

Guide to Item 14.2

Language Access (Interpretation and Translation) Services

Important! All LEAs must respond to subitem A, even if they have not identified parents who currently require 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 language group is commonly considered a “significant percentage” if it comprises at least 5% of the LEA’s parent population or 1,000 parents, whichever is less.*

For less common languages, LEAs must promptly inform LEP parents that free, qualified interpreters, including appropriately trained school employees, are available to orally interpret or explain written district and school communications.



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

Submit evidence for this subitem even if the LEA has not identified any LEP parents.

- 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

Submit evidence for this subitem only if the LEA has identified LEP parents. Otherwise, add a note to this item in EGMS stating grounds for N/A.

- B. Submit a description of the process the LEA uses to ensure that interpretation and translation services are provided to communicate vital information with LEP parents.

At a minimum, the description must address how the LEA:

1. Determines when interpretation services are needed (e.g., how interpretation services are requested and the types of situations where interpretation services are routinely provided).
2. Determines which documents need to be translated (e.g., how translations are requested and what types of documents are typically translated).
3. Determines the language(s) into which documents will be translated.
4. Ensures its staff know how to access interpreters or translators to communicate with LEP parents.

Tips for Program Review

- **Do not submit your LEA's language access policy or procedure.** Although all LEAs must adopt a language access policy and procedure, this item requires a narrative explaining **how** they are being implemented at the district and school levels. Alternatively, LEAs may submit a language access plan if it sufficiently addresses Topics 1–4 in the item description.
- **Provide enough detail in your description** to explain how language assistance services are delivered at the district and school levels.
- **Automatic translation tools** (e.g., Google Translate) are appropriate only if the translation accurately conveys the original meaning, including technical terms, and is reviewed by a qualified individual.

Qualified and Competent Interpreters and Translators (14.2.C)

Evidence to Provide

Submit evidence for this subitem only if the LEA has identified LEP parents. Otherwise, add a note to this item in EGMS stating grounds for N/A.

- 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
 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 alone does not qualify an individual to serve as an interpreter or translator.** The LEA must ensure that interpreters and translators—including school employees who perform these services—are proficient in both languages, understand any specialized terminology or concepts relevant to the communication, and are trained on the role of the interpreter, interpreter and translator ethics, and 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 qualified language assistance services and may not rely on parents to bring friends, family members or children to interpret on their behalf.

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)