



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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The Honorable John Carney,
Governor

John McNeal, Director
SCPD

MEMORANDUM

DATE: May 30, 2023

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Mr. Benjamin Shrader, Chairperson 
State Council for Persons with Disabilities

RE: SB 82 (Effective Communication)

The State Council for Persons with Disabilities (SCPD) has reviewed SB 82 which seeks to improve communication assistance for individuals with disabilities and those with limited English Proficiency. It incorporates a number of concepts found in federal law related to effective communication and auxiliary aids for people with disabilities and meaningful access for limited English Proficiency (LEP).¹

SCPD has the following observations:

- The bill requires certain state departments as well as five other programs selected by the Department of Justice to report as follows:

Beginning [December 1 following 30 days after enactment of this Act] until the reporting requirements under subsection (c) of this section begin, the report must provide all of the following information:

¹ Americans with Disabilities Act, Section 504 of the Rehabilitation Act (disability), and the Civil Rights Act (LEP)

- (1) The steps taken by the program to comply with federal and State law and regulation to provide meaningful access to individuals with LEP and effective communication for individuals with disabilities.
 - (2) The types of translation or interpretation services or tools used.
 - (3) Estimate of the program expenses associated with compliance with federal and State law and regulation.
 - (4) Estimate of the number of individuals with LEP served.
 - (5) Estimate of the number of individuals with disabilities served.
 - (6) How the availability of free language assistance and auxiliary aids are communicated to the public.
 - (7) Description of staff training and frequency of training on working with individuals with LEP or disabilities.
 - (8) Copy of any report submitted to a federal agency within the previous year that contains information about a program's compliance.
 - (9) Additional resources, if any, needed to improve program access for individuals with LEP or disabilities.
- 4 years after the enactment, the report should also provide 1) data of the actual number of people served, disaggregated by individuals with LEP, individuals with disabilities and individuals with both, and method for how data was collected, and 2) data around actual consumers and usage of services.
 - The bill requires the Office of Manufactured Housing Ombudsperson to provide interpretation and translation services, or other auxiliary aids, to help tenants with LEP or disabilities to better understand and participate in activities related to leases, evictions and foreclosures, such obligation to expire in two years.

SCPD supports this legislation.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position or observations on the proposed legislation.

cc: Ms. Laura Waterland, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council