

LANGUAGE ACCESS PLAN FOR LEP INDIVIDUALS

State Agency: New York State Office of Children and Family Services (OCFS)

Effective Date of Plan: October 5, 2012

Language Access Coordinator (LAC): Mery Rosendorn, Children and Family Services Manager 1

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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 Office of Children and Family Services serves New York's public by promoting the safety, permanency and well-being of our children, families and communities. We will achieve results by setting and enforcing policies, building partnerships, and funding and providing quality services.

In developing this plan, we have understood LEP individuals 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 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: potentially the entire population of the State of New York.

To determine the languages spoken by the LEP population with which OCFS front-line staff interacts will require a survey through our Division of Child Welfare and Community Services (including the Statewide Central Register of Child Abuse and Maltreatment), our Division of Legal Affairs (Special Hearings), Division of Child Care Services, Commission for the Blind and Visually Handicapped, and our Division of Juvenile Justice and Opportunities for Youth, which includes residential care. We anticipate that most of the languages identified in the 2008 U.S. Census will match those encountered by OCFS staff.

Language	Estimated Number of LEP Individuals Who Speak this Language
Spanish	2,577,033 (U.S. Census) -2008 Update
Chinese	545,479 (U.S. Census)

Italian	235,045 (U.S. Census)
Russian	230,989 (U.S. Census)
French Creole	135,430 (U.S. Census)
Korean	106,949 (U.S. Census)

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: OCFS contracts with several hundred community-based organizations.

- Information from other government agencies

Names of agencies:

- Other (describe) OCFS's 2007 Report

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

Frequency of contacts with the LEP population by language is estimated as follows (formal survey pending): Spanish continues to be the most frequently encountered language throughout all programs. The frequency of other languages identified informally by OCFS staff (survey pending) include: Russian, Chinese (Mandarin), and French 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? By communicating this information to potential LEP clients through available bilingual staff, contacting an oral interpreter when needed, and/or by showing LEP

individuals LEP posters and desk aids that include a notice of free language assistance. The OCFS website currently posts our LEP poster, but is anticipated to shortly be updated to include a new Web page, dedicated exclusively to LEP services; including notices about free language assistance, among others.

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? The language groups targeted will vary according to the region of the state.

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

Telephonic voice menu providing information in non-English languages

In which languages: Telephonic voice menu is available in Spanish at OCFS; access to 170 other languages is available via an OGS language vendor.

Other (describe)

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 make 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.

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

Telephonic interpreting service

Other (describe) Another appropriate person, such as a family member of the LEP person, may be used to identify the LEP person's primary language. A family member who is a minor would only be used as a language resource in an emergency, until an appropriate interpreter is contacted.

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

Program staff is expected to record language needs of LEP individuals in case files, if applicable. The CONNECTIONS child welfare system, the Juvenile Detention Automation System, and the CBVH Consumer Information System track primary language, if identified by the LEP person or family.

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). If a staff member determines that an LEP person is in need of language assistance, the staff person will contact either appropriate bilingual staff or an oral interpretation service to assist the LEP individual.

By telephone: When a foreign language is detected or conveyed by a caller, the staff person will seek immediate assistance, either through bilingual staff or an oral interpretation service. If a staff person is unable to determine the primary language spoken, staff will use the assistance of an oral interpretation service, whose staff is trained to assist in these circumstances and identify the LEP person's primary language.

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 will use 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 on-site 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 staff will inform English-speaking family members, if applicable, of the LEP person's right to free language assistance. OCFS staff will reach out to bilingual staff or an oral telephonic interpreter for 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 will use 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 will request an on-site interpreter ahead of time to communicate with an LEP individual.

Other (describe):

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 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 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 170 languages. Staff without authorization for direct access to telephonic interpretation are instructed to contact the OCFS Public Information Office (PIO) for immediate assistance in providing Spanish and any other language interpretation. Oral interpretation services via our vendor are available 24/7 from any location. Depending on the circumstances, a three-way call may be established or the use of a speaker phone in a private area may be sufficient 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:

Every encounter should be documented by program staff or OCFS employee in the client's case file, if applicable. In addition, program staff follow any other record keeping protocol established by the respective office, to track the use of oral interpretation services, and 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 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 oral interpreter vendor OCFS uses has a privacy policy that can be found on its website (<http://www.languageline.com/page/privacy/>). In addition, the vendor's interpreters complete training in confidentiality that requires them to sign a Code of Ethics and a nondisclosure agreement regarding the confidentiality of customers' information. Interpreters are expected to shred any notes taken during an oral interpretation session as soon as it has ended. OCFS's LEP training will cover cultural competency and confidentiality.

