

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Effective 7-01-10

YELLOW MEDICINE COUNTY

Family Service Center

930 4TH AVENUE, SUITE 4

GRANITE FALLS, MINNESOTA 56241-1367

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Minnesota Relay Service (speech to speech relay service): 800-627-3529 or
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The following is the Yellow Medicine County Family Service Center plan to meet the legal obligation of language access requirements in compliance with:

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000 et seq.; 45 CFR §80, Nondiscrimination Under Programs Receiving Federal Financial Assistance Through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964
- Office for Civil Rights Policy Guidance, 65 Fed. Reg. 52762 (2000), Department of Health and Human Services, Office for Civil rights, Policy Guidance on the Prohibition Against National Origin Discrimination As It Affects Persons With Limited English Proficiency (August 30, 2000); OCR Website: www.hhs.gov/ocr/lep/
- Department of Justice Regulation, 28 CFR §42.405(d)(1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs

Assessment

At a minimum, the Yellow Medicine County Family Service Center will make an annual needs assessment of the language needs of Yellow Medicine County residents. The agency will consult with the school districts within the county and community based organizations available at the time of the assessment. The agency will also use any information supplied by the Department of Human Services or other agencies to conduct a comprehensive assessment of limited English needs in our county. During the assessment process, we will identify all non-English languages that are used by Yellow Medicine County residents who are or may become eligible for services through the Yellow Medicine County Family Service Center. At the present time Spanish and Hmong are identified as the non-English languages most likely to be encountered in Yellow Medicine County. We also recognize that there are populations of persons in our neighboring counties that speak Somali, so we are being alert to possible changes.

Specific language needs of each applicant with limited English proficiency will be determined at the time of intake or application. This will primarily be done by reviewing the language preference questions on the Health Care Programs application (HCAPP) and the Combined Application form (CAF). Language preferences will be entered into the applicant's primary language field in the MAXIS and MMIS computer systems. If an interpreter is needed, it will also be noted in the MAXIS system. If the receptionist or intake worker suspects that the applicant has limited English proficiency, the worker will use the *I Speak* posters provided by DHS in order to determine if the individual speaks Arabic, Hmong, Khmer, Lao, Oromo, Russian, Serbo-Croatian, Somali, Spanish, or Vietnamese. When indicated, the Yellow Medicine County Family Service Center will use all reasonable efforts to provide same day translation services.

In most instances the need for interpreter services will be indicated at the time of intake. The principal points of contact for persons requesting financial assistance will be at our main office in Granite Falls or during intake hours at our satellite office in Canby. Intake for Social Services will most likely take place in our Granite Falls office, but may also involve an interview in the applicant's home for services such as child protection assessments. Appropriate interpreter services will be needed to determine the type of assistance needed, completion of the application forms and communicating to the applicant his/her rights and responsibilities.

The Yellow Medicine County Family Service Center makes use of several forms of interpreter services in order to be able to provide the appropriate type of service needed in each situation on a timely basis. The Yellow Medicine County Family Service Center has a contract with Language Line Services for telephone interpretation in 140+ different languages. We also have a contract with the Southwest Minnesota Private Industry Council for interpretation in Spanish, either in the office or by phone. Blue Globe is a private interpretation service based in Marshall, MN offering Spanish, Somali and Hmong interpretation. Our agency is able to contract with this service on an as need basis for in-person or telephone interpretation. We also maintain a list of local residents who are willing to provide Spanish translation services. This list changes as families move in and out of our county.

All of the interpreter services listed in the previous section are available during regular business hours. However, each interpreter has his/her own job responsibilities and may not be available at a specific time or date. Because of the number of available resources, we have an increased chance of finding an available interpreter at any given time. In addition, Language Line Services are available 24 hours a day and seven days a week.

Policies and Procedures

The Yellow Medicine County Family Service Center is committed to carrying out the intent of the Civil Rights Act of 1964. We understand the importance to our agency and to our clients of our staff being able to communicate with all individuals, including those with limited English proficiency. The Yellow Medicine County Family Service Center adopted a Civil Rights Plan on 2-16-95, in conformance with DHS Bulletin 94-89A dated 12-27-94. This plan was reaffirmed 12-5-00.

Interpreters will automatically be offered when a recipient cannot communicate in English or has difficulty communicating in English with staff. Such services will be provided during all normal business hours, and when necessary, after hours if an emergency has been determined. Notice of services availability will come from the LEP Plan posted in the Yellow Medicine County Family Service Center reception areas of our Granite Falls and Canby offices.

Where applicable, the Yellow Medicine County Family Service Center will use its best efforts to assign clients with LEP to bi-lingual staff who speak their language. However, since we currently do not have any bi-lingual staff, use will be made of available interpretive services. These services primarily include: Southwest Minnesota Private Industry Council staff, Countryside Public Health staff and Language Line Services. Which of these services will be used will depend upon which service can best meet the needs of the limited English proficiency individual, is most appropriate for the type of service being requested and can be made available within the timelines allowed for the program or service being requested. Staff are to refer to the LEP Resource List attached to this plan for a list of available interpretive services and the procedures to follow to contact the interpreter

When programs require access to services within short time frames, Yellow Medicine County Family Services 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, Yellow Medicine County Family Services' 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.

There may be times when individuals come to our agency for services and they speak a language that we are not familiar with. If this happens, the receptionist will refer the individual to the Director, Social Service Supervisor or the Financial Assistance Supervisor. This person will then be responsible for trying to determine the individual's preferred language. Once determined, an appropriate interpreter service will be contacted in the usual manner.

