

# ***DRAFT----Language Access Plan---DRAFT***

## ***Purpose and Authority***

The State of Nevada, through Nevada Revised Statute Chapter 232 and federal guidance on Title VI, address the barriers those with limited English proficiency face when accessing governmental programs and services.

Persons with Limited English Proficiency (LEP) require and deserve meaningful, timely access to government services in their preferred language. Moreover, it is the responsibility of the government to assist with that access.

The Nevada Board of Applied Behavior Analysis is committed to complying 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 services and programs offered by the NV ABA Board for individuals with limited English proficiency.

The purpose of this document is to establish an effective plan and protocol for employees of the Board to follow when providing services to, or interacting with, individuals who have limited English proficiency. Following this plan and protocol is essential to the success of our mission to protect the public health, safety and welfare by ensuring that only competent Applied Behavior Analysis professionals are licensed or registered in the state.

## ***General Policy***

The ABA Board recognizes that the population eligible to receive its services may include individuals with limited English proficiency. It is the policy of the Board to ensure meaningful access for all individuals seeking professional licensure through its office. The Board will adopt the following policies and procedures to ensure individuals can gain equitable access to the services the Board of Applied Behavior Analysis provides.

It is Nevada's policy to grant access to services or programs to all, regardless of their ability to speak, understand, read, or write English. The NV ABA Board intends to take all reasonable steps to support LEP individuals with access to its services. The Board seeks to minimize barriers by strengthening its capacity to deliver its services to people in their preferred language.

### **The Board endorses the following policies:**

- The NV ABA Board is committed to equity and will take all reasonable steps to provide LEP individuals with meaningful access to all its services.

- The Board, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individuals' preferred language, at no cost to the LEP individual.
- Staff at the initial point of contact have the specific duty to identify and record language needs.
- Use of informal interpreters such as family, friends of the person seeking support, or members of the general public is not allowed. Minor children are also prohibited from acting as interpreters.
- Staff may not suggest or require that an LEP individual provide an interpreter to receive Board services.

Nevada Board of Applied Behavior Analysis Language Access Coordinator:

Executive Director

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### ***Profile of Clients of the Board of Applied Behavior Analysis***

Our preliminary assessment is that the Board has a limited LEP constituency. Our primary activity is licensing and registration of ABA professionals/paraprofessionals and regulating the Behavior Analysts, Assistant Behavior Analysts and Registered Behavior Technicians. All applicants must meet eligibility requirements including national certification in applied behavior analysis. Those seeking licensure must have been awarded bachelor's or master's degrees and obtain and maintain current national ABA certification. While secondary degrees are not required for Registration/paraprofessionals, they too must obtain and maintain national ABA certification.

The Board currently collects demographic information from individuals applying for a license or registration; however demographic information does not include LEP status, whether they identify as indigenous or as a refugee.

Going forward the Board will consider periodically conducting a demographic survey to include questions about an applicant's, licensee's and registrant's preferred language(s) to better assess language access needs and to determine whether an individual identifies as indigenous or as a refugee.

The Board is committed to tracking the languages preferred for communication among the LEP professionals whom the Board serves, so that the Board can better provide access to services without regard to any language impediments.

*The preferred language of the public and individuals receiving the services of the Board is US English. The most common methods for the public to access services are through the ABA Board website and email communication.*

### ***Language Access Services and Procedures***

The Board does not have staff who can provide language assistance.

The Board does not have any known LEP applicants, licensees, or registrants. Currently, it is not known whether any applicants, licensees or registrants identify as indigenous or refugee. The Board has never received a request for translation or American Sign Language Services.

Language access needs will be addressed in the following manner:

The Board will utilize one of the active statewide contracts for translation and interpreter services offered by the state, which can be found here:

[https://purchasing.nv.gov/Contracts/Documents/Translation\\_Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/)

### ***Providing Notice of Language Assistance Services***

Staff will be aware of appropriate language assistance services and how to make contact or referral.

Those seeking services may also request language assistance by contacting the Board by email which is posted on the Board's website.

### ***Implementing The Language Access Services***

To fulfill the goals of this plan, the Language Access Coordinator will provide staff with training to ensure they are familiar with the Plan and its related policies. This training will include:

- How to respond to LEP individuals via phone, writing or in person.
- How to seek assistance with internal or state sanctioned language access resources.
- How to document the mode of communication and preferred language of an LEP individual to better understand the needs of those accessing services and ensure that equitable access is available throughout the duration of their interactions with the Board.
- How to report these interactions to the Language Access Coordinator.
- In addition to staff training, the Board will use the internal and state sanctioned resources to provide information in languages other than English.

### ***Evaluation of and Recommendations for the Language Access Plan***

The Board is committed to providing our LEP applicants/licensees/registrants with access to our services and is committed to monitoring the policies and procedures stated above to ensure that LEP Nevadans are receiving equitable access to the Board services.

The Language Access Coordinator will continue to develop and monitor this plan, and update it biennially based on applicant data and language accommodation requests documented by the staff and data obtained through surveys. We will also track any costs we may incur by utilizing external state sanctioned resources.

The Board is exempt from the State Budget Act: all expenses are paid from fees received from licensed individuals.

***Suggested Legislative Amendments***

Independent regulatory Boards that do not have staff capacity to perform language access roles could benefit from a State assigned liaison that works for the Governor's Office of New Americans to provide those duties for the Board on an as needed basis, similar to an assigned Deputy Attorney General (DAG).