

AITKIN COUNTY HEALTH AND HUMAN SERVICES

COMPREHENSIVE CIVIL RIGHTS PLAN

(August, 2013)

Aitkin County Health & Human Services
204 First Street NW
Aitkin, MN 56431
Phone: (218) 927-7200
Fax: (218) 927-7210

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Purpose of Comprehensive Civil Rights Plan:

To inform the public about Aitkin County Health & Human Services intent to protect the rights of all people in Aitkin County to receive health and human services without discrimination on the basis of race, color, national origin, disability, age, political beliefs and in some cases sex and religion. A booklet explaining what you should know about fair treatment in service delivery is found in Attachment E on page 15.

To inform providers who contract with Aitkin County Health & Human Services to adopt the same protections, to assist and support vulnerable people and to comply with civil rights law.

Equal Opportunity Policy:

Aitkin County Equal Opportunity Policy states the following:

No otherwise qualified person, under any program or activity receiving federal financial assistance (and state financed under ADA), shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any manner on the basis of race, color, national origin, creed, sex, sexual preference, age, religion, political beliefs, public assistance status, and/or disability.

This policy covers Aitkin County Health & Human Services' application process, eligibility process and access to service delivery and treatment in all of our health and human services programs and activities. It applies to all programs and services carried out by other public and private agencies or providers under contract with the county or state, licensed *providers* or *providers under* other arrangements.

Contact Information

The Human Resources Manager is the contact for this civil rights plan. In addition, if you believe you have been discriminated against, you may file a complaint with the Aitkin County Human Resources Manager at the address below or contact any agency listed under "**Enforcement Agencies You Can Contact**" on page 5 of this plan.

Bobbie Danielson, Human Resources Manager
Aitkin County Human Resources
217 Second Street NW – Room 134
Aitkin, MN 56431
(218) 927-7277
(218) 927-7200 (V/TDD)
(218) 927-7374 (fax)

This policy is available in a three ring binder in the Health & Human Services Agency Lobby and on the Courthouse Official Bulletin Board and can be found in Attachment B on page 11.

Legal References:

- a.) Title VI of the Civil Rights Act of 1964
Statutory Citation: 42 USC 2000d et seq.
Regulatory Citation: 45 CFR Part 80
Federal Register Citation: 68 Fed. Reg. 47311 (2003);
- b.) Section 504 of the Rehabilitation Act of 1973
Statutory Citation: 29 USC 794
Regulatory Citation: 45 CFR Part 84

- c.) Americans with Disabilities Act of 1990, Title II
Statutory Citation: 42 USC 12131
Regulatory Citation: 28 CFR Part 35
- d.) Age Discrimination Act of 1975
Statutory Citation: 42 USC 6101
Regulatory Citation: 45 CFR Part 91
- e.) Community Service Assurance Provisions of the Hill-Burton Act
Statutory Citation: 42 USC 291 et seq.
Regulatory Citation: 45 CFR Part 124
- f.) Nondiscrimination Provisions of the Omnibus Budget Reconciliation Act of 1981 (Federal Block Grants)
Statutory Citation: 42 USC 300w et seq., 300x et seq., 300y et seq., 701 et seq., 9901 et seq., 8621 et seq., and 1397 et seq.
- g.) Family Violence Prevention and Services Act
Statutory Citation: 42 USC 10406
- h.) Multiethnic Placement Act of 1994 As Amended by the Interethnic Adoption Provisions of 1996
Regulatory Citation: 45 CFR 1355.38
- i.) Food Stamp Act of 1977
Statutory Citation: 7 USC 2011 et seq.
- j.) Nondiscrimination Compliance Requirements in the Food Stamp Program, Food and Nutrition Service, U.S. Department of Agriculture
Regulatory Citation: 7 CFR Part 272.6
- k.) Bilingual Requirements in the Food Stamp Program, Food and Nutrition Service, U.S. Department of Agriculture
Regulatory Citation: 7 CFR Part 272.4
- l.) FNS Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities, Food and Nutrition Service, U.S. Department of Agriculture (2005)

Complaint Procedure:

Please note: Aitkin County is not an enforcement agency. It can investigate situations where policies prohibiting discrimination may have been violated. You are always free to file a discrimination complaint with other appropriate agencies, including enforcement agencies listed on page 6.

You may file a complaint if you believe you have been discriminated against because of your race, color, national origin, creed, sex, sexual preference, age, religion, political beliefs, public assistance status, and/or disability. Someone discriminates against you when he/she treats you unfairly or denies you privileges you would normally have because of something about you, like your race, the color of your skin or because you are a person with a disability.

You may file a discrimination complaint with the Aitkin County Human Resources Manager. You must file your complaint within one year of the alleged discrimination. *Aitkin County may extend the one year period if you can show good cause for not filing sooner.* You must file a written complaint. This means you must complete and sign Attachment C Civil Rights Complaint Form on page 13.

If you file a complaint, the people who work for the agency named in the complaint cannot retaliate against you. This means they cannot punish you in any way for filing the complaint. This protection against retaliation also protects anyone who gives information about the complaint on your behalf.

If you experience retaliation, report it right away to the Aitkin County Human Resources Manager. Upon receiving your complaint, Aitkin County will review it and notify you in writing, within 30 days, regarding whether it has authority to investigate. If Aitkin County has authority to investigate and your complaint includes facts that support the allegations of discrimination, Aitkin County will conduct a prompt and thorough investigation to determine whether the facts support a finding of discrimination.

If Aitkin County concludes that the facts support a finding of discrimination, it will take appropriate action to correct the discriminatory practice. Aitkin County will notify you of the outcome of the investigation within 60 days of the date the investigation began. Depending upon the circumstances involved, there may be reason to extend this time line.

Appeal Rights:

You have the right to appeal the outcome of the investigation if you are not satisfied with the decision. To appeal, you must send a written request to review the outcome of the investigation. Be brief and state why you disagree with the decision, plus any additional information that may apply. Send your request to the attention of Bobbie Danielson, Human Resources Manager, Aitkin County Human Resources Office, 217 Second Street NW, Room 134, Aitkin, MN 56431.

