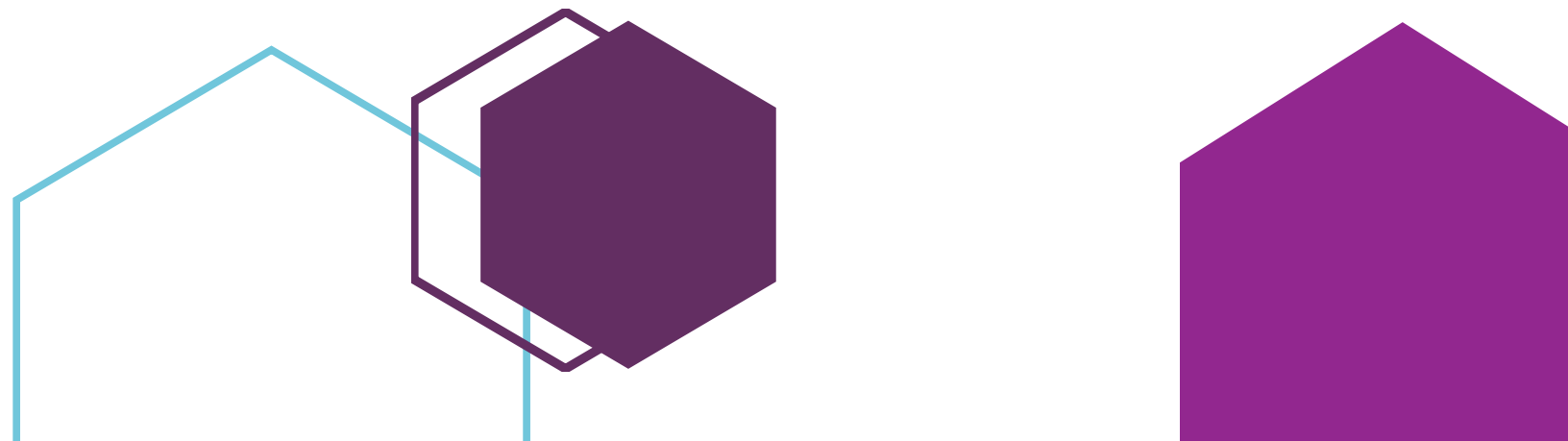




LANGUAGE ACCESS WORKGROUP

**Report to the Legislature
October 2020**

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Superintendent of Public Instruction



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Executive Summary

In 2019, the Legislature passed Engrossed Substitute House Bill 1130 ([ESHB 1130](#)) which created the Language Access Workgroup. The purpose of the workgroup is to advise the Office of Superintendent of Public Instruction (OSPI), the Washington State School Directors' Association (WSSDA), and others, on specific strategies meant to improve meaningful, equitable access for public school students and their family members who have language access barriers. The 2020 Language Access Report to the Legislature provides a series of recommendations, tools and examples as a first step towards these goals.

Table of Recommendations

Recommendation	Audience			
	OSPI	WSSDA	Legislature	Other
1. Recommendation: Language Access Program 1.a The elements of an effective language access program for systemic family engagement and a plan for the implementation of this program. 1.b Recommendation to OSPI & WSSDA: The development and sharing of a toolkit to help public schools assess the language needs of their communities and develop, implement, and evaluate their language access plans and services.	✓	✓		
2. Recommendation: Program for Technical Assistance <ul style="list-style-type: none"> School-level Language Access Coordinators District-level Language Access Coordinators A state-level, OSPI Language Access Technical Assistance Program 	✓		✓	✓
3. Recommendation: Glossary of Education Terminology The OSPI Language Access Technical Assistance Program work should with stakeholders, including community members and school personnel, to develop, define and translate a list of education terminology.	✓			
4. Recommendation: Tiered System of Interpreter Standards			✓	✓

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Recommendation	Audience			
	OSPI	WSSDA	Legislature	Other
The state should adopt a tiered system of interpreter requirements in education related settings based on the type of interpreted interaction.				
<u>5. Recommendation: Interpreter Testing System</u> <ul style="list-style-type: none"> The development of a supplemental education test to be part of the current Department of Social Health Services (DSHS) testing system. The test should be developed by OSPI and include a test of education terminology and training on the role of an interpreter in the school setting. Fund DSHS to increase the number of languages for which they fully certify interpreters. 	✓		✓	✓
<u>6. Recommendation: Best Practices</u> <p>6.a Best Practices for Use of Interpreters and Remote Interpretation Services</p> <p>6.b Best Practices for Translations</p>	✓			✓
<u>7. Recommendation: Scheduling Spoken-Language Interpretation</u> <p>Immediate and ongoing training via webinars and other tools for school personnel on how to use the new Department of Enterprise Services (DES) spoken-language scheduling portal.</p>				✓
<u>8. Recommendation: Code of Professional Responsibility and Standards of Practice</u> <p>Write WACs establishing the professional responsibility and standards of practice for interpreters of spoken and sign languages in educational settings outside of the classroom.</p>	✓		✓	
<u>9. Recommendation: Data Collection and Use</u> <p>9.a Revision of the Home Language Survey</p> <p>9.b Interpreter Feedback Survey</p> <p>9.c Interpreter Request Data Sharing Agreement</p>	✓			✓

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Recommendation	Audience			
	OSPI	WSSDA	Legislature	Other
9.d Reporting of interpreter provided data, collection required by Engrossed Substitute House Bill 1130.				
<u>10. Recommendation: Updates to WSSDA's Model Policies and Procedures</u> 10.a Consolidated Policy and Procedures 10.b Updates that apply to all policies and procedures 10.c Updates specific to: Procedure – Effective Communication 4217P 10.d Updates specific to: Procedure – Language Access Plan 4218P		✓		

The Language Access Workgroup has also defined several areas for future work including:

- **Higher education:** Work with institutes of higher education in Washington to evaluate the availability of interpreter and translator preparation programs and the sufficiency of these programs to meet the current and projected future demand for interpreters and translators.
- **Feasibility study:** Conduct a feasibility study to estimate the cost and capacity of the current system to develop and administer an educational interpretation test and to add additional languages to the Department of State Health Services (DSHS) interpreter testing system.
- **Master contracts:** Partner with the Department of Enterprise Services (DES) on the suite of master contracts for interpretation and translation to ensure that they meet the specific needs of families, schools, and school districts.

Background

Engrossed Substitute House Bill 1130 ([ESBH 1130](#)), which created the Language Access Workgroup, reminds us that “It is the policy of the state to welcome and encourage the presence of diverse cultures and the use of diverse languages and modalities of communication in business, government, and private affairs in this state”.¹ This policy applies to our Washington public schools where the “ability to effectively communicate with students and their family members who have language access barriers impacts the schools’ ability to engage students and

¹ ENGROSSED SUBSTITUTE HOUSE BILL 1130. (2019). <http://lawfilesext.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1130-S.SL.pdf>

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families effectively in the education process and contributes to inequalities and increased gaps in student achievement.”²

It was the finding of the Legislature that effective communication is not taking place in schools due to many reasons including:

- Failure to consistently assess the language needs of communities or to evaluate the effectiveness of provided language access services;
- Failure to prioritize resources, including time and money, to engaging families with language access barriers;
- Lack of knowledge of the best practices for engaging families with language access barriers;
- Lack of training for school staff on how to engage families with language access barriers, how to engage and use interpreters, or when to provide translated documents; and
- A shortage of interpreters qualified to work in educational settings.³

The purpose of the Language Access Workgroup is to advise the Office of Superintendent of Public Instruction (OSPI), the Washington State School Directors' Association (WSSDA) and others on specific strategies meant to improve meaningful, equitable access for public school students and their family members who have language access barriers. Recommendations are to include:

- (a) The elements of an effective language access program for systemic family engagement and a plan for the implementation of this program.
- (b) The components of a technical assistance program for language access and a plan for the implementation of this program.
- (c) The development and sharing of a toolkit to help public schools:
 - i. Assess the language needs of their communities
 - ii. Develop, implement, and evaluate their language access plans and language services
- (d) The development and sharing of educational terminology glossaries that improve all families' access to the public.
- (e) The development and sharing of best practices or strategies for improving meaningful, equitable access for public school students and their family members who have language barriers, including the effective use of interpreters and when to provide translated documents in other formats.

And, practices and policies that should be adopted at the state or local level to improve meaningful language access on the following topics:

² Ibid.

³ ENGROSSED SUBSTITUTE HOUSE BILL 1130. (2019). <http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1130-S.SL.pdf>

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(a) Standards for interpreters working in education settings, including familiarity with legal concepts related to and service requirements of, Part B of the federal Individuals with Disabilities in Education Improvement Act and Section 504 of the federal Rehabilitation Act of 1973

(b) Development and assessment of interpreters' knowledge of education terminology

(c) Feasibility and cost-effectiveness of adapting another state agency's interpreter program to test, train, or both, interpreters for educational purposes

(d) Updates to the Washington State School Director's Association's model language access policy

(e) Use of remote interpreter services, including the conditions under which remote interpreter services may be used to provide high quality interpreter services;

(f) Data collection and use necessary to create and improve state and local language access programs⁴

Workgroup Meetings

The Workgroup met as a full group for monthly meetings a total of 11 times, starting in October of 2019. Additionally, they formed several subcommittees that met between monthly meetings to review, research, and draft recommendations on specific topics for presentation to the workgroup. Final decisions were made by the whole workgroup in accordance with the agreed upon decision making protocol. Subcommittees included:

- Stakeholder Engagement Subcommittee
 - Staff: Heather Rees, Yordanos Gebremlak
 - Members: Andrew Estep, Corey Grandstaff, Joy Sebe, Ky Ly and Mohammed Akmoosh
- Interpreter Qualification System Subcommittee
 - Staff: Danielle Eidenberg, Heather Rees and Isaac Conver
 - Members: Anita Ahumada, Fanny Cordero, Heather White, Leroy Mould and Milena Calderari-Waldron
- Language Access Programs Subcommittee
 - Staff: Heather Rees, Maria Flores and Sarah Albertson
 - Members: Anita Ahumada, Brian Stromberg, Charo de Portaro, Diana Gonzalez, Hodan Mohamed, Joy Sebe and Ky Ly

⁴ ENGROSSED SUBSTITUTE HOUSE BILL 1130. (2019). <http://lawfilesexternal.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1130-S.SL.pdf>

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Workgroup Membership

Organizational Representatives	
Educational Opportunity Gap Oversight and Accountability Committee	Julieta Altamirano-Crosby
The State School for the Blind	Corey Grandstaff
Washington Center for Deaf and Hard of Hearing Youth (CDHY)	April McArthur
	Alternate: Rick Hauan
The Special Education Advisory Council	Joy Sebe
Washington State School Directors' Association	Abigail Westbrook
Public School Employees of Washington	Kayla-Tai Ramos
Association of Washington School Principals	Kurt Hatch
Washington State Parent Teacher Association	Andrew Estep
The Washington State Commission on African American Affairs	Vacant
The Washington State Commission on Asian Pacific American Affairs	Sina Sam
The Washington State Commission on Hispanic Affairs	Anita Ahumada
The Governor's Office of Indian Affairs	Vacant
Local 1671/AFSCME Council 28 (WFSE)	Milena Calderari-Waldron
	Alternate: Leroy Mould

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Community Representatives	
C.I.E.L.O. Centro Integral Educativo Para Latinos En Olympia	Charo de Portaro
Disability Rights Washington	Darya Farivar
OneAmerica	Diana Gonzalez
American Sign Language Interpreters	Heather White
Somali Community	Hodan Mohamed
Washington State Coalition for Language Access	Jen Cole
Open Doors for Multicultural Families	Ky Ly
Iraqi Community Center of Washington	Mohammed Akmoosh
Congolese Integration Network	Providence Kamana
Deaf community	Brian Stromberg
ESD 105	Cindy Cholico
Interpreter	Fanny Cordero
Student	Mackenzie Phan
University Place School District	Yoshiko Schulz

Workgroup Staff

As required by Sec. 5 of HB 1130, the Language Access Workgroup is staffed by the Office of Superintendent of Public Instruction (OSPI) and the Office of the Education Ombuds (OEO)

- Danielle Eidenberg, Senior Education Ombuds, OEO
- Heather Rees, Research Analyst, Center for the Improvement of Student Learning, OSPI
- Isaac Conver, Program Supervisor, Equity & Civil Rights, OSPI
- Maria Flores, Executive Director, Center for the Improvement of Student Learning, OSPI
- Sarah Albertson, Managing Attorney, Equity & Civil Rights, OSPI
- Yordanos Gebreamlak, Senior Education Ombuds, OEO

Stakeholder Engagement

In addition to the diverse experiences of its members, the Language Access Workgroup sought to periodically engage with and receive feedback from key stakeholders on language access in schools and proposed recommendations.

Engagement efforts included the following:

- Public comment periods offered at every meeting
- Surveys distributed to [school](#) and [district staff](#), [community based organizations](#) that work with families, and [family members](#)
- Presentations to stakeholder groups such as the Washington State Coalition for Language Access (WASCLA) and the Washington State Association of the Deaf (WSAD)
- Open Doors for Multicultural Families held focus groups of about 10-30 families in their native languages including: Mandarin, Cantonese, Somali, Amharic, Tigrinya and Spanish. Spanish speaking participant cultures included: Cuban, Mexican, Puerto Rican, Costa Rican, Venezuelan and Salvadorian.

Anonymous quotes from surveys and family meetings are embedded throughout the report.

The language access surveys were tailored to each target audience and focused on their experience and knowledge of language access in schools. The results largely confirmed the experiences and assumptions of workgroup members and affirmed the necessity of these recommendations. Survey results have been imbedded in this report where applicable and full copies of the survey reports, are available on the Language Access Workgroup [website](#). Please note that the family and community survey was available in English, Arabic, Russian, Somali, Spanish and Vietnamese. The workgroup was unable to create a video translation in to ASL due to time and purchasing process limitations.

The workgroup recognizes that stakeholder engagement efforts came late in the process of recommendation development and faced many challenges. The original stakeholder engagement plan included multiple in-person community forums and focus groups, which were cancelled by the onset of the COVID-19 pandemic and not rescheduled in an online format until late in the process. Additionally, the workgroup sought engagement strategies that put the least amount of burden on families, communities and organizations struggling under the social, emotional and economic costs of the pandemic.

