

**Sherburne County Social Services
Limited English Proficiency Plan
-Public Document-**

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A. Purpose and Legal Basis

This document represents Sherburne County Social Services Department's plan and commitment to provide access to services for all persons regardless of language barriers as required by:

- Title VI of the Civil Rights Act of 1964: Statutory Citation: 42 USC 2000 et.seq. and Regulatory Citations: 45 CFR Part 80. Policy of Nondiscrimination under Programs Receiving Federal Financial Assistance through the U.S. Department of Health and Human Services.
- Office for Civil Rights Policy Guidance, 65 Fed. Reg. 52762 (2000). Policy Guidance on the Prohibition Against National Origin Discrimination as it Affects Persons with Limited English Proficiency.
- Department of Justice Regulation, 28 CFR part 42.405 (d)(1), Coordination of Enforcement of Non-discrimination in Federally Assisted Programs.

Sherburne County Social Services is committed to providing access to services for all persons regardless of language barriers.

B. Policy and Procedure

1. Statement of Commitment to Meaningful Access

No person will be denied access to programs or program information provided by Sherburne County Social Services because he/she does not speak English or speaks limited English. Sherburne County Social Services will provide for effective

communication between clients with Limited English Proficiency (LEP) and Social Services staff by providing appropriate language assistance services in a timely manner at no cost to the client. Language assistance will be offered, as needed, in the following formats:

- Interpretation: Spoken or visual explanation provided to help two or more people who do not speak the same language to communicate with each other.
- Translation: Written version of document(s) provided in the client's preferred language.

2. Persons Covered by this Policy

A client has Limited English Proficiency (LEP) when he/she is not able to hear, speak, read, write or understand the English language at a level that allows him/her to interact effectively with Sherburne County Social Services staff. Staff will offer free interpretation and/or translation services to all persons with LEP in a timely and confidential manner in a language they understand.

3. Notice of Rights to Language Assistance

Clients with LEP will receive notice of free access to interpreter and translation services when staff recognize they are not able to communicate sufficiently in English.

4. Limited English Proficiency Resources Available

Telephone Interpreter Providers

Staff should utilize Language Line services for interpreter assistance when clients are in the office and bilingual staff are not available, when the language is not recognized by Social Services staff or when emergency services are needed.

Language Line

Phone: 1.800.367.9559

Interpretation and Translation Providers

Direct interpretation and translation services should be utilized in non-emergency situations when staff have the ability to schedule face-to-face meetings. The following agencies may be contacted, in the order listed, to provide services to individuals with LEP.

Betmar Languages: 612.572.9711

The Bridge: 320.259.9239

Minnesota Court Interpreter Program: 651.297.5636

All In One Translation: 952.435.0799

5. Process to Access Language Assistance

Clients with LEP that present themselves to reception staff will be presented with the “I Speak poster” to indicate to reception staff their primary language.

Using the resources listed above, staff will make an offer of language assistance to individuals who have difficulty communicating in English, or when an individual asks for language assistance.

When services are required in a client’s home, staff will make arrangements for an interpreter to accompany them.

Processes Specific to Child Support and Collections Unit

Child Support and Collections staff shall make a note in the client’s work list indicating if a client has specified an LEP preference.

Processes Specific to Income Maintenance Units

To help identify financial applicants’ language needs, the worker will review the language preference questions on application forms (Health Care Application Form, Combined/Application Form, Part I and Recertification Form) and the applicant will indicate his/her primary language.

Language preferences will be recorded into the applicants’ case file in the MEMB or PMIN panels in MAXIS, or in MMIS for medical programs.

Workers may use DAIL/TIKL on MAXIS as a reminder to send recipients the preferred language version of forms at the appropriate times.

Processes Specific to Social Services Units

Social Workers shall make a note in SSIS indicating if a client has specified an LEP preference.

6. Bilingual Staff

When an LEP client is in the office and an interpreter is needed, or in emergency situations bilingual staff can be utilized to provide basic and limited interpretation.

Jill Robeck (telecommuter)

Phone: 763.458.3234

Language: Spanish

7. Uncommon Languages

The above process will be utilized for all clients with LEP. In situations where a language isn’t recognized utilizing the “I Speak poster” staff will attempt to use friends or family to, at a minimum, determine the language.

If none of our contracted providers are able to provide interpretation or translation in the needed language, other providers will be sought.

8. Use of Family and Friends as Interpreters

Sherburne County Social Services may expose itself to liability under Title VI if it requires, suggests or encourages a client with LEP to utilize friends, minor children or family members as interpreters as these individuals may not be competent to serve as interpreters.

However, if a client prefers a family member or friend to interpret after staff offers free interpreter services, staff shall accommodate their clients' wishes to have family or friends serve as interpreters if it will not compromise the effectiveness of the interpretation and/or violate the client's confidentiality. Social Services staff must document in the client's case file the offer of interpreter assistance and the fact that the client declined the offer.

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 provide interpretation or translation services.

Social Services staff should never use minor children as interpreters.

9. Emergency Interpreter Services

Services provided by Language Line and the Bridge can be accessed immediately. Bilingual staff, if available may also be accessed during working hours for limited translation. Services through the other providers require scheduling appointments.

10. Assistance to Clients Who Don't Read Their Own Language

In situations where a client cannot read or write their native language, staff will make arrangements for an interpreter to come to the government center, or utilize ITV so necessary forms and documentation may be completed.

11. Competency Standards for Interpreters

Minnesota Data Practices Act requires Sherburne County Social Services to maintain the privacy of data that they collect in the course of their business. For purposes of Data Practices Act, organizations and persons who contract to provide translation and interpretation services to Sherburne County Social Services clients are considered agents of Sherburne County Social Services and bound by the same requirements of confidentiality as Social Services staff.

Interpreters will demonstrate language proficiency in English and the language of the applicant. Interpreters should also have had orientation and/or 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.

For recognized service providers, such as All In One Translation, the Bridge, Betmar and Language Line, it is not necessary for staff to make a decision on competency. If other providers are utilized, including family or friends, staff should be cognizant of their ability to provide quality interpretation services and may need to make a judgment on the proficiency of the proposed interpreter. Competency does not necessarily mean a formal certification as an interpreter.

12. Translated Forms

If translated forms are available, staff should always ask the individual if he/she wants translated documents as opposed to an English version of the form. It is the recipient who should decide if he/she needs translated forms.

Department of Human Services Forms

Some Department of Human Services (DHS) forms are available in translated languages which can be access through eDocs at www.dhs.state.mn.

Limited Income Maintenance forms in the Spanish language are available within the Social Services Department.

13. Limited English Proficiency Plan Availability

Sherburne County Social Services will make the LEP plan available to the public through the Sherburne County website. This plan can be accessed at <http://www.co.sherburne.mn.us/socialservices/documents/lepplan2007.pdf>.

The LEP plan is specifically made available to the Private Industry Council and the St. Cloud Legal Aid Office.

Sherburne County Social Services staff may access the plan through the Internal Policies.

The plan will also be made available upon request.

C. Limited English Proficiency Staff Training

Sherburne County Social Services staff will receive a copy of the LEP plan during orientation and annually thereafter. A review of the LEP plan is included in the New Employee Orientation Checklist.

The LEP plan will be reviewed with staff on an annual basis to ensure staff awareness and their obligations to persons with LEP. Sherburne County Social Services staff will receive instruction and a copy of the LEP Plan via email no later than February each year. The LEP Plan is also available to employees through the Internal Policies Manual. Staff members will have knowledge of LEP protocol and the ability to access interpreter and language translation services.

D. Procedure for Complaint Resolution

If an individual with LEP disagrees with the action taken by Sherburne County Social Services staff they have the right to be involved in a formal complaint process.

The grievance process will be carried out in a language understandable to the individual filing the complaint. An interpreter will be utilized to facilitate the complaint resolution process. If the dispute is not resolved at the county level, the individual will be informed of the process to file a complaint with the Department of Human Services or the Office of Civil Rights.

The complaint process will conform in all respects to Sherburne County's Civil Rights complaint procedure. Initial complaints can be made to any of the individuals listed at the beginning of this LEP plan.

E. Annual Evaluation of Limited English Proficiency Plan

A coordinated review of the LEP plan will take place in January of each year. At that time the director and supervisors from each unit will assess the existing plan, identify concerns or areas of needed revision and carry out changes as needed. The evaluation will review the following areas:

- Number of documented individual receiving LEP services in the previous year (using Language Line billing statements).
- Assessment of Sherburne County language needs through contact with area school districts, other county departments, the Workforce Center and information received from the Department of Human Services.
- Assessment of available interpreter and translator services in regards to timeliness and proficiency.
- Review of Income Maintenance cases which indicated LEP to ensure necessary information is recorded within the case file.
- Assessment of staff's understanding and proficiency in delivering LEP services.