

Ohio Department of Job and Family Services
LIMITED ENGLISH PROFICIENCY PLAN
2018 - 2020

Cuyahoga County Dept. of Health and Human Services

1/1/2018

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CHECK ALL THAT APPLIES

DJFS X
PCSA
CSEA X
OMJ CENTER

Limited English Proficiency Plan

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Limited English Proficiency Plan

I. Purpose

The purpose of this Limited English Proficiency Plan is to provide assurances and demonstrate that customers of Cuyahoga County Dept. of Health and Human Services, Division of Job and Family Services and the Office of Child Support Services are being provided meaningful access to program information, benefits and services although the customers may be limited in their English Language Proficiency. This plan will be updated bi-yearly to refresh the assurances contained in the plan, address any changes in methods and update any changes in the LEP population utilizing the County Agency / OMJ Center.

It is understood that the Ohio Department of Job and Family Services' Bureau of Civil Rights (BCR) is charged with the duty to ensure that each County Agency / OMJ Center is in compliance with all relevant federal requirements involving applicants/recipients of program information, benefits and services who have limited English Language Proficiency (LEP).

II. Authorities and Definitions

Authorities

- **Title VI of the Civil Rights Act of 1964**, 42 U.S.C. §2000 et seq.; 45 CFR §80, Nondiscrimination based on race, color or national origin for any programs receiving federal financial assistance. Failure to provide meaningful access to program information, benefits and/or services due to an applicant/recipient's LEP is considered discrimination based on national origin.
- **U.S. Department of Justice Title VI Legal Manual**, January 11, 2001 edition
- **29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act**, July 22, 2014.
- **U.S. Department of Labor Policy Guidance on the Prohibition of National Origin Discrimination as it Pertains to Persons with Limited English Proficiency (05/29/03)**, Federal Register, Volume 68, Number 103
- **Food Stamp Program LEP regulations**, 7 CFR §272.4
- **Ohio Department of Job and Family Services Language Access Policy**, Dated January 20, 2005
- **Ohio Administrative Code section 5101:9-2-01 Civil Rights Plan**
- **Ohio Administrative Code section 5101:9-2-05 WIOA Nondiscrimination Complaints**
- **IPP.9004 Limited English Proficiency Protocol**

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Definitions of Terms:

- **County Agency** – County Departments of Job and Family Services, County Child Support Enforcement Agencies, Public Children Services Agencies, WIOA funded OMJ (Ohio Means Job) Centers, Agencies standing alone or any combined agencies with a single administrative structure.
- **Effective Communication** – In a human services, social services or job training/assistance setting; effective communication occurs when County Agency / OMJ Center staff have taken necessary steps to make sure that a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by the County Agency / OMJ Center. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by that County Agency / OMJ Center without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to the County Agency / OMJ Center.
- **Interpretation** - Interpretation means the oral or spoken transfer of a message from one language into another language.
- **Limited English proficiency** - A person with limited English proficiency or "LEP" is not able to speak, read, write or understand the English language well enough to allow him/her to interact effectively with a County Agency / OMJ Center.
- **Meaningful access** - "Meaningful access" to benefits, programs and services is the standard of access required of the County Agencies / OMJ Centers since they receive federal funding through the state of Ohio. Meaningful access requires compliance by County Agencies / OMJ Centers with state and federal LEP requirements as set out in relevant state and federal laws. To ensure meaningful access for people with LEP, County Agencies / OMJ Centers must make available to applicants/recipients of benefits/services free language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.
- **BCR** - Bureau of Civil Rights. The entity contained within the Ohio Department of Job and Family Services charged with the responsibility of overseeing compliance by County Agencies / OMJ Centers with relevant civil rights laws including those related to LEP.
- **Translation** - Translation means the written transfer of a message from one language into another language. *Note: The use of translation engines through the internet or language applications can be very useful tools for a native speaker of that particular language. A native speaker is able to make the appropriate adjustment and/or corrections to the translation. A non-native speaker will have difficulty making the proper adjustment to the syntax's, meaning, and vocabulary. One example we found using one of the translation engines was: e.g., Spanish- dos burritos por favor; the English translation – two donkeys please, instead of two burritos please. The computer does not know that you are referring to food. The computer translates literally. Therefore, to avoid any misunderstandings we do not recommend the use of engine translations or applications unless you are a native speaker.*

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- **Vital Documents** - forms or documents *designed and utilized by the County Agency / OMJ Center* that are critical for accessing federally funded services or benefits or are required by law. Vital documents can include but are not limited to: applications for county designed programs; consent forms designed by the County Agency / OMJ Center; letters designed by the County Agency / OMJ Center requesting eligibility documentation.
- **Outreach Documents** - County Agency / OMJ Center designed documents utilized by the County Agency / OMJ Center to provide information to the general public but targeting individuals who are eligible or may be eligible for county benefits/services or programs.

