



City of Henderson Effective Communication Procedures

The City of Henderson will take appropriate steps to ensure that all City of Henderson employees having contact with the public are made aware that persons who have vision, hearing or speech disabilities (“communication disabilities”), use different ways to communicate and have an equal opportunity to participate in our services, activities, programs and other benefits. The goal is to ensure that communication with people having these disabilities is equally effective as communication with people not having disabilities.

All necessary auxiliary aids and services shall be provided without cost to the person being served.

A. DEFINITION OF TERMS

American Sign Language (ASL) – Is the natural, visual language of people who are deaf. ASL has its own syntax and grammatical structure.

Auxiliary Aids – Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of, programs or activities (may include: telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices (TDD’s), interpreters, note takers, written materials and other similar services and devices).

Certified Deaf Interpreter (CDI) – Is an individual who is deaf or hard of hearing and has been certified by the Registry of Interpreters for the Deaf as an interpreter.

Certified Deaf Interpreter (CDI) Team – Is a Certified Deaf Interpreter working with a certified interpreter who is hearing.

Computer Assisted Real-time Transcription (CART) – Is the instant translation of the spoken word into text. It is also sometimes called Communication Access Real-time Translation, or simply real-time captioning. It is used primarily for meetings, classroom lectures, and live events.

Deaf – Having a hearing loss of such severity that communication and learning is primarily visual methods (i.e., manual communication, writing, speech reading and gestures).

Hard of Hearing – Having some degree of hearing loss ranging from mild to profound. People who are hard of hearing may benefit from the use of hearing aids or other assistive listening devices. They depend primarily upon spoken English in communication with others.

Interpreter – A sign language interpreter facilitates communication between people who are deaf and hearing by signing what is said and speaking what is signed. An oral interpreter provides a similar service but uses oral communication (speech reading) instead of sign language.

Qualified Interpreter – Is an interpreter who is able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialized vocabulary.

Qualified Note Taker – Means a note taker who is able to transcribe voice communications competently, accurately, and impartially, using any specialized terminology necessary to effectively communicate.

Speech reading – Is the process of attempting to understand the oral language or speech of a person by observing lip movements and facial expressions. This skill widely known as lip-reading is correctly referred to as speech reading.

Telephone Relay Service – A live telephone link that connects deaf, hard of hearing or speech impaired people who use special telephone equipment or software to hearing people who use standard telephones through a third party operator. To use the Relay system, dial 7-1-1.

TTY/TDD/TT (Text telephone) - This device transmits and receives typewritten messages over phone lines. It is a means of electronic communication between people who are deaf or between people who are deaf and hearing.

Video Relay Service (VSR) – A form of telecommunication relay service that involves a TV with a videophone, a mobile wireless device/computer with a web camera, and high speed Internet. An individual who is deaf or hard of hearing and uses sign language to communicate can use this technology to call a hearing party who uses a standard phone. The caller signs to the interpreter on the screen who in turn voices to the hearing party. The interpreter signs back to the caller what the hearing person says. Communication between the two parties is almost simultaneous and this “visual” form of communication is valued by many people who rely on sign language to communicate. A voice telephone user can also initiate a VRS call by calling a toll-free or direct number of the person being called.

Video Remote Interpreting (VRI) – Video conferencing equipment or a television with a video phone is used to allow people who are deaf or hard of hearing to communicate with people who are hearing at the same location through an interpreter. The interpreter is not physically present, but is available via the video equipment. There is a fee for this service. VRI is a convenient resource for parties in need of interpreter services when or where an interpreter is not available to be present on site.

Videophone – A device with a video camera capable of bi-directional video and audio transmissions for communication between people in real-time. People who are deaf and hard of hearing may call other signers point-to-point or call non-signers using a video relay service.

B. PROCEDURES FOR HANDLING REQUESTS FOR AUXILIARY AIDS AND SERVICES

Request for an Interpreter

Police and Corrections, when communicating with the public who may be deaf/hard of hearing or have other communication disabilities, the request for a sign language interpreter should be documented using the **Right to Interpreter, HPD-0022** (Appendix A) and adhere to department procedures.

