



# Limited English Proficiency (LEP) Plan

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Alameda County Social Services Agency

Human Resource Department

Language Access Program

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# Alameda County Social Services Agency LEP Plan

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## Overview:

This document (“Plan”) serves as the plan for the Alameda County Social Services Agency (“ACSSA”) to meet the legal obligation of language access requirements in compliance with Title VI of the Civil Rights Act of 1964; the Dymally-Alatorre Act; and, other applicable Federal and State laws, listed as Attachment A to this document.

This Plan also serves as a model to demonstrate ACSSA’s commitment to provide meaningful access to all individuals requesting any of its services. At all times, English, limited or non-English speaking individuals will receive access to equal services from ACSSA.

A client is Limited English Proficient (“LEP”) when they are not able to speak, read, write, or understand the English language at the level that allows them to interact effectively with agency staff. LEP individuals are to be informed of the availability of **free** interpretive and translation services when it appears that the individual is not able to communicate effectively in English. Such services will be provided during all normal business hours, without unnecessary delay. Notice of availability of free interpretive services is available and visible in the form of signage at primary points of contact for ACSSA departments’ reception and waiting areas.

**At no time will any ACSSA employee or contractor indicate, either verbally or in writing, that a LEP applicant or recipient accessing Agency services will be charged for interpretive or translation services.**

All staff have access to the LEP plan via the Agency’s Intranet, as well as through meetings and training sessions.

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

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## Background:

Alameda County has a population of approximately 1.6 million residents and is the second most ethnically and culturally diverse county in California. Over the last decade, the County's Asian and Pacific Islanders (APIs) populations increased while the White, African-American, and Hispanic/Latino populations decreased as follows: Asian and Pacific Islanders (APIs) population increased to 33.1%; Hispanic/Latino population decreased to 22.4%; White population decreased to 29.2% and, the African-American population decreased to 9.8% (2010-2021 Census data). Soon White and APIs will be the majority of racial/ethnic groups in Alameda County.

The County's ethnic diversity stems from its role as a historical magnet for Immigration, attracting people from Asia, Latin America, Africa, and Eastern Europe. This diversity of Immigrants has defined the cultural boundaries of communities within the County.

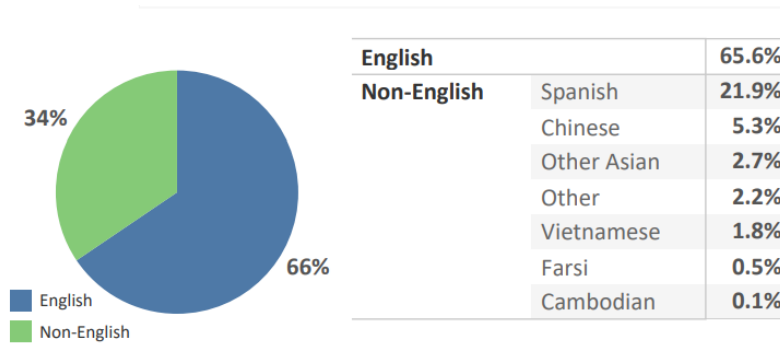
Diversity is most prevalent in Oakland, the County's largest city. The race/ethnic statistics for the city of Oakland is 33.4% white, 27% Hispanic/Latino, 22% Black/African American, and 15.7% Asian/Pacific Islander. Several districts within Alameda County have high concentrations of African-Americans, while the Chinatown District is a pan-Asian neighborhood which reflects a diverse Asian American community, while the Fruitvale District is comprised of a high number of Latinos. In Lower San Antonio, a burgeoning cultural fusion of Asian, Southeast Asians, South Asians, and Pacific Islanders live alongside African-Americans and Latinos from Mexico, Central and South America.

Overcoming language barriers is critical to the social and cultural adjustment to life in the United States ("U.S.") for the non-English speaking and LEP individuals and families. ACSSA is committed to and has developed models to provide linguistic and culturally competent access to all programs.

ACSSA is committed to providing communication aids to its non and LEP- clients. The objective is to ensure current and prospective individuals and families have a meaningful opportunity to apply for, receive, participate in, or benefit from the menu of services offered by the agency. In addition to developing mechanisms to provide oral interpretation at each point of public contact, we operate beyond the 5% threshold of the Dymally-Alatorre Act and translate County-generated written materials into more languages than required. Using the Dymally-Alatorre Act, ACSSA has identified two (2) threshold languages: Spanish and Traditional Chinese (Cantonese). However, due to the language differences in office locations throughout Alameda County: Vietnamese, Mandarin, Farsi, Cambodian, and Tagalog are included.

