

**DEPARTMENT OF ADMINISTRATION**

**PURCHASING DIVISION**

**LANGUAGE ACCESS PLAN (LAP)**

**As of October 2024**

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## **1. PURPOSE AND AUTHORITY**

- 1.1. NRS 232.0081 et. seq. requires a language access plan. In the event information is not sufficient to develop such plan, information must be gathered to address the creation of a plan.
- 1.2. The plan must be developed with solicitation of public comment in its original form and any revisions and the agency must seek legislative changes if necessary for implementation or improvement of such plan, including but not limited to seeking funding. NRS 232.0081(4).
- 1.3. The Department of Administration, Purchasing Division is committed to ensuring compliance with state and federal law in ensuring meaningful access to State services, programs, and/or activities for individuals with Limited English Proficiency (“LEP”).
- 1.4. The LEP Plan is intended only to improve access to Purchasing Division services, programs, and/or activities and does not create any right or benefit, substantive or procedural, enforceable by law or equity by a party against the State of Nevada, its agencies, its officers or employees, or any person.
- 1.5. The Purchasing Division’s mission is to perform all functions accorded to it by law related to procurement and contracting for the purchasing, renting, or leasing of supplies, materials, equipment, and services needed by State agencies.
  - 1.5.1. The Purchasing Division’s purpose is to timely obtain supplies, materials, equipment, and services; to secure best value, and to give vendors opportunity to do business with the State.
  - 1.5.2. The Purchasing Division maintains warehouses in Carson City, Reno, and Las Vegas, handles the relocation and disposal of excess State property, maintains an inventory of State fixed assets, administers the Federal Surplus Property Program and operates the Preferred Purchase Program.
  - 1.5.3. Nevada State Purchasing is committed to providing superior customer service, externally and internally, in an effort to reduce and eliminate unnecessary work and waste within State Government while providing savings to our customers and the taxpayers of Nevada.

## **2. LANGUAGE ACCESS PLAN**

- 2.1. NRS 232.0081(2)(a) requires that the Language Access Plan (“LAP”) “Outline the compliance of the agency and any contractors, grantees, assignees, transferees or successors of the agency with existing federal and state laws and regulations and any requirements associated with funding received by the agency concerning the availability of language services and accessibility of the services provided by the agency or any contractors, grantees, assignees, transferees or successors to persons with limited English proficiency;”
  - 2.1.1. The State Purchasing Division provides materials and information to agencies and the public in the English language. Related to government partners, it is a work requirement that government employees have English language proficiency.
  - 2.1.2. The State Purchasing Division has internal clients (government agencies) as well as interacting with the prospective vendor community through solicitation of contract opportunities for goods and/or services. The Division is not directly funded through federal dollars, but many supported agencies utilize federal funds in their procurement activities. This plan is meant to comply with the state requirement for a LAP.
  - 2.1.3. To facilitate the needs of language access by government agencies served by the State Purchasing Division, a statewide contract framework is maintained related to language services (interpretation and translation).
  - 2.1.4. To facilitate the needs of the vendor community, the State Purchasing Division provides written communication through the publicly available (and thus accessible to freely available translation or interpretation tools) for those with LEP who may wish to do business with the State of Nevada.
- 2.2. NRS 232.0081(2)(b) requires that the LAP:

*(b) List the relevant demographics of persons served by or eligible to receive services from the agency, including, without limitation:*

- (1) The types of services received by such persons or for which such persons are eligible;*
- (2) The preferred language and literacy level of such persons;*
- (3) The ability of such persons to access the services of the agency electronically;*

- (4) *The number and percentage of such persons who are indigenous; and*
- (5) *The number and percentage of such persons who are refugees;*

2.3. NRS 232.0081(2)(c) requires:

- (c) *Provide an inventory of language services currently provided, including, without limitation:*
  - (1) *Procedures for designating certain information and documents as vital and providing such information and documents to persons served by the agency in the preferred language of such persons, in aggregate and disaggregated by language and type of service to which the information and documents relate;*
  - (2) *Oral language services offered by language and type;*
  - (3) *A comparison of the number of employees of the agency who regularly have contact with the public to the number of such employees who are fluent in more than one language, in aggregate and disaggregated by language;*
  - (4) *A description of any position at the agency designated for a dual-role interpreter;*
  - (5) *Procedures and resources used by the agency for outreach to persons with limited English proficiency who are served by the agency or eligible to receive services from the agency, including, without limitation, procedures for building relationships with community-based organizations that serve such persons; and*
  - (6) *Any resources made available to employees of the agency related to cultural competency;*

