

## **MEANINGFUL ACCESS**

### **POLICY ON NON-DISCRIMINATION**

**PROGRAM NAME** will employ and provide services to all qualified individuals regardless of race, color, national origin, gender identity, sex, pregnancy, sexual orientation, religion, age, disability, marital status, veteran status, familial status or victimization status.

**PROGRAM NAME** is committed to providing Meaningful Access to its services for all people, regardless of language proficiency, age, immigration status, gender, sexual orientation, socio-economic status, veteran status, race, health condition, mental health diagnoses, addiction status, disability, or religion, real or perceived. Meaningful access means that victims from underserved communities will receive services and benefits comparable to those offered to members of mainstream communities. Meaningful Access is defined using the measurements that the US Department of Justice has outlined in the Federal Register guidance that includes:

- providing **notice**,
- ensuring the availability of **relevant documents**,
- investing in the **skills of staff** to ensure the quality of service,
- **developing policies and procedures**, and;
- investing in **training and monitoring** of practices and compliance with policies.

### **SERVICES FOR NON-ENGLISH SPEAKING CLIENTS**

PROGRAM NAME has considered the “Four Factor Analysis” when making decisions about service availability as outlined by the Federal Register that discusses “Meaningful Access” <https://www.gpo.gov/fdsys/pkg/FR-2000-08-16/pdf/00-20867.pdf>. The factors include:

1. The number or proportion of persons eligible to be served or likely to be encountered by the [federally funded] program.
2. The frequency with which individuals would come into contact with the program.
3. The nature and importance of the program, activity or service provided by the program to people’s lives; and
4. The resources available to the grantee/recipient and costs.

PROGRAM NAME shall conduct an annual review of language use and need of organization and its service population. The KCADV Statistical report will be used to review data, however, [organization] remains committed to ensuring the availability of linguistically accessible services as a standard service available 24 hours per day and 365 days per year.

### **Access of Services to Persons with Limited English Proficiency (LEP)**

Pursuant to Executive Order 13166, “Improving access to services to persons with limited English proficiency” dated August 11, 2000, the Federal government ordered all federally conducted programs and activities and federally assisted programs and activities to 1) examine

services provided and 2) develop a system where LEP (Limited English Proficiency) persons can meaningfully access those services by December 11, 2000.

**PROGRAM NAME** commits to providing meaningful access to its services for all persons regardless of language/English proficiency. "Limited English Proficiency" is defined as the inability to speak, read, write, or understand the English language at a level that permits individuals to interact effectively with Program staff.

NOTE: **PROGRAM NAME** includes people who speak American Sign Language in this category and provides for the availability of in-person interpreters and Video Remote Interpretation.

It is the expectation of **PROGRAM NAME** that in order to ensure meaningful access to program services, all Program staff shall abide by the following policy:

**1) Notice shall be provided to LEP persons of the right to access services and the right to an interpreter**

- All persons requesting services at the Program shall be advised of their right to an interpreter
- Notice of interpretation services shall be posted in different languages in prominent locations at the Program (Poster provided by KCADV)
- The use of the I Speak cards provided by Pacific Interpreters, used to identify the language needed
- The language of the person shall be noted on intake forms and include information about the interpreter and the activity in which the interpreter was used
- Staff will share information about the availability of interpreters in community meetings

**2) Competent interpreters shall be provided for LEP persons**

*"Competent interpreter"* is defined as a person with proficiency in both English and the language of the client who has a commitment to confidentiality, ethics, and an understanding of the role of the interpreter. All efforts shall be made to provide a confidential, competent interpreter who has no other relationships with the client. Under no circumstances shall family members, friends, children, or other clients be used as interpreters. The client shall not be responsible for providing the interpreter.

This applies to all Program services, including but not limited to crisis line services, walk-in services, counseling, case-management, and therapy; legal advocacy and medical advocacy.

**3) All documents requiring the signature of the client and those regarding expectations, rights, and responsibilities of the client shall be interpreted in full detail to the client unless a translated version is available.** The Program shall establish ongoing assessment of the priorities for translating materials and critical documents. The executive director will

establish a yearly list of items to be translated and ensure the allocation of funds to secure translations.

