

Ohio Department of Job and Family Services  
**LIMITED ENGLISH PROFICIENCY PLAN**  
**2021 - 2023**

**Cuyahoga Job and Family Services**  
**Kevin Gowan, Administrator**

**December 20, 2021**

**Civil Rights Coordinator**  
**Aida C. Idiaquez**

**CHECK ALL THAT APPLIES**

**DJFS**  \_\_\_\_\_  
**PCSA** \_\_\_\_\_  
**CSEA** \_\_\_\_\_  
**OMJ CENTER** \_\_\_\_\_

# **Limited English Proficiency Plan**

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# **Limited English Proficiency Plan**

## **I. Purpose**

The purpose of this Limited English Proficiency Plan is to provide assurances and demonstrate that customers of Cuyahoga Job and Family Services are being provided meaningful access to program information, benefits and services although the customers may be limited in their English Language Proficiency. This plan will be updated bi-yearly to refresh the assurances contained in the plan, address any changes in methods and update any changes in the LEP population utilizing the County Agency / OMJ Center.

It is understood that the Ohio Department of Job and Family Services' Bureau of Civil Rights (BCR) is charged with the duty to ensure that each County Agency / OMJ Center is in compliance with all relevant federal requirements involving applicants/recipients of program information, benefits and services who have limited English Language Proficiency (LEP).

## **II. Authorities and Definitions**

### **Authorities**

- **Title VI of the Civil Rights Act of 1964**, 42 U.S.C. §2000 et seq.; 45 CFR §80, Nondiscrimination based on race, color or national origin for any programs receiving federal financial assistance. Failure to provide meaningful access to program information, benefits and/or services due to an applicant/recipient's LEP is considered discrimination based on national origin.
- **U.S. Department of Justice Title VI Legal Manual**, January 11, 2001 edition
- **29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act**, July 22, 2014.
- **U.S. Department of Labor Policy Guidance on the Prohibition of National Origin Discrimination as it Pertains to Persons with Limited English Proficiency (05/29/03)**, Federal Register, Volume 68, Number 103
- **Food Stamp Program LEP regulations**, 7 CFR §272.4
- **UIPL 02-16**, State Responsibilities for Ensuring Access to Unemployment Insurance Benefits, Services and Information
- **Executive Order 13166**, Improving Access to Services for Persons with Limited English Proficiency
- **Ohio Department of Job and Family Services Language Access Policy**, Dated January 20, 2005
- **Ohio Administrative Code section 5101:9-2-01 Civil Rights Plan**
- **Ohio Administrative Code section 5101:9-2-05 WIOA Nondiscrimination Complaints**

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- **IPP.9004 Limited English Proficiency Protocol**

### **Definitions of Terms:**

- **County Agency** - County Departments of Job and Family Services, County Child Support Enforcement Agencies, Public Children Services Agencies, WIOA funded OMJ (Ohio Means Job) Centers, Agencies standing alone or any combined agencies with a single administrative structure.
- **Effective Communication** - In a human services, social services or job training/assistance setting; effective communication occurs when County Agency / OMJ Center staff have taken necessary steps to make sure that a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by the County Agency / OMJ Center. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by that County Agency / OMJ Center without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to the County Agency / OMJ Center.
- **Interpretation** - Interpretation means the oral or spoken transfer of a message from one language into another language.
- **Limited English proficiency** - A person with limited English proficiency or "LEP" is not able to speak, read, write or understand the English language well enough to allow him/her to interact effectively with a County Agency / OMJ Center.
- **Meaningful access** - "Meaningful access" to benefits, programs and services is the standard of access required of the County Agencies / OMJ Centers since they receive federal funding through the state of Ohio. Meaningful access requires compliance by County Agencies / OMJ Centers with state and federal LEP requirements as set out in relevant state and federal laws. To ensure meaningful access for people with LEP, County Agencies / OMJ Centers must make available to applicants/recipients of benefits/services free language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.
- **BCR** - Bureau of Civil Rights. The entity contained within the Ohio Department of Job and Family Services charged with the responsibility of overseeing compliance by County Agencies / OMJ Centers with relevant civil rights laws including those related to LEP.
- **Translation** - Translation means the written transfer of a message from one language into another language. ***Note: The use of translation engines through the internet or language applications can be very useful tools for a native speaker of that particular language. A native speaker is able to make the appropriate adjustment and/or corrections to the translation. A non-native speaker will have difficulty making the proper adjustment to the syntax's, meaning, and vocabulary. One example we found using one of the translation engines was: e.g., Spanish- dos burritos por favor; the English translation – two donkeys please, instead of two burritos please. The computer does not know that you are referring to food. The computer translates literally. Therefore, to avoid any misunderstandings we***