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Figure 1: LEP Cases 02/2023



Source: Agency Monthly Report (February 2023), Medi-Cal data.

The guidelines outlined below are an effort to ensure that information about services and benefits are communicated to non-English speaking and LEP individuals in a language that they understand. The guidelines also provide for an effective exchange of information between staff, individuals, and/or families while services are being provided.

## Meaningful Access Policy:

This Plan was developed to serve ACSSA clients, prospective clients, their family members, or other interested members of the public who do not speak, read, write, or understand English, or who have limited proficiency.

### Agency Policy

All clients, regardless of immigration status, have the right to receive services in their preferred spoken or written language. No individual will be denied access to ACSSA program information or services because they do not speak or read English, or who have limited English communication capabilities.

ACSSA will provide effective communication between non-English speaking or LEP clients and staff by making appropriate language assistance services available when clients need these services in a timely manner and at no cost to clients.

ACSSA will offer and provide interpretive services at each contact when clients indicate that they are non-English speakers or LEP.

### Documentation of Applicant/Recipient Case Records

Assigned staff is required to ask all clients their preferred language for oral and written communication and document this in the clients' files. The Language Preference Coversheet, Form 50-85A, and Language Preference Form 50-85 are to be used to document this information. Language information must be

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gathered at initial application and at annual renewals. These forms can be found on our website at: <https://www.alamedacountysocialservices.org/contact-us/Application-Forms>.

In cases where English is not the preferred language, staff is required to document in the client's case file with the following information or actions regarding language services:

- The individual's acceptance or refusal of forms or other written material offered in the individual's primary language.
- The method used to provide bilingual services, e.g., assigned worker is bilingual certified, other bilingual certified staff acted as the interpreter (indicate the name of the person who provided the interpretive services), contracted interpreter was used, or the client provided their own interpreter.
- A minor child(ren) was only used as an interpreter to find out the language spoken by the parent in order to arrange the appropriate interpretation service or in case of a medical emergency.
- The client was informed that the use of family members as interpreters is considered a bad practice and poses potential risks. The risks include: interpreter may not translate important information correctly, translation errors may affect how much help or aid you get from the county, errors may occur because of hard-to-translate concepts and program language, your own interpreter may not understand the special vocabulary, the county will ask you sensitive and personal questions and having a friend or family member interpret might make it hard for you to tell us the sensitive and personal information that may be needed to determine your eligibility and we cannot guarantee that your interpreter will maintain confidentiality of your information.

In cases where clients choose to provide their own interpreter, staff is required to do the following:

- Inform clients of potential problems that can result by using their own non-certified interpreter such as ineffective communication, disclosure of confidential information, conflict of interest between client and interpreter, or interpreter may not be competent to interpret; and document in the case record that clients were informed and declined interpretive services from ACSSA.
- Consent for the release of information is required when individuals, other than ACSSA bilingual certified staff or contracted interpreters, are used.

### **Quality Standards for Translated Documents**

ACSSA obtains translation services only from vendors who have a master contract with the Agency, who were selected through a competitive bidding process. When available, ACSSA's bilingual management staff and/or partners review translated documents for accuracy, as well.

### **Competency Standards for Interpreters**

In order to provide effective services to non-English speaking and LEP individuals, ACSSA uses competent interpreters. "Competency" requires that interpreters have demonstrated proficiency in both English and the intended/preferred language; training that includes the skills and ethics of interpreting (e.g., issues of confidentiality); fundamental knowledge in both languages of any specialized terms or concepts; and sensitivity to the clients' cultures.

## Language Assistance Resources Offered:

### Limited English Proficiency Populations to Be Served

ACSSA utilizes a variety of data collection tools and databases to track and record language statistics in order to examine its non-English speaking and LEP populations and to determine the need for language services. From time to time, we collect information in surveys, “Secret Shopper” reviews, report data through our Office of Data and Evaluation (ODE) staff to query the nonprofit advocacy groups which assist our Immigrant and Refugee communities.

