



Policy Template

Language Access Policy and Protocol¹

Purpose

Per DVP Rule 12.202.2 B.4, funded programs shall establish a written language accessibility plan to minimally include the use of interpreters, translators, bilingual employees, and/or written materials to provide services to clients who are Deaf or Hard of Hearing and those with limited English proficiency.

ORGANIZATION recognizes that providing meaningful language access is a critical function of ensuring safety and security for all survivors of sexual and domestic violence. The purpose of this Language Access Policy and Protocol is to ensure that ORGANIZATION provides meaningful access to agency information and services to survivors and other constituents limited in their English language proficiency. ORGANIZATION is committed to this plan as the appropriate response to meeting survivors’ needs. This plan is consistent with federal requirements.

- All agencies that receive federal financial assistance from the U.S. Department of Health and Human Services (HHS) must take adequate steps to ensure that persons with limited English proficiency receive the language assistance necessary to allow them meaningful access to services, free of charge.
- Title VI of the Civil Rights Act of 1964 and Executive Order 13166, calls for guidelines for agency personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP).
- Additionally, Section 504 of the Rehabilitation Act of 1973 forbids public and private entities that receive financial assistance from any federal department or agency from excluding people with disabilities or denying them an equal opportunity to receive program benefits and services.

Policy - Sample Language

ORGANIZATION will never turn anyone away because they do not speak English. ORGANIZATION’s primary focus is to provide support and safety to victims of domestic violence through direct services. Therefore, ORGANIZATION will develop and secure sustainable language resources as needed in both oral and written form so that all clients will have timely and meaningful access to information or services for persons with LEP, including those that are Deaf or Hard of Hearing (DHH).

All personnel shall provide free access to language assistance services to individuals with LEP whom they encounter or whenever a person requests language assistance services. All personnel will inform members of the public that language assistance services are available free of charge to persons with LEP and that the organization will provide these services to them. ORGANIZATION will not use minor children to interpret, in order to ensure confidentiality of information and accurate communication, and to prevent re-traumatizing children.

Version	Approved Date	Approved By	Notes
1.0	12/13/16		Template completed

¹ This document was primarily created from the ‘Language Access Plan Template for S/DV Agencies’ from the National Latino Network, retrieved October 2016. In addition, guidance from The Colorado Coalition Against Domestic Violence and DOVE: Deaf Overcoming Violence through Empowerment informed the guidance for working with people who are Deaf or Hard of Hearing.

Protocol - Sample Language

ORGANIZATION expects employees and volunteers to familiarize themselves with the language access protocol and resources outlined below. Employees and volunteers should work directly with supervisors with questions or concerns, or to report difficulties in access the indicated resources.

Point of Contact	Expectations of Employees / Volunteers	Tools & Resources
Crisis Line	Identify language spoken. Connect with bilingual staff, interpreter, etc.	Bilingual Advocates Language Line Relay Colorado
One-on-one participant meetings (intake, case management, counseling sessions, etc.)	Ensure that an interpreter is available. Follow best practices for ensuring safety for participant by securing the name of the interpreter in advance, requiring an interpreter to sign a confidentiality agreement, etc.	Bilingual Advocates In-Person Interpreting Agency Interpreter Confidentiality Agreement
Shelter Services	Notify participant of available language services on an ongoing basis, immediately provide access to the language line when requested.	Bilingual Advocates Language Line Relay Colorado
Community-Based Services	Meet with other agencies and provide information about LEP plan and resources to that they may assist in informing LEP individuals of language assistance services available.	Flyers, Brochures & I Speak Cards
Providing Referrals	Call the referral source and identify a point of contact with adequate language capacity (after getting a signed release of information form). Connect the client with that point of contact. Request and review the LEP plan for the referral source (courts, medical offices, other DV services, etc.).	In-Person Interpreting Agency Language Line Language Access Cards Relay Colorado
Community Events	Identify language spoken. Connect with language line or video relay to assess safety concerns and requests.	Flyers, Brochures & I Speak Cards Language Line Relay Colorado

Support Groups	<p>Arrange for an interpreter to be present at every support group during the client’s stay in shelter.</p> <p>Arrange for an interpreter to be present when requested by a non-residential LEP or DHH client.</p>	<p>Bilingual Advocates</p> <p>In-Person Interpreting Agency</p>
Written materials	<p>Vital documents (intake, confidentiality agreement, client rights, etc.) will be translated into the second most common language at the organization (i.e., Spanish).</p> <p>If necessary, vital documents will be reviewed with an in-person interpreter during intake or other sessions.</p>	<p>Additional translations can be arranged through a translation agency such as the Translation and Interpretation Center.</p>

Using Bilingual Staff

ORGANIZATION shall consider second language proficiency, in a language commonly spoken by ORGANIZATION clients or potential clients, as a preferred quality when hiring new employees and volunteers. Additionally, bilingual employees and volunteers are not and should not be used as interpreters for work inside the organization or for other organizations.