The training provided to staff will address the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in accordance with NYS 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: To be determined

- Bilingual staff members who provide oral interpreting when necessary

Number of staff and languages spoken: To be determined

- Telephonic interpreting service

Names of vendors: Language Line Services

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

Names of individuals/organizations and languages:

- 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:

We publicize the availability of oral interpretation services and language identification tools on the OCFS intranet. E-mails are regularly sent to supervisory staff to remind them of their responsibility to share language access information with staff as necessary and appropriate.

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 definition of vital documents (*"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*) when identifying documents to be translated. Form Liaisons are responsible for the submission of new and/or updated forms to the LAC on an ongoing basis. The OCFS PIO is responsible for reviewing and evaluating all submissions for translation. In addition, PIO also evaluates and reassesses online and printed outreach materials to be considered for translation.

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 PIO via Form OCFS-3507, "Request for Translation and Related Services," either electronically or via regular mail. Upon receipt of the request, the LAC decides whether to either perform the translation in-house or process the translation through another OGS-approved vendor or language resource, taking into consideration the language(s) needed, length of the document(s), requested completion date(s), and other relevant factors.

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. OCFS will explore the feasibility of obtaining and using plain language software during the development of new materials.

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

The list below includes publications/outreach materials previously translated. At this time, OCFS will pursue translation into six languages* of outreach materials that are either considered "vital," as per the U.S. Department of Justice definition (see above "B. Written Translations), or important in protecting our vulnerable populations. The table below the immediate chart lists the publications and forms that OCFS will translate into six languages.

***SPANISH, CHINESE, RUSSIAN, FRENCH CREOLE, KOREAN AND ITALIAN**

OCFS Publications/ Outreach Materials	Vital	English	Spanish	Chinese	Russian	Arabic (not required)	French Creole	Korean	Italian
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General Information

Equipment Loan Fund for
the Disabled Pub. 1407

Y Y

Fetal Alcohol Spectrum
Disorders

Y Y Y Y Y

How to Recognize the
Signs of a Clandestine
Methamphetamine
Laboratory Pub. 5076

Y Y Y Y Y

Programs and Services
Pub. 4601

Y Y Y Y Y Y

Language Identification
Tool Pub. 5103

Y Y Y Y Y Y Y Y Y

Adolescents in Care

Handbook for Youth in
Foster Care Pub. 5028

Y Y

Medical Guide for Youth in
Foster Care Pub 5116
Booklet

Y Y

**Adoption, Foster Care &
Kinship**

A Child Is Waiting - Foster
Care Information Pub.
4801

Y Y Y Y Y Y

Adoption Album Pub. 4661

Y Y Y Y Y Y

Having a Voice & a Choice,
New York State Handbook
for Relatives Raising
Children Pub 5080 (PDF)

Y Y

1.79 MB)

<u>How to Adopt a New York Waiting Child Pub. 1128</u>	Y				
<u>Know Your Options: Relatives Caring for Children Pub 5120</u>	Y	Y			
<u>Know Your Permanency Options: The Kinship Guardianship Assistance Program (KinGAP) Pub 5108</u>	Y	Y			
<u>Handbook for Youth in Foster Care Pub. 5028-5</u>	Y	Y			
<u>New York City Foster Parent's Guide to Adoption Pub. 5022</u>	Y	Y			
<u>New York State Foster Parent's Guide to Adoption Pub. 5033</u>	Y	Y			
<u>New York State Foster Parent Manual Pub. 5011</u>	Y	Y			
<u>What to Expect From an Adoption Attorney Pub. 5054</u>	Y	Y	Y	Y	Y
<u>You don't have to stop being a parent while you are incarcerated Pub 5113</u>	Y	Y			
<u>You don't have to stop being a parent while you are incarcerated Pub 5113 1P Poster (Male)</u>	Y	Y			
<u>You don't have to stop being a parent while you are incarcerated Pub 5113 2P Poster (Female)</u>	Y	Y			
<u>You don't have to stop being a parent while you are in a residential substance abuse treatment</u>	Y	Y			

facility Pub 5114

You don't have to stop
being a parent while you
are in a residential
substance abuse treatment
facility Pub 5114 1P Poster
(Male)

Y Y

You don't have to stop
being a parent while you
are in a residential
substance abuse treatment
facility Pub 5114 2P Poster
(Female)

Y Y

**Adult Protective
Services**

Family-Type Homes for
Adults Pub. 1327

Y Y

Financial Exploitation of
Elderly and Impaired
Adults Pub. 4664

Y Y Y Y Y Y

Protecting Adults from
Abuse and Neglect Pub.
1326

Y Y Y Y Y Y

**Blind & Visually
Handicapped Services**

A Guide to Services for
Children Who Are Blind
Pub. 4748

Y Y Y Y Y Y

A Guide to Services for
Individuals Who Are Blind
Pub. 505

Y Y Y Y Y Y

A Guide to Services for
Individuals Who Are Deaf -
Blind Pub. 4805

Y Y Y Y Y Y

Directory of Services for
Blind & Visually

Y Y

Handicapped Children in
New York State Pub. 504

Handbook for Vocational
Rehabilitation Services Y Y
Pub. 5039 (PDF 102k)

