Procedure Language Access Plan

The following procedures are intended to implement Policy 4218, establish meaningful, two-way communication between the District and parents with limited English proficiency (LEP), and promote access for such parents to the programs, services, and activities of the District.

A. **Definitions**

1. Persons with "**limited English proficiency**" ("LEP") are individuals who are unable to communicate effectively in English either verbally or in writing, or both, because their primary language is not English and they have not developed fluency in the English language. A person with LEP may have difficulty in one or more of four domains of language: speaking, listening, reading, and writing. Staff are urged to remember that LEP may be context-specific—e.g., a parent may have sufficient English language skills to understand, communicate and/or exchange basic information with a teacher, but they may not have sufficient skills to communicate detailed, specific information needed in a particular context, like an IEP meeting, a 504 meeting, or a student discipline hearing.

2. "**LEP parent(s)**" refers to the parent(s) or guardian(s) of a student or students enrolled in the District who have limited English proficiency, even if the student is proficient in English. This term does not include family members of the student other than their parent(s) or guardian(s).

3. "**Primary language**" means the primary language spoken by a student's parent or guardian, or the predominant language spoken in the student's home. Parents may have more than one primary language and/or dialect.

4. "**Language services**" refers to a broad spectrum of services used or required to facilitate communication and understanding between speakers of different languages, and typically includes interpretation and translation services.

5. "**Interpretation**" means the act of contemporaneous communication between a speaker of English and a speaker of another language wherein the words of one person are communicated to others orally in a different language.

   The District will take reasonable steps to utilize interpreters who have demonstrated language proficiency through certification or who are employed by a particular vendor or service contracted to provide interpretation services.

6. "**Translation**" means the written communication between a speaker of English and a speaker of another language where in the written words of one person are communicated to others in writing in a different language.

B. **Parent Identification**

1. Upon student enrollment and periodically through a student's education, schools will utilize a survey to identify parents who need language access services and the languages in which they may need assistance. The survey will be translated into the most commonly known languages spoken in the district and will be included in the standard enrollment packet provided to all District parents.

2. Schools must determine within thirty (30) days of a student's enrollment the primary language spoken by the parent of each student enrolled in the school, and if such language is not English, whether the parent requires language services in order to communicate effectively with the school or District.

3. Schools will maintain an appropriate and current record of the primary language spoken by a student's parents, and such record will be available to the District.

C. **Interpretation and Translation Services**

1. Each school and District office will, consistent with this policy and procedure, provide free oral interpretation services to all parents who require language services in order to communicate effectively during any interaction with the District significant to the student's education. Additionally, each school and District office will provide free translation of vital documents as required below in Section 8.

2. All interpretation and translation will be provided by competent and fluent speakers of that language as demonstrated by certification or similar means. The District will take reasonable steps to ensure that interpreters and translators have the knowledge in both languages of any specialized terms or concepts to be used in the communication at issue, and that they have been trained in the role of an interpreter or translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

   In the event that the District cannot provide an interpreter that is either certified or employed by a vendor to provide interpretation services after taking all reasonable steps to do so, the District must still take reasonable steps to ensure that the interpreter utilized is trained regarding the role of an interpreter, the ethics of interpreting and translating, and the need to maintain confidentiality.

3. Parents may voluntarily choose to decline the District's offer of an interpreter and choose instead to rely on an adult friend/companion or relative for language and interpretation services, but school staff may not suggest this as an alternative to providing appropriate language and interpretation services.

   Students and other minor children under the age of 18 may <u>not</u> serve as interpreters for school staff and parents during any formal or informal meeting or process.

4. The District will facilitate staff access to appropriate interpretation and translation services in order to communicate with LEP parents consistent with federal and/or state law and this policy and procedure. If no interpreter can be present, District staff should utilize a language bank, resource line or online service to communicate with parents.

5. The following interpretation and translation services are currently available in the District: *[District note: Include here a list of interpretation and translation services available within the District, with instructions for accessing them].*

   District staff will be informed of when and how to access interpretation and translation services available within the District and the administrator responsible for ensuring the availability of such services. [*District note: Insert here: "District staff may contact, _____, by phone at (xxx) xxx-xxxx or at XXXX@XXXXXX with questions or concerns, or to obtain information or assistance regarding interpretation and translation services."]*

6. District administrators, including those involved with registration and enrollment, certificated staff and other appropriate staff as determined by the superintendent, will receive guidance and information regarding:

a. the rights of LEP parents under state and federal law to language access services provided by the District;

b. the importance of meaningfully and effectively communicating with LEP parents;

c. the most effective ways to communicate with LEP parents regarding the District's available language services;

d. the importance of utilizing competent translation and interpretation services when communicating with LEP parents;

e. the availability of translation and interpretation services within the District, whether through in-person interpretation, telephonic services, online services, or video-conferencing;

f. the mechanisms and processes for accessing translation and interpretation services when working with LEP parents, including ensuring the correct language service is being accessed, checking LEP parent understanding once interpretation has commenced, and proper vetting of translations for audience-appropriate content; and

g. the process for reporting concerns or complaints.

