



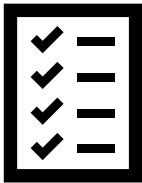
## LANGUAGE ACCESS PLAN FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

**State Agency:** NYS Justice Center for the Protection of People with Special Needs

**Effective Date of Plan:** October 1, 2024

**Language Access Coordinator (LAC):** Sidra A. Chaudhary

**LAC Phone / E-mail:** 1-800-624-4143/ [webmaster@justicecenter.ny.gov](mailto:webmaster@justicecenter.ny.gov)



This document is our agency’s **Language Access Plan**.

A **Language Access Plan** explains how we provide services to people who have limited English proficiency.

This **Language Access Plan** includes information about:

	The population with Limited English Proficiency (“LEP”) in our service area.
	How we notify the public about language access services.
	Our resources and methods for providing language access services.
	How we train our staff to provide language access services to the public.
	How we monitor language access services and respond to complaints.



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## **PART 1 – Our Agency’s Services**



**We prepared this Language Access Plan (“Plan”) to comply with New York State Executive Law Section 202-a, which establishes New York’s Statewide Language Access Policy. This Plan explains how we make sure that people with Limited English Proficiency (“LEP”) have meaningful access to agency services, programs and activities.**

**In this Plan, individuals with LEP are understood as people who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.**

The Justice Center for the Protection of People with Special Needs (Justice Center) was established in 2013 by the Protection of People with Special Needs Act. The agency was created to restore public trust in the institutions and individuals charged with caring for vulnerable populations by protecting the health, safety, and dignity of all people with special needs. The Justice Center has jurisdiction over more than 1,000,000 individuals receiving services across six State Oversight Agencies. Our agency’s services to the public include:

Operating a 24/7 toll-free hotline which receives reports of allegations of abuse, neglect, and significant incidents. Reports are made by service providers and others who are “mandated reporters,” as well as by any individual who witnesses or suspects the abuse or neglect of a person with special needs;

Ensuring that all reports of abuse and neglect are fully investigated, collaborating with law enforcement agencies and district attorney's offices and prosecuting allegations that rise to the level of a criminal offense;

Maintaining a register of individuals found responsible for the serious or repeated abuse or neglect of a person with special needs. Anyone placed on the list is prohibited from ever working again with people with special needs in New York State;

Maintaining a comprehensive statewide database that tracks cases until they are resolved and allows the Justice Center to monitor trends and develop abuse prevention initiatives;

Providing support and assistance to victims and their families, including case status information, court-related assistance, and referrals;

Monitoring the quality of mental health care in New York State correctional facilities; and

Helping people with disabilities and their families find information and services, which includes operation of an information and referral service to respond to general disability-related inquiries.



## **PART 2 – The Population with Limited English Proficiency in Our Service Area**



The Statewide Language Access Policy requires state agencies to translate vital agency documents into the top 12 most commonly spoken non-English language among New Yorkers with limited English proficiency. Our agency uses U.S. Census data (including data from the American Community Survey) to determine the top 12 languages most commonly spoken by individuals with LEP in New York State.

The top 12 languages spoken by individuals with LEP in New York State are:

<b>#</b>	<b>Language</b>	<b>Estimated Number of Speakers with LEP (ACS 2018-2022)</b>
1	Spanish	1,198,032
2	Chinese	377,524
3	Russian	124,422
4	Yiddish	90,199
5	Bangla	74,342
6	Haitian Creole	51,947
7	Korean	48,581
8	Arabic	42,907
9	Italian	41,155
10	French	34,304
11	Polish	33,122
12	Urdu	29,983

New York’s language access law also provides agencies, in consultation with the Office of Language Access, the option to add up to four more languages of translation beyond the top 12. The assessment about whether to include additional languages must be based on factors that are identified in the language access law. Our agency, in consultation with the Office of Language Access, has made the following determination with regard to the addition of languages beyond the top 12:

The Justice Center has not identified the need for additional languages of translation beyond the top 12 at this time. Our agency, in consultation with the Office of Language Access, will continue to monitor and update this Plan as necessary.

