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Update Information Regarding Conservancy Website Translation into Spanish and Other Languages

RECOMMENDATION

Staff recommends that the Conservancy comply with the Dymally-Alatorre Bilingual Services Act amendment regarding posting a complaint form and process on its webpage, and continue to explore alternatives per Subcommittee guidance.

SUMMARY

At its January 2015 meeting, the Board directed staff to further investigate costs associated with translating the Conservancy's website into Spanish or other languages, potential funding to accomplish this task, and to make recommendations regarding how the translation migration could take place. Staff was directed to investigate the possibility of a joint effort with the Delta Stewardship Council or volunteer translation services from other governmental offices.

Conservancy staff confirmed that while the Dymally-Alatorre Bilingual Services Act (Act) (Government Code, Section 7290 et seq.) exempts agencies with 25 or fewer staff from its requirements, recent amendments to the Act may pertain to the Conservancy. The Act requires that every state agency directly involved in providing information or services to the public with a substantial number of non-English-speaking people, shall employ a sufficient number of qualified bilingual persons in public contact positions to ensure information and services are provided to the public (Government Code, Section 7292). The California Department of Human Resources, Office of Civil Rights issued a letter to state agencies about the new requirement for state agencies to "translate and make accessible on the homepage of its Internet Web site, forms and processes for submitting complaints of alleged violations of [the relevant Act chapter]. The forms and processes shall be translated into all languages spoken by a substantial number of non-English-speaking people served by the state agency. Translated copies of the forms shall be printed and made available in the statewide office or any local office or facility of the state agency (Government Code, Section 7299.3). Deadline to comply with this regulation is July 1, 2015.

ANALYSIS

This section first describes cost factors of website reprogramming and translation services and possible funding sources for this effort. This is followed by a description of the options for website translation, such as language choices and materials to be translated.

Cost Factors. Final costs depend upon how the Conservancy chooses to translate on its website and what it chooses to translate. Translation options include automated translation; automated translation with content translation verification (human review); and translation services provided by contractor or volunteers. The Conservancy's website has more than 200 pages comprised of more than 1,000 documents of varying lengths. The last factor in determining final cost is the language(s).

The initial estimated programming cost to install Drupal Internationalization Module (module) is \$12,000, calculated at 80 hours work at \$150 an hour. This estimate includes configuring node translation settings in website, install and set up of translation modules, and review settings of each content type. This is for Spanish and one or two additional languages. More than three languages will cost additional programming time. These estimates are one-time costs; maintenance fees to maintain the programming for the website would be \$16,000 annually. The module needs to be loaded for content posted directly onto the website in other languages to display correctly. These costs will be necessary for any option that uses automated translation.

The module provides automated translation of Drupal content; however, the translation is word-for-word which means the translation may not be grammatically accurate. Due to the error rate and potential confusion poor translation of key materials could cause, Drupal programmers recommend content translation verification provided by certified translators. Requests for information from translators showed a variety of way translation costs are calculated. Some charge hour costs, some per word costs, and others per page costs. Hourly costs for content translation verification range from \$70 per hour for Spanish to \$111 per hour for Hmong or Thai to a flat rate of \$78 per hour for any language. Hourly costs for written translations by translators are calculated per 1,000 words per hour; these costs range from \$212 per hour for Spanish to \$337 per hour for Hmong or Thai. Some translators also have a retainer option, where the Conservancy could contract for them to complete translations on a weekly basis. The state has CMAS contractors for translation services, which makes contracting for these services less complicated.

For example, the Grant Guidelines document presented in the January 2015 Board meeting has 4,635 words. Estimates for a Spanish translation based on a per word cost of \$0.20 is \$927; the estimated cost is \$928.62 based on the hourly cost (1,000 words per hour) of \$212 per hour. Using the same 1,000 words per hour for a flat rate charge of \$78 for translation verification, the cost would be \$361.53. Based on this example, it would be less expensive to have the document translated first then uploaded to the website.

One hybrid option is to have some content—such as pages that change frequently—be automatically translated by the software using translator verification while other content—such as final reports—be translated and then posted in PDF. PDF is short for Portable Document Format, is used by Adobe Acrobat Reader; PDF documents maintain their formatting regardless of the computer on which the document is displayed.

