

LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENT INDIVIDUALS

State Agency: New York State Office of Children and Family Services

Effective Date of Plan: 5/30/2017

Language Access Coordinator (LAC): Mery Rosendorn

LAC Phone / E-mail: 518-474-9514/ Mery.Rosendorn@ocfs.ny.gov

PART 1 – INTRODUCTION

Pursuant to Executive Order No. 26 (“Statewide Language Access Policy”), we have prepared this Language Access Plan (“Plan”) that sets forth the actions we will take to ensure that persons with limited English proficiency (“LEP”) have meaningful access to agency services, programs, and activities.

Statement of Agency Services to the Public:

The mission of the New York State Office of Children and Family Services (OCFS) is to promote the safety, permanency and well-being of the state’s children, families and communities. OCFS achieves results by setting and enforcing policies, building partnerships, and funding and providing quality services.

New York has a state-supervised/locally administered social services system. OCFS’s six regional offices assist in the oversight of both local departments of social services and voluntary agencies, and work with them to fulfill the mission of the agency.

OCFS has numerous responsibilities related to the following areas: preventive services for children and families; domestic violence services; family support and preventive programs; foster care, adoption and adoption assistance; child protective services, including operating the Statewide Central Register of Child Abuse and Maltreatment; child care services; juvenile justice services; and preventive/protective programs for vulnerable adults. OCFS is also responsible for the functions performed by the New York State Commission for the Blind, and coordinates state government responses to the needs of Native Americans on reservations and in communities.

In developing this plan, we have understood individuals with limited English proficiency (LEP) to be persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English. We will reassess language needs periodically as needed, but the reassessment will take place at least every two years starting from the effective date of this plan.

PART 2 – ASSESSING LEP POPULATION LANGUAGE NEEDS

The estimated total number of individuals in our service area is: approximately 19,795,791- the NYS population in 2015.

The top six languages spoken by LEP individuals that our agency serves or could potentially serve are as follows:

Language	Estimated Number of LEP Individuals Who Speak this Language
Spanish	1,240,490
Chinese	350,976
Russian	130,296
Haitian Creole	68,509
Korean	61,833
Italian	58,200

Source: U.S. Census Bureau, 2010-2014 American Community Survey.

We use the following resources to determine the top six languages spoken by LEP individuals:

- U.S. Census data (including American Community Survey data)
- Agency data on client contacts
- School system data
- Information from community organizations that serve LEP individuals

Names of organizations:

- Information from other government agencies

Names of agencies:

- Other (describe) In 2007, OCFS conducted a survey of local departments of social services (LDSSs). The 2007 survey's results were published in a comprehensive report, [*The Needs and Services for Persons with Limited English Proficiency*](#). In 2015, OCFS conducted a similar survey, which provided data on the top languages LDSSs are encountering when serving the LEP population.

We have determined the frequency of our contacts with LEP individuals as follows:

To determine the languages spoken by the LEP population with which OCFS front-line staff interact, OCFS has developed two tracking forms that staff are required to complete upon each encounter: 1) *Language Services Tracking Form for Over-the-Telephone Interpretation Assistance*, and 2) *Language Services Tracking Form for In-Person Encounters with LEP Persons*.

Frequency of contact with the LEP population is determined by sending online surveys to the 51 language access liaisons that represent various OCFS divisions, offices, and bureaus. To date, Spanish continues to be the most frequently encountered language throughout all programs. Other languages identified by OCFS staff as frequently spoken include: Russian, Chinese (Mandarin), and Haitian Creole.

PART 3 – PUBLIC OUTREACH AND NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

We inform LEP individuals, in the languages indicated in the chart in Part 2 of this plan, about their right to free language assistance services by using the following measures:

- LEP individuals are informed directly by our staff

In what ways? OCFS uses the following tools to communicate the availability of free language assistance services to potential LEP clients: 1) language identification tools (posters and desk aids) that include a notice of free language assistance, 2) professional interpreters (state-approved vendors) and/or 3) available bilingual staff.