The Appeal will be reviewed by Tom Burke, Director of Aitkin County Health & Human Services, 204 – 1st Street NW, Aitkin, MN 56431

A person may also file a civil rights complaint directly with the Minnesota Department of Human Services by calling or writing to the DHS Civil Rights Coordinator:

DHS Civil Rights Coordinator
Minnesota Department of Human Services
Office of Equal Opportunity
P O Box 64997
St. Paul, MN 55164-0997
651-433-3040 (Voice)
651-431-7444 (fax)
651-431-3041 (TTY/TDD)

Enforcement Agencies You Can Contact:

a.) Minnesota Department of Human Rights

The Minnesota Department of Human Rights enforces the Minnesota Human Rights Act. You have one year after the alleged discrimination has occurred to file a complaint. For more information, contact:

Minnesota Department of Human Rights
190 East 5th Street, Suite 700
St. Paul, MN 55101
(800) 657-3704 (voice)
(651) 296-1283 (TTY/TDD)

b.) U.S. Department of Health and Human Services, Office for Civil Rights:

The federal Office for Civil Rights carries out federal laws that protect you from discrimination in human services programs receiving federal funds from the U.S. Department of Health and Human Services. You have 180 days after the alleged discrimination has occurred to file a complaint. For more information, contact:

U.S. Department of Health and Human Services
Office for Civil Rights, Region V
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
(312) 886-2359 (voice)
(312) 353-5693 (TTY/TDD)

c.) U.S. Department of Agriculture (USDA)

The U.S. Department of Agriculture oversees the federal Food Stamps Program. State and county agencies run the programs for USDA. You have 180 days after the alleged discrimination has occurred to file a complaint. For more information, contact:

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

Aitkin County Health and Human Services will use the County Human Service Agency notification form to notify DHS in writing of all service delivery discrimination complaints filed against the county agency within 90 days of the date the complaint is filed. [See Attachment D on page 14 of this plan.]

ADA/504 County Coordinator:

Aitkin County as the ADA/504 Coordinator.

Contact: **Bobbie Danielson, Human Resources Manager**
Phone: (218) 927-7277
Fax: (218) 927-7374
TTY: (218) 927-7200 (V/TDD)

Title II of the ADA protects qualified individuals with disabilities from discrimination on the basis of disability in the services, program, or activities of all state and local governments. Additionally, the ADA extends the prohibition of discrimination on the basis of disability, established by Section 504 of the Rehabilitation Act, to all activities of state and local governments, including those that do not receive federal financial assistance.

Aitkin County Health & Human Services posts the DHS ADA brochure: Do you have a disability? (DHS-4133) in the main lobby of Aitkin County Health & Human Services for accessibility by the public. This brochure provides required disability rights information. See Attachment E. This brochure (DHS-4133) is distributed in all Agency rights & responsibilities packets.

For public access to this brochure over the internet, the web address is:
<http://edocs.dhs.state.mn.us/lfs/legacy/DHS-4133-ENG>

Limited English Proficiency (LEP) Plan:

Aitkin County completed a review of its LEP on August 20, 2013 and no change was required. The plan contains points of contact, list of resources, processes for accessing language line assistance and interpreting services, notice of rights, affirmative action, complaint resolution procedures, and provision for vigilant monitoring of the plan. This plan is incorporated into the comprehensive civil rights plan as Attachment F on page 24.

The LEP Plan can be viewed on or printed from the Aitkin County website at www.co.aitkin.mn.us (see table of contents) and one copy is on display in the front lobby at the Health & Human Services Department.

Civil Rights Assurance Agreement:

The Aitkin County Health & Human Services Committee reviewed and approved the Comprehensive Civil Rights Plan and signed the 2006 Civil Rights Assurance Agreement. A signed copy is found in Attachment G on pages 34 and 35.

Policy for equal opportunity in service delivery

It is the policy of the Minnesota Department of Human Services (DHS) to make sure program benefits and services are made available to everyone and provided to all eligible individuals without discrimination, in compliance with civil rights laws.

DHS employees, programs, and policies cannot discriminate against clients or applicants for services on the bases of race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or status with regard to public assistance. DHS employees, programs, and policies must also allow physical and program access for people with disabilities.

This civil rights policy covers DHS' full range of program benefits and services, including, but not limited to, access to information about services, eligibility determinations, intake and admission procedures and treatment. The policy applies to all of DHS' programs and services including those receiving state and federal financial assistance. It applies to programs and services conducted directly by DHS and its State Operated Services and those carried out by other public or private agencies or providers under contracts, licenses or other arrangements.

Some state laws provide greater protections than federal law. In these cases, DHS and other human services agencies and service providers doing business in Minnesota must follow state law.

Civil rights complaint procedure

You have the right to fair treatment if you are an applicant, client, or member of the public trying to access human services program information or benefits. You may file a complaint if you believe you have been discriminated against because of your race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability, or because of your public assistance status. Someone discriminates against you when he/she treats you unfairly or denies you privileges you would normally have because of something about you, like your race, the color of your skin or because you are a person with a disability.

You may file a discrimination complaint with DHS. You must file your complaint within one year of the alleged discrimination. DHS may extend one year period if you can show good cause for not filing sooner. You must file a written complaint. This means you must complete and sign DHS' Civil Rights Complaint Form. To get a Civil Rights Complaint Form (DHS-2807), download and print it at <http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-2807-ENG> or call or write:

Civil Rights Coordinator
Minnesota Department of Human Services
Office for Equal Opportunity
PO Box 64997
St. Paul, MN 55164-0997
(651) 431-3040 (voice)
(651) 431-3041 (TTY/TDD)
(651) 431-7444 (Fax)
(800) 627-3529 (Minnesota Relay Service)
(877) 627-3848 (Speech-to-Speech Relay)

If you file a complaint, the people who work for the agency named in the complaint cannot retaliate against you. This means they cannot punish you in any way for filing the complaint. This protection against retaliation also protects anyone who gives information about the complaint on your behalf. If you experience retaliation, report it right away to the Office for Equal Opportunity at DHS.

Upon receiving your complaint, DHS will review it and notify you in writing, within 30 days, regarding whether it has authority to investigate. If DHS has authority to investigate and your complaint includes facts that support the allegations of discrimination, DHS will conduct a prompt and thorough investigation to determine whether the facts support a finding of discrimination.

If DHS concludes that the facts support a finding of discrimination, it will take appropriate action to correct the discriminatory practice. DHS will notify you of the outcome of the investigation within 60 days of the date the investigation began. Depending upon the circumstances involved, there may be reason to extend this time line.

