

ROSEAU COUNTY SOCIAL SERVICES  
208 6<sup>th</sup> Street SW  
Roseau Minnesota 56751

LIMITED ENGLISH PROFICIENCY PLAN  
Effective Date: April 20, 2001  
Revised: February 7, 2002

## TABLE OF CONTENTS

<u>Topic</u>	<u>Page</u>
A. Purpose and Legal Basis	3
B. Legal Authorities/References	3
C. Written Plan	3
1. Persons Covered by Policy	3
2. Statement of Commitment to Meaningful Access	4
3. Offering Language Assistance Services	4
4. Uncommon Languages; In-Person Interpreter Services	4
5. Emergency Situations	5
6. Interpretation and Translation Defined	5
7. Assisting Clients That Don't Read Their Language	5
8. Assigning Clients with LEP to Bilingual Staff	5
D. Procedure For Using Interpretation	5
1. Verification of Client's Identity	5
2. Language Assistance Resources Border of Preference for Use	6
a. Telephone Interpreter Services	6
b. Contract Interpretation and Translation Services	6
c. Using Family and/or Friends as Interpreters	7
d. Rule for Minor Children	7
3. Minnesota Data Practices Act	8
4. Competency of Interpreters	8
E. Notice of Rights to Language Assistance	8
F. Procedure for Using/Distributing Translated Forms	9
G. Translation Plan	9
H. LEP Training for Roseau County Staff	9
I. Monitoring of the LEP Plan	9
J. LEP Plan Posted for Public Review	10
K. Distribution of LEP Plan	10
L. Responsible Authority/Complaint Process-Contact Person	10
 Attachment 1 - Helpful Hints for Using Telephone Interpreters	 12

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 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 Roseau County Social Services 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.

1. 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
2. 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/](http://www.hhs.gov/ocr/lep/)
3. 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  
  
Roseau County Social Services 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 Roseau County Social Services. 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 Roseau County Social Services programs or program information because he/she does not speak English or speaks limited English. Roseau County Social Services will provide for effective communication between clients with LEP and Roseau County Social Service 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 Roseau County Social Service 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. [See rule for using family and friends as interpreters on pages 7 and 8.]

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 Roseau County Social Services contracts with. [See Language Line service on page 6.]

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. [See Department of Administration's website addresses below.]

5. Emergency Situations

When programs require access to services within short time frames, Roseau County Social 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, Roseau County Social 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.

6. Interpretation 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

Roseau County Social Service 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

Roseau County Social Services does not have bilingual staff. The number of clients who may require LEP service is very few.

D. Procedure for Using Interpretation

1. Verification of Client's Identity

Roseau County Social Service 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. Telephone Interpreter Services

Staff should use the Language Line Services for interpreter assistance when the language is one not commonly encountered at Roseau County Social Services.

The Language Line telephone number is 1-800-874-9426. The Roseau County Social Services Client ID number is 509070.

Roseau County Social Service 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. See Helpful Hints for Using Telephone Interpreters, Attachment 1 of this Policy.

b. Contract Interpretation and Translation Services

The state Department of Administration holds contracts with several interpretation and translation services contractors in the metro area. Roseau County Social Service divisions can contract on an individual basis to set up short/long term arrangements with these (and other) contractors. Roseau County Social Service staff can access these contractor lists electronically at the Department of Administration's website. By making these lists available to staff, Roseau County Social Services does not endorse them, nor does it claim that they are exhaustive lists of providers for these services. For an extensive listing of additional interpretation and translation vendors, see the Yellow Pages under Translators and Interpreters. See also, Helpful Hints for Using Interpreters, Attachment 1 of this Policy.

Spoken Interpretation Services:  
[www.mmd.admin.state.mn.us/mn05022.htm](http://www.mmd.admin.state.mn.us/mn05022.htm)

Written Language Translation Services:  
[www.mmd.admin.state.mn.us/mn05014.htm](http://www.mmd.admin.state.mn.us/mn05014.htm)

c. Using Family and/or Friends as Interpreters

Staff is 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.