LARGE PRINT - Handbook
for Vocational Y Y
Rehabilitation Services
Pub. 5039

Transition: A Guide for
Parents and Students Pub. Y Y
5100

A Guide to Services for
Individuals Who Are Blind Y Y
(Large Print) Pub. 505-LP

Bridges to Health (B2H)

Bridges to Health: Home
and Community-Based Y Y Y Y Y
Services Medicaid Program
Pub. 5095

Child Care Services

As You Think About Child Y Y Y Y Y
Care... Pub. 1115A

As You Think About Child Y Y Y Y Y
Care for Your Infant and
Toddler...Checklist Pub.
1115B

As You Think About Child Y Y Y Y Y
Care for Your 3- to 5-Year-
Old...Checklist Pub. 1115C

As You Think About Child Y Y Y Y Y
Care for Your School-Age
Child...Checklist Pub.
1115D

Family Day Care Provider Y Y
Handbook Pub. 4623

Group Family Day Care
Provider Handbook Pub.
4624 Y Y

Kieran's Law Pub. 4628 Y Y Y Y Y

MAT (Medical
Administration) Training Y Y

Fatherhood

What Unwed Fathers Need
to Know? Y Y Y Y Y Y

**Juvenile Justice and
Opportunities for Youth**

Electronic Monitoring Pub.
4660 Y Y

The Sanctuary Model -
Building Positive Futures
for Our Youth Pub.5104 Y Y Y Y Y

**Office of the
Ombudsman**

Office of the Ombudsman
Pub. 4764 Y Y Y Y Y

**Preventive Services for
Children**

Babies Sleep Safest Alone
Brochure Pub.5072 Y Y Y Y Y

Help Prevent Child Abuse
Pub. 5056 Y Y Y Y Y Y

Helpful Tips to Keep Your
Baby Safe: Safe to Sleep
Pub. 5008 Y Y Y Y Y

Helpful Tips to Keep Your
Baby Safe: Shaken Baby
Syndrome (SBS) Pub. 5004 Y Y Y Y Y Y

Helpful Tips to Keep Your Baby Safe: Sudden Infant Death Syndrome (SIDS)
Pub. 5006

Y	Y	Y	Y	Y
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Helpful Tips to Keep Your Baby Safe: Traumatic Brain Injury (TBI) Pub. 5005

Y	Y	Y	Y	Y
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Helpful Tips to Keep Your Child Safe: In or Around Vehicles Pub. 5036

Y	Y	Y	Y	Y
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Helpful Tips to Keep Your Child Safe: Safe at Play
Pub. 5035

Y	Y	Y	Y	Y
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Keeping Sleeping Babies Safer Pub. 5002 (266k)

Y	Y	Y	Y	Y	Y
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Personalized Safety Tips and Emergency Contact Sheet for Baby Sitters Pub. 5047

Y	Y	Y		
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Safety Factors Guide Pub. 5079

Y				
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Preventive and Support Services for Families

The New York State Family Resource Center Network Pub 5070

Y				
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Protective Services for Children

Abandoned Infant Protection Act

Y	Y	Y	Y	Y	Y
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Recognizing & Reporting Child Abuse & Neglect: Questions Often Asked (PDF) - Prevent Child Abuse New York

	Y	Y	Y	Y	Y
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SAY NOI Protecting

Y	Y	Y	Y	Y
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Children Against Sexual Abuse Pub. 1154

Summary Guide for Mandated Reporters in New York State Pub. 1159

Y Y Y Y Y

Workforce Development

Office of Workforce Development Pub. 5001

Y Y

Youth Development

Office of Youth Development Pub. 4774 (PDF 125k)

