

SERVICES DELIVERED BY THE DEPARTMENT

June 11, 2010 – P.T. 2010.09

Section 302.10 Purpose

Section 302.20 Definitions

Communication Access For Persons With Hearing Impairments - Glossary of Terms

"American Sign Language (ASL)" means a language in and of itself, different from the English language: It has its own word order and syntax.

"Auxiliary Aids" include but are not limited to amplifiers or amplified phones, decoders or flashing lights which can indicate a phone or doorbell ringing or the presence of smoke or fire; Baby Crying (a monitor which picks up the sound of a baby's cry), closed caption devices for televisions, hearing aids and flash cards.

"Deaf" means the absence of the ability to hear and understand speech or monitor one's own speech production with or without a hearing aid.

"Department Statewide 504 Coordinator" means the employee in the Office of Affirmative Action responsible for coordinating Department compliance with Section 504 of the Rehabilitation Act.

"Hard of Hearing" is a description for a person who has sufficient hearing, with or without hearing aids, to understand the speech of others and monitor his own speech, even though he has a hearing loss.

"Illinois Relay Center (IRC)," also known as "Dual Party Relay," is a 24-hour-a-day, seven-day-a-week service which provides a communications link between those who use a Telecommunications Device for the Deaf (TDD) and those who use a standard voice telephone. IRC provides relay service through a program by the Illinois Telecommunications Access Corp. (ITAC), the local phone company, and AT&T.

"Interpreter" means a person who facilitates communication through sign language or other visual means for persons who are deaf or persons who have a partial or severe hearing loss. A person who translates sign language or other means of visual communication into spoken English for persons who are hearing impaired.

"Lip reading" or "speech reading" means watching a person's mouth and face to read what words are being said. Research indicates that only about 3 out of every 10 words can be speech read easily.

"Manually coded English" (or "signed English") means signs that represent English words in English word order.

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"Prelingual Deafness" means deafness which occurs before the acquisition of language (usually before 3 years of age). Such a person will have no language frame of reference for English when learning to speak, write, or speech read.

"Primary language" means the language which the client normally uses in day-to-day activities.

"Postlingual Deafness" means deafness which occurs after the acquisition of language (usually after 3 years of age). In most cases, persons who have lost their hearing after this age have a relatively strong language base.

"Registry of Interpreters for the Deaf (RID)" means a national organization that has established an evaluation and certification mechanism for sign language and oral interpreters. A certificate signifies that an interpreter has attained a minimum skill level. A registry of certified Interpreters is published annually by the RID, and is recommended as a way of verifying current certification status.

"Telecommunication Device for Deaf" (TDD) means a special typewriter-style device that enables the telephone conversation to be typed rather than spoken. A deaf person can communicate directly with anyone who has a similar device.

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Section 302.30 Introduction

a) Determining Appropriateness of Services

Department intake staff shall determine the appropriateness of Department services for Illinois families with children under the age of 18. **Rules and Procedures 304, Access to and Eligibility for Child Welfare Services**, shall be used to establish eligibility for services. Refer to **Administrative Procedure #5, Child Welfare Case Record Organization and Uniform Recording Requirements**, concerning forms required for computer data entry, the **CFS 1441, Child Endangerment Risk Assessment Protocol** and narrative recording.

b) Immediate Service Provision

Department staff shall immediately secure services, through direct provision or through preexisting contracts, when intake staff have determined that:

- o a child has been abandoned;
- o evidence or circumstances (via the CFS 1441) suggest that the child's safety may be in jeopardy;
- o a child is in imminent danger of physical harm;
- o the parent(s) of a child who is totally unsupervised and unable to care for himself/herself cannot be readily located; or
- o the child is a runaway from another state as described in rules and **Procedures 329, Locating and Returning Missing, Runaway, and Abducted Children** .

c) Accessibility of Services to All Persons

It is the policy of the Department of Children and Family Services to provide services to all persons without regard to race, color, national origin, sex, religion, ancestry, inability to speak or comprehend the English language, handicaps or age. Such services shall be provided in compliance with Titles VI and VII of the Civil Rights Act of 1973 (29 U.S.C. 793 and 794); the U.S. Constitution; the 1970 Illinois Constitution; and applicable state and federal laws, regulations or court orders which prohibit discrimination in the delivery of services. There is no distinction in eligibility for or in the availability or manner of providing services.