Acknowledgements

The Language Access Workgroup would like to acknowledge with gratitude the following:

- Representative Orwall, the prime sponsor of HB1130 and Senator Wellman, prime sponsor of the companion bill SB5606, for creating this opportunity

- All members of the public who gave public comment during meetings, attended presentations, participated in focus groups and completed surveys, for your valuable time and contributions
- All presenters who generously shared their expertise
- The Association of Washington School Principals and Washington Center for Deaf and Hard of Hearing Youth for hosting in-person meetings
- The Educational Opportunity Gap Oversight and Accountability Committee for leading the way
- The spoken and sign language interpreters who helped us create accessible meetings (especially Abelardo Garcia, Daniel Mroz, Laurie Reinhardt and Catherine Thomas)
- All workgroup members and staff for their time and dedication
- And finally, the students and families who persevere in the face of language access barriers and the community based organizations who support them, you are the reason for this work

Glossary of key terms

Family Engagement establishes two-way communication built on a foundation of social justice practice that encourages a welcoming environment while: creating trust, recognizing and celebrating differences and culture, individualizing access, building relationships, supporting advocacy and education of rights, and engaging families and communities as partners in the education of children.

Interpretation: The process of first fully understanding, analyzing and processing a spoken or signed message and then faithfully rendering it into another spoken or signed language.

Language Access: Includes plans, policies, procedures and services meant to establish meaningful, two-way communication between the district/school and parents with limited English proficiency (LEP), who are Deaf, blind or need other communication assistance, and promote access for such parents to the programs, services, and activities of the district/school.

Other modes of communication: Includes braille, recorded audio and video, and any other language assistance outside of translation and spoken or signed language interpretation.

Translation: The process comprising the creation of a written target text, based on a source text, in such a way that the content and in many cases, the form of the two texts, can be considered equivalent.

Transcription: In this context, transcription is the process of converting printed text to braille.

Introduction

The ability to communicate with one another through language is a key facet of what makes us human. In our increasingly complex world, communication between individuals and organizations is essential to navigating complicated systems. The education system is no exception. In order for parents and families to be able to engage with schools as partners in their student's education, they need access to open and efficient communication with school and district staff, teachers and administrators. Engaged parents serve as "supporters of learning, encouragers of grit and determination, models of lifelong learning, and advocates of proper programming and placements for their child."⁵ In a report from the U.S. Department of Education, the authors found that over 50 years of research on family engagement showed beneficial impacts on student grades, test scores, lower drop-out rates, and students' sense of competence and beliefs about the importance of education.⁶ During the COVID-19 pandemic, we have seen even more clearly the need for robust communication and trusting relationships, as parents are serving as partners in teaching their children from home.

Families also have a legal right to language access. In 1974, the *Lau v. Nichols*

"When I get emails, they're only in English, and when I try to get them translated, I am ignored or never answered. I went into the school on time to get some documents translated into Spanish. The principal treated me very badly and told me, "This is the USA, English, English, English." And then the other staff present began to laugh and make fun of me."

- Latino Parent

Supreme Court case⁷ concluded that the Civil Rights Act of 1964⁸ requires that limited-English proficient persons must be ensured effective participation in the same benefits and services as English speakers.

Additionally, Title II of the Americans with Disabilities Act of 1990 requires that schools take appropriate steps to ensure that communication with students, parents, and members of the public with disabilities is as effective as communication with others. In Washington state, these rights are affirmed by non-discrimination laws that apply to public schools, including the

Washington Equal Education Opportunity Law, [Chapter 28A.642 RCW](#), and the Washington Law Against Discrimination, [Chapter 49.60 RCW](#).

Aside from basic legal requirements, communicating with families and communities in a language they understand is essential to establishing trust and maintaining a productive relationship. High quality written translations and spoken and signed

⁵ Mapp. K. L., & Kuttner, P. J. (2013). Partners in education: A dual capacity-building framework for family-school partnerships. U.S. Department of Education. <https://sedl.org/pubs/framework/FE-Cap-Building.pdf>

⁶ Ibid.

⁷ *Lau v. Nichols*, 414 U.S. 563 (1974).

<https://www.loc.gov/item/usrep414563/#:~:text=APA%20citation%20style%3A,gov%2Fitem%2Fusrep414563%2E>

⁸ Civil Rights Act, 42 USCS § 2000e (1964).

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interpretation are not only more accurate and efficient, but show respect for the racial, ethnic, linguistic, and physical diversity of the school community and the assets that they bring to a student's education. Providing language access enables a more engaged school community that embraces diversity and includes families from diverse backgrounds.

When state and local education agencies communicate in a way that is understood by the families and communities that they serve, it increases the number of opportunities for public interest and community support of the education system as a whole. Language access is important to increasing the diversity of participation and civic engagement. Trust and transparency cannot be achieved without high quality translation and interpretation. Removing language access barriers creates a better society for everyone.

The need for translation and interpretation services for families in Washington State is great and continues to increase. While the state does not currently collect data on the number of students whose families use a language other than English, there are some relevant indicators. The National Center for Education Statistics (NCES) estimates that:

59% of school staff and 29% of district staff indicated that they disagree or strongly disagree with the statement "I know, or know how to find out, how many parents my school/district serves who are Deaf, blind or need other communication assistance".¹¹

- **27.9%** of parents of Washington children ages 5 years or older, and enrolled in public school, **speak a language other than English.**
- **14.1%** of parents of Washington children ages 5 years or older, and enrolled in public school, speak English **less than "very well."**⁹

We also know that students served by the Transitional Bilingual Instruction Program (TBIP) spoke 234 different home languages in the 2017–18 school year.¹⁰ These numbers represent only the minimum number of students whose families might require language access services because, each year students transition out of the TBIP program, while their families may remain non-English speakers.

Additionally, the workgroup was unable to find data on the number of parents of public school students who are Deaf, blind or DeafBlind. This lack of data contributes to the invisibility of this community and a lack of accessibility. On the District and School Staff Language Access Programs Survey, a higher number of school and district staff indicated that they would not know how to find out how

⁹National Center for Education Statistics (NCES). (2018). Education demographics and geographic estimates 2014-2018. (PDP02.13) [Data set]. <https://nces.ed.gov/programs/edge/TableViewer/acsProfile/2018>

¹⁰Special Programs and Federal Accountability. (2019) *Report to the legislature update: Transitional Bilingual Instruction Program (TBIP)*. Office of Superintendent of Public Instruction, Special Programs and Federal Accountability. <https://www.k12.wa.us/sites/default/files/public/migrantbilingual/pubdocs/ADA-2019-02-UPDATE-TBIP.pdf>

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many parents their school/district serves who are Deaf, blind or need other communication assistance than the number of Limited English Proficient parents.¹¹

Despite the legal requirements, the Language Access Workgroup has found that many families experience a lack of adequate services and an inability to access them. And even when provided, interpreters often do not understand the education terminology used and school staff are not trained to effectively use interpreters.¹² A survey conducted by the Office of the Education Ombuds (OEO) and Office of Superintendent of Public Instruction (OSPI) found that bilingual students were used for interpretation 11.67% of the time.¹³

In the Washington State Court system, interpretation is similarly essential to ensure that individuals' rights are upheld in a setting that is complicated to navigate and uses technical terminology. [RCW 2.43.070](#) establishes a program of comprehensive, training, testing and certification for language interpreters who serve in court settings. Court interpreters are required to:

- Pass a written exam
- Attend an orientation class
- Pass an oral exam
- Attend a class on ethics and protocol
- Pass a criminal background check
- Receive an interpreter ID badge

"As an IEP student myself, I have had to interpret at my own IEP meetings. Many of the interpreters I've encountered throughout my years in the IEP program have been too busy to really help or are not qualified to interpret... their interpretation is not accurate, and they leave out important information. This causes me to get frustrated and take over the interpretation, again. When they cut me off, they continue for a while and halfway through announce that they "have five more minutes" until they have to go, and to "please hurry"."

- Student receiving Special Education Services.

¹¹ Language Access Workgroup. (2020). Report for district and school staff language access programs survey - district staff.

<https://www.k12.wa.us/sites/default/files/public/workgroups/District%20and%20School%20Staff%20Survey%20DISTRICT%20ONLY.pdf> and

Language Access Workgroup. (2020). Report for district and school staff language access programs survey - school staff.

<https://www.k12.wa.us/sites/default/files/public/workgroups/Report%20District%20and%20School%20Staff%20Survey%20SCHOOL%20ONLY.pdf>

¹² Only 27% of district staff and 10% school staff surveyed indicated that they had received training trained on how to work with interpreters in-person or on the phone. Ibid.

¹³ Office of Education Ombuds. (2015). *Providing language access services for limited English proficient parents in Washington schools: OEO feasibility study for foreign language educational interpreter training and certification*. Office of Education Ombuds. <https://oeo.wa.gov/sites/default/files/public/Language-Access-Report-Binder-January-20-2015.pdf>, p. 17.

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- Take the interpreter oath¹⁴

Similar requirements exist for Washington State Department of Social and Health Services (DSHS) certified interpreters. However, no certification is required for interpreters who serve in education settings, which also can involve complex legal issues, culturally nuanced situations, and require knowledge of educational terminology and the school system. Often, bilingualism is perceived as the only prerequisite. Using an unqualified interpreter can cause even small miscommunications to lead to large problems. Without adequate language access services, parents struggle to be involved in their child's education and students miss out on key programs and services that their families are not able to understand.

The recommendations offered by this report were developed by the members of the Language Access Workgroup over the course of a year-long process of exploration, research, discussion and deliberation. Their cohesive purpose is the improvement of meaningful, equitable access for families and communities by increasing awareness, correcting misconceptions, establishing standards, incentivizing solutions and dismantling systemic barriers.

"Equal communication access for Deaf parents is truly needed to better help educate our children."

- Family and Community Survey Response

¹⁴ Washington Courts (2020). *Court interpreters*.
https://www.courts.wa.gov/programs_orgs/pos_interpret/index.cfm?fa=pos_interpret.display&fileName=becomingACourtInterpreter

1. Recommendation: Language Access Program

Sec. 2. (2)(a) "The elements of an effective language access program for systemic family engagement and a plan for the implementation of this program."

1.a The recommended elements of an effective language access program for systemic family engagement and a plan for the implementation of this program

We recommend that OSPI and WSSDA adopt the following foundational values for language access & family engagement, essential elements of an effective language access program and plan for its implementation.

Foundational Values for Language Access & Family Engagement

An effective language access program that is rooted in family engagement must be based on the following four values:

Accessibility & Equity: Schools must ensure access for all; two-way communication is a priority, not an afterthought, and should be woven into the design of all programs and service.

Accountability & Transparency: The language access program and decision-making processes at all levels are open, accessible, and useable to families; proactive, not reactive; continuously improved based on ongoing feedback from families and staff; and regulated by a clear and just complaint process.

Responsive Culture: Schools must be a safe, compassionate place where each family's opinions are heard, needs are met, and contributions are valued. School staff must be humble and empathetic toward families.

Focus on Relationships: Schools must seek to relate to families on an individual level, building trust through respectful relationships that recognize the unique strengths that each family and student possesses.

Essential Elements of an Effective Language Access Program

To ensure every school district communicates effectively with all people with language access needs, each district must develop and implement a language access program that is rooted in the above foundational values and includes the following essential elements:

1. A school-board adopted **language access policy** that establishes the school district's commitment to accessibility and equity, accountability and transparency, responsive culture, and a focus on relationships. (See below for additional recommendations on what must be included in a language access policy)
2. A **language access plan** that outlines how a school district identifies language access needs, allocates resources, establishes standards for

providing services, and monitors the program's effectiveness. (See below for additional recommendations on what must be included in a language access plan)

3. Widely disseminated **staff procedures** that provide specific steps for staff on how to implement the school district's language access plan, including when and how to access services and best practices for interacting with interpreters. (See below for additional recommendations on what should be addressed in staff procedures)
4. Designated **language access coordinator(s)** who is responsible for ensuring the school district adheres to its language access policy and plan; supports building-level language access coordinators; coordinates staff training, services, and community outreach; and answers to questions and concerns from families and communities. The district-level coordinator works within the [statewide technical assistance program for language access](#). (See below for additional recommendations on a coordinator's responsibilities)

Plan for implementation

1. Each school district must revise or adopt a language access policy that aligns with the foundational values and recommendations in this report.
2. Each school district must complete the self-assessment.
3. Using the results from the self-assessment, each school district must develop and implement a language access plan that aligns with the recommendations in this report.
4. Each school district must designate at least one language access coordinator.
5. Each school district must, at least annually and as needed, review, update and publish information about its language access policy and services to its community (translated into common languages) with contact information for the language access coordinator at the district and any building-level coordinators.

1.b Recommendation to OSPI & WSSDA: The development and sharing of a toolkit to help public schools assess the language needs of their communities and develop, implement and evaluate their language access plans and services.

OSPI should develop and publish a **toolkit** that includes the following resources:

- Model Self-Assessment Tool
- Planning Tool for developing, implementing and evaluating a language access plan and language services
- Model information for families about their rights
- Sample job description for language access coordinator

Model Self-Assessment Tool

As part of a toolkit, OSPI should adopt and publish the Language Access Workgroup's model self-assessment and planning tool. The model self-assessment is located in [Appendix A](#).

School districts should use the self-assessment tool to understand whether it's effectively communicating with people with language assistance needs and to inform the district's language access planning, including evaluating the following areas:

1. How individuals with language assistance needs interact with the district.
2. How well the district is providing language assistance services.
3. How well a district is identifying individuals with language assistance needs.
4. Whether school staff receive appropriate training on a school district's language access policy and plan.
5. How a district provides notice of language assistance services to the communities it serves.
6. Whether the district has an effective process for monitoring and updating its language access policy, plan, and staff procedures.

In implementing the self-assessment tool, schools should engage the help of people from the community, community leaders, or community organizations that have the inherent knowledge about cultural and language access issues.

Planning Tool for developing, implementing, and evaluating a language access plan and language services

As part of a toolkit, OSPI should develop and publish a planning tool school districts may use to develop a language access policy, a language access plan, and staff procedures that will meet the specific needs of the communities it serves.

Language Access Policy

A school district language access policy sets forth standards, operating principles, and guidelines that will govern the delivery of language appropriate services.

An effective language access policy should include the following components:

1. *General policy statement* that explains the goals and expectations of the district in terms that bind the district and its employees.
2. *Purpose and authority*, or the legal basis or administrative authority for the district policy. It may also explain the nexus between the policy directives and the district's mission or values.
3. *Language assistance measures to be provided*. The measures define acceptable methods of communication with persons who need language assistance and may further elaborate requirements such as those for data gathering and recording, notice and training.

