

Policy Statement

TITLE: Civil Rights Compliance Plan

PURPOSE: To ensure compliance with components of Federal Civil Rights legislation as it relates to customers of Polk County Human Services.

REFERENCE: DHS Bulletin #06-89-10 (3-2-06)

PERSONNEL RESPONSIBLE: Administrative Staff

EFFECTIVE: 6-1-06

POLICY:

Please see attached document.

AUTHORED BY: Kent Johnson
DATE: 5-23-06

APPROVED BY: County Board
DATE: 5-23-06

Polk County Human Services
612 N. Broadway, Suite 110
Crookston, Minnesota 56716

Civil Rights Compliance Plan

May 23, 2006

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I. Purpose of Plan

The purpose of the **Civil Rights Compliance Plan** is to ensure compliance with Federal Civil Rights law in all its application to the business of Polk County Social Services.

II. Contact Information

The following contact information for Civil Rights, Limited English Proficiency and ADA/504 purposes is as follows:

Contact: Kent Johnson – Director and OCR Coordinator
Address: 612 N. Broadway, Room 302
Address: Crookston, Minnesota 56716
Phone: 218-281-3127
Fax: 218-281-3926
Email: kent.johnson@co.polk.mn.us
Posting: Main lobby – 612 N. Broadway, Room 302, Crookston, Minnesota 56716, 104 N. Kaiser Ave., Fosston, MN 56542, 1424 Central Ave. NE, East Grand Forks, MN 56721.

III. Legal References

This document is written within the backdrop of the following citations: Title VI of the Civil Rights Act of 1964 – Public Law 88-352; Section 504 of the Rehabilitation of Act of 1973 – Public Law 93-112; The Age Discrimination Act of 1975 (Public Law 94-195); the Food Stamp Act of 1977 – Public Law 95-113; Minnesota Government Data Practice Act – M.S. 13.01 et seq; and DHS Bulletin #06-89-10 of 3-2-06.

IV. Equal Opportunity Policy

a. Policy Framework - In keeping with Office of Civil Rights (OCR) guidelines, each county social service agency should develop a written equal opportunity policy. This policy should relate to service delivery that states or reaffirms its commitment to provide all services, financial aid, and other benefits to all eligible persons without regard to race, color, national origin, sex, religion, age, political beliefs and disability. It is the policy of Polk County Social Services (PCSS) to provide federally-financed services, financial aid and benefits of programs and activities without discrimination on the basis of race, color, national origin, sex, religion, age, political beliefs and disability. This policy extends to prohibit discrimination in services that are administered and delivered according to Federal, State and local civil rights laws, executive orders, rules and regulations.

b. Equal Opportunity Components – “Equal opportunity” has the following components:

*That no otherwise qualified person, under any program or activity receiving federal financial assistance (and state financed under ADA), shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination;

*That each program or activity is conducted so when viewed in its entirety, it is readily accessible to and usable by individuals with physical, mental or emotional disabilities, including making reasonable accommodations or modifications in policies, practices or procedures when necessary unless doing so would result in either a fundamental alteration in the nature of the program or undue financial and administrative burdens;

*That applicant/client eligibility determinations, assignments to staff and facilities, treatment by staff, access to information about programs, physical and programmatic access to facilities, referral services, intake and admissions procedures assessment, diagnosis,

evaluation and treatment, outreach, patient disciplinary actions and termination of services are made without regard to protected class status; and

*That services and information are provided in the appropriate language to persons with “limited English proficiency” (LEP) as well as appropriate auxiliary aids and services including, but not limited to, use of a TTY/TDD and/or telephone relay service for individuals who are deaf or hard of hearing, providing readers for persons who are blind or visually impaired, providing literature or posters in formats that are understandable to blind or visually impaired individuals and providing appropriate special assistance to individuals with developmental and learning disabilities.

c. Disability Posting – PCSS has, as part of its **Civil Rights Compliance Plan**, incorporated the use of the ADA-related brochure “**Do You Have A Disability**” (DHS-4133-ENG). This document is posted in the central reception area of agency offices as well as being part of the appendices. This document is also included in all rights and responsibilities information packets distributed to applicants and customers. Please see **Appendix A** for a copy of this document.