- Through the use of a range of data collection tools, the ACSSA has identified the following language groups, ranked in order from the largest to the smallest, who have requested interpretive services through Agency departments or who have indicated a language preference other than English on state maintained systems: 1) Spanish; 2) Chinese; 3) Vietnamese; 4) Tagalog; 5) Farsi; 6) Cambodian; 7) Korean; 8) Punjabi; 9) Arabic; and 10) Hindi. Note: A threshold language is a language spoken by 5% or more of the population serviced in an area, so the threshold may be different for every office location. In general, ACSSA's threshold languages are:
  - Spanish
  - Traditional Chinese (Cantonese)

As a rule, the following languages are included due to the differences in the office locations spread throughout Alameda County:

- Vietnamese
- Farsi
- Cambodian
- Tagalog

ACSSA has identified the following two (2) languages as its threshold languages: Spanish and Traditional Chinese (Cantonese) but does not differentiate between the size of each population groups. ACSSA continues to identify all critical and vital documents for these two (2) languages where translation is needed in order to ensure equal accessibility of services. We utilize language phone line interpreters (over-the-phone), independent interpreter contractors, video remote interpretation, and Agency certified bilingual staff for these language groups, as well as for other language groups to always facilitate transactions and communications with non-English speaking and LEP clients across all Agency departments.

Translations of most of the vital documents for CalWORKs, Medi-Cal, CalFresh, General Assistance, Refugee Cash Assistance, In-Home Support Services, Adult Protective Services, Public Guardian, and Children and Family Services programs are currently available in Spanish, Vietnamese, Traditional Chinese (Cantonese), Cambodian, Tagalog, and Farsi (Dari).

Additionally, ACSSA recognizes the need to employ new and innovative recruitment strategies to ensure departments have the resources needed to meet the increased demand for language services through bilingual staff. While the ACSSA’s “ideal” work environment would ensure that each service area has



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sufficient bilingual staff to prevent the need for contracted interpretive services, this objective has not been achieved to this date.

ACSSA will continue to work with the California Department of Social Services (CDSS), the Department of Health Care Services (DHCS) and other state and federal agencies to identify the availability of translated documents. Copies of all translated documents are made available on [ACSSA'S Intranet](#).

### Procedure to Access Language Assistance:

#### Means of Providing Interpretive Services

ACSSA is comprised of over 2,500 men and women, approximately 19.8% of who are certified bi-or multilingual, working collectively and in partnership with community-based organizations, neighborhood groups, and policy makers to serve the needs of the community. Agency Departments have bilingual staff available to assist in meeting the needs of non-English speaking and LEP clients. Language issues can be bridged by utilizing the certified bilingual staff and contracted interpretive services.

ACSSA will continue to develop criteria specific to individual departments as to the best methodology for utilizing the skill of certified bilingual staff, as workload demands often prevent certified bilingual staff from assisting with language needs for other Agency personnel.

The protocol to be followed by all agency departments for accessing bilingual services is outlined below.

#### Responding to Non-English Speaking and LEP Individuals Who Have Telephone or In-Person Contact with Staff

- A non-English speaking or LEP client's language will initially be determined by the use of an "I Speak" Card to identify their language. To record and determine the clients' preferred language for written and oral communication, the Language Preference Coversheet, Form 50-85A and [Language Preference Form 50-85](#) will be used, available in the forms section of the staff webpage. LEP individuals who are unable to read in their own language should be offered oral interpretation of all documents into their preferred language. Staff must document under "Written Language Needs" of the Language Preference Form 50-85 when clients choose oral interpretation of all documents.
- ACSSA departments have access to certified bilingual and multilingual staff rosters. The staff who are fluent in a language other than English are certified bilingual or multilingual by taking and passing a test administered by the Agency's Human Resources Department, as needed and requested by Program Managers and Division Directors. Rosters are located on the Agency's internal shared drive. Department managers identify and assign appropriate cases according to departmental standards and other workload considerations for the certified bilingual and multilingual staff. Note: *Due to the constantly changing workforce composition, changes are made frequently. ACSSA remains committed to providing this information in a timely manner—through the use of Agency-wide email.*

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- ACSSA currently has a contract with GLOBO Language Solutions LLC. Language Services to provide interpretive services and is available in the event that an insufficient number of certified bilingual staff is available to assist with spoken language needs. GLOBO Language Solutions has capacity to serve a wide range of languages including, but not limited to, the Agency's two (2) threshold languages. Each ACSSA department had their own individual access code for accessing the service. Staff do not need managers' approval prior to using the service.
- ACSSA has contracted with Excel Interpreting Services and Accent on Languages to provide services for clients who are hearing impaired and in-person interpretive services.
- All non-English speaking and LEP clients shall be offered free interpretive services at all points of contact with the Agency in a timely manner. The Agency's goal is to make its services accessible within a short time frame whether that means using certified bilingual staff, the GLOBO Language Solutions Interpretive Language Services, or contracted independent interpreters for any type of language assistance.
- Staff designated as Mobile Workers shall use GLOBO Language Solutions Interpretive Language Services to communicate with non-English speaking and LEP clients.
- When no interpretive resources are available to support the spoken language, staff shall immediately notify their supervisor who will work with the Language Access Coordinator to secure the resources necessary to meet the language needs of the non-English speaking or LEP client.
- If an interpreter is needed in person, rather than over the phone, i.e., situations in which the client is illiterate (cannot read or write in his or her own language), is hearing or sight impaired, or will be discussing sensitive issues such domestic violence, staff shall make arrangements to have an interpreter available at a time and place that is convenient for both the client and the interpreter. Staff may make arrangements for in-person interpreting by contacting vendors directly and informing the Language Access Coordinator. GLOBO Language Solutions interpreters should be used in the event that an in-person interpreter is not available. **Non-English speaking and LEP clients should never be turned away or told they need to provide their own interpreter by Staff.**

