



## Language Access Plan

### **I. Purpose and Authority**

Nevada's Senate Bill 318 (SB318) and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As SB318 states, "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:

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

The Nevada Division of Water Resources (NDWR) is committed to compliance with SB318 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 Language Access Plan (LAP) is to establish an effective plan and protocol when providing services to, or interacting with, LEP individuals. Following this plan and protocol will ensure NDWR is inclusive as it strives to meet its mission to responsibly manage Nevada's limited water resources in accordance with state law and best available science.

### **II. General Policy**

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

1. Water Rights
2. Well Drilling
3. Floodplain Management
4. Dam Safety
5. Water Planning
6. Adjudications
7. Hearings

NDWR will use the following procedures to ensure that LEP individuals can gain equal access to NDWR services and communicate effectively.

- NDWR will take all reasonable steps to provide LEP individuals with meaningful access to its services.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services and 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.
- Due to the scientific and technical nature of our work, use of informal interpreters of any kind is not allowed to minimize misinterpretation.

### **NDWR Language Access Coordinator(s)**

John Guillory, P.E., Deputy Administrator, [jguillory@water.nv.gov](mailto:jguillory@water.nv.gov), 702-486-2770  
Language Access Coordinators will review and update (if needed) the NDWR LAP biennially. All NDWR staff will report language access needs to the Language Access Coordinators.

### **III. Profile of NDWR's LEP Clients**

NDWR is committed to tracking the languages preferred for communication with potential LEP clients so that we can better provide meaningful, timely access to our services and programs without regard to any language impediments.

All services offered by NDWR could be received by LEP citizens as well as other members of the public. NDWR services are offered online through our website, in person, via email or telephonic device, or via remote platforms (e.g., Zoom or TEAMS). The public is encouraged to contact NDWR staff if they are unable to access NDWR services electronically. The preferred language of the public receiving services from NDWR is US English. The most common method for the public to access services is through the website although email communication is also common.

NDWR maintains a contacts database of individuals that either have water rights permits or are agents to water rights owners. This database contains over 20,000 unique individuals. To the agency's knowledge, none of these individuals have ever requested translation or American Sign Language services. It is unknown if any of these individuals identify as Indigenous or Refugee.

The agency does not track each phone call or email from the public. To the agency's knowledge, throughout its long history NDWR has never had a request for translation or American Sign Language services from LEP individuals.

With the help of its website maintenance contractor, NDWR will explore the possibility of adding a button to the water.nv.gov website that will translate the website to the user's preferred language and if there is a way to track the use of the translation button.

NDWR will create an Excel spreadsheet to track requests from LEP individuals. NDWR staff will report LEP individual contacts to the NDWR Language Access Coordinators and the NDWR Language Access Coordinators will maintain the spreadsheet.

#### **IV. NDWR Language Access Services and Procedures**

NDWR does not have full-time or on-demand language access services. Any future language access needs will be addressed in the following manner:

**Oral/Sign Language Services** – NDWR does not have employees that are trained or certified to provide language services. If the need arises, NDWR will contract with a State-approved vendor for oral and sign language services. NDWR will use the list of approved vendors located on the Department of Administration's Purchasing Division website. [https://purchasing.nv.gov/Contracts/Documents/Translation\\_Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/)

**Written Language Services** – NDWR does not have employees that are trained or certified to provide written language services in languages other than English. If the need arises, NDWR will contract with a State-approved vendor for written language services. NDWR will use the list of approved vendors located on the Department of Administration's Purchasing Division website. [https://purchasing.nv.gov/Contracts/Documents/Translation\\_Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/)

#### **Community Outreach and Engagement**

NDWR does not have employees that are trained or certified to provide language services in-house for languages other than English. NDWR will take steps to publicize the availability of language access services on the water.nv.gov website.

NDWR will provide resources for its staff to improve their cultural competency and ability to work with diverse groups by utilizing the educational materials and tools on the Nevada Department of Health and Human Services' (DHHS) Cultural Literacy Strategies website.

<https://dhhs.nv.gov/Programs/CHA/MH/Toolkit/culturalliteracystrategies/>

#### **V. Implementing NDWR's Language Access Services**

NDWR is committed to providing LEP members of the public full access to our services and programs. If language access services are requested, employees will inform the NDWR Language Access Coordinators. The Language Access Coordinators will take the appropriate steps as outlined in this document to secure a qualified person to provide the needed service(s).

### **Language Access Procedure**

**Accessing Appropriate Oral/Sign Language Services:** If oral/sign language services are needed, employees will inform the NDWR Language Access Coordinators. The Language Access Coordinators will secure a qualified person to provide the needed service by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website [https://purchasing.nv.gov/Contracts/Documents/Translation Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/).

**Accessing Appropriate Written Language Services:** If written language services are needed, employees will inform the NDWR Language Access Coordinators. The Language Access Coordinators will secure a qualified person to provide the needed service by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website [https://purchasing.nv.gov/Contracts/Documents/Translation Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/).

**Language Services Quality Assurance:** NDWR is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. NDWR will secure qualified professionals by utilizing the list of approved vendors located on the Department of Administration's Purchasing Division website [https://purchasing.nv.gov/Contracts/Documents/Translation Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/).

### **Staff Training Policies and Procedures**

NDWR ensures that its staff are familiar with this LAP. All staff will inform the NDWR Language Access Coordinators if language access services are requested. The NDWR Language Access Coordinators will periodically remind staff about the LAP and the agency's responsibility to provide language access if requested.

### **VI. Evaluation of and Recommendations for NDWR's Language Access Plan**

NDWR 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 NDWR and the people it serves. NDWR will review, evaluate, and update (if needed) its LAP biennially.

### **Processes for Monitoring and Evaluation**

**Parties Responsible for LAP Maintenance:** The NDWR Language Access Coordinators will be responsible for reviewing and updating (if needed) the NDWR LAP biennially.

**Criteria and Methods for LAP Evaluation:** In the history of the agency, language access has not been a barrier to doing business and the agency's knowledge, it has never had a request for translation services. Based on this history NDWR will simply track its LAP's performance by tracking the number of requests for language access services using an Excel spreadsheet.

### **Evaluation Outcomes and Proposed Changes**

**Performance Monitoring Data:** NDWR was created in 1903 and has served many thousands of individuals in that time. The agency does not know how many of these individuals may have been LEP; however, NDWR has never had a request for translation or American Sign Language services from LEP individuals.

**Proposed LAP Revisions:** This is the first LAP that NDWR has prepared. Therefore, there are no proposed revisions.

**Proposed Budgetary Implications:** Based on the lack of need for language access services in the past, NDWR does not foresee the need for significant funding for language access services in the FY24/25 biennium. Funding will be needed; however, to provide a translation button on the agency website. It is our hope that this can be accomplished under our current website maintenance contract.

**Suggested Legislative Amendments:** NDWR proposes that certain agencies be exempt from having to maintain a Language Access Plan. If it can be shown that the agency does not serve LEP individuals, an LAP should not be required. Alternatively, agencies with no LEP customers or smaller agencies that don't have the capacity to provide language access roles, a liaison that works for ONA could be assigned to provide those duties for the agency on an as needed basis, similar to an assigned Deputy Attorney General (DAG).