



Office of the County Clerk

MONROE COUNTY, NEW YORK

Language Access Plan

***Effective
December 13, 2019***

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Monroe County Clerk's Office Language Access Plan

DEFINITIONS

What is Language Access?

Language access allows for people with limited English proficiency to use and benefit from a wide range of services. Any organization that receives federal funding is required to provide language access for its services.

Who is a Limited English Proficient individual?

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered limited English proficient. This is commonly referred to as "LEP."

www.lep.gov states: These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

An individual may possess sufficient English language skills to function in one setting, but may not feel comfortable doing so in another.

What is the difference between interpreting and translation?

The difference between interpreting and translation is in the medium: interpreting is for verbal communication while translating is for written text.

What is meaningful access?

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," issued in 2000, seeks to ensure that Limited English Proficient individuals are able to receive information and services from federal agencies and that federal agencies are able to communicate with Limited English Proficient persons in the course of their activities.

What is a Language Access Coordinator?

The Language Access Coordinators are the point individuals in the Clerk's Office responsible for maintaining, applying, and executing the Language Access Plan. They are directly responsible for engaging a competent translator to translate correspondence and any necessary response. If expert knowledge from other staff is needed to answer the constituent correspondence, the Language Access Coordinator will be responsible for gathering this information and making sure it is incorporated into the response. The Language Access Coordinator should maintain a file of the original correspondence, translated correspondence, original answer and translated answer for future reference. Translated correspondence should be sent no later than seven business days. Please see page five for a description and contact information of the Monroe County Clerk's Office Language Access Coordinators.

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What is LanguageLine Solutions?

In addition to Monroe County staff, interpreter services are currently provided by LanguageLine Solutions (LanguageLine), a private telephonic interpreting agency that provides remote interpreter services in over 200 languages. LanguageLine uses a number of industry-standard quality assurance measures, including rigorous screening and evaluation of its new hires and regular live monitoring of its interpreters by internal quality assurance teams. In addition, the Monroe County Clerk's Office is committed to following up on any complaints related to the quality of interpreting, provided either internally or by our vendor. See page 13 for more details on the filing of complaints as related to this Language Access Plan.

How do you request an ASL Interpreter?

This Language Access Plan only applies to Limited English Proficient customers. If a customer needs an American Sign Language (ASL) interpreter, the Clerk's Office will continue to use the local sign language interpreting agency Sign Language Connection. This company provides both ASL interpreters and Certified Deaf Interpreters to facilitate communication with deaf individuals who do not speak ASL. Such interpreters are most commonly requested either in person at our offices, via telephone call to the Assistant Deputy Clerk for the Auto License Bureau, or via email to either that Assistant Deputy or the general inquiries inbox for the Clerk's Office.

As part of its 2020 budget submission, the Monroe County Clerk's Office is also planning to introduce access to customer-facing video interpreting services through LanguageLine, which will add instantaneous access to ASL interpreters instead of requiring scheduling of an interpreter. The Clerk's Office will explore in 2020 what specific combination of video and in-person interpreters will best serve the needs of local deaf constituents and plans to engage with the National Technical Institute for the Deaf at the Rochester Institute of Technology for expert subject matter guidance in this area.

Monroe County Clerk's Office Language Access Plan

**MONROE COUNTY CLERK'S OFFICE
LANGUAGE ACCESS PLAN**

PART 1 INTRODUCTION

Limited English Proficient individuals are those who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. This document shall serve as the Language Access Plan, hereafter called "the Plan," for the Monroe County Clerk's Downtown Filing Office and Auto License Bureau (collectively known as the "Monroe County Clerk's Office") to meet the legal obligation of federal language access requirements in compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000 et. seq., and its implementing regulation at 45 CFR Part 80.

This document demonstrates the Monroe County Clerk's Office's commitment to provide meaningful access to all individuals. At all times, non-English speaking and limited English speaking clients will be guaranteed services from the Monroe County Clerk's Office, which will provide interpreter and translation services free of charge, in any language necessary, in order to access its services. All staff members of the Monroe County Clerk's Office will be provided a copy of the Plan upon its implementation and any time an adjustment of the Plan is made. A copy of the Plan will be available on the Monroe County Clerk's website, as well as next to the phones used for telephonic interpreting services in the Monroe County Clerk's Office.

