

**Pipestone County Family Services  
1091 N Hiawatha Ave  
Pipestone, MN 56164**

**LIMITED ENGLISH PROFICIENCY PLAN**

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## 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 of 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 person 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 Pipestone County Family 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 stated 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); 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 Programs

## C. Written Plan

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

Pipestone County Family 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 Pipestone County Family Services staff. 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 Pipestone County Family Services programs or program information because he/she does not speak English or speaks limited English. Pipestone County Family Services will provide for effective communication between clients with LEP and Pipestone County Family Services 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 is encouraged to follow the client’s preferences. For example, if a client wants a family member or friend to interpret rather than a Pipestone County Family Services 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.

## **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 Pipestone County Family Services contracts with.

## 5. Emergency Situations

When programs require access to services within short time frames, Pipestone County Family 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, Pipestone County Family 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

Pipestone County Family Services 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.

### D. Procedure for Using Interpretation

#### 1. Verification of Client's Identity

Pipestone County Family Services staff should continue the existing practice of verifying the identity of the client before releasing case-specific information. Language Line staff, or others 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

Pipestone County Family Service Agency 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 and “Steps for Reaching Language Line” Attachment 2 of this policy.

**b. Contract Interpretation and Translation Services**

Primary source of interpreter service will be the Language Line. Contract interpretation will be handled on a case-by-case basis. If a situation warrants an interpreter be present, the Agency will contract with an individual servicing the Pipestone/Jasper School District or the Worthington School District. Translation of documents will be done through the Language Line. The Agency does not plan to translate any specific forms at this time. If appropriate, forms translated by the Department of Human Services will be utilized.

**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.

Pipestone County Family Services may expose itself to liability under Title VI if it requires, suggests, or encourages a client with LEP to use friends, or 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 situation. 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 Pipestone County Family Services offers free interpreter services, Pipestone County Family 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. Pipestone County Family 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 friends as an interpreter, Pipestone County Family Services staff

should suggest that a trained interpreter listen in on the interview to ensure accurate interpretation.

Language Line should be used in circumstances where a client is giving information that may negatively impact their eligibility for services, e.g. deadlines or certifications. Language Line should also be preferred in situations where a client must answer complicated or detailed questions regarding their case. Family or friends may also handle these interpretations, but Language Line should be used for follow-up calls or letters.

Pipestone County Family Service Agency 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**

Pipestone County Family Services 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 they collect in the course of their business. In the case of Pipestone County Family 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, Pipestone County Family Services employees, the agents of Pipestone County Family 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 Pipestone County Family Services clients are considered agents to Pipestone County Family Services. They may be privy to Pipestone County Family Services clients' private data and are bound by the same requirements for confidentiality as are Pipestone County Family Services employees.

#### **4. Competency of Interpreters**

Pipestone County Family Services screens all contracted interpreters to assure they are 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. Although we do not require certification, we do review data privacy and other important issues with all contract interpreters before using them.

#### **E. Notice of Rights to Language Assistance**

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

Pipestone County Family Services staff will use the "I Speak" cards to help clients with LEP be able to identify their language needs for staff. Pipestone County Family 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**

Pipestone County Family Services staff have access to the internet and can retrieve all current translated document/forms by going to the website at [www.dhs.state.mn.us](http://www.dhs.state.mn.us), publications and searching for DHS 4286. This document will list every form number of translated document with current language, current revision date.

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

Regularly used DHS forms will be made available in translated form. At the appropriate times Pipestone County Family Services staff must send clients the preferred translated forms automatically when the same forms are sent to clients automatically in English.

As for locally developed forms, or correspondence to Limited English Speaking clients, our agency will use the DHS developed language block attached to all of these forms that says "Attention: If you want free help translating this information, ask your worker or call the numbers listed below for your language."

**G. Translation Plan**

Pipestone County Family Services will rely on DHS produced documents as our primary source of translated materials. Downloading of documents from the DHS web page will also be used as necessary.

**H. LEP Training for Pipestone County Family Services staff**

Pipestone County Family 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 is required to attend LEP training on an annual basis. In addition, information about the LEP plan will be incorporated into the Pipestone County Family Services New Employee Orientation.

LEP training will include information on the following topics: Pipestone County Family Services' legal obligation to provide language assistance to clients with LEP; the substance of Pipestone County Family Services' 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**

Beginning in January each year, Pipestone County Family Services will conduct an 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.

Pipestone County Family 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 Pipestone County Family 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.
- Seeking and getting feedback from LEP communities, including clients and community organizations and advocacy groups working with LEP communities, about the effectiveness of Pipestone County Family Services' LEP plan.

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

The LEP plan will be posted for public review in the Pipestone County Family Services lobby. The LEP plan will be available in English, but interpreters will be available to translate the plan for those who do not speak English who wish to read it. The words "Limited English Proficiency Plan" or something to that effect, in all appropriate languages, will be posted next to the LEP plan so clients with LEP know such a plan exists and that they can get help to read it.

**K. Distribution of LEP Plan**

Immediately upon its approval, the Pipestone County Family services LEP plan will be distributed to all Pipestone County Family Services staff.

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

Each Pipestone County Family Services 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. Pipestone County Family 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.

**Nicole Names, Director**  
**Pipestone County Family Service Agency**  
**1091 N Hiawatha Ave.**  
**Pipestone, MN 56164**  
**(507) 825-6720**  
**888-632-4325**  
**(507)825-6727 (Fax)**

# Attachment 1

## PIPESTONE 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 you 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 first person. Avoid the “he said/she said.”
7. Avoid using colloquialisms and acronyms, e.g., “ABC,” “MFIP,” 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.

## Attachment 2

### Steps for Reaching Language Line:

1. Have customer designate the language needed from the following list.
2. Dial 1-800-367-9559
3. Enter your six digit client ID on the telephone keypad (509052)
4. Press 1 for Spanish, Press 2 for all other languages. If you press 2, speak the name of the language.
5. Enter your personal access code followed by the pound sign. An interpreter will be connected to the call.
6. Brief the Interpreter. Summarize what you wish to accomplish and give any special instructions.
7. Say “end of call” to the Interpreter when the call is complete.