

Guide to Item 14.2

Language Access (Interpretation and Translation) Services

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

OSPI Tools and Resources:

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

Legal Background

LEAs must ensure the LEA and schools communicate meaningfully with limited-English proficient (LEP) parents in a language they understand. This includes using interpretation and translation services to adequately provide LEP parents with 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
- Any school and program choice options

When a significant percentage of the parent population in a particular district or school needs the information in a language other than English, the school must translate “vital documents” (i.e., documents that include essential information) into that language.

- *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, which can include appropriately trained school employees, 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. At a minimum, 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. §100.3](#); *Lau v. Nichols*, [414 U.S. 563](#) (1974); RCW [28A.642.010](#).

Identifying LEP Parents (14.2.A)

Evidence to Provide

- A. Submit 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

- **Using OSPI's [Home Language Survey](#) (available in 40 languages) is the most efficient way to collect this information.** If the LEA does not use OSPI's survey, then it must otherwise determine each parent's language needs. For example, the LEA could include the following questions for parents to answer on its student enrollment form:
 - In what language would you prefer to receive written communication from the school?
 - Do you need an interpreter for meetings and phone calls (including ASL)? If so, in what language?

Interpretation and Translation (14.2.B)

Evidence to Provide

Note: If the LEA does not have identified limited-English proficient (LEP) parents, please mark this item N/A in the Comments field.

- B. A description of the process the LEA uses to ensure that interpretation and translation services are provided to communicate vital information 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.

Tips for Program Review

- **Please do not submit your LEA's policy and procedure in response.** All LEAs *are* required to adopt a language access policy and procedure.¹ However, for this item, we are instead looking for a narrative description of *how* your LEA's language access policy and procedure are implemented at the LEA and building levels. However, you could instead submit your LEA's language access plan, if the plan sufficiently addresses topics 1–4 listed in the item description.
- **Please ensure the narrative description of the LEA's process is sufficiently detailed** to describe how language assistance services are provided at the district and building levels.
- **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 (14.2.C)

Evidence to Provide

Note: If the LEA does not have identified limited-English proficient (LEP) parents, please mark this item N/A in the Comments field.

- C. A description of the process the LEA uses to ensure 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:
 1. Having knowledge in both languages of any specialized terms or concepts to be used in the communication at issue, and

¹ RCW [28A.183.040\(2\)](#) (requiring LEAs to adopt a language access policy and procedure that incorporate WSSDA's model [Policy 4218](#) and [Procedure 4218P](#)).

2. Having training on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

Tips for Program Review

- **Bilingualism does not *solely* qualify a school employee or other individual to serve as an interpreter or translator.** The LEA must also take steps to ensure any interpreters and translators it uses (including school employees who perform this role) have knowledge in both languages of any specialized terms or concepts to be used in the communication at issue and that they are also trained regarding (i) the role of an interpreter, (ii) the ethics of interpreting and translating, and (iii) confidentiality.
- **LEAs may access the WA Department of Enterprise Services (DES) master contracts for language access services,** including [phone interpretation services](#) and [written translation 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 bringing a friend or family member to interpret for them.

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)