

State of Hawaii

Department of Human Services

Language Access Plan

July 1, 2009—June 30, 2011

Issued and Approved
by the Director
Department of Human Services

Original signed by Henry Oliva, DHS Deputy Dir, for the DHS Dir, on June 29, 2009

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Date

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This Language Access Plan speaks to our continuing commitment to provide essential and meaningful access to Limited English Proficient (LEP) individuals and to removing barriers which could prevent customers or potential customers of the Department of Human Services (DHS) from participating in our programs and activities because of language needs or clarification. The primary purpose is to continually enhance services provided by the DHS to persons seeking our services.

The DHS continues to take reasonable steps to provide meaningful access to LEP individuals in compliance with Title VI of the Civil Rights Act of 1964, and its implementing regulations 45 CFR, Part 80, as well as Sections 371-31 to 371-37, Hawaii Revised Statutes.

To provide language assistance to LEP individuals, DHS will:

1. Provide oral and written language interpretation services to applicants and clients that are free of cost to them.

- a. Oral--Each division, program and activity at the DHS will arrange for the provision of oral interpretation, and/or reading assistance, in response to the needs of LEP individuals, in both face-to-face and telephone encounters.
- b. Written--Translation of written documents will be provided when oral interpretation is not reasonable or meaningful within the threshold of the law.
- c. Personnel—Hiring of employees who have bi-lingual skills is an ongoing effort where possible at DHS. Hiring bi-lingual staff to serve as staff interpreters only is not reasonable within DHS' budgetary constraints.

2. Maintain a reporting system designed to obtain key information about the LEP populations who use DHS services or have the potential for doing so.

Each division has or will have in place mechanisms in its reporting system to assess, on a regular basis, the LEP status and language assistance needs of current and potential customers, as well as mechanisms to assess the DHS' capacity to meet these needs according to the components of this plan. (See Appendix A for sample report forms)

3. Maintain a comprehensive listing of language assistances resources.

Interpreter lists will be updated and distributed regularly to each division and administratively attached agency. (See Appendix B for partial DHS interpreter list; resource lists, and court interpreter list)

4. Provide notice to LEP persons of interpreter services that are free of cost to the individual.

Each division, program and activity at the DHS will inform LEP individuals of the availability of free language assistance services. Each will also provide notice to community agencies that work with DHS' clients. Community providers and DHS contractors will be advised and monitored relative to their responsibility to provide interpreter services free of cost to the LEP individual.

5. Designate A Language Access Coordinator and Access Task Force Members.

DHS' Civil Rights Compliance Staff (CRCS) will continue to serve as the Language Access Coordinator for the Department. In addition, DHS has established an Access Task Force to be responsible for reporting, follow-up, and implementation of this plan and to assure compliance with Hawaii Revised Statutes and other guidelines. Each division and administratively attached agency will continue to designate representatives to DHS' Access Task Force, with at least one backup representative for continuity purposes, who will serve in an advisory capacity to the Coordinator. Each neighbor island office will provide input to the designated Access Task Force member on a regular basis. Additional information about staff officer, divisional administrator, supervisors and employee roles are specified in DHS' Policies and Procedures 4.10.3.

6. Train Employees on Language Assistance Services.

The DHS began training in 2007 for program staff, supervisors and administrators to improve language access, create awareness, and prevent discriminatory practices relative to national origin, in general, and LEP, specifically. Those efforts were modified and expanded in 2009, to include department-wide training.

Training for administrators and supervisors began during the month of May 2009 and continued through June 2009. The supervisors will now be responsible for directly training all staff who have daily or weekly public contact. Once this department-wide training is completed, new employees will be trained at time of hire, and all employees will receive annual training by their supervisors and/or Division trainers (See Appendix C).

Existing civil rights training titled Administrative Procedures for Supervisors (APS) and Administrative Procedures for Clericals (APC), both of which include language access and national origin training, will continue on an annual basis.

DHS will continue to inform agencies contracting with DHS about contractor responsibilities for providing interpreter services at no cost to the LEP individual and for complying with assurances specific to their respective program funds. DHS will continue to monitor contractor compliance.

