

## BUTLER COUNTY CHILDREN SERVICES

POLICY NO: 10.4	SUBJECT: TITLE VI LANGUAGE ACCESS POLICY
OAC:	EFFECTIVE DATE: 12/14/2004
	REVISION DATE: 9/2018
	REVIEW DATE: 1/24/2006, 12/07, 9/2018

### PURPOSE:

The purpose of this Policy is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws through the implementation of regulations regarding persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 (the Act) prohibits, among other things, discrimination based on the grounds of race, color or national origin by entities receiving federal financial assistance. This Policy is effectuated to ensure that no LEP person is excluded from participation in, denied the benefits of, or is subjected to discrimination under, any programs available through the Butler County Children Services (the Agency). Administrative methods or procedures which have the effect of subjecting said individuals to discrimination or exclusion from participation in or denial of the benefits of programs or activities administered by the Agency or of defeating the objectives of these regulations, are prohibited.

To avoid discrimination on the grounds of national origin, and to accommodate LEP persons, the programs and activities administered by the Agency must take adequate steps to ensure that policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities that all Departments and other organizational areas of the Agency must undertake to ensure LEP individuals are protected against discrimination and are able to communicate effectively regarding Agency services with staff and other Agency partners.

### POLICY:

Butler County Children Services shall provide meaningful access to program information, benefits and services to all clients, regardless of their English language proficiency. BCCS makes free language services available to clients that result in accurate and effective communication that does not result in any undue delay or denial of services to which the LEP client is eligible.

BCCS makes bi-lingual staff available to assist in identifying clients who need professional interpreter and translator services. BCCS contracts with interpreter and translator services to ensure access to services.

BCCS ensure that employees and clients are aware of these services and how to access them.

These agents of the Agency are collectively referred to as Local Entities. Please refer to the definition below.

## **Providing Notice to LEP Individuals**

The Agency and each local entity shall take appropriate steps to inform all clients, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions of this policy. Such notification shall also identify the name, office telephone number, and office address of the employee(s) responsible for the local entity's compliance with this policy. The individual responsible for the Agency's compliance with this policy shall be the Ombudsman. The Ombudsman is located at the:

Butler County Children Services  
300 North Fair Avenue  
Hamilton, OH 45011.

The Ombudsman may be reached by telephone through the general telephone number: (513) 887-4055.

The dissemination of information shall include, but not be limited to posting information in each local entity location, as well as the dissemination of pamphlets explaining rights contained in this policy.

The Agency and local entities shall post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of entries. These signs must inform clients and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

**Determining the Language Needs of Each Client/Recipient.** The Agency and each local entity shall determine the language needs of each client/recipient. Such assessment may include, but not be limited to the following:

- At the first point of contact, each client will be assessed to determine the individual's primary language.
- Techniques that may be used include:
- multi-language identification cards, a poster-size language list, or the use of language identification cards for indicating preferred languages. Poster-size language lists shall be posted in the reception areas, waiting areas and other areas commonly accessible to applicants/recipients/clients. Language cards are available at the reception desk.
- English proficiency assessment tools, provided they can be administered in a manner that is sensitive to and respectful of individual dignity and privacy.

If the LEP person does not speak or read any of these languages, BCCS shall use a telephone interpreting service to identify the client's primary language.

**Applicants/recipients/ clients of the Agency may have access to the following telephone interpreting service and sign language services Affordable Language, 1-866-978-8378 Hearing, Speech and Deaf Center (for American Sign Language assistance), (513) 221-0527.**

Staff should not solely rely on the individual's own assessment of his/her English proficiency in determining the need for an interpreter. However, if an individual request an interpreter, an interpreter shall be provided. A declaration of the client shall be sufficient to establish the client's primary language. Under no circumstances shall a staff member make this determination based solely on whether a client can answer brief questions or questions to which the answer requires simple 'yes' or 'no' responses.

When BCCS staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpretation service shall be utilized in making the determination. **BCCS staff may utilize the following telephone interpreting service Affordable Language, 1-866-978-8378.**

If any client is assessed as LEP, they shall be informed of interpreter availability and their right to have a language interpreter at no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

### **Provision of Bilingual/Interpretive Services**

BCCS shall ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking populations. The provision of bilingual/interpretive services shall be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours.

### **Using Family Members or Friends as Interpreters**

BCCS shall not rely upon the use of the client friends or family members for the provision of interpretive services. The rationale for this policy includes the fact that the BCCS cannot assure the accuracy of interpretation by family or friends.

Under no circumstances shall BCCS require the client to pay for bilingual/interpretive services.

### **Use of Interpreters at Hearings**

An interpreter shall be provided for all local hearings and by BCCS for all state-level hearings, if a party requests an interpreter, or if the Hearing Officer determines that an interpreter is necessary.

### **Provision of Written Translations**

BCCS must develop and implement a plan to provide written materials in languages other than English, where a significant number or percentage of the population eligible to be served or likely to be directly affected by programs or services, or needs information in a language other than English to communicate effectively.

## Translation of Vital Documents

BCCS shall ensure that vital documents are translated into Spanish and made available.

When such forms and other written material contain spaces in which BCCS is to insert information, this inserted information shall also be in the individual's primary language. When such forms are completed by clients in their primary language, the information must be accepted.

If the primary language of a LEP client is a language other than Spanish, the LEP individual shall be informed in their own language of the right to oral translation of written notices. The notification shall include, in the primary language of the client/recipient, the following **INSTRUCTION: IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

## Documentation of Client's Case Records

BCCS shall maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.

BCCS shall ensure that case record documentation, including computerized records if appropriate, identifies the client's ethnic origin and primary language. In those cases where the client is non-English speaking, the record shall:

- Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.
- Document the method used to provide bilingual services, e.g., assigned worker is bilingual, another bilingual employee acted as interpreter, volunteer interpreter was used. Use of a minor child as an interpreter is not permitted.
- Written consent for the release of information shall be obtained from clients when individuals other than BCCS employees are used as interpreters, and the case record shall reflect the fact that written consent has been obtained.

## Definitions

**Limited English Proficient (LEP) individual** - Any prospective, potential, or actual recipient of benefits or services from the Agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with Agency staff, contracted providers of services for the Agency, or other service providers to whom the Agency refers or with whom it has partnership.

9/20/18

Approval Date:

  
Julie Gilbert, Director