Appeal

You have the right to appeal the outcome of the investigation if you are not satisfied with the decision. To appeal, you must send a written request to review the outcome of the investigation. Be brief and state why you disagree with the decision, plus any additional information that may apply. Send your request to the attention of Bobbie Danielson, Human Resources Manager, Aitkin County Administrator's Office, 217 Second Street NW, Room 134, Aitkin, MN 56431.

DHS is not an enforcement agency. It can investigate situations where policies prohibiting discrimination may have been violated. You are always free to file a discrimination complaint with other appropriate agencies, including enforcement agencies.

Help to file your complaint

If you have questions or need help to file your complaint, call (651) 431-3040 (Voice). TTY/TDD users can call (651) 431-3041 (TTY/TDD) or the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848. To send a fax, call (651) 431-7444. You may also send an e-mail to: dhs.equalopportunity@state.mn.us.

Download and print our Civil Rights Complaint Form in Adobe Acrobat format, <http://edocs.dhs.state.mn.us/lfsrserver/Legacy/DHS-2807-ENG>, and mail or fax to us at the Office for Equal Opportunity (address above), or e-mail the form to: dhs.equalopportunity@state.mn.us.

Your county human services agency

To file a complaint with your county human services agency, contact Aitkin County Health & Human Services, 204 – 1st Street NW, Aitkin, MN 56431, Phone 218-927-7200 or toll free at 1-800-328-3744 and ask for its procedure for filing a discrimination complaint.

Enforcement agencies

Minnesota Department of Human Rights

The Minnesota Department of Human Rights enforces the Minnesota Human Rights Act. You have one year after the alleged discrimination has occurred to file a complaint. For more information, contact:

Minnesota Department of Human Rights
190 East 5th Street, Suite 700
St. Paul, MN 55101
(800) 657-3704 (voice)
(651) 296-1283 (TTY/TDD)

U.S. Department of Health and Human Services, Office for Civil Rights

The federal Office for Civil Rights carries out federal laws that protect you from discrimination in human services programs receiving federal funds from the U.S. Department of Health and Human Services. You have 180 days after the alleged discrimination has occurred to file a complaint. For more information, contact:

U.S. Department of Health and Human Services
Office for Civil Rights, Region V
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
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U.S. Department of Agriculture (USDA)

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AITKIN COUNTY HEALTH & HUMAN SERVICES
Equal Opportunity Policy

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This policy covers Aitkin County Health & Human Service's application process, eligibility process and access to service delivery and treatment in all of our health and human services programs and activities. It applies to all programs and services carried out by other public and private agencies or providers under contract with the county or state, licensed providers or providers under other arrangements.

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(218) 927-7277
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(218) 927-7374 (fax)

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(312) 886-2359 (voice)
(312) 353-5693 (TTY/TDD)

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

Civil Rights Complaint Form: Alleging Discrimination in Service Delivery

Client/complainant information

Client Name			
Client's Street Address		City	State Zip Code
Client's Telephone Number	Name, address and telephone number of someone who will know how to reach you (optional)		

Information about discriminating agency and/or parties

Agency name and/or person's name		Agency Telephone Number	
Agency Street Address	City	State	Zip Code

Information about discrimination (circle as many as apply)

Race, color, national origin, sex, creed, religion, political beliefs, age, disability, public assistance status, sexual orientation
If you filed this charge with any other agency, please give the name, address and telephone number of the agency and the name of the investigator assigned to the case.

Details of discrimination

Explain what happened to you, including the following points: Explain why you believe you were treated differently. Explain how you were treated differently from other people. Give the date(s) of the incident(s). Give the name(s) of the people who were directly involved. If there were any witnesses, give their name(s) and explain what information they can provide. If you need more space, attach additional pages.	
Signature	Date

Submit this completed form to: Bobbie Danielson, Human Resources Manager
 Aitkin County
 217 Second Street NW
 Aitkin, MN 56431
 (218) 927-7277 (Voice)
 (218) 927-7200 (V/TDD)
 (218) 927-7374 (Fax)

AITKIN COUNTY HEALTH & HUMAN SERVICES COMPLAINT NOTIFICATION FORM
COMPLAINTS ALLEGING DISCRIMINATION
IN
SERVICE DELIVERY

AUTHORITY: U.S. Department of Agriculture, Food and Nutrition Service Instruction 113-1.

REQUIREMENT: County human service agencies must notify the DHS Civil Rights Coordinator of all service delivery discrimination complaints (i.e., civil rights complaints) filed against them (see bottom of Page 2 for contact information).

Provide the following information to the DHS Civil Rights Coordinator within 90 days of the date the complaint is filed:

Attach copy of Complaint Form (Attachment C) and complete the following items:

Investigation findings:

If applicable, corrective action recommended and taken:

CONTACT INFORMATION: DHS Civil Rights Coordinator
Minnesota Department of Human Services
Office for Equal Opportunity
P.O. Box 64997
St. Paul, MN 55164-0997
651-431-3040 (voice)
651-431-7444 (fax)
651-431-3041 (TTY/TDD)

Civil Rights in Human Services

What you should know about fair treatment in service delivery

This booklet was produced by
Minnesota Department of **Human Services**
Office for Equal Opportunity

<http://www.dhs.state.mn.us>

This information is available in other forms to people with disabilities by contacting us at (651) 431-3040 (voice), (651) 431-3041 (TTY/TDD) or through the Minnesota Relay Service at (800) 627-3529 (TTY/TDD) or (877) 627-3848 (Speech-to-Speech Relay Service).

In this booklet, you will find information about:

- ◆ **Shortened names and terms**
- ◆ **Your right to fair treatment and equal access**
- ◆ **Department policy of nondiscrimination**
- ◆ **Department responsibility**
- ◆ **Your right to free language interpreters**
- ◆ **Your right to fair and equal access if you have a disability**
- ◆ **County and provider responsibility**
- ◆ **Civil rights contact person**
- ◆ **How to file a discrimination complaint**
- ◆ **Civil rights laws that may apply to you**
 - Title VI of the Civil Rights Act of 1964
 - Section 1808 of the Small Business Job Protection Act (Section 1808)
 - Multiethnic Placement Act (MEPA)
 - Section 504 of the Rehabilitation Act
 - Title II of the Americans with Disabilities Act
 - Age Discrimination Act
 - Community Service Assurance provisions of the Hill-Burton Act

- Family Violence Prevention and Services Act
- Nondiscrimination provisions of the Omnibus Budget Reconciliation Act
- Food Stamp Act of 1977
- Minnesota Human Rights Act

♦ **Other agencies carrying out civil rights laws in human services programs**

Shortened names and terms

Use this section to help you read and understand this booklet.

