



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBERS BROWN AND WANG

RESOLUTION IN SUPPORT OF CALIFORNIA ASSEMBLY BILL 1242 (NGUYEN) WHICH WOULD (1) ESTABLISH A LANGUAGE ACCESS DIRECTOR WITHIN THE CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY TO COORDINATE AND OVERSEE AGENCY-WIDE LANGUAGE ACCESS EFFORTS, AND ENSURE THERE IS HUMAN REVIEW WHEN USING ARTIFICIAL INTELLIGENCE FOR TRANSLATION OR INTERPRETATION, AND (2) AMEND THE DYMALLY-ALATORRE BILINGUAL SERVICES ACT TO IMPROVE THE DETERMINATION OF LANGUAGES COVERED BY STATE AND LOCAL AGENCIES

WHEREAS, California is home to one of the most linguistically diverse populations in the country, with residents speaking over 200 languages, variants, and dialects; nearly 6.4 million Californians have limited English proficiency (LEP), making up the largest population with LEP in the nation; and almost 44% of the population speak a language other than English at home; and

WHEREAS, in Oakland, almost 40% of residents speak a language other than English at home, and almost 35% of Oakland Unified School District students are considered English Language Learners; and

WHEREAS, a lack of culturally and linguistically appropriate services is a barrier to equitable access, and language barriers can create significant obstacles to obtaining essential health care services and understanding your rights, responsibilities, and available benefits; and

WHEREAS, numerous studies have documented the health disparities experienced by individuals with LEP, including miscommunication with providers, lower satisfaction with care, and worse health outcomes; and

WHEREAS, in 1973, the state enacted the Dymally-Alatorre Bilingual Services Act, which requires state agencies serving a substantial number of non-English speaking people to provide services and materials in those individuals' languages, and additional laws and policies have reinforced our commitment to in-language access; and

WHEREAS, machine, online, and artificial intelligence (AI) translation systems have made significant progress, but persistent errors highlight their limitations in accurately translating and interpreting between languages, such as contextual errors, cultural insensitivity, and unfamiliarity with idioms; and evolving safeguards are necessary to ensure language access to critical services while these technologies improve; and

WHEREAS, California Executive Order N-16-22 called for stronger language access across state agencies, and the California Health and Human Services Agency (CalHHS) released a Language Access Policy and Guidance Document in 2023, but the agency lacks a Language Access Director to ensure implementation and accountability; and

WHEREAS, California Assembly Bill (AB) 1242, introduced by Assemblymember Stephanie Nguyen, establishes a Language Access Director at CalHHS whose responsibilities include implementing agency Language Access Plans, submitting a biennial language access report to the legislature, and ensuring that there is human review when using machine, online, or AI-generated language assistance for both interpretation and translation services; and

WHEREAS, AB 1242 amends the Dymally-Alatorre Bilingual Services Act to improve the determination of languages covered by state and local agencies through the use of relevant data sources, including but not limited to the most recent data from the U.S. Census Bureau, the state Department of Education, the state Department of Finance, and community-level input; and

WHEREAS, by beginning to close long-standing gaps in language access oversight and coordination, AB 1242 will help eliminate avoidable disparities, improve health outcomes, and reduce costs across the system while advancing health equity for millions of Californians; now, therefore, be it

RESOLVED: That the City of Oakland supports AB 1242 (Nguyen) in the California State Legislature; and be it

FURTHER RESOLVED: That the City Council directs the City Administrator to immediately distribute this Resolution upon its adoption to Governor Gavin Newsom and State Assemblymember Stephanie Nguyen.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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