This Plan applies only to the operations of the County Clerk's Office, which is a limited subset of Monroe County operations. Other County offices and departments may have different plans that reflect different processes and policies. This Plan should only be interpreted as guidance for accessing the services provided by the County Clerk's Office and as binding upon the behavior of employees of and contractors working with the Clerk's Office. In the event that assistance from Clerk's Office employees or resources is requested by other County offices or departments in meeting the needs of Limited English Proficient individuals, all such requests should be routed through the appropriate Clerk's Office Language Assistance Coordinator.

Further questions regarding this policy and its implementation may be directed to the Language Assistance Coordinators identified below.

Downtown Filing Office

Rebecca Caico
Assistant Deputy County Clerk — Operations
39 West Main Street
101 County Office Building
Rochester, NY 14614
585-753-1613
RebeccaCaico@MonroeCounty.gov

Auto License Bureau

Thomas Morrissey
Assistant Deputy County Clerk — Auto License Bureau
39 West Main Street
101 County Office Building
Rochester, NY 14614
585-753-1641
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PART 2 ASSESSING LIMITED ENGLISH PROFICIENT POPULATION LANGUAGE NEEDS

The number of Limited English Proficient persons eligible to be served or likely to be encountered by the Monroe County Clerk's Office.

The estimated population of Monroe County in 2017 was 747,727. 13.7% of Monroe County citizens are speakers of a non-English language. The top six languages spoken by Limited English Proficient individuals that our office serves, or potentially serves, are listed below.

LANGUAGE	ESTIMATED NUMBER OF LIMITED ENGLISH PROFICIENT INDIVIDUALS WHO SPEAK THE LANGUAGE IN MONROE COUNTY
Spanish	40,572
Italian	5,337
Chinese (including Mandarin, Cantonese)	4,385
Other Languages of Asia	4,137
French (Including Cajun)	2,943
Ukrainian or Other Slavic Languages	2,848
Nepali, Marathi, or Other Indic Languages	2,594

Source: U.S. Census Bureau, 2017 American Community Survey

I. How Limited English Proficient individuals interact with the Monroe County Clerk's Office

The staff in the Monroe County Clerk's Office interacts with Limited English Proficient individuals both in-person and over the telephone. Typically, the form of contact is short in duration and related to a single transaction that generally takes no longer than fifteen minutes to complete.

At the Clerk's Downtown Filing office, the transactions generally include applying for a U.S. passport, requesting certified copies of documents filed with our office, or having a document notarized.

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At the Auto License Bureau (hereafter "DMV Offices"), these transactions include registering a motor vehicle, applying for a New York State learner's permit or non-driver identification card, or seeking information about how to restore suspended or revoked driving privileges.

Information that needs to be exchanged during these transactions includes determining what a customer is looking for, confirming that the Monroe County Clerk's office is the correct location for what they seek, and explaining the required documentation or evidence for their transaction.

In addition to these relatively short conversations centered around a specific transactional need, DMV Office customers seeking learner's permits also need to take and pass a short test on vehicle and traffic-related topics in order to receive their permit.

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PART 3 MONROE COUNTY CLERK'S OFFICE LANGUAGE ACCESS PLAN

The purpose of the Plan is to establish the Monroe County Clerk's Office's commitment to ensuring that all customers, including those who are Limited English Proficient, have meaningful and timely access to services. This plan will ensure Limited English Proficient customers are not excluded from these services, do not experience delays or denial of services, and do not receive inaccurate or incomplete information as a result of communication difficulties. The Plan outlines how to identify Limited English Proficient individuals and their language needs, the training process for staff, as well as the department's policies and procedures to guarantee that reasonable accommodations are offered and provided to Limited English Proficient individuals.

I. Public Outreach and Notice of Availability of Language Assistance Services

The Monroe County Clerk's Office will inform Limited English Proficient persons of the availability of free language assistance by providing written notice in many languages. Notices and signs will be provided in unobstructed view in all publically accessible areas of the Clerk's Office, and on its website at www2.monroecounty.gov/clerk-index.php. These notices and signs are not to be covered, removed, changed, or replaced by anyone without consulting the appropriate Language Access Coordinator. Modifying or removing signs without proper authorization may be subject to discipline.

Copies of this Plan will be provided to any person or agency requesting a copy.

II. Providing Language Assistance Services

The Monroe County Clerk's Office will promptly identify the language and communication needs of the Limited English Proficient person as follows:

A. In-office visits

When Limited English Proficient individuals appear in person at the Monroe County Clerk's Office, staff members will attempt to identify them by observing cues such as repeated misunderstanding of what the staff member is attempting to say or the customer is speaking another language. The Limited English Proficient individual will be asked if there is another language that they would be more comfortable using for their transaction and communication. If the Limited English Proficient individual is unable to understand or answer the question, the clerk will first use the Language Identification Guide (See Appendix A) and motion for the customer to point to their language on the board. If this exercise is unsuccessful, the staff member will call LanguageLine as outlined below and request the assistance of the representative to identify the language.