V. Complaint Resolution Protocol

a. Complaint Framework - In keeping with OCR guidelines, each county human service agency should develop a manageable procedure for resolving service delivery discrimination complaints.

The agency should also provide written notice of this procedure to staff, applicants, clients and the general public.

Also in keeping with OCR guidelines, each county human service agency should notify the Department of Human Services in writing of all service delivery discrimination complaints filed against the agency.

It is expected that PCSS will provide notification to the Department of Human Services within 90 days of the date the complaint is filed. For this purpose, PCSS will use the **Polk County Social Services Complaint Notification** document. Please see **Appendix B** for a copy of this document.

b. Resolution Protocol - PCSS will refer all civil rights complaints to the State Department of Human Services, Civil Rights Coordinator.

*If a person believes they have been discriminated against because of the person’s race, color, national origin, sex, religion, age, political beliefs or disability, while applying for or receiving human services, the person may file a complaint. The person is encouraged to attempt to resolve the issue informally with the staff involved and their supervisor. However, the person has the right to file a complaint whenever the person feels there is just cause. The person may file a complaint directly with the Department of Human Services (DHS).

*The person must file the complaint within 1 year of the alleged discrimination. DHS may extend the one year period if the person can show good cause for not filing sooner.

*The person must file a written complaint. This means the person must complete and sign PCSS’s discrimination complaint form. As an alternative, the person may request a discrimination complaint form by calling or writing to:

DHS Civil Rights Coordinator
Minnesota Department of Human Services
Office of Equal Opportunity

P O Box 64997
St. Paul, MN 55164-0997
651-431-3040 (Voice)
651-431-7444 (fax)
651-431-3041 (TTY/TDD)

*It is important to add that complainants also know where to file civil rights complaints on the State and Federal level if they do not want to file a complaint with DHS or PCSS. Those entities are: Minnesota Department of Human Rights; U.S. Department of Health and Human Services Office for Civil Rights; and U.S. Department of Agriculture for the Food Stamp Program.

Minnesota Department of Human Rights
190 E. Fifth Street
St. Paul, MN 55101
(800) 657-3704 (Voice)
(651) 296-1283 (TTY/TDD)

Office for Civil Rights
U.S. Department of Health and Human Services
Region V
233 N. Michigan Avenue
Suite 240
Chicago, IL 60601
(312) 886-2359 (Voice)
(312) 353-5693 (TTY/TDD)

U.S. Department of Agriculture (USDA)
Director, Office of Civil Rights
Room 326-W, Whitten Building
1400 Independence Avenue SW
Washington, D.C. 20250-9410
(202) 720-5964 (Voice and TTY/TDD)

*Once the person has filed the complaint, the institution or agency named in the complaint cannot retaliate against the person or any person who provides information about the complaint. If the person experiences retaliation because they filed a discrimination complaint or provided information about a complaint, the person should immediately notify the DHS Civil Rights Coordinator and report what happened.

*Upon receiving the complaint, DHS should review it and notify the person in writing, within 10 days, regarding whether it has authority to investigate. If there is authority to investigate, the DHS Civil Rights Coordinator should conduct a prompt and thorough investigation to determine whether or not the facts support a finding of discrimination.

*If DHS concludes that the facts support a finding of discrimination, it should take appropriate action to correct the discriminatory practice and to prevent it from happening again.

*DHS should notify the person in writing of the outcome of the investigation within eight

weeks of filing the complaint. If the person is not satisfied with the decision, the person may ask the DHS Civil Rights Coordinator to forward the complaint to the Equal Opportunity Director who will have 20 days to resolve the complaint and notify the person in writing of the outcome.

*If the person is still not satisfied with the decision, the person may ask for review by the Commissioner. The request needs to be submitted in writing to the DHS Civil Rights Coordinator. The Commissioner will have 10 days to resolve the complaint and notify the person in writing of the outcome.

VI. Limited English Proficiency Plan

The PCSS Limited English Proficiency Plan is attached as Appendix D of this document.