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*do not recommend the use of engine translations or applications unless you are a native speaker.*

- **Vital Documents** - forms or documents *designed and utilized by the County Agency / OMJ Center* that are critical for accessing federally funded services or benefits or are required by law. Vital documents can include but are not limited to: applications for county designed programs; consent forms designed by the County Agency / OMJ Center; letters designed by the County Agency / OMJ Center requesting eligibility documentation.
- **Outreach Documents** - County Agency / OMJ Center designed documents utilized by the County Agency / OMJ Center to provide information to the general public but targeting individuals who are eligible or may be eligible for county benefits/services or programs.
- 

### **III. County Agency / OMJ Center LEP Policy**

It is the policy of Cuyahoga Job and Family Services to provide meaningful access to all individuals applying for, participating in programs or receiving services/benefits administered by, supervised by, authorized by and/or participated in by Cuyahoga Job and Family Services, its contractors and/or vendors. Meaningful access involves Cuyahoga Job and Family Services promoting effective communication to LEP individuals seeking or receiving services, benefits or participation in programs funded in whole or in part by federal funds. This plan specifically provides necessary assurances and identifies tools being used to effectuate this policy.

### **IV. LEP Population**

Cuyahoga Job and Family Services has determined that the language(s) other than English that is/are most likely to be encountered by employees of the Cuyahoga Job and Family Services is/are Arabic, Russian, Ukrainian, Nepali, Chinese, Spanish and American Sign Language. The methodology used to make this determination is as follows: Cuyahoga Job and Family Services used the primary language indicator from benefit cases, including Medicaid, Supplemental Nutrition Assistance Program (SNAP) and Ohio Works First (OWF) as found in the Ohio Benefits Worker Portal. (See Attachment A)

County Agency / OMJ Center should provide **translated vital documents and interpretation services** to any LEP group that comprises approximately 100 or less low income single language minority household.

For program informational activities (**outreach**) in the appropriate language the County Agency / OMJ Center has to have less than 2,000 low income, if approximately 100 or more of those are single language minority; or in a County Agency / OMJ Center with 2,000 or more low income household, if approximately 5% or more of these household are single language minorities.

For the purpose of the LEP Plan a low-income household refers to as a household at or below 125% of the poverty level.

Cuyahoga Job and Family Services will periodically monitor the LEP population of those served or those who could be served by Cuyahoga Job and Family Services. If it is determined that other LEP language groups are seeking benefits/services or are potentially eligible to receive

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benefits/services within the Cuyahoga County, Cuyahoga Job and Family Services will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in the next LEP plan.

### **V. Methods of Providing Services to LEP Population**

(Check any that are applicable)

Bi-lingual Employee(s) (if checked provide employee(s) names and language(s) with brief description of method of determining competence as interpreter(s)).  
See Attachment B

Staff Interpreter(s) (if checked provide name(s) and language(s) with brief description of method of determining competence as interpreter(s).).  
Information here

Interpreter Contract (if checked, provide name(s) of contractor(s), list service(s) provided, language(s) covered, and brief description of how vendor(s) was/were chosen. Also attach copy of agreement or contract to this plan)

The vendor was selected by an open and competitive process via a request for proposal to provide in-person, telephonic, and American Sign Language interpretation services to approximately 4,000 individuals; written translation services; training for county staff on how to work with interpreters; and training for bilingual county employees in order to ensure minimum competency to provide interpretation services in target native language spoken by staff. (See Attachment C)

US Together, Inc.  
1415 E. Dublin-Granville Road, Suite 100  
Columbus, Ohio 43229

Volunteer Interpreters (if checked provide names, organization if applicable as well as brief description of method of determining competence as interpreter).  
Information here

Telephone Interpreting Services (if checked provide name of vendor with brief description of how vendor was chosen. Attach copy of contract to this plan)  
Information here

Agreement with Educational Institution (if checked provide name of institution, name(s) of interpreters, brief description of method of determining competence of interpreter. Attach copy of agreement, MOU or other written document to this plan. If nothing in writing, describe arrangement).  
Information here

Translation contracts (if checked provide name(s) of contractor(s), list service(s) provided, language(s) covered and brief description of how vendor was chosen. Also attach copy of agreement or contract to this plan).