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4. *Staff compliance*, or the responsibility of each division, unit, or individual in the school district.
5. *Definitions* that explain any terms referenced in the policy. For example, bilingual staff, interpreter, language assistance services, Limited English Proficiency (LEP), primary language, signed languages, translation, vital documents, etc.
6. *Staff training*, including the frequency, curriculum, and target personnel for ongoing training. For example, mandate training for administrators, front office staff, teachers and other personnel who work with families, and bilingual staff who serve as interpreter/translator.
7. *Bilingual staff directive* on the hiring process for bilingual staff, when and how to test the competency of prospective or current bilingual staff, role of bilingual staff in language access services, etc.
8. *Data and reporting directives* that dictate the frequency and manner of data collection, recordkeeping and reporting requirements to ensure compliance with applicable laws and accountability to the district's language access performance measures.
9. *Performance measurements* that dictate the frequency and manner of monitoring and oversight of the language assistance program. For example, may require an annual audit of language assistance services.
10. *Family and community outreach* expectations, including the manner and frequency of proactive outreach to families and community members to provide information on their rights and the district's services, build relationships and trust, and gather feedback.

Language Access Plan

A language access plan is a tool that provides an administrative blueprint for ensuring the school district complies with language access requirements and the district's language access policy. The plan is like a roadmap that helps school districts navigate the process for setting deadlines, priorities and identifying responsible personnel; hiring, contracting, assessing and ensuring quality control of language assistance services; providing notice of language assistance services; providing training to staff; and conducting ongoing monitoring and evaluation.

Key components of a language access plan:

1. *Identification of persons who will implement the plan*. Describe the management staff, workgroup, committee, or other district and school staff who will be responsible for overseeing the language access work in the district, developing and modifying the language access plan, establishing and implementing operational procedures, and monitoring and evaluating performance.
2. *Notice of language assistance services*. The plan should describe how the district will inform individuals who need language assistance of the benefits,

programs and services for which they may be eligible and the available language assistance services.

3. *Staff training on policies and procedures.* Describe the frequency, curriculum and target personnel for ongoing training. For example, mandate training designed for administrators, front office staff, teachers and other personnel who work with families, bilingual staff who serve as interpreter/translators and individuals hired to provide interpretation/translation services.
4. *Identification of funding and procurement issues and the steps needed to address them.*
5. *Monitoring and updating of policies, plan, and procedures* – A plan will explain the district’s approach to monitoring how it provides language assistance services, how it monitors plan performance, and the process for reviewing, and, as appropriate, modifying current language access plans, policies and procedures. This includes methods for requesting feedback from families and community members on performance and suggestions for improving language assistance services.
6. *Description of timeframe, objectives and benchmarks for work to be undertaken.*
7. *Identification and assessment of communities and individuals with language assistance needs* – Address what resources will be needed to assess the number or proportion of individuals that need language assistance, and the type of language assistance needed, that the district will be serving and the resources that will be needed to provide language assistance services. The plan should also outline the work needed to install or maintain systems for data collection and management.
8. *Collaboration with families, communities, and other stakeholders* – Describe how the district will conduct outreach to parents and communities with language assistance needs and the actions needed to implement an effective system for gathering feedback.

Language Access Procedures (the “How to”/Desk Manual)

Procedures are the detailed explanations that specify the steps to be followed to provide language assistance services, gather data and deliver services to individuals with language assistance needs. Procedures can be set forth in handbooks, intranet sites, desk references and reminders at counters.

Key components:

- How staff are to respond to telephone calls from individuals with language assistance needs.
- How staff together, track and record language preference information.
- How staff inform individuals about available language assistance services.

- How staff will identify the language needs of individuals.
- How staff are to respond to correspondence (letters and email) from individuals with language assistance needs.
- How staff will procure in-person interpreter services.
- How staff will access telephone or video interpreter services.
- How to use bilingual staff for interpreter and translator services and which staff are authorized to provide in-language service.
- How to obtain translations of documents.
- How staff will process language access complaints.

“Because the IEP material was in English, we could not understand it and also the content of the meeting. Moreover, since we do not know English, we cannot communicate. It would help a lot if the material was in Chinese. Can we request documents to be translated into our language?”
- Mandarin Speaking Parent

Model information for families about their rights

OSPI should include as a resource information that school districts may provide to families about their language access rights. These resources should include training elements such as sample training agendas, slides and/or videos.

Sample Job Description for School-Level Language Access Coordinator

OSPI should include as a resource for schools a sample job description of a school-level language access coordinator.

The school-level language access coordinator should be a dedicated staff position to be the point of contact for requests for language access services. They receive assistance and guidance from the district-level language access coordinator and have the responsibility for carrying out the district’s language access policy at the school-level.

The coordinator must be knowledgeable about language access requirements and best practices, as well as knowledgeable of and culturally responsive to the communities the school serves. The coordinator should have direct experience in using or providing language assistance services.

The coordinator’s name and contact information would be widely shared so parents, school staff and community members can contact them to request language access services. The coordinator should also proactively reach out to families and community-based organizations that represent families with language assistance needs to build trust and invite feedback on the school’s language assistance services.

Possible responsibilities could include the following:

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- Serve as the school point of contact for families, community members, and community-based organizations that represent families with language assistance needs. This includes proactively reaching out to families and community-based organizations to provide information about the availability of language assistance services, building relationships and trust, coordinating feedback on the district's services, and responding to questions and concerns.
- Planning for and assigning qualified interpreters, translators and bilingual employees to provide language assistance services.
- Knowledge of all competent bilingual employees, contract interpreters and contract translators available to the school, including their availability, language(s) spoken or signed and level of fluency and contact information.
- Coordinates outreach and training for parents on their language access rights, how to access language services, and the level of quality they can expect from translation and interpretation.
- Coordinates training for school building staff on how to request translation and interpretation, using phone and video interpretations. Includes seeking out and making available professional development and testing for bilingual paraeducators.
- Monitors school-level collection of data on language access services requested and provided (e.g. name of interpreter and credentials) and feedback from parents.

"My school does have a good plan/system so that helps. It definitely does help when we have someone responsible to coordinate interpreters, so we don't always have to do it."
- Family and Community Survey Response¹⁵

Sample Job Description for District-Level Language Access Coordinator

OSPI should include as a resource for school districts a sample job description of a language access coordinator.

Similar to the civil rights compliance coordinator, the language access coordinator would be responsible for ensuring that the district adheres to its language access policy and provides meaningful language access for families with language assistance needs. The coordinator may delegate responsibilities to other district and school staff but maintains responsibility for oversight and implementation of the language access plan.

The coordinator should be, or report to, a high-ranking administrator in the district since high-level support is essential to successful implementation. The coordinator must be knowledgeable about language access requirements and best practices, as

¹⁵ Language Access Workgroup. (2020). Report for family and community language access survey. <https://www.k12.wa.us/sites/default/files/public/workgroups/Report%20for%20Family%20and%20Community%20Language%20Access%20Survey%20-%20Public.pdf>

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well as knowledgeable of and culturally responsive to the communities the district serves. The coordinator should have direct experience in using or providing language assistance services.

The coordinator's name and contact information would be widely shared so parents and community members can contact them with questions or concerns. The coordinator should also proactively reach out to families and community-based organizations that represent families with language assistance needs to build trust and invite feedback on the district's language assistance services.

Districts with multiple schools, large population of families that need language assistance, or significant language diversity may find it helpful to have school-level coordinators who work with the district-level coordinator. The language access coordinator should consider creating a working group of key stakeholders to assist in creating and implementing language access procedures for the school district.

Possible responsibilities could include the following:

- Planning for and assigning qualified interpreters, translators and bilingual employees to provide language assistance services.
- Developing and implementing measures to ensure quality control of interpreters and translators, including bilingual staff who communicate directly to parents in a language other than English during the normal course of their job. Measures should include, for example, testing of bilingual staff to verify language skills, testing or training of individuals hired to provide language assistance services, ensuring interpreters and translators meet qualification and ethical standards, and collecting feedback from families and staff on the effectiveness of interpreters and translators.
- Maintaining a regularly updated list of all competent bilingual employees, contract interpreters, and contract translators that includes their availability, language(s) spoken or signed and level of fluency, and contact information.
- Arranging contracts with language assistance service providers, including in-person, telephone, and remote interpretation services.
- Identifying funding and other resources to support consistent implementation of language access plan, including necessary staffing and access to technology.
- Advocating for hiring and personnel practices, as well as allocation of funding and other resources, that increase staff language capacity (e.g., providing pay incentives for bilingual employees) and improve access to language assistance services.
- Serve as district point of contact for families, community members and community-based organizations that represent families with language assistance needs. This includes proactively reaching out to families and community-based organizations to provide information about the availability of language assistance services, building relationships and trust, coordinating

feedback on the district's services, and responding to questions and concerns.

- Serve as the district point of contact for OSPI and OEO.

2. Recommendation: Program for Technical Assistance

Sec. 2.(2)(b) "The components of a technical assistance program for language access and a plan for the implementation of this program."

We recommend that a technical assistance program for language access be implemented that includes:

- A dedicated **school-level Language Access Coordinator** to be the point of contact for requests for language access services.
- A dedicated **district-level Language Access Coordinator** responsible for ensuring that the district adheres to its language access policy and provides meaningful language access for families with language assistance needs.
- A state-level, **OSPI Language Access Technical Assistance Program** that provides training, resources and other technical assistance.

Only 8% of CBOs indicated that the current method of coordinating language access with schools or school districts is successful.

85% of parents surveyed said it would be helpful if their school had a staff person to arrange interpreters and/or translations¹⁶

Background

The Language Access Workgroup finds that families and advocates have a difficult time knowing who to contact at both schools and school districts to request language access services or to provide feedback about provided language access services. Without an official designated contact person serving each level of the K-12 system, it is difficult for families to get meaningful outcomes and to hold schools and districts accountable for providing timely and high-quality language access services. The proposed system for technical assistance provides a clear network for dissemination of tools and resources, gathering feedback from the public and collecting data.

The program for technical assistance is led by the OSPI Language Access Technical Assistance program. This program should have dedicated staff who do not hold additional positions in the agency. The intent of the program is to provide training and resources, not to be punitive. The role of compliance review and investigation is held by the Equity and Civil Rights Office at OSPI. For a description of the

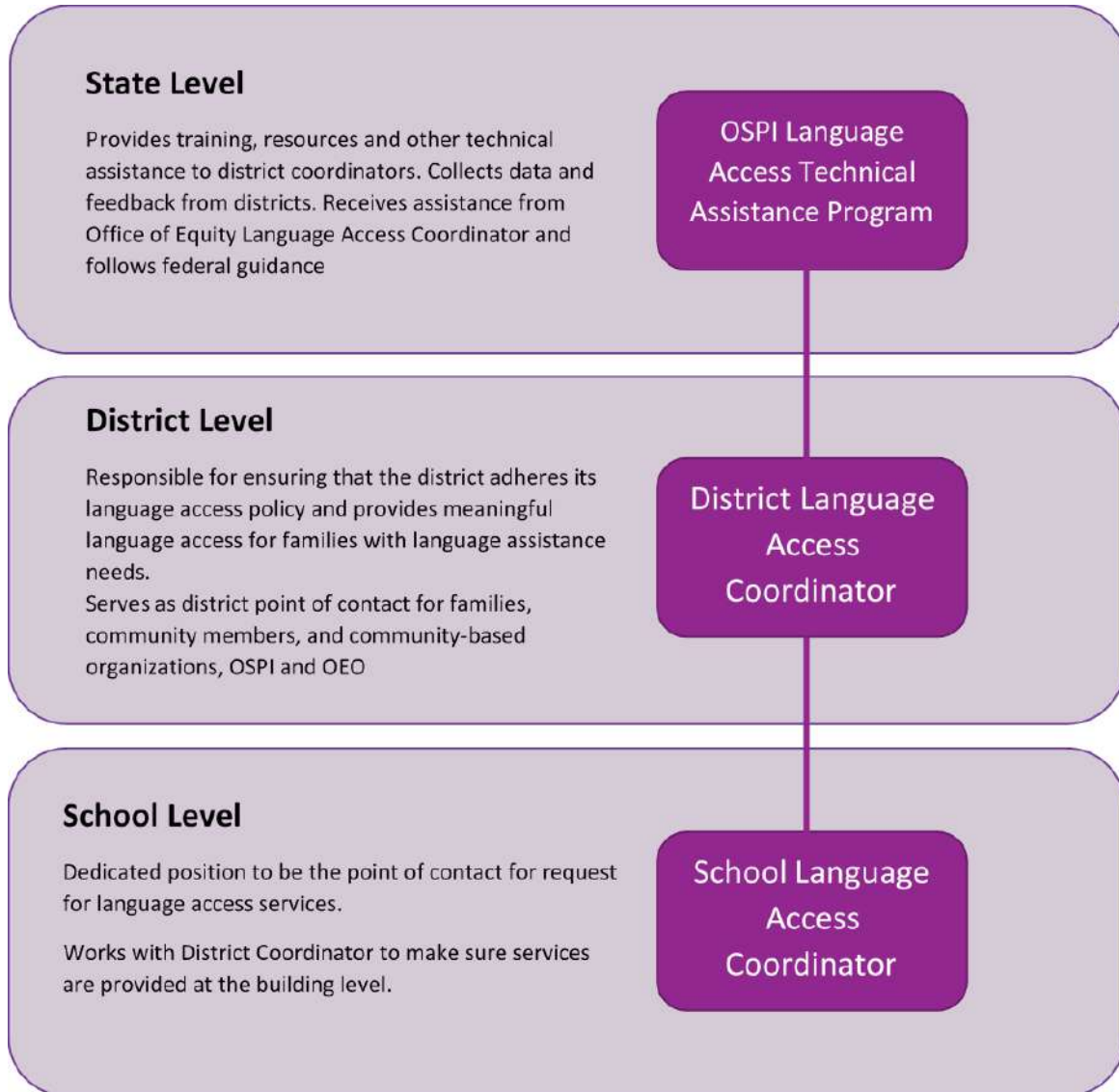
¹⁶ Language Access Workgroup. (2020). Report for CBO language access survey. <https://www.k12.wa.us/sites/default/files/public/workgroups/Report%20for%20CBO%20Language%20Access%20Survey%20-%20Public.pdf> and Language Access Workgroup. (2020). Report for family and community language access survey. <https://www.k12.wa.us/sites/default/files/public/workgroups/Report%20for%20Family%20and%20Community%20Language%20Access%20Survey%20-%20Public.pdf>

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responsibilities and sample job descriptions for the district and school level Language Access Coordinators, please see [Recommendation 1B](#).

Structure of proposed technical assistance program for language access:



Additionally, the Language Access Workgroup supports the creation and funding of a Language Access Coordinator position at the Washington State Office of Equity¹⁷ to support state agencies in providing language access services.

