



# **Nevada State Public Charter School Authority**

## Language Access Plan

*August 31, 2022*

## **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 government 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 the 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 to the programs and services of those agencies and entities.

The State Public Charter School Authority (SPCSA) 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 SPCSA personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to realizing our vision of equitable access to diverse, innovative, and high-quality public schools for every Nevada student.

## II. General Policy

The State Public Charter School Authority (SPCSA) recognizes that the population eligible to receive its services includes individuals with limited English proficiency (LEP). It is the policy of the SPCSA to ensure meaningful access to LEP individuals. The SPCSA adopts the following policies and procedures to ensure that LEP individuals can gain equal access to SPCSA services and communicate effectively. Pursuant to NRS 388A.150, the purpose of the State Public Charter School Authority is to 1) authorize high-quality schools, 2) provide oversight to sponsored schools, and 3) serve as a model of the best practices in sponsoring charter schools. This Plan applies to all SPCSA's programs and services including, but not limited to:

- Authorizing of Public Charter Schools
- School Support Services, including assisting with parent, family, and constituent concerns and complaints
- Grant Administration
- Communication to the Public

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. The SPCSA intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. The SPCSA seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

Toward this end, the SPCSA endorses the following policies:

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

**SPCSA Language Access Coordinator:** Marinna Cutler ([marinnacutler@spcsa.nv.gov](mailto:marinnacutler@spcsa.nv.gov))



The SPCSA's Language Access Coordinator is responsible for

- Providing training to SPCSA staff on the Agency's Language Access Policies.
- Answering questions regarding the implementation of the Language Access Plan.
- Biannually facilitating the review and necessary revisions to the Language Access Plan

Any concerns with the implementation of the Language Access Plan shall be reported to the SPCSA's Executive Director and addressed by the SPCSA's Leadership Team in order to ensure that the Agency fulfills its commitment to providing meaningful, timely access for persons with limited English proficiency to the SPCSA's programs and services.

### **III. Profile of The State Public Charter School Authority's LEP Clients**

#### **Services Provided to the Public**

The majority of the SPCSA's services are provided directly to charter schools and charter school staff, who due to the nature of their work in educating students in grades PreK to 12 are proficient in English. However, a portion of the Agency's services are public-facing, these services include:

- Providing information about SPCSA-sponsored public charter schools to the public; and
- Responding to concerns and complaints from constituents, mainly parents and families of students enrolled in SPCSA-sponsored public charter schools.

Therefore, the focus of the SPCSA's Language Access Plan will be on providing access to public-facing services as described above.

#### **Preferred Languages**

The State Public Charter School Authority (SPCSA) 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. While the SPCSA has not historically tracked the preferred languages for communication of our constituents in a systematic way, the Agency is implementing changes in our protocols in order to track this information going forward.

For the purpose of this Language Access Plan, the SPCSA has relied on two data sources to understand the demographics of our constituents.

The first data set reflects actual phone calls and electronic communications with constituents from July 1, 2021, through June 30, 2022. The majority of data comes from the SPCSA's complaint management system, HappyFox, but additional data has been included based on records of when the SPCSA engaged a translator to assist in constituent communication. Going forward, the SPCSA will be adding fields into HappyFox to ensure that we consistently record 1) the preferred languages of our LEP constituents, 2) the education levels of our constituents which will help to understand literacy levels, 3) whether constituents are indigenous, and 4) whether constituents are refugees. Below is a data table summarizing relevant communication data for the SPCSA for the period of July 1, 2021, through June 30, 2022.

Language/ Group Served	Total #	% of Total	% of Total LEP	“Safe Harbor”?	Services/ Programs Accessed	Notes (include literacy level data)
Total Clients	108	n/a	n/a	n/a	Constituent Concerns and Complaints	No literacy level data reported
Total Indigenous	Not Available	Not Available	n/a	n/a	Same as above	Same as above
Total Refugees	Not Available	Not Available	n/a	n/a	Same as above	Same as above
Total LEP Clients	5	4.63%	100%	n/a	Same as above	Same as above
- Spanish	5	4.63%	100%	Yes	Same as above	Same as above

The second data set summarizes the demographics of students enrolled in SPCSA-sponsored schools as of the 2021-22 school year. Given that the majority of our communication is with parents and family members of students enrolled in our schools, this data provides insight into the demographics of our constituents. Below is a data table summarizing the demographics of students enrolled in SPCSA-sponsored schools as of the 2021-22 school year.