- Brochures or flyers about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Signs posted about language assistance services

- In public areas of the agency

- Elsewhere in the agency's service areas

- Outreach and presentations at schools, faith-based groups, and other community organizations

What are the LEP populations targeted? OCFS is involved in several outreach activities throughout the year that include community, public, and professional events, such as GE's Kids Day at The Plaza, the New York State Fair, the New York Public Welfare Association Conference, and others. We normally include Spanish materials and language identification tools at those events and alert our audience of the availability of important and comprehensive information in other languages at the OCFS website (ocfs.ny.gov). The language groups targeted at public events vary according to the region of the state. In addition, OCFS presented a workshop on "Serving the Multilingual Population—Sharing Resources and Best Practices" at the New York Public Welfare Association Winter Conference (Jan. 28, 2016), which was targeted to local departments of social services.

Local, non-English language media directed at LEP individuals in their languages

Telephonic voice menu providing information in non-English languages

In which languages? Our main agency telephone line and the hotline for adoption and foster care provides a multilingual message in Spanish, Chinese, Russian, Haitian Creole, Korean, and Italian. Our hotlines include English and Spanish messages. Program areas are updating their hotlines to add Chinese, Russian, Haitian Creole, Korean and Italian.

Other (describe) The public [OCFS website](#) and our intranet currently include numerous language assistance resources. To view available resources, the public can visit [ocfs.ny.gov](#) and scroll down to [Language Assistance Resources](#). This site includes a link to our Language Access Plan, Language Identification Tool, Language Assistance forms, and links to all of our translated publications in the top six languages and in Arabic.

PART 4 – PROVISION OF LANGUAGE ASSISTANCE SERVICES

We use the following resources to determine when an individual is LEP, and what the individual’s primary language is, when the encounter is *in person*:

"I Speak" posters or visual aids

Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available

Other (describe) When other methods are unsuccessful, staff uses a telephonic interpreting service to identify the primary language, and obtain interpretation services.

We use the following resources to determine when an individual is LEP, and what the individual’s primary language is, when the encounter is *by telephone*:

Reception staff makes those determinations based on experience, with the assistance of bilingual staff members where available

Telephonic interpreting service

Other (describe)

We record and maintain documentation of each LEP individual’s language assistance needs as follows:

The tracking forms OCFS has developed (1) *Language Services Tracking Form for Over-the-Telephone Interpretation Assistance* and (2) *Language Services Tracking Form for In-Person Encounters with LEP Persons*, assist program staff in recording the language needs of LEP individuals. Program staff is instructed to record language needs of LEP individuals in case files, if applicable. The CONNECTIONS system, the Juvenile Detention Automation System, and the New York State Commission for the Blind Information System are all capable of tracking primary languages, if identified by the LEP person or family and entered by the worker.

A. Oral Interpreting Services

Our protocol(s) for assessing whether an LEP individual needs oral interpreting services is as follows:

For in-person encounters: All OCFS staff who are likely to encounter LEP persons served by this agency will be trained in identifying whether a person may have limited English proficiency. To assist staff, OCFS has developed Language Identification Tools (poster and desk aid). The staff person will contact either an oral interpretation service or appropriate bilingual staff to assist the LEP individual.

By telephone: When a non-English language is used by a caller, the staff person will seek immediate assistance, either through an oral interpretation service or bilingual staff.

At initial contact in the field: OCFS has developed posters and desk aids that cover 35 languages, to help LEP individuals identify their spoken language. OCFS uses available language resources to assess language needs and communicate with an LEP person, which include bilingual staff and/or the use of an oral interpretation service, which is available on a 24/7 basis.

For pre-planned appointments with LEP individuals: Arrangements are made for interpreters in advance.

Other (describe):

Our protocol(s) for informing LEP individuals that they do not need to provide their own interpreters and that free interpreting services will be provided is as follows:

For in-person encounters: OCFS has developed posters and desk aids that cover 35 languages that inform LEP individuals of their right to free language assistance. OCFS advises LEP individuals in-person of their right to free language assistance through bilingual staff or an oral telephonic interpreter. OCFS also informs English-speaking family members, if applicable, of the LEP person's right to free language assistance.

By telephone: LEP individuals often state their spoken language and that they are seeking free interpretation assistance. Alternatively, bilingual staff and/or an oral interpretation service will advise the LEP person that he/she is eligible for free interpretation assistance.

At initial contact in the field: OCFS has developed posters and desk aids that cover 35 languages, to help LEP individuals identify their spoken language. OCFS uses available

language resources to communicate the availability of free language assistance to an LEP person, which includes bilingual staff or the use of a 24/7 oral interpretation service.

