

Nevada Governor's Office of
ECONOMIC DEVELOPMENT
Empowering Success

The Nevada Governor's Office of Economic Development

Language Access Plan

2022

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Effective Date of Plan: May 20, 2024*

This Language Access Plan (LAP) was created to provide access for our agency's services to Limited English Proficient (LEP) Individuals which is divided into six sections, they are as follows:

- I. **Purpose and Authority** - *This section provides the legal basis for the agency's plan and protocol and connects the plan and protocol to the State Agency's mission.*
- II. **General Policy** - *This section explains the policy of the agency. It is the commitment of the agency and its employees to ensure meaningful language access.*
- III. **Profile of GOED's LEP Clients** – *This section details the demographic information required by SB318 Section 7.2.b.*
- IV. **GOED Language Access Services and Procedures** – *This section details the types of services the agency provides, as required by SB318 Section 7.2.c.*
- V. **Implementing GOED's Language Access Services** – *This section details the agency's procedures for training its staff to use its language access services, as required by SB318 Section 7.2.d.*
- VI. **Evaluation of and Recommendations for GOED's Language Access Plan** – *This section details how well the agency's language access policies and procedures have met the need, and what is required to improve those services if the need is not being fully met, as required by SB318 Section 7.2.f.*
- VII. **LAP Terms Defined** – *This section will provide a list of Language Access terms as defined pursuant NRS 232.0081.*

* <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7943/Text#>

Per SB318, Section 8 of this act becomes effective 2 years after the date on which the Governor terminates the emergency described in the Declaration of Emergency for COVID-19 issued on March 12, 2020.

https://gov.nv.gov/News/Proclamations/2022/Proclamation_Terminating_Declaration_of_Emergency_Related_To_Covid-19/

- I. Purpose and Authority** - This section provides the legal basis for the agency's plan and protocol and connects the plan and protocol to the State Agency's mission.

Nevada's Senate Bill 318 (SB318) from the 2021 Legislative Session and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As SB318 puts it, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language." Moreover, it makes it clear that it is the responsibility of government to provide that access to:

State and local agencies and entities that receive public money have an obligation to provide meaningful, timely access for persons with limited English proficiency to the programs and services of those agencies and entities.

The Governor's Office of Economic Development (GOED) is committed to compliance with Nevada Senate Bill 318 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) in ensuring meaningful access to State services and programs for individuals with limited English proficiency.

The purpose of this document is to establish an effective plan and protocol for GOED personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to the success of our mission to provide high quality jobs for Nevadans.

The Nevada Governor's Office of Economic Development (GOED) was created during the 2011 Session of the Nevada Legislature through a collaboration of the Nevada Governor's Office and the Leadership of the Nevada State Senate and State Assembly (Authority: [NRS 231](#)). Our vision, mission, and objectives are all elaborated on below.

VISION:

A vibrant, innovative, and sustainable economy with high-paying jobs for Nevadans.

MISSION:

High-quality jobs for Nevadans.

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Objectives, as identified in the first State Plan for Economic Development are:

- Establish a cohesive economic development operating system.
- Increase opportunity through education and workforce development.
- Catalyze innovation in core and emerging industries.
- Advance targeted sectors and opportunities in the region.
- Expand global engagement.

II. General Policy - This section explains the policy of the agency. It is the commitment of the agency and its employees to ensure meaningful language access.

GOED recognizes that the population eligible to receive its services includes LEP individuals. It is the policy of GOED to ensure meaningful access to LEP individuals. GOED adopts the following policies and procedures to ensure that LEP individuals can gain equal access to GOED's services and communicate effectively. This Plan applies to all applicable GOED programs and services including, but not limited to:

- 1) Business Abatement Programs
- 2) Workforce Innovation for a New Nevada (WINN)
- 3) NV Skillsmatch
- 4) Community Development Block Grant (CDBG)
- 5) Nevada Main Street Program (NVMS)
- 6) State Small Business Credit Initiative (SSBCI)
- 7) Project SANDI Grant – Supporting and Advancing Nevada's Dislocated Individuals
- 8) Knowledge Fund
- 9) International Step Grant
- 10) Nevada Procurement Technical Assistance Center (PTAC)
- 11) Nevada Film Office
- 12) Emerging Small Business Program

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English. GOED intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. GOED seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

Toward this end, GOED endorses the following policies:

- GOED is committed to equity and will take all reasonable steps to provide limited English proficient (LEP) individuals with meaningful

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access to all its services, programs, and activities.

- The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.

No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.

GOED Language Access Coordinator: Michelle Sibley, Director of Human Resources, Diversity and Inclusion

Our agency's Language Access Coordinator ("LAC") will monitor implementation of the plan to confirm we are in compliance. The LAC will ensure the LAP and budget is reviewed and revised biennially to ensure up to date information, resources, and services are available at our agency.

The LAC reports to GOED Director Michael Brown.

The following list includes all the LAC's essential duties and responsibilities:

- Manage and respond to emails from interpreters, organizations, vendors, and LEP individuals in a timely fashion.
- Staff at the initial points of contact have the specific duty to identify and record language needs by processing and managing online and in-person interpreter and translator requests.
 - Work with interpretation/translation services to fill online requests, including scheduling and assigning the interpreter or translator, troubleshooting, and invoices to be paid by the agency, as no staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.
 - Solicit and evaluate feedback regarding program policies and practices from interpreters and service providers.
 - Process the submission of invoices from interpreter and translation services. When invoices have not been submitted in a timely fashion, send reminders to interpreters.
- Oversee GOED's Language Access Plan and Resources page online.
- Develop educational materials and notices for the general public regarding available services.
- Conduct research on language access resources.
- Assist with the implementation and coordination of language access trainings for GOED staff.

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- Solicit public comment concerning the language access plan developed in order to effectively make recommendations to the Nevada Legislature concerning any statutory changes necessary to implement or improve GOED's language access plan.
- Manage LAP budget and estimates of additional funding required to meet the agency's LEP clients' language access needs.
- Engage with the Governor's Office for New Americans for any updated tools or resource to enhance the current LAP

III. Profile of GOED's LEP Clients – This section details the demographic information required by SB318 Sections 7.2.b.

This section of GOED's LAP will focus on identifying various specific communities that participate in our agency's services and programs, as well as those that are eligible to participate. Importantly, "participation" includes both people who are directly served live by our agency (e.g., through interacting with staff) and people who are indirectly served, such as people who access information or services through GOED's website.

GOED will specifically report the following in compliance with SB318:

1. Type of services received by the relevant groups.
2. Preferred languages of your LEP clients.
3. Literacy levels of your LEP clients in their preferred language and in English.
4. Ability of the relevant groups to access agency services electronically.
5. Number and percentage of clients who are indigenous.
6. Number and percentage of clients who are refugees.

In particular, the agency considers indigenous people, refugees, and limited English proficient (LEP) communities. There may well be some overlap between these groups. In each case, our agency will report the total number of clients served in these groups. Additionally, to the extent possible, GOED will provide a breakdown of these groups in terms of tribe, country of origin, or preferred language as appropriate.

The table below reports the aggregated monthly information that is required to be collected:

- GOED's initial points of contact will collect and identify those requiring LEP services and report to the LAC. The data will be collected through direct telephonic interactions, in public, or via the website intake form below.
- All data will be archived and collected by the LAC both on the back-end and on the website as well as the agency's shared drive. In accordance with the plan, the agency director and the Legislature will receive this data biennially, and it will

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be reviewed internally on an annual basis.

- The most common methods with LEP clients recorded in our data table below and the LAP intake form are through phone and in person interaction at outreach events.
- Our agency obtains feedback from the LEP community on the effectiveness of our Language Access Program and services by analyzing the following Language Access Resources - Intake Form responses are located on our website here: <https://goed.nv.gov/additional-resources/language-access/>
- GOED is committed to tracking the languages preferred for communication among our limited English proficient (LEP) clients so that we can better provide meaningful, timely access to our services and programs without regard to any language impediments. The following data table summarizes the relevant client data for GOED starting May 2022.

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SB 318 - Identifying People Served by GOED for LAP

