



Nevada Department of Health and Human Services

Division of Child and Family Services

**LANGUAGE ACCESS PLAN**

## Purpose and Authority

The Division of Child and Family Services (DCFS) is committed to compliance with NRS 232.0081 and Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006) to ensure meaningful access to the Division's services and programs for individuals with limited English proficiency (LEP).

Nevada Revised Statutes Section 232.0081 and the federal guidance on Title VI both agree that language should not be a barrier to accessing governmental programs and services. As stated in NRS 232.0081, "Persons with limited English proficiency require and deserve meaningful, timely access to government services in their preferred language," and the legislation states that it is the responsibility of government to provide that access:

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

The purpose of this document is to establish an effective plan and protocol for DCFS personnel to follow when providing services to, or interacting with, LEP individuals. Following this plan is essential to the success of the division's mission to, together in genuine partnership with families, communities and other governmental agencies, provide support and services to assist Nevada's children and families in reaching their full human potential. The Division recognizes that Nevada's families are our future and children, youth and families thrive when they:

- Live in safe, permanent settings
- Experience a sense of sustainable emotional and physical well-being
- Receive support to consistently make positive choices for family and the common good

## General Policy

The Division recognizes that the population eligible to receive its services includes LEP individuals, and it is DCFS's policy to ensure meaningful access for LEP individuals. The Division adopts the following policies and procedures to ensure that LEP individuals are afforded equal access to DCFS's services and effective communication. This plan applies to all DCFS programs and services.

It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, understand, read, or write English, without discrimination based on race, color, gender, gender identity, or expression, sexual orientation, religion, national origin, age, pregnancy, genetic information, domestic partnership, or disability in accordance with state and federal law. The Division intends to take all reasonable steps to provide LEP individuals with meaningful access to its services and programs. The Division seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their preferred languages.

To this end, DCFS endorses the following policies:

- A commitment to equity and all reasonable steps to provide LEP individuals with meaningful access to all its services, programs, and activities.

- The Division, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual’s preferred language, at no cost to the LEP individual.
- Staff at the initial points of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers is not allowed. Minor children are prohibited from acting as interpreters.
- No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services.

DCFS Language Access Coordinator:

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### Profile of DCFS’s LEP Clients

While data on the Division’s client base is currently unavailable, DCFS is committed to tracking the languages preferred for communication among our LEP clients so agency staff can better provide meaningful, timely access to services and programs.

The table below illustrates non-English speaking data for the state of Nevada. It is excerpted from Data USA (<https://datausa.io/profile/geo/nevada#languages> on 24 Feb 2024). The table includes data on the five top non-English language groups in the state, as of 2021.

Non-English Language Groups in Nevada	Percentage of Non-English Speakers	Percentage of Total NV Households	Safe Harbor
Spanish	68.80%	20.50%	Yes
Tagalog (inc. Filipino)	9.84%	2.94%	Yes
Chinese (Mandarin, Cantonese)	3.79%	1.13%	No
Amharic, Somali, Other Afro-Asiatic	1.52%	<1.0%	No
Vietnamese	1.29%	<1.0%	No

### DCFS Language Access Services and Procedures

The Division provides the following language access services (LAS) to facilitate LEP individuals’ access to DCFS services and programs, and ensures that all language service providers are fully competent to provide these services.

- Oral and Sign Language Services

As appropriate, DCFS will provide spoken and sign language translation services by vendors contracted through the statewide contract RFQ 99SWC-S0847 held by the Purchasing Division for the State of Nevada.

A salary increase of 5% may be available to staff working under the collective bargaining agreement who perform spoken translation services in addition to their regular duties. This option is not available to employees who are not part of the collective bargaining agreement, and it may be a barrier for the agency to use existing resources and may require contracting to a third-party entity.

- Written Language Services

As appropriate, DCFS will provide translated “vital documents” and related written translation services by vendors contracted through statewide contracts by the Purchasing Division for the State of Nevada. Currently the Google Translate tool is available on the agency website.

- Community Outreach and Engagement

DCFS commits to ensuring that the larger LEP community is aware of and able to access all available language services.

- Providing Notice of Language Assistance Services

DCFS will provide notification of the relevant points of contact within its office and online on its website.

## **Implementing DCFS’s Language Access Services**

In order to implement LAS for clients who have limited English proficiency, DCFS requires staff to follow the policies and procedures referenced below to ensure meaningful access to available language services. The Division is committed to full compliance with these procedures and provides staff with the training described below so that all staff are familiar with these policies and procedures and recognize their importance to DCFS’s mission.

### Language Access Procedures

To facilitate all types of language access for LEP individuals who are served by DCFS programs, DCFS will publicize and provide notice of its available language services to LEP individuals at the relevant points of contact, at no cost to the LEP individuals.

#### *Identifying Client Language Needs and Preferred Language:*

In order to understand DCFS’s client language access needs, DCFS will gather and assess data, and update the LAP as needed. This will include the development of policies and procedures to support (1) interacting appropriately with LEP clients, (2) informing clients of the availability of language services, (3) determining clients’ preferred languages, and (4) documenting and tracking LEP client language

preferences. These policies and procedures will guide DCFS staff through all their interactions with LEP clients.