**Our agency tracks encounters of individuals with LEP in the following ways:**

Contact with the Justice Center most frequently occurs through calls made to the agency's toll-free, 24/7 Vulnerable Persons' Central Register (VPCR) hotline. Call center personnel receive



reports of allegations of abuse, neglect and significant incidents that occur at facilities or provider agencies operated, licensed, or certified by six state agencies. Language services requests are logged by the system.

Calls requiring language assistance are also received by the agency's Information Line, which links callers with the Justice Center's Information and Referral Service, Individual and Family Support advocates, the Special Prosecutor/Inspector General's office and other business units. Justice Center investigators and special prosecutors also interact with victims with LEP, witnesses or subjects through face-to-face encounters or over-the-phone during their investigations.

Individual and Family Support advocates may also receive translation requests directly from individuals with LEP at in person at outreach events, or over the phone, at which time telephonic language services are secured. At outreach events, Advocates utilize the Language Identification Tool which is prominently displayed.

The Justice Center's Surrogate Decision-Making Committee occasionally receives interpreter services requests for hearings or for pre-hearing discussions, at which time services are provided on-site or via tele-service. Hearing documents are also translated when needed.

The Justice Center's Forensics Monitoring Unit will secure interpretation services when necessary during on-site correctional facility visits.

Spanish is the predominant language other than English spoken by our service population. Additional points of contact include webmaster email, USPS mail, and in-person visits to our Delmar, NY headquarters or regional offices. In addition, all services provided by language access contractors are tracked and logged by the Justice Center's Office of Administration.



### **PART 3 – Public Outreach About the Availability of Language Access Services**

**Our agency informs individuals with LEP about their right to free language assistance services in the following ways, using at least the top 12 languages shown in Part 2 of this Plan:**

- Individuals with LEP are directly informed by our staff

**In which ways?** All front-line staff, which includes the call center, Information Line, Information and Referral Service and Individual and Family Support Unit, who are likely to encounter individuals with LEP have been provided with NYS Language Identification Tool signs and "I Speak" cards which include a statement that informs individuals with LEP about their right to free language assistance. Front-line employees receive training on how to route telephone calls to the approved contractor, which provides telephonic



interpretation in all languages. While the Justice Center's central office has infrequent contact with members of the public, the agency has designated the Executive Conference Room, which is near the reception area, as a place where a confidential conversation with staff can be conducted should the need arise. The conference room is equipped with a speaker telephone, which enables employees to access telephonic interpreting assistance through the contractor.

- Signs posted about language assistance services
  - In areas operated by the agency and open to the public
  - Other (describe)

Information is published on our agency’s website in at least the top 12 languages spoken by individuals with LEP in New York State

Outreach and presentations at schools, faith-based groups, and other community organizations  
**What are the populations with LEP targeted?** Spanish, Chinese, Haitian Creole, Russian, Bangla, Yiddish, Korean, Italian, Polish, Arabic, French, Urdu.

Local, non-English language media directed at individuals with LEP in their languages  
**What are the populations with LEP targeted?**

Social media posts directed at individuals with LEP in their languages  
**What are the populations with LEP targeted?**

Telephonic voice menu providing information in non-English languages  
**In which languages?** Spanish, Cantonese, Haitian Creole, Italian, Korean, Mandarin, Russian.

Other (describe)  
The home page of the Justice Center’s public website features a Language Access portal which includes a statement that informs individuals with LEP about their right to free language assistance.



## PART 4 – Provision of Language Access Services

### A. Determining the Need for Services

**During *in person* encounters, our agency uses the following tools to determine whether an individual has LEP, and what their primary language is:**



- “I Speak” posters or visual aids that provide information about free interpreting services in multiple languages
- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Other: Staff uses a telephonic interpreting service to identify their primary language.

