



NEVADA

DIVISION OF

NATURAL HERITAGE

STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, *Governor*
Jim Lawrence, *Acting Director*
Kristin Szabo, *Administrator*

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 Natural Heritage (NDNH) will comply with SB318 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) to ensure meaningful access to State services and programs for LEP individuals.

The purpose of this Language Access Plan (LAP) is to establish a reasonable and effective plan and protocol when providing services to, or interacting with, LEP individuals. Following this plan and protocol will ensure NDNH is inclusive as it strives to meet its mission and statutory requirements.

Mission: Maintain comprehensive biodiversity data for Nevada's at-risk plants and animals to support informed land use planning and conservation planning decisions.

Statutory requirements: (a) Provide expertise in the areas of zoology, botany, and community ecology, including the study of wetland ecosystems; and, (b) Maintain data systems related to the location, biology, and conservation status of plant and animal species and ecosystems (NRS 232.1369).

II. General Policy

NDNH recognizes that LEP individuals may contact the agency for data or other services, and NDNH is committed to ensuring meaningful access to LEP individuals. This LAP applies to all NDNH programs and services including:

- Access to natural heritage biology, zoology, and ecology expertise
- Access to natural heritage data

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

- NDNH 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 to receive agency services. The agency 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.

NDNH Language Access Coordinator(s)

- Kristin Szabo, Administrator, kszabo@heritage.nv.gov, 775-684-2901
- Melissa Spears, Office Manager, mspears@heritage.nv.gov, 775-684-2903.

Language Access Coordinators will review and update (if needed) the NDNH LAP biennially. All NDNH staff will report language access needs to the Language Access Coordinators.

III. Profile of NDNH's LEP Clients

NDNH 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 and avoid language impediments.

NDNH maintains a database of individuals that contact the agency to request rare species data. Since July 1, 2012 (FY13), 625 individuals have contacted the agency through the data request process. None of these individuals were LEP or requested translation or American Sign Language services. It is unknown if any of these individuals identify as Indigenous or Refugee as the agency does not collect this information.

The agency does not track each phone call or email from the public. However, in its history, NDNH has never had a request for translation or American Sign Language services from LEP individuals.

The primary form used by our customers is the NDNH Data Request Form. This form has been recently updated to include a phone number and email address for questions about language access.

NDNH will consult with its website maintenance contractor to explore the possibility of adding a button to the heritage.nv.gov website that will translate the website to languages other than English and if there is a way to track the use of the translation button.

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

IV. NDNH Language Access Services and Procedures

NDNH does not have any known LEP clients; therefore, 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 – NDNH does not have employees that are trained or certified to provide language services. If the need arises, NDNH will contract with a State-approved vendor for oral and sign language services. NDNH 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/

Written Language Services – NDNH does not have employees that are trained or certified to provide written language services in languages other than English. If the need arises, NDNH will contract with a State-approved vendor for written language services. NDNH 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/

Community Outreach and Engagement

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

NDNH 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 NDNH's Language Access Services

If language access services are requested, employees will inform the NDNH 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 Procedures

Accessing Appropriate Oral/Sign Language Services: If oral/sign language services are needed, employees will inform the NDNH 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/.

Accessing Appropriate Written Language Services: If written language services are needed, employees will inform the NDNH 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/.

Language Services Quality Assurance: NDNH is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. NDNH 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/.

Staff Training Policies and Procedures

NDNH ensures that its staff are familiar with this LAP. All staff will inform the NDNH Language Access Coordinators if language access services are requested. The NDNH 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 NDNH's Language Access Plan

NDNH will monitor the performance of the above policies, procedures, and resources to ensure that its LAP meets the needs of NDNH and the people it serves. NDNH will review, evaluate, and update (if needed) its LAP biennially.

Processes for Monitoring and Evaluation

Parties Responsible for LAP Maintenance: The NDNH Language Access Coordinators will be responsible for reviewing and updating (if needed) the NDNH 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 has never had a request for translation services. Based on this history NDNH will track LAP performance by tracking the number of requests for language access services in an Excel spreadsheet.

Evaluation Outcomes and Proposed Changes

Performance Monitoring Data: NDNH served approximately 625 individuals over the past 10 years (fiscal year 2013 through fiscal year 2022). None of these individuals were LEP; therefore, no language access services were needed.

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

Proposed Budgetary Implications: Based on the lack of need for language access services in the past, NDNH 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: NDNH 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, a liaison that works for ONA could be assigned to provide language access tasks on an as needed basis—like an assigned Deputy Attorney General (DAG)—to agencies with no LEP customers or smaller agencies that don't have the capacity to provide language access roles.