

**Dakota County, Minnesota  
Dakota County Northern Service Center  
1 Mendota Rd. W. Ste 500  
West St. Paul, MN 55118-4773**

**Community Services Division**

- *Social Services Department, Part 1*
- *Employment & Economic Assistance Department, Part 2*
  - *Public Health Department, Part 3*

***Limited English Proficiency (LEP) Plan***



***Revised Jan 2013***

***Limited English Proficiency Plan: Part 1***  
***Dakota County Social Services Department***

**2013**

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**Limited English Proficiency (LEP) Plan  
Social Services Department  
Dakota County, Minnesota**

**Department Name:**..... **Social Services**  
**Contact Person:** .....**Patrick Coyne**  
**Phone number:**..... **(952) 891-7400**  
**Fax number:** .....**(952) 891-7473**  
**TTY/TDD:** .....**(952) 891-7202**

**I. PURPOSE, LEGAL BASIS, AND ASSESSMENT**

A. Purpose and Commitment

The Social Services Department has used the results of its needs assessment to develop and implement a comprehensive written policy on language access that will ensure effective communication between persons with LEP (Limited English Proficiency) and county agency staff.

The Dakota County Social Services Limited English Proficiency (LEP) Plan has been developed to serve its clients, prospective clients, family members of clients or prospective clients, or other interested members of the public who do not speak English or who speak limited English. A client has limited English proficiency when he/she is unable to speak, read, write or understand the English language at a level that allows him/her to interact effectively with Dakota County Social Services staff.

People with Limited English Proficiency shall not be excluded from programs or from receiving information, or experience delays, denials, or termination of public services because of language barriers.

B. Legal Basis

According to the Office for Civil Rights (OCR), in order to avoid discrimination on the basis of national origin against persons with Limited English Proficiency (LEP), recipients of federal financial assistance from the U.S. Department of Health and Human Services must take adequate steps to ensure that persons with LEP receive the language assistance necessary to allow them meaningful access to services, free of charge.

This plan serves the purpose of meeting the legal obligation to provide meaningful access to person with LEP in compliance with:

Title VI of the Civil Rights Act of 1964; Statutory Citation: 42 USC 2000d et seq. Regulatory Citation: 45 CFR Part 80. Administrative Citation: 65 Fed. Reg. 52762 (2000).

### C. Assessment

The Social Services Department has conducted a thorough assessment of the language needs of the LEP populations eligible to be served or likely to be directly affected by its programs.

## **II. POLICIES AND PROCEDURES**

### A. Procedures for Accessing Interpreter Services

Staff will follow the Dakota County Social Services Interpreter and Translator policy (Policy #2003), which is available on County's internal website under Social Services Policies.

Information on how to access interpreter services is available to staff in written form and on County's internal website under the Community Services Administration/Contracts Management web page.

Staff shall use Language Line Service to communicate with LEP persons by phone and in those situations when there was not time (or previous notification of need) to arrange for interpretation services. The Language Line is available 7 days a week, 24 hours per day. The "Quick Reference Guide" for use of Language Line has been disseminated to all staff members and a Language Line training video is available to staff for training on using Language Line services.

Staff shall arrange for scheduled interpretation services directly with the contracted agency that will provide such service. A list of contracted interpreter agencies is available on the County's internal website under the Community Services/Contract Management web page. Staff are emailed a link to the website whenever a change occurs to the list.

After using an interpreter, staff will fill out the Interpreter Services Verification Form (DAK 2597) to verify the appointment occurred and approve the service.

### B. Bilingual Staff

Bilingual staff may be used for short questions and answers and translation of casual documents. When it is believed to be in the best interest of the client, Dakota County will use its best efforts to assign clients with LEP to bilingual staff members who speak their language.

### C. Uncommon Languages

Staff should follow the procedures listed above under "Procedures for Accessing Interpreter Services." The Language Line Service is able to identify and provide interpretation in more than 140 languages. If staff are unable to locate an interpreter for an uncommon language through the contracted agencies, they are to contact the Administrative Operations Manager or the Interpreter Contracts Representative to locate additional resources.

### D. Affirmative Action

Staff will initiate an offer of free language assistance to those clients who appear to have difficulty communicating in English, or whenever a client requests language assistance.

In addition, the LEP Plan (or notice of its existence with indicator of how to access copy) will be posted for public review in the lobby and on the County's website.

The following will also be implemented within Social Services to ensure access:

- DHS poster relating to LEP needs will be posted in the reception areas for Social Services.
- Language Identification Cards will be available in the reception areas for Social Services
- “I speak” cards will be available to clients so they can more easily identify their primary language to others

#### E. Minor Children

Minor children should never be used as interpreters.