**On telephone calls, our agency uses the following tools to find out if an individual has LEP, and what their primary language is:**

- Reception staff make those determinations based on training and experience
- Bilingual staff members, where available, assist in identifying the language of individuals with LEP
- Telephonic interpreting service
- Other

**Our agency’s protocols for assessing whether an individual needs oral interpreting services in different service situations is as follows:**

- During office in-person encounters:** All front-line staff members who are likely to encounter individuals with LEP receive training on how to communicate with these individuals and the procedures for doing so. The Language Identification Tool is used to assess the needs of individuals with LEP. Security guards are also trained to alert front-line staff when encountering individuals with LEP. Staff then contact the state-approved contractor, which provides telephonic interpreting services.
- At initial contact in the field:** If it is apparent that there may be a language need, staff will determine the individual's language need and the services of a qualified interpreter will be secured.
- When speaking on the telephone:** The Justice Center's Information Line features multilingual greeting and voice prompts during business hours, an after-hours message and a hold message which advises callers that language services are offered free of charge. All front-line staff receive training on how to communicate with individuals with limited English proficiency and the procedures for doing so by phone. Staff contact the state-approved contractor, which provides interpreting services.



**For pre-planned appointments of individuals with LEP:** Staff members submit requests for interpretation services directly to the language access contractors contracted to work with our agency.

**Other**

**Our agency records and maintains documentation of language assistance needs of individuals with LEP as follows:**

The preferred language needs of individuals with LEP are recorded in Justice Center’s database.

**B. Oral Interpreting Services**

**Our agency has made the following resources available for oral interpreting requests:**

Bilingual staff members who work directly with individuals with LEP

**Number of staff and languages spoken:**

Bilingual staff members who provide oral interpreting services on a volunteer basis

**Number of staff and languages spoken:**

Telephonic interpreting service

**Number of contractors and languages spoken:** Our agency is currently working with three contractors as approved under the NYS Office of General Services (OGS) Statewide Administrative Services Contract. These contractors are equipped to provide interpretation for up to 250 languages, including the top 12 spoken in New York State.

Contracts or other arrangements with school and community organizations

Other

**Our agency protocols for informing individuals with LEP that free interpreting services will be provided and that they do not need to provide their own interpreters is as follows:**

**During office in-person encounters:** Individuals with LEP are advised using state-approved contractors and/or Language Identification tools informing them that interpreting services are provided free of charge at the same time the assessment of need is conducted.

**At initial contact in the field:** Individuals with LEP are advised using state-approved contractors and/or Language Identification tools informing them that interpreting services are provided free of charge at the same time the assessment of need is conducted.





**When speaking on the telephone:** Individuals with LEP are advised using state-approved contractors that interpreting services are provided free of charge at the same time the assessment of need is conducted.

**For pre-planned appointments of individuals with LEP:** Individuals with LEP are advised using state-approved contractors and/or Language Identification tools informing them that interpreting services are provided free of charge at the same time the assessment of need is conducted.

**Other**

**Our agency’s protocols for obtaining interpreting services in a timely manner is as follows:**

Agency front-line staff members immediately contact the state-approved contractor to arrange telephonic interpreting services. When interpreting services are needed for in-person contact, staff notify their supervisor of the need, and the supervisor then files a request with the Language Access contractors to make necessary arrangements. Any difficulties with obtaining these services are directed to the Language Access Coordinator (LAC) and the Administrative Office as necessary.

**If an individual with LEP insists on having a family member, friend, or other person interpret, our protocols for deciding whether to accept or decline such an arrangement is as follows:**

Individuals with LEP that come to our agency will be informed of the availability of free interpretation services. Generally, individuals with LEP may not have a family member, friend, or a minor interpret. However, during emergencies an individual with LEP may be permitted to have a minor, a family member or friend interpret. Upon request, an individual with LEP may also be permitted to have a minor, a family member or friend interpret for routine matters, such as asking the location of the office, hours of operation or rescheduling an appointment. Where the interaction with an individual with LEP occurs at the agency's office, and an individual is permitted to have an interpreter of their choosing, they must fill out a written consent/waiver form. Where an individual with LEP is engaged in official business with the agency, the agency will provide an independent interpreter.

**Our agency provides information to all staff members who have contact with the public about how to obtain oral interpreting services. Our protocol in this regard is as follows:**

All front-line staff members who are likely to have contact with individuals with LEP receive Language Access training, which includes the process for obtaining interpreting services. These front-line staff are also issued a quick desk reference guide. Additionally, the New York State Justice Center has established a guidance document that provides a step-by-step process on how to obtain oral interpreting services.

