

Massachusetts Department of Agricultural Resources

Language Access Plan (LAP) 2013

I. Introduction

The Massachusetts Department of Agricultural Resources (“MDAR”) has prepared this Language Access Plan (“LAP” or “Plan”), which defines the actions to be taken by the MDAR to ensure meaningful access to agency services, programs and activities on the part of persons who have limited English proficiency. The MDAR will review and update, on a biannual basis, this LAP in order to ensure continued responsiveness to community needs and compliance with the Executive Office for Administration and Finance (“ANF”) Administrative Bulletin #16. The purpose of the Administrative Bulletin is to provide guidance to state agencies as they develop Language Access Plans. Additionally, the Administrative Bulletin and the Guidelines are meant to establish a common baseline for creating access to state services, program and activities.

Administrative Bulletin #16 was promulgated pursuant to the objectives of Executive Order 478 and Executive Order 519. Among the objectives of EO 478 are to: (1) affirmatively promote equal opportunity in agency program, activities, and services and (2) ensure that agency programs, services, activities and decisions do not discriminate against persons with respect to race, color, age, gender, ethnicity, sexual orientation, religion, creed, ancestry, national origin, disability, veteran’s status or source of income. Pursuant to EO 519, the Office of Access and Opportunity will review and recommend improvements to state agency programs, activities and services to ensure that they foster access and equal opportunity for all persons.

II. Purpose

The purpose of this plan is to ensure that clients of the MDAR have meaningful access to services, programs and activities although they may be limited in their English language proficiency.

The objectives of the Guidelines are to: (a) Improved access to and the quality of state services, programs and activities for non-English speakers and LEP persons; (b) Reduce disparities and delays, if any, in provision of state services/programs to eligible non-English speakers and LEP person compared with eligible English speaker; and (c) Increase agency effectiveness and public satisfaction.

The MDAR is committed to this Language Access Plan as the appropriate response to meeting our clients’ needs. The Plan is consistent with the requirements of Administrative Bulletin #16 as promulgated by the Executive Office of Administration and Finance.

Consistent with the guidance of ANF Administrative Bulletin #16, a Limited English Proficient (“LEP”) person is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with MDAR staff. A client maintains the right to self-identify as a LEP person.

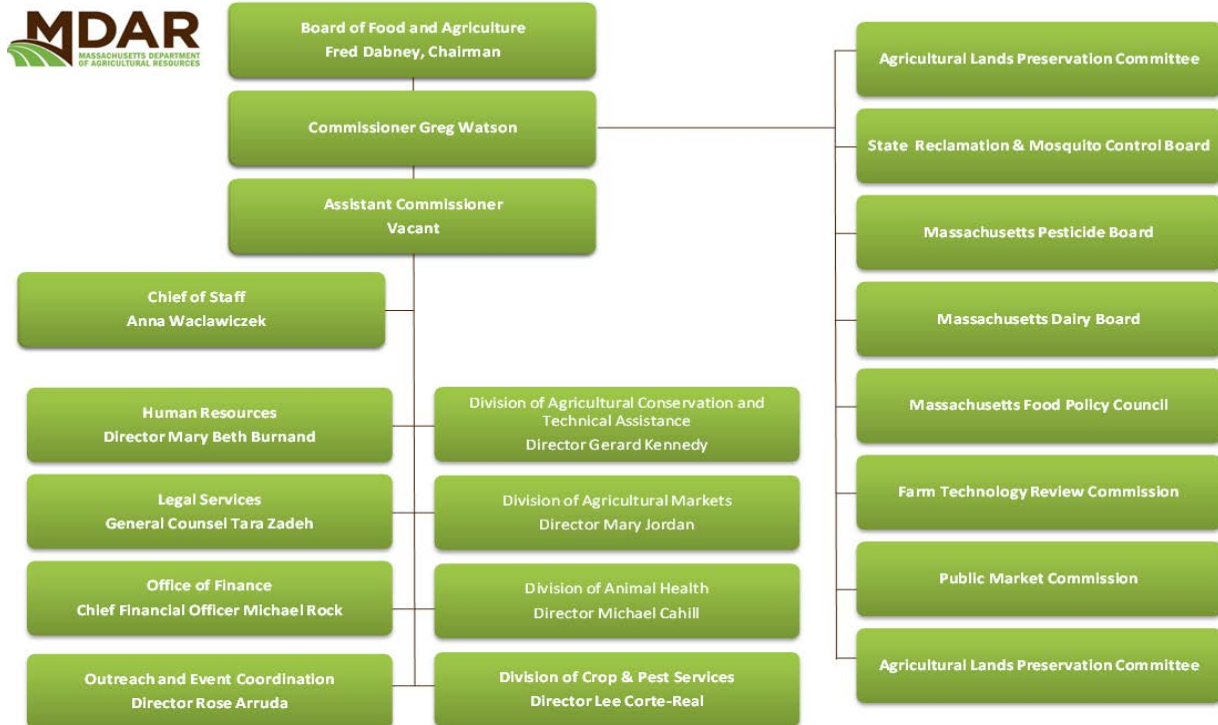
According to the 2000 census, more than 300 different languages are spoken in the United States. Nationally, nearly 19 percent of the U.S. population – 47 million citizens and noncitizens – speak a language other than English at home. This is an increase from 31.8 million in 1990. Of these, 4.2 percent, or 11 million individuals, say that they speak English “not well” or “not at all.” The most frequently spoken languages according to U.S. Census data among the LEP population in the Commonwealth are Spanish, French Creole, Italian, Portuguese, Russian, Chinese and Vietnamese.