Appendix

- A. DHS-4133 Disability document
- B. Polk County Social Services Complaint Notification document
- C. 2006 Assurance of Compliance document
- D. Polk County Social Services Limited English Proficiency Plan

Appendix A

DHS Disability Document (DHS-4133 – Eng)

Appendix B

**POLK COUNTY SOCIAL SERVICE COMPLAINT NOTIFICATION
COMPLAINTS ALLEGING DISCRIMINATION IN SPECIAL DELIVERY**

AUTHORITY: U.S. Department of Agriculture, Food and Nutrition Service Instruction 113-1.
REQUIREMENT: County human service agencies must notify the DHS Civil Rights Coordinator of all service delivery discrimination complaints (i.e., civil rights complaints) filed against them (see bottom of Page 2 for contact information).

Provide the following information to the DHS Civil Rights Coordinator within 90 days of the date the complaint is filed:

1. Name, address, telephone number of complainant:

Name and address of county agency delivering the benefits, including names of any employees accused of wrongdoing:

2. Type of discrimination alleged:

3. Brief description of the alleged discriminatory act(s):

4. If a policy or procedure had a discriminatory effect on applicants or clients, identify the policy/procedure and describe the discriminatory effect it had:

5. Identify any witnesses to the alleged discrimination. Witnesses are people who observed the alleged discrimination. Provide their names, addresses, telephone numbers and titles:

6. Give the dates when the alleged discrimination happened and if it was continuing, give the duration of each incident:

7. Investigation findings:

8. If applicable, corrective action recommended and taken:

CONTACT INFORMATION: DHS Civil Right Coordinator
Minnesota Department of Human Services
Office for Equal Opportunity
P.O. Box 64997
St. Paul, MN 55164-0997
#651-431-3040 (voice)
#651-431-3041 (TTY/TDD)
#651-431-7444 (fax)

Appendix C

MINNESOTA DEPARTMENT OF HUMAN SERVICES 2006 CIVIL RIGHTS ASSURANCE AGREEMENT

ASSURANCE OF COMPLIANCE FOR THE MINNESOTA COUNTY HUMAN SERVICES AGENCIES WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964. SECTION 504 OF THE REHABILITATION ACT OF 1993. THE AGE DISCRIMINATION ACT OF 1975 AND THE FOOD STAMP ACT OF 1977.

Polk County Human Services (PCSS) provides this assurance in consideration of and for the purpose of maintaining its receipt of federal financial assistance from the United States Departments of Health and Human Services and Agriculture. PCSS agrees that compliance with this assurance constitutes a condition of continued receipt of federal financial assistance and that it is binding upon PCSS, its successors, transferees and assignees for a period of two years, January 2006 through December 2007, during which the assistance is provided.

PCSS AGREES THAT IT WILL COMPLY WITH:

1. ***Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352)***, as amended, and all requirements imposed by or pursuant to the regulation of the Department of Health and Human Services (45 C.F.R. Part 80). In accordance with Title VI and its implementing regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which PCSS receives federal financial assistance from the Department of Health and Human Services.
2. ***Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112)***, as amended, and all requirements imposed by or pursuant to the regulation of the Department of Health and Human Services (45 C.F.R. Part 84). In accordance with Section 504 and the regulation, no otherwise qualified individual with a disability in the United States shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which PCSS receives federal financial assistance from the Department of Health and Human Services.
3. ***The Age Discrimination Act of 1975 (Pub. L. 94-195)***, as amended, and all requirements imposed by or pursuant to the regulation of the Department of Health and Human Services (45 C.F.R. Part 91). In accordance with the Age Discrimination Act and the regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which PCSS receives federal financial assistance from the Department of Health and Human Services.
4. ***The Food Stamp Act of 1977 (Pub. L. 95-113)***, as amended, and all requirements imposed by or pursuant to the Food and Nutrition Service (FNS) Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities of the Department of Agriculture which derives authority from the Food Stamp Act, the Department of Agriculture regulation implementing Title VI (7 C.F.R. Part 15 Subpart A and Subpart C) and the regulations implementing Section 504 and the Age Discrimination Act. In accordance with the Food Stamp Act and FNS Instruction 113-1, the Food Support Program is committed to assuring that no person in the United States shall, on the ground of race, color, national origin, age, sex, disability, political beliefs or

religion, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Food Support Program. FNS Instruction 113-1 requires that PCSS obtain a written civil rights assurance of compliance, and to assure compliance, Department of Agriculture personnel must be allowed access to PCSS records, books and accounts as needed during normal work hours.