This section includes shortened names and terms used throughout the booklet that have important meaning. As you read through this booklet, most of the time you will see these names and terms in shortened form. Sometimes, though, they may be written out fully. The names and terms are:

- ♦ **Minnesota Department of Human Services (DHS)**
- **Section 1808 of the Small Business Job Protection Act (Section 1808)**
- ♦ **Multiethnic Placement Act (MEPA)**
- ♦ **Minnesota Department of Human Rights (MDHR)**
- ♦ **County human services agencies (County agencies)**
- ♦ **U.S. Office for Civil Rights (OCR)**
- ♦ **U.S. Department of Health and Human Services (HHS)**
- ♦ **U.S. Department of Agriculture (USDA)**
- ♦ **Office for Equal Opportunity at the Minnesota Department of Human Services**
- ♦ **Limited English proficiency (LEP)**

Your right to fair treatment and equal access

Your right to fair treatment and equal access in human services is protected by the Minnesota Human Rights Act (MHRA). The MHRA is a state law that protects Minnesotans from discrimination in all aspects of community life. One of those areas is public services. Human services programs, like the Minnesota Family Investment Program (MFIP), are public services.

Someone “discriminates” against you when he/she treats you unfairly or denies you of privileges you would normally have because of something about you, like your race, the color of your skin or because of your gender.

Your right to receive fair treatment and equal access to services is also protected by federal laws. Federal agencies like the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Agriculture (USDA) give financial assistance to states and local governments to carry out federal programs like the Food Support and Medical Assistance programs. States also receive federal financial assistance to carry out many other programs and services. Some of these other programs and services are:

- ◆ **Nursing home services**
- ◆ **Health care services you receive in your doctor's office or community clinic**
- ◆ **Services provided by county human services agencies, such as Medical Assistance, Food Support, MFIP, etc.**
- ◆ **Child care, foster care and adoption services**

All agencies that run health care, social services and economic assistance programs must treat you fairly. Some examples of unfair treatment or discrimination are:

- ◆ **If you do not speak English well and an agency does not offer and provide you with a language interpreter**
- ◆ **An agency tells you to bring your own language interpreter**
- ◆ **If you are denied Food Support because of your age**
- ◆ **If you are a deaf applicant and an agency does not provide you with a free qualified sign language interpreter.**

Some state laws provide greater civil rights protections than federal law. In these cases, the Minnesota Department of Human Services (DHS), county human services agencies and other providers doing business in Minnesota must follow state law.

In Minnesota, you are protected from discrimination based on your race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or status with regard to public assistance. This means you are protected from unfair treatment that would come from being a member of a particular group or class of people.

Department policy of nondiscrimination (equal treatment)

It is DHS policy to make sure that applications for program benefits and services are made available to everyone and program benefits granted to all who meet eligibility standards. DHS staff, programs and policies must not discriminate against clients or applicants for services because of race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or status with regard to public

assistance. DHS must also provide fair and equal access to all of its programs and services for people with disabilities; this includes both physical access to buildings and access to programs and services.

Department responsibility

DHS works with county human services agencies and many other service providers across the state. Together they help eligible people and families meet basic human needs. DHS is committed to making sure all eligible Minnesotans have equal access to all human services programs.

To make sure it offers equal access to services, DHS has a civil rights plan. The plan includes DHS' equal opportunity policy and its written procedure for handling discrimination complaints from members of the public. The civil rights plan identifies a contact person you can call and speak to if you have questions about civil rights matters.

DHS also has a plan for making sure that clients who do not speak English or who speak limited English have meaningful access to programs and services. This plan is called a limited English proficiency plan (LEP plan). County human services agencies and other service providers must also have LEP plans. These plans explain how agencies and providers will offer language interpreters for applicants and clients. Additionally, LEP plans state how written materials and materials in other formats will be made available to the public in languages other than English. Like the civil rights plan, DHS' LEP plan also identifies a contact person you can call and speak to if you are having problems getting an interpreter or some other type of language assistance.

Your right to free language interpreters

You have the right to a free language interpreter if you cannot speak or read English well. You can get a free interpreter anytime you contact DHS or your county human services agency. DHS or Aitkin County will not ask you to bring a relative or a friend to interpret for you. DHS or Aitkin County will provide an interpreter for you if you need one at no cost to you. Children under 18 years of age should never be interpreters.

DHS or Aitkin County will offer you an interpreter if there are problems in making yourself understood or in understanding what a staff person is saying to you. You may ask for an interpreter if you believe you need one. You will be able to communicate effectively with DHS or Aitkin County staff. If you are communicating effectively with DHS staff, this means you believe staff understands you and that you understand the information you were given by those staff members.

You also have the right to get an interpreter without any unreasonable delay. This means you should not have to wait too long for DHS or Aitkin County staff to get an interpreter to assist in the communication between you and staff members.

Your right to fair and equal access if you have a disability

DHS is committed to providing fair and equal access to all of its programs and services for people with disabilities. A person has a disability if he or she:

- ◆ **Has a physical or mental impairment that substantially limits one or more major life activities**
- ◆ **Has a record of such an impairment**
- ◆ **Is regarded as having such an impairment.**

Qualified individuals with disabilities are protected from discrimination on the basis of their disability when the discrimination happens in state or local government programs or services. A “qualified individual with a disability” is a person who would meet the necessary eligibility requirements to receive program services, whether DHS makes reasonable modifications to its rules, removes physical barriers or offers auxiliary aids or services.

It is up to the person with the disability to tell DHS or the county agency that he or she needs a modification, a barrier removed, or an auxiliary aid or service. Federal and state laws do not make agencies ask people whether they have disabilities.

DHS must make sure that its services are accessible to and usable by people with disabilities. It also must make sure that it communicates with people with disabilities as well as it communicates with others who do not have disabilities. DHS services must be provided in the most physically accessible locations possible and DHS must offer auxiliary aids and services for qualified individuals with disabilities.

Some common auxiliary aids and services are: qualified sign language interpreters, audiotapes, qualified readers, written materials in large print or Braille; note takers and assistive listening devices.