#### F. Family and Friends

Staff should never require, suggest, or encourage a client with LEP to use family members or friends as interpreters; instead, staff will offer free interpreter services to LEP clients. 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. The use of family or friends could also result in a breach of confidentiality or reluctance on the part of clients to reveal personal information critical to their situations.

If the LEP person declines free interpreter services, the worker will document this (offer and decline) in the case file, but Dakota County may still choose to provide an interpreter for its own use and protection.

#### G. Competency Standards for Interpreters

The Social Services department will use contracted interpreter agencies, which will have provided documentation that their agency will provide competent and experienced interpreters.

Interpreters must be “competent” to provide interpreter services. To be “competent” the interpreter must be proficient in both English and the language of the LEP client and be able to convey information in both languages accurately, have had orientation 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.

Feedback (from clients, providers and county staff) on the competency/skill of interpreters should be forwarded to the Administrative Operations Manager. This feedback will be used to evaluate the interpreter services received and determine whether to continue using those services.

In those circumstances when an agency or contracted interpreter cannot meet our needs (i.e. language specialty or within specific time frame), staff should contact the Administrative Operations Manager or the Interpreter Contract Representative to locate additional resources.

#### H. Access to LEP Plan by Staff

All Social Services staff can view the LEP plan on the on the county’s internal web site under the department policies area. A paper-based copy will also be available at the reception desk(s) of all Social Services office sites.

### I. Services to Illiterate Clients

Language services will be provided to persons with LEP who do not read their own language to the same extent as staff would assist an English speaker who does not read English.

### J. Emergency Situations

When programs require access to services within short time frames that do not allow time to plan, Dakota County 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, Dakota County's 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. In emergencies that require immediate services, staff will utilize Language Line telephone-based services.

### K. Public Notice of LEP Plan

A poster will be displayed in the lobby in multiple languages informing clients that Dakota County has a LEP plan which provides free language services in a timely manner and that they can view the plan by making a request to a member of the Social Services staff. 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 but wish to read it.

The LEP plan is also available on County's internal website and/or from Social Services staff.

### L. Translated Forms

The primary source of translated forms and applications is the Minnesota Department of Human Services (DHS). Staff may access translated forms and download them from the DHS website at [www.dhs.state.mn.us/forms](http://www.dhs.state.mn.us/forms).

It is not anticipated that Dakota County Social Services will produce additional translated materials at this time. This need will be assessed each year as a part of the LEP Plan monitoring.

### M. Complaint Resolution

The contact for any Civil Rights Complaints or LEP matters is:

Andrew Benish

Department of Employee Relations

Telephone: 651/438-4382

E-mail address: [Andrew.Benish@CO.DAKOTA.MN.US](mailto:Andrew.Benish@CO.DAKOTA.MN.US);

TDD: 651-438-4618 FAX: 651-438-8178

Clients may either request information from their worker or refer to the Civil Rights procedure poster that is posted in the lobby for contact information. Clients can inform their worker if they were dissatisfied with the in-person or Language Line interpreter. Staff will then notify the Administrative Operations Manager of the feedback.

When the client indicates that they wish to file a complaint, staff will provide them with the phone number of the person responsible for receiving civil rights complaints in Dakota County (see

information listed above), the Department of Human Services, and at the Office of Civil Rights. If a Civil Rights complaint is received in Dakota County, the LEP client will be given a copy of the Civil Rights booklet (DHS 3276) translated in their primary language.

### **III. TRAINING**

#### **A. Initial Distribution of LEP Plan to Staff**

Staff were notified of the LEP Plan via e-mail in December 2001. This e-mail also indicated that a paper copy is available at the reception desk, as well as on line through the County's internal website. In addition, an announcement was made at the first all-staff meeting following the plan's implementation.

#### **B. Ongoing Training**

Annual training is mandatory for all Social Services staff. Supervisors will monitor staff understanding of/compliance with the LEP Plan on an ongoing basis. In addition, supervisors will evaluate staff's understanding of and compliance with the LEP plan in conjunction with their annual performance review.

The Community Services Committee on Interpreter Services will notify staff when interpreter services procedures are updated and available on the County's internal website.

Contact persons for the LEP Plan\procedures will be designated to answer questions, address concerns, explain expectations of interpreters, etc. These contacts will also maintain an awareness of trainings offered outside of the county system regarding working with interpreter services, etc. that staff could be encouraged to attend. The contact person for Social Services is the Administrative Operations Manager.

