Language Access

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

A. **Definitions**

1. Persons with "**limited English proficiency**" 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 limited English proficiency may have difficulty in one or more of four domains of language: speaking, listening, reading, and writing. Staff are urged to remember that limited English proficiency 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. "**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.
3. "**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.
4. "**Interpretation**" means the process of first fully understanding, analyzing, and processing a spoken or signed message and then faithfully rendering it into another spoken or signed language.
5. "**Interpreter**" means a spoken language or sign language interpreter working in a public school, as defined in RCW 28A.150.010, to interpret for students' families, students, and communities in educational settings outside the classroom,
6. "**Translation**" means the process of communicating the meaning of a written source-language text into an equivalent target language text in such a way that the content of both texts can be considered the same.
7. **Qualified Interpreter**" means an interpreter who is able to interpret effectively, accurately, and impartially, both receptively and expressively using necessary specialized vocabulary.

B. **Language Access Program**

The District's language access program will include completion of the following activities:

- Adopting or developing a language access plan that outlines how the District will identify language access needs, allocate resources, establish standards for

providing language access services, and monitor the effectiveness of the language access program (additional information about how to develop the language access plan is provided in a subsequent section of this procedure);

- Administering the self-assessment developed by the Language Access Technical Assistance Program of Center for Improvement of Student Learning, established in RCW 28A.300.130 for evaluating the provision of language access services (additional information about the self-assessment is provided in a subsequent section of this procedure;
- Using the guide developed by the Language Access Technical Assistance Program of Center for Improvement of Student Learning, established in RCW 28A.300.130 for developing, implementing, and evaluating the District's language access policy, procedures, and plan. The processes for developing and evaluating the language access policy, procedures, and plan must engage staff, students' families, and other community members in ways likely to result in timely and meaningful feedback, for example partnering with community-based organizations and providing translation and interpretation in languages that are understood by students' families;
- Reviewing, periodically, the District's language access policy and procedures to incorporate necessary updates;
- Collaborating with community-based organizations on how to work effectively with interpreters and families; and
- Reviewing, updating, and publishing, at least annually, information about the school district's language access plan, policy and procedures, and language access services, including the need for, and spending on, language access services. The information must include notice to families about their right to free language access services and the contact information for any school district language access coordinator and any building points of contact for language access services. The information must be translated into common languages understood by students' families.

Developing a Language Access Plan

The District will develop a language access plan for ensuring the district complies with the language access policy adopted by the board and all other language access requirements. The language access plan will establish the following:

- Who is responsible for implementing the plan, including district-level administrators, workgroups, committees, or other district and school staff who will be responsible for overseeing the language access work in the district and schools, developing and modifying the language access plan, establishing and implementing operational procedures (i.e., how staff may access interpretation and translation services), and monitoring and evaluating the effectiveness of the District's language access plan and services.
- Staff training on the district's language access policy, procedure, and plan, including the frequency, curriculum, and target personnel who will participate in the training.
- Identification of the language access needs in the district and the services that will be provided. The plan will include a list of the languages that students, parents, and families communicate in and the prevalence of those languages. The

plan will also identify the languages in the district that vital publications most commonly must be regularly translated into, in alignment with this procedure.

- How the District will conduct outreach to parents and communities with language assistance needs and the actions needed to implement an effective system for gathering feedback.
- What resources will be allocated for the provision of language access services.
- A description of the timeframe, objectives, and benchmarks for work to be undertaken.
- The District's approach to monitoring and evaluating the effectiveness of the District's language access plan and services, and the district's process for modifying the language access plan and operating procedures in response to feedback and changing language needs.
- In developing and modifying the language access plan, the District will use self-assessment data and other collected feedback and data required in this procedure and/or the policy adopted by the board.
- In developing the language access plan, the District will adhere to the standards for providing language access services as outlined in this procedure and the policy adopted by the board.

Self-Assessment

- In developing the language access plan, the language access coordinator/liaison will administer a self-assessment to understand whether the District is effectively communicating with people with language assistance needs and to inform the District's language access planning, including evaluating the following areas:
    - How individuals with language access needs interact with the District
    - How well the District is providing language assistance services
    - How well the District is identifying individuals with language access needs
    - Whether school staff receive appropriate training on the District's language access and policy and plan
    - How the District provides notice of language assistance services to its community
    - Whether the District has an effective process for monitoring and updating its language access policy and plan.
- In implementing the self-assessment, the language access coordinator/liaison will engage with community members, leaders, and organizations that have the inherent knowledge about cultural and language access needs.
- The coordinator/liaison may administer the self-assessment tool developed by the OSPI Language Access Technical Assistance Program of Center for Improvement of Student Learning, established in RCW 28A.300.130 for evaluating the provision of language access services.
- The coordinator/liaison will re-administer the self-assessment on a periodic basis as part of the District's monitoring of the effectiveness of its language access program.

