

4459

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to authorize the New York city housing authority to conduct a survey of housing developments under its control for the purpose of determining the percentage of non-English proficient residents in such developments and requiring institution of language assistance programs at public housing developments at which more than ten percent of the residents do not speak English

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Not later than January 1, 2010, and every three years thereafter, the New York city housing authority shall conduct a survey of
2 each public housing development under its control to determine the
3 percentage of residents in each development who are not proficient in
4 English and ascertain the languages in which such residents are proficient. If more than ten percent of the residents of a given development
5 are non-English proficient, the development shall establish a language
6 assistance program where non-English proficient residents would have
7 effective access to communicate with development supervisors and personnel in a language in which they are proficient. This program shall
8 include, but not be limited to:
9 a. employing a minimum of one person proficient in one or more
10 languages spoken by the non-English proficient residents of the development, so as to ensure that every resident of the development has access
11 to at least one staff member who speaks at least one language spoken by
12 such resident;
13 b. considering proficiency in one or more of the non-English
14 language(s) spoken at the development as a major criterion in the hiring
15 process;
16 process;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 c. ensuring that all staff members are trained on how to properly
2 utilize New York city housing authority's Language Services Unit to
3 properly communicate with residents; and

4 d. providing translation of all commonly used forms and informational
5 materials into the primary language.

6 S 2. Within 30 days of the institution of a language assistance
7 program at a development, the development management shall prepare a
8 notice of the availability of the language assistance programs for non-
9 English proficient residents and shall mail such notice to the homes of
10 the development's non-English proficient residents. The notice shall be
11 written in the residents' primary language and shall specify the name
12 and contact information for the bilingual employees employed by the
13 development.

14 S 3. Each development shall keep a record documenting its language
15 assistance program and shall submit a summary report annually to the New
16 York city housing authority. Such record and report shall include, but
17 not be limited to:

18 a. The number of non-English proficient residents who receive such
19 assistance;

20 b. The number of non-English proficient households where one resident
21 is English language proficient;

22 c. The number of complaints filed by non-English proficient or limited
23 English proficient residents; and

24 d. The number of bilingual personnel used to assist in the language
25 assistance and translation services.

26 S 4. The New York city housing authority shall promulgate such rules,
27 regulations and standards as may be necessary and proper to implement
28 the provisions of this act, including the undertaking of the survey, the
29 establishment of the language assistance programs and the monitoring of
30 such programs to ensure on-going compliance by the developments at which
31 the programs are instituted.

32 S 5. This act shall take effect immediately.