5. Pursuant to the Civil Rights Plan for the Minnesota Department of Human Services (DHS), DHS shall have access to private and/or confidential data maintained by PCSS or other sub-recipient of federal financial assistance to the extent necessary to conduct a full and complete investigation into any complaint of discrimination. DHS agrees to comply with all requirements of the Minnesota Government Data Practices Act (Minn. Stat. Ch. 13.01 et seq.). No private and/or confidential data collected, maintained or used in the course of an investigation shall be disseminated except as authorized by statute, either during the period of the investigation or thereafter.

The person whose signature appears below is authorized to sign this assurance agreement and commit PCSS to the above provisions.

Polk County Social Services:

Name: _____
Kent Johnson

Title: Director

Date: _____

Appendix D

LIMITED ENGLISH PROFICIENCY PLAN

Effective Date: January 2013

FOR

Polk County Social Services

612 N. Broadway, Room 302

Crookston, MN 56716

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A. Purpose and Legal Basis

The purpose of this limited English proficiency plan is to ensure meaningful access to program information and services for persons with limited English language proficiency. The legal basis for this plan comes from Title VI of the Civil Rights Act of 1964. This plan implements the Title VI language access responsibilities of human services providers receiving federal financial assistance from the U.S. Department of Health and Human Services.

B. Legal Authorities/References

According to the Office for Civil Rights (OCR), in order to avoid discrimination on the basis of national origin against persons with limited English language proficiency, recipients of federal financial assistance from the U.S. Department of Health and Human Services must take adequate

steps to ensure that persons with limited English proficiency receive the language assistance necessary to allow them meaningful access to services, free of charge. This limited English proficiency plan for Polk County Social Services (PCSS) has been completed at OCR's instruction. In OCR's August 30, 2000 policy guidance, issued to interpret the regulations under Title VI, OCR states that a recipient of federal financial assistance can ensure effective communication (which leads to meaningful access) by implementing a limited English proficiency plan that accounts for how the recipient (agency) will provide language assistance services when they are needed by applicants, clients, and members of the public.

- 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

C. Written Plan

1. Persons Covered by Policy - Identifying Clients with Limited English Proficiency

PCSS limited English proficiency plan has been developed to serve its clients, prospective clients, family members of clients, or prospective clients, or other interested members of the public (hereafter called "clients") who do not speak English or who speak limited English.

A client has limited English language proficiency (LEP) when he/she is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with PCSS staff. Sometimes it is not this easy to identify a person with LEP. Some clients may know enough English to manage basic life skills, but may not speak, read or understand English well enough to understand in a meaningful way some of the more complicated concepts they may encounter within the human services systems (i.e., legal, medical or program language). These clients may also fit the description of a person with LEP.

2. Statement of Commitment to Meaningful Access

No person will be denied access to PCSS programs or program information because he/she does not speak English or speaks limited English. PCSS will provide for effective communication between clients with LEP and PCSS staff by making appropriate language assistance services available when clients need these services. Clients will be provided with meaningful access to programs and services in a timely manner and at no cost to the client.

3. Offering Language Assistance Services

Staff will initiate an offer for language assistance to clients who have difficulty communicating in English, or when a client asks for language assistance. Whenever possible, staff are

encouraged to follow the client's preferences. For example, if a client wants a family member or friend to interpret rather than a PCSS provided interpreter, staff should allow this if doing so will not violate the client's data privacy rights and the friend/family member can demonstrate that he/she is competent to interpret. Staff must offer free interpretation and/or translation services to persons with LEP in a language they understand, in a way that preserves confidentiality, and in a timely manner.

4. Uncommon Languages; In-Person Interpreter Services

When interpreter services are needed in a language not commonly used, the client with LEP will be connected to the Language Line, which is a telephone interpretation service PCSS contracts with.

