

Chapter:	Service Delivery and Prevention		
Title:	Limited English Proficiency		
Policy: <input checked="" type="checkbox"/>	Review Cycle: Triennial	Adopted Date: 08.2020	Related Policies: Assessment of Community Need Legal & Regulatory Compliance
Procedure: <input type="checkbox"/>	Author: CEO/Designee	Review Date: 03.2023	

Purpose:

The purpose of this policy is to ensure Hopeful Horizons (HH) complies with federal law and provides meaningful access to agency information and services to survivors and other constituents limited in their English language proficiency, including those who may require reasonable accommodation due to a disabling condition.

Scope:

This policy applies to

- All HH Staff Selected HH Staff, as specified:
- HH Board Members HH Volunteers
- Other: Sub-contract Providers – Treatment services

Policy:

HH shall adopt and maintain a Limited English Proficiency (LEP) Plan as the appropriate response to meeting survivors’ needs. The plan shall be consistent with federal requirements and meet accreditation guidelines as appropriate. All agencies that receive any federal funding (including pass through funds) must take adequate steps to ensure that persons with LEP receive the language assistance necessary to allow them meaningful access to services, free of charge.¹

A. Language Access Plan

This plan was developed to serve the following constituents:

1. Survivors of child abuse, domestic violence and sexual assault who have Limited English Proficiency
2. Advocates, administrative staff, directors, board members and volunteers of HH
3. Allied professionals (DSS, Law Enforcement, Attorneys, Private Mental Health Providers, etc.), and
4. Other constituents (general public) who do not speak, read, write or understand English or who do so on a limited basis.

B. HHs’ Commitment to Provide Meaningful Access

HHs’ primary focus is to provide support and safety to survivors through direct services. Therefore, HH shall develop and/or secure suitable language resources as needed in both verbal and written form so that no survivor is denied access to information or services.

C. Affirmative Offer of Language Assistance

HHs’ staff shall offer language assistance to people who have difficulty communicating in English who are requesting access to vital documents or information on HHs’ services and resources.

Communication and Training:

Employees and volunteers working directly with clients shall have initial orientation to HHS' LEP policy and procedure. Employees and volunteers shall receive communication and ongoing professional development related to LEP tools and supports as the policy and plan are modified or as community and/or individual client language needs change.

LEP training shall include information on the following topics:

- ✓ HHS' legal obligation to provide affirmative notice of language assistance,
- ✓ HHS' LEP plan and procedures,
- ✓ Responding to individuals with LEP,
- ✓ Obtaining Interpreters (phone, face-to-face, training),
- ✓ Using and working with interpreters,
- ✓ Translation procedures, and
- ✓ Documenting language requests.

Definitions:

1. **Effective Communication:** The Limited English Proficient individual is able to receive information about and understand the services available to him or her. Further, the individual must be able to communicate his or her situation to the service provider.
2. **Interpretation:** The oral or spoken transfer of a message from one language into another.
3. **Limited English Proficient (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 service providers.
4. **Meaningful Access:** The standard of access required of federally funded entities to comply with Title VI's language access requirements which includes the availability of free language assistance that results in accurate and effective communication.
5. **Office for Civil Rights (OCR):** The civil rights enforcement agency of the U.S. Department of Health and Human Services.
6. **Primary Language:** Primary languages are the languages other than English that are most commonly spoken by 5% or more persons in the service area of the agency as determined by HHS' internal survey and research process. Currently Spanish is the only language that may reach this threshold.
7. **Translation:** The written transfer of a message from one language into another language.

Other Related Materials:

Limited English Proficiency Plan Implementation - Procedure

References/Legal Authority:

1. Title VI of Civil Rights Act of 1964, 42 U.S.C. §2000 et seq.: 45 CFR §80, Nondiscrimination Under Programs Receiving Federal Financial Assistance through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964
2. Office for Civil Rights Policy Guidance, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English proficient Persons, 68 FR 47311 (2003). <http://www.hhs.gov/ocr/lep/>
3. Department of Justice regulation, 28 CFR §42.405(d)(1), Department of Justice, Coordination of enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation

Change Log:

Date of Change	Description of Change	Responsible Party
03.2023	Annual review and update policy format	N. Miller, Program Evaluation