#### **C. New Employee Orientation**

Supervisors will include the LEP Plan and procedures for accessing interpreter services as part of the initial new employee orientation. It will be the supervisor's responsibility to ensure that the new employee has an understanding of the need/purpose of the LEP Plan and the employee's responsibility to offer/provide interpreter services free of charge to all LEP clients.

### **IV. MONITORING OF LEP PLAN**

#### **A. Evaluation of LEP Plan**

The Community Services LEP planning committee (consisting of at least one member from each department and a coordinator) will meet semi-annually to review and coordinate the LEP procedures, and share information and resources.

Social Services also surveys clients every 8 months, including questions about the cultural competency of the services they received and including a question as to whether they were offered services in their own language.

## B. Current Language Needs

When a Social Services worker has contact with a client they should record in the case file the client's primary language and indicate any need/request for interpreter services.

Social Services will also track the interpreter use by number of clients and language requested (this information will be pulled from vendor payment data for interpreters).

## C. Updating Agency Files

If primary language is not indicated in ongoing/current Social Services cases, the case worker will add information regarding primary language spoken and any need for interpreter services. As new clients contact/enter the Dakota County Social Services system, Intake and Assessment workers will gather and record this information for use by additional Social Services staff.

## D. Evaluating Existing Resources/Services

Department Intake areas request and document language needs of referred clients. Dakota County collects data about languages that are used in the home from school districts and through census information, which can be used to guide determining language needs most commonly found in the county. Annually, when staff updates other client information, notation of language assistance is included in the client records after discussion with the client.

## E. Evaluating Staff's Understanding of LEP Plan

Social Service staff's understanding of the LEP Plan/procedures and their ability to implement them will be assessed by their supervisor during routine annual staff reviews.

## F. Community Feedback

The Department will seek feedback on the LEP plan by several methods. First it will utilize information gathered on a county level. The department will include survey items addressing these areas on department-generated surveys. It will also utilize connections with community organizations that are involved with our department for discussion and feedback on how the needs of people with limited English proficiency are being met and help in identification of barriers that exist along with ideas for possible solutions. A department representative will attend Community Services division meetings to review and coordinate the LEP plans and procedures.

County and Department processes will be utilized as a way to collect information from the public to provide feedback on the effectiveness of LEP in meeting client needs. Discussion with staff and community members and analysis of complaints about current assistance available will be utilized to help identify possible unmet needs.

***Limited English Proficiency Plan: Part 2  
Dakota County Employment & Economic Assistance***

***2013***

**Dakota County, Minnesota**

Limited English Proficiency (LEP) Plan (Revised 6/20/2007, 6/22/2010)

**Department Name: Employment & Economic Assistance Department**

**Name of Contact Person: Ruth Krueger**

**Phone: 651-554-5627**

**Fax: 651-554-5793**

**TTY/TDD: 651-554-5616**

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## **I. Purpose, Legal Basis, and Assessment**

### **A. Purpose and Commitment**

The Employment & Economic Assistance Department (E & EA) used the results of its needs assessment to develop and implement a comprehensive written policy on language access that will ensure effective communication between persons with LEP and county agency staff.

People with LEP shall not be excluded from programs or from receiving information, or experience delays, denials, or termination of public services because of language barriers.

### **B. Legal Basis**

This plan serves the purpose of meeting the legal obligation to provide meaningful access to persons with LEP in compliance with:

Title VI of the Civil Rights Act of 1964; Statutory Citation: 42 USC 2000d et seq. Regulatory Citation: 45 CFR Part 80. Administrative Citation: 65 Fed. Reg. 52762 (2000)

### **C. Assessment**

The Employment & Economic Assistance Department has conducted a thorough assessment of the language needs of the LEP populations eligible to be served or likely to be directly affected by its programs.

Interpreter Services Usage Data shows predominately Spanish and Somali as most common languages. According to MAXIS data warehouse report for March, 2010, top languages needing an interpreter were Spanish (37%), Somali (27%), Russian (8%), and Vietnamese (4%). Approximately 11% of MAXIS caseloads reported a language other than English. 66% of those indicated they need an interpreter. Per PRISM data in June 2010, 2% of child support clients needed an interpreter.

## **II. Policies and Procedures**

### **A. Written Procedures for Accessing Interpreter Services**

Three procedures are available for staff to use: "Interpreters-In Person" (oral), "Interpreters-Telephone," and "Interpreters-Translation." These procedures are regularly updated on the county's internal website in the online department procedures manual.