*Accessing Appropriate Oral and Sign Language Services:*

- The most common method of serving LEP clients is by using competent bilingual staff who are able to provide services directly to the client in their preferred language or for other staff needing interpretation for in-person or telephonic communication.
- DCFS recognizes that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available, and in those instances, staff should seek assistance from contracted professional in-person or telephone interpreters when staff cannot meet language needs.
- Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the individual being served.

*Accessing Appropriate Written Language Services:*

A determination of “vital” documents will be based on front-line interactions with LEP clients and an evaluation of DCFS documents. These actions will identify the necessary steps to ensure meaningful access to qualified written language services. This will apply to both written information intended for broad distribution, as well as written communications between DCFS and individuals accessing services.

If qualified staff are unable to meet these needs, DCFS will utilize State of Nevada contracted language translation services to provide accessible vital documents.

*Language Services Quality Assurance:*

The Division is committed to ensuring that all language service providers it uses are qualified and competent to provide those services. The following procedures are in place to establish provider qualifications and track provider performance.

- DCFS staff who are identified as possible interpreters or translators will be screened to determine qualifications and officially designated as interpreters or translators if qualifications are deemed sufficient.
- DCFS will use vendors contracted through statewide contracts by the Purchasing Division for the State of Nevada.

Staff Training Policies and Procedures

The Division acknowledges that the appropriate provision of language services is vital to the fulfillment of its mission. To that end, DCFS ensures that its staff completes cultural competency training and are familiar with its LAP for providing agency services.

**Evaluation of and Recommendations for DCFS’s Language Access Plan**

DCFS is committed to monitoring the performance of the applicable policies, procedures, and resources to ensure that its LAP is responsive to the needs of both DCFS and DCFS clients. At a minimum, DCFS will review, evaluate, and, as appropriate, update the LAP biennially.

Processes for Monitoring and Evaluation

The methods for gathering and tracking the relevant data will include qualitative and quantitative data collection through surveys, group and individual interviews, and review of statistical data to determine LAP needs and program compliance. Program leads will be responsible for ensuring subordinate staff collect the relevant data and submit to the person responsible for LAP maintenance.

Agency staff responsible for LAP maintenance: Terri McBride, Management Analyst II

Evaluation Outcomes and Proposed Changes

DCFS will evaluate LAP data and propose changes to LAP policy and procedures as necessary.

*Proposed Budgetary Implications:*

Additional funding needs are currently being identified.

*Suggested Legislative Amendments:*

No suggestions at this time.

## **APPENDIX A: Solicitation of Public Comment**

Per NRS 232.0081, DCFS solicited public comment as follows:

- DCFS' website homepage provided a "Leave Your Comment Here" digital form along with the ADA-compliant Draft LAP from April 10, 2024 through May 21, 2024
- Presentation and Request for Feedback on the DCFS LAP at the Nevada Office of Minority Health and Equity (NOMHE) Advisory Committee Meeting on May 14, 2024

There were a total of 0 comments received through the web-based comment page.

There were three comments given at the NOMHE Advisory Committee meeting. These comments were:

### **Committee Member Dr. Reimund Serafica:**

I really applaud this initiative and I think it's really helpful to especially if you are taking care of children who are not a native speaker of English . . . I see that in my own practice we have to use a service to translate because most folks would not probably understand. It's like translating somebody you know, or even a family member, it's so different when there is really somebody who's professionally doing it for the child. It's because the translation sometimes may be different when it's a family member doing it, or somebody that the family knows. So I really like this and I think you know, we will make more meaningful visits and we can help more people with this new language access.

### **NOMHE Program Manager Tina Dortch:**

[For] the class process, cultural linguistically appropriate services, it is frowned upon within the 15 principles to have children advocate that way for adults. It's a difficult process. It's an undue burden and so we definitely want to make sure we're minimizing and reversing that trend because I know it happens so often.

As advisors, this is what we ask of you. You have such very unique perspective and it will help the work of our divisions as they start lifting these language access plans.

### **Vice-Chair Nicholas Dunkle:**

Thank you for the awareness, that cognizance and that advocacy for that professional translation as was mentioned. It's quite appropriate and quite the responsibility to provide that, so thank you so much for that.

## APPENDIX B: Fiscal Year 2025 Language Access Plan Budget Request

Pursuant to NRS 232.0081, the Division of Child and Family Services (DCFS) has identified the following funding amounts needed for the initial implementation of DCFS' Language Access Plan. The Division has identified vital documents used by facility staff while serving clients with limited English proficiency and a need for in-person interpreters in clinical and counseling settings.

To address these gaps DCFS has identified the following resources needed and estimated costs in FY25:

- Document translation: \$12,563
- In-person interpreters on a weekly or monthly basis: \$67,200

**TOTAL: \$79,763**