



# **MDCPS Policies & Procedures**

## **Limited English Proficiency (LEP)**



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## **Section 1: Limited English Proficiency Overview.**

### **1.1 MDCPS Commitment**

- A. The Mississippi Department of Child Protection Services (MDCPS) must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs, and other benefits.<sup>1</sup>
- B. MDCPS must ensure meaningful communication between LEP clients and MDCPS staff and provide translation of information contained in vital documents.
- C. All interpreters, translators, and other aids needed to comply with this policy shall be provided without cost to the person being served, and clients and their families will be informed of the availability of such assistance free of charge.<sup>2</sup>
- D. Language assistance will be provided through the use of qualified interpreters or qualified multilingual staff, document translations, formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services.
- E. Staff who may have direct contact with LEP individuals will be trained in effective communication techniques, including the use of an interpreter.
- F. MDCPS will conduct a regular review of the language access needs of our client population, as well as update and monitor the implementation of this policy and these procedures, as necessary.
- G. All MDCPS employees are required to follow this policy and procedure.

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<sup>1</sup> 42 U.S.C. 2000(d)

<sup>2</sup> 45 C.F.R. §92.201(c)



## **Section 2: Administration of LEP Services**

### **2.1 Overview**

The MDCPS Language Assistance Coordinator is responsible for overseeing the administration and execution of LEP services. The Language Assistance Coordinator shall work with appropriate personnel at each level of the agency to coordinate language assistance services for their respective levels. The Language Assistance Coordinator is responsible for:

1. Maintaining an accurate and current list of names, languages, phone numbers, and hours of availability of every language assistance resource available to MDCPS Staff. This list will be posted in each county office and made available to staff;
2. Contacting the appropriate bilingual staff member or interpreter, in the event that an interpreter is needed, if an employee who speaks the needed language is available and qualified to interpret; and
3. Keeping up to date and accurate lists of outside contract and volunteer interpreters

### **2.2 Statewide Monitoring Plan**

- A. The MDCPS Language Assistance Coordinator shall monitor the provision of language assistance services to LEP persons. On an ongoing basis, the Coordinator will assess:
  1. Changes in demographics;
  2. Types of services; and
  3. Effectiveness of these operating procedures.
- B. The Language Assistance Coordinator will also monitor the LEP program through site visits. The monitoring program shall include visits to offices that shall either be randomly selected or shall target offices which produce a disproportionate number of complaints about the adequacy of language services. The monitoring shall include:
  1. Unannounced site visits conducted every six (6) months;
  2. A review of LEP persons' case records to assess whether the primary languages are properly recorded in all case records and whether such persons were provided adequate language assistance services;



3. Assessment of MDCPS staff and contractors' knowledge about MDCPS language assistance policies and procedures;
  4. A review of the accuracy of the list(s) containing the availability of bilingual staff, interpreters, and other resources;
  5. Feedback from LEP persons and advocates; and
  6. A review of the posting requirements.
- C. The monitoring plan shall include:
1. A review of complaints filed by LEP persons to determine the adequacy of language assistance services; and
  2. A review of the development and distribution of translated MDCPS documents.
- D. The statewide monitoring plan shall be reviewed at least yearly by the Language Assistance Coordinator and MDCPS Policy Bureau.

### **Section 3: Identifying LEP Needs at Mississippi Centralized Intake**

#### **3.1 LEP Persons Making a Report.**

Mississippi Centralized Intake (MCI) shall use their on-call list of interpreters to assist LEP persons who need to make a report of abuse or neglect. Once the report is taken, the MCI worker shall document in the "location information" section, the primary language spoken and the name and phone number of the interpreter who provided assistance. The ASWS and county worker shall then refer and contact the MDCPS interpreter assigned to their region for further assistance.

#### **3.2 Reports Involving LEP Individuals.**

MCI should inquire if anyone in the reported household requires interpreter services. If MCI receives a report regarding a person the reporter knows or believes to be an LEP person(s), MCI will attempt to determine the primary language of the reported individual so that MDCPS field staff may arrange for an interpreter to be available to the worker for the initial visit.



## **Section 4: Identifying LEP Persons in the Field**

### **4.1 Identifying the Language.**

When a worker encounters an LEP individual on a visit or in a county office, MDCPS shall identify the language and communication needs of all LEP clients by using an “I Speak” language identification card and/or language identification posters to determine the language. Language identification posters must be posted in each county office. The cards and posters offer a way for LEP persons to let county staff know which language they speak by simply pointing to their language.

### **4.2 “I Speak” Cards.**

“I Speak” cards are available in Spanish and Vietnamese. Additional cards can be found online at [LEP.gov](http://LEP.gov). The cards provide a reference to Federal laws and regulations regarding language assistance. As LEP persons are served, Workers should provide these cards to these clients for future use when requesting services.

### **4.3 Determining the Need for an Interpreter.**

- A. If an LEP person does not read or recognize any of the languages included in the identification cards or posters, MDCPS staff will use a telephone interpreting service to identify the individual’s primary language and then contact the MDCPS interpreter assigned to their region for further assistance.
- B. Workers must contact their assigned interpreter regarding every appointment for the LEP individual as soon as the worker knows the interpreter will be needed. If the worker does not notify their interpreter that services will be needed and the interpreter cannot attend the appointment, the worker must reschedule the appointment for a time when the interpreter is available.

## **Section 5: Interpreters**

### **5.1 Interpreter Qualifications**

MDCPS staff interpreters and translators, as well as contractors and volunteers, are required to meet the following qualifications:



- A. Ability to communicate in both English and the LEP person's primary language accurately and effectively;
- B. Interpret to and from English and the LEP person's primary language accurately and impartially;
- C. Possess appropriate knowledge of specialized terms and concepts used frequently in the provision of MDCPS services and programs or possess willingness to ask for clarification, as needed, from any or all parties, about unfamiliar terms and concepts;
- D. Understand and follow the obligation to maintain confidentiality<sup>3</sup>;
- E. Understand the roles of interpreters and the ethics associated with being an interpreter; and
- F. For those providing written translations, have the ability to translate written documents effectively.

## **5.2 Obtaining a Qualified Interpreter**

- A. The MDCPS Interpreter Supervisor and Staff shall ensure that each LEP individual receives competent oral and written language assistance services necessary to ensure meaningful access to all aspects of MDCPS foster care and adoption programs.
- B. If an LEP client requests an interpreter, one shall be provided. Under no circumstances shall a staff member deny a request for an interpreter.

## **5.3 Use of Family and Friends as Interpreters**

- A. Minor children and other clients are prohibited from acting as interpreters.
- B. Family members or other adult friends of LEP persons are not permitted to act as primary interpreters.
- C. If the LEP individual specifically requests a family member or friend be present to act as a secondary interpreter for them, this must be documented in the case file and an MDCPS

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<sup>3</sup> Volunteer interpreters must sign an agency confidentiality agreement.



interpreter must be present and used as the primary interpreter due to issues of competency of interpretation, confidentiality, privacy, and conflicts of interest.

## **Section 6: Translations**

### **6.1 Written Translations**

When a worker needs vital documents translated, those documents must be submitted electronically or via fax to the [Interpreter Program Supervisor](#) at the MDCPS state office, who will ensure the documents are translated and returned as soon as reasonably possible.

### **6.2 Online Translation Services**

MDCPS staff are strictly prohibited from using online translation services in attempt to provide interpreter services themselves.