7. **Interpretation Services**: Whenever requested by a parent or whenever school staff or District officials can reasonably anticipate that interpretation services are necessary to meaningfully communicate with parents regarding important information about their child's education or school activities, the District will provide interpretation services in accordance with this procedure.

   Such interpretation services may be provided either at the location where the parent is seeking to communicate or by electronic means, such as telephone or video conferencing.

   Upon three days' notice that such services are required, the District will provide interpretation services at public meetings organized or sponsored by the District (e.g., board meetings).

8. **Translation of Vital District Documents**: The District will identify vital documents which are distributed or electronically communicated to all or substantially all parents containing important information regarding a student's education, including but not limited to:

   a. registration, application, and selection;

   b. academic standards and student performance;

   c. safety, discipline, and conduct expectations;

   d. special education and related services, Section 504 information, and McKinney-Vento services;

   e. policies and procedures related to school attendance;

   f. requests for parent permission in activities or programs;

   g. opportunities for parents to access school activities, programs, and services;

h. student/parent handbook;

i. the District's Language Access Plan and related services or resources available;

j. school closure information; and

k. any other documents notifying parents of their rights under applicable state laws and/or containing information or forms related to consent or filing complaints under federal law, state law, or District policy.

The District will provide a written translation of vital documents for each LEP group that constitutes at least 5 percent of the District's total parent population or 1000 persons, whichever is less. If the District is unable to translate a document due to resource limitations or if a small number of parents require the information in a language other than English such that document translation is unreasonable, the District will still provide the information to parents in a language they can understand, such as through oral interpretation of the document.

Written translations of vital documents by machine/computer translation programs will not be used or issued to LEP parents without prior review by a District-approved translator.

All documents and information posted or issued by the District for parents should contain a notice in appropriate language(s) that free translation and/or interpretation services are available and how to request a free translation or interpretation of the document.

9. **Translation of Student-Specific Documents**: The District will take all reasonable steps to provide parents, in a language they can understand, a translation of any document that contains individual, student-specific information regarding, but not limited to, a student's:

   a. health;

   b. safety;

   c. legal or disciplinary matters; and

   d. entitlement to public education, eligibility for special education services, placement in the English Language Learner Program (ELL), the Highly Capable Program, accelerated courses such as Advanced Placement, or any other non-standard academic program.

10. **Alternatives to Translation**: When translation for a document otherwise required to be translated is unavailable or cannot be done, such as in an emergency situation, a school or District office will provide an attached notice to parents in appropriate language(s) that free translation and/or interpretation services are available and how to request a free translation or interpretation of the document.

D. **Providing Information to Parents**

1. District staff and parents will be annually notified of this policy. Staff will be regularly provided written guidance regarding how and when interpretation and translation services should be accessed and such guidance will be updated as needed to reflect available services.

2. Parents will also be annually notified regarding the process for filing complaints through the District's nondiscrimination policy and procedure if they believe that such services have not been appropriately provided.

3. The District will take steps to ensure that, at the time of enrollment, information regarding available interpretation and translation services and the District's complaint process is provided to any parent (s) when there is reason to believe that the student's parent(s) may have LEP (e.g., results of home language survey, a parent's request for an interpreter). The District will take reasonable steps to provide information required by this section in the primary language spoken predominantly in the home.

4. Schools and District offices will post in a conspicuous location at or near the primary entrance to the school or office a sign in primary languages spoken in the District concerning the rights of parents to translation and interpretation services and how to access such services.

5. To the extent practicable, the District website will provide information in designated languages concerning the rights of parents to translation and interpretation services under federal and state law and how to access such services.

E. **The Collection and Analysis of LEP Data**

1. The District will periodically collect and analyze data related to LEP so as to assemble a list of primary languages spoken predominantly in the homes of students and their parents. Such information will help to ensure the provision of appropriate language access services and assist the District in effectively planning and budgeting for services necessary to communicate with students and their parents.

2. Such data may be collected by parent surveys.

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