**The agency’s Language Access Coordinator (“LAC”) maintains a list of oral interpreting resources that are available to staff. This resource list includes:**

- Names and contact information for all resources
- Names and locations of staff members who are available to act as interpreters or provide services directly in the primary language of an individual with LEP
- Languages in which each interpreter or service is qualified
- Procedures for accessing each interpreter or service

**Our agency records and maintains documentation of oral interpreting services provided to individuals with LEP at each encounter. Our protocol in this regard is as follows:**

All contacts with individuals with LEP and the language assistance provided are documented by the contractors which provide services. The data is collected and maintained by the Administrative Office and provided upon request to the LAC.

### **Cultural Competence and Confidentiality**

**Our agency makes sure interpreters are culturally competent<sup>1</sup> in the following ways:**

The Justice Center utilizes state-approved contractors for interpreting services, which under their contracts are required to implement quality assurance standards to guarantee that their interpreters are trained and are linguistically and culturally competent.

**Our agency makes sure interpreters follow state and federal confidentiality protocols in the following ways:**

The training provided to staff addresses the importance of confidentiality. Furthermore, independent interpreters will enforce standards of confidentiality in accordance with NYS Law.

### **C. Translations of Documents**

**At least every two years after the effective date of this Plan, our agency determines and reassesses vital documents<sup>2</sup> that must be translated. This process is accomplished in the following ways:**

The Language Access Coordinator reviews requests for translations of agency documents to determine if additions to the Justice Center’s Vital Documents list is warranted.

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<sup>1</sup> Cultural Competence is defined as *a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals that enables effective interactions in a cross-cultural framework*. U.S. Department of Health and Human Services, Office of Minority Health. 2000. Assuring Cultural Competence in Health Care: Recommendations for National Standards and an Outcomes-Focused Research Agenda. Extracted from:

[https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring\\_Cultural\\_Competence\\_in\\_Health\\_Care-1999.pdf](https://minorityhealth.hhs.gov/Assets/pdf/checked/Assuring_Cultural_Competence_in_Health_Care-1999.pdf)

<sup>2</sup> Vital Documents is defined as any paper or digital document that contains information that is critical for obtaining agency services or benefits or is otherwise required to be completed by law.



**Our agency’s process for making sure documents are written in plain language<sup>3</sup> before they are translated into other languages is as follows:**

All vital documents are reviewed by the agency’s Office of Communications to ensure the documents are written in plain language prior to translation.

**Our agency has the following resources available for translation of documents:**

Contractors for translation services

**Number of contractors:** Our agency currently works with six contractors under the NYS Office of General Services (OGS) Statewide Administrative Services Contract to transcribe and translate documents.

Contracts or other arrangements with schools and community organizations

Translation of documents by bilingual staff members

Other

**The agency’s Language Access Coordinator (“LAC”) maintains a list of translation resources that are available to staff. This resource list includes:**

Names and contact information for all resources

Names and locations of staff members who are available to provide translations of documents

Languages in which each translation service is qualified

Procedures for accessing each translation service

**Our agency translates documents that individuals with LEP submit in their primary languages in a timely manner. Our protocol in this regard is as follows:**

Documents are submitted electronically to the OGS approved contractor, specifying which language is requested, whether the document is a brochure, guidance document, poster, correspondence or other written communication relating to the individual with LEP needs. The contractor reliably provides a translated version of the document in a timeline ranging from one day to one week, depending on the size and complexity of the document in question.

**The following non-exhaustive list of documents are currently translated or in the process of translation by our agency in the languages indicated. Documents with an asterisk (\*) are determined by the agency to be vital documents.**

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<sup>3</sup> The [Plain Writing Act of 2010](https://www.govinfo.gov/app/details/PLAW-111publ274) defines plain language as writing that is clear, concise, well-organized, and follows other best practices appropriate to the subject or field and intended audience. Extracted from: <https://www.govinfo.gov/app/details/PLAW-111publ274>



- *AR: Arabic*
- *BA: Bangla*
- *CH: Chinese*
- *FR: French*
- *HA: Haitian-Creole*
- *IT: Italian*
- *KO: Korean*
- *PO: Polish*
- *RU: Russian*
- *SP: Spanish*
- *UR: Urdu*
- *YI: Yiddish*

