



Language Assistance Plan

Interpretation and Translation Services
for Limited English Proficient Parents/Guardians

TULSA PUBLIC SCHOOLS

2018-2019 SCHOOL YEAR

Language Assistance Plan

Interpretation and Translation Services
for Limited English Proficient Parents/Guardians

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Purpose

Tulsa Public Schools recognizes that communication and partnership with parents/guardians are vital for the educational success of students. The district is committed to provide accurate, professional and quality language interpretation and translation services to families so that they can take an active role in their children's education. The purpose of this Language Assistance Plan (LAP) is to ensure meaningful access to school events and information to support effective communication and partnerships with parents/guardians who are Limited English Proficient. The creation and implementation of this LAP is guided by the United States Department of Justice's "Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination against Persons with Limited English Proficiency" ["DOJ Guidance"].

A parent/guardian is identified as Limited English Proficient (LEP) when he/she is limited in speaking, reading, writing, or comprehending English. A parent/guardian does not have to be of limited proficiency in all areas of English (speaking, reading, writing and comprehending) to be considered LEP but rather a parent/guardian may be limited in at least one of these areas to be eligible to receive language assistance as needed.

Interpretation and Translation Defined: For the purpose of this Language Assistance Plan, "**Interpretation**" is defined as a spoken explanation provided to assist two or more people who do not speak the same language to communicate with each other. "**Translation**" is defined as a written version of a document provided in a different language than the original document.

Federal Law

Under relevant statutory and case law, in order to avoid discrimination on the basis of national origin against persons with limited English proficiency, recipients of federal financial assistance from the U.S. Department of Education must take appropriate steps to ensure that persons with limited English proficiency receive the language assistance necessary to allow them meaningful access to services, free of charge.

The Office for Civil Rights [OCR] of the U.S. Department of Education relies on Title VI of the Civil Rights Act of 1964 and a May 25, 1970 memorandum created by the Office for Civil Rights entitled "Identification of Discrimination and Denial of Services on the Basis of National Origin," ["The May 25th Memorandum"] as its guidance in providing appropriate services to persons with limited English proficiency.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Under Title VI, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program to which this part applies."

The May 25th Memorandum lists a number of "major areas of concern" relating to compliance with Title VI. Among them is the "responsibility of school districts to adequately notify national origin-minority group parents of school activities called to the attention of other parents." These notices, the 1970 memo adds, "may have to be provided in a language other than English" in order to be adequate. This language allows for considerable flexibility as to when adequate notice necessitates interpretation or translation and when it does not. It is important to note that the May 25th Memorandum has never been withdrawn. In fact the United States Supreme

Court upheld its provisions in a landmark 1974 decision, [*Lau v. Nichols*, 414 U.S. 563 (1964)].

Additionally, the Department of Justice and the United States Department of Education's Office for Civil Rights reiterated the obligation "to ensure that LEP parents and guardians have meaningful access to district- and school-related information" in the January 7, 2015 Dear Colleague letter. This was later followed by the English Learner Tool Kit Updated with ESSA references published by United States Department of Education Office of English Language Acquisition in partnership with the Department's Office of Elementary and Secondary Education, Office of Civil Rights, the Institute of Education Sciences, The Office of the General Counsel, the Office of Special Education and Rehabilitative Services, the Department of Justice and the National Clearinghouse for English Language Acquisition initially in July 2015 and updated in November 2016.

Board of Education Policy

The Tulsa Public Schools Board of Education has approved the following policy and regulation regarding interpretation and translation services for parents/guardians. The full text of both documents can be found in the district's master policy manual located at www.tulsaschools.org.

- Policy 9501: Parental/Guardian Relations – Interpretation and Translation Services for District Parents and Guardians
- Regulation 9501-R: Parental/Guardian Relations – Interpretation and Translation Services for District Parents and Guardians

Notification of Interpretation & Translation Services for Parents & Guardians

To facilitate LEP parents/guardians taking an active role in their children's education, the district will proactively notify parents/guardians who may be identified as LEP of the interpretation and translation services available to them for school-related purposes. To that end, the following information is made available for parents/guardians:

- The Language Assistance Plan, information on available interpretation and translation services, contact information to request language assistance services, request forms and related resources are available on www.tulsaschools.org.
- The Parent/Guardian Notice of Interpretation and Translation Services is published in the District's Parent/Guardian Guide.
- The following signs will be displayed in a location visible to parents/guardians at all school sites and district departments:
 - *Interpreters Available upon Request*
 - *Please Point to Your Language*
 - *Notification of Language Assistance Services*
- The following information will be posted on the District's Parent Menu under Language and Cultural Services:
 - *Notification of Language Assistance Services*
 - *Parent/Guardian Language Assistance Request Form*
 - *Language Assistance Services Complaint Form*
 - *Language Assistance Plan*
 - *Language Assistance Parent/Guardian Feedback Survey*