For all other staff (excluding Police and Corrections), when communicating with the public who may be deaf/hard of hearing or have other communication disabilities, a request for a sign language interpreter and/or a request for auxiliary aids and services should be documented by:

1. Completing the **ADA Communication Request Form, FNBO-0103** (Appendix B) and/or have the individual circle or point to the appropriate language and/or device. The individual usually has a preference that works best for them; their choice should be the primary consideration when selecting a language and/or device. Staff cannot require proof of a person's disability or charge for the auxiliary aids and services.
2. Determine what type of interpreter service is desired, such as:
 - a. American Sign Language (ASL)
 - b. Signed English
 - c. Certified Deaf Interpreter (CDI)
 - d. Computer Assisted Real-time Transcription (CART)
3. Identify the type of device for communication that is needed. Examples of auxiliary aids and services used for communication:
 - a. UbiDuo (two-way digital communication device)
 - b. TTY/TDD (text telephone)
 - c. Assistive Listening Device
 - d. Computer Assisted Real-time Transcription (CART)

Obtaining the Services of an Interpreter

1. Place a call to one of the city's contracted interpreter providers (see Appendix C). If the first provider is contacted and unable to provide an interpreter in a timely manner (***generally one-hour during normal business hours***), the employee will contact the next service provider, and continue to do so until all service provider agencies are exhausted.

2. If an individual who is deaf or hard of hearing requests an appointment to discuss city business that requires an interpreter, staff should:
 - a. Obtain a contact number to arrange an available time period for the appointment. (*The appointment call-back time should be **within 8 working hours** of the original call.*)
 - b. Contact a city contracted interpreter provider and make arrangements for a scheduled date/time of the appointment.
 - c. Contact the individual and relay the information of the appointment which should include the date, time and location of the meeting.
3. Staff will make every effort to obtain an interpreter on limited notice. During the time an interpreter is requested and when an interpreter is made available, staff should continue to try to communicate with the customer. Provide communication to the same extent as staff would have communicated with the person but for the disability, using all available methods of communication, including using sign language pictographs, attempting note writing or pantomime (a technique to convey emotions, actions, feelings, by using gestures without speech).

This provision in no way lessens the City of Henderson's obligation to provide qualified interpreters in a timely manner as required by this procedure.

Completing the ADA Communication Request Form FNBO-0103:

1. All requests for interpreters and/or auxiliary aids and services must be documented using the ADA Communication Request Form, FNBO-0103, with all pertinent information. If the individual requests the service in person, the requestor must sign the form.
2. Attach all forms of communication (such as handwritten notes, drawings) used to communicate with the individual with the disability with the ADA Communication Request Form, FNBO-0103.
3. When using notes, the notes should be short and to the point.
4. Scan and attach the ADA Communication Request Form, and any notes, and send them to the ADA Coordinator at ADA@cityofhenderson.com, or mail to ADA Coordinator, Finance Department, Business Operations, M/S 121.

Restricted Use of Certain Persons to Facilitate Communication:

1. **Confidentiality, Potential Emotional Involvement and Other Factors**

Where confidentiality, potential emotional involvement and other factors that may adversely affect an interpreter's ability to facilitate communication are involved, it is important that the communication is being received:

 - a. Staff may never require, coerce or rely upon a family member, companion, advocate or friend of an individual with a disability to interpret or facilitate communications between city personnel and such

individual.

- b. Staff cannot allow minor children to be used as an interpreter, unless there is an emergency situation involving an imminent threat and no qualified interpreter is available.

