

## SPECIALIZED CHILD WELFARE SUBJECT MATTER

### Delivery of Services Using a Client's Preferred Method of Communication

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#### Policy

Parents, guardians, caregivers and children whose native language is not English and who do not speak English, or who speak marginal English, or who have a language-related disability such as deafness or blindness, shall be permitted to communicate together and with Department of Children and Families' staff using their preferred language or other method of communication during an investigation or when receiving services from DCF. This includes, but is not limited to, during supervised visits and administrative hearings. DCF staff shall make reasonable efforts to engage the services of a qualified interpreter when needed.

**Legal references:** Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*; Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. §§12131-12134; 28 CFR 35.130.

**Note:** DCF staff may wish to consult with the DCF Office of Multicultural Affairs or the Division of Diversity and Equity about resources and the requirements about the use of interpreters and other forms of communication with clients and providing services to persons with disabilities.

**Cross Reference:** "Delivery of Service in a Clients Preferred Method of Communication Practice Guide."

#### Obtaining an Interpreter

Reasonable efforts shall be made to acquire the services of an interpreter through a DCF authorized interpreter and translator provider. If DCF staff are unable to obtain a competent, authorized interpreter, all such efforts shall be documented in the case record and shall be reported to the Office of Multicultural Affairs which shall assist with locating appropriate language support services for the family.

#### Oral Communications

Whenever reasonably possible, cases shall be assigned to DCF staff who can communicate in the same language or by the same method as the clients (parents, guardians, caregivers and children). When this is not possible, reasonable efforts to obtain a competent, authorized interpreter shall be initiated.

The first engagement with a client whose preferred method of communication is not English requires the use of an interpreter. The DCF staff person shall ask the client if he or she desires the services of an interpreter. If an interpreter is requested, the staff shall arrange for such service, through DCF Authorized Interpreter and Translator Providers, at the expense of DCF. A Sign Language interpreter engaged by DCF shall be certified.

If it is not possible to engage the services of an interpreter due to exigent circumstances, DCF staff shall document the reasons and the efforts made to comply with this policy.

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#### Oral Communications (Continued)

In the event that the client declines an interpreter, and communication remains a challenge, the DCF staff shall only engage an interpreter if it is necessary to insure the accuracy of an investigation or to provide essential case oversight. In the event that an interpreter is engaged even though the client has declined, the staff shall explain the decision to the client, and advise the client that he or she may object to the use of an interpreter. If the client affirmatively objects to the use of an interpreter, the interpreter shall not be used. All such case decisions shall be documented in detail in the case record.

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#### Written Communications

DCF staff shall advise clients with limited English proficiency skills, or clients who have language-related disabilities, that case-related documents may be translated into the primary written language of the client, including Braille. In cases in which a client is illiterate and does not read, provisions shall be made by staff to provide audio transcriptions of case-related documents.

**Note:** There is no written form of American Sign Language. Further, it is inappropriate to use writing with a deaf person unless the person requests it. Staff should engage clients to determine how to present information to ensure maximum communication with the client (e.g., text, written).

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#### Use of DCF Staff as Interpreters

DCF staff members who speak languages other than English shall not be used as interpreters in interactions with clients who are not assigned to that staff member's caseload, except in exigent circumstances.

Staff who speak languages other than English may communicate with the clients to whom they are assigned in the client's primary language.

**Note:** Some DCF facility staff are members of SEIU 1199 and are designated as bilingual staff in accordance with the bargaining unit contract. These facility staff may be used as interpreters. (SEIU 1199 members who are not assigned to a facility are not covered by this provision of the contract.)

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#### Use of an Unofficial Interpreter

Children under the age of 18 shall never be used as interpreters.

Family members and friends of clients shall not be used as interpreters unless specifically requested by the client. In all such cases, the DCF staff person shall first offer the client a DCF-provided interpreter at DCF expense.

Whenever a person declines the offer for an interpreter supplied by DCF and prefers to use a family member or friend, the documentation shall include the name and relationship of the unofficial interpreter and confirmation that the unofficial interpreter is not a minor. Documentation shall also include a brief statement regarding the subject matter which the unofficial interpreter helped to communicate.

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#### **Use of an Unofficial Interpreter** (Continued)

If a client elects to use a family member or friend as an unofficial interpreter but the DCF staff reasonably suspects that the use of a family member or friend may compromise an investigation or the effectiveness of services, or expose the client or another person to risk of harm, the Social Worker shall consult with his or her Supervisor and other appropriate DCF staff before permitting the unofficial interpreter to participate.

**Note:** The confidentiality of the information conveyed to a client through a family member or friend shall be stressed to that person.

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#### **Staff Education**

The Office of Multicultural Affairs and Immigration Practice shall develop printed and electronically-posted materials that shall be distributed to all DCF employees as a means of notifying staff about the availability of competent, authorized interpreters and translators

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#### **Payment for an Interpreter or Translation**

The cost of services for an interpreter for case-related matters and translation, including audio transcriptions and Braille, of case-related documents shall be paid by DCF and provided at no cost to the client.

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#### **Addressing Communication Needs When Children are Placed in A Residential Facility**

The Department of Children and Families shall make reasonable efforts to ensure that all children placed in residential child care facilities, and their families, whose primary language is other than English, or who are deaf, receive equal treatment services.

Communication and planning regarding linguistic barriers shall be addressed, and to the extent reasonably possible, resolved prior to an acceptance of a match of a child to a placement.

DCF shall match a child to a residential child care facility that meets the child's needs for physical care, safety, clinical treatment, secure identity and sense of belonging. Placements shall be determined by a child's specific needs and best interests. When placing a child in a residential child care facility, the Department shall not discriminate on the basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability, physical disability, pregnancy, or sexual orientation of the child or the child's caregiver.

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**Procedure  
when  
Children are  
Placed in A  
Residential  
Facility**

Once a child is matched, the DCF area office social worker shall monitor and make certain that the child's linguistic, special communication needs, or other relevant cultural-specific issues are addressed throughout the placement.

In cases for which there are barriers the Department shall assist the placement facility with obtaining access to an authorized interpreter service.

- The Area Office Social Worker shall identify the preferred language of communication for the child and/or family member and makes such notation on the first page of the Child and Adolescent Needs and Strengths (CANS).
- Beacon Health Options/DCF matches youth to a placement taking into consideration the child and/or family's language preference.
- The DCF liaison will notify the area office of the match and included in that notification will be a reminder to offer linguistic services as it applies.
- Contact information for linguistic services shall be inside of the placement packet that will be sent to the facility.
- Monitoring begins at the day of admission. This includes but is not limited to reviewing the facility's plan for meeting the family's linguistic needs.
- The Social Worker shall monitor the frequency of interpreter services utilized by the facility for their child. The worker will also be responsible for payment authorization.

Social workers shall report instances of a facility's failure to cooperate in providing language appropriate services to the Connecticut Behavioral Health Partnership Quality Assurance Division and the DCF Office of the Ombudsman.

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