Staff uses the Language Line Service to communicate with LEP persons at the Client Intake Services (CIS) desk (reception desk) and during walk-in interviews. The Language Line is available 7 days a week, 24 hours per day. Refer to the cheat sheets for further instructions or to the procedure available on the county's internal website. For Scheduled Appointments, staff contacts the Client Intake Services desk to make arrangements for interpreter services. CIS has a list of available agencies and interpreters and will contact the interpreter to schedule an appointment. Refer to the online procedure for further instruction.

### **B. Bilingual Staff**

Bilingual staff may be used for short questions and answers and translation of short documents. Refer to the E & EA Yellow Pages in Folio for a current list (query "interpreters"). Dakota County E & EA policy is to randomly assign cases to available staff. Caseloads are not specialized by language and we do not hire bilingual staff to serve as interpreters. Through our contracted services we are able to provide efficient and consistent interpreter services to meet our client's needs.

### **C. Uncommon Languages**

Staff should follow the above-mentioned procedures in A. The Language Line Service offers more than 170 languages. The DHS LEP coordinator may be contacted for assistance in locating services for rare languages.

#### D. Affirmative Action

Staff will initiate an offer of free language assistance to clients who have difficulty communicating in English, or whenever a client asks for language assistance.

By reviewing the language preference questions on the HCAPP, the CAF, and child support application and by use of the Point cards we determine their language needs. Public Assistance Intake workers are required to note the language of the LEP person in his/her MAXIS record so that all staff can identify the language assistance needs of the client.

Child Support staff is required to update PRISM (NCDE, CPDE, CHDE) with demographics and language preference.

Signs are posted in two lobbies, EBT window, and other waiting areas stating in several languages that applicants and clients can receive free interpreter services and inviting them to identify themselves as persons needing language assistance.

Staff may use the "I speak" cards, Language Line Language Identification cards, or language selection posters at the reception desks to have clients identify their primary languages.

#### E. Family and Friends

As 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 may not be familiar with specialized program terminology, staff will offer free interpreter services to LEP clients. Staff should never require, suggest, request, or encourage a client with LEP to use family or friends as interpreters. If the LEP person declines this service, the worker will document in case notes that services were offered and declined.

Family and friends (excluding minor children) can be used when requesting forms, dropping off completed paperwork, or calling with a question. Authorized representatives may interpret for the client as long as doing so will not compromise the effectiveness of the interpretation. If the LEP person declines free interpreter services, the worker will document this in the case file, but the County may still choose to provide an interpreter for our own use and protection.

#### F. Minor Children

Minor children should never be used as interpreters.

#### G. Competency Standards for Interpreters

We use interpreter agencies contracted with Dakota County; they have provided documentation that they will provide competent and experienced interpreters. Competency includes:

- Being bilingual and fluent in both English and the language of the LEP client
- Accuracy and completeness
- Impartiality
- Confidentiality
- Accreditation when appropriate

Interpreters will have training/orientation that includes:

- The skills and ethics of interpreting
- Basic knowledge in both languages of specialized program terms or concepts
- Sensitivity to the client's culture

Staff must make a judgment as to the competency of the interpreter and provide feedback to the Supervisor. This feedback is used to evaluate the interpreter services received.

Court certified interpreters are used for Child Support hearings, and appeal hearings. Court Services provides certified interpreters for use in Child Support hearings.

H. Access to LEP Plan by Staff

All staff who has client contact, can view the LEP plan on the county's website in the online department procedures manual.

I. Services to Illiterate

Staff will assess client's literacy level and determine interpreter needs. For example, for a client who is unable to read in their own language, the worker should use an interpreter or Language Line services to complete required forms verbally. Staff should not send translated forms to illiterate clients. Staff should further inform the client to contact them for interpreter services when they receive a DHS or agency form. Staff must assist LEP clients who do not read their primary language to the same extent as staff would assist an English speaker who does not read English.

J. Emergency Situations

When programs require access to services within short time frames, staff 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, the goal is to make the services accessible within the required timeframe, whether that means using an interpreter or any other appropriate type of language assistance. Staff will use the telephone based Language Line services for immediate needs and same day emergencies or designated certified interpreter services.

K. Public Notice of LEP Plan

A poster is displayed in the lobby in multiple languages informing clients that Dakota County has an LEP plan which provides for free language services in a timely manner and that they can view the plan by making a request to staff.

The LEP plan is available on the county's website in the online department procedures manual and from Client Intake Services staff upon request.

L. Translated Forms

We insert notices, in appropriate languages, about the right of the LEP applicants and clients to free interpreters and other language assistance, in brochures, pamphlets, manuals, and other materials disseminated to the public and to staff. If the client has listed a non-English language preference, we use available translated DHS forms Workers provide the non-English version when requested by the LEP client.

The primary source of translated forms and applications is DHS. Staff may access translated forms and down load them from the DHS website at [www.dhs.state.mn.us/forms](http://www.dhs.state.mn.us/forms). Common brochures are available in our lobby. It is not anticipated that Dakota County E & EA will produce additional translated materials at this time. Child Support orientation forms are provided in Spanish to non-custodial parents.

### M. Complaint Resolution

The contact for any Civil Rights Complaints or LEP matters is:

Andrew Benish

Department of Employee Relations

Telephone: 651/438-4382

E-mail address: [Andrew.Benish@CO.DAKOTA.MN.US](mailto:Andrew.Benish@CO.DAKOTA.MN.US);

TDD (hearing impaired): 651-438-4618

Fax: 651-438-8178

Clients can inform the worker if they were dissatisfied with the in-person interpreter. Staff can record this on the interpreter billing form that is reviewed by the Program Administrative Supervisor or report issue directly to the supervisor. The Supervisor reviews information and determines whether or not we will continue to use that interpreter's services.

When the client indicates that they wish to file a complaint, our staff will provide them with:

- The phone number of the person responsible for receiving civil rights complaints at our county - Name/Title: Andrew Benish  
Department of Employee Relations  
1590 Hwy 55  
Hastings, MN 55033  
Telephone: 651-438-4382  
E-mail address: Andrew.Benish@co.dakota.mn.us  
TDD (hearing impaired): 651-438-4618  
Fax: 651-438-8178
- A copy of the Civil Rights booklet, DHS 3276, translated in their language.
- Notify your supervisor of any complaints.

### **III. Training**

#### A. Distribution of LEP Plan to Staff

Staff is notified of revision of the county's written policy on language access (LEP Plan). The LEP plan is posted on the county's website in the online department procedures manual. We inform staff that the updated procedures for accessing interpreter services are available on the county's website.

#### B. Initial Training

Staff attends a mandatory all-staff workshop that includes training on the LEP Plan and how to effectively use interpreters.

#### C. Ongoing Training

A PowerPoint slide show that is an overview of Office of Civil Rights requirements and explains the county's LEP plan and procedures, is the basis of a department wide training. Staff are required to view PowerPoint annually. Staff is notified when interpreter services procedures are updated and available on the county's website in the online department procedures manual. E&EA Diversity Committee sponsors continuous training to develop cultural competence in effectively communicating with LEP clients.

#### D. New Employee Orientation

Training on the LEP plan and related procedures is included in all training plans for new staff including financial workers, child support and collections workers, and office services staff. All new staff will review the PowerPoint training.

Language Line ID cards and "quick reference guides" are given to all staff that has public contact.

#### **IV. Monitoring of LEP Plan**

##### **A. Evaluation of LEP Plan**

The Community Services LEP planning committee (consisting of at least one member from each department and a coordinator) meets to review and coordinate the LEP procedures, and share information and resources. The process will include making changes to the LEP plan where something is not working or could benefit from changes.

We review information from Data Warehouse reports by DHS on the number of LEP recipients in the service delivery area.

##### **B. Current Language Needs**

Dakota County staff sends clients with LEP the preferred translated forms when the same forms are sent automatically to clients in English, e.g. the Household Report Form, or the Health Care Programs Renewal Form.

All workers review MAXIS/PRISM panels to identify language preference.

##### **C. Updating Agency Files**

At recertification, the financial worker reviews the language preference question and needs, and updates the case file.

##### **D. Evaluating Existing Resources/Services**

Feedback from staff and clients obtained from the Interpreter usage form and phone calls.

Feedback from applicants and clients obtained through annual client surveys.

Feedback obtained from Child Support walk-in clients through ongoing client surveys.

Complaints received from LEP persons.

The Program Administrative Supervisor routinely monitors and updates the procedures for accessing services.

##### **E. Evaluating Staff's Understanding of LEP Plan**

Staff's understanding of the LEP plan and procedures and their ability to carry them out is assessed as part of routine supervisory case reviews.

##### **F. Community Feedback**

We are responsive to feedback from community organizations regarding language services and accessing county services.