2. Using Family Members, Companions, Advocates or Friends

If an individual who is deaf or hard of hearing, prefers or requests the use of a family member, companion, advocate or friend of the individual to be used to interpret or facilitate communication, the person can be used as an interpreter, if:

- a. The individual specifically requests it
- b. The accompanying adult agrees
- c. The reliance on the accompanying adult is appropriate under the circumstances
- d. An offer for an interpreter has been made available at no charge to the person
- e. The offer and the response are documented on or with form FNBO-0103

If it is determined that a family member, companion, advocate or friend will act as an interpreter, staff must consider:

- f. issues of competency of interpretation
- g. confidentiality
- h. privacy
- i. conflict of interest

If staff can determine the family member, companion, advocate or friend does not meet the criteria to be an effective interpreter for the situation, staff should make the necessary arrangements for obtaining a qualified interpreter.

3. Interpreter Requests with Limited Notice

When it is apparent to city staff or a contractor who is conducting business on behalf of the city that an interpreter is necessary to effectively communicate, or a request is given with limited notice to obtain an interpreter:

- a. Make every effort to obtain an interpreter on limited notice; generally, one hour during business hours. It may take longer outside business hours, holidays and weekends, but staff must continue to try to obtain an interpreter within a reasonable amount of time.
- b. Continue to try to communicate with the customer. Provide communication to the same extent as staff would have communicated with the person but for the disability, using all available methods of communication, including using sign language pictographs, attempting note writing, or pantomime (a technique to convey emotions, actions, feelings, by using gestures without speech).
- c. Provide updates to the individual (or a family member, companion, advocate or friend, if the individual is not available) of the current status and efforts being taken to secure a qualified interpreter.

- d. Notification of efforts to secure a qualified interpreter does not lessen the City of Henderson's obligation to provide qualified interpreters in a timely manner as required by this procedure.

4. Imminent Threat

Imminent threat is defined as any delay in providing the services could have life-altering or life-changing consequences.

If there is an emergency involving an imminent threat, others can be considered to act as an interpreter or assist with facilitating communication, when no qualified interpreter is available. Staff may consider:

- a. Family member, companion, advocate or friend
- b. A minor children accompanying a person

When the imminent threat has lifted, staff should revisit the decision of what auxiliary aids and services are appropriate for the situation and take into consideration the person's preferences and giving primary consideration to those preferences.

This provision in no way lessens the City of Henderson's obligation to provide appropriate auxiliary aids and services as required under this procedure.

C. AUXILIARY AIDS OR SERVICES

Obtaining the use of an Assistive Listening Device:

Assistive listening devices **do not** have to be requested in advance and City of Henderson cannot charge a fee for the services.

What works in one situation, may not work in a different situation. Each request should be treated as a separate event and recorded on the Communication Request form FNBO-0103.

It is important to provide the auxiliary aid or service at the time of request, or in a timely manner. It is unreasonable to have persons with disabilities wait an excessive amount of time to receive this service.

Factors to Consider

A person will know what auxiliary aids or services works for them, however, you should consider:

1. The duration and complexity of the communication
2. The context of the communication
3. The number of people involved
4. The importance and potential impact

The city has readily available assistive listening devices available for staff members to use in situations where it may be necessary to effective communication in a meeting, classroom or a one-on-one setting.

Assistive Listening Devices

Assistive listening devices are available at the following locations:

1. **City Council Chambers** – the assistive listening device and receivers are readily available for meetings scheduled in the Council Chambers. Contact the City Clerk's Office for the device(s).
2. **City Hall Use (excluding the Council Chambers)** – an assistive listening device is readily available for City Hall use, if needed to assist with communication needs. Contact the ADA Coordinator to check out the device.

Staff should maintain and ensure the receivers are properly charged at the beginning and ending of each shift. If the device is battery operated, make sure the device is turned off and extra batteries are available.

Determination Not to Provide Auxiliary Aids or Services:

In rare circumstances, it may not be possible to provide the individual's preference for accommodations when the request may fundamentally alter the nature of the service or program; or, may be an undue financial or administrative burden.

After conducting an assessment of the request and the circumstances do not warrant the provision of an auxiliary aids or services:

1. Notify the ADA Coordinator.
2. The ADA Coordinator will advise the person requesting the auxiliary aids or services of the decision.
3. The ADA Coordinator will document the date and time of the denial and the basis for the determination.
4. A copy of this documentation will be kept on file per the records retention policy.