County and provider responsibility

Like DHS, county human services agencies and other providers must follow both the MHRA and federal civil rights requirements enforced by HHS and USDA. County agency staff must treat all applicants and clients fairly. County agencies also have civil rights plans and LEP plans for serving those with limited English proficiency, and must carry out the legal requirements in those plans the same as DHS.

Civil rights contact person

DHS has a civil rights contact person who makes sure that applicants and clients have fair and equal access to programs and services. This person is responsible for:

- ◆ **Handling discrimination complaints**
- ◆ **Keeping civil right records and files**
- ◆ **Giving out information about civil rights laws to DHS workers, county and community agencies, applicants, clients and members of the public**
- ◆ **Acting as liaison between DHS and the U.S. Office for Civil Rights (OCR) and community groups concerned with fair treatment in service delivery**
- ◆ **Providing training and education to DHS, county agency workers and other providers.**

You may call or write to the Office for Equal Opportunity at DHS to reach the civil rights contact person. See the next section, “How to file a discrimination complaint,” for the address and telephone number.

How to file a discrimination complaint

If you believe that someone working for a state, county, or other human services agency treated you unfairly because of your race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or status with regard to public assistance, you may file a complaint with DHS. You have one year after the unfair treatment has occurred to file a complaint. You may also file a complaint with other agencies in addition to DHS at any time. For a list of other agencies with which you may file a discrimination complaint.

If you file a complaint against a human services agency, agency workers cannot punish you in any way for filing the complaint. This protection applies also to anyone who gives information about the complaint. If agency staff punish you or make things hard for you because you filed a complaint, this may be retaliation. If this happens to you, report it to the Office for Equal Opportunity at DHS.

If you need help filling out the complaint form, we can help you.

- ◆ **We can provide free interpreters for limited English speakers or those who do not speak English at all.**
- ◆ **We can provide a reasonable accommodation for a disability, such as a sign language interpreter or large print materials.**

To arrange for a free interpreter or a reasonable accommodation, call the Office for Equal Opportunity at DHS. The telephone numbers are listed below.

Civil Rights Coordinator
Minnesota Department of Human Services
Office for Equal Opportunity
PO Box 64997
St. Paul, MN 55164-0997
(651) 431-3040 (voice)
(651) 431-3041 (TTY/TDD)
(651) 431-7444 (Fax)
(800) 627-3629 (Minnesota Relay Service)
(887) 627-3848 (Speech-to-Speech Relay Service)

If you want to file a complaint directly with your county agency, contact the agency and ask for its procedure for filing a discrimination complaint.

Civil rights laws that may apply to you

Several federal and state civil rights laws protect you from unfair treatment in accessing human services.

Title VI of the Civil Rights Act protects people from discrimination in federally funded programs that may be based on race, color or national origin.

Section 1808 of the Small Business Job Protection Act (Section 1808) and Multiethnic Placement Act (MEPA) are federal laws that prevent people or government agencies involved in adoption or foster care placement from denying or delaying the placement of a child on the basis of the race, color or national origin of the adopting person or child.

Section 504 of the Rehabilitation Act protects qualified disabled people from discrimination based on their disabilities while they are applying for or receiving health care, social services and employment services that are funded in any part by the federal government.

Title II of the Americans with Disabilities Act protects qualified people with disabilities from discrimination based on their disabilities when the discrimination happens in state or local government services.

The Age Discrimination Act protects people from discrimination on the basis of age.

The Community Service Assurance provisions of the Hill-Burton Act prevent public and nonpublic medical facilities receiving Hill-Burton funds from discriminating on the basis of race, color, national origin, religion or any reason not related to the need for the service.

The Family Violence Prevention and Services Act provides federal grant money to help states teach the public about family violence. Programs receiving this money may not discriminate based on race, color, national origin, age, disability, sex or religion.

The Nondiscrimination provisions of the Omnibus Budget Reconciliation Act prevent agencies receiving federal funds from discriminating against applicants and clients on the basis of race, color, national origin, age, disability, sex or religion.

The regulations under the Food Stamp Act of 1977 include nondiscrimination compliance requirements for the Food Support Program. USDA prohibits discrimination in all its programs and services on the basis of race, color, sex, age, disability, religion, political beliefs and national origin. USDA also requires that language assistance services are provided in service delivery areas with large populations of people who have limited English proficiency or do not speak English at all.

The Minnesota Human Rights Act is the state's civil rights law that protects people from discrimination in public services on the basis of race, color, national origin, sex, sexual orientation, age, creed, religion, political beliefs, disability or status with regard to public assistance.

Other agencies carrying out civil rights laws in human services programs

The U.S. Office for Civil Rights carries out federal laws that protect you from discrimination in human services programs receiving federal funds from HHS. You have 180 days after the unfair treatment has occurred to file a complaint with OCR. For more information, contact:

U.S. Department of Health and Human Services
Office for Civil Rights, Region V
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
(312) 886-2359 (voice)
(312) 353-5693 (TTY/TDD)

The U.S. Department of Agriculture oversees the federal Food Support Program. State and county agencies run the programs for USDA. You have 180 days after the unfair treatment has occurred to file a complaint. For more information, contact USDA directly.

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability.

To file a complaint of discrimination write:

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

USDA is an equal opportunity provider and employer

The Minnesota Department of Human Rights enforces the Minnesota Human Rights Act. You have one year after the unfair treatment has occurred to file a complaint. For more information, contact:

Minnesota Department of Human Rights
190 E. 5th St., Suite 700
St. Paul, MN 55101
(800) 657-3704 (voice)
(651) 296-1283 (TTY/TDD)

AITKIN COUNTY HEALTH & HUMAN SERVICES
204 - 1st Street NW
Aitkin, MN 56431

Limited English Proficiency Plan
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AITKIN COUNTY HEALTH & HUMAN SERVICES
204 - 1st Street NW
Aitkin, MN 56431

Limited English Proficiency (LEP) Plan
5-1-01

LEP Coordinator:	Tom Burke, Director	218-927-7225
Financial Services:	Eileen Foss, Supervisor	218-927-7200
Social Services:	Sue Tange, Supervisor	218-927-7200

100 - Purpose and Legal Basis

The following document serves as the Aitkin County Health & Human Service (ACH&HS) plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7 CFR, 273 et seq.; and 42 CFR 435 et seq. There are four components to this document.