Using an Interpreter

When ORGANIZATION staff members who are working directly with a survivor are not fluent in the survivor’s language, ORGANIZATION will use the services of a local interpreter service, which uses trained and tested interpreters. To the extent possible, the interpretation will be conducted in person but, if necessary, it may be conducted by phone. If no local interpreter service is available, ORGANIZATION will use Language Line or a similar over-the-phone interpreter service.

Conversations using interpreters remain confidential per CRS 13-90-107(h). This states that “a qualified interpreter, pursuant to section 13-90-202, who is called upon to testify concerning the communications he interpreted between a hearing-impaired person and another person, one of whom holds a privilege pursuant to this subsection (1), shall not be examined without the written consent of the person who holds the privilege.”

Plan to Build Organizational Capacity - Sample Language

Notification of Language Assistance Services

Posters notifying survivors with LEP of their language service rights will be developed and displayed in areas where intakes are conducted. These posters will contain a simple message - such as ‘Free Interpreter services are available. Please ask for assistance.’ And will be in English as well as the principle languages spoken in the service area. Flyers will also be developed and made available throughout the program and community. Staff will also have access to the ORGANIZATION Language Access plan, and will have ‘I-Speak

Cards'. These are laminated business-sized cards that say in both English and the principal languages 'I need a (appropriate language) interpreter.

In all of its intake areas and on its website, ORGANIZATION will post and maintain clear and readable signs in the languages most prevalent in our community notifying survivors that free translation and interpretation services are available to them.

All ORGANIZATION intake staff will have "I speak" cards in the languages most prevalent in our community.

Staff Compliance

ORGANIZATION staff will initiate an offer for language assistance to clients who have difficulty communicating in English.

All personnel will inform members of the public that language assistance services are available free of charge to persons with LEP and that the agency will provide these services for all services offered.

Fund Development Needs

Immediate funding needs include:

[EXAMPLES: developing a line item in the budget for interpretation and translation. Printing costs for "I Speak" posters will be paid from _____ grant or unrestricted revenue.]

Long-term funding needs include:

[EXAMPLE: hiring plan for bilingual advocates, development of multi-lingual video tour of shelter...]

Training

Staff Training

1. ORGANIZATION will distribute the LEP plan to all staff and will have a current electronic copy available so all staff will be knowledgeable of LEP policies and procedures. One staff may be appointed to monitor implementation of the plan and conduct staff training as needed.
 - All staff providing technical assistance, training or receiving in-bound calls will received annual LEP training, or training upon employment, and then annually.
 - LEP plan information will be incorporated into the employee handbook.
 - LEP training will include information on the following topics:
 - Legal obligation to provide language assistance;
 - LEP plan and procedures;
 - Responding to LEP individuals;
 - Obtaining interpreters (in-person and over-the-phone);
 - Using and working with interpreters (in-person and over-the-phone);
 - Translating procedures; and
 - Documenting language requests
2. ORGANIZATION will circulate this policy to all staff within 10 days after its adoption. Every two years, ORGANIZATION will review and reaffirm or revise our LEP policy, and will distribute the revised policy and protocol to all staff.

Within nine months of the adoption of this policy, ORGANIZATION will provide cultural competency training, including training in regard to this policy and the appropriate use of interpreters and

translators, to all staff who have regular interaction with survivors. All new staff members will receive cultural competency training within six months of the beginning of their employment with ORGANIZATION. After their initial training, all staff members will receive refresher training in cultural competency and language access every three years.

3. In order to establish meaningful access to information and services for survivors with LEP, staff that regularly interact with the public, and those who will serve as translators or interpreters, will be trained on ORGANIZATION's LEP policies and procedures. Training will ensure that staff members are effectively able to work in person and/or by telephone with survivors with LEP. Management staff will be included in this training, even if they do not interact regularly with survivors with LEP, to ensure that they fully understand the plan, so they can reinforce its importance and ensure its implementation by staff.

Monitoring Effectiveness

Plan to Monitor Effectiveness

1. ORGANIZATION will conduct an annual evaluation of its LEP plan to determine its overall effectiveness, review the progress of stated goals and identify new goals or strategies for serving survivors with LEP. The appointed staff will lead the evaluation with the assistance of other staff. The evaluation will include the following:
 - a) Assessment of the number of persons with LEP in our services area
 - b) Assessment of the number and types of language requests during the past year: how many were met and with which strategies, how many were not met and why.
 - c) Assessment of whether survivors with LEP are satisfied with existing language assistance services and that the services are meeting their needs
 - d) Assessment of whether staff members understand the LEP plan and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are up-to-date and still accessible
2. ORGANIZATION intake personnel will record each person's language of choice on the intake sheet. If the individual has limited English proficiency, the person's language of choice will be clearly marked on the file. ORGANIZATION's case management system will track the number of individuals that ORGANIZATION accepts and rejects by the person's language of choice. This information, broken down by office and team will be considered as part of the annual LEP Policy review.
3. ORGANIZATION will monitor changing population levels and the language needs of individuals with LEP in the region. An annual review of this language access plan will coincide with the annual evaluation of the program. Evaluation results and recommended changes will be shared with ORGANIZATION's (Board of Directors of Language Access Committee, for example). The Language Access Coordinator will also keep a record of any language access services provided and will make this information available during the annual review process. In connection with updates to this Language Access Plan, ORGANIZATION may use some of the following tools to conduct further assessment:
 1. Conduct surveys or focus groups
 2. Develop an evaluation process to assess LEP service provision
 3. Establish a tracking system to collect primary-language data for individuals that participate in programs and activities