C. **Identification of Families Needing Language Access Services**

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 to communicate effectively with the school or District.
3. Schools will maintain an appropriate and current record of students' families' primary language, and use that information to inform its language access plan and program.

D. **Interpretation and Translation Services**

1. The District will collaborate with community-based organizations on how to work effectively with interpreters and families.
2. As materials become available, the District will make reasonable efforts to implement the toolkit developed by the Language Access Technical Assistance Program of the Center for the Improvement of Student Learning, established in RCW 28A.300.130, including the self-assessment, guide, and best practices.
3. Each school and District office will, consistent with this policy and procedure, provide free oral interpretation services to those parents/family members who require language services to communicate effectively during any interaction with the District that is significant to the student's education. Additionally, each school and District office will provide free translation of vital documents as required below.
4. All interpretation and translation will be provided by competent professionals 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.
   The District will 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.
5. The Parent is welcome to invite additional persons for support and that person may participate in discussions. Although a parent may decline the District's offer to provide an interpreter, the district or school should consider whether having a qualified interpreter present as the communication lead is still required.
   Students and other minor children under the age of 18 may not serve as interpreters for school staff and parents during any formal or informal meeting or process.
6. The District will facilitate staff access to appropriate interpretation and translation services in order to communicate with parents and families with limited English proficiency consistent with federal and/or state law and this

policy and procedure. The District will strive to be aware of and plan for the language access needs within the district. For a planned program, activity, meeting, or event, staff should initiate the request for language aid or services at least three days ahead of time. The District or school will take steps to respond to such a request as soon as possible after it is received. For unplanned and urgent communication, staff should request language assistance and try to arrange for such as soon as it is known that language assistance is needed. If an interpreter cannot be found that day, the school or District should maintain open communication with the requester to schedule an interpreted meeting as soon as possible. If no interpreter can be present, District staff should utilize remote interpreting services to communicate with parents and families.

7. The following interpretation and translation services are currently available in the District: District Staff, ParentSquare, and Gateway Services.
   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 staff may contact the district office by phone at (360) 354-4443 or metzt@lynden.wednet.edu with questions or concerns, or to obtain information or assistance, regarding interpretation and translation services.
8. 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 parents and families with limited English proficiency under state and federal law to language access services provided by the District;
   b. the importance of meaningfully and effectively communicating with parents and families with limited English proficiency;
   c. the most effective ways to communicate with parents and families with limited English proficiency regarding the District's available language services;
   d. the importance of utilizing competent translation and interpretation services when communicating with parents and families with limited English proficiency;
   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 parents and families with limited English proficiency, including ensuring the correct language service is being accessed, checking for parent/family understanding once interpretation has commenced, and proper vetting of translations for audience-appropriate content; and
   g. the process for reporting concerns or complaints.

9. **Interpretation Services**: Whenever requested by a parent or families or whenever school staff or District officials can reasonably anticipate that interpretation services are necessary to meaningfully communicate with parents

or families regarding important information about the student'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 or family member 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).

10. **Translation of Vital District Documents**: The District will identify vital documents that 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 language 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 parents and families with limited English Proficiency without prior review and editing by a certified translator for those languages where testing for certification exists. For all languages where testing for certification does not exist, the District will use a qualified translator as determined by the District.

All documents and information posted or issued by the District for parents and families 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.

11. **Translation of Student-Specific Documents**: The District will take all reasonable steps to provide parents and families, 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, the Highly Capable Program, accelerated courses such as Advanced Placement, or any other non-standard academic program.

12. **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 and families 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.

E. **Providing Information to Parents and Families**

1. The District will review, update, and publish, at least annually, information about the school district's language access plan, policy and procedures, and language access services. The information must include notice to families about their right to free language access services and the contact information for any school district language access liaison/coordinator and any building points of contact for language access services. The information must be translated into common languages understood by students' families.
2. The District will notify staff, at least annually 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.
3. Parents and families 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.
4. 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) or family members when there is reason to believe that the student's parent(s) or family members may have limited English proficiency (e.g., results of home language survey, a parent or family member'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.

5. 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.
6. 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.

F. **The Collection and Analysis of Data**

The District will annually collect and periodically analyze the following language access and language access service information:

- The language in which each student and student's family prefers to communicate;
- Whether a qualified interpreter for the student's family was requested for and provided at meetings reported in OSPI's Comprehensive Education Data and Research (CEDARS) student data system.
- Other data on provision of language access services, as required by OSPI.

The District will submit the information collected as required by OSPI.
The District will provide an opportunity for participants in each interpreted meeting to provide feedback on the effectiveness of the interpretation and the provision of language access services.

Discrimination Complaints

Discrimination based on national origin, which includes language and limited-English proficiency, is prohibited. The language access liaison/coordinator will communicate with the district's Civil Rights Compliance Coordinator. Anyone may file a complaint alleging discrimination based on language or the district's failure to provide language access services using the complaint process outlined in the district's Nondiscrimination Procedure 3210P.