¹⁷ See the recommendations of the Office of Equity Task Force:
[https://healthequity.wa.gov/Portals/9/Doc/Publications/Reports/EquityOfficeTF_Final%20Proposal%20\(final\).pdf](https://healthequity.wa.gov/Portals/9/Doc/Publications/Reports/EquityOfficeTF_Final%20Proposal%20(final).pdf)

3. Recommendation: Glossary of Education Terminology

Sec. 2. (2)(d) "The development and sharing of educational terminology glossaries that improve all families' access to the public school system."

The Language Access Workgroup recommends that the OSPI Language Access Technical Assistance Program work with stakeholders, including community members and school personnel, to develop and define a list of education terminology. The language used should be culturally appropriate and asset based. This should be done with the assistance of a professional terminologist, if funds allow.

Translation into a bilingual glossary for use by interpreters and families should be done by a certified translator with a specialization in terminology. Translated glossaries should be periodically updated with new language and terminology and distributed to all schools and school districts.

The workgroup explored several different options for determining the target languages for translation of the glossary including:

1. The top 10 languages used at home as collected by the [Home Language Survey](#)
2. A tiered system similar to that used by [King County](#)
3. The 37 languages identified in the [Governor's Language Access Plan](#), starting with the first 15.

This issue needs to be researched further to determine the most effective option that will reach the greatest number of families. Recommended translation of the glossary includes a video format translation into American Sign Language (ASL).

4. Recommendation: Tiered System of Interpreter Standards

Sec. 2. (3)(a) "Standards for interpreters working in education settings, including familiarity with legal concepts related to and service requirements of, Part B of the federal Individuals with Disabilities in Education Improvement Act and Section 504 of the federal Rehabilitation Act of 1973."

The Language Access Workgroup recommends that the state adopt a tiered system of interpreter requirements in education related settings based on the type of interpreted interaction.

Background

In Washington State, there is currently no consistently used or required test or other tool for schools and school districts to use to determine if an interpreter meets the standard for a qualified and competent interpreter. Since interpretation is a professional skill with a unique set of necessary knowledge and abilities, school staff do not have the ability to test interpreters for their skill and often do not

recognize when interpretation is insufficient. Due to the nature of interpretation, that one party does not understand the communication of another, the interpreter must be relied upon for accuracy.

By establishing a system of tiered interaction with corresponding levels of required skill, it can become clear to school staff what level of interpreting difficulty different interactions with parents pose and what level of interpretation is needed for each interaction. This will help to ensure parent and family access to high-quality interpreters. It is important to note that this recommendation is tied to [Recommendation 5: Interpreter Testing System](#). A robust system of interpreter testing and certification is necessary to supply the number of skilled interpreters required for each tier.

"I have bad experience, especially with the IEPs, using codes that are hard to understand. For instance, they called a worker from the cafeteria to interpret for me. I let them use her until I could evaluate her ability to interpret. I quickly saw that she was not qualified and told the cafeteria worker she should not be doing this for the school. Because she was only telling me what the school wanted her to say. I think these interpreters should be professionals. Sometimes the school gets mad because you are asking for this help. They also wanted me to use this link to self-interpret."

- Latino Parent

The following charts detail the recommended tiers of interactions and skills and competencies for spoken language interpretation.

Tiered Interactions for Spoken Language Interpretation:

Tier 1	Tier 2	Tier 3
<p>Tier 1 interactions are spontaneous, unannounced meetings or communication scenarios that occur in schools when a Tier 3 or Tier 2 interpreter is not available.</p> <p>The urgency or spontaneity of an interaction does not waive or modify the requirement to utilize interpretation of the appropriate tier level. For example, if a spontaneous meeting begins to involve a topic that requires a Tier 2 or Tier 3 interpreter, the interpreter and school staff will need to stop and engage the services of a Tier 2 or Tier 3 interpreter, potentially via remote interpreting.</p>	<p>Tier 2 interactions are meetings that do not require simultaneous interpretation, and other school gatherings that do not have a legal context.</p> <p>Examples of Tier 2 interactions:</p> <ul style="list-style-type: none"> • Enrollment activities • Parent-teacher conferences 	<p>Tier 3 interactions are high stakes meetings with potential legal impact.</p> <p>The list below, which may expand over time, details the specialized meetings that require the highest level of interpretation skills:</p> <ul style="list-style-type: none"> • Meetings and discussions likely to involve topics that implicate a student's legally protected status involving a disability. This includes special education, individual educational plans (IEPs), Section 504 Plans, behavior intervention plans, and functional behavioral assessments. • Meetings and discussions that have the potential to result in restricting or excluding a student from a class, program, or school; including, for example, meetings involving law enforcement or school resource officers (SRO), disciplinary meetings and hearings, truancy meetings and hearings, and any communication about harassment, intimidation, bullying, discrimination, safety plans, behavior intervention plans, physical restraint and seclusion of students, risk assessment, truancy. • Meetings and discussions likely to directly involve a student's English Learner (EL) status. • Meetings regarding highly capable programing • School Board meetings

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Tiered Skills and Competencies for Spoken Language Interpretation:

Tier 1	Tier 2	Tier 3
<p>All Tiers: It is recommended that any individual serving in the role of an interpreter in any school context, whether Tier 1, Tier 2, or Tier 3 possess the following competencies:</p> <ol style="list-style-type: none"> 1. Demonstrated spoken language proficiency in English and the other language, through certification or formal testing such as the American Council for the Teaching of Foreign Languages (ACTFL) assessment for language proficiency over the phone to certify staff as bilingual. 2. Understanding of the role of the interpreter in school settings; 3. Understanding of and appropriate response to dual role issues specific to school contexts (e.g., when interpreters have another job within the school context outside of their role as an interpreter); 4. Knowledge of ethics (including confidentiality) with respect to interpretation; and 5. Sufficient cultural competency to negotiate cross cultural differences. 		
	<p>Tiers 2 & 3: In addition to the minimum skills and competencies required above, it is recommended that Tier 2 and Tier 3 interpreters possess the additional following competencies:</p> <ol style="list-style-type: none"> 1. Knowledge of basic educational (e.g., special education, general education, individualized education plan, in-school suspension) terminology used in school settings; and 2. Possess a DSHS certification or authorization for spoken language interpretation. 	
		<p>Tier 3: Finally, in addition to the minimum skills and competencies required in the above two sections, it is recommended that Tier 3 interpreters possess the additional following competency:</p>

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		<ol style="list-style-type: none">1. Ability to interpret consistently in the simultaneous mode as demonstrated by:<ol style="list-style-type: none">a. Being a Washington Administrative Office of the Courts (AOC) certified or registered interpreterb. Being a DSHS social services certified interpreter at Level 2 (only for certified languages)
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The following charts detail the recommended tiers of interactions and skills and competencies for signed language interpretation. Please note that the National Interpreter Certification for American Sign Language (ASL) is managed by the Registry of Interpreters for the Deaf (RID). Interpreters who are in the process of becoming nationally certified can be considered “pre-certified”. This includes interpreters who are Educational Interpreter Performance Assessment (EIPA) endorsed. This endorsement is for ASL interpretation with students in the classroom, classified by school level. For more information about ASL interpreter certification and contracts please see the [Office of the Deaf and Hard of Hearing](#) (ODHH). Other resources include the [Center for Deaf and Hard of Hearing Youth](#) (CDHY) and [Washington State Registry of Interpreters for the Deaf](#) (WSRID).

Tiered Interactions for Sign Language:

Tier 1	Tier 2	Tier 3
<p>Tier 1 interactions are spontaneous, unannounced meetings or communication scenarios that occur in schools when a Tier 3 or Tier 2 interpreter is not available.</p> <p>In this context when an interpreter is not available, participants may write notes, use an app such as Transcribe or use video remote interpreting (VRI).</p> <p>The urgency or spontaneity of an interaction does not waive or modify the requirement to utilize interpretation of the appropriate tier level. For example, if a spontaneous meeting begins to involve a topic that requires a Tier 2 or Tier 3 interpreter, the school staff will need to stop and engage the services of a Tier 2 or Tier 3 interpreter, potentially via video remote interpreting.</p>	<p>Tier 2 interactions are meetings and school gatherings that do not have a legal context.</p> <p>Examples of Tier 2 interactions:</p> <ul style="list-style-type: none"> • Enrollment activities • Parent-teacher conferences • School events such as Curriculum Night, Open House, etc. • Community events, such as plays 	<p>Tier 3 interactions are high stakes meetings with potential legal impact.</p> <p>The list below, which may expand over time, details the specialized meetings that require the highest level of interpretation skills:</p> <ul style="list-style-type: none"> • Meetings and discussions likely to involve topics that implicate a student's legally protected status involving a disability. This includes special education, individual educational plans (IEPs), Section 504 Plans, behavior intervention plans, and functional behavioral assessments. • Meetings and discussions that have the potential to result in restricting or excluding a student from a class, program, or school; including, for example, meetings involving law enforcement or school resource officers (SRO), disciplinary meetings and hearings, truancy meetings and hearings, and any communication about harassment, intimidation, bullying, discrimination, safety plans, behavior intervention plans, physical restraint and seclusion of students, risk assessment, truancy. • Meetings and discussions likely to directly involve a student's English Learner (EL) status. • Meetings regarding highly capable programming • School Board meetings

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Tiered Skills and Competencies for Sign Language Interpreters:

Tier 1	Tier 2	Tier 3
<p>All Tiers: It is recommended that any individual serving in the role of an interpreter in any school context, whether Tier 1, Tier 2, or Tier 3 possess the following competencies:</p> <ol style="list-style-type: none"> 1. Familiarity with the tenets of the Code of Professional Conduct of the Registry of Interpreters for the Deaf (RID) 2. Understanding of the role of the interpreter in school settings; 3. Understanding of and appropriate response to dual role issues specific to school contexts (e.g., when interpreters have another job within the school context outside of their role as an interpreter); 4. Knowledge of ethics (including confidentiality) with respect to interpretation; and 5. Sufficient cultural competency to negotiate cross cultural differences. 		
	<p>Tier 2 interactions require a trained sign language interpreter.</p> <p>This interpreter may be “pre-certified” – meaning they do not have a National Interpreter Certification yet, however, they need to have an EIPA (Educational Interpreter Performance Assessment) score of 4.0-5.0.</p>	
		<p>Tier 3: It is recommended that tier 3 interactions are interpreted by National Interpreter Certification certified interpreters.</p> <p>Additionally, meetings that involve Child Protective Services (CPS), law enforcement or issues of guardianship, require interpreters who are also legally certified interpreters.</p>

5. Recommendation: Interpreter Testing System

Sec. 2 (3)(b) "Development and assessment of interpreters' knowledge of education terminology" and

Sec. 2 (3)(c) "Feasibility and cost-effectiveness of adapting another state agency's interpreter program to test, train, or both, interpreters for educational purposes."

The Language Access Workgroup recommends that the Legislature require and fund:

- The development of a supplemental education test to be part of the current DSHS testing system.
 - The test should be developed by OSPI and include a test of education terminology and training on the role of an interpreter in the school setting.
- DSHS to increase the number of languages for which they fully certify interpreters.

Background

High-quality spoken language interpretation requires language proficiency in both working languages, English and language other than English, transfers skills (how well information is conveyed from one language into another) and knowledge of the ethics and protocols of interpretation. Interpretation for education also requires knowledge of educational terminology and the complex educational system. Without a system for educational interpreter training, testing and certification, there is no way for schools and school districts to consistently determine if spoken language interpreters are qualified to work in educational settings outside of the classroom.

The current DSHS interpreter testing system has been in place since 1993. Adding to it would be less expensive and less complicated than developing a brand-new testing system. The test would utilize the current DSHS tests for transfer skills, including simultaneous interpreting, and language competency, adding an additional test and training in educational terminology and the school setting.

For this reason, the workgroup also recommends that the number of languages that DSHS fully certifies interpreters be expanded. Only 6 spoken languages (Spanish, Russian, Vietnamese, Korean, Mandarin, and Cantonese) are available for full certification through DSHS. Additional spoken languages are available for authorization, but not fully tested for transfer skills. There is already a demonstrated need for an expansion to other languages. For example, Arabic and Somali are fourth and seventh highest in demand languages, yet DSHS does not fully certify interpreters in these languages.¹⁸

¹⁸ Health Care Authority. (2020). *HCA interpreter services contract fill rate (non-urgent, top 7, and HD/LD languages)*. Retrieved October 13, 2020, from <https://app.powerbigov.us/view?r=eyJrIjoibmM4MDIwNzctMmFkNy00N2EyLTkyODQtM2QyODA0ZjUzNWMyX2liwidCI6IjExZDBiMjE3LTU2NGUtNDAwYS04YmFwLTU3ZGNjMTI3ZDcyZCJ9>

Implementation

The workgroup recommends these proposed minimum scores to work in education settings outside of the classroom:

- Medical Certified 74.5 or higher for each section, sight and consecutive
- Social Services Certified
- Social Services Certified Level 2 for events requiring simultaneous interpreting

In this system, schools would need to ask interpreters to see their DSHS letter to know their actual scores or access to a database that displays these scores.

This recommendation assumes that there are interpreters with proven transfer skills and language competency who would be interested in working in school settings and pursuing this new certification. In order to be successful, this recommendation necessitates the adoption of a tiered system of interpreter standards ([Recommendation 4](#)). If certification is not required, it will not be used.

Other considerations for implementation include the timeline of implementation and access to the test for current non-DSHS certified interpreters. The subgroup recommends a phased timeline but not grandfathering. Additionally, a [feasibility study](#) should be done to evaluate the cost and capacity of the current system to accommodate the development and administration of a supplemental education test.¹⁹

6. Recommendation: Best Practices

Sec. 2 (2)(e) "The development and sharing of best practices or strategies for improving meaningful, equitable access for public school students and their family members who have language barriers, including the effective use of interpreters and when to provide translated documents in other formats" and

Sec. 2 (3)(e) "Use of remote interpreter services, including the conditions under which remote interpreter services may be used to provide high quality interpreter services."

6.a Best Practices for Use of Interpreters and Remote Interpretation Services

The Language Access Workgroup recommends that schools and school districts, implement the following best practices through a language access program. The establishment of clear best practices for use of interpreters and remote interpreting for education settings will increase the appropriate use of interpreters in school

¹⁹ It should be noted that DSHS is currently prohibited by [RCW 74.04.025](#) from testing in any language for which less than 10% of DSHS and HCA client requests for interpreters went unfilled in the prior year, unless to interpreters who are seeking reauthorization or to gain additional certification or authorization. It is unknown how many individuals currently interpreting for schools and districts meet one of those criteria, or how closely parents' language access needs compare to the existing pool of interpreters qualified by DSHS. The impacts of this RCW should be explored.

settings. These best practices apply to both signed and orally interpreted meetings unless otherwise noted.

Contracting:

- Use an online scheduling system that pays interpreter and “broker” separately to ensure that interpreters get the highest proportion of compensation

OR

- Use freelance interpreters who negotiate their own contracting rates

Using Dual Role Staff as Interpreters:

Using dual role staff means that the person interpreting is an employee of the school or school district whose primary role is not as an interpreter. It is considered best practice to use a professional interpreter for all [Tier 2 and 3 interactions](#). There are two primary issues to consider when using dual role staff as interpreters:

1. Qualifications

If the staff member is bilingual but has no professional training as an interpreter, they may not have the language proficiency skills, transfer skills or knowledge of the ethics and protocols of interpretation necessary to provide accurate and high-quality interpretation.²⁰

- Bilingual staff used as interpreters need to be tested in both language proficiency skills and transfer skills and receive training on the ethics and protocols of interpretation.
- It is also important that school staff recognize the content level of the meeting, inform the staff member who is being asked to interpret and allow them to opt-out of the job if they feel their skill level is not adequate for the job.

2. Ethics

As an employee of the school, the staff member may have a vested interest in the outcome of the interpreted conversation, resulting in a conflict of interest. Interpreters are required to be neutral parties and interpret only what is said.

For example, an ASL interpreter or paraeducator who interprets for the child during the school-day should not interpret for the child’s Individualized Education Program

“At an IEP meeting, the school did not hire an interpreter for me but rather had a teacher assistant to interpret for me. This TA did not communicate my needs well and spoke from his/her perspectives. When I questioned the TA, he or she refused to interpret for me and left the meeting. There should be a translator at schools so that we can always communicate with the teachers.”

- Mandarin Speaking Parent

²⁰ See [ILR Skill Level Descriptions for Interpretation Performance](#) for descriptions of interpreter skills.

(IEP) meeting because the interpreter could be biased by emotional interest in the child's social and/or academic progress. Or, the interpreter might feel responsible for the child's academic progress and may inflate or deflate performance reports. It would be disempowering for the child and family, and unethical for the child's interpreter to be put in a position of influence over the child's life goals by serving as the interpreter for an IEP meeting.

- At the bare minimum, staff who are interpreting must be informed that they are to only wear one hat at a time, meaning they are to set aside the interests and responsibilities that they have in their role outside of interpreting. All meeting participants must also be informed that the staff member is serving as an interpreter only during this meeting.
- It is best practice that staff should not interpret for a family and student that they have worked with in their role outside of interpreting. It is not fair to expect the employee to switch to a neutral role or the family to ignore an established relationship that they have with the staff member.
- Whenever possible, staff should only interpret for meetings involving staff and families outside of their primary school building.
 - Staff who serve as interpreters need to be empowered to step in, clarify, etc. when needed during a meeting, even if that means interrupting or correcting a supervisor or co-worker. To avoid this, and other ethical dilemmas, staff should interpret for meetings in other school buildings, with staff and families that they do not work with in their day-to-day role. Additionally, staff need training in the ethics and protocols of interpreting.

Planning for the Meeting:

- Plan for double the amount of time usually expected for the meeting. Interpreted conversations take longer and need time to ask questions and check understanding. Provide extra time for reading of translated documents.
- Inform the interpreter about the subject of the meeting and provide any documents that may be reviewed during the meeting with the interpreter and the family.
- Confirm meeting time with the family and interpreter.

"IEP meetings are typically short, and there is not enough time to fully discuss our perspectives since interpretation takes up time."

- Mandarin Speaking Parent

During the Meeting:

- Speak directly to the family members, not the interpreter.
- Avoid any side conversation with other staff or the interpreter.
- Pause to allow time for any reading or sight translation of documents.

- Use simple language and avoid metaphors, slang, abbreviations and technical jargon.
- Use a moderate pace to allow time for interpretation between the two languages and a normal tone of voice. Check with the interpreter if you need to change your pace.
- It is the job of school staff to assess the literacy level of the family to adjust communication and check for understanding.
- Define all technical terms.
- Offer opportunities to ask questions.

Role of interpreter:

- Conduct 1-3 minute pre-meeting session before interpreted meetings, for preparation and clarification.
 - Includes introduction, ethics, use of jargon – responsibility of the English speaker not interpreter.
 - Sample script available in [Appendix D](#)

Simultaneous vs. Consecutive interpretation:

- Consecutive interpretation is the preferred mode of interpreting for a 1:1 or small group school meeting, but not for a group meeting, such as a 5 person IEP meeting.
- Simultaneous interpretation is the preferred mode of interpreting in large group settings if parents are to have chance at equitable access to the information and the ability to fully interact.
- When using consecutive interpretation understand that it takes twice the amount of time and schedule that amount of time for the meeting

After the meeting:

- After the meeting get feedback from the family about the interpretation process.
- Debrief with the interpreter about the process and pace.

Remote interpretation:

- Remote interpreting is appropriate when there are no interpreters to render on-site services because the language is of limited diffusion, the participants cannot travel to the location of the event, there is an emergency, or it is a last-minute request.
- If using phone connection, make sure all participants have strong signal strength.
- For video remote interpretation, the computers on each end of the video link should be wired (Ethernet, not wireless/Wi-Fi) to Internet connections with a

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minimum 2-way bandwidth of at least 3Mbps, though 60Mbps or better is recommended to ensure:

- Clear audio and high-quality video of each participants' face.
- Audio and video are free of lags; without irregular pauses in communication.
- Everyone participating in the virtual meeting must be in a quiet and private environment isolated from external noises, such as street noise, children and pets.
- Audio and visual computer and phone notifications that might distract any of the participants during the session should be disabled.
- When not speaking, everyone's microphones should be muted.
- For sign language, keep video off except when speaking or signing to improve bandwidth and limit distractions from the interpreter and allow Zoom to focus on a few video screens.
- Remote interpretation has the same needs as an in-person meeting (ex: sending documents beforehand, pre-meeting orientation, breaks).
- All participants (school staff, interpreter and family) need orientation to the interpretation platform being used before the meeting.
- Test the equipment you are using before the meeting.
- It is not the responsibility of the LEP to set up the call or connection, it is the responsibility of the school/district. Interpreters are not technicians.
- Have as many people in the same place together as possible.
- Whenever possible use both an audio and video feed. Video feed is required for meetings with sign language.

6.b Best Practices for Translations

Sec. 2 (2)(e) "The development and sharing of best practices or strategies for improving meaningful, equitable access for public school students and their family members who have language barriers, including the effective use of interpreters and when to provide translated documents in other formats."

The Language Access Workgroup recommends that schools and school districts, implement the following best practices for translations through a language access program.

Translation of individualized education program (IEP):

- The school district has a responsibility to pre-determine in advance of any meeting to discuss a student's IEP, the family's language preference, which could include:
 - Full translation of the IEP
 - Sight translation of portions of the IEP
 - Audio recording of sight translation of the IEP
- Copies of the English and translated IEP should be provided to both the family and the interpreter in advance of the meeting.
- Extra time should be allotted to any meeting that includes sight translation of documents.

Translated documents in other formats:

- Information provided in video format should always include captions and when possible, include ASL interpreter via picture in picture. Be prepared to provide transcripts and audio descriptions on request.
- Families may also request that written documents be translated into sign language using a video medium.
- Documents provided in braille should be transcribed by a certified braille transcriber.
- Documents, including forms, provided in electronic formats, such as Word documents, online Internet-based pages, or PDFs, should be checked for accessibility and pass accessibility checks before distribution.

"When I ask for an interpreter, they make you feel bad. I asked them to translate my son's IEP and they told me they couldn't because over 30 languages are spoken in their district and this would be impossible to do for me."
 - Spanish Speaking Parent

Background

Guidance from the U.S. Department of Education specifies that while sight translation²¹ of vital documents, such as an IEP, might suffice in some situations, districts must be prepared to provide "timely and complete translated IEPs to provide meaningful access".²² Meaningful access means that parents/guardians are able to have the same dialogue that other English-speaking parents would have, which is near impossible to provide if the majority of the meeting time is taken up by sight translation of documents. A fully translated copy of the IEP is also essential for families to track their child's progress over the years and ensure that the correct services are being provided.

²¹ Sight translation is the rendering of a written document directly into a spoken or signed language

²² Ryder, R. E. (2016). IEP Translation—communication from OSEP regarding the government's statement of interest in R. v. The School District Philadelphia addressing the translation of Individualized Education Program (IEP)s pursuant to Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act of 1974. Office of Special Education Programs, U.S. Department of Education.

The U.S. Dept. of Education does not encourage schools or districts to prepare a draft IEP prior to the IEP team meeting, “particularly if doing so would inhibit a full discussion of the child’s needs”.²³ The team needs to consider parents’ suggested alternatives with an open mind, rather than coming to the meeting with a predetermined outcome.

However, if a school or district chooses to develop a draft IEP before the IEP team meeting, then the school or district should clearly explain to the team, including the parents, at the beginning of the meeting that the draft is just a preliminary recommendation for review and discussion with the parents.

A copy of any draft proposals should be provided to parents before the IEP team meeting, so they have an opportunity to review the recommendations. If providing parents with draft proposals, the school or district will need to provide the draft to parents in their native language or another mode of communication used by the parent.

In situations where full-written translation might be difficult or impossible, such as instances of unwritten languages or low literacy, other formats can be provided such as video or audio recorded translations. In any case, the district must determine what meaningful access means for that family and meet that standard.

7. Recommendation: Scheduling Spoken-Language Interpretation

The Language Access Workgroup Recommends that the Department of Enterprise Services (DES) in implementation master contract 03514 and with its selected contractor, provide immediate and ongoing training via webinars and other tools specifically targeted to school personnel on how to use the new spoken-language scheduling portal.²⁴

Survey Results²⁴

Is there information at the front desk of your school/district on how to work with parents and other members of the public who don’t speak English (in-person or on the phone)?

- 86% of school staff said “No” or “I don’t know”
- 70% of district staff said “No” or “I don’t know”

-

What barriers does your school/district face to providing an in-person qualified interpreter (not bilingual staff)? (check all that apply)

School staff said:

- Lack of funding: 51%
- Lack of available in-person interpreters: 41%
- Lack of training: 33%

District staff said:

- Lack of available in-person interpreters: 58%
- Lack of funding: 40%
- Lack of training: 23%

²³ Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities, 71 Fed. Reg 46539 (2006). (34 CFR 300.322(B))

²⁴ Language Access Workgroup. (2020). report for district and school staff language access programs survey - district staff.

<https://www.k12.wa.us/sites/default/files/public/workgroups/District%20and%20School%20Staff%20Survey%20DISTRICT%20ONLY.pdf> and

Background

The workgroup finds that district and school staff currently struggle with scheduling interpreters and do not know who to contact or how to schedule quality interpreters. There is an inconsistency in procedure and quality of experience between schools and districts. [DES master contract 03514](#) for spoken language interpretation is in the process of rebidding and is scheduled to be replaced by September 2020. The new contract will include an online scheduling portal and the Request for Proposals (RFP) includes a requirement for training.

Providing training to district and school staff on using the online scheduling portal would:

- Provide schools easier access to scheduling interpreters
- Generate and make available more work in schools for interpreters
- Work towards achieving a consistent state-level procedure for making and filling spoken-language interpreters requests
- Generate data on the types and number of requests for interpretation made and filled
- Remove the burden of creating and administering training from schools and districts
- Help hold schools and districts accountable for making an effort to schedule an interpreter
- Ultimately work to increase parent and family access to high-quality interpreting services

Other considerations include that schools and districts may have their own system for scheduling interpreters that they think is adequate and are uninterested in changing, or because they use dual-role bilingual staff. Outreach will need to be done to inform them about the master contract and why using it is beneficial for all. Some rural locations may find that there are not enough in-person interpreters available in their area through the portal and will need to work with the vendor to increase the number of interpreters.

8. Recommendation: Code of Professional Responsibility and Standards of Practice

Sec. 2 (2)(e) "The development and sharing of best practices or strategies for improving meaningful, equitable access for public school students and their family members who have language barriers, including the effective use of interpreters and when to provide translated documents in other formats."

The Language Access Workgroup recommends that the Legislature add to the Revised Code of Washington (RCW) a requirement for OSPI to write Washington Administrative Code (WACs, otherwise known as rules) establishing the professional

Language Access Workgroup. (2020). Report for district and school staff language access programs survey - school staff.
<https://www.k12.wa.us/sites/default/files/public/workgroups/Report%20District%20and%20School%20Staff%20Survey%20SCHOOL%20ONLY.pdf>

responsibility and standards of practice for interpreters of spoken and sign languages in educational settings outside of the classroom.

OSPI must engage stakeholders in the rule-making process and we recommend that they review the [Minnesota Code of Ethics & Standards of Practice for Educational Interpreters of Spoken Languages](#) and the [Code of Professional Responsibility and Standards of Practice for Educational Interpreters of Spoken Languages created by Interpreters United/AFSCME Council 28 \(WFSE\)](#) and Registry of Interpreters for the Deaf (RID) [Code of Professional Conduct](#).

Background

Currently, codes of conduct and standards of practice exist for interpretation in other settings such as medical, social services and the courts. Additionally, some states also have them for interpretation in educational settings.²⁵ Professionally trained and certified interpreters are already aware of these guidelines however, those who are unfamiliar with the profession may have misunderstandings about the roles and responsibilities of interpreters. Formalizing a code of professional responsibility and standards of practice for interpreters of spoken and sign languages in educational settings outside of the classroom would help to educate school and district staff and assist them in their procurement and administration of interpretation services. This will help to increase the appropriate use of interpreters in school settings.

It is important to note that the regulations regarding sign language interpretation in the classroom for students is under the authority of the Professional Educator Standards Board (PESB). This recommendation is exclusively concerning sign language interpretation outside the classroom.

This WAC should be referenced in any regulation requiring the use of a qualified and competent interpreter and any complaints of violation of this WAC received by OSPI must be referred to the appropriate credentialing body (e.g. DSHS, AOC).

9. Recommendation: Data Collection and Use

Sec. 2 (3)(f) "Data collection and use necessary to create and improve state and local language access programs."

Local Level

9.a Home Language Survey

The Language Access Workgroup recommends that the office of Migrant and Bilingual Education at OSPI review and revise, with community feedback, the use of the Home Language Survey to collect information for the identification of both the student and family's primary language. The language preferences of the family should be collected in a way that is not conflated with English Language Learner status, nationality or citizenship.