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Once a Limited English Proficient individual's preferred language is identified, the staff member will either locate a staff member who speaks that language and is willing to assist them, or engage in-office telephonic interpreting assistance, as outlined below.

a. In-office telephonic interpreting procedure

- i. The staff member will pick up the handset that is currently on the receiver at a dual-handset phone. Almost all intake points for customer service are also the location of a dual-handset phone, which should minimize the need to use gestures or limited English to direct a Limited English Proficient customer to the right area.
- ii. The staff member will call LanguageLine and provide our client ID, which is provided on a sticker on the dual-handset phone. Staff should be aware that for billing purposes, there is a separate Client ID for the Downtown Filing Office and for the DMV Offices.
- iii. Staff will identify the language that must be interpreted to the receptionist, unmute the second handset and provide it to the customer. (If staff is/are unable to identify the language, LanguageLine can assist with this.)
- iv. An interpreter log will be kept near each dual-handset phone. (See Appendix B for an example of this interpreter log.) Staff will document the name and ID number of the interpreter for each LanguageLine transaction (along with the other information requested on the form). This information will be retained for later consultation in case customer service issues arise and will not be used against the customer in any way. Full log sheets will be filed using a "blanket B-number," which are secure, non-publically accessible files used for the internal operations of the Clerk's Office.
- v. The staff member will briefly explain to the interpreter the context of the transaction and any relevant information that may be helpful to the conversation. The role of the interpreter is only to assist with communications and not to provide additional dialog and advocacy.
- vi. If at any time the Limited English Proficient individual indicates that the interpreter is not correctly translating the conversation or they are not comfortable with the interpreter, they have a right to request a different interpreter. The staff member should immediately request a different interpreter if asked.

b. Paper Forms

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For in-person visits to DMV Offices that include a need for permit testing for Limited English Proficient individuals, staff have additional access to the state's Automated Knowledge Testing System - a touchscreen computer system that provides multiple-choice testing both through displayed text and questions read aloud in 16 different languages:

- Albanian
- Arabic
- Bengali
- Bosnian
- Chinese
- English
- Nepali
- Polish
- French
- Greek
- Hebrew
- Italian
- Japanese
- Korean
- Russian
- Spanish

In many cases, common forms in use in the Clerk's Office have already been translated into a large number of languages, above and beyond the six languages most likely to be encountered in Monroe County. Staff are expected to provide customers the option of using a form in their preferred language whenever available. Stocks of the most commonly used combinations of forms and languages will be kept in physical supply wherever possible.

If a form is not available in the applicant's preferred language and the applicant is required to complete the form themselves, it will be the responsibility of the Language Access Coordinator to contact the appropriate state agency that generates the form to determine how to comply with legal and regulatory requirements without interfering with the LEP individual's access to timely service.

B. Telephone Calls

Telephonic encounters will differ from in-person encounters in that staff have fewer resources in order to determine what language assistance is needed. The same cues should be listened for to determine if someone might be a Limited English Proficient customer and having difficulty understanding information provided or trouble communicating with staff. Please note: LanguageLine professionals can help identify the language needed.

Once the need for an interpreter has been established, the same procedure used for an in-person telephonic interpreter should be followed, using the "conference call" feature on a county phone in place of the dual handset functionality.

C. Written Correspondence

The County Clerk's Office may receive mail correspondence in another language from constituents. In the case of the receipt of such correspondence, the staff member receiving it should immediately bring it to the appropriate Language Access Coordinator for their division.

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Note regarding usage of family members or friends as translators

Some Limited English Proficient persons may prefer or request to use a family member or friend as an interpreter. However, all Limited English Proficient individuals shall first be made aware that free professional interpreting services are available to them. If the Limited English Proficient individual continues to request that their friend or family member translate for them, this request will be honored. However, if either the customer or staff member feels that the communication is ineffective, a paid interpreter will be provided to the Limited English Proficient person. Children under the age of 18 shall never be used as interpreters.

III. Quality of Language Assistance Services

The Monroe County Clerk's Office will ensure that it provides high-quality interpretation and translation services through individuals who are competent to provide those services at a level of fluency, comprehension, and confidentiality appropriate to the specific nature, type and purpose of the information at issue.