- 200 - Assessment**
- 300 - Policy**
- 400 - Training**
- 500 - Monitoring**

200 - Assessment

201 - Needs Assessment - ACH&HS will on at least an annual basis make a needs assessment of the unique language needs within Aitkin County. Consultation will be made with the three major school districts in the County. Additionally, consultation will be made with the Legal Aid office located in Brainerd. Consultations will aim at trying to discern the types of non-English languages that are most predominant in Aitkin County and which constitute populations that the County services or those that may be eligible for County-provided services. The County will also be amenable to receive County-specific data from the Department of Human Services to assist in this form of needs assessment. The following non-English language has been identified as being the most likely to be encountered in Aitkin County: **Spanish**

202 - Case Finding - Specific language needs of each applicant with LEP will occur at the time of intake or application. This will primarily be done by reviewing the language preference questions on the **Health Care Application (HCAPP)** and the **Combined Application Form (CAF)**. Language preferences will be entered into the applicant's primary language field in the MAXIS system. If an interpreter is needed, it also will be entered in the MAXIS system. If the main receptionist or intake worker suspects that the applicant is a person with LEP, the worker will present the LEP person with a card that lists the seven major languages in order to determine which language is involved, if any. It is expected that reasonable efforts will be made by ACH&HS to provide same-day interpreter services.

203 - Points of Contact - The greatest likelihood of need for interpreter services will be at the point of intake - at the time of an emergency or application for financial assistance. The principal point of contact will most likely be, therefore, in the office setting in Aitkin. The most appropriate form of interpreter services will likely be language assistance in completion of an application for financial assistance or health care. The other point of contact may involve field-based contact when conducting child protection assessments. These contacts will typically take place in the home of the child's caretaker or parent.

204 - Resources Needed - ACH&HS will utilize its existing formal linkage with the Language Line Services (1-800-752-0093) for Spanish interpreter services and other languages involved with **Language Line Services** tier system. When feasible, on-site interpreter services will be made available and would be the first preference. The County has interactive television (ITV) capabilities. When appropriate, the use of ITV will be considered. Use of reciprocal faxing processes will be used when necessary, this to facilitate completion of applications and processing of interviews.

205 - Timely Access - **Language Line Services** are available 24x7. Contact will be made by commercial phone. When on-site interpreter services are to be used, it will be necessary to schedule appointments at mutually convenient times - for the client and the interpreter. Use of ITV, if used, will occur in a private setting within the County.

300 - Policies and Procedures

301 - Agency Commitment - ACH&HS is committed to the spirit of the Civil Rights Act of 1964. It recognizes the importance of providing meaningful access to all persons, including persons with LEP, to the various programs operated under the hubris of Aitkin County Health & Human Services. ACH&HS has, by prior action, adopted a policy statement entitled Equal Employment Opportunity Policy Statement effective 5/1/01, which is in conformity with DHS Bulletin #94-84A dated 12-27-94.

302 - Range of Oral Language Assistance - There will be limited oral language assistance on site in the ACH&HS Aitkin-based agency from current agency employees. With Spanish being identified as the primary non-English language in Aitkin County, use of **Language Line Services** is seen as encompassing close to 100% of the LEP needs of ACH&HS. Use of **Language Line Services** for Spanish and all other non-English language will take place as necessary. ACH&HS will take advantage of the 8 brief notice of rights to language services documents for persons with LEP as they are made available by the Department of Human Services.

303 - Uncommon Languages - There may be circumstances when customers present for services who use a language other than that most commonly used in Aitkin County. There may be languages such as Russian, Hmong, Vietnamese, Somali and the like. Receptionist staff will refer all such cases to the Financial Services Supervisor, Social Service Supervisor or Director. This person will be responsible for trying to determine what the customer's language or country of origin. Once determined, contact will be made with an appropriate **Language Line Services** interpreter in the customary manner.

304 - Affirmative Action - The ACH&HS employee handling the case will inform either the customer or the interpreter once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated in verbal form. At no time in the service delivery process will the customer incur any costs associated with LEP-directed interpreter services.

305 - Use of Family and Friends - Use of family or friends as interpreters is not the preferred method of providing interpreter services. But when the intake worker has determined that it is not feasible to use formalized interpreter services, a consultation will be made with that worker's immediate Supervisor or Director. Alternative methods of customer service will need to be discussed. If the worker has determined that a family member, friend or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the client's data privacy rights will be protected and that the quality of the interpreter services to be provided by the family member or friend will be acceptable. The worker will need to document in the case file the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the client insisted that a family member or friend be used. Under no circumstances may minor children be used for interpreter services.

306 - Competency Standards for Interpreters - Any interpreter used for LEP services must be bi-lingual: fluent in English and fluent in the language of the customer needing the service. When using well-recognized interpreter services provided from a recognized agency - such as the **Language Line Services**, competency is presumed. When using family, friends or significant others, the intake worker must make a judgment as to the competency of the proposed interpreter. A Certification as an interpreter is not a pre-requisite.

307 - Dissemination of LEP Plan - Copies of the **LEP Plan** will be provided to the following: all ACH&HS employees who have direct customer contact, area Legal Aid office, and Aitkin County Courthouse. A copy of the main public announcement, **MS-1659**, will be prominently displayed in the ACH&HS central reception area.

308 - Services to Illiterate - When confronted with a situation in which the customer is illiterate - cannot read or write in his or her native language - it is incumbent that ACH&HS find a suitable interpreter, one who can assist the person in completion of the necessary forms, documents and the like. The ACH&HS intake workers need to make the determination, in conjunction with the interpreter, about the customer's literacy skills. The clear choice in dealing with cases of illiteracy will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. Use of the ITV, faxing of forms, and over-the-phone services may be required on a case-by-case basis.

309 - Emergency Situations - When a determination has been made that an emergency exists and LEP considerations are identified as being present, ACH&HS may waive all proscriptions in order to insure that necessary emergency services are provided. Extraordinary efforts need to be put forth before circumvention of non-emergency procedures are followed. A consultation with a Supervisor or the Director is necessary before such action is taken.

310 - Access To and Costs of Interpreters - Under no circumstances will ACH&HS indicate - either verbally or in writing - that any applicant or client in need of LEP services will be charged for interpreter or translation services. All such services shall be at no expense to the applicant or client. Such services will be provided during all normal business hours and when necessary, during non-business hours when an emergency has been determined to exist.