²⁵ See the [Minnesota Code of Ethics & Standards of Practice for Educational Interpreters of Spoken Languages](#)

Background

Family's primary language is currently collected by the Home Language Survey which is required by OSPI as screening for ELL services.²⁶ The structure of this survey can conflate the identification of parent with student's primary language. Additionally, question #6 "In what country was your child born?" can be seen as a question about citizenship and decrease the accuracy of reported information from undocumented families.

Identification of the family's primary language and communication preferences should be collected in a way that is fully accessible. This information should be reported in aggregate to the state level. The review and revision process should include exploration of adding questions about the education level and literacy level at each language, specifically whether families are comfortable with those questions.

9.b Interpreter Feedback Survey

The Language Access Workgroup recommends that all schools survey meeting participants on interpreter effectiveness after each interpreted meeting.²⁷

Background

The survey should be confidential, translated into the appropriate language and ask about the timeliness and quality of language access services. This information should be used by the school and school district to make interpreter hiring decisions and improve staff training. This will provide schools with the data necessary to improve local language access programs.

STATE LEVEL

9.c Interpreter Request Data

The Language Access Workgroup recommends that OSPI encourage schools and school districts to use [DES master contract 03514](#) to schedule interpretation services online and that OSPI establish a data sharing agreement with the vendor to obtain and display district-level data on interpretation services requests on a data dashboard.²⁸

"99% of the time they use a language line and the interpreter does not speak fluent Somali or sometimes even fluent English. Also, the translations are being done through Google which is not providing correct translations."

- Somali Speaking Parent

9.d Interpreter Provided Data

The Language Access Workgroup recommends that the Legislature require that the data collection required by Engrossed Substitute House Bill 1130, "whether a qualified interpreter for the student's family was provided at any planning meeting related to a student's individualized education program or plan developed under

²⁶ See the [OSPI website](#) for more information and translated copies of the Home Language Survey.

²⁷ See example feedback form in [Appendix C](#).

²⁸ See [Health Care Authority data dashboard](#) as an example.

section 504 of the rehabilitation act of 1973 and meetings related to school discipline and truancy,"²⁹ be reported to OSPI and made publicly available.

Data collected and displayed should be disaggregated by demographics such as race/ethnicity, language, type of meeting, school name and disability type.

Background

The state currently does not have any data on the number of interpretation requests that are made and/or filled. This data is necessary to:

- Examine and demonstrate the need for qualified interpreters, where and what languages.
- Examine where there might be gaps in the provision of professional interpretation services.
- Improve transparency with the public.
- Improve access to interpreter services in school settings.

The data collection requirement in ESHB 1130 required school districts to document this information but not to report it at the local level or to the state education agency.

10. Recommendation: Updates to WSSDA's Model Policies and Procedures

Sec. 2. (3)(d) "Updates to the Washington State School Director's Association's model language access policy."

10.a Consolidated Policy and Procedures

In order to make these policies and procedures more user-friendly and to recognize the intersectionality of language access, we recommend that the Effective Communication policies and procedures and the Language Access policies and procedures be merged into one overarching policy and procedure that addresses both the language access needs of individuals with limited English proficiency and those who are Deaf, blind, DeafBlind or have other communication needs.

10.b Updates that Apply to All Policies and Procedures

1. Use inclusive and specific language to indicate when guidance refers to spoken language interpretation, sign language interpretation or both.
2. For clarity and accountability, remove any reference to "affirmative" or "reasonable steps" and replace with "shall provide."
3. Update guidance to state that while a parent may decline the offer to provide an interpreter, the district or school is required to have a qualified interpreter present as the communication lead. The parent is welcome to invite any additional persons for support and that support person may also participate in the discussion.

²⁹ ENGROSSED SUBSTITUTE HOUSE BILL 1130. (2019). <http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1130-S.SL.pdf>

4. In addition to a complaint filling process, districts and schools should also have a process for regularly getting feedback from families regarding provided language access services.

10.c Updates Specific to: Procedure – Effective Communication 4217P

1. No one except the individual with a disability can determine that an alternative auxiliary aid or service is equally effective as the requested aid or service and the district or school should not be able to deny the request for aid or service for that reason.
2. Regarding the 48-hour notification rule, update the guidance to clarify that:
 - a. For a planned program, activity, meeting, or event, a minimum of 48-hour notice for request aid or service is optimal. The District or school must make an effort to provide interpreters as soon as the request is made.
 - b. For unplanned and urgent communication, the request for an interpreter should be made as soon as it is known that one is needed and effort to schedule an interpreter should be initiated immediately. If an interpreter cannot be found that day, the school or District should maintain open communication with the requester to schedule an interpreted meeting as soon as possible.
 - c. In all cases, districts and schools should be generally aware of the communication needs of their community and have a plan to procure aids and services in a timely manner. This may include proper set up and training for effective use of remote interpreting to be used when necessary.

10.d Updates Specific to: Procedure – Language Access Plan 4218P

1. Adopt ASTM standard definition for "interpretation": "The process of first fully understanding, analyzing, and processing a spoken or signed message and then faithfully rendering it into another spoken or signed language."
2. Include ASTM definitions of modes of interpreting including consecutive, simultaneous and sight translation.
3. Section A (5): remove language, "demonstrated language proficiency through certification or who are employed by a particular vendor or service contracted to provide interpretation services." Certification for spoken and sign language interpretation in education settings does not yet exist and employment does not guarantee quality.
4. Adopt ASTM standard definition for "translation": "The process comprising the creation of a written target text based on a source text in such a way that the content and in many cases, the form of the two texts, can be considered to be equivalent."
5. Section C (2): Update, "All interpretation and translation will be provided **by competent and fluent speakers of that language** as demonstrated by certification or similar means" to "All interpretation and translation will be provided **by competent professionals** as demonstrated by certification or

similar means". Language fluency does not qualify a person to interpret or translate to another language.

6. Section C (4): District's should have a procedure for emergency situations that includes explicit instructions that children are not to be used as interpreters. Remove terms, "language bank, resource line or online service" and replace with "remote interpreting services".
7. Section C (8): update "without prior review by a district-approved translator" to "without prior review and editing **by a certified translator where testing exists. For all other language use a qualified translator** as determined by the district".

ASTM Definitions:

- Interpretation: the process of first fully understanding, analyzing, and processing a spoken or signed message and then faithfully rendering it into another spoken or signed language.
- Modes of interpretation:
 - Consecutive: the rendering of a speaker's or signer's message into another language while the speaker or signer continues to speak or sign.
 - Simultaneous: the rendering of a speaker's or signer's message into another language when the speaker or signer pauses to allow interpreting.
 - Sight translation: the rendering of a written document directly into a spoken or signed language, not for purposes of producing a written document.
- Translation: The process comprising the creation of a written target text based on a source text in such a way that the content and in many cases, the form of the two texts, can be considered to be equivalent.

Future Work

During the year that the Language Access Workgroup met, they covered many topics, heard from experts and community members, and had countless productive conversations. However, there is much more to be explored and addressed in order to create a system that truly provides language access to all. Some suggested topics of future research and work include:

Higher education

- Work with institutes of higher education in Washington to evaluate the availability of interpreter and translator preparation programs and the sufficiency of these programs to meet the current and projected future demand for interpreters and translators.

Feasibility study

- Conduct a feasibility study to estimate the cost and capacity of the current system to develop and administer an educational interpretation test and to add additional languages to the DSHS interpreter testing system.

Master contracts

- Partner with the Department of Enterprise Services on the suite of master contracts for interpretation and translation to ensure that they meet the specific needs of families, schools and school districts.

Conclusion

During the Spring of 2020, the unprecedented and quickly evolving nature of the COVID-19 pandemic caught many schools and school districts unprepared to communicate with families with language access needs. Many schools failed to distribute information in translated and accessible formats, leaving families without important information about closures and available services. As schooling shifted to distance learning formats, families became their child's teacher, an impossible task without translated accessible guidance and online platforms. This situation highlighted the key role that language access plays in engaging parents as partners in their child's education.

This partnership is essential to ensure that all students have equal access to educational opportunities. While the work and recommendations of the Language Access Workgroup are focused on providing language access to families and community members, the purpose always points back to the kids, our kids and the families that we serve every day. The end goal is not convenience for adults or avoidance of lawsuits, but equal access to basic education, a duty of the state enshrined in the Washington State Constitution.

Throughout this report, we have attempted to highlight tools and current policies that already exist to support language access. We recognize that there are systems and process in place that can and should be utilized to implement these recommendations. Our intention was no to reinvent the wheel, but to bring the wheels to schools.

However, we recognize that even full implementation of these recommendations would not be the end of the work. Meaningful language access requires an ongoing process of monitoring, accountability, learning and revision.

"My brother has special needs. Sometimes, I can help him login and go to class. But, now I'm busy with classes too so I can't help him. My mom can't help my brother because it is hard to use the technology, but I can't be all the time. Even when he can login, it doesn't mean that he's learning. Because of his disability, he needs support and I cannot do it all."

- Child of Tigrinya
Speaking parent

Appendix A

Sample Self-Assessment

***Key Terms:**

Language Access: Plans, policies, procedures and services meant to establish meaningful, two-way communication between the district/school and parents with limited English proficiency (LEP), and who are Deaf, blind or need other communication assistance, and promote access for such parents to the programs, services, and activities of the district/school.

Interpretation: The process of first fully understanding, analyzing, and processing a spoken or signed message and then faithfully rendering it into another spoken or signed language.

Translation: The process comprising the creation of a written target text based on a source text in such a way that the content and in many cases, the form of the two texts, can be considered equivalent.

Transcription: In this context, transcription is the process of turning or converting printed text to braille.

Other modes of communication: Includes braille, recorded audio and video and any other language assistance outside of translation and spoken or signed language interpretation.

1. Understanding How People with Language Access Needs Interact with Your School District

The following series of questions helps agencies understand how people with language access needs may come into contact with your school district:

1. Does your school district interact or communicate with the public, or are there individuals in your school district who interact or communicate with people with language access needs?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Please describe the manner in which your school district interacts with the public or people with language access needs:	<input type="checkbox"/> In-Person <input type="checkbox"/> Telephonically <input type="checkbox"/> Electronically (e.g. email or website)	<input type="checkbox"/> Via Written Correspondence <input type="checkbox"/> Other: (please specify)

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2. Identification and Assessment of People with Language Access Needs

The following series of questions aims to identify the population of people with language access needs you serve:

<p>1. How does your school district identify people with language access needs? (Select all that apply)</p>	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Observation that two-way communication is difficult <input type="checkbox"/> Respond to individual requests for language assistance services <input type="checkbox"/> Self-identification by the non-English speaker or person with language access needs <input type="checkbox"/> Ask open-ended questions to determine language proficiency on the telephone or in person </div> <div style="width: 48%;"> <input type="checkbox"/> Use of <u>"I Speak" language identification cards</u> or posters <input type="checkbox"/> Based on written material submitted to the school district (e.g. complaints) <input type="checkbox"/> We have not identified non-English users or others with language access needs <input type="checkbox"/> Other (Please specify): _____ </div> </div>
<p>2. Does your program have a process to collect data on:</p> <div style="margin-left: 20px;"> <p>a. The number of people with language access needs that you serve?</p> <p>b. The number of people who use a language other than English?</p> <p>c. The number and prevalence of languages spoken by non-English or sign language users in your service area?</p> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%; text-align: center;"> <p><u>Yes</u></p> <p>a. Yes</p> <p>b. Yes</p> <p>c. Yes</p> </div> <div style="width: 48%; text-align: center;"> <p><u>No</u></p> <p>a. No</p> <p>b. No</p> <p>c. No</p> <p style="margin-top: 20px;">If you answered no to any of these questions, please see appendix C for resources on collecting this data.</p> </div> </div>
<p>3. How often does your school district assess the language data for your service area?</p>	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Annually <input type="checkbox"/> Biennially </div> <div style="width: 48%;"> <input type="checkbox"/> Not Sure <input type="checkbox"/> Other: _____ </div> </div>

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4. What data does your school district use to determine the non-English speaking communities in your service area? (Select all that apply)	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Census <input type="checkbox"/> US Dept. of Education <input type="checkbox"/> US Dept. of Labor <input type="checkbox"/> State Agencies </div> <div style="width: 45%;"> <input type="checkbox"/> Community Organizations <input type="checkbox"/> Intake information <input type="checkbox"/> Other: _____ </div> </div>	
5. Do you collect and record primary language data from families when they enroll in your school district?	Yes	No If you answered no to this question, please see appendix B for information on the home language survey.
6. If you collect and record primary language data, where is the information stored?		
7. Do you have a system for recording requests for language access services and when they have been filled?	Yes	No
8. What is the total number of people with language access needs who use or receive services from your program each year?		
9. How many people with language access needs attempt to access your programs or services each month?		
10. How many people request interpretation services each month?		
11. How many people request translation services each month?		
12. Specify the top six most frequently encountered non-English languages, including signed languages, by your district and how often these encounters occur (e.g., 2-3 times a year, once a month, once a week, daily).	Language/Mode of Communication 1. 2. 3. 4. 5. 6.	Frequency of Encounters 1. 2. 3. 4. 5. 6.
13. Specify the types of language access assistance requested each month by communication domain.	Domain: 1. Speaking 2. Listening 3. Reading 4. Writing	Type of assistance requested: 1. 2. 3. 4.

3. Providing Language Assistance Services

The following set of questions will help you assess how well your school district is providing language assistance services to people with language access needs:

1. Does your school district currently have a system in place for tracking the type of language assistance services it provides to people with language access needs at each interaction?	Yes	No If you answered no to this question, please see appendix A for information.
2. What data, if any, do you maintain regarding language assistance services? (Select all that apply)	<input type="checkbox"/> Primary language of persons encountered or served <input type="checkbox"/> Use of language assistance services such as interpreters and translators <input type="checkbox"/> Funds or staff time spent on language assistance services	<input type="checkbox"/> Number of bilingual staff <input type="checkbox"/> Cost of interpreter services <input type="checkbox"/> Cost of translation of materials into non-English languages <input type="checkbox"/> Other (Please specify):
3. Does your school district have a system to track the cost of language assistance services?	Yes	No If you answered no to this question, please see appendix D for information on funding language assistance services.