All persons and organizations having occasion either to refer persons for services or to recommend DCFS services are advised to do so without regard to the person's race, color, national origin, sex, religion, ancestry, inability to speak or comprehend the English language, disability or age. Additionally, children or their families shall not be denied services under this part solely on the basis that a parent is admitted to an Illinois mental

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health facility, detained in an Illinois jail, or committed to the Illinois Department of Corrections. Refer to **89 Ill. Adm. 307, Indian Child Welfare Services**, which defines the special rights of American Indians.

1) **Limited/Non-English Speaking Persons**

The Department shall provide for communication with limited/non-English speaking persons, including current and prospective clients and family members, to ensure them an equal opportunity to benefit from services. The Department will ensure that information about available services are communicated to limited/non-English speaking persons in a language which they understand and that services are provided to limited non-English speaking persons in their primary language.

DCFS and POS offices shall prominently display in lobbies or public areas the **CFS 1050-63-4, Communication Accessibility**, and the **CFS 1050-63-6, Multi Language Interpreter** posters. **CFS 1050-63-7, Multi Language Interpreter cards** are available to assist staff in determining language needs when trying to communicate with limited/non-English proficiency clients. Once the appropriate language on the **CFS 1050-63-6** or **CFS 1050-63-7** is selected, workers may contact the language line for an interpreter to facilitate communication. Additional information for obtaining language translation and interpreter services is available on the “EEO and OAA” page on the D-Net, under the “Limited English Proficient” section of the “Burgos Coordinator/IEPA Monitor” tab.

Responsibility upon Initial Contact

Department staff who are responsible for the initial contact with the client will ensure that all adults select a language of preference and that a determination is made as to the primary language used by the client. When the determination of the client's primary language is made, a notice shall be given to the client informing the client of the right to an interpreter at no cost to the client.

The client's status as a limited/non-English speaking person shall be prominently displayed on the client's case file. This shall be done by attaching a round yellow sticker to the outside of the case file next to the case name. This alerts the worker using the file that the client has a special communication need. The worker shall then check the case record to find out what the client's preferred method of communication is.

Whenever a foreign language interpreter is needed the Department shall locate one. Reasonable attempts shall include but are not limited to contacting local churches, social service agencies, court interpreter services, foreign consulates, universities, translator services, neighborhood associations or associations representing the nationality of the client.

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Emergency telephone interpretation services can be obtained through the Language Line Services available to all staff. If staff need assistance in accessing the service, they shall contact their Regional Communication Liaison. Payment for a foreign language interpreter shall be made in accordance with **Procedures 359**.

Use of Interpreters

Family members or friends of the adult or minor limited/non-English speaking person may not be used as interpreters in situations involving alleged abuse, neglect, dependency, and hearings and appeals. In other situations, after being informed in writing that the Department will provide an interpreter at no cost to the client, adult limited/non-English speaking clients may request that a family member or friend be used as an interpreter for themselves. Such a request shall be documented in the case file. However, parents may not provide such consents for their children. These restrictions are to ensure confidentiality of information and accurate communication. Interpreters are to serve only as facilitators of communication and are not otherwise involved in the clients' business. Interpreters should never be expected to act as social workers, psychologists or counselors.

Resources

Regional staff should become aware and compile a list of providers who provide services to persons who speak foreign languages and make the list available to direct service staff. These services include but are not limited to interpreter services, counseling, advocacy, foster care and adoption, homemaker, case management, residential and psychological services. The Department will develop and provide needed services not available in the community from public and private agencies. .