***Limited English Proficiency Plan: Part 3  
Dakota County Public Health Department***

**2013**

<b>Department Name:</b>	<b>Public Health</b>
<b>Contact Person:</b>	<b>Bonnie Brueshoff</b>
<b>Phone number:</b>	<b>(651) 554-6100</b>
<b>Fax number:</b>	<b>(651) 554-6130</b>
<b>Email:</b>	<b><a href="mailto:Public.Health@co.dakota.mn.us">Public.Health@co.dakota.mn.us</a></b>

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Revision 1 1/06/2006  
Revision 2 7/10/2007  
Revision 3 7/1/2010  
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## **I. Purpose, Legal Basis, and Assessment**

### **A. Purpose and Commitment**

The Public Health Department used the results of its needs assessment to develop and implement a comprehensive written plan on language access that will ensure effective communication between persons with limited English proficiency and department staff.

People with limited English proficiency shall not be excluded from programs or from receiving information, or experiencing delays, denials or termination of public services because of language barriers.

### **B. Legal Basis**

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 assure that persons with limited English proficiency receive language assistance necessary to allow them meaningful access to services, free of charge. This plan serves the purpose of meeting the legal obligation to provide meaningful access to persons with limited English proficiency (LEP) in compliance with:

*Title VI of the Civil Rights Act of 1964; Statutory Citation: 42 USC 2000d et seq. Regulatory Citation: 45 CFR Part 80. Administrative Citation: 65 Fed. Reg. 52762 (2000)*

### **C. Assessment**

The Public Health Department conducted a thorough assessment of language needs of LEP populations eligible or likely to be served or directly affected by its programs.

## **II. Policies and Procedures**

The Public Health Department uses three policies, policy #1003 Language Access Services, policy # 1002 Civil Rights Complaint Procedure, and policy # 1053 Testing to Ensure Sufficient Bilingual Skills for Bilingual Pay compensation to guide staff on language access services and civil rights obligations and procedures for handling civil rights complaints. These policies are accessible to department staff through the internal website. All staff receives information on use of the internal website to access key department information, such as county and department policies during new staff orientation. Information on how to access interpreter services, best practices when working with an interpreter, how to file a complaint about an interpreter, procedures to use when receiving a complaint, and access to the LEP and Civil Rights plan for the Public Health Department are examples of material available to staff on the internal website.

### **A. Language Line**

Public Health uses an internal website to support staff access to language assistance services, including Language Line. The department website includes a link to a video about Language Line usage for staff training and written materials to support staff in accessing Language Line for oral language assistance by telephone. The Public Health new staff orientation includes use of telephone language assistance through Language Line and instructions on how to access language assistance by telephone.

State WIC has provided a separate language line account for use within the WIC program when providing services to limited English proficient clients.

Staff is provided information about Speech-to-Speech and Minnesota Relay (711) or (1-877-627-3848) to support language assistance by phone. Speech-to-Speech enables people with a speech disability to use their own voice, voice prosthesis, or communication device to make phone calls. Minnesota Relay provides telephone communication access for people who are deaf, hard-of-hearing, speech impaired, deaf-blind, or mobility impaired. First Call for Help (211) is listed and provides information about human services available in Minnesota and has access to information in other languages in addition to English.

#### B. Bilingual Staff

Bilingual staff will not work as interpreters, but rather will work within the position they are employed. Bilingual staff may use their language skills while working within their position and are assigned cases as best practice indicates and according to Public Health Department policy #1053-Testing to ensure sufficient bilingual skills for bilingual pay compensation. Bilingual staff may use interpreter services to assure effective communication with LEP clients.

#### C. Contracted Interpreter Services

Staff may arrange for interpreter services to provide “in-person” interpretation by the method that fits the service situation. If a client is on a PMAP, with a direct service that qualifies for reimbursement, the staff person will utilize PMAP authorized interpreter agencies and interpreters, with a preference for those also contracted with Dakota County. If the client is on Minnesota Care or straight MA or if a client does not have a reimbursement source for interpreter services, staff will utilize contacted agency provided interpreters. Agencies utilized to provide interpreters are selected based on those who have agreements to provide interpreter services for Dakota County. If a contracted agency is not able to fill an interpreter request, with supervisory consultation, an agency may be used from the state contact list for spoken language interpretation. Due to the need for adequate training and quality monitoring, Dakota County Public Health Department does not use independent contractor interpreters to provide services to our clients.

#### D. Uncommon Languages

When an uncommon language need exists, staff will access telephone language assistance. Staff will contact the PMAP Interpreter Services line, if a client is enrolled in a PMAP and visits are authorized through the PMAP for payment. If the PMAP is unable to locate an interpreter, telephone language assistance will be utilized and payment from the PMAP will be requested. Staff is required to discuss unmet language assistance needs with their supervisor who can assist staff in locating additional resources.