Implementation Calendar

Language Access Strategy	Implementation Timeline	Person Responsible
Train all staff and volunteers on connecting to Language Line services.	Target: 95% staff will be able to successfully implement language access strategies by March 31	Management Team and Individual Supervisors
Add “Preferred Language” Categories to Intake Form to improve screening and evaluation	New intake categories for “Preferred Language” will be implemented by March 31. Data input begins in April, first quarter analysis of language access needs completed by July 15. Goal of 80% completion of the new category on the intake in the first quarter.]	Advocacy Manager

Community Outreach and Collaboration

ORGANIZATION will identify the primary sources through which survivors with LEP are referred to our services, and culturally-based organizations that serve individuals with LEP in our community.

ORGANIZATION will work to develop collaborative relationships with these organizations to ensure more seamless access to services, accountability to our own language access policies, and greater access to survivors with LEP.

ORGANIZATION will share its LEP Policy and the documents and knowledge it develops in regard to LEP resources with the other services organizations in our area, namely (List Key Partners Here), and any other not-for-profit organization that requests the information.

Work Plan Specific to Deaf & Hard of Hearing Language Access

1. All ORGANIZATION brochures, literature, publications, and website will have language that indicates that clients with hearing disabilities are welcome, includes appropriate universal symbol of accessibility, and provides a TTY number for the crisis line (if a TTY number is already in place) and office by (insert date).
2. Regularly scheduled training for all staff and Board of Directors on providing services and accessibility for DHH clients. This training will include, but not be limited to, communicating in person with clients who are DHH, sign language interpretation options, how to use assistive communication tools including video relay, and ADA requirements.
3. Continuing efforts will be made to find available, community- based ASL interpreters, including ASL interpreters that would be available on a 24-hour basis.
4. Provision of a range of language assistance options, within the limits of ORGANIZATION financial and organizational ability, that will include one of more of the identified options listed below by (insert date).
 - a. Certified/licensed ASL interpreter
 - b. Video Remote Interpreting (VRI)
 - c. Relay Services

5. Development of a budget plan to purchase and implement one or more comprehensive language assistance tools as well as shelter and office accessibility upgrades by (insert date)
6. Purchase and install a shelter phone with volume control and call flasher by (insert date).
7. Purchase and install assistive listening devices for shelter and outreach offices by (insert date).
8. Install a smoke detector in the shelter that has audio and visual signals (flashing light that signals the presence of smoke) by (insert date).
9. Purchase and installation of a shelter notification device (flashing light that signals a door knock) by (insert date).
10. The purchase of a Videophone (point-to-point calls, or use with Relay) if your organization routinely works with DHH clients so that clients can make outgoing calls from your agency/shelter location. (insert date).
11. Development of a contract with at least one American Sign Language (ASL) interpreting agency and/or freelance interpreter(s) to enable efficient coordination of ASL interpreters and Certified Deaf Interpreters (CDIs) when needed.
 - a. Development of a protocol for how interpreters will be requested, scheduled, and paid for within the agency. Protocol at a minimum will include a list of any existing contracts and a step-by-step guide for staff to follow when a DHH client requests an interpreter: who is responsible to contact the contracting agencies or freelance interpreters, who will approve the request and coordinate payment, and timelines to follow regarding the interpreting agencies' /freelance interpreters' policies on last-minute requests and last-minute cancellations.
12. Yearly monitoring of (Name of Agency's) policies, procedures, and budget as relates to the Communication and Facility Accessibility Plan for Deaf and Hard of Hearing Victims of Domestic Violence.

Definitions

Language access: the rights of individuals with Limited English Proficiency (LEP) to receive meaningful access to federally funded state and Federal programs

Limited English Proficient (LEP): refers to individuals who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English

Interpretation: involves conveying information orally from one language to another (e.g. interpreting during an interview)

Translation: involves conveying information in writing from one language to another (e.g. translating documents)

Resources

Deaf Overcoming Violence through Empowerment (DOVE): 303-831-7874

Relay Colorado: 711

Translation & Interpretation Center: 303-996-0976

Language Line: 1-800-752-6096

I-Speak Cards: <https://www.lep.gov/ISpeakCards2004.pdf>