Additional resources are listed on the “EEO and OAA” page on the D-Net under the “Burgos Coordinator” tab. DCFS and POS staff may also contact the DCFS Burgos Coordinator/IEPA/LEP Monitor for assistance in locating service providers statewide for all languages.

DCFS Office of Affirmative Action
Burgos Unit, Burgos Coordinator/IEPA/LEP Monitor
1911-1921 S. Indiana Avenue, 4th Floor, Chicago, IL 60616
(312) 808-5264 Fax (312) 808-5134

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2) Spanish Language Determination (Burgos Consent Decree)

Due to the special terms of the court ordered Burgos Consent Decree, the following procedures regarding persons of Hispanic origin are to be followed. Whenever persons of Hispanic origin request or are referred for child welfare services, the parent(s)/child(ren) must be seen in-person by a bilingual worker in order to determine their service needs and primary language. Hispanic is defined as any persons of Puerto Rican, Mexican, Central or South American, or other Hispanic origin. The bilingual staff will inform the Spanish speaking parent(s)/child(ren) of his/her right to receive services in Spanish or English and that services in Spanish are available to them.

Communications Must Be in Spanish

All individual or general written communication (business letters, brochures, pamphlets, form letters, notices) to Spanish-speaking clients by DCFS workers or vendors must be in Spanish. Refer to procedures 301.60(g) for placement services to Spanish-speaking families.

3) Services to Persons Who Are Deaf or Hard of Hearing (HOH)

The Department shall provide services to facilitate communication with persons who are deaf or hard of hearing. The appropriate Department staff person or purchase of service provider shall assist and support the family in securing needed services and in accessing services through public and private agencies such as the Departments of Rehabilitation Services and Public Aid, the Division of Services for Crippled Children, the State Board of Education, etc. These services shall include, but are not limited to, the provision of interpreters, telecommunication devices for the deaf (TDDs, which can be acquired through no cost distribution centers), utilization of the Illinois Relay Center, hearing aids, amplifiers, flash cards, etc. For requirements for DCFS and POS child protection and child welfare workers please refer to **Appendix L, Services for Deaf and Hard of Hearing Clients**, of these procedures.

4) Discrimination Complaints

If any individual seeking or receiving Department services has reason to believe that they have been discriminated against because of race, color, national origin, sex, religion, ancestry, inability to speak or comprehend the English language, disabilities or age, they shall be directed to file a complaint with the Department's Office of Affirmative Action:

Department of Children and Family Services
Office of Affirmative Action
1911-1921 S. Indiana Avenue, 4th Fl.
Chicago, IL 60616
(312) 328- 2493

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A complaint can be initiated verbally or in writing, but must be filed within 180 days of the alleged discriminatory act. The individual will be asked to complete the complaint form, **CFS 766, Discrimination Complaint Form**, which is to be sent to one of the above addresses. Staff will assist individuals in obtaining and/or completing the form, if assistance is requested.

The Office of Affirmative Action will conduct an internal investigation and make a recommendation within 30 working days to appropriate management personnel regarding whether there is substantial evidence to support the charge. If there is substantial evidence finding, conciliation will be recommended. If there is a lack of substantial evidence finding, conciliation will not be recommended. The complainant will be notified of the results of the investigation, and if the complainant is not satisfied, the complaint can be filed with an outside agency such as:

Illinois Department of Human Rights
State of Illinois Center
100 West Randolph, Suite 10-100
Chicago, Illinois 60601
(312) 814-6200

Illinois Department of Human Rights
222 S. College – Room 101A
Springfield, Illinois 62702
(217) 785-5100
(217) 785-5125 (TTY)

Office for Civil Rights
233 N. Michigan Ave – Suite 240
Chicago, IL 60601
(312) 886-2359

5) Worker-Client Contact

Whenever a family or child case has been opened, face-to-face contacts and effective communication shall occur between the worker (DCFS or purchase of service, as appropriate) and the client at the frequency specified in Procedures 315.110, Worker Intervention and Contacts. Contacts are to be recorded on as a **SACWIS Case Entry**.