Massachusetts is a highly diverse state in which numerous LEP households reside. 18.7% of all residents over the age of eighteen speak a language other than English and of those residents, 21% speak English “not very well.”

The Massachusetts Department of Agricultural Resources history rests on the agricultural societies organized in the 1790's. The county chairmen of these societies came together in 1852 to make up the first Board of Agriculture. The Board has served continually for 138 years to promote crop and animal husbandry in the Commonwealth. MDAR's mission to support, regulate, and promote the Commonwealth's agricultural future is enhanced by the various boards and commissions upon which the Department draws expertise and guidance.

Current and statutorily authorized boards include the Agricultural Lands Preservation Committee (ALPC), Dairy Promotion Board, Farm Technology Review Commission (FTRC), Food and Agriculture Board, Pesticide Board, and State Reclamation and Mosquito Control Board

Massachusetts Department of Agricultural Resources Organizational Overview



IV. Language Access Plan:

The MDAR Language Access Plan shall be fully implemented subject to the availability of fiscal resources to implement said language access plan. This Language Access Plan has been developed to adhere to the Language Access Guidelines of ANF Administrative Bulletin #16. This Language Access Plan represents MDAR's administrative blueprint to provide meaningful access to its services, programs and activities on the part of LEP individuals. This Language Access Plan outlines the tasks MDAR will undertake to meet this objective.

Language Access Plan:

- (1) Language Access Coordinator:
 Mary Beth Burnand, HR Manager
 251 Causeway Street, Suite 500
 Boston, MA 02114
 Email: Mary.Beth.Burnand@state.ma.us
 Tel. 617-626-1710
 Fax. 617-626-1805
 Reception/Main number: 617-626-1700.

(2) Language Access Needs Assessment:

The MDAR is currently organized into 5 major divisions.

DIVISION OF ADMINISTRATION

The Division of Administration is responsible for the day-to-day activities of the department in providing services to the other four divisions in their regulation as well as promotion and enhancement of the agricultural industry in Massachusetts. The Division also promotes cross-pollination of all divisions to optimally achieve the Department's objectives towards a vibrant and sustainable agricultural community in the Commonwealth.

