

DOUGLAS COUNTY SOCIAL SERVICES

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LIMITED ENGLISH PROFICIENCY (LEP) PLAN

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PURPOSE AND LEGAL BASIS

The following document serves as the Douglas County Social Services (DCSS) plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7CFR, 273 et. seq; and 42 CFR 435 et seq. There are four components to this document:

Assessment
Policy
Training
Monitoring

ASSESSMENT

1. Needs Assessment:

DCSS will on at least an annual basis make a needs assessment of the unique language needs within Douglas County. Consultation will be made with the major school districts in the County. Additionally, consultation will be made with the Legal Aid Office located in Alexandria. Consultations will aim at trying to discern the types of non-English languages that are most predominant in Douglas County and which constitute populations that the County serves or those that may be eligible for County-provided services. The County will also be amenable to receive County-specific data from the Department of Human Services to assist in this form of needs assessment. The following non-English language has been identified as being the most likely to be encountered in Douglas County: Spanish.

2. Case Finding:

Specific language needs of each applicant with LEP will occur at the time of intake or application. This will primarily be done by reviewing the language preference questions on the **Health Care Application** and the **Combined Application Form (CAF)**. Language preferences will be entered into the applicant's primary language filed in the MAXIS/MMIS system. If an interpreter is needed, it also will be entered in the MAXIS/MMIS system. If the main receptionist or intake worker suspects that the applicant is a person with LEP, the worker will present the LEP person with a card that lists the ten major languages in order to determine which language is involved, if any. It is expected that reasonable efforts will be made by DCSS to provide same-day interpreter services.

The second area will be the non-financial intake. The intake worker will identify LEP concerns during the intake process and make note in the comment section of SSIS.

3. Points of Contact:

The greatest likelihood of need for interpreter services will be at the point of intake - at the time of an emergency or application for financial assistance. The principal point of contact will most likely be, therefore, in the office setting in Alexandria. The most appropriate form of interpreter services will likely be language assistance in completion of an application for financial assistance or health care. The other point of contact may involve field-based contact when conducting child protection assessments. These contacts will typically take place in the home of the child's caretaker or parent.

4. Resources Needed:

DCSS will formally entertain a formal linkage with Language Line Services (1-800-752-0093) for Spanish and other languages involved with Language Lines Services "tier system." When feasible, on-site interpreter services will be made available and would be the first preferences. The Agency has interactive television (ITV) capabilities. When appropriate, the use of ITV will be considered. Use of reciprocal faxing processes will be used when necessary. This is to facilitate completion of applications and processing of interviews.

5. Timely Access:

Language Line Services are available 24x7. Contact with LLS will be made by commercial phone. When on-site interpreter services are to be used, it will be necessary to schedule appointments at mutually convenient times - for the client and the interpreter. Use of ITV, if used, will occur in a private setting within the Agency. The Supervisor will make arrangements for interpreter services with appropriate service provider. Staff will never require, suggest, or encourage a client with LEP to use family members or friends as interpreters.

POLICIES AND PROCEDURES

1. Agency Commitment:

DCSS is committed to the spirit of the Civil Rights Act of 1964. It recognizes the importance of providing meaningful access to all persons, including persons with LEP, to the various programs operated under the hubris of DCSS.

2. Range of Oral Language Assistance:

There will be limited oral language assistance on site in the DCSS agency from current agency employees. Employees have very cursory proficiency in several non-English languages. Use of Language Line Services for Spanish and all other non-English language will take place as necessary. DCSS will take advantage of the ten brief “notice of rights to language services” documents for persons with LEP as they are made available by the Department of Human Services.

3. Uncommon Languages:

There may be circumstances when customers present for services who use a language other than that most commonly used in Douglas County. There may be languages such as Russian, Hmong, Vietnamese, Kymer/Cambodian, Lao, Somali, and the like. Receptionist staff will try to determine the language using the "I need a language interpreter cards" or refer to intake. This person will be responsible for trying to determine what the customer's language or country of origin. Once determined, contact will be made with an appropriate Language Line Services interpreter in the customary manner.

4. Affirmative Action:

The DCSS employee handling the case will inform either the customer or the interpreter once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated in verbal form. At no time in the service delivery process will the customer incur any costs associated with LEP-directed interpreter services.

5. Use of Family and Friends:

Use of family or friends as interpreters is not the preferred method of providing interpreter services; but when the intake worker has determined that it is not feasible to use formalized interpreter services, a consultation will be made with that worker's immediate Supervisor or Director. Alternative methods of customer services will need to be discussed. If the worker has determined that a family member, friend, or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the client's data privacy rights will be protected and that the quality of the interpreter services to be provided by the family member or friend will be acceptable. The worker will need to document in the case file the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the client insisted that a family member or friend be used. Under no circumstances may minor children be used for interpreter services.

6. Competency Standards for Interpreters:

Any interpreter used for LEP services must be bi-lingual: fluent in English and fluent in the language of the customer needing the service. When using well-recognized interpreter services provided from a recognized agency (Language Line Services), competency is presumed. Interpreters must be “competent” to provide interpreter services. Competency contemplates that the “interpreter must be proficient in both English and the target language and be able to convey information in both languages accurately, have had orientation/training that includes the skills and ethics of interpreting, have basic knowledge in both languages of specialized program terms or concepts, and be sensitive to the client's culture. “Certification” as an interpreter is not a pre-requisite. When using family, friends, or significant others, the intake worker must make a judgment as to the competency of the proposed interpreter. Whenever practical, clients with LEP will be assigned to bilingual staff who speak their language.