Roseau County Social Services 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 Roseau County Social Services offers free interpreter services, Roseau County Social Services 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. Roseau County Social Service staff should document in the client's case file their offer of interpreter assistance and the fact that the client declined the offer. Even if a client elects to use a family member or friend as an interpreter, Roseau County Social Service staff should suggest that a trained interpreter listen in on the interview to ensure accurate interpretation.

The Language Line 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. Language Line 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 Language Line staff, or contractors for follow-up calls or letters. Roseau County Social Service 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.

d. Rule for Minor Children

Roseau County Social Service 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 Roseau County Social Services, 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, Roseau County Social Service employees, the agents of Roseau County Social Services, 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 Roseau County Social Service clients are considered agents of Roseau County Social Services. They may be privy to Roseau County Social Service clients' private data and are bound by the same requirements for confidentiality as are Roseau County Social Service employees.

4. Competency of Interpreters

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.

E. Notice of Rights to Language Assistance

Roseau County Social Service staff must inform all clients with LEP of the public's right to free interpreter services and those services must be provided in a timely manner and must be available during Roseau County Social Service business hours. Staff must also

hand out flyers stating the same to all clients with LEP.

Roseau County Social Services will use I Speak cards to help clients with LEP be able to identify their language needs for staff. Roseau County Social Services 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

Roseau County Social Services will use the documents and forms which are available in languages other than English that are provided by DHS.

Roseau County Social Service staff with access to MAXIS can retrieve another list of translated documents/forms found in POLI/TEMP manual at TE12.01.13. Staff who does not have access to MAXIS can obtain this list by calling the LEP plan contact person listed below.

Additionally, the Health Care Application Form, the Renewal Form, and the Household Report Form have been translated into Spanish, Russian, Somali, Hmong, Cambodian, Lao, Vietnamese, and Arabic. The English and translated versions are all available on the DHS website at [www.dhs.state.mn.us/Forms](http://www.dhs.state.mn.us/Forms).

At the appropriate times, Roseau County Social Service staff must send clients the preferred translated forms automatically when the same forms are sent to clients automatically in English.

G. Translation Plan

Due to our small LEP census, Roseau County Social Service will not develop any Roseau County Social Service-produced material. We will rely on the state-produced documents. Downloading of documents from the DHS web-page will also be used as necessary.

H. LEP Training for Roseau County Social Service Staff

Roseau County Social Services 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 will be provided a review of LEP procedures at a staff meeting on an annual basis. In addition, information about the LEP plan will be incorporated into the Roseau County Social Service New Employee Orientation beginning in the fall of 2001.

LEP training and review will include information on the following topics: Roseau County

Social Service's legal obligation to provide language assistance to clients with LEP; the substance of Roseau County Social Service's 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

Roseau County Social Services will conduct an annual 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. Roseau County Social Service's LEP Manager will lead the annual evaluation activities with the help of staff persons familiar with the LEP plan and how it functions.

Roseau County Social Services' 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 Roseau County Social Service's 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 and community organizations and advocacy groups working with LEP communities, about the effectiveness of Roseau County Social Service's LEP plan.

#### J. LEP Plan Posted for Public Review

The LEP plan will be posted for public review in the Roseau County Social Service lobby on the wall to the right of the Information Desk.

K. Distribution of LEP Plan

Immediately upon its completion, the Roseau County Social Service LEP plan will be distributed to all Roseau County Social Service staff.

L. Responsible Authority/Complaint Process - Contact Person

Each Roseau County Social Service 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 listed below. Roseau County Social Services has an existing complaint resolution procedure used to resolve civil rights related disputes and complaints and this procedure will be used to resolve LEP-related disputes/complaints. The contact person listed below will provide information about this complaint procedure to all clients in a language they understand.

Marlys Horvath  
Financial Assistance Supervisor  
Roseau County Social Services  
208 6th Street SW  
Roseau MN 56751  
(218)463-2411  
(218)463-3872 (FAX)

## ATTACHMENT I

### ROSEAU 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., AABC, AMFIP, 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 is understanding 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.