DIVISION OF AGRICULTURAL MARKETS

The Division of Agricultural Development fosters the sustainability of Massachusetts' agriculture through innovative marketing, business, educational and environmentally sound initiatives implemented through the Agricultural Fairs, Land Use, and Marketing Programs. The Division staff work closely with the Divisions of Crop and Pest Services and Agricultural Technical Assistance to coordinate improved environmental sustainability and the economic viability of the agricultural

DIVISION OF ANIMAL HEALTH

The Division of Animal Health focuses its efforts on ensuring the health and safety of the Commonwealth's domestic animals. Animal Health staff work closely with the Department of Public Health, the Animal Rescue League of Boston, the MSPCA, local veterinarians, local health departments, municipal animal inspectors and animal control officers when responding to possible disease situations. Rapid response to potential outbreaks ensures the fewest number of animals and animal owners are affected. Working in concert with the Divisions of Agricultural Technical Assistance, Crop and Pest Services, and Agricultural Development, through diligent inspection, examination and licensing, Animal Health promotes the health and welfare of companion and food-producing animals in Massachusetts.

DIVISION OF CROP AND PEST SERVICES

The Division of Crop and Pest Services is responsible for the regulation of the agricultural industry and pesticide application services in Massachusetts through the diligent inspection, examination, licensing, registration, quarantine, and enforcement of laws, regulations and orders; to improve operational efficiency and mainstreaming of programs /policies into overall EEA priorities.

Farm Products and Plant Industries ensures the quality of farm inputs, such as fertilizer, animal feed, and seeds and inspects consumer products such as plants, fruits and vegetables. The nursery inspection program prevents and minimizes the impacts of pests entering the state via imported produce and plants. The quality of farm products is monitored in conjunction with the USDA's grading program.

The *Pesticide Program* protects public health and the environment by licensing individuals who apply pesticides, registering pesticide products used in the Commonwealth and enforcing both federal and state pesticide laws and regulations. The Pesticide Program also protects the public drinking water supply and provides guidance for the mixing, loading, storage and disposal of pesticides.

DIVISION OF AG CONSERVATION AND TECHNICAL ASSISTANCE

Working in concert with the Divisions of Agricultural Development, Animal Health, and Crop and Pest Services, the Division of Agricultural Technical Assistance (DATA) provides technical assistance to promote economically viable and environmentally sound agricultural practices in Massachusetts. DATA delivers services to improve agricultural stewardship and use of natural resources; promote energy efficiency and use of renewable energy; and ensure economic competitiveness and profitability. These programs are supported by the Division's digital based information management systems and interaction with local, state and federal partners.

Table 1. Language Makeup of Client Population-Commonwealth of Massachusetts

Population	Number	Percentage (out of total MA population)
Population 18 years and over	4,853,130	100.00%
Speak only English	3,944,715	81.28%
Speak a language other than English	908,415	18.72%
Total MA LEP Population (people who speak English "Not Well" or "Not at All")	193,785	3.99%
Spanish or Spanish Creole	71,895	1.48%
French Creole	6,810	0.14%
Italian	6,525	0.13%
Portuguese or Portuguese Creole	39,620	0.82%
Russian	8,990	0.19%
Chinese	18,050	0.37%
Mon-Khmer, Cambodian	5,125	0.11%
Vietnamese	8,990	0.19%

(figures compiled by DHCD)

Points of Contact between MDAR and Client Population. Client population may contact the agency either by calling, or visiting the MDAR's offices in Boston, Amherst or by visiting our website.

Boston: 251 Causeway Street
Suite 500
Boston, MA 02114
Tel. 617-626-1700 (main number)
Website: [Department of Agricultural Resources](#)

Regional Office: 101 University Drive, Suite C4
Amherst, MA 01002
413-548-1900/ Fax 413-548-1901
Website: [Department of Agricultural Resources](#)

(3) Language Resources Assessment:

The MDAR has identified 14 current staff members who are multi-lingual. These staff members are available as needed to assist with interpreter services. The languages that our staff speak are German, Dutch, Greek, Spanish, Portuguese, Creole Portuguese, Vietnamese and French. MDAR staff are **not certified interpreters**. *Individuals of Cape Verdean descent speak ***Creole Portuguese***. A person who speaks Portuguese may not be able to speak Creole Portuguese. This same rule applies to individuals who speak French but not ***Creole French***, which is spoken by Haitians.

