

Kings Community Action Organization

Administrative Policy

AP 5700
Program Services

Language Access Policy

General Language Access Policy

1. Policy Statement

It is the policy of the Kings Community Action Organization (KCAO) to provide timely meaningful access for Limited English Proficient (LEP) persons who participate in Domestic Violence Assistance (DVAP) and Rape Crisis (RCP) programs and activities. All DVAP and RCP personnel shall provide free language assistance services to LEP individuals whom they encounter or whenever an LEP person requests language assistance services. All DVAP and RCP personnel will inform members of the public that language assistance services are available free of charge to LEP persons and that the agency will provide these services to them.

2. Purpose and Authority

In accordance with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, this policy establishes guidelines for providing language accessible services to individuals that are limited English Proficient and/or Deaf or Hard of Hearing.

3. Definitions

- a. **Limited English Proficient (LEP)** individual means any individual whose primary language is not English, and has limited or no ability to speak, understand, read, or write English.
- b. **Interpretation** is the process of orally rendering a spoken or signed communication from one language into another language.
- c. **Primary language** means the language that an individual communicates most effectively in.
- d. **Translation** is converting written text from one language into written text in another language. 'Translation' is often misused to mean interpretation, but it is a written medium.
- e. A **qualified interpreter or translator** is a trained professional who is a neutral third party with the requisite language skills, experienced in interpretation or translation techniques, and knowledgeable in specialized content areas and technical terminology

in order to effectively facilitate communication between two or more parties who do not share a common language.

- f. **Simultaneous interpretation** is the process of orally rendering one language into another language virtually at the same time that the speaker is speaking with only a very short lag time.
- g. **Consecutive interpretation** is the process of orally rendering one language into another language after the speaker has completed a statement or question and pauses. The interpreter then renders that statement into the other language.
- h. **Sight Translation** is the rendering of material written in one language, completely and accurately into spoken speech in another language.
- i. **Vital Documents** are any materials that are essential to an individual's ability to access services provided by the organization, or are required by law.

4. Language Data

KCAO shall conduct an annual/biennial review of language use and need of organization and its service population. KCAO will complete this task by using data from intake documents, Homeless Management Information System (HMIS), and Community Services Development (CSD) forms 801 and 801W.

Language Assistance Procedures

1. Determination for the need for language assistance

- a. DVAP and RCP personnel at the initial point of contact will conduct an assessment for the need for language assistance, and notify the individual of the right to an interpreter at no cost. Staff members who have subsequent contact will continue to assess the need for language assistance.
 - To assess the need for language assessment, staff will ask open ended questions, and avoid asking questions that would allow for yes or no responses. For example, asking: **"how may I be of assistance?"** instead of "do you need help?"
 - DVAP and RCP personnel shall identify the primary language of LEP individuals and work to provide language assistance in the primary language of the individual.
 - DVAP and RCP personnel shall work to identify the primary language of any Deaf individual, and provide language assistance in the primary language of the individual.

- b. DVAP and RCP personnel will request language assistance from the LEP individual or companion.

2. Identifying Language

- a. DVAP and RCP personnel shall request the individual or companion identify the language of the LEP or Deaf individual.
- b. DVAP and RCP personnel will request bilingual/multilingual staff or volunteers to identify the primary language.
- c. Use in-person or telephonic interpreter to identify the language.
- d. Use an "I speak" card or poster to identify the primary language.
- e. DVAP and RCP personnel should determine if the preferred mode of communication for Deaf or Hard of Hearing individuals is interpretation or another form of communication.

3. Procedures for language services

- a. Bilingual/multilingual DVAP and RCP personnel
 - Spanish is the most non-English used language in Kings County, CA. DVAP and RCP intake personnel will be Spanish speaking.
 - DVAP and RCP intake personnel will complete all Spanish speaking intakes and provide an explanation of all services provided by the DVAP and RCP.
 - DVAP and RCP intake personnel will contact an interpretation contractor when the needed interpretation is other than Spanish.
- b. In-person Interpreters
 - DVAP and RCP intake personnel will contact Orchid Interpreting Services at 1-559-486-5600 to request an in-person interpreter for languages other than Spanish. Services will include intake and on-going interpretation, as needed.
 - DVAP and RCP intake personnel will complete the intake with the assistance of the interpreter and will provide an explanation of all services provided by the DVAP and RCP.
- c. Telephonic/video remote Interpreters
 - Telephonic and/or video remote interpretation services are not currently set up. The KCAO DVAP and RCP will begin a process to make this service available in the future.

d. Video Relay Services

- Video relay interpretation services are not currently set up. The KCAO DVAP and RCP will begin a process to make this service available in the future.

