**Resolution of the Civic Engagement Commission, April 7, 2020:**

WHEREAS, the New York City Civic Engagement Commission is charged under section 3202 of the New York City Charter with developing a poll site language assistance program to facilitate participation by limited English proficient individuals in voting in elections held in the City; and

WHEREAS, on December 18, 2019, the Commission approved a proposed methodology and published such methodology on its website on January 1, 2020; and

WHEREAS, the Commission received public comment on the proposed methodology from January 1 to March 1, 2020, and heard testimony at a hearing from members of the public, including from the representatives of public interest and advocacy groups, civic and community organizations and private citizens; and

WHEREAS, in addition, the Commission provided simultaneous interpretation services at its hearing to ensure limited English proficient individuals could meaningfully participate and comment on the proposed methodology; and

WHEREAS, the Commission has solicited and received comment on the proposed methodology from the department of city planning and the mayors office for immigrant affairs; and

WHEREAS, the Commission reviewed and considered all public and agency comments and revised its proposed methodology and published a preliminary final methodology on April 1, 2020; and

Now, therefore, be it RESOLVED that the preliminary final methodology is approved as the final methodology and such methodology shall determine the poll sites and languages covered by the poll site language assistance program until any further action is taken by the Commission with respect to such methodology;

And be it further RESOLVED that the Commission promulgates the final methodology procedures (“APPENDIX A”) that will implement the poll site language assistance program pursuant to the final methodology.

DATED: 4-7-2020

**APPENDIX A - FINAL METHODOLOGY PROCEDURES**

1. Scope. These procedures implement the final methodology published by the Civic Engagement Commission.
2. Definitions.
   1. American Community Survey. The term “American Community Survey” or “ACS” means the annual survey conducted by the U.S. Census Bureau.
   2. Census tract. The term “census tract” means the statistical subdivisions of a county used for the purpose of taking the census as determined by the U.S. Census Bureau.
   3. Chair. The term “Chair” means the Chair of the New York City Civic Engagement Commission.
   4. Commission. The term “Commission” means the New York City Civic Engagement Commission or the Chair acting on behalf of the Commission.
   5. CVALEP. The term “CVALEP” means the number of persons who are U.S. citizens of voting-age and are limited English proficient based on the most recent American Community Survey data.
   6. Program. The term “program” means the poll site language assistance program established pursuant to Charter § 3202.
   7. Program eligible jurisdiction. The term “program eligible jurisdiction” means as that term is defined in paragraph 5.
   8. Program eligible language. The term “program eligible language” means a language eligible for services under the program.
   9. Public use microdata area. The term “public use micro data area” or “PUMA” means the statistical geographic area used for disseminating American Community Survey estimates as determined by the U.S. Census Bureau.
   10. VRA language. The term “VRA language” means a language that a jurisdiction within the City of New York is required to provide language assistance in pursuant to the language minority provisions of the Voting Rights Act (“VRA”).
3. Covered elections. The program will provide oral language assistance at all primary, general, and special elections beginning with the general election on November 3, 2020.
4. Program eligible languages. Except as provided in paragraph 5, the program will provide oral language assistance in the following languages citywide: Arabic, Bengali, Chinese (Cantonese, Mandarin), French, Haitian Creole, Italian, Korean, Polish, Russian, Urdu, and Yiddish.
5. Program eligible jurisdictions. The program will provide oral language assistance in all program eligible languages citywide, except that, the program will not provide oral language assistance in a program eligible language covered by the voting rights act in a jurisdiction where such language has been determined to be a covered language by such law. Therefore, the following VRA languages may not be served by this program in the following jurisdictions:
   1. Bengali: Queens.
   2. Chinese (Cantonese, Mandarin): Brooklyn, Manhattan, and Queens.
   3. Korean: Queens.
   4. Spanish: The Bronx, Brooklyn, Manhattan, Queens, and Staten Island.
6. Number of polling places served. The Commission shall determine the total number of polling places served for each election event based on the total resources allocated to the program.
7. Polling place allotment. The number of poling places that will receive oral language assistance services in a program eligible language will depend on such language’s share of the total CVALEP population in the program eligible jurisdictions. Each program eligible language’s percentage share of the total number of polling places served is as follows:

|  |  |  |
| --- | --- | --- |
| **Program**  **Eligible Language** | **CVALEP**  **Population[[1]](#footnote-1)** | **Percentage**  **Share** |
| Arabic | 14,670 | 7.1 |
| Bengali | 10,856 | 5.2 |
| Chinese  (Cantonese, Mandarin) | 7,526 | 3.6 |
| French | 9,564 | 4.6 |
| Haitian Creole | 24,299 | 11.7 |
| Italian | 18,529 | 8.9 |
| Korean | 5,116 | 2.5 |
| Polish | 12,628 | 6.1 |
| Russian | 80,634 | 38.8 |
| Urdu | 11,433 | 5.5 |
| Yiddish | 12,671 | 6.1 |

1. Targeting formulae. Prior to each covered election and covered early voting period, the Commission shall make good faith efforts to apply the targeting formulae described in this paragraph to identify specific polling places in the program eligible jurisdictions that contain a significant concentration of limited English proficient voters that speak a program eligible language. Such targeting formulae are as follows:
   1. The Commission will obtain census tract data on the number of persons who speak each program eligible language and are limited English proficient, and calculate the percent of language speakers who are CVALEP in each PUMA;
   2. The Commission will use the CVALEP percent in subparagraph (a) to estimate the CVALEP population for each program eligible language in census tracts contained in a PUMA and distribute census tract level CVALEP data to polling places in order to estimate the CVALEP population by polling place. Such distribution is based on how voters in each census tract are distributed across intersecting polling places.
   3. For every polling place, the Commission will assign a numbered rank per each program eligible language based on the estimated concentration of CVALEP individuals assigned to such polling place that speak each program eligible language.
   4. A polling place may receive services in a particular program eligible language if such polling place’s rank is equal to or less than the number of polling places allocated to that language pursuant to paragraphs 5 and 6 of these procedures.
   5. Services will be provided in all program eligible languages in at least one polling place.
2. Early voting. Beginning with the general election in 2020, the program will provide services on last two weekend days during the early voting period for any primary or general election for U.S. President, or any primary, general, or special election for a citywide elective office or a statewide elective office including any statewide federal office. The total number of early voting polling places served will depend on the total resources allocated to the program. Early voting polling places will be targeted pursuant to paragraph 8 of these procedures.
3. Construction. The decision of the chair shall be conclusive on all questions of construction of these procedures.

1. Excluding counties and languages covered by the Voting Rights Act. Based on U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Data. [↑](#footnote-ref-1)