(4) Language Service Protocols:

a. To Implement the Language Access Plan:

The MDAR will provide a list of in-house personnel who may be available as needed to provide interpreter services and the languages that are available.

In the event that we are not able to provide the services in-house and as long as there is sufficient notice and funding available, the MDAR will attempt to provide the information in a timely manner from an outside source (i.e. approved Commonwealth vendors and the associated cost. If MDAR is not able to provide the requested information, the requestor will be notified in writing that the request cannot be met.

b. MDAR's language access protocols for providing interpretation services

- Notice is given to MDAR which identifies the translation and document/service being requested.

c. Clients will be able to request the information either in person or by submitting a written request.

(5) Vital Document Translation:

- a. If requested to do so, MDAR will list the name of vital documents, in whole or in part, to be translated including the timeframe for translation:
 - Due to the anticipated cost involved of translating any documents, the translation of vital documents into numerous languages would take several years. The MDAR will identify appropriate languages for translation after a survey of our client population has been completed.
 - Initial translations will involve materials associated with the Farmers' Market Coupon Program. MDAR's efforts will focus on Vietnamese and Spanish translations first in order to identify the largest identified LEP served by that Program.

- b. Agency website content, by list, to translate including timeframe for translation
 - MDAR will post translated documents on its website (www.mass.gov/agr) when available and make note of the fact that the information is available in another language and the language(s) that it is available in.

(6) Stakeholder Consultations:

- The MDAR did not consult with outside organizations as to the development of this plan. Rather, the MDAR surveyed its employees and made the following determination:

- Of the surveys returned for permit and regulatory programs in the MDAR, 260 entities fall into this category while only 1 LEP entity, or 0.38% of the entities, has been identified. The returned surveys indicate that of the 7,350 contacts, mostly phone calls, only 14 were with LEP individuals or 0.19%. Also, the 2007 Census of Agriculture reports that there were 7,691 farms in the Commonwealth. Of those, the Agricultural Census reports that 120 of these farms were operated by individuals who were Spanish, Hispanic, or of Latino Origin.

This represents only 1.6% of the total number of farms which is the MDAR's primary constituent group. This does not represent farms that are operated by LEP individuals, but the actual number will be no greater than this. At this point in time, the MDAR records seem to demonstrate that the MDAR operates in a clientele that does not exceed the LEP threshold of 5%.

(7) Staff Training:

- Program and Reception staff will be trained first. Training will ensure that identified employees are aware of the contents of the Plan and its protocols. Additional Program staff may be trained as needed.

(8) Notice to Public:

- Notices referencing the Plan will be posted in conspicuous spaces within the agency such as on bulletin boards throughout the office.
- Copies of the Plan will be available to the public upon request and payment of fee for copying. A copy of the Plan may also be obtained by downloading a PDF copy from the MDAR website ([Department of Agricultural Resources](#)).

(9) Monitoring:

Each year, the MDAR will review and update its LAP, if needed. The review may assess:

- Determination if additional vital documents require translation.
- Any issues or problems related to serving LEP persons which may have arisen during the past year.
- Whether or not there have been any significant changes in the language needs of the program population currently served by MDAR.

Language Access Complaint Procedure

You may file a complaint with the Agency Language Access Coordinator or the Office of Access and Opportunity if you believe you have been denied the benefits of this Plan. You must file your complaint within 6 months of the alleged denial. You must file a written complaint and complaints should be addressed to the LAP Coordinator.

All complaints should be sent to:

Mary Beth Burnand, HR Mgr.

Massachusetts Department of Agricultural Resources

251 Causeway Street, Suite 500

Boston, MA 02114

Tel. 617-626-1710

Email Address: Mary.Beth.Burnand@state.ma.us

To file a complaint with the Office of Access and Opportunity, please submit the written complaint to the attention of:

Office of Access and Opportunity
Executive Office of Administration and Finance
State House, Room 373
Boston, MA 02133
Email Address: Ronald.Marlow@state.ma.us

Agency Head
Date:

Secretary
Date: