

# **LIMITED ENGLISH PROFICIENCY PLAN**

for

**WRIGHT COUNTY HUMAN SERVICES  
1004 COMMERCIAL DRIVE  
BUFFALO, MINNESOTA 55313**

**Effective Date: January 1, 2002**

Revised: January 1, 2004

Reviewed: March 2005

Reviewed: March 2006

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Revised: January 2012

Revised: January 2013

Revised: October 2014



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 Wright County Human Services has been completed at OCR's instruction. In OCR's August 30, 2000, policy guidance, issues 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). For OCR Policy Guidance, see the OCR website: [www.hhs.gov/ocr/lep](http://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 Program.

C. Written Plan

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

Wright County Human 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 Wright County Human Services staff. Sometimes it is not 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 system (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 Wright County Human Services' programs or program information because he/she does not speak English or speaks limited English. Wright County Human Services will provide for effective communication between clients with LEP and Wright County Human Services staff, by making appropriate language assistance services available when clients need these services. Clients will be provided with access to programs and services in a timely manner and at no cost to the client.

3) Offering Language Assistance Services

Staff will initiate and offer language assistance to clients who have difficulty communicating in English, or when a client asks for language assistance. Staff will provide 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. The Agency will provide an interpreter when there is a legal matter (eg. custody study, out of home placement, termination of rights, etc.). (See the rule for using family and friends as interpreters on pages 6-7).

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 used by Wright County Human Services. (See contact information on Attachment 2.)

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 will be made by contacting the vendors registered with the Minnesota Department of Health's Spoken Language Health Care Interpreter Roster at <https://pqc.health.state.mn.us/hci/searchInterpreter.jsp>.

2012 Minnesota Statutes

Chapter 256B.0625 Covered Services, Subdivision 18a. Access to medical services., (d) Coverage for face-to-face oral language interpreter services shall be provided only if the oral language interpreter used by the enrolled health care provider is listed in the registry or roster established under section [144.058](#) (Interpreter Services Quality Initiative).

5) Emergency Situations

When programs require access to services within short time frames, Wright County Human Services will take whatever steps *reasonable* 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, Wright County Human 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 Who Don't Read Their Language

Wright County Human Services 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 as a program practice, Wright County Human Services 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

Wright County Human Services 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.

The Language Line telephone number is 1-800-752-0093. The Wright County Human Services Client ID number is 508064. ***Staff will then be required to enter their phone extension to proceed with accessing the service.***

Wright County Human Services 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 3 of this Policy.

b) Interpretation and Translation Services

***Attachment 2 of this Plan contains the information for how to access telephone, in-person, sign language and translation services. Wright County Human Services staff can access this information on the Wright County Intranet directory, under Human***

*Services Department - Staff Resources – Limited English Proficiency Plan. Any vendor not defined in Attachment 2 must be prior authorized by the Agency Office Manager, so credentials may be verified prior to using them for interpreter services.*

c) Using Family and/or Friends as Interpreters

Wright County Human 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 Wright County Human Services offers free interpreter services, Wright County Human 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. Wright County Human Services 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, Wright County Human Services will suggest that a trained interpreter listen in on the interview to ensure accurate interpretation.

In situations whereby a client is being given information that may negatively impact his/her eligibility for services or answers to complicated or detailed questions are required, options 2a or 2b should be used for interpreter service needs.

Wright County Human Services must consider the requirements for the Minnesota Data Practices Act when determining whether or not, or in what capacity, a family member or friend may be used to interpret.

- Rule for Minor Children  
Wright County Human Services will **not** use minor children as interpreters.

d) 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 Wright County Human 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, Wright County Human Services employees, the agents of Wright County Human 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 Wright County Human Services' clients

are considered agents of Wright County Human Services. They may be privy to Wright County Human Services clients' private data and are bound by the same requirements for confidentiality as is Wright County Human Services'.

e) Competency of Interpreters

Wright County Human Services will assure that interpreters, hired for services have been trained and demonstrate competency, which may include a certificate of their training or certification. 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

Wright County Human Services staff **must** inform all clients with LEP of the public's right to free interpreter services and that these services must be provided in a timely manner and must be available during Wright County Human Services' business hours.

Wright County Human Services will use "Interpretation Services Available" chart, which are located in both reception areas. There is also a poster with all languages in each lobby, which helps clients with LEP be able to identify their language needs for staff. Wright County Human Services will also use the "I Speak" posters in the Agency to help staff inform clients that language interpreters are available at no cost to the client.

F. Braille Availability

Materials can be provided tactilely. With such request, contact State Services for the Blind. One page of print normally requires two pages of Braille, depending on font and paper size. There may be fees associated with this transcription. Contact State Services for the Blind (SSB) at (651)642-0500 or 1-800-652-9000.

G. Translation Plan

Wright County Human Services Fiscal/Technology Unit will track all languages used each year, and report to the Agency Director by January 15<sup>th</sup> of each year. Agency staff will use Microsoft Office Software products, as necessary, to electronically translate documents necessary to communicate with LEP clients. If numerous documents require translation or the translation required is outside the scope of Agency-purchased software, staff must contact the Agency Office Manager. The Office Manager will contact the list of translation service providers (as defined in Attachment 2) and oversee the negotiation of these translation projects.

All Wright County Human Services' forms are available in other forms to people with disabilities by contacting Wright County Human Services at (763)682-7400 (Voice), (763)682-7719 (TTY), or through the Minnesota Relay Service at 1-800-627-3529 or 1-877-627-3848 (speech to speech relay service), or dial 711.

H. LEP Training for Wright County Human Services Staff

Wright County Human Services publishes the LEP Plan on the Agency Intranet site (under Departments - Human Services – Staff Resources – Limited English Proficiency Plan) so all staff may learn the policies and procedures required to make language assistance available to clients with LEP. A summary of the LEP Plan has also been given to all new employees in their orientation packet since 2002. All staff with ongoing client contact will receive yearly reminders on the LEP Plan, through staff meetings, annual staff training, and the Agency newsletter.

LEP training will include information on the following topics: Wright County Human Services' legal obligation to provide language assistance to clients with LEP; the substance of Wright County Human Services LEP Plan, including its policies and procedures to access language assistance services; list of interpreters; tips on working with interpreters; and how to properly document information about a client's language needs in the client's case file.

- a) Wright County Human Services 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.

#### I. Monitoring of the LEP Plan

Wright County Human 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. The evaluation will also determine whether new languages will be added for translation and whether existing languages will be dropped. Wright County Human Services' LEP Coordinator will lead the annual evaluation activities, with the help of a team of staff persons familiar with the LEP Plan and how it functions.

Wright County Human Services' annual evaluation of its LEP Plan will include the following activities:

- 1) Assessment of the numbers of persons with LEP in the service delivery area.
- 2) 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 re-certification.
- 3) Determining if existing language assistance services are meeting the needs of clients with LEP.
- 4) Assessing whether staff members understand Wright County Human Services' LEP policies and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.

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

A copy of the WCHSA LEP Plan will be posted on the bulletin board in the central lobby at the

Financial Offices in the Government Center and the Human Services Center, and also posted on the Human Services Internet homepage.

**K. Responsible Authority/Complaint Process - Contact Person**

Each department of Wright County Human Services is responsible for implementing this LEP Plan in its area. The Wright County Coordinator's Office (see Attachment 1) 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 Wright County Human Services Office Manager will provide information about this complaint procedure to all clients in a language they understand.

## Attachment 1

WRIGHT COUNTY COORDINATOR  
(Civil Rights Compliance Office)  
Wright County Government Center  
10 NW 2<sup>nd</sup> Street, Buffalo, MN 55313  
(763) 682-7378 (Voice)  
(763) 682-6178 (Fax)  
(763) 682-7719 (TTY)

### WRIGHT COUNTY'S POLICY FOR EQUAL OPPORTUNITY IN SERVICE DELIVERY

It is the policy of Wright County that no otherwise qualified applicant for services shall be excluded from participation, be denied benefits or otherwise be subjected to discrimination in any manner on the basis of race, color, national origin, sex, religion, age or physical, mental or emotional disability.

This policy covers eligibility for and access to service delivery and treatment in all of the county's health and human services programs and activities administered and delivered according to federal, state and local civil right laws, executive orders, rules and regulations.

#### REQUIREMENTS

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

Each program or activity shall be conducted so when viewed in its entirety, it shall be readily accessible to and usable by individuals with physical, mental or emotional disabilities. This includes making reasonable accommodations or modifications in policies, practices or procedures unless doing so would result in either a fundamental alteration in the nature of the program or undue financial and administrative burdens.

All program activities, including administration, shall be made without regard to protected class status.

#### SERVICES AND INFORMATION SHALL BE PROVIDED IN THE APPROPRIATE LANGUAGE TO PERSONS WITH LIMITED ENGLISH PROFICIENCY.

Appropriate auxiliary aids and services shall be made available to all applicants and clients.

To ensure prompt and equitable resolution of complaints alleging discrimination in any manner on the basis of race, color, national origin, sex, religion, age, or physical, mental or emotional disability, the following grievance procedure has been established:

Questions or complaints should be directed to: County Coordinator, Wright County Government Center, 10 NW 2<sup>nd</sup> Street, Buffalo, MN. 55313. Complaints are to be filed in the manner described below:

**STEP 1:** A complaint should be filed either verbally, in writing, on tape, or other form, within 6 months of alleged discrimination. The complaint is to contain, at a minimum, the name and address of the complainant, a specific description of the alleged discrimination or violation, and the remedy sought.

Attachment 1 - continued

- STEP 2: The County Coordinator will make, or cause to be made, an investigation of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit additional information and evidence relevant to the complaint. The County Coordinator shall attempt to resolve the complaint.
- STEP 3: The County Coordinator shall provide a description of the findings, recommended actions to take to resolve the situation, and time line when action will be taken, if any is needed. This document shall be issued by the Coordinator no later than 15 working days following the receipt of the complaint. The response will be made in writing, or other method which is understood by the complainant.
- STEP 4: If the complainant is not satisfied with the outcome of the County Coordinator, the complainant may have the matter heard by the Wright County Board of Commissioners. This request is to be made in writing, verbally, on tape, or other means, and be submitted to the Administration Department within 15 days of the response of the County Coordinator. The complaint will be heard by the County Board within ten (10) working days following the receipt of the notice.

The final resolution of the County Board will be issued in a form understandable to the complainant, and shall include the findings of the Board, the remedy, the time line to correct the problem, if one is determined to exist.

Nothing in this procedure shall prevent any individuals who believe they have a grievance from contacting the Minnesota Department of Human Rights, Equal Employment Opportunity Commission, or the U.S. Department of Justice.

Individuals filing a grievance or cooperating in the investigation of a grievance will not be retaliated against. Any individual who feels he or she has been retaliated against should contact the County Coordinator immediately.

If complainants need assistance in filing a complaint he or she will be referred to:

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

or  
DHS Civil Rights Coordinator  
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)  
(651) 431-7444 (Fax)

## Attachment 2

### WRIGHT COUNTY HUMAN SERVICES LANGUAGE INTERPRETERS FOR WRIGHT COUNTY

The following is a reference guide of how to access interpreter services at Wright County Human Services. As Agency staff accesses these services, they must complete the Interpreter Use and Information Form located on the MS Word HSC Template directory. This completed form is submitted monthly to the Fiscal/Technology Department. If staff wishes to use a prospective vendor not included in this Attachment or seek more information about the vendors listed in this guide, they must see the Agency Office Manager.

#### TELEPHONE INTERPRETER SERVICES

LANGUAGE	NAME & ADDRESS	TELEPHONE NUMBER	INSTRUCTION
All Languages	<u>Language Line Services</u>	1-800-874-9426 or 1-877-261-6608	Enter WCHS Agency ID #508064 & staff phone extension
<i>Please note that Language Line Services is also the primary resource for staff to use for telephone and in-person interpreter needs when the language being spoken is not commonly known to Wright County Human Services.</i>			

#### COURT INTERPRETERS

If an interpreter is needed for court, the Wright County Court System has a list of certified interpreters that they can access for the client. Wright County is in the Tenth District and can use various search options. <http://www.courts.state.mn.us/interpreters/>

#### IN-PERSON (FACE-TO-FACE) INTERPRETER AND WRITTEN TRANSLATION SERVICES

*When in-person interpreter service is needed, for a commonly spoken foreign language, staff will seek a vendor from the Minnesota Department of Health's Spoken Language Health Care Interpreter Roster at <http://www.health.state.mn.us/interpreters>. Rates for service must be presented to the Agency Office Manager prior to using the vendor for interpreter service.*

2012 Minnesota Statutes, Chapter 256B.0625 Covered Services, Subdivision 18a. Access to medical services., (d) Coverage for face-to-face oral language interpreter services shall be provided only if the oral language interpreter used by the enrolled health care provider is listed in the registry or roster established under section [144.058](#) (Interpreter Services Quality Initiative).

Staff is instructed to use Microsoft Office products to electronically translate Agency documents as needed. If numerous documents require translation or the translation required is outside the scope of Agency-purchased software, staff must contact the Agency Office Manager. The Office Manager oversees the negotiation of these translation projects, using the list of providers available below. All translation projects will require an approved written estimate from the vendor prior to service being provided.

LANGUAGE	NAME & ADDRESS	TELEPHONE NUMBER
All Languages	Garden & Associates, Inc. Translators & Interpreters, 4301 Highway 7, Ste. 140, St. Louis Park, MN 55416 <a href="http://www.gardentranslation.com">www.gardentranslation.com</a>	Phone: 952-920-6160 Cell: 952-922-8150
Many Languages	<u>Betmar Languages</u> , 6260 Highway 65 NE, Ste. 308, Minneapolis MN 55432 <a href="http://www.betmar.com">www.betmar.com</a> Email: Translation: <a href="mailto:best@betmar.com">best@betmar.com</a>	Phone: 763-572-9711 FAX: 763-571-3467
All Languages	<u>Bridge World Language Center Inc.</u> , 110 2 <sup>nd</sup> St., Ste. 213, Waite Park MN 56387 Mailing address: P.O. Box 646, Waite Park, MN 56387	Phone: 320-259-9239 FAX: 320-654-1698

#### SIGN LANGUAGE INTERPRETER/TRANSLATION SERVICE:

**Sign language interpreters may be contacted by Agency staff, as needed. Prior approval from the Agency Office Manager is not required for this level of interpreter service.**

LANGUAGE	NAME & ADDRESS	TELEPHONE NUMBER
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Sign Language	<u>Dynamic Communications or ASL Interpreting Services</u> 6517 Hunter Rd., Corcoran, MN 55340-9632 E-Mail: <a href="mailto:info@aslis.com">info@aslis.com</a> Web: <a href="http://www.aslis.com">www.aslis.com</a>	Phone: 763-478-8963 FAX or (TTY): 763-478-3093
All Languages	<u>Bridge World Language Center Inc.</u> 110 2 <sup>nd</sup> St., Ste. 213, Waite Park MN 56387 Mailing Address: P.O. Box 646, Waite Park, MN 56387	Phone: 320-259-9239 FAX: 320-654-1698

## Attachment 3

### WRIGHT COUNTY HUMAN 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.” ***Always speak directly to the client (not the interpreter) and allow the interpreter to translate your words spoken to the client.***
- 7) Avoid using colloquialisms and acronyms (e.g., MFIP, MA, GA, GAMC, 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.