Identification of LEP Parents & Guardians

Parents/guardians in need of language assistance should indicate the type of assistance needed, interpretation or translation, and the language in which the assistance is needed on the Home Language Survey completed during the enrollment process. Parents/guardians can also access the Interpretation/Translation Request form available on www.tulsaschools.org to submit a request to the school site to indicate that interpretation or translation services are requested for a specific school event. In addition, school staff should make reasonable efforts to identify parents/guardians in need of interpretation and translation services through interaction and meetings.

From the information provided on the Home Language Survey, registrars, and other staff as assigned, will enter the language assistance needs as indicated by the parents/guardians in PowerSchool.

Information regarding LEP parent/guardian requests for interpretation services and/or translation services and the language indicated will be entered on the Custom Language Page. This information can be queried in a report format so that District and site staff can easily identify needs and plan services for parents/guardians needing language assistance.

On the Other Information Page, registrars, and other staff as assigned, will enter language assistance needs of parents/guardians into the Other Alert Text. This information will appear to all staff at the top of each student's page as an alert graphic (⚠). This alert indicates that language assistance is required for the parent/guardian and, when opened, the text box will identify the specific language needs of the parent/guardian (i.e., *Interpretation needed Spanish or Interpretation and Translation needed Hmong*).

Information on language assistance needs of parents/guardians can also be provided by parents or staff at a later time and entered on PowerSchool.

Documentation of Language Assistance Services Provided

To document and track the language assistance services provided to LEP parents/guardians, a log of interpretation and/or translation services will be made available in PowerSchool on each student's individual record. The log will identify the date the language assistance service was provided, the type of services provided (e.g., interpretation or translation), the purpose of the interaction (e.g., Section 504 and IEP meetings, discipline hearings, parent teacher conferences), and the service provider name and/or company affiliation. Services provided will be recorded on the student's interpretation/translation log, and will include but not be limited to, scheduled or pre-arranged interactions between parents/guardians and staff or administrators, Section 504 and IEP meetings, discipline hearings, and parent teacher conferences. The log entry will be made by the staff member initiating the request for language assistance services. The log will be cumulative and a permanent part of the student's individual record in PowerSchool.

Training of Interpreters & Translators

Any person who is providing services as an interpreter or translator must be proficient and competent in the language(s) being interpreted or translated and must have knowledge of the ethics and professional responsibilities involved in providing such language assistance services. The role of the interpreter is to ensure that accurate and effective communication occurs between all parties involved. The role of the translator is to ensure that the written word is accurately and meaningfully transcribed from the source language to the target language.

To ensure competency and proficiency of all interpreters and translators in the district providing language assistance services, persons providing such services will be required to provide documentation of proficiency certification. The district will provide oral language competency testing for its employees. The interpreter assessment will ensure oral language competency and proficiency in English and the target language, as well as in interpreter skills. Translation competency testing in Spanish will be provided in-district using a district-created translation assessment and scored by a certified Spanish translator. Testing will be scheduled with the Language Assistance team in the Office of Language and Cultural Services and a list of approved interpreters and translators will be maintained by the Office of Language and Cultural Services. If the interpreter is a district employee, interpreter and/or translator approval will also be noted on the employee's employee record in the MUNIS database. Employees and contract service providers with existing interpretation and/or translation certification can submit documentation of existing certification to the Language Assistance team to be included on the approved list of district interpreters and translators.

Interpreters and translators providing language assistance in Tulsa Public Schools must participate in the district's annual language assistance training session in order to be included on the district's approved interpreter and translator resource list. Training includes information on legal requirements, ethics, confidentiality, information on the expected literacy level of the audience, and resources on specialized and technical vocabulary that may be needed. In addition, all interpreters and translators providing services in the district must read and sign the *Tulsa Public Schools Ethics and Guidelines for Interpreters and Translators* which is kept on file in the Office of Language and Cultural Services located in the Enrollment Center.