A series of Civil Rights E-Notes with training schedules and other civil rights resources and issues will continue to be made available electronically to all DHS staff on LAN internal drives and in the Civil Rights Corner at <http://www.hawaii.gov/dhs>, on a monthly basis. (See Appendix D)

Volunteer interpreters and front-line staff will continually be encouraged to attend such workshops as “Role of Interpreter” and “Serving LEP Individuals” provided by the Office of Language Access. Webinars, video conferences, and attendance at state-wide meetings designed to meet access needs will continue to be encouraged for interested individuals.

Each division and administratively attached agency will allow time for training front-line and supervisory staff on DHS’ language access efforts. Supervisors or trainers will be responsible for training new employees and all individuals under their supervision who have daily or weekly public contact. DHS will continue to provide annual training to employees.

7. Orient Interpreters to Role Expectations and Code of Ethics Guidelines.

Interpreters are required to review DHS’ code of ethics for providing interpreter services, sign an interpreter form and be asked to participate in OLA training on the role of interpreters and serving individuals with language needs. (See Appendix E for workshops, Appendix F for Code of Ethics and draft Interpreter Form, and Appendix G for draft Offer and Acceptance or Waiver of Interpreter Services Form).

8. Seek stakeholders’ input in review and revision of DHS plan.

The DHS will actively seek input from groups that provide assistance to LEP individuals, including but not limited to those that advocate for the interests of immigrants, refugees, and others who might be LEP consumers of the DHS services. Seeking input from front-line staff, clients, applicants, and interested community participants will be a part of DHS’ ongoing assessment. All interested stakeholders are encouraged to contact the Language Access Coordinator directly at 586-4955.

The Language Access Coordinator will have at least one (1) public meeting with LEP persons, other interested stakeholders, and the DHS Access committee members, prior to December 31, 2009. The objectives for seeking such input are (1) to provide feedback and information that will result in refining this plan, and (2) to enable the DHS to meet its goal of taking reasonable steps toward ensuring meaningful access to LEP individuals.

Following the meeting the Language Access Plan Coordinator will prepare a comprehensive report on the meeting and submit the report to the Director of the

DHS no later than January 31, 2010. The report will include a list of the most requested languages in which assistance is needed, and a list of the most requested documents to be translated. The report will also include a synthesis of the data gathered through the DHS' reporting systems. The DHS Plan may be reviewed and revised in light of comments from LEP individuals, their representatives, interested stakeholders.

9. Monitor the DHS' Programs and Services for Reasonable and Meaningful Language Assistance.

The CRCS makes unannounced site visits to observe notices, and other areas relative to civil rights compliance, and to photograph facilities and features to support this and other self-evaluation efforts. Findings from these visits are discussed with Access Task Force members for follow-up.

Contract monitors in each program will continue to be responsible for monitoring contractor provision of interpreter services for DHS individuals whom they serve.

10. Evaluate the effectiveness of DHS Language Assistance Efforts.

Evaluations of DHS' divisions and administratively attached agencies will be conducted periodically by CRCS in consultation with staff of the Office of Language Access (OLA) to determine the DHS' compliance with obligations to provide language access services.

Recommendations will be addressed by the Coordinator and Access Task Force, as indicated by the findings.

This plan covers the period July 1, 2009 through June 30, 2011 and addresses the DHS' continuing commitment to enhancing access to services. It supersedes the DHS' Language Access Plan covering the period July 1, 2007 through June 30, 2009. The provisions of this 2009-2011 plan shall remain in place until a revised plan is adopted.

Appendices

- A. Reporting Formats
- B. DHS Interpreter List—Partial Sample Employee List, Court Interpreter and Other Resource Lists
- C. Training—DHS Language Access Training Draft Presentation dated 5/29/09
- D. E-Notes, April 2009
- E. Workshop Announcements
- F. Interpreter Form DHS 5050—Draft and Interpreter Code of Ethics
- G. Offer and Acceptance or Waiver of Free Interpreter Services—DHS 5000 Draft