Y Y Y Y Y

PUBLICATIONS TO BE TRANSLATED INTO SPANISH, CHINESE, RUSSIAN, FRENCH CREOLE, KOREAN AND ITALIAN
A Guide to Services for Individuals Who Are Blind (Pub. 505)(<i>when revised version is completed</i>)
A Guide to Services for Children Who Are Blind (Pub. 4748) (<i>when revised version is completed</i>)
Equipment Loan Fund for the Disabled (Pub. 1407)
Abandoned Infant Protection Act
A Child Is Waiting (Pub. 4801)
The Adoption Album (Pub. 4661)
Programs and Services (Pub. 4601) (<i>when revised version is completed</i>)
Financial Exploitation of Elderly and Impaired Adults (Pub. 4664)
Protecting Adults from Abuse and Neglect (Pub. 1326)
Help Prevent Child Abuse Pub. 5056
Keeping Sleeping Babies Safer Pub. 5002
Helpful Tips to Keep Your Baby Safe: Shaken Baby Syndrome (SBS) Pub. 5004
Personalized Safety Tips and Emergency Contact Sheet for Baby Sitters Pub. 5047
What Unwed Parents Need to Know
<i>Division of Child Care Services</i>
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 4699-Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care
OCFS 4699-1 Employment of Minors
OCFS 4699-1A Employment of Minors Information
OCFS 4699-2A Parental Responsibilities When Employing a Legally-Exempt In-Home Child Care Provider
OCFS 4699-3 Legally Exempt Provider Training Record Form
OCFS 4699-4 Parental Acknowledgement of Criminal History of the Child Care Provider Employee or Volunteer Form
OCFS 4700-Enrollment Form for Provider of Legally Exempt Group Child Care
OCFS 7000 Health Care Plan for the Administration of Medication for Legally-Exempt Provider
OCFS 7001 Instructions for Completing the Health Care Plan for the Administration of Medication for Legally Exempt
<i>Division of Child Welfare and Community Services</i>
LDSS-2221A Report of Suspected Child Abuse or Maltreatment
Notice of Unfounding
OCFS-3909 Request for Information Guardianship Form - For Court Use Only
OCFS-3937 Request for Information - Private Adoption

OCFS-7067 Adam Walsh Child Protective and Safety Act of 2006
Notice of Existence (Familial)-Alleged Subject
Notice of Existence (Familial)-Other Person Named in the Report
Notice of Existence (Day Care/Foster Care)-Alleged Subject
Notice of Existence (Day Care/Foster Care)-Other Person Named in the Report
Notice of Existence (Day Care/Foster Care)-Parent
Notice of Indication (Familial)-Subject
Notice of Indication (Familial)-Other Person Named in the Report
Notice of Indication (Day Care/Foster Care)-Subject
Notice of Indication (Day Care/Foster Care)-Other Person Named in the Report
Notice of Indication (Day Care/Foster Care)-Parent
<i>Division of Juvenile Justice and Opportunities for Youth</i>
Intake Education Request Letter
Intake Placement Letter
Reception Parent Letter
Request for Immunization Records
Consent for Routine Care from Parents
B2H Consent Form
B2H Disenrollment and Denial Notification Letters
OCFS 4528 Refusal of Medical Care–Evaluation and/or Treatment
OCFS 1480 Request to Change Religion
<i>Commission for the Blind and Visually Handicapped</i>
OCFS-1002 Application for Service
OCFS-4599 Report of Legal Blindness-Request for Information
3446 Confidential Release
Large Print IPE Entry Form
Handbook for Children’s Services
Individualized Service Plan
Handbook for Vocational Rehabilitation
Notification of Entry into the Statewide Financial System

The process for ensuring that translations are accurate and incorporate commonly used words is as follows: (Note: The Office of the Deputy Secretary for Civil Rights will maintain a list of commonly used words.)

All translations are edited and reviewed carefully against their original English versions, and translators are encouraged to contact OCFS’s LAC when needing terminology and/or content clarification.

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

- Contracts with language service vendors

Names of vendors: Language Services Associates

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

Names of individuals/organizations and languages: We have informal arrangements with appropriate community groups in several communities.

- 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: At this time, the Language Access Coordinator (currently Mery Rosendorf) will assist with the presentation of webinars and any follow-up question 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 will develop a webinar to be viewed annually by all OCFS employees. This webinar will also be available to employees through our Training Management System for OCFS staff to refresh their knowledge at any time. All new OCFS hires will be required to view this webinar within 30 days of hiring. OCFS will update the webinar as appropriate.

PART 6 – ADMINISTRATION

Monitoring

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

OCFS has developed a draft LEP Language Access Compliance Form that we anticipate distributing to Language Access Coordinator liaisons in regional/district offices and other program areas to assist with monitoring. Monitoring activities may include, but not be 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, and best practices; and availability of complaint forms as well as information on the complaint process. Sporadic on-site visits may be included, as well.

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 will distribute a standard complaint form, which is to be translated into the six languages identified by the Governor's Office. The form will be made available to the public at our offices and online.

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

We record complaints and work to resolve them promptly, first attempting to understand the reason for the complaint. Depending on the situation, corrective action is taken in a collaborative fashion. The LEP client is advised that if he or she remains dissatisfied, he/she can file a complaint with appropriate state and/or federal authorities.

PART 7 - SIGNATURES

Gregg Carrion, Esq. Commissioner 8-31-12
Head of Agency Title Date

[Signature] CFM 1 August 31, 2012
Agency LAC Title Date

[Signature] 9/17/12
Deputy Secretary for Civil Rights Date