§ 202-a. Language translation services. 1. Each state agency that provides direct public services in New York state shall translate all vital documents relevant to services offered by the agency into the twelve most common non-English languages spoken by limited-English proficient individuals in the state, based on the data in the most recent American Community Survey published by United States Census Bureau. Agencies subject to this section, in their discretion, may offer up to four additional languages beyond the twelve most common languages. Such additional languages shall be decided by the state agency in consultation with the office of general services and approved by the office of general services based on the number of limited-English proficient immigrants of five years or less in New York state in need of language translation services according to the American Community Survey, including the growth of recent arrival populations in the geographic regions in which the agency's services are offered, the population of limited-English proficient individuals served by the agency, feedback from impacted community or advocacy groups, and any other relevant data published by the United States Census Bureau.

2. Each agency subject to the provisions of this section shall designate a language access coordinator who will work with the office of general services to ensure compliance with the requirements of this section.

3. Each agency subject to the provisions of this section shall develop a language access plan and submit such plan to the office of general services.

(a) An agency's initial language access plan shall be issued by the agency within ninety days of the effective date of this section.

(b) Language access plans shall be updated and reissued every two years on or before January first.

(c) Language access plans shall set forth, at a minimum:

(i) when and by what means the agency will provide or is already providing language assistance services;

(ii) the titles of all available translated documents and the languages into which they have been translated;

(iii) the number of public contact positions in the agency and the

number of bilingual employees in public contact positions, and the languages such employees speak;

(iv) a training plan for agency employees which includes, at minimum, annual training on the language access policies of the agency and training in how to provide language assistance services;

(v) a plan for annual internal monitoring of the agency's compliance with this section;

(vi) a description of how the agency intends to notify the public of the agency's offered language assistance services;

(vii) an assessment of the agency's service populations to determine whether additional languages of translation should be added beyond the top twelve languages;

(viii) an explanation as to how the agency determined it would provide any additional language beyond the top twelve languages required by this section; and

(ix) the identity of the agency's language access coordinator.

4. Each agency subject to the provisions of this section shall:

(a) provide interpretation services between the agency and an individual in each individual's primary language with respect to the provision of services or benefits by the agency; and

(b) publish the agency's language access plan on the agency's website.

5. For purposes of this section, "vital document" means any paper or digital document that contains information that is critical for obtaining agency services or benefits or is otherwise required to be completed by law.

6. The office of general services will ensure agency compliance with this section and shall prepare an annual report, which shall be made public on the office of general services website, detailing each agency's progress and compliance with this section.