4. Translation of Vital Documents

- Spanish is the most non-English used language in Kings County, CA. The KCAO DVAP and RCP will have vital documents and forms (intake documents, program information, brochures, ROI, referral forms, and other documents needed for programs) available in English and Spanish.
- Outreach materials will be provided in English and Spanish.
- For other languages, staff will contact Orchid Interpreting Services at 1-559-486-5600 to sight translate the document into the individuals primary language.
- Written communication **to** the LEP individual will be translated into the primary language of the LEP individual. This will be completed by contacting Orchid Interpreting Services at 1-559-486-5600.

5. Notice of Language Services

- The KCAO DVAP and RCP will have signage placed in visible locations at the intake office and Barbara Saville Shelter notifying individuals of the right to request an interpreter at no cost to the individual. Signage will be posted in English and Spanish.
- Staff at the initial point of contact, will notify individuals of their right to an interpreter at no cost.

6. Prohibition against using children as interpreters

- Staff is **prohibited from using minor children** to interpret, absent emergency circumstances. Clients shall be advised of client's right to an interpreter at no cost to the client.

Interpreter and Translator Code of Ethics

1. Accuracy

Source-language speech should be faithfully rendered into the target language by conserving all the elements of the original message while accommodating the syntactic and semantic patterns of the target language. The rendition should sound natural in the target language, and there should be no distortion of the original message through addition or omission, explanation or paraphrasing. All hedges, false starts and repetitions should be

conveyed; also, English words mixed into the other language should be retained, as should culturally-bound terms which have no direct equivalent in English, or which may have more than one meaning. The register, style and tone of the source language should be conserved. Guessing should be avoided. Interpreters who do not hear or understand what a speaker has said should seek clarification. Interpreter errors should be corrected as soon as possible.

2. Impartiality and Conflicts of Interest

Interpreters and translators are to remain impartial and neutral in proceedings where they serve, and must maintain the appearance of impartiality and neutrality, avoiding unnecessary contact with the parties. Interpreters and translators shall abstain from comment on matters in which they serve. Any real or potential conflict of interest shall be immediately disclosed to the KCAO DVAP and/or RCP and all parties as soon as the interpreter or translator becomes aware of such conflict of interest.

3. Confidentiality

Privileged or confidential information acquired in the course of interpreting or preparing a translation shall not be disclosed by the interpreter without authorization.

California Penal Code 273.7 prohibits any person from maliciously publishing, disseminating, or otherwise disclosing the location of a shelter or any place designated as a shelter, without the authorization of that shelter.

4. Limitations of Practice

Interpreters and translators shall limit their participation in those matters in which they serve to interpreting and translating, and shall not give advice to the parties or otherwise engage in activities that can be construed as the practice of law.

5. Protocol and Demeanor

Interpreters shall conduct themselves in a manner consistent with the standards and protocol of the KCAO DVAP and/or RCP's and shall perform their duties as unobtrusively as possible. Interpreters are to use the same grammatical person as the speaker. When it becomes necessary to assume a primary role in the communication, they must make it clear that they are speaking for themselves.

6. Maintenance and Improvement of Skills and Knowledge

Interpreters and translators shall strive to maintain and improve their interpreting and translation skills and knowledge.

7. Accurate Representation of Credentials

Interpreters and translators shall accurately represent their certifications, accreditations, training and pertinent experience.

8. Impediments to Compliance

Interpreters and translators shall bring to the KCAO DVAP and/or RCP's attention any circumstance or condition that impedes full compliance with any Canon of this Code, including interpreter fatigue, inability to hear, or inadequate knowledge of specialized terminology, and must decline assignments under conditions that make such compliance patently impossible.

Staff Compliance

1. Training

DVAP and RCP personnel will receive training on: the content of the language access policy; how to identify the need for language access services; working with an LEP and Deaf individuals; providing language accessible service in a culturally sensitive manner; working with an interpreter; and interpretation best practices.

(TIP: Contact the Interpretation Technical Assistance Resource Center for resources and assistance in training your staff.)

Internal Language Access Contacts

- The Language Access Coordinator's contacts for the KCAO DVAP and RCP is as follows:

Director of Intervention, Prevention, and Support Services
1716 N. 11th Avenue, Suite B, Hanford, CA 93230 Tel: (559) 772-4392

Intake Specialist
1716 N. 11th Avenue, Suite B, Hanford, CA 93230 Tel: (559) 585-1018

Monitoring and Assessment

1. DVAP and RCP personnel shall be responsible for monitoring compliance with the organizations language access policy.
2. The KCAO DVAP and RCP shall collect information on language use and need, including: primary language of clients; use and language of interpretation services; distribution of translated documents; frequency of contact with LEP or Deaf individuals seeking services; and referrals of LEP or Deaf individuals and the language of the referred LEP or Deaf individual.
3. The KCAO DVAP and RCP shall conduct an annual review on the effectiveness of the language access policy and make changes as needed.

Complaint Process

1. A complaint regarding the denial of language accessible services, or regarding the quality of language accessible services, including interpreters or translated materials, may be made in person, or in writing. Administrative Policy 3101, Client Complaint Process, will be followed to respond to all complaints.

Adopted by Board of Directors: December 21, 2016
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