

Houston County Department of Human Services
304 South Marshall Street, Room 104
Caledonia, MN 55921
(507) 725-5811
Fax: (507) 725-3990

Limited English Proficiency (LEP) Plan
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**Limited English Proficiency (LEP) Plan
Houston County
January 1, 2010**

LEP Coordinator: Beth M. Wilms, Director	507-725-5823
Financial Services: Beth M. Wilms, Supervisor	507-725-5823
Social Services: Sally Poepping, Supervisor	507-725-5820
Accounting Unit: Linda Bahr, Supervisor	507-725-5811 x: 1314

100-Purpose and Legal Basis

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 service 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 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 Houston 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 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/
- **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

Houston 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 Houston 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 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 Houston County Human Services programs or program information because he/she does not speak English or speaks limited English. Houston County DHS will provide for effective communication between clients with LEP and its 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.

The following document serves as the Houston County Department of Human Services plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7 CFR, 273 et seq; and 42CFR 435 et seq.

There are four components to this document.

- 200-Assessment
- 300-Policy
- 400-Training
- 500-Monitoring

200-Assessment

- 201 Needs Assessment-Houston County Department Human Services will on at least an annual basis make a needs assessment of the unique needs within Houston County. Houston County DHS will work with the four school districts and the Workforce Development Office to identify which non-English languages are spoken in the County.
- 202 Case Finding-Specific language needs of each applicant with LEP will occur at the time of intake or application. This will primarily be done by reviewing the language preference questions on the Health Care Application (HCAPP) and the Combined Application Form (CAF). Language preferences will entered into the applicant's primary language field in the MAXIS system. If an interpreter is needed, it also will be entered in the MAXIS and MMIS systems. If the main receptionist or intake worker suspects that the applicant is a person with LEP, the worker will present the LEP person with a card that lists the 10 major languages in order to determine which language is involved, if any. The 10 identified languages are: Spanish, Somali, Russian, Arabic, Oromo, Serbo-Croatian, Hmong, Vietnamese, Cambodian (Khmer) and Lao. It is expected that reasonable efforts will be made by Houston County Department of Human Services to provide same-day interpreter services.
- 203 Points of Contact-the greatest likelihood of need for interpreter services will be at the point of intake, at the time of an emergency or application for financial assistance. The principle point of contact will most likely be, therefore, in the office setting in Caledonia. The most appropriate form of interpreter services will likely be language assistance in the completion of an application for financial assistance or health care. The other point of contact may involve field-based contact when conducting child protection assessments. These contacts will typically take place in the home of the child's caretaker or parent.
- 204 Resources Needed-Houston County Department of Human Services will utilize its own staff to the ability that competent, bilingual employees are available. For those persons with LEP, local interpreters will be utilized from a Houston County interpreter call list. Additionally, Houston County Department of Human Services will entertain formal linkage with the Language Line Services "tier" system. When feasible, on-site interpreter services will be made available and would be the first preference. Through the Department of Children, Families, and Learning (DCFL), we are able to access a variety of interpreter services. The website for this information is: <http://cfl.state.mn.us/interpreter/interpreter.pl>.

Houston County DHS' order of preference for use: 1) bilingual Houston County DHS staff (See Appendix A), 2) bilingual local interpreters (See Appendix B), 3) Language Line services (See Appendix C), 4) DCFL (See Appendix C).

205 Range of Oral Language Assistance-There will be limited oral language assistance on-site in the Houston County Department of Human Services from current agency employees. While there are two identified non-English languages spoken in the county, Spanish is the primary language with which we anticipate a need for regular interpreter services during our migrant season. The La Crosse Hmong Mutual Assistance Association will be used as necessary and appropriate and subsidiary use of Language Line Services for all other non-English language will take place as necessary. Houston County will take advantage of the eight brief "notice of rights to language services" documents for persons with LEP as the Department of Human Services makes them available.

206 Timely Access-Normal office hours for Houston County Department of Human Services staff are from 8:00AM until 4:30PM, Monday through Friday. The Language Line Services are available 24 hours a day, seven days a week. When on-site interpreter services are to be used, it may be necessary to schedule appointments at mutually convenient times for the client and the interpreter.

