



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject:

Use of Language Services

Section – Policy Number:

D: Personnel Management – 2.1

Supersedes:

I-D-2.1 (01/13)
I-D-2.1 (07/07)
I-D-2.1 (04/01)

Effective Date:

04/29/2016

Date of Last

Review:

04/29/2020

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*; 4-JCF-5A-03 (Programming During Reception)
- Performance-based Standards (PbS), *Juvenile Correction and Detention Facilities*; Programming; Reintegration
- [OYA policy](#): II-E-2.4 (English Plus - Youth [Facility])
 III-A-2.2 (English Plus - Youth [Community])
- [OYA forms](#): YA 1501 (Request for Translation Services – for *written* documents)
 YA 1502 (Request for Interpretation Services – for *spoken* language)
 YA 8011 (Employee Bilingual Assessment)

Related Procedures:

- None

Policy Owner:

Office of Inclusion and Intercultural Relations Manager

Approved:


 Fariborz Pakseresht, 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 and for hearing-impaired youth 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 English-speaking skills to communicate detailed information (e.g., medical information, treatment groups, Multidisciplinary Treatment meetings, eyewitness accounts, information elicited in an interview) in English.

III. POLICY:

OYA is committed to demonstrating practices which reflect cultural responsiveness and cultural competencies. OYA is committed to developing and implementing strategies which value and strengthen the diversity of its workforce and integrates cultural competencies within its organizational structure.

Multilingual communication is important to OYA's overall mission of holding youth accountable and providing opportunities for communicating reformative information, processes and practices. Consequently, OYA values and supports diversity and seeks to provide language-specific and culturally-appropriate services for youth and their families.

IV. GENERAL STANDARDS:

- A. OYA staff are expected to communicate in a professional manner with each other, and with youth and youth family members.
- B. OYA staff must be trained and made aware of the growing language diversity of staff, youth, and youth family members. OYA supports the need for staff and youth to at times use a language other than English.
 - 1. Staff are encouraged to learn and use languages in addition to English.
 - 2. Communication in a youth's native language is **encouraged and acceptable** among youth, between youth and staff, and youth and their families, subject to reasonable, justifiable safety and security concerns by staff.

See OYA policy II-E-2.4 (English Plus - Youth [Facility]) for conditional circumstances in OYA facilities.
 - 3. Communication in a native language among staff is encouraged and acceptable.
- C. Determining who requires language services
Youth who are Limited English Proficient (LEP), non-English-speaking, or hearing-impaired **require** the use of language services during their commitments to OYA.

Staff will determine who requires language services based on:

1. Results of hearing screenings;
2. A request is made for language services by a youth or the youth's family members;
3. Considering whether there was a need for language services in court or during a youth's previous placement with OYA;
4. Using a bilingual staff or language services to conduct a youth's initial intake; and
5. Communicating with a youth or the youth's family members is hindered by limited English comprehension.

D. Situations requiring use of language services

In some situations, staff are able to convey basic instructions or hold conversations with an LEP or hearing-impaired person, but are not able to communicate in a more comprehensive level to provide detailed or specific information or instructions.

Such situations **require** staff to use language services for LEP, non-English-speaking or hearing-impaired youth or their family members. These situations include, but are not limited to:

1. Multidisciplinary Team (MDT) meetings, development and review of youth case plans;
2. Notifying a youth of the youth's rights, responsibilities, and OYA's youth 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, parole, or release; and
9. Outlining violations of probation/parole and recommendations.

E. When bilingual skills are needed to communicate with youth or their family members who are LEP, non-English-speaking, or hearing-impaired, language services must be sought in the following order:

1. Bilingual staff who have been identified by the OYA Human Resources Office as fluent in languages in addition to English, except for medical, psychiatric, or psychological matters;
 2. Other staff fluent in English and the subject's language may be asked to assist in interpretation or translation in emergency situations;
 3. Contracted in-person interpreters must be used if bilingual staff are unavailable, *en route*, or lack the skills to provide direct interpretation services; and
 4. Contracted telephonic interpreters must be used if contracted in-person interpreters are unavailable or *en route*; and
 5. Youth, their family members, or volunteers may only be used as interpreters during an unforeseeable emergency while staff are waiting for an authorized interpreter.
- F. Staff must contact the Office of Inclusion and Intercultural Relations for assistance in using contracted **interpretation (spoken/sign)** services.
- G. Staff must contact the Communications Office for assistance in using contracted **translation (written)** services.
- H. Bilingual staff who have been identified by OYA Human Resources Office as fluent in languages in addition to English must be readily available to facilitate communication between LEP, non-English-speaking, or hearing-impaired youth, youth families, and staff.
- I. Contracted language services must be paid for by the office or facility which requests such services.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO