

Guide to 14.4

Language Access (Interpretation and Translation Services)

Important! All LEAs must respond to this item, regardless of whether the LEA has currently identified parents who need language access services.

Key Resources:

[OSPI Sample Home Language Survey](#)—Available in 40 languages

Legal Background

LEAs must ensure the LEA and schools meaningful communicate with limited-English proficient (LEP) parents in a language they understand. This includes adequately notifying LEP parents of information about any program, service, or activity that the LEA provides to non-LEP parents.

At the school and LEA levels, this essential information includes, but is not limited to, information about:

- Language assistance programs,
- Special education and related services,
- IEP meetings,
- Grievance procedures,
- Notices of nondiscrimination,
- Student discipline policies and procedures,
- Registration and enrollment,
- Report cards,
- Requests for parent permission,
- Parent-teacher conferences,
- Parent handbooks,
- Gifted and talented programs,
- Magnet and charter schools, and
- Any other school and program choice options.

Schools must translate vital documents (i.e., documents that include essential information) when a significant percentage of the parent population in a school or school district needs the information in a language other than English. For example, a common measure of “significant percentage” is when a language group constitutes at least 5 percent of the LEA’s total parent population or 1,000 persons, whichever is less. For less common languages, the LEA must still promptly notify LEP parents that free, qualified interpreters or appropriate bilingual staff are available to provide an oral translation or explain district- and school-related information that is communicated in writing to parents.



School and LEAs may also be required to provide written translations of specific types of documents under different laws, including but not limited to, certain student discipline or special education notices.

The LEA may use only qualified and competent adult interpreters and translators. Qualified and competent interpreters and translators have knowledge in both languages of any specialized terms or concepts to be used in the communication at issue and are trained on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

Legal Authority: Title VI, [34 C.F.R. Sec.100.3](#); *Lau v. Nichols*, [414 U.S. 563](#) (1974); RCW [28A.642.010](#).

Identifying LEP Parents (14.4.A)

Evidence to Provide

- A. Evidence or a description of the process the LEA uses to identify LEP parents, including a [home language survey](#) or questions about home language on a student enrollment form.

Tips for Program Review

- School districts must have a process to determine parents' language needs, such as a home language survey or questions on an enrollment form about each parent's language needs. Make sure the enrollment form or home language survey is provided to every parent in a language they can understand.
- OSPI's sample [Home Language Survey](#) is translated into 40 languages.

Interpretation and Translation Services (14.4.B)

Evidence to Provide

- B. A description of the process the LEA uses to ensure that interpretation and translation services are provided to communicate with limited-English proficient (LEP) parents, including at least the following:
 1. How the LEA determines when interpretation services are needed (e.g., how services are requested and the types of situations where interpretation services are routinely provided).
 2. How the LEA determines which documents need to be translated (e.g., how translations are requested and what types of documents are typically translated).
 3. How the LEA determines which language(s) to translate documents into.
 4. How the LEA ensures its staff know how to access interpreters or translators to communicate with LEP parents.

If the LEA does not have identified limited-English proficient (LEP) parents, please Add Comment to this item stating grounds for N/A.

Tips for Program Review

- Please ensure the description of the LEA's process to provide interpretation and translation services is **sufficiently detailed** to describe how language assistance services are provided at the district and building levels.
- While LEAs are required to adopt a language access policy and procedure¹ (e.g., WSSDA's model [Policy 4218](#) and [Procedure 4218P](#)), this item requests a **narrative description** of how the LEA's language access policy and procedure are implemented at the LEA and building level. However, acceptable evidence also includes a **language access plan** that sufficiently addresses the topics 1–4 listed in the item description.
- Using **web-based automatic translators** (e.g., Google Translate) is appropriate only if: (1) the translated document accurately conveys the meaning of the source document, including accurate translations of technical vocabulary; and (2) the translation is reviewed and edited by someone qualified to do so.

Qualified and Competent Interpreters and Translators (14.4.C)

Evidence to Provide

- C. A description of how the LEA ensures that interpreters and translators, including LEA or school employees who perform this role, are qualified and competent to serve in the role of an interpreter or to translate documents, including:
 - a. Having knowledge in both languages of any specialized terms or concepts to be used in the communication at issue, and
 - b. Having training on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

If the LEA does not have identified limited-English proficient (LEP) parents, please Add Comment to this item stating grounds for N/A.

Tips for Program Review

- LEAs must provide qualified and competent adult interpreters and translators. Bilingualism, or the ability to communicate directly with LEP parents in a different language, does not solely qualify a staff member or other individual to serve as an interpreter or translator. The LEA must ensure interpreters and translators, including LEA or school employees who perform this role, have (1) knowledge in both languages of any specialized terms or concepts to be used in the communication at issue and (2) are also trained regarding the role of an interpreter, the ethics of interpreting and translating, and the need to maintain confidentiality.

¹ See RCW [28A.183.040\(2\)](#) for more information.

- LEAs may access the Department of Enterprise Services (DES) master contracts for [phone interpretation services](#) and [written translation services](#) to arrange language access services.
- LEAs must not use Students or other children to provide interpretation or translation services. LEAs are responsible for providing interpreters and may not rely on parents to bring a friend or family member to interpret.

Learn More About Language Access

- OSPI [Interpretation and Translation Services](#) webpage
- U.S. Department of Education, Office for Civil Rights (OCR): [Dear Colleague Letter, English Learner Students and Limited English Proficient Parents \(01/7/2015\)](#) (see pages 37–40)

OCR: [Ensuring Meaningful Communication with Limited English Proficient Parents](#)