311 - Notice of Service Availability - LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the customer is not able to communicate in English. Notice of service availability will come from the **MS-1659** document in the central reception area. Distribution of the **LEP Plan** to various parties cited above will help in putting those entities on notice that interpreter and translation services are available on a timely basis and free of charge. Use of material that has been translated into Spanish will be used immediately when it has been determined that the person presenting for service is not able to understand English. Insofar as the Department of Human Services has translated many forms into multiple languages, ACH&HS will access these forms as necessary. Access to the Department's website at www.dhs.state.mn.us/forms will be made. Additionally, translated income maintenance forms located in **TEMP Manual 12.01.13** will be accessed as needed.

312 - County-Produced Materials - ACH&HS will rely on the state-produced documents as the primary source of translated materials. Downloading of documents from the DHS web-page will also be used as necessary. ACH&HS will follow DHS's translation numerical guidelines as required.

313 - Complaint Resolution Protocol - Any adverse action taken by ACH&HS with which an applicant or recipient disagrees is subject to complaint. ACH&HS has a formal complaint process that can be utilized to try to resolve any dispute. In the absence of local resolution, the person making the complaint will be informed in a language understandable to the grievant, of the process to follow in making a complaint to DHS or the Office of Civil Rights. The complaint procedure will conform in all respects to the extent ACH&HS procedure included in **Civil Rights Compliance Requirements**. Appropriate use of interpreter services with the **Language Line Services** to facilitate the dispute resolution process will take place. All such complaints can be made to any of the parties listed at the top of the **LEP Plan**.

314 - Posting - A copy of the ACH&HS **LEP Plan** will be posted on the main bulletin board in the central lobby.

400 - Training

401 - Distribution of LEP Plan - All ACH&HS employees who have direct contact with customers will be provided a copy of the **LEP Plan** upon its adoption. If any changes are made in the document, a revised copy will also be provided to the same entities listed in # 307.

At this time, the following employees will be recipients of the document:

All Financial Services Staff	(N=10)
All Social Services Staff	(N=16)
All Public Health Staff	(N=8)
All Accounting Staff	(N=1)
All Child Support Staff	(N=3)
All Office Support Staff	(N=6)
All Administrative Staff	(N=7)

402 - Training of Staff - Initial - With approval of the **LEP Plan**, there will be initial training on the document. This training will take place for current staff in the context of an All Staff meeting. For any new employee affected by the **LEP Plan**, this document will be incorporated into that person's generic orientation protocol at the time of hire.

403 - Training of Staff - Ongoing - On at least an annual basis at an All ACH&HS Staff meeting, a review of the **LEP Plan** will take place.

500 - Monitoring

501 - Evaluation of the LEP - On at least an annual basis, the **LEP Plan** will be reviewed for effectiveness. This review will normally take place in January. It will be coordinated by the ACH&HS LEP Coordinator. The evaluation will involve consultation with representatives of the Financial Services Unit and Social Services Unit to determine compliance with the **LEP Plan**, identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include the following:

- *Number of persons with LEP in Aitkin County

- *Assessment of current language needs of ACH&HS applicants and clients to determine if the clients need an interpreter and/or translated materials; updating case files which lack information about a client's language preference; determining if clients need to be asked their language preference at the time of certification.

- *Determining whether existing assistance is meeting the needs of applicants and clients with LEP.

- *Assessing whether staff members understand ACH&HS LEP policies and procedures and how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.

- *Seeking and obtaining feedback from non-English or limited-English speaking communities in Aitkin County including applicants and clients as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

502 - LEP Contact Person - For purposes of the **LEP Plan**, Aitkin County's designated contact person is the Director with appropriate delegation made to both the Financial Assistance Supervisor and the Social Service Supervisors of the agency.

Tom Burke
Director, Aitkin County Health & Human Services

Dated: 7/23/01

ANNUAL REVIEW GUIDE
INITIAL REVIEW

County: Aitkin

Name of Person Completing The Guide: Tom Burke

Position: Director

Phone Number: (218) 927-7200

Date Review Guide Completed: August 20, 2013

Name of County Director: Tom Burke

The Annual Review Guide (guide) is divided into three sections: Policy and Practices, Staff Training and Customer Service Evaluation.

Policy and Practices

1. When did your agency last review the LEP Plan for your county? What area of the LEP Plan does your agency find most effective?
Our agency reviewed the LEP Plan August 20, 2013. The area of the LEP Plan found most effective in Aitkin County is the Oral Language Assistance for Spanish speaking individuals.
2. Are there any areas of your Plan your agency will need to revise? If yes, please send a copy of the revised Plan to DHS.
No.
3. What, if any, language service has your agency provided to LEP applicants who do not read their own language?
Our agency used the language line for two Spanish speaking individuals.
4. What, if any, interpreter service has your agency provided to LEP applicants in an emergency situation?
N/A
5. How does your agency use the LEP related fields in MAXIS and MMIS that note a need for language assistance and client specific language preference?
If CAF shows a different language spoken, MAXIS coded accordingly. We have not received any applications where English was not noted as the spoken/written language.

6. Does your agency contact an interpreter or bilingual staff person before a scheduled appointment with a LEP person? Why or why not?
N/A
7. If a LEP applicant comes into your agency without an appointment, how long does it take to get an interpreter or bilingual staff person in the LEP person's language, if it is one of the primary languages spoken by DHS clientele?
We have only used the Language Line twice, which only took a few minutes to set up.
8. What resources does your agency have available for getting interpreters in languages not commonly spoken in your service delivery area? Usually, how long does the LEP applicant wait for these interpreter services?
We use the Language Line which only takes a few minutes to connect.
9. How often does your agency use the "I Speak" cards and posters.
The "I Speak" cards are used as needed. They are kept on the front counter and the poster is prominently displayed in the lobby. We have not had a need to use them to date.
10. If your agency has not used the I Speak cards or posters, how do LEP applicants make their language needs known to agency staff?
N/A
11. How many phone calls does your agency receive from DHS multilingual referral lines?
We have not received any.
12. How long does it take your agency to respond to LEP telephone calls referred by the DHS multilingual referral telephone lines?
N/A
13. Does your agency have internal procedures on how to respond to different types of LEP calls referred by the multilingual lines, e.g. Financial Assistance, Child Welfare, Child Support? If yes, please attach a copy of the procedures.
N/A

Staff Training and Implementation of Policies and Procedures

1. How does your agency determine how effective LEP training provided by the state and/or county has been?
The effectiveness is determined through employee's feedback regarding the training and in monitoring any client concerns.
2. What steps have been taken to ensure that agency staff who are likely to have contact with persons with LEP are aware of the LEP plan and their Title VI obligations to persons with LEP?
We provide an annual, mandatory update and review of the LEP to all staff.
3. List, by language, how many persons with LEP have been served by your agency. How do you track this information? If a form is used, please attach a copy of the form.
We don't track this information, at this time.