III. County Agency / OMJ Center LEP Policy

It is the policy of CCDHHS, division of Job and Family Services and Office of Child Support Services to provide meaningful access to all individuals applying for, participating in programs or receiving services/benefits administered by, supervised by, authorized by and/or participated in by CCDHHS, division of Job and Family Services and Office of Child Support Services, its contractors and/or vendors. Meaningful access involves CCDHHS, division of Job and Family Services and Office of Child Support Services promoting effective communication to LEP individuals seeking or receiving services, benefits or participation in programs funded in whole or in part by federal funds. This plan specifically provides necessary assurances and identifies tools being used to effectuate this policy.

IV. LEP Population

CCDHHS, division of Job and Family Services and Office of Child Support Services has determined that the language(s) other than English that is/are most likely to be encountered by employees of the CCDHHS, division of Job and Family Services and Office of Child Support Services is/are {Spanish, Arabic, Nepali, Russian, Swahili, and traditional Chinese language(s)}. The methodology used to make this determination is as follows: The CCDHHS, division of Job and Family Services and Office of Child Support Services uses the monthly community agency data from the contracted vendor, US Together, Inc. based on the requests for interpreter services and the Division of Job and Family Services primary language indicator from CRIS-e.

County Agency / OMJ Center should provide **translated vital documents and interpretation services** to any LEP group that comprises approximately 100 or less low income single language minority household.

For program informational activities (**outreach**) in the appropriate language the County Agency / OMJ Center has to have less than 2,000 low income, if approximately 100 or more of those are single language minority; or in a County Agency / OMJ Center with 2,000 or more low income household, if approximately 5% or more of these household are single language minorities.

For the purpose of the LEP Plan a low-income household refers to as a household at or below 125% of the poverty level.

CCDHHS, division of Job and Family Services and Office of Child Support Services will periodically monitor the LEP population of those served or those who could be served by

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CCDHHS, division of Job and Family Services and Office of Child Support Services. If it is determined that other LEP language groups are seeking benefits/services or are potentially eligible to receive benefits/services within the CCDHHS, division of Job and Family Services and Office of Child Support Services, CCDHHS, division of Job and Family Services and Office of Child Support Services will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in the next LEP plan.

V. Methods of Providing Services to LEP Population

(Check any that are applicable)

- Bi-lingual Employee(s) (if checked provide employee(s) names and language(s) with brief description of method of determining competence as interpreter(s)).
CCDHHS - Division of Job and Family Services provide bilingual service to our customers through agency staff. Staff hired receive a 5% bilingual pay supplement for the purpose of providing oral and written interpretation services. CCDHHS provides competence assessment of bilingual staff from the contracted vendor - US Together, Inc.
- Staff Interpreter(s) (if checked provide name(s) and language(s) with brief description of method of determining competence as interpreter(s)).
Information here
- Interpreter Contract (if checked, provide name(s) of contractor(s), list service(s) provided, language(s) covered, and brief description of how vendor(s) was/were chosen. Also attach copy of agreement or contract to this plan.).
Cuyahoga County Department of Health and Human Services has a contract with US Together, Inc. for interpretation and translation services. The contract allows staff from CCDHHS to arrange for interpretation and translation services via telephone, in-person and in written form.
- Volunteer Interpreters (if checked provide names, organization if applicable as well as brief description of method of determining competence as interpreter).
Information here
- Telephone Interpreting Services (if checked provide name of vendor with brief description of how vendor was chosen. Attach copy of contract to this plan).
Cuyahoga County Department of Health and Human Services has a contract with US Together, Inc. for interpretation and translation services. The contract allows staff from CCDHHS to arrange for interpretation services via telephone, in-person and in written form. Please refer to attachment B for vendor contract - US Together, Inc.
- Agreement with Educational Institution (if checked provide name of institution, name(s) of interpreters, brief description of method of determining competence of interpreter. Attach copy of agreement, MOU or other written document to this plan. If nothing in writing, describe arrangement).
Information here

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- Translation contracts (if checked provide name(s) of contractor(s), list service(s) provided, language(s) covered and brief description of how vendor was chosen. Also attach copy of agreement or contract to this plan).

Cuyahoga County Department of Health and Human Services has a contract with US Together, Inc. for written and sight translation services. The contract allows staff from CCDHH to arrange for the translation services. Please refer to attachment B for vendor contract - US Together, Inc.