The Monroe County Clerk's Office staff includes two positions titled "Motor Vehicle Representative - Bilingual", with a specific job requirement being that these individuals are fluent in English and Spanish. The Clerk's Office maintains a strong commitment to identifying job applicants with language abilities, giving consideration to these language skills in evaluating applicants, and employing bilingual employees outside of the specific bilingual titled positions.

In addition, the Monroe County Clerk's Office is committed to following up on any complaints related to the quality of interpreting, provided either internally or by our vendor. See page fourteen for more details on the filing of complaints as related to the Plan.

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IV. Training of Staff

Properly training staff is a key element in the effective implementation of the Plan. It is crucial that all staff members, especially those having contact with the public, understand their responsibility to provide meaningful and timely access to information and services for Limited English Proficient persons. Staff members who do not interact regularly with the public must also be aware of and understand the Plan.

The Plan and updated training will be provided to all staff members upon either the implementation or adjustment of the Plan. Additionally, the Plan and training will be provided to all newly-hired staff members. Training will include dissemination and review of this Plan, any instructional materials, and forms used during communication with Limited English Proficient persons.

A. Expectations of Staff

To help facilitate proper use of interpreters and maintain the quality of customer service for Limited English Proficient customers, all Monroe County Clerk's Office staff will be required to meet the following expectations.

- a. Staff must remember that they are having a conversation with the customer, not the interpreter. They will direct their words and eye contact towards the customer.
- b. Staff will be patient. Providing service across a language barrier takes time.
- c. Staff members will avoid abbreviations, slang, jargon, and acronyms whenever possible. Attempts will be made to use the simplest and clearest language possible to describe internal concepts and rules.
- d. Staff should speak more slowly and in relatively short segments, and pause so the interpreter can interpret.
- e. Staff members should ask customers to repeat back important information that they want to make sure is understood.
- f. Clerk's Office staff will not patronize the customer, and will not treat a Limited English Proficient customer with any less respect than any other customer.
- g. Staff will not refuse to wait on someone because they are uncomfortable or do not want to use the interpreting services.
- h. Staff will acknowledge the interpreter as a professional in communication. They will respect his or her role and give the interpreter time to restructure information in their mind to present it in a culturally and linguistically appropriate manner.
- i. Staff will not hold the interpreter responsible for what the customer says or doesn't say. The interpreter is the medium, not the source, of the message. If a staff member feels that they are not getting the type

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of response they were expecting, they will restate the question or consult with the interpreter to better understand if there is a cultural or linguistic barrier that is interfering with communication.

B. Monitoring and updating of the Plan

The Language Access Coordinators will evaluate and monitor the Plan's content and implementation on an annual basis to ensure that the scope and nature of the language services provided under the Plan reflect updated information on relevant Limited English Proficient populations, their language assistance needs, and experience of staff. Monitoring shall also include a review of complaints received from customers and staff utilizing the language services.

Each annual review shall at least include an examination of the following issues:

- a. Any changes in the demographics of Limited English Proficient persons in Monroe County;
- b. Using Interpreter Logs, a review of the number of Limited English Proficient individuals that worked with each division of the Monroe County Clerk's Office; and
- c. A determination if the existing language assistance services are meeting the needs of Limited English Proficient individuals; and
- d. Staff expectations; and
- e. Assignment of Language Assistance Coordinators.

The next annual review shall be completed no later than December 31, 2020.

C. Complaint Procedure

The Language Assistance Coordinators will be responsible for receiving, addressing, and resolving all complaints/grievances. Grievances may be filed with the Monroe County Clerk's Office in writing or verbally. The grievance shall include the following information:

- a. Name and address of grievant;
- b. Nature of alleged violation;
- c. Name of persons responsible for alleged incident;
- d. Requested relief or corrective action; and
- e. Name of any person or group assisting to fill out the grievance.

Comment cards submitted to the County Clerk's office which relate to any Language Access Services will be separated from the other comment cards and followed up by the appropriate division's Language Access Coordinator.

A copy of the Language Access Services Grievance form is attached to this Plan as Appendix C.

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Appendix A - Language Identification Guide

LanguageLine
Solutions®

Interpreting Services Available

English Translation: Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.