Another hybrid option would be to install the software, develop a pull down menu with the list of languages available for translation, and add a disclaimer that states the translation may not be grammatically accurate and the Conservancy is not responsible for any mistranslations. This option would make the translations more dynamic, but potential issues from mistranslation remain.

With both hybrid options, the costs associated with installing the software (listed above) remain. The primary difference is the additional costs from translator verification versus the costs—not necessarily monetary—that could arise from uncorrected mistranslations.

The Civil Rights Office at CalHR has not responded to requests for information regarding the possibility of using state employee volunteers to assist with translation verification; state policy is to use state employees whenever possible (Government Code 19130). Delta county government employees may be available to assist, on a volunteer basis, with verification of software-generated translations. The amount of time would be contingent upon their normal workload. Volunteers are not necessarily certified as translators and the Board would need to determine if certification is necessary; CMAS translators are certified.

Funding Sources. The Conservancy does not have any funding currently available for website translation. There may be some funding through the Delta Mercury Exposure Reduction Program (Delta MERP) grant for limited written translation of some information, but that amount is uncertain. The Office of Civil Rights at CalHR is researching if they have grant funds for translation services; they have yet to provide that information to the Conservancy. The federal government has some grants for non-English translation services for public education and outreach. Staff can continue to investigate potential federal and private foundation grant opportunities to fund this task.

Languages and Translation Services. The Board asked what languages other than Spanish may be needed. Based on the California Department of Public Health's Delta MERP Needs Assessment Survey (July 2013), there are 10 other languages that the Conservancy needs to consider for translation, especially for the Delta MERP information. Those languages are:

- Cambodian
- Chinese
- Hmong
- Ilokano
- Lao
- Russian
- Tagalog
- Thai
- Ukrainian
- Vietnamese

Materials to be translated. Given the amount of content to be translated (>1,000 documents), translating all the content will take a lot of time and a lot of money, especially if the Conservancy provides multi-lingual translation of some content. The following are options regarding translating some or all website content are:

- Comply only with the recent regulation to have forms and processes for submitting complaints of alleged violations of the Bilingual Services Act posted on its homepage.
- Install the module and place an interactive button on each page for a reader to select a programmed language other than English. Add a disclaimer with the button that the translation is word-for-word and may contain errors, and that the Conservancy is not liable for any mistranslations because of the automated translation software.
- Follow a template set by other state agencies and have a page translated into Spanish (or any other language) with links to Conservancy documents provided in that language.
- Phase in the translation over time. Suggested priorities are:
 - Public health and safety content first. This includes Delta MERP content, the flood preparedness brochure, and water quality information.
 - Board and Subcommittee materials.

- Public workshop and other public education materials. This could include Delta Marketing and Branding materials and other grant funded deliverables.
- Program materials. This could include DRN meeting notes and the newsletter.

Feasibility of Joint Project with Delta Stewardship Council. Staff spoke to Dorothy Takahashi, IT manager for the Delta Stewardship Council about a joint project to install the module on both websites. Ms. Takahashi and her staff said that DSC's current priority is transitioning its intranet into Drupal 8 and they have no immediate plans to install the translation module to their website. A joint project is also not feasible because the DSC and the Conservancy are not using the same versions of Drupal, so the modules would be different in either case.

POLICY CONSIDERATIONS

Among the policy considerations for the Subcommittee to consider are:

- The Conservancy would be exempt from the other Act provisions to translate materials into other languages because it has 25 or fewer employees. The Conservancy submitted a written request to the Office of Civil Rights for a ruling regarding the Act's applicability to the Conservancy, and to see if the Office has translation grant funds available. At the time this report was written, the Office has not yet responded. Does the Board want to move forward with translation of some or all materials?
- Which language(s) does the Board want materials to be translated into?
- How does the Board want Conservancy management to direct organization resources for a website translation project? Options include redirecting current funding; redirecting staff time to try to locate and secure funding; or advocacy for future budget augmentation to fund this project.

BACKGROUND

The CalHR letter was released two weeks after the initial feasibility report was written. A copy of the letter can be found at:

<http://www.calhr.ca.gov/PML%20Library/2014052.pdf#search=translation%2520services>

Text of the Act can be found at:

http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=7.&title=1.&part=&chapter=17.5.&article=

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