- Other (if checked explain arrangement and attach any relevant documents explaining the arrangement to this plan).

Information here

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VI. Interpreter Services

Cuyahoga County Department of Health and Human Services, at no cost to the LEP individuals or families, provides interpreter services to all LEP individuals or families applying for, participating in programs or receiving services/benefits through the CCDHHS, division of Job and Family Services and Office of Child Support Services by the means designated in section V. of this plan. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in a county run program beyond that of an English speaking individual or family. The CCDHHS, division of Job and Family Services and Office of Child Support Services makes this policy known to the LEP through the following methods (e.g. posters in other languages, Babel cards, etc.). In addition, CCDHHS sends out an all staff memo from administrator informing agency staff how to access language interpretation services, the contracted vendor US Together, Inc. provides quarterly training of staff how to access interpreters' services and the contact center uses interpretation services via the contracted vendor.

CCDHHS, division of Job and Family Services and Office of Child Support Services addresses phone calls and voice mail by LEP individuals in the following manner (describe County Agency / OMJ Center phone services for LEP individuals. If addressed through something checked in section V. can reference that portion).

Telephone calls and voice mail methods are handled by contacting the vendor US Together, Inc. through the interpreter request form, for immediate assistance in real-time staff can call 877-581-4350.

CCDHHS, division of Job and Family Services and Office of Child Support Services addresses walk-ins to the CCDHHS, division of Job and Family Services and Office of Child Support Services who are LEP individuals in the following manner (refers to receptionists or point of contact) CCDHHS, Division of Job and Family Services and Office of Child Support Services' staff at the following Neighborhood Family Service Centers (NFSCs), including Virgil E. Brown building, Quincy Place, Old Brooklyn, Westshore, Specialized Medicaid Benefit Center, Jobs, Education and Training, including SNAP to Skills, and CCMEP, E-processing, Jane Edna Hunter (JEH)/ Southgate NFSC, request services from contracted vendor - US Together, Inc. for assistance with language interpretation, including sign language should a LEP customer walk into a NFSC where bilingual staff of the required language is not present or not immediately available. The Divisions of Job and Family Services and the Office of Child Support Services staff will contact vendor, US Together, Inc. by telephone at 1-877-581-4350 and have an interpreter on the phonenumber within 10 minutes of the initial contact.

For the visually impaired, where agency representative need an interpreter for verbal communication between clients and staff for any purposes that assist with gaining, maintaining or addressing issues around public assistance benefits or any other human/social service needs. This service can be arranged to be with an interpreter face-to-face or telephonically through the contracted vendor US Together, Inc. This can be instances where a client shows up for an impromptu appointment or calls into the office and has limited English proficiency, call the contracted provider (1-877-581-4350) to coordinate telephonic interpretation services.

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CCDHHS, division of Job and Family Services and Office of Child Support Services does not require, suggest or encourage LEP individuals or families to use friends, family members or minor children as interpreters. If an LEP individual or family insists that a friend or family member serve as interpreter, CCDHHS, division of Job and Family Services and Office of Child Support Services will inform the customer that the family may stay but will not be able to serve as the interpreter. Only on rare occasions when there is no other strategy, such as interpretations over the phone, the CCDHHS, division of Job and Family Services and Office of Child Support Services will then, on a case by case basis, consider factors such as: competence of the family or friend used as the interpreter; the appropriateness of the use in light of the circumstances and ability to provide quality and accurate information, especially if the interview could result in a negative affect on the individual or family's eligibility for benefits/services; potential or actual conflicts of interest; and confidentiality of the information being interpreted to determine whether CCDHHS, division of Job and Family Services and Office of Child Support Services should provide its own independent interpreter for itself. In no case does CCDHHS, division of Job and Family Services and Office of Child Support Services allow a minor child to act as interpreter for an LEP individual or family.

VII. Translation of Documents

CCDHHS, division of Job and Family Services and Office of Child Support Services translates all county designed vital documents into each LEP language group that comprises at least 5% or 1,000, whichever is less, of persons eligible for or likely to be affected by the agency's services. Currently, (the LEP language group(s) meeting this criterion is/are- Spanish, Arabic, Nepali, Russian, and traditional Chinese language(s)).

CCDHHS, division of Job and Family Services and Office of Child Support Services translates all outreach documents for each LEP group that equals 10% or 3,000, whichever is less, of persons eligible for or likely to be directly affected by the CCDHHS, division of Job and Family Services and Office of Child Support Services services. Currently, (the LEP language group(s) meeting this criterion is/are - Spanish, Arabic, Nepali, Russian, Swahili, and traditional Chinese language(s)) language group).