### Staff Process

**Staff should assess three factors in determining the most appropriate response to a request for interpretive services: urgency, reasonableness, and timeliness.**

To find and request assistance from certified bilingual staff:

**Step 1:** Review your division staff roster to identify bilingual staff.

**Step 2:** Notify your supervisor for approval.

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- Supervisor will contact bilingual staff's supervisor to discuss request and receive approval for bilingual staff to assist with interpretive services.

**Step 3:** Request bilingual staff to provide interpretive services.

**Step 4:** Document in case comments interpretive services provided.

- Identify **the date** services were provided;
  - Identify **the individual who received** the services;
  - Identify **the language** services were provided in; and,
  - Identify **the bilingual staff** that provided the service.
- Workforce and Benefits Administration (WBA) document in CalWIN/CalSAWS
  - Children and Family Services (CFS) document in CWS/CMS case contact.
  - In-Home Support Services (IHSS) document in CMIPS II case notes and/or assessment summary.
  - Adult Protective Services (APS) document in AACTS.
  - Public Guardian document in Panoramic.

**Notes:**

- Utilize GLOBO Language Solutions telephone interpretation services when there are no available bilingual staff available within your department.
  - Document in CalWIN case comments or appropriate system services were provided by GLOBO Language Solutions and the language services were provided in.
- Minor children **are not to be used** as interpreters, except to find out the language spoken by the parent in order to arrange the appropriate interpretation service or in case of a medical emergency.
- Inform clients of the potential problems that can result by using their own non-certified interpreters, community members included, such as ineffective communication, sharing of confidential information.
  - If the client still wants to use his/her own interpreter,
    - Obtain a consent of release of information; and
    - Document in case comments or appropriate system that the client was offered free interpretive services but declined.
- It is important to ensure that interpreters are competent to interpret any technical or legal terms specific to a particular program; therefore, only professional GLOBO Language Solutions interpreters, independent interpreters/translators, or certified bilingual staff are to be contacted for providing language services.
- When documents and forms are to be discussed, interpreters should be given an opportunity to review the document prior to the discussion in order to address any logistical problems. The documents and forms can be faxed or emailed to the interpreter for their review with the client's consent.

## Responding to Written Communications for Non-English Speaking and LEP Individuals

### Document Translation

Staff should utilize State and County translated documents to assist with non-English speaking and LEP client interaction and communication. Documents translated by the California Department of Social Services (CDSS) can be accessed at [www.dss.cahwnet.gov](http://www.dss.cahwnet.gov) while documents translated by ACSSA can be accessed at <https://www.alamedacountysocialservices.org/contact-us/Application-Forms>. Other written communication that are not located in these areas, like incoming letters from clients, can be requested through the translation request process. Instructions for accessing these services are available on the

Staff site:

<https://staff.alamedacountysocialservices.org/agency/hr/employee-and-labor-relations/index.page#languageaccess>

Public site:

[Application Forms \(alamedacountysocialservices.org\)](https://www.alamedacountysocialservices.org/contact-us/Application-Forms)

### Signage

This Plan also takes into account physical signage and spatial considerations so that interactions between staff and non-English speaking and LEP clients can take place in a private and confidential manner. This includes interactions with clients who might be hearing and/or visually impaired.

All instructional and directional signs posted in waiting areas and other places frequented by a substantial amount of non-English speaking or LEP clients shall be translated into the two (2) threshold languages in a uniform and consistent manner. Signage shall also state that services may be requested in their primary language. ACSSA will assess future needs by conducting ongoing estimates of new non-English speaking and LEP populations to see if they meet the critical mass numbers as identified by CDSS and if new signage in new languages is needed.

As part of the assessment, ACSSA departments identified points of contact and entry sites at all offices. It is our goal that all entry points have posted signage in the two (2) threshold languages that informs non-English speaking and LEP populations of their right to free interpreter assistance.

