



STEARNS COUNTY HUMAN SERVICES

Limited English Proficiency (LEP) Plan

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Applicable to: Human Services Staff

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A. Purpose

The purpose of this Limited English Proficiency (LEP) Plan is to ensure meaningful access to program information and equal opportunity to benefit from services for persons with hearing impairment and limited English proficiency.

A client has Limited English 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 Stearns County Human Services staff. It is not always 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 some of the complex issues 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.

B. Definitions

Interpretation: 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: a written version of a document provided in a different language than the original document.

C. Statutory Authority

According to the U.S. Department of Health and Human Services, 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 (LEP) Plan for Stearns County Human Services has been completed at OCR's instruction. In OCR's August 30, 2000 policy guidance, issued to interpret the regulations under Title VI, OCR states that an organization that is 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 organization 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)

Office of Civil Rights Policy Guidance, 68 Fed. Reg. 47311 (2003), Department of Health and Human Services, Office for Civil Rights, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (August 8, 2003), effective January 6, 2004

Department of Justice Regulation, 28 CFR §42.405(d)(1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs.

Section 504 of the Rehabilitation Act of 1973, codified at 29 U.S.C. § 701 et seq.; Nondiscrimination under Programs Receiving Federal Financial Assistance As it Affects Individuals with a Disability.

American with Disabilities Act of 1990, codified at 42 U.S.C. § 12101 et seq.; Nondiscrimination on the Basis of Disability Which Substantially Limits a Major Life Activity.

D. Responsible Authority

The Responsible Authority is the Stearns County Human Services LEP Contact Person.

Each Stearns County Human Services Division is responsible for implementing the Stearns County Human Services LEP plan. The person designated to provide technical assistance and respond to inquiries and complaints from the public is listed below as the LEP Contact Person.

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E. Policy

No person will be denied access to Stearns County Human Services programs or program information because he/she does not speak English or speaks limited English. Stearns County Human Services will provide language assistance services as needed for clients with LEP to provide meaningful access to programs and services and ensure effective communication between clients and Stearns County Human Services staff. Clients will be provided with language assistance services at no cost to them and in a timely manner during business hours.

F. Procedures

F1. Notice of Availability

Stearns County Human Services utilizes the DHS Interpreter Poster at all check-in areas. The poster states, "Free Interpreter services are available. Please ask someone at the front desk." This statement is listed in the ten principle languages identified by the Minnesota Department of Human Services (DHS). The languages include Spanish, Hmong, Somali, Lao, Khmer/Cambodian, Vietnamese, Russian, Arabic, Serbo-Croatian, and Oromo. The Interpreter Poster is available for download from the DHS website.

Specific language needs or preferences will be assessed for all persons presenting to Stearns County Human Services for services. Staff must inform all clients of their right to interpreter services at no cost to them and offer interpretation and/or translation services in a language they understand and in a way that preserves confidentiality.

Stearns County Human Services will use "I Speak" cards (Attachment A) to help clients with LEP identify their language needs for staff. "I Speak" cards are available in the same languages as are listed in the Interpreter Poster. Copies of these cards are available for download on the DHS website.

F2. Access to Competent Interpreters

Stearns County Human Services uses contracted vendors for interpretation services.

Stearns County Human Services will ensure that interpreters are *competent* to provide interpreter services. This training and assurance of competency is

provided by our contracted vendors. The interpreter must be proficient in both English and the target language and be able to convey information in both languages accurately. Interpreters must also have had orientation/training that includes the skills and ethics of interpreting, have basic knowledge of specialized program terms or concepts in both languages, and be sensitive to the client's culture.

Stearns County Human Services has an internal Interpreter/Translator Services Policy and Procedure in place providing direction to staff to obtain interpretation services when they are needed. The policy and procedure ensures that all recipients, including persons with LEP, have access to services within appropriate time frames.

The Interpreter/Translator Services Policy and Procedure also covers American Sign Language services to the deaf and hard of hearing. Title VI does not address legal requirements for providing language assistance to applicants, clients, and members of the public who are deaf and hard of hearing and need sign language interpreting. Section 504 of the Rehabilitation Act and the Americans with Disabilities Act provide protection for individuals who are deaf and hard of hearing and need sign language interpreting.

