms, public notices, consent forms, letters containing important information regarding participation in a program, right to appeal, notices advising the availability of language assistance, and outreach and community education materials. It is recommended that divisions and programs develop criteria for deciding which documents are vital and thereby subject to translation.

All vital written materials are identified for translation and promptly translated. All unanticipated or individualized vital documents are also individually translated or at minimum sight translated.

At a minimum, DFPI determines which languages meet the 5% threshold in an office and statewide and then determines which documents are vital and must be translated. But DFPI goes well beyond this minimum requirement to ensure equal access. DFPI also determines the primary audience for each document and translates it into additional languages if it has available data or experience suggesting that LEP individuals speaking additional languages are a key target audience.

If a document requires translation into a language other than English, staff send request to their supervisor to identify the language and the document to be translated. Staff send the form to the Language Access Coordinator or to the appropriate staff member in the Executive Programs Division, if the document is going to go on the website. The Language Access Coordinator or staff member in the Executive Programs Division, Outreach and Education Unit, then sends the document to the contractor to be translated.

DFPI is updating its policies and procedures for identifying vital documents to ensure language access requirements are met and will take into account the main audience for various documents and how they are used.

The DFPI Language Access Coordinator regularly evaluates the Department's written and web content and works with the DFPI Office of Public Affairs to obtain translations for new or newly edited existing web content in an ongoing effort to improve access for LEP individuals.

Language Access Coordinator

The Language Access Coordinator leads the agency staff responsible for implementing the policy directives, developing and modifying the language access plan, and establishing and implementing operational procedures. All inquiries should be sent to:

Language Access Coordinator Name: Angelina Endsley
Phone / Email: 916-598-4738

The Language Access Coordinator responsibilities will include:

- Act as the point of contact for language access and services related inquiries.
- Establish and implement operational procedures to ensure compliance.
- Oversee the department's Language Access Plan.
- Maintain a database of certified bilingual and multilingual employees, in coordination with Human Resources as required or needed.
- Identify training for staff on how to utilize language assistance services for the individuals they serve.
- Monitor and evaluate budget resource needs to support departmental language assistance services.
- Regularly assess and improve the language assistance program.
- Implement and maintain a Language Access Complaint process.
- Coordinate translation and interpretation services, including qualified sign language interpreters, real-time captioning, and written information in alternate formats, such as braille, large print, and audio formats.

Providing Notice to Individuals with LEP

This section includes how DFPI will notify the public about available language access services. Below is a list of tools DFPI will use to notify the public of these services [include those that are applicable]:

- "I Speak" cards and language services availability posters in public office spaces.
- Translated notices.
- Notices of language services and access at the end of mailed out letters.
- Translated taglines on English language forms.
- Translated taglines on department program websites.
- Department-sponsored outreach events.

- Public meeting announcements.
- Ensure current CalHR Language Access posters are clearly displayed, visible, and legible to the public.
- The Department utilizing a translation service with more than 240 languages (<https://dfpi.ca.gov/submit-a-complaint/>).

The DFPI Consumer Services Office (CSO) plays a crucial role as the initial point of contact for facilitating effective communication between consumers and the various financial institutions, companies, and products regulated by the Department. Consumers can reach out through telephone calls, emails, or by submitting complaints. If a consumer prefers a language other than English, the CSO office accommodates this by using a language line translation service for oral communication and advantage for written translation into the consumer's preferred language.

Monitoring, Quality Control, and Updating Language Access Plan

This section describes how DFPI will monitor language access services. DFPI will update the Language Access Plan at least every two years. DFPI will be compliant with BCSH's Language Access Plan Guidelines. DFPI will address processes and procedures to deliver meaningful language access.

Monitor and Quality Control Process

DFPI will create a monitoring program to ensure implementation of details. This process will entail:

- Contracting with bilingual and multilingual contractors.
- Review contractors' performance on a continual basis and address any deficiencies immediately.
- Working with staff certified by California Department of Human Resources (CalHR).
- Track the language usage for compliance

Updating Language Access Plan

Every two years, DFPI generates and update the list of minimum threshold languages. Vital documents and essential web content will be updated accordingly. DFPI will review and resubmit their Language Access Plan to BCSH every two years.

Revisions will address:

- Any changes in the American Community Survey Data of the U.S. Census Bureau, the Dymally-Alatorre Bilingual Service Act language survey, when applicable and/or Title VI four-factor analysis.
- Whether existing policies and procedures meet the needs of individuals with LEP.
- Whether staff is sufficiently trained.
- Whether identified resources for assistance are up-to-date, available, and accessible.
- Whether future language contracts need improvement or extra criteria/requirements.

Revaluations will incorporate, as appropriate:

- New programs
- New legal requirements
- Additional vital documents
- Community input on the Language Access Plan

Training Staff

This section includes information on how DFPI trains staff to provide language access services to the public.

Training for public contact employees will include the use of language identification cards to determine the target language, the use of contact lists to reach a qualified public contact employee, and/or to use a telephonic language line to reach a contracted interpreter. The training will include avoiding the use of acronyms or industry jargon when communicating with LEP persons. Staff will be trained not to rely on an unofficial interpreter or translator provided by LEP persons (such as a family member or friend) unless there is an emergency or except when obtaining non-essential information such as the language spoken by the person.