Form #	Name	Top 12 Languages												Additional Languages
		AR	BA	CH	FR	HA	IT	KO	PO	RU	SP	UR	YI	
N/A	*Code of Conduct	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Guide for Reporting Abuse & Neglect	X	X	X	X	X	X	X	X	X	X	X	X	
JC CBC 4	*Applicant Consent Form for Fingerprinting	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Withdrawal of Request for Amendment	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Instructions for Completing a Death Form	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Investigation Guidance for Staff & Volunteers	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Justice Center Resource Card	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Jonathan's Law Brochure	X	X	X	X	X	X	X	X	X	X	X	X	



N/A	*Guidance for Individuals & Families	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Request for Amendment of Report of Substantiated Finding	X	X	X	X	X	X	X	X	X	X	X	X	
JC CBC 8	*Personal Criminal History Information Review	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Make the Call Poster	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	*Access to Services Complaint Form	X	X	X	X	X	X	X	X	X	X	X	X	
N/A	Workforce Videos	X	X											

New documents identified for translation after the signing of this Plan and before the 2-year reassessment will be translated in a timely manner.

**The process for ensuring that translations are accurate and incorporate commonly used words is as follows:**

The Justice Center, through its contractor (where applicable), will ensure that proofreading/editing for correctness and cultural sensitivity are a component of the translation services provided by any contractor under contract as part of the publication process. The Justice Center will also ensure that plain language is used in materials produced before translation to ensure information is accessible to a range of literacy levels.



**PART 5 – Staff Training**

**The person in the agency who is responsible for training staff in language access services is:**  
Layna Maher, Division of Training.

**The staff training includes the following components:**



- ☒ The agency’s legal obligations to provide language access services
- ☒ The agency’s resources for providing language access services
- ☒ How to access and work with interpreters
- ☒ Cultural competence and cultural sensitivity
- ☒ How to obtain translation services
- ☒ Maintaining records of language access services provided to individuals with LEP

**The methods and frequency of training are as follows:**

As part of the Justice Center's onboarding process, all new employees are informed of Executive Law Section 202-a. and the procedures to follow for obtaining oral interpreting services through the state-approved contractor. The Office of Human Resources has identified the job titles of front-line staff who are required to complete the Office of Employee Relations' (OER) annual Language Access online training module.



**PART 6 – Monitoring the Plan and Responding to Complaints**

**A. Monitoring**

**Our agency’s Language Access Coordinator (“LAC”) will monitor implementation of the Plan to make sure we are in compliance. Our protocols in this regard are as follows:**

The LAC monitors the agency's compliance with its plan and submits monthly performance reports and contractor deficiency reports. Oversight includes ensuring that materials are up-to-date, staff participates in required training and any problems with contractors are reported and addressed in a timely manner.

**B. Complaints**

**We provide information to the public in at least the top 12 most commonly spoken non-English languages in the state, advising members of the public of their right to file a complaint if they feel that they have not been provided adequate language access services or have been denied access to services because of their limited English proficiency. We do not retaliate or take other adverse action because an individual has filed a language access complaint.**

**We display information on the right to file a complaint, and the procedures for filing a complaint, in the following manner:**

The standardized complaint forms, along with the procedures for filing a complaint, are available in all twelve languages in our public offices upon request. The complaint forms are also available






for download or online submission through our website. Additionally, information on the right to file a complaint is posted in the top twelve languages in our offices in areas where it can be easily seen by the public.

**We handle complaints made to the agency regarding the provision of language assistance services in the following manner:**

All complaints are forwarded to the agency’s Language Access Coordinator who is responsible for reviewing, handling, and tracking until resolution. All complaints are then forwarded to the Office of Language Access for a contractor deficiency review.

**PART 7 – Signatures**



	Executive Deputy Director	09.30.24
<b>Head of Agency</b>	<b>Title</b>	<b>Date</b>
	Director of Diversity, Equity, and Inclusion	09.30.24
<b>Agency LAC</b>	<b>Title</b>	<b>Date</b>
	Margarita Larios	09/27/2024
<b>Executive Director, NYS Office of Language Access</b>		<b>Date</b>