Translation Services Request forms (including Braille) should be used in instances where staff need to have documents (written materials) translated into another language. There are many reasons this service may be needed (ie., official forms, program advertisement, documents to be considered for benefit verification, etc.). Designated HHS staff must complete the entire top section of the form ("Service Request", "Requesting Agency" and "Service Information"). If request is for Braille, write "Braille" in the box "Language to which the document needs to be translated." and submit electronically.

For any LEP individuals applying or receiving services from CCDHHS, division of Job and Family Services and Office of Child Support Services where vital documents are not available in the LEP individual's language, CCDHHS, division of Job and Family Services and Office of Child Support Services provides a notice in the LEP individual's language that the LEP individual may bring any document into the CCDHHS, division of Job and Family Services and Office of Child Support Services office and an interpreter (face to face or telephonic interpretation) will be provided free of charge to interpret the document for the LEP individual.

VIII. Dissemination of Information to County Agency / OMJ Center Personnel

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CCDHHS, division of Job and Family Services and Office of Child Support Services makes its personnel aware of its LEP policies, methods of providing services to LEP individuals and other information contained within this plan through the following: (explain in some detail, e.g. training by civil rights coordinator, on-line training, new employee orientation, personnel handbook, hand-outs, etc.).

Method(s) of information to personnel here: Cuyahoga County Department of Health and Human Services provides staff with training annually on Civil Rights / LEP policies as well as FNS 113-1 through a training curriculum produced by the Ohio Department of Job and Family Services - Bureau of Civil Rights, new employee onboarding includes Civil Rights / LEP overview, quarterly training is provided by contracted vendor US Together, Inc. on service procedures on accessing an interpreter as well as all staff communications from agency administrator.

Training overview for bilingual employees and all Cuyahoga County Department of Health and Human Services staff:

1. Initial training and language proficiency testing for bilingual employees

All Cuyahoga County Health and Human Services (HHS) staff that are designated as bilingual employees are required to attend two full day sessions and pass the language proficiency test with a score of 80% or higher. This training is specific to those bilingual employees that utilize their language services for 20% or more of their time in the course and scope of their employment and are receiving the bilingual pay supplement (or are in the process of applying for the supplement, as the course is only offered once per program year). This two day (16.0 hours) training was purposefully designed to professionally develop the designated bilingual employees on the various skills required to effectively serve in the capacity of an interpreter, as necessary, providing assistance to colleagues in communicating with members of the public visiting our buildings for services. The two day session includes instruction, role play, review and testing. The test is designed to determine language proficiency in how the employees are able to communicate agency specific terminology, ideas and expectations to customers; understanding that not all terms and concepts are translatable. Any employee who does not successfully pass the test with a score of 80% or higher will be allowed to take the entire two day class and testing again the following year.

2. Continuing Education for bilingual employees.

Once the designated bilingual employees have taken the two day course and passed the language proficiency test with a score of 80% or higher, they are required to take a one full day (8.0 hours) training each year to meet the continuing education requirements. Training is designed with a general theme each year and tailored specifically for each of the HHS agencies (Job and Family Services, Office of Child Support Services, Senior and Adult Services and Children and Family Services).

3. Quarterly training open to all HHS employees

As a part of our commitment to professional development and cultural education there are two half day training sessions made available once each quarter for all HHS employees to attend on a voluntary basis. This training session was specifically developed for all staff to help them understand the role and appropriate utilization of interpreters in the delivery of services to LEP populations. The training also includes historical information on LEP populations including refugees, asylees and immigrants as a means to further educate staff on some of the experiences, hardships and barriers the LEP population may be dealing with in addition to acculturation and

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meeting the demands of the application for benefits process. The information provided is designed to better equip staff to maximize their interaction, become aware of potential problems, address stereotype mindsets and overcome barriers.

IX. (Optional)

Any other information, explanation, or assurances connected to LEP issues provided at the option of the County Agency.

Please refer to the attachment below for additional information. Information here:

X. Attachments

Attachment A - List of bi-lingual staff and training overview process

Attachment B - US Together, Inc. vendor contract and amendments

Attachment C - Interpretation, Translation and Sign Language Procedures

Attachment D - Demographic Data

Attachment E - Administrator memorandum

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Signatures:

Person with Authority <i>Walter Parfymie</i>	Director	Date <i>8/29/18</i>
Person with Authority	Civil Rights Coordinator	Date
Person with Authority	Title	Date
Person with Authority	Title	Date
Person with Authority	Title	Date
Person with Authority	Title	Date