F3. Bilingual Staff

While Stearns County Human Services has a limited number of bilingual staff, Stearns County Human Services does not use bilingual staff to provide language assistance services. Contracted vendors are used for language assistance services for persons with LEP. Bilingual staff may provide their assigned job duties in a language other than English, but not in a "language assistance service" capacity. If Stearns County Human Services was to consider this in the future, any bilingual person considered for employment to provide language assistance would be screened for competency and trained in ethics, interpreter skills, and standard program terminology.

F4. Telephone Interpreter Services

Staff will use the Language Line Services for interpreter assistance when in-person interpreter assistance in the required language is not available. Specific instructions for the Language Line are available to staff through the Interpreter/Translator Services Policy and Procedure.

F5. Use of Family and/or Friends as Interpreters

Staff must not require, suggest, or encourage a client with LEP to use family or friends as interpreters. Family or friends may not be competent to serve 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. 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.

Family members or friends of the limited-English-proficient person may only be used as interpreters/translators if specifically requested by that individual after staff has made an offer of a free interpreter/translator and if doing so does not compromise the effectiveness of the interpretation and/or violate the client's confidentiality. Staff's offer of an interpreter and the client's response must be documented in the person's file. These restrictions are to ensure confidentiality of information and accurate communication.

NOTE: Clients who wish to have bilingual friends and family present at meetings or interviews may do so; however, the presence of such persons does not affect the obligations of Stearns County Human Services to provide interpreter/translator services.

F6. Rule for Minor Children

Use of minor children as interpreters/translators by Stearns County Human Services is never allowed.

F7. Uncommon Language/Interpreter Availability

If an interpreter is needed for an uncommon language, and vendor indicates that their interpreter is not available on a timely basis, staff should use the Language Line.

F8. Documentation regarding use of Interpreters/Translators

A client's need for interpretation/translation services will be documented in the case file and in each pertinent electronic information system with which the client with limited English proficiency interacts. This will alert staff that an interpreter/translator is required for all contacts with that client. This will also ensure that translated versions of regularly distributed forms are sent to recipients who have indicated a language preference.

F9. Assisting Clients Who Don't Read Their Language

Stearns County Human Services staff must assist a client with limited English proficiency who does not read his/her primary language to the same extent as staff would assist an English speaker who does not read English.

NOTE: It is not acceptable to tell a client to find someone to read a document to him or her. It is the department's responsibility to provide this service.

F10. Emergency Situations

When programs require access to services within short time frames, Stearns County Human Services will take whatever steps necessary to ensure 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, Stearns County Human Services' responsibility 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. During normal business hours, staff will contact the vendor to determine if services are immediately available. If an interpreter is not readily available for the emergency situation, or the emergency is after normal business hours, Language Line Services will be used.

F11. Procedure for Using/Distributing Translated Forms

At the appropriate times, Stearns County Human Services' staff must send clients the preferred translated forms automatically when the same forms are sent to clients automatically in English.

In addition to the documents and forms that have been translated, Stearns County Human Services will translate vital documents and vital information¹ contained in its documents and materials into non-English languages as necessary to assure access to services that best suit the need of the clients.

Stearns County Human Services has an internal Interpreter/Translator Services Policy and Procedure in place providing direction to staff to obtain translation services when they are needed.

¹ A document or information should be considered vital if it contains information that is critical for accessing recipient's services or benefits or is required by law for all programs within Human Services. 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.

G. LEP Training for Stearns County Human Services Staff

Stearns County Human Services will distribute the approved department interpreter/translator services policy and procedure to all staff so they can learn the policies and procedures required in making language assistance available to clients with LEP. The policy/procedure is available on the Stearns County intranet under Policies in the Human Services Department section. Staff have access to this policy at all times. All staff with ongoing client contact are required to attend LEP training on an annual basis. In addition, information about the LEP plan is incorporated into the Stearns County Human Services New Employee Orientation.

LEP training will include information on the following topics:

- Stearns County Human Services' legal obligation to provide language assistance to clients with LEP.
- Stearns County Human Services LEP Plan and the Interpreter/Translator Services Policy and Procedure.
- Tips on working with interpreters.
- How to properly document information about a client's language needs in the client's case file and appropriate electronic information systems.
- Use of the Language Line.