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The vendor was selected by an open and competitive process via a request for proposal to provide in-person, telephonic, and American Sign Language interpretation services to approximately 4,000 individuals; written translation services; training for county staff on how to work with interpreters; and training for bilingual county employees in order to ensure minimum competency to provide interpretation services in target native language spoken by staff. (See Attachment C)

US Together, Inc.  
1415 E. Dublin-Granville Road, Suite 100  
Columbus, Ohio 43229

- Other (if checked explain arrangement and attach any relevant documents explaining the arrangement to this plan).  
Information here

### **VI. Interpreter Services**

Cuyahoga Job and Family Services , at no cost to the LEP individuals or families, provides interpreter services to all LEP individuals or families applying for, participating in programs or receiving services/benefits through the Cuyahoga Job and Family Services by the means designated in section V. of this plan. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in a county run program beyond that of an English speaking individual or family. The Cuyahoga Job and Family Services makes this policy known to the LEP through the following methods (e.g. posters in other languages, Babel cards, etc.). The interpreter services flyer and table-top display at the CJFS Neighborhood Family Services Centers (NFSCs), CJFS division page of the DHHS website (Servicios en Espanol methods, vital and outreach documents include the following statement - "This institution is an equal opportunity provider. Visit <https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>. Cuyahoga Job and Family Services provides access to an interpreter at no charge to customers who are limited-English proficient and individuals with impaired vision and/or hearing."

Cuyahoga Job and Family Services addresses phone calls and voice mail by LEP individuals in the following manner (describe County Agency / OMJ Center phone services for LEP individuals. If addressed through something checked in section V. can reference that portion).

CJFS informs staff when to "Access Language Services - When should staff use an interpreter? When a customer requests an interpreter, contacts the "County Share Services" Cuyahoga County Eligibility Contact Center and/or calls the agency and requests and interpreter. Any time a customer lists their primary language as other than English (unless staff person is a designated bilingual employee and certified to conduct business in the language spoken by the customer, the employee must access language services provided by contracted vendor US Together, Inc.) Staff are to request an interpreter even if the customer brings a family member, friend or member of the assistance group not listed as the primary applicant to interpret for them. (This is also true for a family member or friend on a telephone call, unless they are an authorized representative.) Staff are advised to request an interpreter even if the conversation started without one or did not come in through the Limited English Proficiency (LEP) queue from the "County Share Services" Cuyahoga County Eligibility Contact Center line. Staff are encouraged to say; "

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I am going to put you on hold a moment to get an interpreter on the line.” Staff will follow the procedures to follow when accessing language services while on the "County Share Services" Cuyahoga County Eligibility Contact Center. Staff access are trained how to access language services and have available job aids and other related resources from the CJFS Communications Hub - <http://ms-hhs-pweb1:8090/display/JCH/Language+Services> (See Attachment C)

Cuyahoga Job and Family Services addresses walk-ins to the Cuyahoga Job and Family Services' Neighborhood Family Service Centers (NFSC), including the Virgil E. Brown NFSC who are LEP individuals in the following manner (refers to receptionists or point of contact) Front-desk staff use the 'Interpreter Services Languages' flyer, desktop located in CJFS NFSCs and the CJFS 'Customer Contact Form' to identify the language spoken, including American Sign Language by customer to inform staff what language to request when accessing interpretation services from vendor. Staff access are trained how to access language services and have available job aids and other related resources from the CJFS Communications Hub - <http://ms-hhs-pweb1:8090/display/JCH/Language+Services> (See Attachment C)

Cuyahoga Job and Family Services does not require, suggest or encourage LEP individuals or families to use friends, family members or minor children as interpreters. If an LEP individual or family insists that a friend or family member serve as interpreter, Cuyahoga Job and Family Services will inform the customer that the family may stay but will not be able to serve as the interpreter. Only on rare occasions when there is no other strategy, such as interpretations over the phone, the Cuyahoga Job and Family Services will then, on a case by case basis, consider factors such as: competence of the family or friend used as the interpreter; the appropriateness of the use in light of the circumstances and ability to provide quality and accurate information, especially if the interview could result in a negative affect on the individual or family's eligibility for benefits/services; potential or actual conflicts of interest; and confidentiality of the information being interpreted to determine whether Cuyahoga Job and Family Services will follow its Accessing Language Services Policy (Rev. June, 15, 2021) (Attachment D) should provide its own independent interpreter for itself. In no case does Cuyahoga Job and Family Services allow a minor child to act as interpreter for an LEP individual or family.