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<p>4. What types of language assistance services does your school district provide? (Select all that apply)</p>	<input type="checkbox"/> Bilingual staff <input type="checkbox"/> In-house interpreters (oral and signed) <input type="checkbox"/> In-house translators (documents) <input type="checkbox"/> Freelance interpreters <input type="checkbox"/> Contracted translators <input type="checkbox"/> Telephone interpretation services <input type="checkbox"/> Video interpretation/Video relay services	<input type="checkbox"/> Contracted interpreters or translators from an agency <input type="checkbox"/> Volunteer interpreters or translators <input type="checkbox"/> Interpreters or translators borrowed from another school district <input type="checkbox"/> Other (Please specify):
<p>5. Does your school district ensure that sign language interpreters are certified to interpret?</p>	<p>Yes</p>	<p>No</p> <p>If you answered no to this question, please see appendix E for information on sign language interpretation certification.</p>
<p>6. Does your school district ensure that non-district staff oral language interpreters are qualified to interpret?</p>	<p>Yes</p>	<p>No</p> <p>If you answered no to this question, please see appendix F for information on oral language interpretation certification.</p>
<p>7. Does your school district a) have a certification or assessment process that district staff must complete before serving as interpreters or translators? b) Does the process include use of standardized language proficiency exams?</p>	<p>a) Yes</p> <p>b) Yes</p>	<p>a) No</p> <p>b) No</p>
<p>8. Does your school district ask or allow individuals to provide their own interpreters or have family members or friends interpret?</p>	<p>Yes</p> <p>If you answered yes to this question, please see appendix G for information on providing interpreters.</p>	<p>No</p>

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9. Does your school district have contracts with language assistance service providers (in- person interpreters, telephone interpreters, video interpreters, or translators)?	Yes	No If you answered no to this question, please see appendix H for information on the state master contract.
10. Does your school district provide staff with information on how to access qualified interpreters?	Yes	No
10. Does your school district identify and translate vital documents into the non-English or signed language languages of the communities in your service area?	Yes	No If you answered no to this question, please see appendix I for information on the requirement to translate vital documents. Tip: Use this Sample Important Document Notice to inform families that they can contact the school to have the document translated.
11. Which vital written documents has your school district translated into non-English or signed languages?	<input type="checkbox"/> Enrollment information and forms <input type="checkbox"/> Complaint forms <input type="checkbox"/> Notices of rights <input type="checkbox"/> Notices of disciplinary action <input type="checkbox"/> Applications to participate in programs or activities or to receive benefits or services	<input type="checkbox"/> Parent permission forms <input type="checkbox"/> Student/parent handbook <input type="checkbox"/> School closure information <input type="checkbox"/> Notices of events/meetings <input type="checkbox"/> Grades and report cards <input type="checkbox"/> Other (please specify):

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12. Are all electronically shared documents checked for ADA accessibility?	Yes	No If you answered no to this question, please see appendix J for information on making documents ADA accessible.
13. Is the school district website ADA accessible?	Yes	No If you answered no to this question, please see appendix K for information on making websites ADA accessible.
14. Does your school district translate signs or posters announcing the availability of language assistance services?	Yes	No Tip: Use this multi-language poster to inform families how to request an interpreter or a translated document.
15. When your school district updates information on its website, does it also add that content in non- English languages?	Yes	No

4. Training of Staff on Policies and Procedures

The following series of questions will help you identify whether staff receive appropriate training on your language access policies and procedures:

1. Does all school district staff receive initial and periodic training on how to access and provide language assistance services to people with language access needs?	Yes	No
2. Who receives staff training on working with people with language access needs? (Select all that apply)	<input type="checkbox"/> Administrative staff <input type="checkbox"/> Teachers <input type="checkbox"/> Paraeducators <input type="checkbox"/> Educational Staff Associates <input type="checkbox"/> Front office-staff	<input type="checkbox"/> Bilingual Staff <input type="checkbox"/> New employees <input type="checkbox"/> All employees <input type="checkbox"/> Volunteers <input type="checkbox"/> Others (Please specify): _____ <input type="checkbox"/> None of the above

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3. Are language access policies and issues included in the mandatory training curriculum for staff?	Yes	No
4. Does your school district staff procedural manual or handbook include specific instructions related to providing language assistance services to people with language access needs?	Yes	No
5. Do staff receive periodic training on how to obtain and work with interpreters?	Yes	No
6. Do staff receive periodic training on how to request the translation of written documents into other languages?	Yes	No
7. Do staff members who serve as interpreters receive regular training on proper interpreting techniques, ethics, specialized terminology, and other topics? Tip: See appendix L for information on dual-role employees.	Yes	No

5. Providing Notice of Language Assistance Services

The following series of questions will help you assess how you provide notice of language assistance services to the population people with language access needs in your service area:

1. How do you inform members of the public about the availability of language assistance services? (Select all that apply)	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Multilingual staff <input type="checkbox"/> Posters in public areas <input type="checkbox"/> “I Speak” language identification cards <input type="checkbox"/> Notices on mailed documents <input type="checkbox"/> Partnership with community-based organizations </div> <div style="width: 50%;"> <input type="checkbox"/> District website <input type="checkbox"/> Social networking website (e.g. Facebook, Twitter) <input type="checkbox"/> E-mail <input type="checkbox"/> Other (Please specify): _____ <input type="checkbox"/> None of the above </div> </div>
2. Do your translated program outreach materials inform people with language access needs about the availability of free language assistance services?	<div style="display: flex;"> <div style="width: 50%;">Yes</div> <div style="width: 50%;">No</div> </div>

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3. Does your school district send notices through non- English media (television, radio, newspaper, and websites)?	Yes	No
4. Does your school district inform community groups about the availability of free language assistance services for people with language access needs?	Yes	No
5. Does the main page of your school district website include non-English information that would be easily accessible to people with language access needs?	Yes	No
6. Does your school district have multilingual signs or posters in its offices announcing the availability of language assistance services?	Yes	No Tip: Use this multi-language poster to inform families how to request an interpreter or a translated document

6. Monitoring and Updating a Language Access Procedures, Policy, and Plan

The following set of questions will help you assess whether you have an effective process for monitoring and updating your language access policies, plan and procedures:

1. Does your school district have a written language access policy?	Yes	No
2. If so, is a description of this policy available to the public?	Yes	No
3. How often is your school district's language access policy reviewed and updated?	<input type="checkbox"/> Annually <input type="checkbox"/> Biennially	<input type="checkbox"/> Not Sure <input type="checkbox"/> Other:
4. When was the last time your school district's language access policy was updated?	Month_____	Year_____
5. How often does your school district update its data on the language access needs of the community in your service area?	<input type="checkbox"/> Annually <input type="checkbox"/> Biennially	<input type="checkbox"/> Not Sure <input type="checkbox"/> Other:
6. Does your school district have a language access coordinator?	Yes	No
7. Does your school district have a formal language access complaint process?	Yes	No If you answered no to this question, please see appendix M for information on the civil rights complaint process.
8. Has your school district received any complaints because it did not provide language assistance services?	Yes	No
9. Do you obtain feedback from people with language access needs on the effectiveness of your language access program and the language assistance services you provide?	Yes	No If you answered no to this question, please see appendix N for a sample interpreter feedback form.

Appendix

A. Collecting data on the number of non-English speakers or people with language access needs in your service area and the languages that you serve

Information about the top languages served in schools in our state can be found in the [annual reports](#) of the Transitional Bilingual Education Program (TBIP)

Demographic language information from the federal government can be found at [LEP.gov](#)

For information about collecting the language preferences of the families you serve, see Appendix B. Home language survey.

B. Home language survey

School districts must have a process to determine parents' language needs, such as a home language survey or questions on an enrollment form about each parent's language needs. Make sure the enrollment form or home language survey is provided to every parent in a language they can understand.

[OSPI Home Language Survey - in 37 languages](#)

C. Tracking the type of language assistance services provided

The Language Access Workgroup recommends:

- That schools and school districts to use DES master contract 03514 to schedule interpretation services online and that OSPI establish a data sharing agreement with the vendor to obtain and display district-level data on interpretation services requests on a data dashboard.
- That the data collection required by Engrossed Substitute House Bill 1130, “whether a qualified interpreter for the student's family was provided at any planning meeting related to a student's individualized education program or plan developed under section 504 of the rehabilitation act of 1973 and meetings related to school discipline and truancy” , be reported to OSPI and made available publicly available.

Data collected and displayed should be disaggregated by demographics such as race/ethnicity, language, type of meeting, school name and disability type.

D. Funding language assistance services (requirement for federal funding)

In most cases, interpretation and translation services are a general education responsibility when such services are related to a school district’s core instructional services under the Basic Education Act (BEA) and general operational/administrative protocols and requirements.

If, however, interpretation or translation services are used for specific programs, school districts may be able to utilize program-specific funding for such services. For example, interpretation and translation costs that are directly related to parent involvement requirements under Elementary and Secondary Education Act (ESEA) programs are

generally allowable charges to those programs. The costs of interpretation and translation services that accommodate and facilitate parent outreach requirements under ESEA programs, for example, could also be paid with program-specific funding. Source: <https://www.k12.wa.us/sites/default/files/public/equity/pubdocs/B021-13.pdf>

E. Sign language interpretation certification

American sign language (ASL) interpreters who are certified by the Registry of Interpreters for the Deaf (RID), the National certifying body, hold a National Interpreting certificate (NIC)

“Holders of this certification have demonstrated general knowledge in the field of interpreting, ethical decision making and interpreting skills.”

The Educational Interpreter Performance Assessment (EIPA) tests sign language interpreters who serve in the classroom interpreting for students. Interpreters must have a score of 3.5 on the EIPA or higher to interpret in the classroom.

Please note that there is a clear distinction between educational interpreters and professional interpreters. Educational interpreters are trained specifically for the K-12 classroom, while professional (i.e. RID certified) interpreters provide interpretation in generally any setting (i.e. meetings, workshops, etc.).

The Language Access Workgroup recommends use of a tiered system of interpreter requirements in education related settings based on the type of interpreted interaction to ensure that an appropriately qualified interpreter is used. Please see the [Tiered System of Interpreter Standards](#) for sign language for details.

F. Oral language interpretation certification

Include information on DSHS testing and LAW recommendations.

The Language Access Workgroup recommends that the state adopt a tiered system of interpreter requirements in education related settings based on the type of interpreted interaction.

Tiers 2 & 3 interactions require:

1. Knowledge of basic educational (e.g., special education, general education, individualized education plan, in-school suspension) terminology used in school settings and;
2. Possess a DSHS certification or authorization for spoken language interpretation

Tier 3 interactions require:

1. Ability to interpret consistently in the simultaneous mode as demonstrated by:
 - a. Being a Washington Administrative Office of the Courts (AOC) certified or registered interpreter
 - b. Being a DSHS social services certified at Level 2 (only for certified languages)

G. Providing interpreters

Children may never be used as interpreters.

The Language Access Workgroup recommends that while a parent may decline the offer to provide an interpreter, the district or school is required to have a qualified interpreter present as the communication lead. The parent is welcome to invite any additional persons for support and that support person may also participate in the discussion.

H. State master contracts

Master Contract for Oral Interpretation

The Department of Enterprise Services (DES) has a [contract for spoken, in-person interpretation](#) that schools and districts can arrange to use. The contract webpage includes documents listing approved vendors and prices.

Master Contract for Sign Language Interpretation

The Office of Deaf and Hard of Hearing (ODHH) manages the DES contracts for sign language interpreters. A list of registered independent interpreters and interpreter agencies is listed on the [ODHH website](#). All approved and registered Sign Language Interpreters are certified (or have received credentials as qualified by ODHH) and abide by the Code of Professional Conduct of the National Association of the Deaf and the Registry of Interpreters for the Deaf.

Master Contract for Phone Interpretation Services

The Department of Enterprise Services has a [contract for phone interpretation](#) that schools or districts can arrange to use. Once a school or district has set up an account, users can access interpreters in more than 170 different languages, 24 hours a day, every day of the year (no appointment needed). The interpreter can even listen and identify the language that the parent is speaking. With a phone interpreter, school staff can communicate with families who need assistance through an interpreter on the phone. This service can also be used for in-person meetings with the interpreter on speaker phone.

Master Contract for Written Translation Services

The Department of Enterprise Services has a [contract for written translation](#) that schools and districts can arrange to use.

I. Requirement to translate vital documents

School districts must ensure meaningful communication with LEP parents in a language they understand and adequately notify LEP parents of information about any program, service, or activity of the school district that is called to the attention of non-LEP parents.

At the school and district levels, this essential information includes but is not limited to information regarding:

- Language assistance programs
- Special education and related services
- IEP meetings

- Grievance procedures
- Notices of nondiscrimination
- Student discipline policies and procedures
- Registration and enrollment
- Report cards
- Requests for parent permission for student participation in district or school activities
- Parent-teacher conferences
- Parent handbooks
- Gifted and talented programs
- Magnet and charter school
- Any other school and program choice options.

Schools must translate this essential information when a significant percentage of the population in a school or school district needs the information in a language other than English. For less common languages, the district must still ensure that LEP parents are timely notified of the availability of free, qualified interpreters who can explain district- and school-related information that is communicated in writing to parents.

School and districts may also be required to provide written translations of specific types of documents under different laws, including but not limited to, certain student discipline or special education notices.

J. Making documents ADA accessible

Before electronic distribution of documents, you will need to make sure they are accessible and resolve all errors. For Microsoft Office documents, run the accessibility checker and errors or warnings that are reported should also be corrected in order to be fully compliant with the [WCAG 2.1 Guidelines](#) for accessibility. After converting files to Adobe PDF format, you will need to run an accessibility check in Adobe Acrobat DC and clear any failures that are found before they're posted online.

Resources for Office documents:

- [Creating Accessible Microsoft Office Documents](#)
- [Create accessible Office documents](#)
- [Make your Word documents accessible to people with disabilities](#)
- [Make your Excel documents accessible to people with disabilities](#)
- [Make your PowerPoint presentations accessible to people with disabilities](#)

Resources for Adobe documents:

- [Making a PDF accessible with Acrobat Pro DC](#)
- [PDF Accessibility](#)
- [Acrobat DC: Creating Accessible PDFs \(2015\)](#)
- [Adobe Acrobat Accessibility](#)

Other resources:

- [Assistive Technology 101](#)
- [Guide to Assistive and Adaptive Technologies](#)
- [NVDA Free Screen Reader](#)
- [Creating Video and Multimedia Products That Are Accessible to People with Sensory Impairments](#)
- [Accessibility video training](#)

K. Making websites ADA accessible

School districts must provide access to all individuals seeking information on their website. All content should be compliant with the Americans With Disabilities Act and follow the [Web Content Accessibility Guidelines \(WCAG\) 2.1](#).

Other resources:

- [Color Contract Checker](#)
- [“Alt Text” Guidelines](#)

L. Dual role employees. (Assessing proficiency but also issue of conflict of interest. Also use of bilingual staff as interpreter.)

There are several potential issues that must be taken into account when using school or district staff as interpreters.

First is interpretation quality. Being fluent in two languages does not make a person qualified to interpret. Interpretation requires a specific set of skills and knowledge of both cultures in order to analyze and process a spoken or signed message and then faithfully render it into another spoken or signed language. Using untrained, bilingual staff as interpreters is inadequate in many situations (align to tiered recommendations from LAW).