2.4. NRS 232.0081(2)(d) requires:

- (d) *Provide an inventory of the training and resources provided to employees of the agency who serve persons with limited English proficiency, including, without limitation, training and resources regarding:*
  - (1) *Obtaining language services internally or from a contractor;*
  - (2) *Responding to persons with limited English proficiency over the telephone, in writing or in person;*
  - (3) *Ensuring the competency of interpreters and translation services;*
  - (4) *Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;*
  - (5) *Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and*
  - (6) *Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons; and*

2.5. NRS 232.0081(2)(e) requires:

- (e) *Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:*
  - (1) *Estimates of additional funding required to meet those needs;*
  - (2) *Targets for employing persons who are fluent in more than one language;*
  - (3) *Additional requirements necessary to ensure:*
    - (I) *Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and*
    - (II) *That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and*
  - (4) *Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.*

### 3. POLICY STATEMENT

- 3.1. The Department of Administration, Purchasing Division recognizes that the population eligible to receive its services and programs includes LEP individuals. It is the policy of the Purchasing Division to ensure meaningful access to LEP individuals. The Purchasing Division adopts the following policies and procedures to ensure that LEP individuals can gain equal access to the Purchasing Division's services and communicate effectively. The Purchasing Division's Language Access Plan (LAP) applies to all services, programs and/or activities including, but not limited to:
  - 3.1.1. Access to Statewide contracts which help to reduce individual agency procurement time, provide more favorable pricing, and provide access to multiple vendors;
  - 3.1.2. Ability to timely obtain supplies, equipment, and services in order to secure best value, and to give all vendors an equal opportunity to do business with the State;
  - 3.1.3. Access to both the State and Federal Surplus Property Programs; and
  - 3.1.4. Access to the Preferred Purchase Program.
- 3.2. The Purchasing Division will develop methods for identifying LEP individuals who contact the Purchasing Division through correspondence (via email, website inquiries, U.S. mail, or fax), by telephone and/or in person, who may need language assistance.
  - 3.2.1. Upon determining the need for language assistance, the Purchasing Division will take reasonable steps to ensure that its communications and materials pertinent to the services, programs, and/or activities are conducted with the use of a qualified interpreter or translator, through telephonic or video interpretation with qualified interpreters. Bilingual staff member(s) may provide assistance in coordinating language access offerings or, if appropriate under current laws and/or regulations, provide translation.
  - 3.2.2. The Purchasing Division will take reasonable steps to ensure that vital documents related to the Purchasing Division's services, programs and/or activities are translated into the most frequently encountered language(s) of those LEP individuals affected by the programs, services, and/or activities or are interpreted for LEP.
- 3.3. Purchasing Division staff who interact with the public will be trained on language access policies and procedures, including how to access the policies and procedures, how to access language assistance services, and how to identify and work with LEP individuals, interpreters, and/or translators.
- 3.4. Purchasing Division staff who encounter and identify LEP individuals will maintain a record of their contact with them, and the primary languages spoken.
- 3.5. It is Nevada's policy to grant access to services or programs to every person regardless of their ability to speak, read, or write English. The Purchasing Division seeks to reduce barriers by increasing its capacity to deliver access to its services, programs and/or activities to people in their preferred languages. Toward this end, the Purchasing Division will use and endorse the following policies.
  - 3.5.1. The agency is committed to equity and will take all reasonable steps to provide LEP individuals with meaningful access to all its services, programs, and/or activities.
  - 3.5.2. The agency, rather than the LEP individual, bears the responsibility for providing appropriate language services, regardless of the LEP individual's preferred language, at no cost to the LEP individual.
  - 3.5.3. Staff at the initial points of contact have the specific duty to identify and record language needs.
  - 3.5.4. The agency will not turn away any LEP individual who requests to have a family member or friend to provide language assistance to promote and bridge any communication gap that may arise for the purpose of providing the LEP individual with the service or access to programs and/or activities they are seeking within the agency.
  - 3.5.5. No staff may suggest or require that an LEP individual provide an interpreter in order to receive agency services or access to agency programs and/or activities.
- 3.6. Language Access Plan Oversight
  - 3.6.1. The Purchasing Divisions' Language Access Coordinator (TBD based on funding and access) will:
    - A. Oversee the implementation of this LAP;
    - B. Maintain future iterations of this LAP;
    - C. Coordinate all training requirements with the Training Officer;
    - D. Keep records (tracking preferred languages of LEP clients; and

E. Solicit public comment for developed LAP and each revision thereof.

3.6.2. Purchasing staff will be trained on the LAP initial rollout and training for all new staff will be integrated into the onboarding process. If applicable, subsequent biennial training will be provided. The type of training will include the how to:

- A. Obtain both oral/sign and written language services;
- B. Respond to LEP clients via phone, writing, and/or in person;
- C. Ensure the competency of all language services available at the Purchasing Division;
- D. Track LEP clients served, preferred language, and literacy level in that language and English;
- E. Communicate LEP language needs to superiors; and
- F. Meaningfully inform LEP clients of service availability.

#### **4. APPLICABILITY**

The policies, procedures, and responsibilities of this LEP Plan apply to all Purchasing Division staff, including those working on their behalf, such as contractors.

#### **5. DEFINITIONS**

- 5.1. Bilingual or Multilingual Staff Member: A State employee or officer who qualifies for bilingual pay as part of a collective bargaining agreement. A bilingual staff member may speak or write directly to an LEP individual in a language other than English.
- 5.2. Contractor: Any entity that performs work or provides services on behalf of the Purchasing Division under a contractual agreement with reimbursement.
- 5.3. Effective Communication: Communication sufficient to provide the LEP individual with substantially the same level of access to services and information received by individuals who are not LEP.
- 5.4. Interpretation: The act of listening to or watching a communication in one language (source language) and orally or visually converting it to another language (target language) while retaining the same meaning.
- 5.5. Interpreter: An individual who conveys meaning orally or visually from one language (the source language) into another (the target language).
- 5.6. Limited English Proficient (LEP) Individuals: Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other types of communication (e.g., reading or writing).
- 5.7. Primary Language: An individual's primary language is the language in which an individual most effectively communicates.
- 5.8. Written Translation: The replacement of written text from one language (source language) into an equivalent written text in another language (target language).
- 5.9. Visual Translation: The use of visual sign language to bridge the communication gap between deaf and hearing people.
- 5.10. Vital Document: Paper or electronic material that is critical for access to the Purchasing Division's services, programs, and/or activities or contains information about procedures or processes required by law. Classification of a document as 'vital' depends on the importance of the service involved, program, information, encounter, or activity and the consequence to the LEP individual if the information in question is not provided accurately or in a timely manner.

## **6. PURCHASING DIVISION DATA COLLECTION ON LEP CLIENTS**

- 6.1. Currently, the Purchasing Division does not have the functionality to collect English proficiency level, preferred language, and literacy level of LEP clients. Forms and document revisions would be necessary to meet the required reporting elements outlined in NRS 232.0081.
- 6.2. The Purchasing Division is, however, committed to tracking the languages preferred for communication with potential LEP clients so that we can better provide meaningful, timely access to our services, programs, and/or activities and avoid language impediments.
- 6.3. The Purchasing Division will work to create and maintain a spreadsheet to track the oral, written, and visual language services requested and/or provided to its LEP clients, as applicable. The Purchasing Division will review and analyze the data as part of the biennial update to this Plan and will adjust this Plan and its procedures, if appropriate, to more effectively provide its LEP clients with meaningful access to its services, programs, and/or activities.
- 6.4. Types of services to be reported on in accordance with NRS 232.0081 will be:
  - 6.4.1. Type of services received by relevant groups;
  - 6.4.2. Preferred languages of our LEP clients;
  - 6.4.3. Ability of the relevant groups to access agency services electronically;
  - 6.4.4. Number and percentage of clients who are indigenous; and
  - 6.4.5. Number and percentage of clients who are refugees.