ACSSA's Language Access and Civil Rights Coordinators will continue an on-going process of assessing all entry points to ensure appropriate signage is posted by reevaluating access points identified in the initial assessment, as well as determining new points where non-English speaking and LEP populations access Agency services.

### Hearing and Visually Impaired Individuals

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ACSSA offers its English-speaking clients large, printed material where possible. Staff has access to American Sign Language (ASL) interpreters for all clients who are English-speaking and hearing impaired. ACSSA has contracted with “Partners in Communication” and “International Unlimited” to provide ASL interpretation services, when needed. For ASL services a supervisor’s approval is required. Instructions for accessing these services are available on the staff website:

<https://staff.alamedacountysocialservices.org/agency/hr/employee-and-labor-relations/index.page#languageaccess>

Public website:

### **Civil Rights Complaints**

ACSSA shall inform clients, verbally and in writing, of the [procedures for filing discrimination complaints](#).

## **Consistency in the Delivery of Services:**

The next few sections address how clients and staff will first assess and meet language needs.

### **Procedures for Documentation**

ACSSA’s Training and Consulting Team (TACT) and/or Language Access Coordinator will continue to train staff on the following procedures and documents to ensure consistent and efficient delivery of services to individuals in the non-English speaking and LEP populations.

1. Offer No Cost Interpretive Services—All non-English speaking and LEP clients will be informed in their own language, verbally and/or in writing, of their right to no cost interpretive services or translated documents by Staff. Clients will be given a copy of Publication 13, “Your rights under California Welfare Programs.” Staff will document this effort in CalWIN case files.

Publication 13 is available and should be made available in the following languages: Arabic, Armenian, Cambodian, Chinese, English, Farsi, Hmong, Japanese, Korean, Lao, Mien, Portuguese, Punjabi, Russian, Spanish, Tagalog, Ukrainian, and Vietnamese.

2. Responsibility of Documentation—The responsibility of documentation lies with the Staff member working closely with the client. However, all staff members working as first points of contact should understand the need to determine language needs of members of non-English speaking and LEP populations in a timely manner. This will reduce delay, frustration, costs, and possible liability issues.

State law requires the following documentation in case files.

- Client’s acceptance or refusal of language services
- Method used to provide interpretive services
- Informing clients of the potential problems of using their own interpreter

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- Client’s consent for release of information when clients use their own interpreters who are not SSA staff or contracted staff

3. Initiating an Offer for No Cost Interpretive Services—The Plan has identified training of staff as an important component of working with non-English speaking and LEP populations. Initial employee training includes information about Public Law Division 21, the Social Services Agency rules governing contact with non-English speaking and LEP clients. In addition, Civil Rights training references Publication 13, which spells out the client’s right to no cost translation and interpretation of forms and information on programs available.

No cost interpretive services are offered in the following situations but are not limited to these events. A non-English speaking or LEP client could:

- Present an “I Speak” card.
- Point to a language on the displayed poster that offers no cost interpretive services.
- Be accompanied by a friend/relative/Community Based Organization who tells the staff that the client needs an interpreter.
- Exhibit confusion or lack of understanding.
- Have a written statement explaining that he/she is LEP and needs an interpreter in their preferred language as identified in their written statement.

4. Identifying the need for an Interpreter—In addition to the methods stated above, staff will continue to be trained to identify clients who might misrepresent their understanding of the English language. All staff is asked to access and interpret if they feel that the client does not fully understand what they are trying to communicate. Additionally, ACSSA will continue to ensure that the needs of non-English speaking and LEP populations are met by continuing to hire, recruit, and retain bilingual and preferably bicultural staff that will be able to converse with clients and determine if interpretive services are needed.

### **Staff Development and Training**

An important component of the Plan is the training of staff. The next few sections describe and address training processes.

ACSSA’s Training and Consulting Team (TACT) is responsible for the development, coordination, and presentation of training to all staff. Two training courses are provided to specifically add Title VI, Title VII, and Diversity issues. These classes have been designed for public contact staff, line staff, supervisors, and as part of the New Employee Orientation (NEO) to capture incoming employees and to ensure all new hires know about civil rights and our internal processes. Tenured employees are required to take these courses every two years.

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TACT provides information about mandated programs, particularly client rights and civil rights in several ways:

**Orientation**—All employees attend orientation on their first few weeks of employment with ACSSA. Included in the orientation is general information about our customers and their right to no cost language services.

**Customer Focused Training**—This course is a three (3) day class about providing focused service to customers in a respectful manner. It includes basic information about civil rights and language access.