4. List, by language, how many times your agency provided the services of an in-house interpreter or a bilingual staff person. How do you track this information? If a form is used, please attach a copy of the form.
We do not have any in-house interpreters or bilingual staff members.
5. If your agency uses translated documents during service transactions with LEP applicants, which languages are most frequently used?
N/A
6. List the names of the translated documents most frequently used by your agency (accessible via eDocs <http://edocs.dhs.state.mn.us>). Use document numbers where possible (For example, DHS-0033-HMN.)
N/A
7. Has it been effective for your staff to access translated documents from eDocs <http://edocs.dhs.state.mn.us>?
N/A
8. If a document is returned to your agency with non-English responses, what is your agency's procedure for translating the documents? How long does this process take?
We haven't had this happen in any of the languages.

Customer Service Evaluation

1. How has your agency communicated to your contractors their obligation to provide effective language assistance to applicants and clients?
We would verbally inform the contractor if and when the need arises.
2. If your agency has sub-grantees or contractors, how does your agency determine that they are providing adequate language assistance?
We would verbally inform the contractor if and when the need arises.
3. How often does your agency collect and respond to feedback from community based organizations, advocacy groups and LEP clients? What kind of survey/questionnaire does your agency use? Please attach a copy of the survey/questionnaire your agency uses to collect the feedback from the community, if you have one.
We don't collect that information.
4. How many complaints from LEP applicants/clients does your agency receive?
We haven't received any.
5. Have any civil rights complaints been filed against your agency?
No.
6. How effective is your agency's complaint resolution procedure?
N/A
7. Have DHS multilingual telephone referral lines enhanced your agency's capacity to serve LEP persons? Why or why not?
We haven't had any calls from the DHS multilingual referral line.
8. What one thing has most helped your agency meet LEP needs?
The Language Line has been the most helpful tool to meet our LEP needs, for the two Spanish speaking LEP clients we dealt with.

**MINNESOTA DEPARTMENT OF HUMAN SERVICES
2013 CIVIL RIGHTS ASSURANCE AGREEMENT**

ASSURANCE OF COMPLIANCE FOR THE MINNESOTA COUNTY HUMAN SERVICES AGENCIES WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964; SECTION 504 OF THE REHABILITATION ACT OF 1993; THE AGE DISCRIMINATION ACT OF 1975 AND THE FOOD STAMP ACT OF 1977.

Aitkin County Health & Human Services provides this assurance in consideration of and for the purpose of maintaining its receipt of federal financial assistance from the United States Departments of Health and Human Services and Agriculture. Aitkin County Health & Human Services agrees that compliance with this assurance constitutes a condition of continued receipt of federal financial assistance and that it is binding upon Aitkin County Health & Human Services, its successors, transferees and assignees for a period of two years, January 2006 through December 2007, during which the assistance is provided.

AITKIN COUNTY HEALTH & HUMAN SERVICES AGREES THAT IT WILL COMPLY WITH:

1. ***Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352)***, as amended, and all requirements imposed by or pursuant to the regulation of the Department of Health and Human Services (45 C.F.R. Part 80). In accordance with Title VI and its implementing regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which Aitkin County Health & Human Services receives federal financial assistance from the Department of Health and Human Services.
2. ***Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112)***, as amended, and all requirements imposed by or pursuant to the regulation of the Department of Health and Human Services (45 C.F.R. Part 84). In accordance with Section 504 and the regulation, no otherwise qualified individual with a disability in the United States shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which Aitkin County Health & Human Services receives federal financial assistance from the Department of Health and Human Services.
3. ***The Age Discrimination Act of 1975 (Pub. L. 94-195)***, as amended, and all requirements imposed by or pursuant to the regulation of the Department of Health and Human Services (45 C.F.R. Part 91). In accordance with the Age Discrimination Act and the regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which Aitkin County Health & Human Services receives federal financial assistance from the Department of Health and Human Services.
4. ***The Food Stamp Act of 1977 (Pub. L. 95-113)***, as amended, and all requirements imposed by or pursuant to the Food and Nutrition Service (FNS) Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities of the Department of Agriculture which derives authority from the Food Stamp Act, the Department of Agriculture regulation implementing Title VI (7 C.F.R. Part 15 Subpart A and Subpart C) and the regulations implementing Section 504 and the Age Discrimination Act. In accordance with the Food Stamp Act and FNS Instruction 113-1, the Food Support Program is committed to assuring that no person in the United States shall, on the ground of race, color, national origin, age, sex, disability, political beliefs or religion, be excluded from participation in, be

denied the benefits of, or be otherwise subjected to discrimination under the Food Support Program. FNS Instruction 113-1 requires that Aitkin County Health & Human Services obtain a written civil rights assurance of compliance, and to assure compliance, Department of Agriculture personnel must be allowed access to Aitkin County Health & Human Services records, books and accounts as needed during normal work hours.

5. Pursuant to the Civil Rights Plan for the Minnesota Department of Human Services (DHS), DHS shall have access to private and/or confidential data maintained by Aitkin County Health & Human Services or other sub-recipient of federal financial assistance to the extent necessary to conduct a full and complete investigation into any complaint of discrimination. DHS agrees to comply with all requirements of the Minnesota Government Data Practices Act (Minn. Stat. Ch. 13.01 et seq.). No private and/or confidential data collected, maintained or used in the course of an investigation shall be disseminated except as authorized by statute, either during the period of the investigation or thereafter.

The person whose signature appears below is authorized to sign this assurance agreement and commit Aitkin County Health & Human Services to the above provisions.

Aitkin County Health & Human Services: _____

Name: Tom Burke

Title: Director

Date: _____

I certify that the signatory for Aitkin County Health & Human Services has lawful authority to bind Aitkin County Health & Human Services to the terms of this civil rights assurance agreement.

Date: _____, 2013.

By: _____

Jim Ratz, Aitkin County Attorney