

## LCCS POLICY 540

### Interpreter & Translator Services for Families

<b>Original Issue Date:</b>	3/3/1992
<b>Revision Dates:</b>	2/10/1999, 9/28/04, 7/12/2007, 7/15/2020
<b>Revision Number:</b>	4
<b>Current Effective Date:</b>	7/15/2020
<b>Obsolete/Combined Date:</b>	
<b>Reason for Obsoleting/Combining:</b>	
<b>See new Policy #:</b>	

<b>Scope:</b>	The policy applies to all agency staff.
<b>Responsibility:</b>	Caseworkers of Record, Program Supervisors and Managers
<b>Purpose:</b>	To establish a consistent standard for available services to all families, who are hearing impaired, limited English proficient, and/or communication impaired.
<b>Legal Cite:</b>	§504 Rehabilitation act of 1973, Americans with Disabilities Act (ADA), O.R.C. §5153.16, O.A.C. 5101:9-2-01. Title VI of the Civil Rights Act of 1964

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## POLICY STATEMENT

LCCS will provide interpreter and translator services to those families who are hearing impaired, Limited English Proficient (LEP), as well as communication-impaired families. Services will be initiated in a timely manner and will be available for all interventions with the family. LCCS will provide the services at no cost to the family to afford them an equal opportunity to benefit from agency services.

## **PROCEDURE - including required timeframes and documentation**

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### **Determining the Language Needs of Each Client**

The caseworker of record's determination of language needs of each client shall include, but not be limited to the following:

- Upon initial contact with a family, the caseworker will assess whether there are communication concerns which may require interpreter/translator services.
- Err on the side of securing interpreter/translator services, if there is any doubt regarding communication ability secure clarification from professionals regarding communication ability.

- Assure that each family member has interpretive/translator services immediately. (For example, this must occur prior to the initiation of an assessment or taking any formal action which could jeopardize the rights of a family.)
- Provide a hearing impaired member of the family with the Agency TDD telephone numbers and instructions on how the caseworker/supervisor can be reached.
- When an individual is LEP, the individual must be assessed to determine their primary language. Techniques that can be used include: multi-language identification cards, a poster size language list or other tools that identify their primary language in a manner that is sensitive and respectful of an individual's dignity and privacy. **Language Identification Cards are available at the Secretary or Clerical Assistant's desk on each floor.**
- If the LEP person does not speak or read any of the designated languages, the caseworker/supervisor shall use a telephone interpreting service to identify the client's primary language. In the event agency 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. **LCCS has a Language Line available for over-the-phone interpretations 24 hours a day, 7 days a week. A QUICK REFERENCE GUIDE is available at the Secretary or Clerical Assistants desk on each floor.**
- Agency 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 requests an interpreter, an interpreter shall be provided. A declaration of the client shall be sufficient to establish the client's primary language. (For example, under no circumstances should agency staff make this determination based solely upon whether the client can answer short questions or questions to which the answer requires a simple "yes" or "no" answer.)
- Once a client is assessed as LEP, they must be informed of interpreter availability and their right to have a language interpreter at no cost to them. They must receive notice in writing in their primary language.

### **Use of Family Members or Friends as Interpreters**

- Clients may provide their own interpreter; however LCCS will not require them to do so.
- If a client insists on having a family member or friend interpret for them, LCCS shall provide and pay for a qualified interpreter/translator in addition to the family member.
- LCCS will not permit a client to utilize a family member or friend as the sole interpreter/ translator.
- Under no circumstances, shall LCCS allow a minor to interpret for a parent, even on a temporary basis.

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

- The caseworker of record or the supervisor shall notify Legal Services that interpreter/translator services are needed. Legal Services will notify the court.

### **Provision of Written Translations**

- The caseworker/supervisor will ensure that a translator translates vital documents into the designated language based upon the client population served.

### **Documentation of Client Case Records**

The caseworker of record shall maintain case records in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.

In those cases where the client is non-English speaking the caseworker will;

- Document an individual's acceptance or refusal of forms or other written materials offered in the client's primary language;
- Document the method used to provide bilingual services. (For example, the assigned worker is bilingual, other bilingual staff acted as an interpreter);
- When the agency secures an interpreter, other than an LCCS employee, the case file should contain a consent for release of information from the client and a notation should be made in the case record.

### **Complaint Process:**

- Any issues or concerns should first be handled through the chain of command especially where the matter can be resolved in an expeditious manner.
- Any issues or concerns not resolved through the chain of command should be referred to the Ombuds and/or LCCS Civil Rights Coordinator.
- Any individual who would like to file a complaint should be referred to the ODJFS, Bureau of Civil Rights.

### **Interpreter Standards**

When a staff member or client has a concern that an interpreter is not qualified, is not properly trained or that the interpreter has violated any confidentiality or ethics associated with being an interpreter, the staff member will report the concerns to the Manager Quality Assurance and request another interpreter.

## **CASE PRACTICE GUIDES**

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## **RELATED POLICIES and FORMS**

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