Students Enrolled	Total #	% of Total	% of Total LEP	“Safe Harbor”?
Total Students	55415	n/a	n/a	n/a
Total Indigenous	240	0.43%	n/a	n/a
Total Refugees	Not Available	Not Available	n/a	n/a
Total Students Identified as English Language Learners (ELL)	4885	8.81%	100%	n/a
- Spanish	2375	4.28%	83.50%	Yes
- Chinese (Cantonese/ Mandarin/Zhongwen)	85	0.15%	2.98%	No
- Amharic	61	0.11%	2.14%	No
- Russian	44	0.07%	1.54%	No
- Korean	28	0.05%	0.98%	No
- Tagalog	27	0.04%	0.94%	No
- Filipino	23	0.04%	0.80%	No
- Portuguese	18	0.03%	0.63%	No
- Japanese	15	0.02%	0.52%	No
- Vietnamese	15	0.02%	0.52%	No
- Arabic	14	0.02%	0.49%	No
- Tigrigna	13	0.02%	0.45%	No
- Hebrew	12	0.02%	0.42%	No



As shown in the two data sets above, the most widely spoken language among both students and those constituents that have contacted the SPCSA is Spanish. As a result, the SPCSA has designated Spanish as a “Safe Harbor” language.

#### **IV. State Public Charter School Authority Language Access Services and Procedures**

The State Public Charter School Authority (SPCSA) has secured the language access services described below to enable our LEP clients to access our services and programs more fully. In every case, the State Public Charter School Authority ensures that all language service providers are fully competent to provide these services.

##### **Oral/Sign Language Services**

The SPCSA provides the following oral/sign language services:

- Over-the-phone interpreting (OPI) is provided through Language Link for constituents with limited English Proficiency. The State of Nevada has executed a Participating Addendum (PA) to the contract with Language Link executed by the National Association of State Procurement Officials (NASPO) on behalf of participating states. The SPCSA is using agency of this PA and contract.
- American Sign Language (ASL) interpreting is provided by Language Link for constituents who are Deaf or hard of hearing. The State of Nevada has executed a PA to the contract with Language Link executed by NASPO on behalf of participating states. The SPCSA is using agency of this PA and contract.

##### **Written Language Services**

The State Public Charter School Authority (SPCSA) 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 SPCSA and individuals as well as the procedure for identifying vital communication targeting the broader public are both presented.

- The SPCSA evaluates documents and communication to determine the primary audience.
- If the primary audience is parents and families of students or prospective students, then the document is identified as a vital document. Note that this may include individual communication to a parent or family member of a student or prospective student.

Based on the above vital documents' identification procedure, the SPCSA has identified the following documents and translated them into the "safe harbor" languages indicated.

- Charter School Overview on SPCSA Website (Spanish)
- Overview of Student Supports on SPCSA Website (Spanish)
- Information and Directions about the SPCSA's Complaint Process (Spanish)
- Plan for the Safe Return to In-Person Learning and Continuity of Services (Spanish)
- Email or other written communication to an individual parent or family member of a student or prospective student.



The above documents were prepared using the following written language services:

- Document translation is provided by Language Link for constituents with limited English Proficiency. The State of Nevada has executed a PA to the contract with Language Link executed by NASPO on behalf of participating states. The SPCSA is using agency of this PA and contract.

### **Community Outreach and Engagement**

The SPCSA is committed to ensuring that the larger LEP community is aware of and able to access all available language services. In doing so, the SPCSA has taken steps to publicize the availability of its language services in the community. Additionally, the SPCSA has provided notification of its services at all relevant points of contact. Additionally, the SPCSA has provided resources for its staff to improve their cultural competency and ability to work with diverse groups.

**Providing Notice of Language Assistance Services:** State Public Charter School Authority has provided the following notifications at relevant points of contact within its office and online.

- The Notice of Language Assistance Services Memorandum (see Appendix A) will be sent to key contacts at sponsored charter schools, the Nevada Department of Education, and each School District. This will ensure that these agencies and organizations are aware of the language services available at the SPCSA should they be contacted by a charter school parent or family member.
- The Notice of Language Assistance Services Memorandum (see Appendix A) was sent to the SPCSA's Community Working Group. This group includes a diverse set of partners that the SPCSA relies on for feedback and input. Many members of the Community Working Group work with parents and families so they will be able to share information regarding the SPCSA's language services, as needed.

**Cultural Competency Resources:** The State Public Charter School Authority has provided the following resources to its staff to improve their ability to work with diverse groups.

- In August of 2021, SPCSA staff participated in Diversity, Equity, and Inclusion training provided by an individual who is on the Nevada Department of Education's list of approved Diversity, Equity, and Inclusion trainers. The SPCSA plans to provide at least bi-annual training related to diversity and inclusion. More frequent training may be provided, as needed.

## V. Implementing the State Public Charter School Authority's Language Access Services –

The State Public Charter School Authority (SPCSA) is committed to providing our LEP clients full access to our services and programs. Towards this end, the SPCSA requires its staff to follow the procedures described below to ensure meaningful access to available language services. Moreover, the SPCSA 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 the SPCSA's mission.