**4) The Program shall ensure that its entire staff is trained on language access and procedures to comply with these policies.**

- The Executive Director shall be responsible for providing staff training regarding language accessibility.
- A copy of this policy and procedure shall be distributed to all employees on a yearly basis
- All incoming employees will receive this policy/procedure along with training for obtaining in-person/telephone/VRI interpreters during orientation training
- Trainings shall be held yearly to ensure that all employees fully understand the policy and procedure
- Training content can include, but is not limited to:
  - Staff obligation to provide language accessibility
  - Content of the Language Accessibility policy
  - Skills training in obtaining in-person, telephone, VRI interpreters
  - Training to review the provision of notice and to assess the need for translations
  - Cultural competency training that includes language accessibility as culturally competent, trauma-informed practice
  - Expectations/skills for staff to manage an interpreted session
  - Skills for accessing Video Remote Interpretation services for ASL speakers
  - Overview of monitoring activities for language accessibility

**5) PROGRAM NAME shall develop a monitoring mechanism to ensure periodic compliance with these policies.**

- The **Emergency Services Supervisor** shall be designated to receive input, provide support, and monitor compliance on issues of accessibility of services to LEP persons.
- At the end of each fiscal year, the designated monitor shall evaluate language needs of service area, languages of persons served by Program, identify potential gaps in services, recognize and strengthen successful practices, and make necessary changes.
- The designated monitor shall be informed of any grievances pertaining to language accessibility and LEP, as part of the monitoring process.

**Procedure:**

**PROGRAM NAME** shall adopt the following procedure to comply with its policy of language accessibility to LEP persons:

**A. Crisis call:**

1. For incoming calls in which the caller is speaking another language, the language line shall be immediately accessed. If the caller speaks limited English, notify them of their right to an interpreter. If there is difficulty communicating, Pacific Interpreters

shall be accessed. Pacific Interpreter's staff can help identify the language being spoken.

2. **To access the Pacific Interpreters** (these instructions are posted in the crisis office):

- Ask the caller to please hold
- [In Spanish: Un momento, por favor. No cuelgue (*kwel-geh*)]
- Do not put the caller on hold
- Use conference button to place the non-English speaker on hold while you initiate contact with the interpreter.
- Dial **1-800-264-1552** (Pacific Interpreters).
- Give information about language needed (or language line can assess it for you).
- Our Code number is **XXXXXX**
- **Our security code is: XXXXXX**
- Give name of organization.
- Give name of Advocate accessing the service for client.
- When they are ready, add the non-English speaker to the line by pressing the conference button twice.
- Wait for the Answer Point to conference in the interpreter and brief the interpreter by summarizing what you wish to accomplish and give any special instructions.
- Say "end of call" to the interpreter when the call is completed.
- Continue as with any crisis call: assessing safety, offering services, and making appropriate referrals.
- The client shall be advised of all options, as well as all services offered by the Program, including individual and group services, as well as rights and grievance procedures. If the client is a Spanish speaker, they will also be informed of availability of Spanish-speaking Advocate (if available). However, this referral shall be made after initial safety assessment and description of options and services and an assessment that a Spanish-speaking staff is the correct staff to serve the client.
- Make sure you always document the name and code number of the interpreter that is providing the service. If there is a complaint about the interpreter providing the service make sure to record this information and inform the **Emergency Services Supervisor**.

3. Documentation: Language of the client and need for an interpreter shall be noted on the intake sheet and file and the purpose for which the interpreter was used (intake, crisis call, hearing, etc.)

**B. In-person client services:** Including walk-in; Court advocacy; therapy; and other services

1. Inform client of right to interpreter and ask if they need one.
2. Identify language needs and record on intake.
3. Access interpreter (i.e. available bilingual staff, volunteer interpreter, or Pacific Interpreters' representative).
4. Safety shall be assessed and the client advised of all options, as well as all services offered by the Program, including individual and group services, as well as rights and grievance procedures.
5. Written information about domestic violence and/or sexual assault and the Program's services shall be provided to the client in their primary language. Materials in different languages are available in the Language Access binder in the crisis office.
6. All interpreters shall sign a confidentiality statement (not applicable for phone interpreters).
7. LEP services provided for any client shall be logged in the client's service record.

