

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

DATE: SEP 21 2004
SUBJECT: Limited English Proficiency Policy Statement
TO: All DPW Employees
FROM: Estelle B. Richman *Estelle B. Richman*
Secretary of Public Welfare

In accordance with Title VI of the Civil Rights Act of 1964, the Department of Public Welfare (Department), is committed to establish and maintain practices that will ensure meaningful access to the Department's services and benefits by persons with Limited English Proficiency (LEP). This policy statement supercedes any prior communication regarding the Department's mandate that program offices provide services and benefits to persons with limited English proficiency.

It is the policy of the Department of Public Welfare to ensure that no person is denied access to services and benefits as the result of the inability or limited ability to communicate in the English language.

The Deputy Secretary for Administration, Mr. Michael Stauffer, is responsible for oversight of the Department's compliance with federal LEP requirements. Ms. Wendy Chan is the current LEP Coordinator within the Office of Administration. Ms. Chan is located in the Bureau of Equal Opportunity, Room 223 Health & Welfare Building, telephone number (717) 783-0274.

It is the responsibility of each program office to ensure through its contracts, grants, or other means, that contractors, subcontractors, grantees, and sub grantees ensure meaningful access to benefits and services for individuals with LEP. Each office, as appropriate, shall establish protocols for monitoring its contractors and grantees for Civil Rights compliance.

Each program office shall operate in conjunction with the LEP Coordinator to develop protocols to guide their operations and receive approval from the LEP Coordinator before implementing any LEP procedure. These protocols and procedures, must address methods for ensuring compliance in each of the following areas: Assessment, Language Access, Training of Staff and Monitoring.

For the assessment of needs, the program office must:

- Estimate number of persons/households with LEP and preferred language
- Identify languages for which interpreter services (both oral and written) will or may be needed
- Determine individual language needs
- Record individual language needs
- Identify language assistance contact person in each office
- Identify location and availability of resources
- Identify timely access process

Based on the above assessment, the program office must establish procedures to provide for language access with:

- Notice of availability of language services to persons with LEP
 - It is the responsibility of the service provider to notify applicants and recipients of the availability of oral and written language services at no cost to the recipient.
 - The provider may NOT request or require the use of family members (including children) and/or friends as an interpreter.
- Oral language interpretation
- Translation of written materials

A written training plan must be developed to ensure the program office's LEP protocols and guidelines are a component of training for existing staff who have contact with clients, as well as part of the training protocol for new employees who will have contact with clients.

The Office of Administration must develop a written plan for monitoring program offices' compliance with the LEP policy. Such plan will include identification of responsible parties, periodicity and scope of monitoring efforts, and mechanisms for reporting problems or changes in need.

The Department's LEP Coordinator will be the individual responsible for monitoring each of the seven program offices to ensure the development, implementation and maintenance of the LEP policy and guidelines department-wide.

Complaints regarding meaningful access for persons with LEP may be filed with any of the following agencies:

Department of Public Welfare
Bureau of Equal Opportunity
Room 223 Health & Welfare Building
P.O. Box 2675
Harrisburg, Pennsylvania 17120
Telephone: (717) 787-1127
Fax: (717) 772-4366
TDD: (717)705-7772

U.S. Department of Agriculture
Office for Civil Rights
Room 326-W, Whitten Building
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
Telephone: (202) 720-5964
(voice and TDD)

U.S. Department of Health & Human
Services
Office for Civil Rights
Suite 372, Public Ledger Building
150 S. Independence Mall West
Philadelphia, Pennsylvania 19106-
3499
Telephone: (800) 368-1019
Fax: (215) 861-4431
TDD: (215) 861-4440

PA Human Relations Commission
301 Chestnut Street, Suite 300
Harrisburg, Pennsylvania 17101
Telephone: (717) 787-4410
FAX: (717) 787-0420
TDD: (717) 787-4087