If an interpreter is needed in-person, rather than over the telephone, arrangements will be made to have an interpreter available at a time and place that is convenient for both the interpreter and the client. Arrangements for in-person interpreting should be made by contacting vendors directly.

5. Emergency Situations

When programs require access to services within short time frames, PCSS 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, PCSS' 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.

6. Interpretations and Translation Defined

For purposes of this policy, interpretation is defined as a spoken or visual explanation provided to help two or more people who do not speak the same language to communicate with each other. Translation is defined as a written version of a document provided in a different language than the original document.

7. Assisting Clients That Don't Read Their Language

PCSS staff must assist a client with LEP who does not read his/her primary language to the same extent as staff would assist an English speaker who does not read English.

8. Assigning Clients with LEP to Bilingual Staff

Where applicable, and when possible, and as a program practice, PCSS will use its best efforts to assign clients with LEP to bilingual staff who speak their language.

D. Procedure for Using Interpretation

1. Verification of Client's Identity

PCSS staff should continue the existing practice of verifying the identity of the client before releasing case-specific information. Bilingual staff, Language Line staff, or other private companies providing interpretation or translation services through contracts with the State (hereafter "contractors"), may be used in making verifications.

2. Language Assistance Resources -- Order of Preference for Use

As much as possible, staff should use these language assistance services in the order set out below.

a. Bilingual Staff

The list of bilingual staff, if any, available to serve as interpreters is in Attachment 1 of this Policy.

PCSS staff should use Attachment 1 to connect existing bilingual staff to clients with LEP for the purpose of providing interpreter assistance. These bilingual staff members are considered competent to provide interpreter assistance.

b. Telephone Interpreter Services

Staff should use the Language Line Services for interpreter assistance when bilingual staff is not available or when the language is one not commonly encountered at PCSS.

The Language Line telephone number is 1-800-367-9559. The PCSS Access number is 612, and the PCSS Client ID number is 509067.

PCSS staff should familiarize themselves with the Language Line before they actually need to use it. Being familiar with how to use this service will help staff act quickly when clients need interpreter assistance. A demonstration of the service available can be sampled by calling 1-800-996-8808. Also, see "Helpful Hints for Using Telephone Interpreters," Attachment 2 of this Policy.

c. Contract Interpretation and Translation Services

The State Department of Administration holds contracts with several interpretation and translation services in the metro area. As necessary, PCSS can contract on an individual basis to set up short/long term arrangements with these (and other) contractors. PCSS staff can contact the LEP plan Manager should this type of service need consideration. For a possible listing of additional interpretation and translation vendors, see the Yellow Pages under "Translators and Interpreters." See also, "Helpful Hints for Using Interpreters," Attachment 2 of this Policy.

Spoken Interpretation Services:

www.mmd.admin.state.mn.us/mn05022.htm

Written Language Translation Services:

www.mmd.admin.state.mn.us/mn05014.htm

d. Using Family and/or Friends as Interpreters

Staff are asked to accommodate clients' wishes to have family or friends serve as interpreters whenever possible. However, staff must keep in mind both client confidentiality and interpreter competency and should also follow the rules set out below.

PCSS may expose itself to liability under Title VI if it requires, suggests, or encourages a client

with LEP to use friends, minor children, or family members as interpreters because family, friends, or minor children may not be competent to serve as interpreters.

Use of family or friends could result in a breach of confidentiality or reluctance on the part of clients to reveal personal information critical to their situations. Family and friends may not be competent to act as interpreters because they may not be proficient enough in both languages, may lack training in interpretation, and/or have little familiarity with specialized program terminology.

If a client still prefers a family member or friend to interpret after PCSS offers free interpreter services, PCSS may use the family member or friend if doing so will not compromise the effectiveness of the interpretation and/or violate the client's confidentiality. PCSS staff should document in the client's case file their offer of interpreter assistance and the fact that the client declined the offer.