300 Policies and Procedures

301 Agency Commitment-Houston County Department of Human Services is committed to the spirit of the Civil Rights Act of 1964. It recognizes the importance of providing meaningful access to all people, including those with LEP, to the various programs operated under the hubris of "Houston County Department of Human Services." Houston County has, by prior action, affirmed a policy of civil rights compliance in a format suggested by the Minnesota Merit System (DHS Bulletin 00-89-3) on 10-24-00.

302 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 Houston County contracts with. (see appendix C)

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 should be made by contacting vendors directly. (see appendix B)

303 Affirmative Action-The Houston County Department of Human Services employee handling the case will inform either the customer or the interpreter, once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated by the interpreter to the consumer in verbal form in a language that is understandable to him/her. At no time in the service delivery

process will the customer incur any costs associated with LEP-directed interpreter services.

304 Use of Family and Friends-Use of family or friends as interpreters is not the preferred method of providing interpreter services. But when the intake worker has determined that it is not feasible to use formalized interpreter services, a consultation will be made with that worker's immediate Supervisor or Director. Alternative methods of customer service will need to be discussed. If the worker has determined that a family member, friend or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the client's data privacy rights will be protected and that the quality of interpreter services to be provided by the family member or friend will be acceptable. The worker will need to document in the case file the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the client insisted that a family member or friend be used.

Use of Children-Under no circumstances may minor children be used for interpreter services.

305 Competency of Interpreters-Houston County Human Services will make sure that interpreters, whether bilingual staff or professional interpreters, have been trained and demonstrate competency. 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.

306 Dissemination of the LEP Plan-Copies of the LEP Plan will be provided to the following: All Houston County Human Services employees who have direct customer contact, area Legal Aid office, Workforce Development Incorporated, Houston County Public Health Services, the Houston County Commissioners, and the Houston County Courthouse. A copy of the main public announcement, MS-1659, will be prominently displayed in the Houston County Department of Human Services reception area.

307 Services to Consumers Who Do Not Read Their Own Language-When confronted with a situation in which the customer cannot read or write in his or her native language, it is incumbent that Houston County Department of Human Services find a suitable interpreter, one who can assist the person in completion of necessary forms, documents and the like. The Houston County Department of Human Services intake worker needs to make the determination, in conjunction with the interpreter, about the customer's literacy skills. The clear choice in dealing with customers who do not read their own language will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. The use of other formats for interpreter services may be required on a case-by-case basis.

- 308 Assigning Clients with LEP to Bilingual Staff-Houston County DHS will utilize its own staff to the ability that competent, bilingual employees are available. Where applicable, and as a program practice, Houston County will use its best efforts to assign clients with LEP to bilingual staff who speak their language. A list of bilingual staff available to serve as interpreters is in Appendix B of this policy.
- 309 Emergency Situations-When programs require access to services within short time frames, Houston 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, Houston 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.
- 310 Access to and Costs of Interpreters-Under no circumstances will Houston County Department of Human Services indicate, either verbally or in writing, that any applicant or client in need of LEP services will be charged for interpreter or translation services. All such services shall be at no expense to the applicant or client. Such services will be provided during all normal business hours and when necessary, during non-business hours when an emergency has been determined to exist.
- 311 Notice of Service Availability-LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the customer is not able to communicate in English. Notice of service availability will come from the MS-1659 document in the central reception area. Distribution of the LEP Plan to various parties cited above will help in putting those entities on notice that interpreter and translation services are available on a timely basis and free of charge. Use of material that has been translated into Spanish will be used immediately when it is determined that the person presenting for service is not able to understand English. Insofar as the Department of Human Services has translated many forms into multiple languages, Houston County Department of Human Services will access these forms as necessary. Access to the Department's website at www.dhs.state.mn.us/forms will be made. Additionally, translated income maintenance forms located in TEMP Manual 12.01.13 will be accessed as needed.
- 312 Using/Distributing Translated Forms-Houston County DHS stocks a number of documents and forms which are available in languages other than English. Currently the full list is being compiled and will be incorporated into the LEP plan at a later date. It will be updated as the need arises. Regularly used Houston County DHS forms will be made available in translated form by posting them in a central location in the Houston County DHS lobby at 304 South Marshall Street, Caledonia, Minnesota. At the appropriate times, Houston County DHS staff must send clients the preferred translated forms automatically when the same forms are sent to clients automatically in English.