#### E. Affirmative Action

When limited English proficiency is identified, staff will initiate the offer of free interpreter services. If a client requests interpreter services, an interpreter will be scheduled for home visiting and clinic services. If an interpreter is unavailable to provide in-person interpretation or in situations where a LEP cannot be identified prior to point of contact, telephone language assistance will be utilized. If a client declines language assistance, this will be documented into the referral or client record. Signs are posted in the waiting area stating in several languages that clients can identify themselves as needing language assistance and that free interpreter

service is available. Staff may use “I speak” or language identification cards to help identify the client’s primary language.

#### F. Family and Friends

Family and friends may not be competent to act as interpreters due to their level of proficiency in both languages, they may lack training in the interpretive process, and may not be familiar with specialized terminology needing interpretation. The use of Family or friends could also result in a breach of confidentiality or reluctance on the part of clients to reveal personal information critical to their situations. Staff will offer interpreter services and if they are refused, document the refusal into the client record or other program specific areas. The department reserves the right to have a department provided interpreter present for their own use and protection, and to assure the interpretive process. This is especially important when working with vulnerable populations. Staff should never suggest, encourage, or request a client use family or friends as an interpreter.

#### G. Minor Children as Interpreters

Minor children should never be used to provide interpretation.

#### H. Competency Standards for Interpreters

The Public Health department will use contracted interpreters, which will have provided documentation that their agency will provide competent and experienced interpreters. Competency includes being bilingual and fluent in both English and the language of the LEP client, including in specialized terminology. It also includes accuracy, completeness, impartiality, confidentiality, and accreditation when appropriate, ethics, orientation or training that includes the skills of interpreting, and is sensitive to the client’s culture. If staff concerns develop related to services provided by interpreters, they need to contact their supervisor and provide written feedback about the concern. The supervisor will help determine a plan to report the issue to the interpreter agency, the PMAP authorizing the agency, and the Community Services Contract Unit along with the supervisor providing department oversight to LEP and Interpreter Services.

A process to assess the language skills of bilingual staff providing services in a non-English language is utilized to assess oral language proficiency and Public Health department policy #1053 provides guidance on this process. The testing process determines the functional speaking ability of a person by utilizing an industry-recognized standard to determine how well a person speaks a language by comparing their performance on specific communication tasks with criteria for assigning a proficiency level. The Public Health department utilizes this assessment process to determine the language proficiency of bilingual staff providing day-to-day language assistance in performance of their usual job duties when an interpreter to assist with communication will not be accessed to assure competency in service delivery in a language other than English. Bilingual staff may utilize interpreters to provide the level of language skills needed to provide specific client services. If a staff person speaks English as a second language and has successfully completed a post-secondary educational program taught in English, the testing process is at the option of the supervisor. If a countywide process to assess language proficiency of bilingual staff is developed, this process will be adopted by Public Health.

I. Access to Plan by Staff

All staff is oriented to the plan and department location during their new employee orientation. The LEP plan is accessible to all department staff through the internal department website. If a person requests to view our LEP plan, staff can create a printed copy from the electronically stored plan for this purpose.

J. Services to the Illiterate

Language services will be provided persons with LEP who do not read their own language to the same extent as what is provided to an English speaker who does not read English.

K. Emergency Situations

When programs require access to services on the same day resulting in short time frames, staff 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 program services, the 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.

Staff will utilize telephone based Language Line services for situations requiring immediate language assistance. Staff will attempt to access an interpreter for in-person services requiring extended contact of one hour or more, if the service focus is the department's responsibility. If the contact is originating from another department and department staff is present to assist, it is expected that the originating department will address language needs. If in-person interpreter services are unable to be arranged for oral language assistance, telephone interpretation is used.

L. Notice to the Public

A poster is displayed in the reception area in multiple languages informing clients that Dakota County will provide free interpreter services. The LEP plan is available on the Dakota County website and can be viewed by making a request to staff.

M. Translated Forms

The department will utilize state generated translated forms and forms translated for department use. DHS will be the primary source of translated forms and applications. Staff may access translated forms and down load them from the DHS website at [www.dhs.state.mn.us/forms](http://www.dhs.state.mn.us/forms). Oral interpretation will be utilized for department-required forms available in English only.

The department will evaluate forms utilized for client services. Translation of additional forms for department use will be discussed within the department management team and translation will be implemented on an as needed basis, when DHS translated forms are not available to meet this need. Staff will request translation of written materials when a need is identified. This request is submitted to supervisory staff.