All Yellow Medicine County Family Service Center staff working with an individual through an interpreter will inform the individual that there is no fee charged to the individual for using an interpreter. This information will be communicated verbally and in writing. Written notification will be provided by giving each LEP customer a copy of the *Notice of Rights to Language Assistance* document that DHS sent to clients in April of 2001. In addition, Yellow Medicine County Family Service Center staff will in no way indicate the cost of varying services or try to influence an individual into choosing a less expensive service that may not adequately meet the individual's needs

Staff will never require, suggest, or encourage a client with LEP to use family members or friends as interpreters. However, if a client prefers a family member or friend to interpret after an offer of free interpreter services is made, use of the family member or friend will be allowed, if doing so will not compromise the effectiveness of the interpretation and/or violate the client's confidentiality. The worker will need to document in the case file their offer of interpreter assistance and the fact that the client declined the offer.

Under no circumstances may a minor child be used as an interpreter.

When confronted with a situation in which an individual is unable to speak English and is unable to read or write in his/her native language, it will be necessary for Yellow Medicine County Family Service Center staff to locate an interpreter who can also assist with the completion of forms. The intake worker, along with the interpreter, will need to determine the level of the individual's literacy skills. The county's preference in situations like this would be to schedule interviews when face-to-face interpreter services can be provided.

Yellow Medicine County Family Services will assure that interpreters, whether bilingual staff or professional interpreters, have been trained and demonstrate competency. To be competent to provide interpreter services, 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.

Use of material that has been translated into languages other than English will be used immediately when it has been determined that the person requesting services from this agency does not understand English. Since the Department of Human Services has translated many forms into multiple languages, Yellow Medicine County Family Service Center staff will access these forms from the department's website as necessary. The Yellow Medicine County Family Service Center will translate documents and information contained in its documents into the non-English languages of those language groups when a significant number or the population eligible to be served or likely to be directly affected by its programs needs services or information in a language other than English to communicate effectively. Yellow Medicine County Family Services has determined that the significant number that will trigger translation is 1000 individuals within an LEP language group. At this time there is no non-English language used in Yellow Medicine County that is close to reaching the significant number trigger. If the

numbers should increase in the future, we will follow the Department of Human Services translation guidelines.

Any adverse action taken by the Yellow Medicine County Family Service Center is subject to appeal. The agency has a formal complaint process that can be used to try to resolve any dispute. If the issue cannot be resolved at the local level, the individual making the complaint will be informed in his/her own language about the process to follow to make a complaint to the Department of Human Services or the Office of Civil Rights. The complaint procedure will conform to the process outlined in the Yellow Medicine County Family Service Center Civil Rights Compliance Requirements (see attached copy). Appropriate use of interpreter services will take place during each step of the complaint process. Complaints may be filed with any staff member of the Yellow Medicine County Family Service Center.

Copies of the LEP Plan will be given to all Yellow Medicine County Family Service Center staff. A copy of the plan will also be displayed in the Yellow Medicine County Family Service Center reception areas in the Granite Falls and Canby offices.

Training

All Yellow Medicine County Family Service Center employees will receive a copy of the LEP Plan, when it is adopted. If any changes are made in the plan, a revised copy will be provided to all staff. Initial training will take place for all current staff during the first staff meeting following the approval of the plan. All new employees will be trained on the LEP process during their regular new hire orientation. On-going training will be conducted once each year during a regular staff meeting of all agency staff.

Monitoring

On an annual basis the LEP Plan will be reviewed for effectiveness. It will be coordinated by the Yellow Medicine County Family Service Center LEP Coordinator. The evaluation will involve consultation with representatives from all units of the agency, and will 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 limited English proficiency in Yellow Medicine County.
- Assessment of current language needs of Yellow Medicine County Family Service Center applicants and clients; updating case files with a client's language preference; and determining if clients need to be asked their language preference at the time of their next review.
- Determining whether existing assistance is meeting the needs of applicants and clients with limited English proficiency.
- Assessing whether staff members understand the Yellow Medicine County Family Service Center LEP Plan policies and procedures and how 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 Yellow Medicine County, including applicants and clients as well as any

known community organizations or advocacy groups working with non-English or limited English speaking communities.

The contact person for the Yellow Medicine County Family Service Center LEP Plan is the agency director.

Limited English Proficiency (LEP) Resource List

A variety of language access services are listed below. Choose the provider that will provide the best service for your customer, keeping in mind the type of service you are providing and how quickly you need to get that service to the customer.

Countryside Public Health – Spanish interpretation via telephone or face-to-face translation. Call 320-269-2174 and ask for Laura Mahlum.

Southwest Minnesota Private Industry Council - Spanish interpretation via telephone or face-to-face translation in our office. Call 320-269-5561 and ask for Carol Dombek.

Blue Globe – This agency is located in Marshall and will do Spanish, Somali or Hmong interpretation via telephone or face-to-face translation in our office. You may call 866-300-9403 and explain your interpretive need. You may need to leave a message on their answering machine, but my experience is that they called back within 15-30 minutes. They will bill our office for any services that they provide.

Language Line Services - Telephone translation in over 140 languages (see attached list). Call 800-367-9559. Our six digit Client ID is 209141. Access codes are as follows:

- 21 Income Maintenance
- 22 Social Services
- 23 IV-D Unit
- 24 Accounting and Clerical

Golden Tongue Consultants, Inc. – Walter and Carmen Patino provide in person, telephone and written translation in Spanish. Call 320-864-3441, 612-760-1065 or 612-759-1208.

Novelty Languages – Provide all interpretive services. Call 612-607-9855 or go online to Noveltylanguages.com.

Local volunteers - see the attached sheet explaining our process for reimbursement. Be sure to have a release of information form signed by the customer and a voucher completed by the interpreter.

Spanish

As of 5-1-08 we do not have anyone on our local list.

If staff become aware of competent interpreters residing in our area, please let the LEP coordinator know, so the individual can be contacted about being added to this list.

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