For pre-planned appointments with LEP individuals: OCFS staff requests an on-site interpreter ahead of time to communicate with an LEP individual.

Other (describe): The public [OCFS website](#) currently include numerous language assistance resources. To view available resources, the public can visit [ocfs.ny.gov](#) and scroll down to [Language Assistance Resources](#). This site includes a link to our Language Access Plan, Language Identification Tool, Language Assistance forms, and links to all of our translated publications in the top six languages and in Arabic.

If an LEP individual insists on using a family member, friend, or other person as an interpreter, our protocol(s) for determining whether to accept or decline such an arrangement is as follows:

LEP individuals that come into contact with our agency will be informed of the availability of free interpreting services. Generally, an LEP individual may not use a family member, friend, or a minor as an interpreter. However, **during emergencies** an LEP individual will be permitted to use a minor, a family member or friend as an interpreter. Upon request, an LEP individual may also be permitted to use a minor, a family member or friend as an interpreter for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with the LEP individual occurs at the agency's office, and an individual is permitted to use an interpreter of his or her choosing, he or she must fill out a written consent/waiver form.

Where an LEP individual is engaged in official business with the agency, the agency will provide an independent interpreter at all times. An LEP individual will not be permitted to use an independent interpreter of his or her choosing when filling out applications or when involved in other legal matters.

Our protocol(s) for obtaining interpreter services in a timely manner is as follows:

OCFS staff who have access to telephonic oral interpretation services are assigned an identification code that allows for immediate access to interpreters in over 180 languages. Staff without an authorization code to obtain direct access to telephonic interpretation are instructed to contact the OCFS Public Information Office (PIO) for immediate assistance in Spanish or any other language. Over-the-telephone interpretation services via our vendor are available 24/7 from any location. Depending on the circumstances, a three-way call may be established or a speaker phone may be used in a private area if a client is on-site. In addition, interpreters can be contacted to assist staff and clients on-site for scheduled visits.

We record and maintain documentation of oral interpreting services provided to LEP individuals at each encounter as follows:

Program staff or OCFS employees must complete the recently developed OCFS forms (1) *Language Services Tracking Form for Over-the-Telephone Interpretation Assistance* and (2) *Language Services Tracking Form for In-Person Encounters with LEP Persons*, to track the use of oral interpretation

services. Every encounter must be documented by program staff or an OCFS employee in the client's case file, if applicable. This documentation also allows staff to verify vendor charges prior to payment.

Competency and confidentiality

The linguistic and cultural competence of interpreters is addressed as follows:

OCFS has developed an operating agency definition for cultural competence and has offered training in cultural competence to OCFS staff. The NYS Office of General Services (OGS) approved oral interpretation vendor OCFS uses requires its interpreters to complete comprehensive cultural competence training.

The issue of confidentiality pertaining to the use of interpreters is addressed as follows:

The mandatory language access training that OCFS staff take annually addresses the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in accordance with New York State Law.

Maintaining a list of oral interpreting resources

We use, or have available for oral interpreting, the following resources:

- Bilingual staff members who work directly with LEP individuals

Number of staff and languages spoken: OCFS has seven positions with a parenthetical title in Spanish: Call Center Representative 1; Child Protective Services Specialist 1; Management Specialist Children and Family Services; Office Assistant 1 Keyboarding; Vocational Rehabilitation Counselor; Youth Counselor 1; Youth Counselor 2

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken: 69 (Amharic, Arabic, Bengali, French, Georgian, German, Haitian Creole, Hebrew, Hindi, Igbo, Hmong, Italian, Latvian, Lingala, Punjabi, Portuguese, Russian, Sinhalese, Spanish, Swahili, Telugu, Urdu, Yiddish)

- Telephonic interpreting service

Names of vendors: Any vendor under the NYS OGS Statewide Administrative Services Contract

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages: [Click here to enter text.](#)

- Other (describe)

The agency's Language Access Coordinator maintains the list of oral interpreting resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the LEP individual's primary language
- Languages in which each interpreter or service is qualified
- Procedure for accessing each interpreter or service

We inform all staff members who have contact with the public how to obtain oral interpreting services as follows:

OCFS has recently developed a streamlined desk aid and a credit-card-size resource that summarize the necessary steps to obtain interpretation assistance 24/7. All language assistance resources are available on the agency's intranet, on a site dedicated to Language Assistance Resources. Staff can access materials and download them as necessary. The OCFS mandatory LEP training serves as an annual reminder of the agency's staff responsibility to assist the LEP population.