## **7. PURCHASING DIVISION'S LIMITED ENGLISH PROFICIENCY PROCEDURES**

- 7.1. Following this plan and protocol will ensure that the Purchasing Division is inclusive as it strives to meet its mission and statutory requirements.
- 7.2. The Purchasing Division will examine its mission and the services, programs, and/or activities it offers.
- 7.3. To the extent that the Purchasing Division makes its services, programs, and/or services available to the public, the Purchasing Division will take reasonable steps to ensure meaningful access is available to the LEP public. Accordingly, the Purchasing Division will examine the types and methods of its public interactions. For example, websites and telephone numbers regularly used by the public.
- 7.4. The Purchasing Division's Language Access Services and Procedures:
  - 7.4.1. The Purchasing Division does not have any known LEP clients at this time; therefore, does not have fulltime or on-demand language access services. Any future language access needs will be addressed in the following manner:
    - A. Oral/Sign Language Services: The Purchasing Division does not have employees trained or certified to provide language services. If the need arises, the Purchasing Division will contract with a State approved vendor or oral and sign language services. Purchasing will use the list of approved vendors located on our website: [https://purchasing.nv.gov/Contracts/Documents/Translation\\_Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/)
    - B. Written Language Services: The Purchasing Division does not have employees that are trained or certified to provide written language services in languages other than English. If the need arises, the Purchasing Division will contract with a State approved vendor for written language services. Purchasing will use the list of approved vendors located on our website: [https://purchasing.nv.gov/Contracts/Documents/Translation\\_Interpretation/](https://purchasing.nv.gov/Contracts/Documents/Translation_Interpretation/)
    - C. Vendor Outreach and Engagement: The Purchasing Division does not have employees that are trained or certified to provide language services in-house for languages other than English. The Purchasing Division will take steps to publicize the availability of language access services on the Purchasing website.
  - 7.4.2. The Purchasing Division will ensure that staff are familiar with this LAP. All staff will inform the Purchasing Division's Language Access Coordinators if language access services are requested. The Purchasing Division's Language Access Coordinators will periodically remind staff about the LAP and the agency's responsibility to provide language access if requested.
  - 7.4.3. The Purchasing Division will monitor the performance of the above policies, procedures, and resources to ensure that its LAP meets the needs of the Purchasing Division and the people it serves. The Purchasing Division will review, evaluate, and update, if needed) its LAP biennially.
  - 7.4.4. The Purchasing Division Language Access Coordinators will be responsible for reviewing and updating, if needed, the

LAP biennially.

7.4.5. Currently, language access has not been a known barrier to doing business with the Purchasing Division and the agency has never had a request for translation services. Based on this history, the Purchasing Division will create an Excel spreadsheet to track the following:

- A. The types of language services that are provided to LEP clients, including the frequency with which different types of services are provided and their respective languages.
- B. Tracking the time spent assisting LEP clients. This would include direct service providers as well as dual role and staff interpreters.
- C. Tracking interpreter and translation costs. This includes contractually in person and remote services as well as the time committed by staff.
- D. Tracking the cost and impact of any community/vendor outreach efforts.

7.4.6. In order to assess the Purchasing Division's LAP performance, the agency will:

- A. Survey staff on how often they use language assistance services, if they believe there should be changes in the way services are provided or the providers that are used, and if they believe that the language assistance services in place are meeting the needs of the LEPs in the service area.
- B. Conduct customer satisfaction surveys of LEP clients based on their actual experience of accessing the agency's services, programs, and/or activities.
- C. Consider new resources including funding, collaborations with other agencies, human resources, emerging technology, and other mechanisms for ensuring improved access for LEP individuals.
- D. Monitor response rate to complaints or suggestions by LEP individuals, vendors, and employees regarding language assistance services provided.

## **8. EVALUATION OUTCOMES AND PROPOSED CHANGES**

8.1. Proposed LAP Revisions: This is the first LAP that the Purchasing Division has prepared. Therefore, there are no proposed revisions at this time.

8.2. Proposed Budgetary Implications: Based on the lack of need for language access services in the past, the Purchasing Division does not have sufficient information to determine what our budgetary needs will be to implement this plan. An assessment will be made to determine what language access services will be needed or required.