## REVISED STAFF REPORT

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| **Agenda Items:** | 6 & 7 | **Name:** | Katherine Cortes |
| **Proposed No**.: | 2015-0254 and 2016-0020 | **Date:** | February 23, 2016 |

**COMMITTEE ACTION**

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| ***Proposed Substitute Motion 2015-0254.2 approving the first of four semiannual reports on Limited English Proficiency outreach by Elections required by proviso in the 2015-2016 biennial budget passed out of committee on February 23, 2016, with a “Do Pass” recommendation, for the consent agenda. The motion was amended in committee with Amendment S1 to make technical corrections to the description of the proviso report transmitted with this motion and to conform with standard King County legislation style.***  ***Proposed Substitute Motion 2016-0020.2 approving the second of four semiannual reports on Limited English Proficiency outreach by Elections required by proviso in the 2015-2016 biennial budget passed out of committee on February 23, 2016, with a “Do Pass” recommendation, for the consent agenda. This motion was also amended in committee with Amendment S1 to make technical corrections to the description of the proviso report transmitted with this motion and to conform with standard King County legislation style.*** |

**SUBJECT**

Proposed motions 2015-0254 and 2016-0020 would approve the first (transmitted June 30, 2015) and second (transmitted December 30, 2015) of four reports on Elections' limited English proficiency efforts required by a 2015-2016 budget proviso.

**SUMMARY**

Elections has provided two of four reports required by a 2015-2016 budget proviso describing the department's limited English proficiency outreach efforts. The information provided in these two brief reports specifically corresponds to the status of itemized activities proposed by Elections and referenced in the proviso, but does not include the full portfolio of related efforts being planned and implemented under the current Elections leadership. Specifically, these reports do not speak to translation and outreach activities required of Elections by Ordinance 18086, passed in July 2015.

Staff has prepared technical amendments for each of the proposed motions to conform to legislation style and clarify references to the reports attached to each.

**BACKGROUND**

To identify ways to increase access to King County government services and operations for Limited English Proficiency (LEP) populations, Council adopted proviso language as part of the 2014 Budget Ordinance (Ordinance 17695), requesting a report on current, and plan for potential, LEP engagement strategies and resources, including an analysis of alternatives for expanding minority language voting materials. The proviso addressed elections-related services as follows:

1. *For election-related services, an analysis of options or factors that could provide minority language voting materials for LEP populations in Tiers 1 and 2 that have not yet reached the thresholds required by Section 203 of the Voting Rights Act of 1965, as amended,[[1]](#footnote-1) at a cost lower than the current costs for such materials for minority languages required by the act. The analysis shall, at minimum, include the following:*
   1. *A description of the alternative translation materials and services that could be provided to these LEP populations;*
   2. *Cost estimates related to each of the alternative options; and*
   3. *The feasibility of implementing these alternative options.*

The Director of Elections filed 2014-RPT0080 in June 2014 in response to this section of the 2014 budget proviso only, but the transmittal did not include a motion to accept the proviso. During 2015-2016 budget deliberations, Councilmembers agreed to revise Ordinance 17695 to remove the proviso language, and the Council included in the 2015-2016 biennial budget ordinance (Ordinance 17941) a proviso on the Elections budget (Section 34) requiring additional reporting on activities reported in 2014-RPT0080.

2015-2016 Biennial Budget Ordinance 17941, Section 34, Proviso P2 reads as follows:

*Of this appropriation, $250,000 shall not be expended or encumbered until the director of elections transmits four semiannual reports on the department's limited English proficiency outreach efforts and motions that approve each report and the motions are passed by the council. The motions shall reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion. Upon transmittal of each report, $62,500 shall be released for expenditure.*

*Each report shall include, but not be limited to, a description of the department's limited English proficiency outreach efforts detailed in section IV of the report transmitted to the council by the department in June 2014 (2014-RPT0080) in response to Ordinance 17695, Section 33, Proviso P1, as well as goals and outcomes for each of those outreach efforts. The description shall include, but not be limited to, information on the department's progress relating to the implementation of the elections ambassador program, the development of an instruction brochure about voting and elections that has been translated into Tier 1 and 2 languages, the development of an online toolkit and the creation of a mock election program in primary and secondary schools.*

*The director of elections must file the four semiannual reports by June 30, 2015, December 31, 2015, June 30, 2016, and September 30, 2016, respectively, and the motions required by this proviso by those same dates, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, the policy staff director and the lead staff for the committee of the whole or its successor and the citizens' elections oversight committee.*

Elections transmitted Proposed Motion 2015-0254, along with a brief first report responding to the proviso as Attachment A, in time to meet the first (June 30, 2015) proviso deadline. Elections also transmitted Proposed Motion 2016-0020, along with a brief second report responding to the proviso as Attachment A, in time to meet the second (December 31, 2015) proviso deadline.

**ANALYSIS**

The reports transmitted by Elections in 2015 to respond to the 2015-2016 budget proviso meet the minimum requirements of the proviso. The new director of Elections, Julie Wise, and her staff have asserted a willingness to supplement these reports with additional information updating the Council on current status and strategies for LEP outreach.

Section IV (Alternative translation materials and services) of 2014-RPT0080, to which the 2015-2016 budget proviso refers, includes information on the following LEP outreach efforts:

1. **Instructional brochure** to be translated into Tier 1 and Tier 2 languages[[2]](#footnote-2)
2. **Tool kit** – online voter education and outreach materials in simplified language
3. **Elections Ambassador Program** – recruitment and training of experienced civic activists from identified language communities "to assist Elections with interpretation and facilitation services"
4. **Civics engagement in schools** – support of mock election in Seattle School District "to improve and empower all communities through an enhanced awareness of voting and participating in government"

These activity areas are addressed in the first of the four 2015-2016 P2 proviso reports (Attachment A to Proposed Motion 2015-0254). Elections reports completing development and translation of an instructional brochure, and creating a web page for voter education and outreach, available at <http://www.kingcounty.gov/elections/voter-education-outreach.aspx>.

Additionally, Elections reports gathering information from 10 interviews for its Elections Ambassor Program, and supporting student government elections in three Renton high schools with ballot materials made to look like King County elections ballots.

The second of the four 2015-2016 P2 proviso reports (Attachment A to Proposed Motion 2016-0020) also addressed the four named categories of initiative required by the proviso. (A reference to the completed instructional brochure is included in the section describing the Online Tool Kit.) The report includes key findings from the interviews conducted for the Elections Ambassador Program and an outline of objectives and deliverables for a related program "to increase the use of non-English election materials." With respect to civics engagement in schools, the report describes the inclusion of King County measures in the Washington Secretary of State's 2015 mock election for students. Additionally, the report noted outreach at naturalization ceremonies through a partnership with US Citizenship and Immigration Services and Chinese and Vietnamese language components of the newly redesigned Elections website.

To further supplement and contextualize these reports, Elections has provided a list (below) of stakeholder organizations consulted in developing LEP outreach plans.

Stakeholder Organizations Providing Input to Elections on LEP Outreach

(as of February 2016)

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| Consulted |
| Asian Counseling and Referral Services (ACRS) |
| API Civic Partners |
| Seattle Chinatown International District Preservation and Development Authority (SCIDPDA) |
| Japanese Americans Citizens League (JACL) |
| International Community Health Services (ICHS) |
| Inter\*Im Community Development Association |
| Asian Pacific Islander Americans for Civic Empowerment (APCE |
| Municipal League |
| Latino Community Fund |
| Korean American Coalition |
| One America |
| WinWin |
| Northwest Immigrant’s Rights Project (NWIRP) |
| Contacted |
| CASA Latina |
| African Diaspora of WA |
| Horn of Africa Services |
| Oromo Community Services |
| Ethiopian Community Center |

Ordinance 18086 was passed by the Council in July 2015, requiring Elections to determine what language communities comprise 10,000 or more Limited English speakers in King County and to implement translation of voting materials for those communities. The activities that Elections will undertake pursuant to this legislation would appear to fit under the broad category of "the [Elections] department's limited English proficiency outreach efforts" which the proviso directs Elections to describe in their reports.

Some activities described in the December 2015 proviso report as recommendations of the Election Ambassador Program could be construed as related to implementation of Ordinance 18086. However, these activities are not described in any depth. Elections staff have prepared additional information to present to the committee today about the planned implementation of Ordinance 18086 and the current status of LEP outreach efforts more generally.

**AMENDMENTS**

Striking amendment S1 to PM 2015-0254 and Striking Amendment S1 to PM 2016-0020 clarify references to the attached proviso reports and conform the language of the motions to standard King County legislation style.

1. According to the U.S. Census Bureau, Section 203 of the Voting Rights Act requires King County to provide full translation of all election materials in Chinese and Vietnamese. <http://www.justice.gov/crt/about/vot/sec_203/2011_notice.pdf> [↑](#footnote-ref-1)
2. As identified in Executive Order INF-14-2, Written Language Translation Process, Appendix C. Tier 1: Spanish; Tier 2: Vietnamese, Russian, Somali, Chinese, Korean, Ukrainian, Amharic, Punjabi. [↑](#footnote-ref-2)