

KANABEC COUNTY

LIMITED ENGLISH PROFICIENCY PLAN



APRIL 2007

UPDATED 5-16-08

Reviewed 6-24-10

UPDATED 5-20-11

UPDATED 11-14-12

Limited English Proficiency Plan
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12-01-03

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100 – Purpose and Legal Basis

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

200 – Assessment

300 – Policy

400 – Training

500 – Monitoring

200 – Assessment

201 – Needs Assessment – Kanabec County will on at least an annual basis make a needs assessment of the unique language needs within Kanabec County. Consultation will be made with the two major school districts in the County. Consultations will aim at trying to discern the types of non-English languages that are most predominant in Kanabec 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.

202 – 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** (HCAPP) and the **Combined Application Form** (CAF). Language preferences will be entered into the applicant’s primary language field in the MAXIS and MMIS systems. If an interpreter is needed, it also will be entered in the MAXIS 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 SCHS to provide same-day interpreter services.

203 - 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 Mora. 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.

204 – Resources Needed – Kanabec County will use its formal linkage with Language Line Services (1-800-367-9559) or Pacific Interpreters (866-425-0217) for Spanish and other languages. When feasible, on-site interpreter services will be made available and would be the first preference. The Agency also 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 to facilitate completion of application and processing of interviews.

205 – Timely Access –Language Line Services and Pacific Interpreters are available 24-7. Contact 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, and when available, will occur in a private setting in Family Services at the Public Services Building or in the Courthouse.

300 – Policies and Procedures

301 – Agency Commitment – Kanabec County 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 Kanabec County.

302- Range of Oral Language Assistance – Use of Language Line or Pacific Interpreters services for non-English language will take place as necessary. Kanabec County will take advantage of the “notice of rights to language services” documents for persons with LEP as they are made available by the Department of Human Services.

303 – Uncommon Languages – There may be circumstances when customers present for services that use a language other than those most commonly used in Kanabec County. There may be languages such as Russian, Hmong, Vietnamese, Khymer/Cambodian, Lao, Somali and the like. Receptionist staff will refer all such cases to the Financial Services Supervisor, Social Services Supervisors or Director. 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 or country of origin. Once determined, contact will be made with an appropriate Language Line Services or Pacific Interpreters interpreter in the customary manner.

304 – Affirmative Action – The Kanabec County 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.

305 – Use of Family and Friends – Use of family and 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 service 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 interpretive services.

306 – 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 – such as Language Line Services or Pacific Interpreters, competency is presumed. When using family friends or significant others, the intake worker must make a judgment as to the competency of the proposed interpreter. “Certification” as an interpreter is not a pre-requisite.

307 – Dissemination of LEP plan – Copies of the LEP Plan will be provided to the following: all employees who have direct customer contact, area Legal Aide office, Kanabec County Public Health and Kanabec County Courthouse. A copy of the main announcement, MS-1659, will be prominently displayed in the Agency reception area.

308 - 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 Kanabec County finds a suitable interpreter, one who can assist the person in completion of necessary forms, documents and the like. The KCFS 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.

309 – Emergency Situation – When a determination has been made that an emergency exists and LEP considerations are identified as being present, KANABEC COUNTY 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 are necessary before such action is taken.

310 – Access to and Costs of Interpreters – Under no circumstances will KANABEC COUNTY 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.

311 – 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 MS-1659 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 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, Kanabec County 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.

312 – County-Produced Materials – Insofar as the LEP census in Kanabec County is paucous, it is not anticipated documents as the primary source of translated materials. Rather, KANABEC COUNTY will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the DHS web-pate will also be used as necessary. Kanabec County will follow DHS's translation numerical guidelines as required.

313 – Complaint Resolution Protocol – Any adverse action taken by Kanabec County with which an applicant or recipient disagrees is subject to complaint. Kanabec County 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 in making a complaint to DHS or the Office of Civil Rights. The complaint procedure will conform in all respects to the existing procedure included in Civil Rights Compliance Requirements: Appropriate use of interpreter services with or Pacific Interpreters 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.

314 – Posting – A copy of the Kanabec County LEP Plan will be posted on the main bulletin board in the Family Services Resource Room.

400 – Training

401 – Distribution of LEP Plan – All Kanabec County 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 # 307.

402 – 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.

403 – Training of Staff – Ongoing – On at least an annual basis a review of the LEP Plan will take place.

500 – Monitoring

501 – Evaluation of the LEP – On at least an annual basis, the LEP Plan will be reviewed for effectiveness. This review will normally take place in January. 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 Kanabec County.
- * Assessment of current language needs of KCFS applicants and clients to determine if the client needs 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.
- * Determining whether existing assistance is meeting the needs of applicants and clients with LEP.
- * Assessing whether staff members understand KANABEC COUNTY LEP 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 Kanabec County including applicants and clients as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

502 – LEP Contact Person – For purposes of the LEP Plan, Kanabec County’s designated contact person is the Director with appropriate delegation made to both the Financial Assistance Supervisor and the Social Service Supervisor of the Agency.