PCSS bilingual staff or contracted interpreters should be used in circumstances when a client is giving information that may negatively impact his/her eligibility for services - e.g., deadlines or certifications. Bilingual staff or contracted interpreters should also be preferred in situations where a client must answer complicated or detailed questions about his/her case. These interpretations may also be handled by family or friends, but should also be referred to PCSS bilingual staff, Language Line staff, or contractors for follow-up calls or letters.

PCSS staff must consider the requirements of the Minnesota Data Practices Act when determining whether or not, or in what capacity, a family member or friend may be used to interpret.

e. Rule for Minor Children

PCSS staff should never use minor children as interpreters.

3. Minnesota Data Practices Act

Minnesota Data Practices Act requires Minnesota government agencies to maintain the privacy of data that they collect in the course of their business. In the case of PCSS, the information that it collects regarding its clients is considered private data. Except in emergencies, this data may not be released to anyone other than the client, PCSS employees, the agents of PCSS, or others authorized by the courts or federal law, without the client's written, informed consent.

For purposes of the Data Practices Act, organizations and persons who contract to provide translation and interpretation services to PCSS clients are considered agents of PCSS. They may be privy to PCSS clients' private data and are bound by the same requirements for confidentiality, as are PCSS employees.

4. Competency of Interpreters

PCSS will ensure to the best of its ability that interpreters, whether bilingual staff or professional interpreters, have been trained and/or 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, reflecting good skills of interpreting, have basic knowledge in both languages of specialized program terms or concepts, and demonstrate that he/she is sensitive to the client's culture.

E. Notice of Rights of Language Assistance

PCSS staff must inform all clients with LEP of the public's right to free interpreter services that these services must be provided in a timely manner and must be available during PCSS business hours. Staff must also hand out fliers stating the same to all clients with LEP.

PCSS will use "I Speak" cards to help clients with LEP be able to identify their language needs for staff. PCSS will also use "I Speak" posters in the agency to help staff inform clients that language interpreters are available at no cost to the client.

F. Procedure for Using/Distributing Translated Forms

PCSS can access a number of documents and forms, which are available in languages other than English, from State sources.

PCSS staff with access to MAXIS can retrieve a list of translated documents/forms found in POLI/TEMP Manual at TE12.01.13. Staff who do not have access to MAXIS can obtain this list by calling the LEP plan Manager.

Additionally, the Health Care Application Form, the Renewal Form, and the Household Report Form have been translated into Spanish, Russian, Somali, Hmong, and Vietnamese. The English and translated versions are all available at <https://edocs.dhs.state.mn.us>.

Regularly used forms will be made available in translated form at each office. At the appropriate times, PCSS staff must send clients the preferred translated forms automatically when the same forms are sent to clients automatically in English.

G. Translation Plan

PCSS will translate vital documents and vital information contained in its documents--and materials in alternate formats--into the non-English languages of those language groups when a significant number or percentage of the population eligible to be served or likely to be directly affected by PCSS programs needs services or information in a language other than English to communicate effectively.¹ PCSS has determined that the significant number that will trigger translation is 1000 individuals within an LEP language group.

¹PCSS will adopt the definition of vital document or information as it appears in the OCR Guidance. According to OCR, a document or information should be considered vital if it contains information that is critical for accessing a federal fund recipient's services or benefits or is required by law. Vital documents include, but are not limited to applications, consent forms, letters containing information regarding eligibility or participation criteria, notices pertaining to the reduction, denial, or termination of services or benefits, notices that require a response from beneficiaries, and documents that advise of free language assistance.

H. LEP Training for PCSS Staff

PCSS will distribute the LEP plan to all staff so they can learn the policies and procedures required to make language assistance available to clients with LEP. All staff with ongoing client contact are required to attend LEP training once a year. Staff will be given advance notice of these training dates. In addition, information about the LEP plan will be incorporated into the PCSS New Employee Orientation beginning in the fall of 2001.

LEP training will include information on the following topics: PCSS' legal obligation to provide

language assistance to clients with LEP; the substance of PCSS' LEP plan including its policies and procedures to access language assistance services; tips on working with interpreters; and how to properly document information about a client's language needs in the client's case file.