Interpreters & Translators for Exceptional Student Services

All interpreters and translators who are providing language assistance services related to exceptional student services must have knowledge of and be able to use special education terms and have demonstrated proficiency in the languages being interpreted or translated. In addition, interpreters and translators providing language assistance services for exceptional student services meetings must participate in the district's language assistance training. Training includes information on legal requirements, ethics, confidentiality, information on the expected literacy level of the audience, and resources on specialized and technical vocabulary that may be needed. Interpreters and translators requested for exceptional student services meetings must be requested through the language assistance portal.

Guidance Regarding Use of Family, Friends, or Children as Interpreters

The use of family members and friends for the provision of language assistance is generally not acceptable. The use of such individuals raises issues of confidentiality, privacy, or conflict of interest, and, in many circumstances, such persons are not competent to provide quality, accurate interpretations. The district will not rely on such individuals to provide LEP parents/guardians with meaningful access to important programs and activities. Even when the LEP parent/guardian chooses to provide his/her personal interpreter or translator, the district should always ensure that a district interpreter/translator is present. This is to ensure that the interpretation/translation given is accurate. The use of minor children raises particular concerns about competency, quality and accuracy of interpretations. Children under the age of 18 years old cannot be bound to confidentiality regulations under FERPA. It is also not advisable to use such children to convey information about their own educational and/or complex information. Accordingly, minor children can never serve as interpreters or translators.

A memo providing all staff with guidance in regards to the use of children, family members, and friends as interpreters will be released annually for all staff to review.

Notification of Interpretation & Translation Services for Staff

A variety of tools and resources are available to district staff to enable effective communication with LEP parents/guardians. Information concerning the availability of and access to such resources are available on InsideTPS on www.tulsaschools.org, which is a secured site for employee access.

Resources include phone access procedures for Language Line, a quick start guide for TransAct Parent Notifications, procedures for requesting interpretation or translation services through the language assistance portal, and directions to access the required annual online training. Each semester principals will also receive notices of names of staff at their site that have been included on the district's approved list of interpreters and translators. In addition, notices of available interpretation and translation resources are included each semester in district staff communications.

To further publicize and inform all district staff of interpretation and translation resources available, how to access such resources, and the federal laws regarding such resources, a brief online presentation will be created by the district and made available to sites to be shown by site principals or department directors annually during faculty, staff and department meetings.

Process for Identifying & Translating Vital Written Documents

Tulsa Public Schools recognizes that community collaboration and parent/guardian partnership is fundamental to student achievement. To support such a partnership with LEP parents/guardians it is important to ensure that written materials routinely provided to parents/guardians in English also are provided in frequently encountered languages other than English. A document will be considered “vital” if it contains information that is critical for obtaining educational services and/or benefits, or is required by law. In addition, the district will consider the importance of the program, information, encounter, or service involved and the consequence to the LEP parent/guardian, and the district, if the information in question is not provided accurately or in a timely manner in identifying the priority of document translation. As allowed by the Department of Justice guidance, the district will provide written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000 persons, whichever is less, of the LEP parent/guardian population eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, will be provided through oral interpretation.

To create an accessible library of existing translated documents for district use, the district will use the district master files to share the translated documents through TransAct Parent Notifications. The district master files allow the district to upload and create folders of translated documents and resources. All district employees with a tulsaschools.org email address have access to TransAct Parent Notifications to access the translated documents.

As of September 2018, 32% of families in Tulsa Public Schools report that Spanish is the primary language of the home. Due to this significant number, a collection of translated school documents in Spanish is available to schools and district departments for use. Translation of school documents

for other language groups is available upon individual request the language assistance portal and may be provided through oral interpretation of the requested document rather than in written form. Translation request procedures are available on www.tulsaschools.org. The district continually surveys the language groups represented and the school documents used to ensure applicable and current translations of school documents for the community.

Evaluation of Language Assistance Plan

The Office of Language and Cultural Services conducts an annual evaluation of the Language Assistance Plan to determine its overall effectiveness and any revisions that may be necessary. The evaluation identifies strengths and weaknesses of the plan from which necessary and appropriate adjustments to services will be made. The evaluation also assesses the service needs of the language groups represented within Tulsa Public Schools.

The annual evaluation of the Language Assistance Plan includes the following components:

- Assessment of the number of parents/guardians with Limited English Proficiency and the language groups represented
- Assessment of the type and frequency of language assistance services requested, including the target language involved
- Assessment of feedback and evaluation from LEP parents/guardians receiving interpretation or translation services to determine if services were appropriate and timely
- Assessment of feedback and evaluation from district and school staff utilizing interpretation and/or translation services to determine if such services were appropriate and timely
- Assessment of district and school staff understanding of the Language Assistance Plan and procedures to provide interpretation or translation services