## **VII. Translation of Documents**

Cuyahoga Job and Family Services translates all county designed vital documents into each LEP language group that comprises at least 5% or 1,000, whichever is less, of persons eligible for or likely to be affected by the agency's services. Currently, the LEP language group(s) meeting this criterion are-identify language group including Spanish, Arabic, Russian, Ukrainian, Nepali, Chinese, and American Sign Language.

Cuyahoga Job and Family Services translates all outreach documents for each LEP group that equals 10% or 3,000, whichever is less, of persons eligible for or likely to be directly affected by the Cuyahoga Job and Family Services services. Currently, the LEP language group(s) meeting this criterion are-identify language group, including Spanish, Arabic and Russian.

For any LEP individuals applying or receiving services from Cuyahoga Job and Family Services where vital documents are not available in the LEP individual's language, Cuyahoga Job and Family Services provides a notice in the LEP individual's language that the LEP individual may



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bring any document into the Cuyahoga Job and Family Services office and an interpreter (face to face or telephonic interpretation) will be provided free of charge to interpret the document for the LEP individual.

### **VIII. Dissemination of Information to County Agency / OMJ Center Personnel**

Cuyahoga Job and Family Services makes its personnel aware of its LEP policies, methods of providing services to LEP individuals and other information contained within this plan through the following: (explain in some detail, e.g. training by civil rights coordinator, on-line training, new employee orientation, personnel handbook, hand-outs, etc.).

The civil rights coordinator trains each class of new employees hired by Cuyahoga Job and Family as part of the integrated onboarding curriculum implemented by the Learning Professional Development Department of DHHS. Each class views the Food Nutrition Services instruction 113-1 civil rights training video, completes assessment quiz and signs an acknowledgement form plus attends a three-hour presentation on the requirements of the Limited-Proficiency Plan and opens an online account on the US Together Plus interpret manager platform to access language services via an interpreter whether telephonically or in-person. Current CJFS staff are trained annually by viewing the Food Nutrition Services instruction 113-1 civil rights training video, complete an assessment quiz and sign an acknowledgement form. Every other calendar year, staff attend a 'Public Awareness Training' conducted by the language services vendor – this training module is a 3.5-hour session offered quarterly for a total of eight opportunities to attend. Employees gain a greater understanding of limited English proficient customers, the populations served in Cuyahoga County, changes of populations expected to arrive/resettle in Cuyahoga County, tips on how to work with interpreters, and how to request language services. Staff are required and expected to follow standard operating procedures as established in the "Accessing Language Services" policy and confirm their acknowledgement by signing a policy acknowledgement form. Both newly employees and current staff have access to a variety resources and tool in both sections of 'Civil Rights Compliance' and 'Accessing Language Services' located in the CJFS Communications Hub.

### **IX. (Optional)**

Any other information, explanation, or assurances connected to LEP issues provided at the option of the County Agency.

Cuyahoga Job and Family Services has the agency responsibility for informing customers when filing a complaint the appropriate steps to follow. In the event, the complaint alleges discrimination citing any of the protected classes under civil rights law, the complaint referral will be sent to the civil rights coordinator. Staff can access information in the 'Civil Rights Compliance' of the CJFS Communications Hub.

### **X. Attachments**

**Attachment A – Limited -English Proficiency Population**

**Attachment B - New Hire Bilingual Employee Two-Day Training w/proficiency test, Continuing Education Compliance and Staff List**

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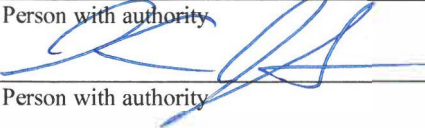
**Attachment C** - Interpretation, Translation, Braille and Sign Language Services Procedures and US Together, Inc. contract

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**Attachment E** - Food Nutrition Services 113 – 1 Review and Access to Services for Limited-English Proficient Customers presentation, includes opening account with UST Plus - US Together Plus user guide.

# Limited English Proficiency Plan

## Signatures:

Person with authority 	Director	Date 12-21-2021
Person with authority	Civil Rights Coordinator	Date
Person with authority	Title	Date
Person with authority	Title	Date
Person with authority	Title	Date
Person with authority	Title	Date