Internal Staff Data Collected May 2022-Present

<u>Language/Group Served</u>	<u>Total #</u>	<u>% of Total</u>	<u>"Safe Harbor"?</u>	<u>Services/Programs Accessed</u>	<u>Notes (include literacy level data)</u>
Total Clients	3,390	N/A	N/A	Workforce Systems - training resources, technical assistance to education training providers; International Trade - STEP, NV Global, startup/small business resources; Main Street/Rural; Business Development Programs – incentives, site selection, demographics, business climate, GOED Board meeting; ESB Program; SSBCI; PTAC, NV Film – production registrations, crew directory, tax incentives, permits	Workforce Systems - Business representatives and/or educational providers have not presented language barriers nor needed translation to access referrals, website or phone and email communication.
Total Indigenous	8	0.2%	N/A	Main Street/Rural	Walker River Paiute Nation
Total Refugees	0	0%	N/A	N/A	N/A
Total LEP Clients	14*	0.4%	N/A	N/A	N/A
Specific Languages:					
Spanish	39	N/A	N/A	International Trade - STEP, NV Global, startup/small business resources; ESB Program	Fully proficient in English, *6 some English, very high/well developed literacy level
Korean	29	N/A	N/A	International Trade – NV Global	Fully proficient in English
Vietnamese	2	N/A	N/A	International Trade – trade resources	Fully proficient in English
Japanese	33	N/A	N/A	International Trade – NV Global, trade resources	Very high/well developed literacy level
Russian	1	N/A	N/A	Workforce Systems - training resources	Bilingual; no access issues
Polish	172	N/A	N/A	International Trade – NV Global, trade resources	Fully proficient in English, *5 some English
Slovenian	68	N/A	N/A	International Trade – NV Global, trade resources	Fully proficient in English
Croatian	8	N/A	N/A	International Trade – NV Global, trade resources	Fully proficient in English
Portuguese	33	N/A	N/A	International Trade – NV Global, trade resources	Fully proficient in English, some English, *3 No English
French	31	N/A	N/A	International Trade – NV Global, trade resources	Fully proficient in English, very high/well developed literacy level
Romanian	81	N/A	N/A	International Trade – NV Global, trade resources	Very high/well developed literacy level

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Language Access Services Online Intake Form
Public Data to be Collected

Language Access Services Intake Form

This information is required to be reported in our agency's Language Access Plan (LAP) to ensure compliance with Nevada Senate Bill 318 and federal civil rights law.

What is your preferred language?

Other:

Were you able to access this website's resources efficiently?

Can you expand on your answer?

Were there any resources that you were not able to access on this site?

Which GOED resource did you access on your visit?

What is the highest level of education that you completed?

Please describe your race/ethnicity/ how you self-identify:

Do you have any comments, suggestions or complaints regarding GOED's available language access services?

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IV. GOED's Language Access Services and Procedures – This section details the types of language services GOED provides, as required by SB318 Section 7.2.c.

GOED will report the following per SB318:

1. Procedures for identifying “vital” information and procedure for providing documents with vital information to LEPs, according to language and the service to which the information is related.
2. Oral/Sign language services offered by language and type of service.
3. Comparison of the number of employees who work with LEPs vs. the number of such employees who speak multiple languages.
4. Description of any positions designated “dual-role.”
5. Procedures and resources for LEP community outreach.
6. Resources for employees regarding cultural competency.

GOED has had limited need to secure the language access services described below to enable our LEP clients to access our services and programs more fully. However, if and when that day arises, in every case, GOED would ensure that all language service providers are fully competent to provide these services as they would be vetted by the Nevada Department of Administration's Purchasing Division for use by the agency.

Oral/Sign Language Services

GOED provides the following oral/sign language services:

GOED does not currently have any in-house language access staff, due to the limited number of LEP clients served. There are, however, several on the team that speak multiple languages, specifically in our international department. The following employees are available as **GOED's Dual-Role Interpreters** that can assist in the following languages:

- Spanish, **Jeanette Holguin**
- Bosnian-Croatian-Montenegrin-Serbian (BCMS), Slovenian, Japanese & French, **Dijana Mitrovic**
- Polish, **Pawel Pietrasienski**
- German, **Karsten Heise**

Should the need arise, GOED would utilize a State approved vendor once a request for interpreter services has been submitted on our website.

GOED has not used any contracted language access providers because they have not been required but GOED would use a vendor approved by the Nevada Department of

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Administrations Purchasing Division, that had also been certified within the State's CART Registry.

- https://adsd.nv.gov/Programs/Physical/ComAccessSvc/Interpreter_Registry/Interpreter_Registry/
- https://purchasing.nv.gov/Contracts/Documents/Translation_ Interpretation/

When required, GOED would rely on their colleagues at the Department of Administration and the Department of Health and Human Services to have up to date, accurate, and vetted lists of which for the agency to choose from when selecting a vendor.

Written Language Services

GOED uses the following procedures to identify vital written information used in the provision of its services and programs, including both paper and electronic communications. The procedures for identifying vital written communication between GOED and individuals as well as the procedure for identifying vital communication targeting the broader public are both presented.

1. Staff or Public submit an online Interpretation or Translation request (sample below) for vital documents requested by LEP individuals.
2. LAC processes the request based on the vital document definition.
3. Request is filled within 7-10 business days based on availability of a translator.

Request for Interpreter or Translation Services Form

Date *(Required)*

Name

 First Last

Email *(Required)*

Phone

Preferred Method for Contact

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- Email
- Phone

Type of Service Needed:

- Oral Language Services
- Sign Language Services
- Translation of a GOED Document/ and or Information
- In Person Request for Physical Assistance
- Other

Select All

Do you have any comments/suggestions on how to expand language access on this site?

Signature



Vital Documents are defined as paper or electronic written material that contains information that is critical for accessing a GOED program or service.

Safe Harbor as defined by the [US Department of Justice](#) requires:


- a) The DOJ recipient provides written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
- b) If there are fewer than 50 persons in a language group that reaches the five percent trigger in (a), the recipient does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Per the internal data provided, Spanish is the current safe harbor language group that will contain GOED vital document translations.

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Based on the above vital documents’ identification procedure, GOED has identified the following documents and plans to have them translated into the “safe harbor” languages indicated.

<i>Vital Documents</i>	<i>Translated Language</i>
Notice advising LEP individuals of the availability of free language assistance.	Spanish  GOED Language Services Offered.pdf
Online Request for Interpreter or Translation Services. *The public is able to submit a request for a document that has not been translated into their preferred language at the following link: https://goed.nv.gov/additional-resources/language-access/request-for-interpreter-services/	Spanish
GOED Annual 2022 Report	Spanish
GOED Quarterly GOED Board Meeting Agendas	Spanish

The above documents will be prepared using a vendor approved by the Nevada Department of Administrations Purchasing Division, that has also been certified within the State’s CART Registry.

Community Outreach and Engagement

GOED is committed to ensuring that the larger LEP community is aware of and able to access all available language services. In doing so, GOED has taken steps to publicize the availability of its language services in the community. Additionally, GOED has provided notification of its services at all relevant points of contact. GOED also has provided resources for its staff to improve their cultural competency and ability to work with diverse groups such as, training on interpretation and translation policies, how to access the services, and who to contact for additional information about the services. All new hire and current employees are required annually to watch the training video on [“Communicating Effectively with LEP Members of the Public”](#) endorsed by the Department of Homeland Security and complete the video survey.

Procedures and Resources for LEP Community Outreach: GOED has engaged in the following outreach activities.

Monthly calls with the identity chambers, including the Latin, Asian, and Urban Chambers. Languages include Spanish, Mandarin, Japanese, and Korean. GOED has updated its social media and web page presence to include periodic posts and updates on the agency’s language access resources.

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Providing Notice of Language Assistance Services: GOED has provided the following notifications at relevant points of contact within its office and online.

- GOED has provided "I Speak" cards at both office locations in Carson City and Las Vegas to assist LEP individuals identify what language they use to communicate effectively. They are intended to help an individual point to a language he or she understands.
- The agency has provided LAP publication materials (brochure/flyer) listing all of GOED's language assistance services offered on the GOED LAP Page online as well as reception areas in GOED Carson City and Las Vegas.
- The agency's communications team has posted about GOED's LAP services offered online on GOED's social media platform to reach more LEP individuals.
- GOED has circulated a "Notice of GOED Language Assistance Services" to internal staff listing all language services and resources offered.

Cultural Competency Resources: GOED has provided the following resources to its staff to improve their ability to work with diverse groups.

- Training video on "[Communicating Effectively with LEP Members of the Public](#)" endorsed by the Department of Homeland Security.
- LEP Access Plan has been provided, listing all language policies and resources offered at GOED.
- A GOED Language Access Coordinator has been designated for any follow-up or questions on GOED language services and resources.



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V. Implementing GOED's Language Access Services – This section details GOED's procedures for training its staff to use its language access services, as required by SB318 Section 7.2.d.

Per SB318, GOED will report the following:

1. How to obtain both oral/sign and written language services.
2. How to respond to LEP clients via phone, writing, or in person.
3. How to ensure the competency of all language services available in your agency.
4. How to track LEPs served, preferred language, and literacy level in that language and English.
5. How to communicate LEP language needs to superiors.
6. How to meaningfully inform LEPs of service availability.

This explains GOED's procedures to train staff in the proper way to deploy the resources described in Section IV so that they are effective in fostering communication with LEP clients.

See below for an FAQ on GOED's procedures on how LEP individuals are identified and communicated with.

**GOED Staff LEP Protocols
Frequently Asked Questions (FAQs)**

- How are staff to respond to telephone calls from LEP individuals?
 - Staff will refer to the below staff language protocol on how to respond accordingly to LEP individuals over the phone.
- How are staff to gather, track, and record language preference information?
 - All relevant GOED staff submit a monthly LAP tracking sheet listing the number of all clients assisted, what language group were served, and which GOED programs and services were requested.
- How should staff inform LEP individuals about available language assistance services?
 - Staff informs LEP individuals that all available language assistance services are posted online on our Language Access and Resources page as well as a printed version available at both agency location's (reception desk).
- How will staff identify the language needs of LEP individuals?
 - Staff Language Response Protocols
 - **In-Person:** Use the 'I Speak' cards available at reception at both agency locations in order to identify their language and then refer to the appropriate dual-role interpreter. If an interpreter is not available at the time please get in contact with the LAC for further assistance.

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- Over-Phone: If staff cannot identify an LEP individual's preferred language over the phone, they must place them on hold until the LAC can be reached. The LAC will work with the individual to locate an available translator or dual-role interpreter. If one cannot be found, then they will revert to an online language application/translator recommended by the LAC.
- Online: Whenever an email comes in, the staffer forwards it to the LAC for further assistance to determine next steps for translation to determine if communication can be handled in-house or if translation services need to be required.
- How are staff to respond to correspondence (letters and emails) from LEP individuals?
 - All correspondence regarding LEP individuals shall be submitted directly to the LAC who will take appropriate steps to provide responses.
- How will staff procure in-person interpreter services?
 - All staff must submit an interpreter's request online on GOED's Language Access and Resources page listing the date/time/language an interpreter is needed. The LAC will manage the request and reach out to a vendor approved by the Nevada Department of Administrations Purchasing Division, that has also been certified within the State's CART Registry to contract them for their services.
- How will staff access telephone or video interpreter services?
 - All staff must submit an interpreter request online on GOED's Language Access and Resources page which will then be processed by the LAC.
- How should bilingual staff be used for LEP services that does not put them outside the scope of their approved skillset?
 - The preferred method of serving LEP clients is by using competent bilingual staff able to provide services directly to in the client's preferred language without the need for an interpreter.
 - Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
 - Staff should seek assistance from professional in-person or telephone interpreters when staff cannot meet language needs. Agency should recognize that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available.
 - Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the customer.
 - After the agency conducted an internal survey of those with multiple language skills, they determined their competence and ability to assist with these requests. At this time all staff agreed to assist with additional language duties when compacity allows.

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- The LAC will work with Human Resources on hiring and personnel practices to increase the number of bilingual or multilingual staff.
- How should staff obtain translations of documents?
 - All staff must submit a translator request online on GOED's Language Access and Resources page which will then be processed by the LAC and provided.
- How should staff process language access complaints?
 - Staff must direct any language access complaints to be filled out online or, if needed, a paper copy can be provided for submitting complaints.
- How will staff access services for the Deaf and Hard of Hearing?
 - All staff must submit a translator request online on GOED's Language Access and Resources page which will then be processed by the LAC and provided.
- What are the resources available for the staff?
 - All new hire and current employees are required annually to watch the training video on "Communicating Effectively with LEP Members of the Public" endorsed by the Department of Homeland Security and complete the video survey.
 - The LAP has been provided, listing all language policies and resources offered at GOED as well as translator/interpreter procedures.
 - A GOED LAC has been designated for any follow-up or questions on GOED language services and resources.
 - GOED has provided "I Speak" cards at both office locations in Carson City and Las Vegas for staff to assist LEP individuals identify what language they use to communicate effectively. They are intended to help an individual point to a language he or she understands.
- What are the procedures for posting a translated document onto the website or social media?
 - The posting of any GOED translated document online will be reviewed by the LAC and the Digital Media Manager.
- What are the procedures for ensuring the English data on the website (and any future updates to the website) will be translated correctly into relevant languages?
 - GOED will rely on the competency of the vendors utilized, both those approved by the state and our website provider.

GOED is committed to providing our LEP clients full access to our services and programs. Towards this end, GOED requires its staff to follow the procedures described below to ensure meaningful access to available language services. Moreover, GOED is committed to 100% compliance with these procedures and provides the staff with the training described below to help ensure that all staff are familiar with these procedures and recognize their importance to GOED's mission.

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Language Access Procedures

Identifying Client Language Needs and Preferred Language: See above for GOED's procedures for interacting appropriately with LEP clients, informing them of the availability of agency language services, determining their preferred languages, and recording and tracking LEP client language preferences.

Accessing Appropriate Written Language Services: According to GOED's stated policy on the determination of "vital" documents, the following procedures should be followed to access qualified written language services. This applies both to written information intended for broad distribution as well as written communications between GOED and individual clients.

- Staff or Public submit an online Interpretation or Translation request for vital document requested.
- LAC processes request based on the vital document definition.

Language Services Quality Assurance: GOED is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. GOED would ensure that all language service providers are fully competent to provide these services as they would be vetted by the Nevada Department of Administration's Purchasing Division for use by the agency.

Staff Training Policies and Procedures

GOED believes that the appropriate provision of language services is vital to the fulfillment of its mission. Towards that end, GOED ensures that its staff are familiar with its language access policies and the below procedures for providing said services.

- Training video on "[Communicating Effectively with LEP Members of the Public](#)" endorsed by the Department of Homeland Security
- LEP Access Plan has been provided, listing all language policies and resources offered at GOED
- A GOED LAC has been designated for any follow-up or questions on GOED language services and resources.

VI. Evaluation of and Recommendations for GOED's Language

Access Plan – This section details how well the agency's language access policies and procedures have met the need, and what is required to improve those services if the need is not being fully met, as required by SB318 Section 7.2.f.

GOED recognizes that the development of a Language Access Plan is not a one-time event. As with all agency policies and procedures, the agency will review the LAP to ensure that it is working effectively and is responsive to our agency's changing needs. SB318 requires that it be reviewed biennially which GOED is committed to doing. With

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the additional requirement under SB 318, public comment will be addressed via online client intake form on the Language Access Plan and Resources page.

Per SB318 GOED will report the following:

1. Estimates of additional funding required to meet our LEP clients' language access needs.
2. Targets for hiring multilingual employees.
3. Adequate credentialing and oversight of interpreting and translation.
4. How your language services represent the preferred languages of your LEP clients.
5. Recruitment/retention efforts to ensure adequate language services.

Per SB318 GOED will:

- Make recommendations to the Legislature about any statutory changes needed to improve language access to services and programs.
- Include funding required for language access in our agency's budget proposals.

GOED is committed to monitoring the performance of the above policies, procedures, and resources to ensure that its LAP is responsive to the needs of both GOED and the people it serves. At a minimum, GOED will review, evaluate, and update its LAP (if needed) biennially.

Processes for Monitoring and Evaluation

Parties Responsible for LAP Maintenance: The Language Access Coordinator, Michelle Sibley, has been designated to oversee LAP policy and website maintenance.

Criteria and Methods for LAP Evaluation: GOED will track its LAP's performance using the feedback gathered from the online LAP intake form.

Our agency obtains feedback from the LEP community on the effectiveness of our Language Access Program and services by analyzing the Language Access Resources - Intake Form responses submitted on our website here: <https://goed.nv.gov/additional-resources/language-access/>. All feedback is stored on GOED's website platform and analyzed by the LAC to implement any recommendations or respond to any public comments on the LAP.

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Evaluation Outcomes and Proposed Changes

Performance Monitoring Data: Once GOED's Language Access and Resources page has gone live online, all data will be gathered and evaluated for future feedback and summarized in this section.

Proposed LAP Revisions: Not applicable until Language Access intake form has been implemented and data gathered.

Proposed Budgetary Implications: Per SB318, GOED shall include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (e) of subsection 2, in the proposed budget for the agency submitted pursuant to NRS 353.210.

For GOED to carry out and be successful with our LAP, we are requesting funding for employing a person to be responsible for continuing the development and biennially revising our language access plan. Additionally, contract funding is needed for translation services and interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from our agency. GOED would use a vendor approved by the Nevada Department of Administrations Purchasing Division, that has also been certified within the State's CART Registry.

Funding Requested for 2023-2025 Biennium:

Position, Salary and Benefits:

Minority & Tribal Affairs Outreach Coordinator and Language Access Specialist
\$234,424 (\$117,212 annually).

Contract Funds for Translation and Interpretation Services:

\$120,000 (\$5,000 per month).

Suggested Legislative Amendments: Based on GOED's experience with language access to date, the following revisions to SB318 or other legislation are recommended:

- Each agency shall be required to submit their Language Access Coordinator contact information to be compiled into one statewide LAC list that is updated yearly on the Nevada state public site to provide easier access for LEP individuals.
- Given that DHHS and all Executive Branch agencies are required to do this, provide comprehensive and collaborative services to these agencies to lessen the burden. For instance, having one agency – like DHHS or Department of

Administration – provide the others with a list of pre-approved translators, or disseminating this information, rather than putting the burden of “adequately credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency.” (Section 7(2)(f)(3)(ii) We found a list online, but this wasn't necessarily conveyed to us. Making each agency redundantly perform several of these functions provides an opportunity to collaborate and potentially create a division or department that can provide these services to all agencies under its purview. As currently constructed, our agency, on a tight budget, will have significant challenges executing our LAP without additional personnel and funding.

VII: LAP Terms as Defined Pursuant [NRS 232.0081, 5b – 5f:](#)

- **Cultural Competence** – A set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enables effective work in cross-cultural situations.
- **Bilingual** – The demonstrated ability to speak two languages fluently and communicate directly and accurately in both English and another language.
- **Dual-role interpreter** – means a multilingual employee who:
 - Has been tested for language skills and trained as an interpreter; and
 - Engages in interpreting as part of his or her job duties.
- **Interpreter** – A person who is fluent in both English and another language, who listens to a communication in one language and orally converts it into another language while retaining the same meaning.
- **Language Access Coordinator (LAC)** – A state agency employee that has been designated to develop and oversee the agency's language access plan and any and all other language access activities in compliance with SB 318.
- **Language Access Plan (LAP)** – The strategy for the provision of the necessary services for limited English proficient (LEP) persons to access the service or program in a language they can understand and to the same extent as non-LEP persons.
- **Language services** – means oral language services and translation services.
- **Limited English Proficient (LEP) Person** – A limited English proficient (LEP) person is someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak, or understand English.
- **Oral language services** – means services to convey verbal information to persons with limited English proficiency. The term:
 - Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

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- Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.
- **Person with limited English proficiency** – means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.
- **Safe Harbor** as defined by the US Department of Justice requires:
 - The DOJ recipient provides written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
 - If there are fewer than 50 persons in a language group that reaches the five percent trigger in (a), the recipient does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.
 - These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.
- **Translation services** – means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

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Language Access Coordinator Resources



TIPS FOR WORKING WITH TELEPHONE INTERPRETERS

BEFORE YOU START:

- Know the target language (and preferably the dialect) for interpretation ahead of time
- Listen to a demonstration:
- Explore the vendor's website:
- Know how to use your conference call or three-way calling features
- If your meeting is longer than 30 minutes, try to schedule an in-person interpreter

If you have line quality problems before reaching an interpreter, press to be transferred. Ask the representative to stay on the line to check for sound quality.

If you have problems connecting to an interpreter, call Customer Service:

PLACING THE CALL:

Call: []
(Client ID/Access Code: **)**
 The number and Client ID should not be shared with outside entities.

AN INTERPRETATION MAY NOT BE GOING SMOOTHLY IF:

- The interpretation is too long or too short compared to the length of the material being interpreted;
- The interpreter repeatedly asks for clarification;
- It sounds like the interpreter is having a side conversation with the LEP individual;
- The LEP caller corrects or appears to disagree with the interpreter;
- The LEP caller begins to speak in halting and incorrect English;
- The interpreter or the LEP caller is becoming increasingly impatient;
- It sounds like the interpreter is using many English terms to convey the meaning of your conversation; or
- The interpreter does not conduct himself or herself in a professional manner.

AT THE START OF THE CALL:

Record the interpreter's ID number, introduce yourself and the interpreter, and define the role of the interpreter in the conversation. Be sure to let all parties know that they may be asked to stop, rephrase, or clarify throughout the call.

- ✓ Talk directly to the LEP individual, not the interpreter. For example, "What is your name?" and not "Please ask the caller for their name."
- ✓ If the LEP individual is willing to share, obtain the caller's phone number in case of accidental disconnection.
- ✓ Pause after one or two sentences to allow for interpretation
- ✓ Ask one question at a time.
- ✓ Speak clearly at a normal pace and refrain from technical language.

If you think something is wrong with the interpretation, feel free to ask the LEP individual:
"Would you mind repeating back to me what I said, so that I can make sure I am communicating clearly?"

If you believe that your communication with the LEP individual has been compromised by the quality of interpretation, **END THE CALL**.
 Call the telephone interpretation service to obtain a new interpreter. Once you have successfully completed your call with a new interpreter, please provide feedback as noted.

PROVIDING FEEDBACK: If you encounter technical problems or have questions, contact your section's Language Access Point of Contact: .

Say **"END OF CALL"** to the interpreter when the call is completed.

For additional copies or technical assistance in language access matters, contact the Federal Coordination and Compliance Section at LEP@usdoj.gov

April 28, 2014

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**TIPS ON BUILDING AN EFFECTIVE STAFF
LANGUAGE SERVICE PROGRAM**



ARE YOU PLANNING TO USE STAFF TO PROVIDE LANGUAGE SERVICES?

KNOW YOUR LANGUAGE SERVICE NEEDS:

- Does your organization interact directly with LEP individuals?
- If so, in what capacity? In person? Online? By phone?
- What are the most common languages spoken by limited English proficient (LEP) individuals in your community? To find out, check out the Language Map App at www.lep.gov/maps

BEFORE USING MULTILINGUAL PERSONNEL:

- Do not assume that being a native speaker qualifies someone to interpret conversations or translate written documents. Interpretation, translation, and other in-language tasks often require the use of industry-specific terminology, specialized skills, and experience.
- Competency requires more than self-identification as bilingual. The most accurate way to validate language proficiency is through an independently-administered language assessment and periodic reassessment.
- Consider creating and disseminating standard policies and procedures to assess and track the language proficiency of multilingual personnel. The policy could include who has the authority to access the agency's list of multilingual personnel and who may use multilingual personnel for certain language tasks.

KNOW YOUR LANGUAGE SERVICE RESOURCES:

- Does your organization employ capable, qualified multilingual personnel?
 - What languages do your multilingual personnel speak?
 - What language tasks do your multilingual personnel perform?
 - Does your organization assess the competency of multilingual personnel?
 - Do your linguists receive additional language-skill training?
 - Does your organization pay or provide bonuses for in-language assistance?
- Do you hire people who interpret or translate for your organization?
- How much funding is available for paying interpreters, translators, or multilingual staff?
- Do you or your staff know where to go if you need language services in an unfamiliar language?

For additional information on the certification and assessment of linguists, see our TIPS tool: [What Does it Mean to be a Certified Linguist?](#)

For information on the recruitment, hiring, retention, and assessment of linguists, continue on to the next page.



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RECRUITING, HIRING, AND RETAINING MULTILINGUAL PERSONNEL:

In the process of recruiting, hiring, compensating, and retaining qualified multilingual personnel, consider the following:

RECRUITING MULTILINGUAL PERSONNEL:

- Could your organization reach out to local language communities in order to solicit suggestions for hiring qualified speakers of that language?
- Are there recruitment sources and networks your organization can work with to promote your hiring needs and attract qualified linguists?

HIRING AND RETAINING MULTILINGUAL PERSONNEL:

- Will language proficiency be a requirement or just an ability that would make an applicant more appealing? Does the job analysis support language proficiency and will it be documented in the position description?
- Will in-house language tasks be part of an employee's performance plan or are they collateral duties?
- Will staff linguists receive pay differentials, workload adjustments, or other incentives intended to recruit and retain multilingual personnel?
- A multilingual employee hired for a non-language specific task (e.g., accountant) may be inundated with requests for language assistance. How will management ensure the employee's personal career growth while continuing to be responsive to in-house language requests?
- Could you exchange, share, and review sample job descriptions with others in your industry to maintain consistency regarding language proficiency skills?
- Could labor unions or other bargaining units affect your agency's decision to recruit, hire, assess, or retain multilingual employees?

HOW DO I ASSESS THE LANGUAGE SKILLS OF MY MULTILINGUAL PERSONNEL?:

To ensure effective communication between multilingual employees and LEP persons, agencies should assess the oral and/or written proficiencies of multilingual employees. There are many forms of assessment, and many considerations such as time, cost, efficiency, accuracy, and consistency.

STRUCTURED TESTING AND ASSESSMENT:

Effective testing and assessment often involves either (1) an independently administered test, or (2) a structured in-language interview conducted by a linguist qualified to assess language proficiency.

Independent verification is the most accurate way to determine whether a linguist is proficient. Independent assessments also tend to be quite rigorous, independently testing and scoring individual language skills such as reading, speaking, listening, writing, interpreting, and translating. The federal government uses the Interagency Language Roundtable scale as its metric for measuring language skill and proficiency (see, www.govtilr.org).

Periodically reassess your multilingual employees because, if not used, language skills may erode over time.

UNVERIFIABLE ASSESSMENT:

Occasionally, organizations employ other methods to verify linguistic qualifications, for example reviewing translated work samples, administering a self-assessment language questionnaire, or reviewing educational linguistic background or credentials.

It is important to note that these methods may not provide an organization with an independent or verifiable baseline of an employee's language skill.



The ILR Scale is a metric for measuring an individual's language proficiency. There is no "ILR test," but several agencies and private organizations have adapted the ILR Scale's skill level descriptions into a proficiency test.

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