I. Monitoring of the LEP Plan

Beginning in January each year, PCSS will conduct an evaluation of its LEP plan to determine its overall effectiveness. The evaluation will consider what is working and what is not and make adjustments to the LEP plan accordingly. The evaluation will also determine whether new languages will be added for translation and whether existing languages will be dropped. PCSS' LEP plan Manager will lead the annual evaluation activities and may utilize the help of a team of staff persons familiar with the LEP plan and how it functions.

PCSS' annual evaluation of its LEP plan will include the following activities:

- Assessment of the numbers of persons with LEP in the service delivery area.
- Assessment of the current language needs of clients with LEP to determine whether clients need an interpreter and/or translated materials to communicate effectively with staff; updating files which lack information about a client's language needs; and confirming information with clients about their language preference at recertification.
- Determining if existing language assistance services are meeting the needs of clients with LEP.
- Assessing whether staff members understand PCSS' LEP policies and procedures, how to carry them out and whether language assistance resources and arrangements for those resources are still current and accessible.
- Seeking and getting feedback from LEP communities, including clients, community organizations, and advocacy groups working with LEP communities, about effectiveness of PCSS' LEP plan.

J. LEP Plan Posted for Public Review

The LEP plan will be posted for public review in all PCSS lobbies. The LEP plan will be available in English, but bilingual staff or interpreters will be available to translate the plan for those who do not speak English who wish to read it. The words "Limited English Proficiency Plan" or something to that effect, in all appropriate languages, will be posted next to the LEP plan so clients with LEP know that such a plan exists and that they can get help to read it.

K. Distribution of LEP Plan

Immediately upon its completion, the PCSS LEP plan will be distributed to all PCSS staff.

L. Responsible Authority/Complaint Process - Contact Person

Each PCSS division and special office is responsible for implementing this LEP plan in its area. The person designated to provide technical assistance and respond to inquiries and complaints from the public is the LEP plan Manager listed below.

LeAnn Holte

FINANCIAL ASSISTANCE SUPERVISOR II
POLK COUNTY SOCIAL SERVICES

612 North Broadway Room 302

CROOKSTON, MN 56716

218-281-3127 (Office)

218-471-8459 (Direct Line)

218-281-3926 (Fax)

LIST OF BILINGUAL STAFF INTERPRETERS

This is a list of PCSS staff, which has indicated a proficiency in a non-English language and a willingness to act as a staff interpreter on an "as-needed" basis. All staff listed are considered "competent" to provide interpreter services at PCSS. This means they are proficient in both English and the language listed next to their name and are able to convey information in both languages accurately, may have had orientation and training that includes the skills and ethics of interpreting, have basic knowledge in both languages of specialized program or concepts, and will be sensitive of the client's culture.

Velma Axtell (ext. 8427) - Spanish

Ricardo Ramon (ext. 8525) - Spanish

POLK COUNTY SOCIAL SERVICES

HELPFUL HINTS FOR USING TELEPHONE INTERPRETERS

1. Tell the interpreter the purpose of your call - describe the type of information you are planning to convey.
2. Enunciate your words and try to avoid contractions, which can be easily misunderstood as the opposite of your meaning. E.g., "can't - cannot."
3. Speak in short sentences, expressing one idea at a time.
4. Speak slower than your normal speed of talking, pausing after each phrase.
5. Avoid the use of double negatives. E.g., "If you don't appear in person, you won't get your benefits." Instead, "You must come in person in order to get your benefits."
6. Speak in the first person. Avoid the "he said/she said."
7. Avoid using colloquialisms and acronyms, e.g., "PCSS," "MFIP," etc. If you must do so, please explain their meaning.
8. Provide brief explanations of technical terms, or terms of art, e.g., "Spend-down means the client must use up some of his/her monies or assets in order to be eligible for services."
9. Pause occasionally to ask the interpreter if he/she understands the information that you are providing, or if you need to slow down or speed up in your speech patterns. If the interpreter is confused, so is the client.
10. Ask the interpreter if, in his/her opinion, the client seems to have grasped the information that you are conveying. You may have to repeat or clarify certain information by saying it in a different way.
11. ABOVE ALL, BE PATIENT with the interpreter, the client and yourself!
12. Thank the interpreter for performing a very difficult and valuable service.