B. Translations of Written Documents

The process to determine and reassess, at least every two years starting from the effective date of this plan, those vital documents (including website content) which must be translated is as follows:

OCFS follows the U.S. Department of Justice's definition of vital documents* when identifying documents to be translated. Once a year, the OCFS Public Information Office (PIO) requests a list of newly developed and/or updated forms or publications that may fall under the federal definition of a "vital document." Once the list is submitted, the Language Access Coordinator analyzes the submission, assesses priorities, and coordinates the translation of such documents. PIO also evaluates and reassesses online and printed outreach materials to be considered for translation.

**"A document will be considered vital if it contains information that is critical for obtaining the federal services and/or benefits, or is required by law." Commonly Asked Questions and Answers Regarding Executive Order 13166, last updated April 2011*

The process to timely translate documents that LEP individuals submit in their primary languages is as follows:

Translation requests are submitted to the attention of the OCFS Language Access Coordinator (LAC) in the Public Information Office via Form OCFS-3507, *Request for Translation and Related Services*, either electronically or via regular mail. Upon receipt of a request, the LAC initiates the translation process by examining the request, prioritizing it for translation, and assigning it to professional

staff/NYS OGS-approved vendors, taking into consideration factors such as target language(s), length and complexity of the document(s), and submission deadlines.

The process for ensuring that documents are written in plain language before they are translated into other languages is as follows:

OCFS form/publication developers are cognizant of recommended reading levels prior to developing forms and outreach materials. The PIO reviews, edits, and approves all OCFS materials prior to completion for correct grammar and clarity.

The following documents are currently translated by the agency in the languages indicated:

Form or Pub. #	Name	Top Six Languages						Additional Languages
		Spanish	Chinese	Russian	Haitian Creole	Korean	Italian	
<i>Division of Legal Affairs</i> NA	Article 78 Notice <i>(accompanies Special Hearings Decisions)</i>	✓	✓	✓	✓	✓	✓	
NA	Notice of Hearing to Youth, Parent and Youth's Law Guardian <i>(specific to OCFS customer and translated into customer's primary language)</i>	✓	✓	✓	✓	✓	✓	
NA	Special Hearing Decisions <i>(specific to OCFS customer and translated into customer's</i>	✓	✓	✓	✓	✓	✓	

	<i>primary language)</i>							
<i>New York State Commission for the Blind</i>								
OCFS-4584	Equipment Loan Fund Application	✓	✓	✓	✓	✓	✓	
OCFS-3446	Confidential Release	✓	✓	✓	✓	✓	✓	
OCFS-3440	Individualized Services Plan	✓	✓	✓	✓	✓	✓	
Pub.1407	Equipment Loan Fund for the Disabled	✓	✓	✓	✓	✓	✓	
OCFS-1002	Application for Service	✓	✓	✓	✓	✓	✓	
OCFS-2150	State Rehabilitation Council Application Form	✓	✓	✓	✓	✓	✓	
Pub. 4748	A Guide to Services for Individuals Who Are Blind	✓	✓	✓	✓	✓	✓	
Pub. 5149A	A Guide to Services for Older Adults Who Are Blind	✓	✓	✓	✓	✓	✓	
Pub. 5149B	A Guide to Services for Youth Transition	✓	✓	✓	✓	✓	✓	
Pub. 4805	A Guide to Services for	✓	✓	✓	✓	✓	✓	

	Individuals Who Are Deaf-Blind							
Pub. 5154	Medical Professionals/ Facts	✓	✓	✓	✓	✓	✓	
<i>Division of Child Care Services</i> OCFS-6025	Application for Child Care Assistance- Attachment A- Application Form	✓	✓	✓	✓	✓	✓	
OCFS-6026	Application for Child Care Assistance- Attachment B- How to Complete the Application	✓	✓	✓	✓	✓	✓	
OCFS-4779	Approval of Your Application for Child Care Benefits	✓	✓	✓	✓	✓	✓	
OCFS-4780	Denial of Your Application for Child Care Benefits	✓	✓	✓	✓	✓	✓	
OCFS-4781	Notice of Intent to Change Child Care Benefits	✓	✓	✓	✓	✓	✓	
OCFS-4782	Notice of Intent to Discontinue	✓	✓	✓	✓	✓	✓	