313 County-Produced Materials-Insofar as the LEP census in Houston County is limited, it is not anticipated that Houston County Human Services will develop any county-produced material. Rather, the County will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the DHS web page will also be used as necessary. Houston County Human Services will follow DHS's translation numerical guidelines as required.

314 Responsible Authority/Complaint Process-Contact Person

Each Houston County Department of Human 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. Houston County Department of Human 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. Director Beth M. Wilms will provide information about this complaint procedure to all clients in a language they understand. Houston County DHS will provide notification to the Minnesota Department of Human Services of all complaints and will refer all Civil Rights complaints to the Minnesota State Department of Human Services, Civil Rights Coordinator for further review.

315 Posting- A copy of the Houston County Department of Human Services LEP Plan will be posted on the main bulletin board in the lobby.

400 Training

401 Distribution of the LEP Plan- All Houston County Department of Human Services employees who have direct contact with customers will be provided a copy of LEP Plan upon its adoption. If any changes are made in the document, a revised copy will also be provided to the same entities listed in #307.

At this time, the following employees will be recipients of the document:

All Financial Services Staff	(N=7)
All Social Services Staff	(N=14.5)
All Child Support Staff	(N=4)
All Accounting Staff	(N=3)
Director	(N=1)

402 Training of Staff- Initial-With approval of the LEP Plan, there will be an initial training on the document. This training will take place for current staff in the context of unit staff meetings, or an all-staff meeting. For any new employee affected by the LEP Plan, this document will be incorporated into that person's orientation protocol at the time of hire.

403 Training of Staff-Ongoing-On at least an annual basis at a unit or an all-staff meeting, a review of the LEP Plan will take place.

500 Monitoring

501 Evaluation of the LEP-On at least an annual basis, the LEP Plan will be reviewed for effectiveness. This review will normally take place in January. It will be coordinated by the Houston County Department of Human Services LEP Coordinator. The evaluation will involve consultation with representatives of the Financial and Social Services Units to determine compliance with the LEP Plan, identification of any problem areas and development of required corrective actions strategies. Elements of the evaluation will include the following:

- Number of persons with LEP in Houston County
- Assessment of current language needs of Houston County Department of Human Services applicants and clients to determine if the clients need an interpreter and/or translated materials; updating case files which lack information about a client's language preference; determining if clients need to be asked their language preference at the time of certification.
- Determining whether staff members understand Houston County Department of Human Services LEP policies and procedures and how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.
- Seeking and obtaining feedback from non-English or limited-English speaking communities

502 LEP Contact Person- For purposes of the LEP Plan, Houston County's designated contact person is the Director, Beth M. Wilms, with appropriate delegation made to the Financial Assistance Supervisor, Fiscal Supervisor and the Social Services Supervisor of the agency.

Appendix A

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LIST OF BILINGUAL STAFF INTERPRETERS

This is a list of Houston County DHS staff, all located at 304 South Marshall Street, Caledonia, Minnesota who have indicated a proficiency in a non-English language and a willingness to act as a staff interpreter on an “as-needed” basis. All staff listed are considered “competent” to provide interpreter services at Houston County DHS. This means they are proficient in both English and the language listed next to their name and are able to convey information in both languages accurately, have had orientation and training that includes the skills and ethics of interpreting, have basic knowledge in both languages of specialized program terms or concepts, and will be sensitive of the client’s culture.

Houston County DHS currently does not have bilingual staff available to serve as language interpreters. As this service becomes available, a listing will be established.

Appendix B

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LIST OF BILINGUAL LOCAL INTERPRETERS/VENDORS

Spanish

Hilda Duerkop
(507) 894-4887
\$30/hr

Joyce Stellick
(507) 452-4948
\$30/hr

Hmong

Hmong Mutual Assistance Association, Inc.
2613 George Street
La Crosse, WI 54601
(608) 781-5744

Other

Project Fine
62 W. 3rd Street Suite 66
PO Box 1137
Winona, MN 55987-7137
(507) 452-4100

Appendix C

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LIST OF OTHER INTERPRETER SERVICES

ATT Language Line

Language Line is an over-the-phone interpretation/translation service with over 140 different languages.

Department of Children, Families and Learning (DCFL)

<http://cfl.state.mn.us/interpreter/interpreter.pl>

Appendix D

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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.”
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.