7. Dissemination of LEP Plan:

Copies of the LEP Plan will be provided to the following: all DCSS employees who have direct customer contact. A copy of the main public announcement will be prominently displayed in the DCSS central reception area.

8. Services to Illiterate:

When confronted with a situation in which the customer is illiterate (cannot read or write in his or her native language), it is incumbent that DCSS find a suitable interpreter, one who can assist the person in completion of necessary forms, documents, and the like. The DCSS intake worker needs to make the determination, in conjunction with the interpreter, about the customer's literacy skills. The clear choice in dealing with cases of illiteracy will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. Use of the ITV, faxing of forms, and over-the-phone services may be required on a case-by-case basis.

9. Emergency Situations:

When a determination has been made that an emergency exists and LEP considerations are identified as being present, DCSS may waive all proscriptions in order to insure that necessary emergency services are provided. Extraordinary efforts need to be put forth before circumvention of non-emergency procedures are followed. Consultation with a Supervisor or the Director is necessary before such action is taken. When programs require access to services within short time frames, DCSS will take whatever steps necessary to ensure that all clients, including clients with LEP, have access to services within the appropriate time frames. For example, when a client needs an interpreter or other language assistance services to obtain expedited program services, DCSS goal is to make the services accessible within the required time frame, whether that means using an interpreter or any other appropriate type of language assistance.

10. Access To and Costs of Interpreters:

Under no circumstances will DCSS indicate (either verbally or in writing) that any applicant or client in need of LEP services will be charged for interpreter or translation services. All such services shall be at no expense to the applicant or client. Such services will be provided during all normal business hours, and when necessary, during non-business hours when an emergency has been determined to exist.

11. Notice of Service Availability:

LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the customer is not able to communicate in English. Notice of service availability will come from the document in the central reception area. Distribution of the LEP Plan to various parties cited above will help in putting those entities on notice that interpreter and translation services are available on a timely basis and free of charge. Use of material that has been translated into Spanish will be used immediately when it has been determined that the person presenting for service is not able to understand English. Insofar as the Department of Human Services has translated many forms into multiple languages, DCSS will access these forms as necessary. Access to the Department's website at www.dhs.state.mn.us/forms will be made. Additionally, translated income maintenance forms located in TEMP Manual 12.01.13 will be accessed as needed.

12. County-Produced Materials:

Insofar as the LEP census in Douglas County is small, it is not anticipated that DCSS will develop any DCSS-produced material. Rather, DCSS will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the DHS web page will also be used as necessary. DCSS will follow DHS's translation numerical guidelines as required.

13. Complaint Resolution Protocol:

Any adverse action taken by DCSS with which an applicant or recipient disagrees is subject to complaint. DCSS has a formal complaint process that can be utilized to try to resolve any dispute. In the absence of local resolution, the person making the complaint will be informed in a language understandable to the grievant, of the process to follow and make a complaint to DHS or the Office of Civil Rights. Appropriate use of interpreter services with Language Line Services to facilitate the dispute resolution process will take place. All such complaints can be made to any of the parties listed at the top of this LEP Plan.

14. Posting:

A copy of the DCSS LEP Plan will be posted on the main bulletin board in the central lobby.

TRAINING

1. Distribution of LEP Plan:

All DCSS employees who have direct contact with customers will be provided a copy of the LEP Plan upon its adoption. If any changes are made in the document, a revised copy will also be provided to the same entities listed in 'Dissemination of LEP Plan' above.

At this time, the following employees will be recipients of the document:

All Financial Services Staff	25
All Social Services Staff	40
All Child Support Staff	7
All Accounting Staff	13
The Finance Director	1
The Director	1
The Assistant Director	1
Office Support Staff	6

2. Training of Staff - Initial:

With approval of the LEP Plan, there will be initial training on the document. This training will take place for current staff in the context of an "All Staff" meeting. For any new employee affected by the LEP Plan, this document will be incorporated into that person's generic orientation protocol at the time of hire.

3. Training of Staff - Ongoing:

On at least an annual basis a copy of the LEP Plan will be given to all staff.

MONITORING

1. Evaluation of the LEP Plan:

On at least an annual basis, the LEP Plan will be reviewed for effectiveness. This review will normally take place in January and will be coordinated by the DCSS LEP Coordinator. The evaluation will involve consultation with representatives of the Financial Services Unit and Social Services Unit to determine compliance with the LEP Plan, identification of any problem areas, and development of required corrective action strategies. Elements of the evaluation will include the following:

- * Number of persons with LEP in Douglas County
- * Assessment of current language needs of DCSS applicants and clients to determine if the clients need an interpreter and/or translated materials; updating case files which lack information about a client's language preference; determining if clients need to be asked their language preference at the time of certification.
- * Assessment whether staff members understand DCSS LEP policies and procedures and who to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.
- * Seeking and obtaining feedback from non-English or limited-English speaking communities in Douglas County including applicants and clients as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

2. LEP Contact Person:

For purposes of the LEP Plan, Douglas County's designated contact person is the Director with appropriate delegation made to both the Financial Assistance Supervisor and the Social Services Supervisor of the agency.