



DATE: April 23, 2008

TO: ALL STATE AGENCY, SECRETARY AND DEPARTMENT DIRECTORS

SUBJECT: NEW REQUIREMENTS OF THE DYMALLY-ALATORRE BILINGUAL SERVICES ACT, GOVERNMENT CODE §§ 7290-7299.8

This memorandum serves to inform state agencies, departments, boards, and commissions of amendments made to the Dymally-Alatorre Bilingual Services Act (Act), Government Code §§ 7290-7299.8. The Act requires state and local agencies to "provide for effective communication between all levels of government and the people of this state who are precluded from utilizing public services because of language barriers." Effective January 1, 2008, Assembly Bill (AB) 67 amended the Act to:

- Provide for an exemption from participation in the survey for up to ten years if state agencies demonstrate little or no contact with the public and have less than 25 employees in public contact positions.
- Change the language survey due date from March 31 of every even-numbered year to October 1 of every even numbered year beginning in 2008.
- Change the Implementation Plan due date from October 1 of every even-numbered year to October 1 of every odd-numbered year beginning in 2009.

The Act sets forth specific requirements for state agencies to ensure provision of information and services to the public in the language of the non-English speaking person. State agencies are required to conduct a biennial language survey and report their findings every even-numbered year. The Act further mandates that the SPB report state agencies' compliance with the Act to the Legislature. Each state agency is required to survey each of its local offices every two years to obtain information about the public served.

The SPB is responsible for informing state agencies of their responsibilities under the Act and for providing state agencies with technical assistance. The SPB's assistance includes developing the language survey methodology, forms and other required documents to collect and report survey data, and compiling the results of the language survey into a report to the Legislature. State agencies are required to submit the 2008-2009 Language Survey information to SPB no later than October 1, 2008.

Exemption from participation in the Language Survey may be granted by the SPB to each state agency that meets the necessary criteria required by the Act. Exemption forms can be obtained by contacting SPB at (916) 651-9017 or at <http://jobs.spb.ca.gov/langsurvey/docs/08-09%20LS%20Exemption%20Application.pdf>

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The Bilingual Services Program (BSP) is responsible for working with state agencies in complying with the requirements of the Act. If you have any questions regarding this policy memorandum or need clarification regarding your agency's responsibilities to comply with these new requirements, please feel free to contact BSP at (916) 651-9017 or TDD (916) 653-1498.

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Executive Officer

SA/mc-r