**Program Induction for New Employees**—This course is for both Child Welfare Workers and Eligibility Services Technicians in the first 6-8 weeks of employment. Child Welfare induction includes specific training on the Multi-Ethnic Placement Act (MEPA). The MEPA is also included in the Online Practice Guide (OPG). During induction, Child Welfare and Eligibility Service Workers also attend all the mandated classes, which provide specific information on how to access interpretive services, Division 21, ADA, Sexual Harassment, Client Rights, and “Working Together in a Multi-Cultural Workplace.”

### **Training of Current Staff**

Due to the size and complexity of the ACSSA’s workforce, several training options are made available to current staff.

**Formal Training**—This face-to-face training is offered through TACT. This course is designed for staff that is likely to have contact with non-English speaking or LEP individuals. This course covers the basics of the ACSSA’s LEP Plan, the obligation of the Agency to provide no cost interpretive services, and how to effectively utilize the interpreter and understand the dynamics between the clients, Agency, and interpreter.

**Informal Training**—All other individuals who are not likely to have contact with non-English or LEP individuals will be required to receive informal training covering the basics of the ACSSA’s LEP Plan and the obligations of the plan. This training will be conducted by their manager or by a trainer if requested.

### **Training of New Staff**

The Agency’s Human Resources Department (“HRD”) and TACT will orient new employees to the ACSSA’s LEP Plan. These sections are designed with the assumption that all newly hired individuals are likely to have contact with non-English speaking and LEP clients. Every effort will be made to ensure that these training sessions are conducted in the first few weeks of employment as the employee goes through the general Agency’s Orientation process.

## **Continuing Education**

TACT will work with HRD on an as-needed basis to provide continuing education to staff with regard to the LEP Plan.

## **Schedule and Location**

The training schedules and sessions are determined by TACT in coordination with each ACSSA department. The training sessions are conducted in various locations and at various times for the convenience of employees and to minimize the disruption of work.

## **Registry of Training and Monitoring**

All classes are monitored through the SumTotal Learning Management System (LMS). Rosters are maintained for each class and entered into the LMS. Employees and managers can obtain a list of an employee's transcript through this program to determine if staff is up to date on mandated classes.

## **Contracted Vendors**

All Agency contracted vendors will receive a written copy of the Plan. Language to ensure compliance with this plan will be written into new contracts. Contracts already in effect may be amended in order to add LEP compliance language. Vendors will be responsible for providing training for their employees, unless ACSSA agrees otherwise.

## **Monitoring**

A necessary and crucial part of the Plan is monitoring, assessment, and evaluation. For this reason, vigilant monitoring procedures are in place to help the Agency Language Access Coordinator assess and evaluate the success of the LEP Plan. The next few sections address this topic.

## **Agency Language Access Coordinator**

ACSSA has identified one person who will serve as the Agency's Language Access Coordinator for each Agency department. The primary responsibilities of this individual include, but is not limited to:

- Implement the LEP Plan across the ACSSA.
- Assist departments in identifying critical county-generated documents for translation.
- Manage translation and interpretation requests and services.
- Develop tools for evaluating effectiveness of the ACSSA Plan, compliance with LEP protocol for accessing interpretive services, and obtaining client input regarding the overall effectiveness of the LEP Plan.



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- Work with the Finance Department to identify resource needs within County departments.
- Serve as the central point of contact to address compliance concerns from LEP populations residing in the County.
- Convene Language Access community meetings as needed.
- Work to resolve issues identified by CBOs and staff.
- Assist with the implementation of universal signage strategies across Agency departments.
- Conduct monitoring of all Agency access points where LEP populations are likely to pass through to ensure adherence to the LEP Plan and protocols for securing language services.
- Work with HRD and Civil Rights & Compliance Officer regarding the recruitment, employment, and retention of bilingual employees specific to requirements of the State Department of Social Services (DSS) All County Letter (ACL 03-56) and Division 21 of the California Department of Social Services Manual of Policies and Procedures.

### **Civil Rights & Compliance Officer**

The Civil Rights & Compliance Officer (CRC) reports to the Director of Human Resources. The CRC will work closely with Agency and County Departments as well as CBOs to ensure accessibility to services and equal opportunity. Other responsibilities of the CRC are to 1) Handle client/employee discrimination complaints; 2) Respond to compliance agencies; 3) Coordinate/develop CDSS/EDD Civil Right Reports and Correction Plan; 4) Act as a liaison between the Diversity Programs Office and County Counsel; and 5) act as the ADA Coordinator. The ADA Coordinator is responsible for monitoring and enforcing the Americans with Disability Act (ADA) policies and regulations for both clients and employees. The Disability Programs Unit will handle the maintenance of ADA cases and is responsible for receiving, maintaining, and processing all employees ADA requests.

### **Evaluation of the Plan**

On a yearly basis, the Agency Language Access Coordinator will coordinate with department management to review the Plan for effectiveness. This review will include:

- An assessment of the number of non-English speaking and LEP clients in the ACSSA.
- An assessment of current language needs of non-English speaking and LEP applicants and clients.
- An assessment on staff understanding and delivery of the LEP policies and procedures.
- A determination of whether existing assistance is meeting the needs of non-English speaking and LEP applicants and clients.
- Obtaining feedback from non-English and LEP communities in the service delivery area, including applicants and clients, as well as community organizations and advocacy groups working with these populations.

To ensure continual improvement in the area of serving non-English and LEP populations, the ACSSA will use the Client Concerns process to allow clients the opportunity to voice their suggestions and concerns. Clients can file a concern [online](#).

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### **Distribution of LEP Plan to Staff and Contracted Providers**

The Plan is available on the shared local area network server, as well as the ACSSA's Intranet website for all employees and contracted providers to review.

The Plan will continue to be posted on the Agency's website in order to quickly and effectively disseminate its information to staff and contracted providers. The Plan will be used as a tool for staff to learn about the protocols for serving the non-English speaking and LEP populations. Agency managers are responsible for reviewing and discussing with their staff.

**AUTHORITIES:**

To ensure that every non-English/limited English-speaking client receives equal access to all programs and services, County Welfare Departments (CWDs) must comply with the following regulatory requirements.

<b>FEDERAL LAW</b>	
<b>LAW</b>	<b>SUMMARY OF LEGAL REQUIREMENTS</b>
<b>Title VI of the Civil Rights Act of 1964</b> , as amended 42 U.S.C. § 2000d et seq.	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. <ul style="list-style-type: none"> <li>LEP clients must have meaningful, effective and equal access to programs and services, including written and oral language assistance, translations, provision of bilingual workers, in-house interpreters, community or contract interpreters or telephone language lines.</li> </ul>
<b>Executive Order 13166 Improving Access to (Services for LEP Persons)</b>  Effective: Aug. 2000	Prohibits recipients receiving federal funds from administering programs that results in discrimination on the basis of national origin in violation of the Title VI disparate impact regulations. <ul style="list-style-type: none"> <li>Recipient must prepare a written policy on language assistance for LEP persons (an “LEP Policy”).</li> <li>LEP services are of much greater importance than where denial of access results in mere inconvenience.</li> </ul>
<b>Office for Civil Rights Policy Guidance</b>	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 68FR 47311 (2003). <a href="http://www.hhs.gov/ocr/lep/">http://www.hhs.gov/ocr/lep/</a>
<b>Department of Justice Regulations</b>	28 CFR §42.405(d)(1), Department of Justice, Coordination of Enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation
<b>Bilingual Requirements in the Food Stamp Program</b>	7 CFR §272.4 U.S. Department of Agriculture, Food and Consumer Service
<b>STATE LAW</b>	
<b>LAW</b>	<b>LEGAL REQUIREMENTS</b>
<b>California Department of Social Services (CDSS)</b>  <b>Division 21</b>	County Welfare Departments (CWDs) shall ensure that effective bilingual/interpretive services are provided to serve LEP clients.  Ensures that no person shall be discriminated against, excluded from, or be denied the benefits and services of any program receiving federal or state assistance, because of Race, Color, National Origin, Political Affiliation, Religion, Marital status, Sex, Age, Disability.

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	<ul style="list-style-type: none"> <li>• Provision of bilingual/interpretive services shall be prompt without undue delay.</li> <li>• A sufficient number of qualified bilingual employees shall be assigned to public contact positions in each program and location serving a substantial number of LEP clients.</li> <li>• These employees shall have the language and cultural awareness skills necessary to provide the same level of services to LEP clients, as well as the client population at large.</li> </ul> <p>When CDSS provides translated forms and other written material, CWDs shall offer and make available these forms to the applicant/recipient <i>in the individual's primary language</i>. (Emphasis added) Programs may not impose different standards or procedures to determine who may receive benefits. (21-115.2)</p> <p>Translated forms are available at:  <a href="http://www.dss.cahwnet.gov/getinfo/lsucov.html">http://www.dss.cahwnet.gov/getinfo/lsucov.html</a></p> <p>CWDs shall maintain case record documentation in sufficient detail as to show compliance with the requirements of Division 21. Documentation shall include:</p> <ul style="list-style-type: none"> <li>• Acceptance or refusal of language services</li> <li>• Method used to provide interpretive services</li> <li>• When a client provides his/her own interpreter, client has been informed of potential problems of such use.</li> <li>• Client's consent for release of information when clients use their own interpreters (21-116)</li> </ul>
<p><b>California Department of Social Services (CDSS)</b>          ACL No: 03-56          10/29/03</p>	<p>Clarifies the responsibility of CWDs under CDSS regulations in providing effective language services with respect to six areas:</p> <ol style="list-style-type: none"> <li>1. Bilingual Staffing: Requires counties to have qualified and certified bilingual public contact staff that speak the languages spoken by 5% of clientele served in a program at each separate office.</li> <li>2. Interpreter Services: Counties must offer interpreter services for populations who represent less than 5% by phone, in person, by an interpreter or bilingual staff, a family member over the age of 18, or a friend.</li> <li>3. Minors Used as Interpreters: Counties are prohibited from using minor children as interpreters, except to find out the language spoken by the parent in order to arrange the appropriate interpretation service or in case of a medical emergency.</li> <li>4. Use of Translated Documents: Counties must use translated forms provided by CDSS, County and the Agency when serving non-or limited-English-speaking clients. Any added unique client information must be also translated.</li> </ol>

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	<p>5. Informing Signs: Counties must post a sign that informs clients that they may request assistance in their primary language; Pub 86 poster, which is posted in all public contact offices, meets this requirement.</p> <p>6. Documentation: Staff is required to ask and document a client's preferred language for oral and written communication and have this information documented under case comments. In addition, staff is required to document:</p> <ol style="list-style-type: none"> <li>a. Acceptance or refusal of written material in his/her language;</li> <li>b. How bilingual services were provided;</li> <li>c. If a minor was used temporarily as an interpreter, the circumstances requiring this use;</li> <li>d. If the client was informed as to potential problems of ineffective communication if they provide their own interpreter;</li> <li>e. If the client consented to the release of information to the interpreter if the county uses an interpreter other than a county employee.</li> </ol>
<p><b>Dymally-Alatorre Bilingual Services Act</b></p> <p>Gov. Code § 7295</p>	<ul style="list-style-type: none"> <li>• Agencies must have sufficient bilingual staff when 5% or more of the customers speak a particular language.</li> <li>• Agencies must translate written materials provided to LEP clients when 5% or more of the clients in that office speak a particular language</li> </ul>
<p><b>ALAMEDA COUNTY POLICY, SOCIAL SERVICES AGENCY</b></p>	
<p><b>EQUAL TREATMENT AND RESPECT POLICY</b></p>	<p>All persons must be treated equally and with respect.</p> <p>Agency employees shall refrain from the willful or negligent use of slurs or disparaging remarks against any person on the basis of race, color, national origin, age, sex, gender, sexual orientation, gender expression, gender identity, marital status, religion, political affiliation, or disability.</p>

## Definitions of Terms

1. **Certified Bilingual Employee**—An employee who, in addition to possessing the necessary qualifications for the particular classification, is certified through a process with Human Resources to be proficient in oral and/or written communication in the non-English language of the persons to be served. This definition shall also apply to an employee who is certified in the use of sign language to communicate with individuals who are deaf or hearing-impaired.
2. **Effective Communication**—In a human service setting, effective communication occurs when staff has taken the necessary steps to make sure that a person with limited English proficiency is given adequate information to understand the services and benefits available and receives the benefits for which he or she is eligible. Effective communication also means that a person with limited English proficiency is able to communicate the relevant circumstances of his or her situation to the staff person.
3. **Interpretation**—The oral or spoken transfer of a message from one language into another language.
4. **Interpreter**—A person who provides an oral transfer of a message from one language into another language.
5. **Limited English Proficiency (LEP)**—A person who is not able to speak, read, write or understand the English language well enough to allow him or her to interact effectively with health and social services agencies and other providers.
6. **Meaningful Access**—The standard of access required of federally funded entities to comply with Title VI's language access requirements. To ensure meaningful access for people with limited English proficiency, service providers must make available to applicants and recipients free language assistance that results in accurate and effective communication.
7. **Non-English Speaking**—A persons whose primary language is other than English and which language must be used to effectively communicate program information and requirements. Sign language is subject to this definition.
8. **Primary languages**—The languages other than English that are most spoken by state and county clientele as identified by CDSS' methodology.
9. **Qualified Interpreter**—An interpreter who is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary.
10. **Translation**—The written transfer of a message from one language into another language.