



OREGON YOUTH AUTHORITY

Policy Statement

Part I – Administrative Services



Subject

Use of Language Services; English Plus - Staff

Section – Policy Number:

D: Personnel Management – 2.1

Supersedes:

I-D-2.1 (04/01)

Effective Date:

07/16/2007

Date of Last

Review/Revision:

None

Related Standards and References:

- Titles [VI](#) and [VII](#) of the Civil Rights Act of 1964
- [Executive Order](#) 13166, Improving Access to Services for persons with Limited English Proficiency, 08/11/2000
- [OAR 416-020-0000](#) (Offender Grievance Process)
- [OAR 416-550-0040](#) (Youth Offender Treatment Foster Care)
- [English Plus Resolution](#) (Reintroduced 1997)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-3C-03 (Rules of Conduct); 3-JTS-5A-04 (Reception and Orientation)
- Performance-based Standards (PbS), *Juvenile Correction and Detention Facilities*; Programming; Reintegration
- OYA policy: [II-E-2.4](#) (English Plus - Offenders [Facility])
- OYA forms: [YA 1500](#) (Staff Request for Offender to Use English Only)
[YA 1501](#) (Request for Translation Services)
[YA 8011](#) (Employee Bilingual Assessment)

Related Procedures:

- None

Interpretation: Minority Services

Approved:

Robert S. Jester, Director

I. PURPOSE:

This policy provides a guideline for staff use of language-specific services and communication in non-English languages while performing their job duties. This policy is also applicable to the use of signing by hearing-impaired offenders and their families/visitors.

II. POLICY DEFINITIONS:

Bilingual: Using or able to use two languages especially with equal fluency.

Limited English Proficient (LEP): LEP individuals, as a result of national origin, are limited in their English proficiency.

- Many LEP individuals are in the process of learning English and may read, write, speak, and/or understand some English, but not proficiently.
- LEP status may be context-specific – an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information (e.g., medical information, treatment groups, Multidisciplinary Treatment meetings, eyewitness accounts, information elicited in an interview, etc.) in English.

Monolingual: Having or using only one language.

III. POLICY:

The OYA is committed to cultural competency and workforce diversity through developing and implementing strategies which strengthen the diversity of its workforce and integrate cultural competency within its organizational structure. Staff multilingual competence is important to the OYA's overall mission of holding offenders accountable and providing opportunities for reformation. Consequently, the OYA values and supports language diversity and seeks to provide language-specific and culturally-appropriate services to offenders and their families.

IV. GENERAL STANDARDS:

- A. OYA staff are expected to communicate in a professional manner with each other, as well as with offenders and their family members.
- B. OYA staff should be aware of the growing language diversity of staff, offenders and their family members and the need to at times use a language other than English.
 1. Staff are encouraged to learn languages in addition to English.
 2. Communication in an offender's native language is encouraged and acceptable among offenders, between offenders and staff and offenders and their families, subject to justifiable safety and security concerns.

See OYA policy II-E-2.4 (English Plus - Offender [Facility]) for conditional circumstances.
 3. Communication in a native language among staff is encouraged and acceptable.

C. Determining who requires language services

Offenders who are Limited English Proficient (LEP), monolingual in a non-English language or hearing-impaired will require the use of language services during their commitment to OYA.

Staff will determine who requires language services based on:

1. Results of language assessments, such as the Woodcock-Muñoz Language Survey-Revised (WMLS-R), completed during facility intake;
2. A request is made for language services by the offender or his/her family members;
3. Considering whether there was a need for language services in court or during an offender's previous placement with OYA;
4. Using a bilingual person or language services in the offender's language to conduct the initial intake;
5. Communication with the offender or his/her family members is obviously hindered by their lack of English comprehension.

D. Situations requiring use of language services

Staff may be able to convey simple instructions or hold conversations with an LEP person but not communicate at a higher level to provide detailed or specific information or instructions. Such situations will require staff to use language services for LEP, monolingual in a non-English language or hearing-impaired offenders or their family members. These situations include, but are not limited to:

1. Multidisciplinary Team meetings, development and review of case plans;
2. Outlining the offender's rights, responsibilities and OYA's grievance process;
3. Communications involving medical, psychological or technical information;
4. Investigations and disciplinary procedures;
5. Collection of evidence or other sensitive situations, except temporarily in unforeseen emergency circumstances;
6. Court or legal proceedings;
7. When seeking consent;

8. Explanations of conditions of probation/release;
 9. Outlining violations of probation/parole and recommendations.
- E. When bilingual skills are needed to communicate with offenders and/or their family members who are LEP, monolingual in a non-English language or hearing-impaired, interpretation options will be sought in the following order:
1. Staff receiving Bilingual Differential Pay for fluency in English and the subject's language will be utilized as a first option;
 2. Other bilingual staff fluent in English and the subject's language may be asked to assist in interpretation and/or translation in emergency situations;
 3. Contract in-person interpreters will be used if bilingual staff are unavailable, *en route* or lack the skills to provide direct interpretation services;
 4. Contract telephonic interpreters will be used if contract in-person interpreters are unavailable or *en route*;
 5. Offenders, their family members or unqualified volunteers may only be used as interpreters while waiting for proper interpretation services in unforeseeable emergencies, or in situations where accuracy and objectivity are not essential.
- Offender participation as interpreters during the aforementioned circumstances is voluntary.
- F. Staff will contact the Office of Minority Services for assistance in using contracted interpretation and/or translation services.
- G. Bilingual staff should be readily available to facilitate communication between LEP, monolingual and/or hearing-impaired offenders, their families, and staff.
- H. Contracted language services will be paid for by the office or facility which requests such services.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO