



# Administrative Regulation 1515

## MEANINGFUL ACCESS

### Document Translation / Language Interpretation

**Responsible Office:** Office of Academics - Department of English Language Development

#### **PURPOSE**

This administrative regulation prescribes the steps taken to provide meaningful access to English Language ("EL") persons through document translation and language interpretation in the Washoe County School District ("District" or "WCSD").

#### **REGULATION**

##### 1. Document Translation

- a. The District shall translate significant documents into the non-English language of each regularly encountered EL group eligible to be served or likely to be affected by the program or activity in an understandable and uniform format, and to the extent practicable, in a language that the parent/guardian can understand.
- b. On an annual basis, the list of significant documents shall be reviewed and, if necessary, revised. The Superintendent or his/her designee shall maintain the list of significant documents, which may include:
  - i. Registration form;
  - ii. Emergency notification card;
  - iii. Home language survey;
  - iv. Field trip permission form;
  - v. Health inventory form;
  - vi. Notices of discipline proceedings that could result in an out-of-school suspension, expulsion, or referral to an alternative educational program;
  - vii. Posters regarding the Meaningful Access notice;
  - viii. FERPA notification;
  - ix. Attendance letters;
  - x. Special Education Summary Report, Prior Written Notice form, Notice to Parents and Procedural Safeguards for special education students; and
  - xi. Notice to parents, to include information related to school and parent programs, meetings, and other activities.
  - xii. Accommodation Plans and Notice of Rights for 504 students.

- c. The District shall take reasonable steps to ensure meaningful access to District programs and activities by EL persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:
    - i. The number of EL persons eligible to be served or likely to be encountered in the District;
    - ii. The frequency with which EL individuals come in contact with the District;
    - iii. The nature and importance of the program, activity, or service provided by the District; and
    - iv. The resources available to the District and costs.
2. Language Interpretation
- a. The District will advise the parents/guardians with limited English proficiency that they have the right to an interpreter at no cost to them for significant events. Parents/guardians with limited English proficiency may be identified through the District's student records management system (currently "Infinite Campus" or "IC").
  - b. The District will provide interpreters when requested when an event takes place that could materially affect a student's placement or educational progress, when there is a health or safety emergency, or when the parent/guardian requests a conference with the student's teacher. This is not a static list but will be determined on a case-by-case basis. Such events could include, but will not necessarily be limited to, the following:
    - i. Suspension and Expulsion hearings,
    - ii. Teacher/Parent conferences;
    - iii. Special Education meetings;
    - iv. Section 504 meetings; and
    - v. Visits to school counselors.
  - c. Notice will be posted at schools for any EL group of a specific language that has 100 or more students enrolled in the District. This may include the following languages: English, Spanish, Chinese, Tagalog, and Tongan. Notice will be included in yearly enrollment packets.
  - d. The District may provide an interpreter at its expense at other events. The decision to provide an interpreter shall be based upon:
    - i. The number of people to be served or likely to be encountered who speak that language;

- ii. The frequency with which individuals who speak that language come in contact with the District;
  - iii. The nature and importance of the program, activity, or service provided by the District; and
  - iv. Available District resources and costs.
- e. Parents/Guardians may waive their right to an interpreter provided at District expense and provide their own interpreter at their own expense.
  - i. A written waiver of the right to have an interpreter must be signed by the parent/guardian. Such waiver shall be placed in the student's cumulative folder with a copy maintained by the Department of English Learners.
  - ii. If a parent/guardian waives the right to an interpreter at District expense, the District may still require an interpreter to be present to ensure accuracy.
  - iii. EL persons may feel more comfortable when a trusted family member or friend acts as an interpreter. Parents/guardians, however, should take special care to ensure that family, caretakers, and other informal interpreters are appropriate in light of the circumstances and subject matter of the meeting or interest in accurate interpretation.
  - iv. In many circumstances, family members (especially children) or friends are not competent to provide quality and accurate interpretations. Issues of confidentiality, privacy, or conflict of interest may also arise.
- f. Interpreters provided at District expense shall meet minimum qualifications as established by the District's Department of English Language Development. The District shall maintain a list of individuals who meet the minimum qualifications and the language that each interprets.
- g. The Department of English Language Development will develop criteria to ensure that interpreters meet minimum standards of qualification. The criteria will include:
  - i. Proficiency in both English and the language to be translated or interpreted;
  - ii. Holds a high school diploma or equivalent diploma.
  - iii. Has a bachelor's degree in target language or completed Interpreter/Translator certification from a higher education institute or three years' experience interpreting in the targeted language.

- iv. Ability of the interpreter to interpret accurately;
- v. Knowledge of interpreter's ethical obligations;
- vi. Knowledge of school-related issues, such as the need to maintain confidentiality under the Family and Educational Right to Privacy Act ("FERPA") and the Individuals with Disabilities in Education Act ("IDEA"); and
- vii. Knowledge of terms and concepts that are used in the daily operation of District programs and services.

## **DEFINITIONS**

1. Translation means converting written text from one language to another language.
2. Interpretation means converting spoken language from one language to another language.

## **DESIRED OUTCOMES**

1. Through this document,
  - a. the District shall encourage all parents/guardians to be engaged in the academic achievement of their students; and,
  - b. The District furthers its commitment to prohibit discrimination in its educational programs and activities.

## **IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS**

1. This document reflects the goals of the District's Strategic Plan.
2. This document aligns with the following governing document(s) of the District:
  - a. Board Policy 1505, Visitors to District Property
  - b. Board Policy 5200, Family Engagement
  - c. Administrative Form 1516, Translation Request Form
3. This document complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
  - a. Chapter 389, Examinations, Courses, Standards and Diplomas
  - b. Chapter 392, Pupils
4. This document is compliant with federal laws and regulations, to include:
  - a. 20 U.S.C. § 7801(25), Definitions
  - b. 45 C.F.R. Part 80, Non-Discrimination Under Programs Receiving Federal Assistance...
  - c. Title VI of the Civil Rights Act of 1964

- d. Executive Order 13166, Improving Access for Persons with Limited English Proficiency (2000)

**REVIEW AND REPORTING**

1. This document shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the associated policy.
2. Administrative regulations, and/or other associated documents, will be developed as necessary to implement this document. The Board of Trustees and Superintendent shall receive notification of the adoption and/or revision of any associated administrative regulations.

**REVISION HISTORY**

Date	Revision	Modification
8/31/2006	1.0	Adopted as Administrative Procedure SUP-P001
4/20/2007	1.1	Revised
3/15/2016	2.0	Revised: Converted to Administrative Regulation 1515; reviewed language to ensure compliance with and federal laws and regulations; replaces SUP-P001
6/15/2016	2.1	Updated waiver information, corrected typo
07/27/2018	3.0	Revised: Changed English Language Learners to English Learners; updated department name