#### N. Addressing Language Needs and Distributing Translated Forms to Clients

At intake, when receiving referral or community contacts, staff will access the MMIS recipient screen to help clarify if a client will need language assistance. Staff may also use Language Line to help identify a client's spoken language. Often the referral resource will identify the language needed for a client needing language assistance when making the referral to intake. Programs sending written materials to clients, such as forms, can utilize MMIS to clarify language assistance needs and access appropriate translated materials or use oral assistance options, when appropriate translated materials are not available. When forms are sent automatically in English, clients with LEP will be sent the translated version of the form. If staff identifies forms to be considered for translation or addition of a language block to direct the client to assistance, they need to contact their supervisor, who will bring the issue to the Public Health management team.

#### M. Complaint Resolution

The contact for any Civil Rights Complaints or LEP matters is:

Andrew Benish

Department of Employee Relations

Telephone: 651/438-4382

E-mail address: [Andrew.Benish@CO.DAKOTA.MN.US](mailto:Andrew.Benish@CO.DAKOTA.MN.US);

TDD: 651-438-4618 FAX: 651-438-8178

The department staff receiving a Civil Rights or LEP complaint will contact their immediate supervisor to notify them about the discrimination complaint. The supervisor provides the client with the County Human Services Complaint Notification Form Complaints Alleging Discrimination in Service Delivery along with a copy of the Civil Rights booklet (DHS 3276) and informs them the complaint must be filed in writing within one year of the alleged discrimination. The supervisor will provide contact information for the Department of Human Services and the Office for Civil Rights. The supervisor will follow the procedure to handle civil rights complaints outlined in the Community Services Division Civil Rights plan and the Public Health Civil Rights Complaint Procedure policy #1002. The supervisor is responsible to ensure the written complaint is forwarded to the Dakota County Administrator for Compliance, who investigates the complaint and to the Public Health Director.

Clients can inform staff if they were dissatisfied with the in-person interpreter. Staff will document in writing performance issues related to services provided by interpreters and provide this information to their supervisor. Significant Interpreter issues will be communicated to the department responsible for the contract. If services were obtained through the PMAP interpreter services line, the staff person after review with their supervisor will contact the PMAP to inform them of the concern. The supervisor will assist in determining whether the department will continue to use the services of the interpreter.

### **III. Training**

#### A. Initial Staff Training

Department staff is introduced to the Limited English Proficiency Plan (LEP) during the orientation process for new staff. The legal basis for the LEP plan will be reviewed; applicable County and department policies, procedures and guidelines will be reviewed; resource material and information will be highlighted; and the location and components of the Limited English Proficiency plan will be reviewed. Training will also be completed during the orientation

process on how to effectively use interpreters, how to access Language Line, and what forms are required related to interpreter use in person and by telephone.

#### **B. Ongoing Training**

The department reviews the Limited English Proficiency and division Civil Right plans annually. Staff is updated about any new resources, guidelines, policies and procedures, and best practices for effective use of interpreters as they become available or when changes are made in addition to annual reminders

#### **C. New Employee Training**

Countywide new employee orientation covers the Civil Rights Act policies at a county level. Department specific orientation is the responsibility of the supervisor of the new employee and may be delegated to another department staff member. The department Limited English Proficiency plan and Community Services Civil Rights plan is reviewed along with policy and procedures. The process to file a complaint is included in the training.

### **IV. Monitoring the Limited English Proficiency Plan**

#### **A. Existing Plan Effectiveness**

County and Department processes will be utilized as a way to collect information from the public to provide feedback on the effectiveness of LEP in meeting client needs. Discussion with staff and community members and analysis of complaints about current assistance available will be utilized to help identify possible unmet needs.

#### **B. Evaluating Staff understanding of LEP**

The Community Services Division Contract Unit will oversee interpreter agency agreements.

Public Health staffs understanding of the LEP Plan/procedures and their ability to implement them will be assessed by their supervisor during orientation and routine annual staff reviews.

#### **C. Current Language Needs**

Department Intake areas request and document language needs of referred clients. Dakota County collects data about languages that are used in the home from school districts and through census information, which can be used to guide determining language needs most commonly found in the county. Annually, when staff updates other client information, notation of language assistance is included in the client record after discussion with the client.

#### **D. Community Feedback**

The Department will seek feedback on the LEP plan by several methods. First it will utilize information gathered on a county level. The department will include survey items addressing these areas on department-generated surveys. It will also utilize connections with community organizations that are involved with our department for discussion and feedback on how the needs of people with limited English proficiency are being met and help in identification of barriers that exist along with ideas for possible solutions.

A department representative will attend Community Services division meetings to review and coordinate the LEP plans and procedures.