**C. Residential services**

1. The above procedures for in-person services shall be followed.
2. At the time of intake, the incoming resident will be informed (through an interpreter if necessary) of all rights and responsibilities as a resident, grievance procedures, and of all required and optional individual and group services.
3. When a person is required to sign a document that document shall be interpreted fully to a person if no written translation is available.
4. LEP services provided for any client shall be logged in the client's service record.
5. It is each shift's responsibility to check in with all persons with disabilities and/or LEP clients (adult and children). Inquiry should include but not be limited to any needs, concerns or requests that they may have. Staff should utilize the Pacific Interpreters, bilingual staff or an approved interpreter for these sessions.

**D. Accessing a Video Remote Interpreter**

1. The app will open in the "Top Languages" screen to access the 34 spoken languages and American Sign Language. Language options will appear in English and in-language. Icons will dynamically adjust with language schedule to match video schedule.
2. Search Languages (feature allows searches by language or country). Scroll to view more languages.
3. Tap the language to select-the language will turn orange
4. Tap the orange highlighted language with video icon to access a video interpreter
5. While connecting to the interpreter, a full view allows for proper positioning of the device
6. Greet your interpreter

### **Policy against Discrimination Based on Immigration Status**

**PROGRAM NAME** recognizes that non-citizens face particular barriers to reporting abuse and accessing services. These include fear of being reported to the U.S. Department of Homeland Security, fear of reporting the abuser to U.S. Department of Homeland Security, and fear of deportation of the abuser and/or the victim. In order to ensure that non-citizens report abuse and access **PROGRAM NAME** services, the **PROGRAM NAME** is committed to the following policy and procedures.

#### **Equal Access**

**PROGRAM NAME** shall provide equal access to all of its services, regardless of immigration status.

#### **Confidentiality**

**PROGRAM NAME** shall keep all information about non-citizen clients confidential and shall not report the immigration status of an individual to any government agency without the client's permission.

#### **Non-cooperation with U.S. Department of Homeland Security (U.S. DHS)**

**PROGRAM NAME** will not contact U.S. DHS with regard to a client or a perpetrator. The Program will not cooperate with the U.S. DHS in instituting removal (deportation) proceedings of the perpetrator. This does not mean that **PROGRAM NAME** staff will not cooperate with the prosecution of the perpetrator, if the client chooses this path.

#### **Notice**

**PROGRAM NAME** shall provide notice to all clients that its services are provided regardless of immigration status, that the client does not need to disclose her immigration status or social security number, that **PROGRAM NAME** will not report any information about the client to U.S. Department of Homeland Security.

**PROGRAM NAME** shall make public its policy of non-cooperation and service to all regardless of immigration status and shall advocate for incorporation of this policy in all partner agencies. (i.e. KCADV, KASAP)

#### **Procedure:**

This procedure shall be followed by staff members in all areas of service, including but not limited to residential and non-residential, hospital, court and legal advocacy.

- 1) Explain to all clients that services are provided regardless of immigration status, that the client need not disclose her status or social security number, and that the Program will not contact U.S. Department of Homeland Security (a.k.a. Immigration) with regard to the client or the perpetrator.
- 2) Do not record the immigration status of a client in files. Doing so may violate the client's privacy and put her in a position of danger.

- 3) Do not contact U.S. Department of Homeland Security on behalf of a client or regarding the perpetrator.
- 4) Document and report abuses of this policy with regard to Program staff and those working in partnership with the Program (i.e. County and city police).
- 6) **PROGRAM NAME** shall ensure that its entire staff is trained on procedures to comply with these policies.
  - The Executive Director shall be responsible for providing staff training regarding non-discrimination on the basis of immigration status.
  - A copy of this policy and procedure shall be distributed to all employees on a yearly basis
  - All incoming employees will receive this policy/procedure along with training regarding risks for immigrant/refugee clients as well as immigration remedies during orientation training
  - Trainings shall be held yearly to ensure that all employees fully understand the policy and procedure
  - Training content can include, but is not limited to:
    - Staff obligation to provide language accessibility
    - Content of the non-discrimination policy
    - Skills training in obtaining in-person, telephone, VRI interpreters
    - Training to review the provision of notice and to assess the need for translations
    - Cultural competency training as trauma-informed practice
    - Overview of monitoring activities