To meet the contact requirement with hearing impaired clients or limited non-English speaking clients, the worker must be able to facilitate communication using the client's primary mode of communication; e.g., fluency in the client's language or the use of foreign or sign language, e.g., braille or taped communications for persons with visual impairments, etc.

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6) Use of Written Communications

When using forms or written communications with persons with disabilities or limited non-English communication skills, reasonable efforts will be made to assist them in understanding the written communication. In some instances it may be necessary to supplement the written material. For example, for a person who is unable to read or who cannot read English, the form or other written material would need to be read or translated for the person. Letters, forms, or other printed materials to persons who have visual impairments may have to be typed in Braille, tape recorded or read to the person.

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July, 30 2014 – P.T. 2014.15

Section 302.40 Department Service Goals

a) **Service Identification**

When a decision has been made to proceed with case registration/opening and DCFS child welfare services will be provided directly or through purchase, specific services are to be identified on the SACWIS Client Service Plan (refer to **AP #5, Child Welfare Case Record and Uniform Recording Requirements and Rules and Procedures 315, Permanency Planning**).

b) **Family Preservation**

Placement prevention services shall be provided whenever the child is not in imminent danger of harm if left in the home. The placement prevention services may include: 24-hour emergency caretaker, homemaker services, day care services, crisis counseling, individual and family counseling, emergency family shelter, self-help groups, parenting training or other placement prevention services. Service decisions shall be made by the DCFS worker with the input of the family and any involved purchase of service provider.

c) **Family Reunification**

When a child has been removed from his parent's home a combination of child welfare services is generally provided to promote the child's return home. The child will be provided a placement service and, if old enough to be involved, will be provided appropriate counseling services. Day care may also be provided. The parents, in addition to counseling, may be provided with other non-placement services.

The permanency worker shall ensure that services are provided to develop, preserve and support sibling relationships while children are in substitute care. The permanency worker shall give priority to foster parents or relative caregivers who can take an entire sibling group. When siblings cannot be placed together, priority shall be given to caregivers who will agree to frequent and ongoing sibling visitation and contact, so long as such placement is in the children's best interests.

d) **Adoption or Attainment of a Permanent Living Arrangement**

When a child is, by plan, not to be returned to his parents the child shall be involved, to the extent possible, in planning for his future. Counseling services are to be directed toward legal adoption or securing another type of permanent living arrangement to enable the child to have a new family or to remain with a relative or foster family with whom the child has been placed through the transfer of legal guardianship.

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e) **Youth Development**

Youth for whom DCFS is legally responsible who are 16 years of age or older and for whom services directed toward family preservation, family reunification, adoption, permanent foster care and long term placement have been unsuccessful or are inappropriate shall be considered for youth development services. Additionally, unmarried mothers for whom the Department is not legally responsible may receive youth development related services. The Department expects older youth in care will be engaged in a post secondary educational or vocational program, employed at least part time (80 hours/month), and/or participating in an activity designed to promote employment. The following programs, that fall under the youth development service goal, are in place to assist youth in meeting this goal and are described in detail in **Appendices F through N, except L**, of these Procedures:

- Employment Incentive Program
- Youth in College/Vocational Training Program
- Supervised Independent Living Program
- Pregnant and/or Parenting Teen Program
- Support and Well-Being of Lesbian, Gay, Bisexual, Transgender, and Questioning GBTQ (LGBTQ) Youth
- Transition Planning for Adolescent Wards
- Transition Planning for Wards with Developmental Disabilities

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Section 302.50 Functions in Support of Services

- a) In order to have the ability to deliver, either directly or through purchase, the numerous services cited in these Procedures a variety of functions, which in and of themselves are not services, must occur.

- b) The receipt of reports and referrals, assessment, planning, licensing related activities, court action, payment, evaluation of service provision, resource development, record keeping and service termination are all supports critical to the delivery of effective and efficient services to Illinois' children and families.

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