### Language Access Procedures

**Identifying Client Language Needs and Preferred Language:** The following procedures should be followed to (1) interact appropriately with LEP constituents, (2) inform constituents of the availability of language services, (3) determine constituents' preferred languages, and (4) record and track LEP constituent language preferences so that the data will follow them throughout their interactions with SPCSA staff.

1. In order to provide welcoming, supportive, and consistent customer service, SPCSA staff should track all constituent calls and emails via HappyFox. Those staff members that do not have a HappyFox account can submit records of communication to HappyFox by sending a summary via email to [complaints@spsca.nv.gov](mailto:complaints@spsca.nv.gov), or submitting a ticket through this website: <https://spsca.happyfox.com/?login=1>.
2. When an SPCSA staff member believes that a constituent may have Limited English Proficiency, the staff member should notify the constituent that we are able to provide language services.
3. If the constituent indicates that they would like language services, the staff member should ask the constituent what their preferred language is and include this information in the HappyFox ticket.
4. Staff can follow the steps outlined below to access the appropriate language services.

**Accessing Appropriate Oral/Sign Language Services:** Staff should seek appropriate oral/sign language services in this order:

- The preferred method of serving LEP clients is by using competent bilingual staff able to provide services directly to the constituent'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. Keep in mind that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available. To access contracted translation services,

staff should contact the Las Vegas Administrative Assistant IV.

- Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the constituent.

**Accessing Appropriate Written Language Services:** According to the SPCSA'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 the SPCSA and individual constituents.

- If a document is deemed a vital document, then the staff member who creates the document/communication should contact the Las Vegas Administrative Assistant IV.
- For short documents that are less than one page the Las Vegas Administrative Assistant IV may contact bilingual staff members to determine if they are able to complete the translation.
- If professional translation services are required, the following steps should be taken
  - The Las Vegas Administrative Assistant IV will submit the document to Language Link and request a quote for document translation and follow the SPCSA's processes and procedures for procurement.
  - Once the purchase order is in place, the Las Vegas Administrative Assistant IV will notify Language Link to complete the translation.
- Once the translation is complete, the Las Vegas Administrative Assistant IV will provide the translation to the staff member who created the document/communication.

**Language Services Quality Assurance:** The SPCSA is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. The following quality procedures are in place:

- Language Link, the company that provides interpretation and translation services for the SPCSA publishes a policy regarding quality on their website which includes their standards and quality control procedures: <https://language.link/quality-policy/>
- Additionally, the SPCSA is aware that while some staff may be able to provide interpretation of general information, for any technical or legal interpretation or translation, a qualified professional should be used. In the event that a member of the SPCSA staff would like to be able to provide interpretation or translation of technical and/or legal information, the SPCSA will have that individual's language skills assessed by a third-party.

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

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

- All staff are trained on the appropriate provision of language services each year.
- Each new staff member receives a copy of this Language Access Plan and is directed to review this section (Section V) of the Language Access Plan as part of their onboarding.

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

The State Public Charter School Authority (SPCSA) 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 the SPCSA and the people it serves. At a minimum, the SPCSA will review, evaluate, and update its LAP (if needed) biennially.

### Processes for Monitoring and Evaluation

**Parties Responsible for LAP Maintenance:** Maintenance of the SPCSA's Language Access Plan is overseen by the Executive Director. The SPCSA's General Counsel is responsible for monitoring any changes in State and Federal laws that may impact the provision of language services. The SPCSA's Director of School Support and the Staff of the School Support Team are responsible for regular updates to the Language Access Plan.

**Criteria and Methods for LAP Evaluation:** The SPCSA will track its LAP's performance using the criteria indicated below. The methods for gathering/tracking the relevant data for these criteria are likewise described.

- Number and percentage of constituents accessing language services
- Number of unique visitors to the SPCSA's Website, particularly the section that is translated to Spanish and aimed at providing information to parents and families.

### Evaluation Outcomes and Proposed Changes

**Performance Monitoring Data:** The SPCSA's analysis of the above performance measure data has found the following:

- Currently, very few constituents that contact the SPCSA require language services and the SPCSA has limited traffic on the portion of our website that is translated to Spanish. This may indicate limited awareness of the services available.

**Proposed LAP Revisions:** Based on SPCSA's LAP performance assessment, the following changes to the LAP are proposed:



1. Collecting more detailed data regarding the preferred languages of LEP constituents, 2) literacy levels of LEP constituents in their preferred language and in English, 3) ability of the relevant groups to access agency services electronically, 4) whether constituents are indigenous, and 5) whether constituents are refugees.
2. Collecting satisfaction data regarding language services

**Proposed Budgetary Implications:** The SPCSA believes we can collect additional data outlined in #1 and 2 above without additional staff or resources.