



Department of **Human Services**
Monroe County, New York

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Limited English Proficiency/
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LEGAL BASIS AND PURPOSE

The following document serves as the plan for the Monroe County Division of Social Services to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964(Title VI), 42 U.S.C. § 2000d et. seq., and its implementing regulation at 45 CFR Part 80.

This document demonstrates Monroe County's commitment to provide meaningful access to all individuals applying for or receiving social services. At all times, non-English speaking clients will be guaranteed service from the Monroe County Division of Social Services which from hereon will be identified as MCDSS.

Monroe County and its contractors provide interpreter and translation services necessary to access its services free of charge.

All MCDSS employees have access to this plan through team meetings and training sessions. The plan is published and updated on the Departments Intranet site; DHSNet as a staff resource and available to the community on the Monroe County web site.

Further questions regarding this plan and its implementation may be directed to:

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**MONROE COUNTY DIVISION OF SOCIAL SERVICES
POLICY AND PROCEDURE FOR PROVIDING INTERPRETERS
FOR LIMITED ENGLISH PROFICIENCY INDIVIDUALS (LEP)**

Policy

The Monroe County Division of Social Services (MCDSS) will inform individuals having Limited English Proficiency (LEP) of the availability of free interpreter and translation services when it appears that the individual is not able to communicate effectively in English. Notice of availability of free interpreter services will be posted at primary points in the MCDSS' reception areas.

Procedure

Applicants or Recipients (A/R) appearing at the local offices as a walk-in or with a scheduled appointment:

1. The MCDSS will promptly identify the language and communication needs any applicant or recipient suspected of having limited proficiency in English, as follows:
 - a. Receptionist and front desk staff will check the MCDSS Client Advisement Registry (CAR) system as well as electronic case comments to determine if the individual is known to have limited English proficiency. The Client Advisement Registry is a locally developed and administered system allowing MCDSS to flag clients known to require special service or management including the need for foreign or sign language interpreter services.
 - b. LEP individuals appearing at any of the Monroe County Department of Social Services offices will be asked what language he or she speaks. If the LEP individual is unable to answer the question, reception staff will attempt to identify the A/R's language by having him or her point to the language on the poster (OTDA publication 4842) or Interpreter Services Desk Guide (OTDA publication 4843) as provided by the New York State Office of Temporary and Disability Assistance.
 - c. Once LEP individuals have been identified, they will be asked which language they prefer to conduct their business with MCDSS in, and that language will be noted in their case and be used as the language of their case.
2. When MCDSS determines that an interpreter is required, we will provide a bilingual staff member to assist the LEP client whenever possible. MCDSS maintains a listing of bilingual staff in a staff directory available on the DHS Net system and updated monthly. If a bilingual staff member is not available, the receptionist or the staff member assigned to the LEP client will utilize the Language Line to provide interpreter services.
3. DSS staff will utilize the three way phones available in special cubicles at Child Support Enforcement at City Place, the 111 Westfall Rd. office or the 691 St. Paul St. office to call The Language Line whenever possible. When the three way phones are unavailable the assigned worker will make use of a speaker phone to conduct the interview using the Language Line Interpreter. After the interview, the worker will update the case record via electronic comments to reflect the date the interpreter was requested. The case comments will reflect if the district offered to provide the interpreter without the applicant/ recipient having made the request for such services, whether the applicant/recipient (A/R) agreed to use the interpreter provided by the district and how the services were provided. The worker will also document if the A/R declined the MCDSS interpreter and provided their own adult interpreter.

4. Some LEP persons may prefer to use a family member or friend as an interpreter. Family members or friends of the LEP client will not be used as interpreters unless specifically requested by the client and **after** the LEP client was offered an interpreter at no charge. In order to ensure the confidentiality of information and accurate communication, minor children will **not** be used to interpret.

A/R submitting an application for services “other than in person”

Applications received by drop off, mail, fax, e-mail or through one of the State’s electronic application or recertification programs such as MyWorkspace, will be screened by Centralized Document Management (CDM) staff to determine if an interpreter may be required by the A/R. The CDM staff will update the CAR system for clients identified as having limited English proficiency. Temporary Assistance applicants indicating that they are Spanish speaking on their application form will be scheduled with a Spanish speaking Examiner by way of the Department’s Waiting Room Appointment Tracking System (WRATS).

Field Visit Procedure

When a Spanish speaking interpreter is required for an investigative field visit or other home visit a Spanish speaking staff person will be assigned to accompany the worker in making a home visit, or when available, bilingual staff will make the visit. Assigned staff may also arrange for a contracted interpreter to be present during a scheduled field/home visit. If this is an emergency situation and the investigator identifies a language barrier, the investigator will display the Interpreter Services Desk Guide and have the client verify their preferred language. Once the language has been identified, the investigator will utilize the Language Line via the department’s cell phone to communicate with the client. The investigator will also notify the client of their right to have free translation service for business conducted with MCDSS. Any documents received during the visit will be translated by available staff or by agencies contracted with MCDSS for translation services.

Translated Documents

When Spanish translation of vital documents is required, the MCDSS will submit the documents to available bilingual unit staff member for translation. Translation of vital documents into languages other than Spanish will be managed under the MCDSS contract with Catholic Family Center or other interpreter services as appropriate.

“Vital documents” are defined as applications; consent forms; complaint forms; letters or notices pertaining to eligibility for benefits; letters or notices pertaining to the reduction, denial, or termination of services or benefits that require a response from the LEP person; written tests that evaluate competency for a particular license, job or skill for which knowing English is not required; documents that must be provided by law; and notices regarding the availability of free language assistance services for LEP individuals. MCDSS shall also review later created documents to determine if they are ‘vital’ to the meaningful access of LEP populations served.

The MCDSS will provide LEP clients with written notice of the availability of language assistance services in the appropriate language. Posters, signage and notices are posted throughout the reception and interview areas at City Place, 111 Westfall Rd. and the 691 St. Paul St. offices. Agencies contracting with the MCDSS to provide services such as employment assessment, Work Experience placement, and emergency housing will also provide interpreter services to LEP A/R whenever necessary.

MCDSS ensure that correspondence and other documents submitted by LEP individuals are translated without undue delay.

Complaint Procedure

The Language Assistance Coordinator will be the responsible party for receiving, addressing and resolving all complaints/grievances from LEP persons. Any client, individual or group acting on behalf of an LEP person may file any complaint/grievance. Grievances must be filed with the Monroe County Division of Social Services in writing on translated forms provided by the Language Assistance Coordinator, and shall include the following information: name and address of grievant(s); nature of alleged violation; name of persons responsible for the alleged violation (where known); requested relief or corrective action (specification of desired relief shall be at the option of the grievant), and any background information the grievant believes to be relevant (i.e., names or groups of other persons affected by the violation, etc.).

A grievance form shall be prepared by the grievant and Language Assistance Coordinator who will facilitate the filing of the grievance. These forms will be provided by the Language Assistance Coordinator. The grievant shall have the right to request assistance from the Language Assistance Coordinator or any other individual, group, or organization to assist in the preparation of the form or in the filing of the grievance.

Grievances must be filed within 60 days of the occurrence of the alleged violation. Any and all information regarding the filing of a grievance or complaint or any other LEP situation can be directed to:

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Monitoring

The MCDSS will continually monitor changes in the types of services needed by the LEP persons to ensure proper implementation. MCDSS will also conduct demographic assessments that may require reevaluation of this policy and procedures. Additionally, MCDSS will continue to assess the efficiency of these procedures to allow LEP person's proper access to interpreter services and delivery of language assistance.

Policy Effective June 2014
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