H. Monitoring of the LEP Plan

On at least an annual basis, Stearns County Human Services will conduct an evaluation of the LEP plan to determine overall effectiveness. The Stearns County Human Services LEP Contact Person will coordinate the review. 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 based on ongoing community needs assessment.

Stearns County Human Services annual evaluation of the LEP plan will include the following activities:

- Assessment, to the best of our ability, of the number of persons with limited English proficiency in Stearns County.
- Assessment of the current language needs of clients with limited English proficiency to determine whether they need an interpreter and/or translated materials to communicate effectively with staff.

- Determining if existing language assistance services are meeting the needs of clients with limited English proficiency.
- Assessing whether staff members understand the Stearns County Human Services LEP policies and procedures, how to carry them out and whether language assistance resources and arrangements for resources are still current and accessible.

Given the diverse populations in the Stearns County area, the non-English languages likely to be encountered at this time, in order of most likely to be encountered based on Minnesota Department of Education data (13-14 Student Reported Primary Home Language, Stearns County), include:

Somali	Amharic	Lingala
Spanish	Hindi	Portuguese
Vietnamese	Hmong	Romanian
Lao, Laotian	Mandingo	Sinhala
Nuer	Cebuano, Visayan, Binisaya	Afrikaans [1]
Oromo, Afan Oromo, Oromiffa	Sign Language, ASL	Armenian
Arabic	Urdu	Bosnian
Anuak	Dutch [3]	Burmese
Chinese, Mandarin	Haitian Creole	Danish
Bengali	Not Specific	Gujarati
Khmer, Cambodian	Tamil	Herero
Swahili, Kiswahili	Yoruba	Italian
French	Albanian [2]	Krio
Korean	Balinese	Norwegian
German	Bulgarian	Quechua
Russian	Farsi	Thai
Japanese	Grebo	Xhosa

Updated 5/30/14

First seven languages stayed in the same rank order as the 12-13 School Year.

I. Distribution and Posting of the LEP Plan

Upon its completion and approval, the Stearns County Human Services LEP Plan is posted to the Stearns County intranet under Plans in the Human Services Department section. After the plan is posted, an email is sent to all Human Services staff identifying the location of the plan.

Upon approval, the LEP plan will be posted to the Stearns County public website at <http://co.stearns.mn.us/Government/CountyDepartments/HumanServices/PlanningDocuments>.

J. Limited English Proficiency Complaint Procedure

Stearns County Human Services has a Comprehensive Civil Rights Plan that addresses the LEP complaint procedure. The Civil Rights Plan details a list of agencies; federal, state, and local; at which a complaint can be filed.

The complaint procedure identifies the Stearns County Human Services Civil Rights Coordinator to be the person to receive complaints. To submit a complaint, call or write to:

Mary M Schmid
Administrative Services Division Director
Administration Center
705 Courthouse Square, PO Box 1107
St. Cloud, MN 56302
Voice: 320-656-6000
Toll Free Voice: 1-800-450-3663
Fax: 320-656-6158
TTY/TDD: 320-656-6204
E-mail: mary.schmid@co.stearns.mn.us

Attachment A, "I Speak" Cards

Kuv xav tau ib tug Hmoob
pab txhais lus rau kuv.
I need a Hmong interpreter

ខ្ញុំត្រូវការអ្នកបកប្រែភាសាខ្មែរ
I need a Khmer interpreter.

ຂ້າພະເຈົ້າ ຕ້ອງການ ລ່າມແປພາສາລາວ
I need a Lao interpreter

Мне нужен русский переводчик.
I need a Russian interpreter.

Turjumana afan Oromiffa enbarbana.
I need an Oromiffa interpreter.

Trebam prevodioca srpsko-hrvatskog jezika.
I need a Serbo-Croatian interpreter.

Waxaan u baahnahay turjubaan
Somali ah.
I need a Somali interpreter.

Necesito servicios de intérprete
en español.
I need a Spanish interpreter.

Tôi cần thông dịch viên tiếng Việt.
I need a Vietnamese interpreter.

انا احتاج مترجم عربي
I need an Arabic interpreter

[Link to interpreter card order form](#)

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