The second issue is conflict of interest. When the interpreter is also an employee of the school or district, that interpreter has dual roles. In that case, the interpreter is ethically bound to act only as an interpreter, ignoring their district affiliations and interests as an employee. All interpreters must be held to the ethical standard that interpreters interpret only what is said by all parties in the conversation and do not change meaning or intent.

M. Civil rights complaint process

Both federal and state civil rights laws give the parents the right to communicate with their child’s school and to receive information about their child’s education in a language they understand. Schools must communicate with parents in their language.

There are several options for filing formal discrimination complaints about an LEA’s interpretation or translation services, or for not providing an interpreter or translated document when needed.

- **LEA Complaint Process-** LEAs are required to investigate and respond to complaints alleging lack of language access.

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- **OSPI Complaint Process-** Complainants can also complain to OSPI if they disagree with the LEA's final decision or the LEA has not correctly followed its complaint and appeal process.
- **OCR Complaint Process-** Parents can choose to file their complaints with the U.S. Department of Education's Office for Civil Rights (OCR).






OSPI provides more details about various [discrimination complaint options](#) on its website, including an information sheet in [English](#), [Arabic](#), [Chinese](#), [Farsi](#), [Korean](#), [Punjabi](#), [Russian](#), [Somali](#), [Spanish](#), [Tagalog](#), [Ukrainian](#), and [Vietnamese](#).

N. Sample interpreter feedback form

This sample feedback form is provided by Open Doors for Multicultural Families. Copies in additional languages are available at: <http://www.multiculturalfamilies.org>

O. POST-MEETING SURVEY: INTERPRETER RATING

P. **Date:** _____ **Name of Interpreter**

	GREAT 	GOOD 	AVERAGE 	POOR 	VERY POOR 
PLEASE RATE FOLLOWING					
Interpreter's ability to interpret information/conversation to you					
Interpreter's ability to express your thoughts to professionals					
Speed of conversation					
How well you understand information presented					
Overall impression of meeting					
Interpreter was present for the entire meeting					

Would you recommend this interpreter for the next meeting?

Circle one:

Yes

No

Q. SUGGESTIONS / COMMENTS:

Appendix B Code of Professional Responsibility And Standards of Practice For Educational Interpreters of Spoken Languages



CODE OF PROFESSIONAL RESPONSIBILITY AND STANDARDS OF PRACTICE FOR EDUCATIONAL INTERPRETERS OF SPOKEN LANGUAGES

PREAMBLE

The purpose of this code is to establish high standards of professional conduct and practice for spoken language interpreters that promote public trust in the educational system.

The role of interpreters is to provide meaningful communication between school staff and someone who is Limited English Proficient when conveying information about any school program, service, or activity. Since important medical, legal, or academic decisions may be made based on the information provided through interpreters, they must convey everything that is said by all present.

SCOPE

This code includes eight ethical values that interpreters must uphold while practicing their profession. The text of each canon (ethical principle) is authoritative and describes what practitioners should do, or not do, to uphold their professional values. The standards describe accepted ways of practicing the profession (best practices) in accordance with those canons.

APPLICABILITY

This code and standards focus on ethical values, principles, and standards of professional practice for interpreting that occurs in educational settings. An educational setting is defined here as any situation in which school staff, as part of their jobs, communicate with someone who is Limited English Proficient (LEP). This can include students, prospective students, parents and guardians, or members of the community served by the educational institution. The communication may occur on school grounds or in other locations such as a student's home.

This code and standards do not encompass the roles and responsibilities of school staff who serve as tutors, teachers, bilingual classroom aides, community outreach workers, or cultural liaisons. It should be recognized that many school personnel have multiple job responsibilities, but these guidelines are intended to focus specifically on the work that they perform as interpreters.

COMPLIANCE

Interpreters who violate the provisions of this code are subject to disciplinary action or any other sanction that may be imposed by law.

DEFINITIONS

Spoken language interpreter: the person who conveys a message spoken in one language and then faithfully renders it into another spoken language.

Spoken language interpreters work in three modes:

1. **Simultaneous Interpreting:** conveying a message into another language while the speaker continues to speak.
2. **Consecutive Interpreting:** conveying a message into another language after the speaker pauses to allow interpreting.
3. **Sight translation:** conveying a message written in one language into a message spoken in another language, not for purposes of producing a written document.

Translator: the person who renders a document written in one language into a document written in another language. Translators frequently team up with other translators for editing and proofreading

CANONS AND STANDARDS OF PRACTICE

1. ACCURACY

To promote linguistic equity for Limited English Proficient (LEP) individuals, interpreters must conserve every element of information contained in the source language message.

Standards of Practice

Interpreters should render the source language message thoroughly and faithfully giving consideration to its cultural context.

Interpreters should conserve the tone, spirit, style, and register of the source message. Everything must be interpreted, even if it appears nonresponsive, ambiguous, nuanced, obscene, rambling, or incoherent. This includes false starts and apparent misstatements. However, verbatim, word-for-word, or literal interpretation is inappropriate if it distorts the meaning of what is said.

Interpreter should not embellish a statement; they do not add details, omit, change, summarize, or substitute information.

Interpreters should apply their best skills and judgment to render, as faithfully as reasonably possible, the meaning of what is said giving consideration to linguistic variations in both the source and target languages.

Interpreters should ask for repetition and clarification when necessary. They should immediately address any situation or condition that impedes their ability to interpret accurately. Examples include, but are not limited to, linguistic ambiguities, unfamiliar terms, inaudible speech, inability to hear a speaker, background noise or distraction, and pace of speech.

Interpreters should be knowledgeable of the acronyms, technical language, and jargon that are used in school settings. They must be allowed to consult dictionaries or glossaries when doubts arise.

Interpreters should be familiar with idioms, slang, jokes, as well as cultural and regional differences.

Interpreters should not change the linguistic register—meaning the level of formality, whether very technical, erudite, or a child's speech.

Interpreters should strive to convey the meaning behind nonlinguistic elements such as gestures of emphasis, body language, and tone of voice. To maintain the accuracy of a message, the interpreter may need to evaluate

whether nonverbal cues need to be interpreted verbally or nonverbally and may ask the speaker to clarify their meaning.

The ethical responsibility to interpret accurately includes being prepared for assignments. Interpreters are encouraged to obtain documents and other information from school staff necessary to familiarize themselves with the nature and purpose of an assignment such as individualized educational plans, 504 plans, academic records, transcripts, evaluations, test results, disciplinary records, complaints, police reports, etc.

Interpreters should speak in the first (1st) person and should refrain from using reported speech by adding phrases like, “the teacher said,” “the parent said,” etc. Interpreters should use the third (3rd) person when speaking for themselves, for example, “The interpreter would like to clarify...”

To avoid errors in interpretation, interpreters should ask for clarification when they are not familiar with a particular term or turn of phrase.

Interpreters should correct any errors of interpretation as soon as possible. They should be prepared to accept feedback, including challenges to their interpretation, in a professional and impersonal manner.

2. CONFIDENTIALITY

All parties in an interpreted encounter have a right to expect interpreters to hold their information in confidence. Interpreters must not divulge— publicly or privately— any information obtained in the course of their professional capacity.

Standards of Practice

At the beginning of an assignment, interpreters are encouraged to advise parties that everything said will be interpreted and kept confidential.

Interpreters should keep confidential information gained through access to documents or other written materials.

Interpreters should safeguard any notes, school forms or paperwork from unauthorized access.

Interpreters should familiarize themselves with federal laws and regulations regarding students’ confidential information such as HIPAA AND FERPA.

While members of some professions are mandated by law to report known and suspected cases of child abuse, in Washington State interpreters are not included in the list of mandatory reporters (see RCW 26.44.030). Under the same statute, however, dual role school staff are mandatory reporters.

3. IMPARTIALITY AND NEUTRALITY

Interpreters must not allow their own views to interfere with their interpretation. They must also avoid any behavior that creates the appearance of favoritism toward anyone and disclose any real conflict of interest that would affect their professional objectivity.

Standards of Practice

Interpreters should avoid verbal and nonverbal displays of personal attitudes, prejudices, emotions, or opinions, by faithfully rendering all statements, even those they find personally objectionable without allowing their own views to interfere.

Interpreters should refrain from counseling, advising, explaining, assisting, or providing any other type of support.

Interpreters should maintain professional relationships with persons using their services and discourage personal dependence on the interpreter.

Interpreters should not serve in any matter in which they have an interest, financial or otherwise, unless a specific exception is allowed.

Interpreters should not solicit or accept gifts or gratuities from those whom they serve, even as a social courtesy.

Interpreters should strive to recognize their own cultural biases.

Interpreters should not have unsupervised access to parents, guardians, or students, including but not limited to phoning them directly.

Any person serving in the role of interpreter should decline to perform any additional roles, such as community liaison, school counselor, psychologist, administrator, advocate, teacher, etc. during the interpreted session. If the school hires bilingual staff who serve in multiple roles, it is still important that the person try to avoid serving more than one role at a time when interpreting. Regardless of job title, the person who is called upon to interpret

is responsible for maintaining the role, performance standards, and ethical responsibilities of an interpreter.

4. COMPETENCE

Interpreters must not knowingly accept any assignment beyond their skill level. In their professional capacity, they must not give legal, medical, or educational advice or engage in any activity that may be construed as a service other than interpreting.

Standards of Practice

Interpreters should maintain and expand competence in their field through professional development that should include: steady practice, training, ongoing education, terminology research, regular and frequent interaction with colleagues and specialists in related fields, and staying abreast of new technologies, current issues, laws, policies, rules, and regulations that affect their profession.

Interpreters should know and follow established protocols for delivering interpreting services. For one-on-one meetings, consecutive is the preferred mode of interpreting. For large meetings (e.g. open houses, curriculum nights, school board meetings) simultaneous with equipment is the preferred mode of interpreting. Given the intensive cognitive activity involved in simultaneous interpreting, interpreters should alternate every 15 to 30 min as deemed necessary by team members.

Interpreters should be given periodic breaks at their discretion. The number and length of breaks may increase in accordance with the complexity of the subject at hand and the length of the meeting.

Interpreters should strive to maintain awareness of cultural and current events of the communities they serve.

Interpreters must assess at all times their ability to interpret. They should only accept assignments for which they have been sufficiently trained, prepared, or briefed, in particular when the assignment involves the assessment of speech/language, mental health, psychology, or other specialties. If at any point, before or during an assignment, interpreters have reservations about their ability to satisfy an assignment competently, they should immediately disclose this to all present.

Interpreters should manage the flow of communication by asking a speaker to pause or slow down.

If at any point, before or during an assignment, interpreters have reservations about their ability to satisfy an assignment competently, they should immediately disclose this to all present.

5. HONESTY AND INTEGRITY

Interpreters have an inviolable duty to provide honest services and must not engage in conduct that impedes their compliance with this code.

Standards of Practice

Interpreters should accurately and completely represent their credentials, certifications, training, and work experience and should be able to document them.

Interpreters should interpret everything that is said. No one should feel like they are being left out of any part of the conversation.

The fee schedule agreed to between the contracted language service provider and the requester should be the maximum compensation accepted and fees should not be discussed during the assignment. Interpreters must not accept additional money, consideration, or favors.

Interpreters should not use the school's facilities, equipment, or supplies for private gain or other advantage.

Interpreters should not use or attempt to use their position to secure privileges or exemptions.

Interpreters should maintain transparency by asking for clarification when they did not understand something said.

6. PROFESSIONALISM

Interpreters must treat all parties and individuals they serve with respect. They must be punctual, prepared, courteous, and tactful towards everyone, including their own interpreter colleagues.

Standards of Practice

Interpreters should continue professional growth by reading articles related to education, individualized education program (IEP) meetings, parent

engagement, multicultural tolerance and learning specialized vocabulary, and attending trainings and other events for interpreters.

Interpreters should continually develop their skills and knowledge through specialized training, professional development activities, and regular interaction with colleagues and specialists in related fields.

Interpreters should not market their interpreting services to parents and students, including but not limited to, arranging services or appointments in order to create business for themselves.

Interpreters should not transport school staff, parents, or students for any business, including social service or healthcare appointments, or any school meetings, conferences or activities.

Interpreters should refuse or withdraw from an assignment, without threat or retaliation, if they are unable to perform their interpreting duties in accordance to this code and standards.

Interpreters should dress appropriately to avoid attracting undue attention to them.

Interpreters should advocate for themselves by asking meeting participants to speak slower or requesting a break or accommodations such as a chair or table.

Interpreters should introduce themselves and define the limitations of their role to all present in both languages before beginning to interpret.

Interpreters should strive to resolve any conflict that may arise promptly as well as work cooperatively with colleagues and clients.

Interpreters should continually develop their skills and knowledge through: steady practice; formal training; continuing education; terminology research and regular interaction with colleagues.






Interpreters must stay abreast of laws, policies, and regulations that affect the profession.

Appendix C Interpreter Feedback Form

This sample feedback form is provided by Open Doors for Multicultural Families. Copies in additional languages are available at: <http://www.multiculturalfamilies.org>

POST-MEETING SURVEY: INTERPRETER RATING

Date: _____ Name of Interpreter _____

PLEASE RATE FOLLOWING	GREAT 	GOOD 	AVERAGE 	POOR 	VERY POOR 
Interpreter's ability to interpret information/conversation to you					
Interpreter's ability to express your thoughts to professionals					
Speed of conversation					
How well you understand information presented					
Overall impression of meeting					
Interpreter was present for the entire meeting					

Would you recommend this interpreter for the next meeting?

Circle one:

Yes

No

SUGGESTIONS / COMMENTS:

Appendix D

Example of a Pre-session Interpretation Script for Spoken Language Interpretation

To School Staff:

"Hello, I'm _____ (name) and I will be your interpreter today. I will interpret everything you say and everything the Parent says. Everything will be interpreted in the first person. To ensure accuracy, please keep your sentences short. If something is unclear, or you want to make sure the Parent understands a concept, please direct your question to the Parent and I will interpret the question. Finally, I abide by the Code of Conduct for interpreters and uphold the confidentiality of this meeting."

To LEP family In LOTE (Language Other than English):

"Hello, I'm _____ (name) and I will be your interpreter today. I'm here to interpret everything you say, and everything the Teacher/ IEP Team says. This is your meeting about your child and you are a member your child's (IEP/Learning/) team, so if there is something you do not understand, do not hesitate to say you do not understand, and you are welcome to ask questions. As an interpreter, I follow the rules of confidentiality and keep this interpretation and its contents confidential."