	Child Care Benefits							
OCFS-4783	Delinquent Family Share for Child Care Benefits	✓	✓	✓	✓	✓	✓	
OCFS-LDSS-4784	Approval of Your Redetermination for Child Care Benefits	✓	✓	✓	✓	✓	✓	
OCFS-LDSS-4785	Approval of Your Transitional Child Care Benefits	✓	✓	✓	✓	✓	✓	
<i>Division of Child Welfare and Community Services</i> LDSS-3370	Instructions for Completing the Statewide Central Register Database Check Form	✓	✓	✓	✓	✓	✓	
LDSS-3370a	Organizations Entitled to Conduct Database Checks Under Section 424-A of the Social Services Law	✓	✓	✓	✓	✓	✓	
OCFS-3909	Request for Information Guardianship Form for	✓	✓	✓	✓	✓	✓	

	Court Use Only							
OCFS-3937	Request for Information-Private Adoption-For Use by Courts or Disinterested Persons Only	✓	✓	✓	✓	✓	✓	
OCFS-4190	Inquiry Concerning Visitation/Stat ewide Central Register Database Form	✓	✓	✓	✓	✓	✓	
OCFS-8001	Authorization for Release of Health Information	✓	✓	✓	✓	✓	✓	
OCFS-8010A	Notice of Decision-Denial of Enrollment	✓	✓	✓	✓	✓	✓	
OCFS 8011A	Notice of Decision-Discontinuance from Waiver Program	✓	✓	✓	✓	✓	✓	
Letter	Notice of Unfounding	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Existence (Familial)-Alleged Subject	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese

Letter	Notice of Existence (Familial)- Other Person Named in the Report	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Existence (Day care/Foster Care)-Alleged Subject	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Existence (Day care/Foster Care)-Other Person Named in the Report	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Existence (Day care/Foster Care)-Parent	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Indication (Familial)- Subject	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Indication (Familial)- Other Person Named in the Report	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese
Letter	Notice of Indication (Day Care/Foster Care)-Subject	✓	✓	✓	✓	✓	✓	Arabic, Vietnamese

Letter	Notice of Indication (Day Care/Foster Care)-Other Person Named in the Report	✓	✓	✓	✓	✓	✓	
OCFS-LDSS-2221A	Report of Suspected Child Abuse or Maltreatment	✓	✓	✓	✓	✓	✓	
OCFS-LDSS-3371A	Notification of Social Service Law 424-a Procedures	✓	✓	✓	✓	✓	✓	
OCFS-LDSS-3371B	Notification of Social Service Law 424-a Procedures	✓	✓	✓	✓	✓	✓	
OCFS-7067	Adam Walsh Child Protective and Safety Act of 2006	✓	✓	✓	✓	✓	✓	
OCFS-3780	Instrument to Acknowledge Paternity of an Out-of-Wedlock Child	✓	✓	✓	✓	✓	✓	
Pub. 1326	Protecting Adults from Abuse and Neglect	✓	✓	✓	✓	✓	✓	
Pub. 4664	Financial Exploitation of Elderly and	✓	✓	✓	✓	✓	✓	

	Impaired Adults							
Pub. 5161	Safe Babies New York	✓	✓	✓	✓	✓	✓	
Pub. 4745	Pregnant? Scared? Need Help?	✓	✓	✓	✓	✓	✓	
<i>Division of Juvenile Justice and Opportunities for Youth</i>								
OCFS-4528	Refusal of Medical Care-Evaluation and/or Treatment	✓	✓	✓	✓	✓	✓	
OCFS-4952	Family Engagement and Assessment Tool	✓	✓	✓	✓	✓	✓	
OCFS-4953	Integrated Treatment Plan	✓	✓	✓	✓	✓	✓	
OCFS-4954	Integrated Assessment	✓	✓	✓	✓	✓	✓	
OCFS-4603	Authorization for Release of Information	✓	✓	✓	✓	✓	✓	
OCFS-4645	Parent or Guardian Consent for Psych Medication Witnessed	✓	✓	✓	✓	✓	✓	

	Verbal Consent							
OCFS-1448	Admission Screening Interview	✓	✓	✓	✓	✓	✓	
OCFS-1083	Conditions of Release- Grounds for Release Revocation	✓	✓	✓	✓	✓	✓	
OCFS-1480	Request to Change Religion	✓	✓	✓	✓	✓	✓	
<i>Office of the Ombudsman</i>	Office of the Ombudsman	✓	✓	✓	✓	✓	✓	

Any additional documents determined to be vital during the course of this plan will be timely translated.