<p>American Sign Language 👤</p> <p>Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.</p>	<p>Korean 한국어</p> <p>귀하께서 사용하는 언어를 지정하시면 해당 언어 통역 서비스를 무료로 제공해 드립니다.</p>
<p>Arabic عربي</p> <p>أشر إلى لغتك. وسنم الاتصال بمترجم فوري. كما سيتم إحضار المترجم الفوري مجاناً.</p>	<p>Mandarin 國語</p> <p>請指認您的語言，以便為您提供免費的口譯服務。</p>
<p>Bengali বাংলা</p> <p>আপনার ভাষার দিকে নির্দেশ করুন। একজন দোভাষীকে ডাকা হবে। দোভাষী আপনি নিখরচায় পাবেন।</p>	<p>Nepali नेपाली</p> <p>आफ्नो भाषातर्फ आँल्याउनुहोस्। एक दोभाषेलाई बोलाइनेछ। नयाईको किन कुनै खर्चका, एकजना दोभाषे उपलब्ध गराइनेछ।</p>
<p>Burmese မြန်မာ</p> <p>သင့်ဘာသာစကားကို ညွှန်ပြပါ။ စကားပြန် ခေါ်ယူပါမည်။ သင့်အတွက် စကားပြန် အခမဲ့ ပေးပါမည်။</p>	<p>Polish Polski</p> <p>Proszę wskazać swój język i wezwiemy tłumacza. Usługa ta zapewniana jest bezpłatnie.</p>
<p>Cantonese 廣東話</p> <p>請指認您的語言，以便為您提供免費的口譯服務。</p>	<p>Portuguese Português</p> <p>Indique o seu idioma. Um intérprete será chamado. A interpretação é fornecida sem qualquer custo para você.</p>
<p>Farsi فارسی</p> <p>زبان مورد نظر خود را مشخص کنید. یک مترجم برای شما درخواست خواهد شد. مترجم بصورت رایگان در اختیار شما قرار می گیرد.</p>	<p>Punjabi ਪੰਜਾਬੀ</p> <p>ਆਪਣੀ ਭਾਸ਼ਾ ਵੱਲ ਇਸ਼ਾਰਾ ਕਰੋ। ਜਿਸ ਮੁਤਾਬਕ ਇਕ ਦੁਭਾਸ਼ੀਆ ਚੁਲਾਇਆ ਜਾਵੇਗਾ। ਡੁਹਾਡੇ ਲਈ ਦੁਭਾਸ਼ੀਆ ਦੀ ਮੁਫਤ ਇੰਤਜ਼ਾਮ ਕੀਤਾ ਜਾਵਾ ਹੈ।</p>
<p>French Français</p> <p>Indiquez votre langue et nous appellerons un interprète. Le service est gratuit.</p>	<p>Romanian Română</p> <p>Indicați limba pe care o vorbiți. Vi se va face legătura cu un interpret caere vă este asigurat gratuit.</p>
<p>Haitian Creole Kreyòl</p> <p>Lonje dwèt ou sou lang ou pale a epi n ap rele yon entèprèt pou ou. Nou ba ou sèvis entèprèt la gratis.</p>	<p>Russian Русский</p> <p>Укажите язык, на котором вы говорите. Вам вызовут переводчика. Услуги переводчика предоставляются бесплатно.</p>
<p>Hindi हिंदी</p> <p>अपनी भाषा को इंगित करें। जिसके अनुसार आपके लिए दुभाषिया बुलाया जाएगा। आपके लिए दुभाषिया की निशुल्क व्यवस्था की जाती है।</p>	<p>Somali Af-Soomaali</p> <p>Farta ku fiqluqadaada... Waxa laguugu yeeri doonaa turjubaan. Turjubaanka wax lacagi kaaga bixi mayso.</p>
<p>Hmong Hmoob</p> <p>Taw rau koj hom lus. Yuav hu rau ib tug neeg txhais lus. Yuav muaj neeg txhais lus yam uas koj tsis tau them dab tsi.</p>	<p>Spanish Español</p> <p>Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.</p>
<p>Italian Italiano</p> <p>Indicare la propria lingua. Un interprete sarà chiamato. Il servizio è gratuito.</p>	<p>Tagalog Tagalog</p> <p>Ituro po ang inyong wika. Isang tagasalin ang ipagkakaloob nang libre sa inyo.</p>
<p>Japanese 日本語</p> <p>あなたの話す言語を指してください。無料で通訳サービスを提供します。</p>	<p>Vietnamese Tiếng Việt</p> <p>Hãy chỉ vào ngôn ngữ của quý vị. Một thông dịch viên sẽ được gọi đến, quý vị sẽ không phải trả tiền cho thông dịch viên.</p>

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Appendix C - Language Access Services Grievance Form



Office of the County Clerk
MONROE COUNTY, NEW YORK

Language Access Services Grievance Form

Date _____

Customer Name _____

Customer Address _____

Describe the incident below:

Staff Member Name: _____

Please describe what action you would like taken to fix this:

Name of person/group that filled form out _____

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