Language services will be provided at a time and place that avoids the effect of denying access to the service or benefit of the program. However, in some situations it may be reasonable to ask the LEP person to return at a specified date and time to allow time to arrange for interpreter services.

All supervisors and managers will be trained even if they do not interact regularly with LEP persons to ensure that they fully understand LEP requirements and to reinforce its importance and ensure implementation by staff

Training

Language access training will be provided to all current public-facing employees no later than **September 1, 2025**. Training will occur at least annually thereafter. New staff hired into public contact positions will receive language access training within their first six months of employment.

Staff will be trained on the availability, accessibility, and appropriate use of translation and interpreting Department resources. Training will include how to obtain language assistance services and how to communicate needs to interpreters and translators. Providing language assistance in some program areas may also mean training staff to avoid using acronyms or industry jargon when communicating with LEP persons. Language services will be provided at a time and place that avoids the effect of denying access to the service or benefit of the program. However, in some situations it may be reasonable to ask the LEP person to return at a specified date and time to allow time to arrange for interpreter services.

All supervisors and managers will be trained even if they do not interact regularly with LEP persons to ensure that they fully understand LEP requirements and to reinforce importance of the policy.

The Department contracts with certified translator providers who meet the written and verbal translation competencies set by CalHR. These providers play a crucial role in facilitating bilingual assessments. This process ensures compliance with language proficiency testing standards.

Complaint Process for Language Services and Access

Public members and services recipients can make complaints related to language services.

How to file Language Access Complaint:

Complaints related to language access may be submitted electronically:

Email: Submit a completed complaint form to EEO@dpfi.ca.gov

The Language Access Complaint form can be requested in multiple languages and should be completed with as much details as possible, including:

- Complainant's contact information;
- Date and time of incident;
- Description of the issue or denial of language access;
- Names or roles of individuals, if known;
- Any supporting documentation, if available.

Review and Resolution Process

- **Acknowledgment:** Complaints will be acknowledged within 5 business days of receipt.
- **Investigation:** The Language Coordinator will review the complaint, gather relevant information, and contact the complainant for clarification, if necessary.
- **Determination:** A written response with the outcome will be provided to the complainant within 30 calendar days, when feasible.
- **Corrective Action:** If a violation is confirmed, the DFPI will take appropriate corrective action and work to prevent future occurrences.

Document List

The following is a list of DFPI's vital documents. The languages were identified under the Civil Rights Act Title VI Four-Factor Analysis and any program-specific language access laws. Attached is the excel spreadsheet identifying the vital documents. This attached list is a work in progress, currently undergoing review and translation, and is subject to change. The documents can be located by copying and pasting its title into the search function on the DFPI website.

Definitions

Individual with Limited English Proficiency (LEP): Individuals who do not speak English as their preferred language and/or who have a limited ability to read, write, speak, or understand English. Individuals with LEP may be competent in English for certain types of communication but have limited proficiency in English in other areas. An individual who is deaf, hard of hearing, non-verbal and/or has another disability(ies) and/or serious health condition(s), may also have limited proficiency in spoken or written English.

Oral Interpretation (or Interpretation): The act of listening, understanding, analyzing, and processing a spoken communication in one language (source language) and then orally rendering it into another spoken language (target language) while retaining the same meaning.

Plain Language: Straightforward language that avoids technical terms as much as possible and uses a coherent and easily readable style. (Gov Code §6219)

Proper Certification: For certification of state employees to provide service in non-English languages, CalHR requires language fluency testing. A test result indicating a language skill equivalent to "2" on the Federal Interagency Language Roundtable's (ILR) scale in the areas of listening and speaking establishes fluency certification.

Sight Interpretation: The practice of an interpreter reading a document written in one language aloud or signed into another language.

Title VI four-factor analysis: An assessment used to identify which languages are spoken by 5% or more of the public served by departments' programs and determine how departments can best provide language assistance services needed to ensure meaningful access to individuals with LEP. Guiding questions for the Title VI four-factor analysis include:

1. What is the number or proportion of individuals with LEP who are eligible to be served or likely to be encountered by this program or service and what languages do they speak?
 - What data do you currently have on languages spoken by program participants (i.e., what languages are spoken by program participants; how many participants speak each language; and what percentage of program participants speak each language)?
 - What do other data sources (e.g., U.S. Census, California Department of Education data, academic research, community input, etc.) tell you about the

languages spoken by people who are eligible to be served by your program but that your program may not currently be reaching?

2. How frequently will individuals with LEP be in contact with this program or service? (For example: daily, weekly, monthly, rarely, etc.).
3. What is the nature or mission of this program or service? What is the target audience for this program or service? (For example: pregnant and nursing mothers or low-income families). How important is this program or service to people's lives?
4. What resources are currently available for the provision of language access services? (For example: bilingual staff, contracted or volunteer interpreters, translation contracts, or a specific budget amount).

Translation: The rendering of a written text from one language (source language) into another language (target language).