D. TRAINING

All city staff and management will be provided with training on the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 and Effective Communication with individuals with disabilities:

1. New employees will be provided training during their initial on-boarding training.
2. Each department (excluding HPD and Corrections) will be responsible for ensuring existing employees have been assigned ADA Effective Communication in training.
3. Training will be conducted annually.
4. Ensure employees have access to the city's contracted interpreter providers.

E. IDENTIFICATION OF SERVICE PROVIDERS

The City of Henderson ADA Coordinator will establish a list of contracted interpreter providers to provide interpreting and other communication services.

1. The current list of the contracted interpreter providers are posted in

SharePoint>Finance Department>ADA>Shared Documents>COH Contracted Interpreter Providers.

2. A printed copy of the list should be posted at all service counters and information desks.
3. This list should be readily available to all departments and employees.

F. AUTHORIZATION TO MAKE THE DETERMINATION FOR AN INTERPRETER

During normal business hours, after hours, weekends and holidays, city employees will have the ability to make a decision to call an interpreter when a request has been made to provide such services without having to obtain prior approval from a supervisor, manager or the ADA Coordinator.

G. CONTRACTORS PERFORMING SERVICES ON BEHALF OF THE CITY

City of Henderson Contractors:

All contractors providing services at City of Henderson facilities shall have a provision in their contract that the contractor is responsible for providing auxiliary aids and services in compliance with the Americans with Disabilities Act to accomplish effective communication. Failure to provide such services upon request will result in the forfeiture of security deposits and possible ban from using the facilities in the future. The ADA Coordinator will provide each contractor with the City's contracted interpreter providers upon request.

H. SIGNAGE

Signage will be posted at city facilities where staff reasonably anticipates engagement with the public and will post conspicuous signs in public areas. Signage will advise persons who are deaf or hard of hearing of the availability of appropriate auxiliary aids and services, including qualified interpreters.

APPENDIX A

RIGHT TO INTERPRETER – HPD 0022



**HENDERSON POLICE DEPARTMENT
RIGHT TO INTERPRETER**
REFER TO HPD POLICY AND PROCEDURE DM-0583, HANDICAPPED INTERPRETERS,
FOR INFORMATION

HPD 0022

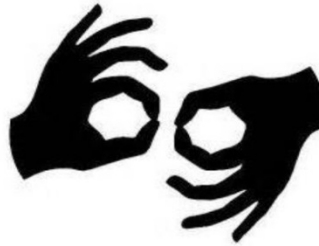
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DR# _____

This is to inform you that you have the right to request a sign language interpreter. If you request a qualified sign language interpreter, one will be provided to you within a reasonable amount of time.

1. I have read and understood this right. I DO request an interpreter.
2. I have read and understood this right. I DO NOT request an interpreter.

Universal pictogram for sign language interpreter:



Sign language interpreter?

yes



no



Printed Name

Signature

Date

HPD Officer / Employee Name

P#

APPENDIX C

LIST OF CONTRACTED INTERPRETER SERVICES

INTERPRETER PROVIDERS

American Sign Language Communication (ASL Comm)

www.aslcomm.com

email: service@aslcomm.com

(702)610-4722

(702)990-9445 (fax)

Hours: 24 hours/7 days

Provides Interpreters, Communication Access Realtime Translation (CART) Services and Video Conferencing



Preston Bass Interpreting Services, LLC

www.prestonbass.com

(702)228-5181

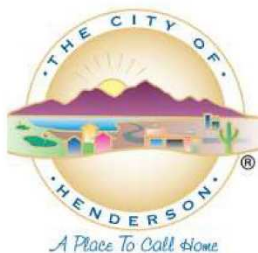
(702)228-5183 (fax)

(702)228-5182 (Videophone)

Hours: 24 hours/7 days

Provides ASL, Signed English, Tactile (Deaf/Blind), Certified Deaf Interpreters (CDI), Oral and Realtime Captioning services.

Please check the selected companies' websites for terms of service and cancellation policies.



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ADA Coordinator

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Finance, Business Operations

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