The process for ensuring that translations are accurate and incorporate commonly used words is as follows:

The New York State Office of Children and Family Services (OCFS), through its vendor (where applicable), requires that proofing/editing for correctness and cultural sensitivity are a component of the translation services provided by any vendor under contract as part of the publication process. The OCFS will also require that plain language is used in materials produced before translation so that information is accessible to a range of literacy levels.

We use, or have available for translating, the following resources:

- Contracts with language service vendors

Names of vendors: Any vendor under the NYS OGS Statewide Administrative Services Contract

- Contracts or other arrangements with community organizations or individuals for oral interpreting services

Names of individuals/organizations and languages: [Click here to enter text.](#)

- Oral translations of written documents by bilingual staff members

- Oral translations of written documents by other individuals or community organizations

- Other (describe)

The agency's Language Access Coordinator maintains the list of written translation resources that are available to staff, which includes:

- Names and contact information for all resources
- Names and locations of staff members who are available to provide oral translations of written documents
- Languages in which each translation service is qualified
- Procedure for accessing each translation service

PART 5 – STAFF TRAINING

The person(s) in the agency who is responsible for the provision of training to staff in language access issues is: The OCFS Language Access Coordinator assists with the development/update of training computer-based trainings and any follow-up questions or assistance that may be required.

The staff training includes the following components:

- The legal obligations to provide meaningful access to benefits and services to LEP individuals
- How to access language assistance services
- How to work with interpreters
- Cultural competence and cultural sensitivity
- Documenting the language needs of LEP individuals and the language services provided to them by the agency
- How to obtain written translation services

The methods and frequency of training are as follows:

OCFS front-line staff are required to view the online language access training developed by GOER once a year. In addition, OCFS developed a supplementary mandatory language access computer-based training that all OCFS employees are required to view annually. Both computer-based trainings are available to employees throughout the year to help them refresh their knowledge at any time. New OCFS hires are required to view these computer-based trainings as soon as they have access to the Statewide Learning Management System or training site. OCFS updates its computer-based training as appropriate.

PART 6 – ADMINISTRATION

Monitoring

To ensure compliance with the Plan, the LAC will monitor its implementation as follows:

OCFS has developed a *Language Services Tracking Form for In-Person Encounters* that has been distributed to language access liaisons in OCFS regional/district offices and other program areas to assist with monitoring. OCFS's LAC monitors activities that may include, but are not limited to: verifying the posting of LEP posters and use of language identification tools; verifying the availability of oral interpretation services and staff's knowledge of how to obtain oral and written translation services, including best practices; and confirming the accessibility of complaint forms and information on the complaint process.

Complaints

We provide information to the public, including to LEP individuals in languages regularly encountered in this service area, advising them of the right to file a complaint if they feel that they have been the subject of discrimination. The information we provide describes how and/or where to file a complaint. We do not retaliate or take other adverse action because an individual has filed a complaint alleging discrimination based on LEP status or needs.

We display information on the right to file a complaint, and the procedures to file a complaint, in the following manner:

OCFS posted on its website (ocfs.ny.gov) and intranet the standard complaint form to assist staff with the complaint process. Staff can download and/or print complaint forms as necessary.

We handle complaints made to the agency regarding the provision of language assistance services in the following manner:

LEP complaints involving allegations against OCFS employees or OCFS will be investigated by either OCFS's Office of Equal Opportunity and Diversity Development (EODD) or OCFS's Special Investigations Unit (SIU).

- If the complaint against an OCFS employee or OCFS involves allegations of discrimination, it will be investigated by EODD pursuant to New York State's 10-Step Internal and External Complaint Processes, within the timeframes established therein: 30 days for internally filed complaints and 10 days for externally filed complaints.
- All non-discrimination LEP complaints involving allegations against OCFS employees or OCFS will be investigated by SIU.

LEP complaints involving allegations against a local department of social services (LDSS), an OCFS contractor or an OCFS contracting agency will be referred to the LDSS or the contracting agency for investigation. OCFS will review investigations by the LDSS and contracting agencies, and subsequent reports.

