

Language Access

This DES Language Access User Guide is intended to help State of Washington staff members with details regarding the DES Language Access Program such as interpreter qualification and resources, types of statewide contracts and the modalities, general contractor requirements, etc.

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Language Access at the State of Washington

The Washington State Department of Enterprise Services (DES) created the Language Access Program to help state agencies, higher education, local governments, and others subject to the Americans with Disabilities Act meet spoken, written and sign language access requirements. Our language access program supports purchasers in these organizations by offering easy-to-use contract solutions language access services.

- [Learn more about language access obligations for providers of health care and social services \(hhs.gov\)](#)
- [Learn more about Washington state's accessibility policy for data and information \(ocio.wa.gov\)](#)

Additionally, DES recognizes the importance of being able to communicate effectively with individuals, including those with Limited English Proficiency (LEP). DES leads state department's efforts, through procurement, to provide meaningful access for LEP individuals in its programs, activities, services, and operations. Many organizations serve communities in which English may not always be the primary spoken language. Limited English proficiency, or LEP, refers to people who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English. If you need help with your organization's LEP efforts, check out our statewide contracts designed to help you offer a wider range of LEP services.

A LEP person is one who does not speak English as their primary language, and has a limited ability to read, speak, write, or understand English. An individual who reports speaking English less than "very well" is considered to be limited English proficient.

[Senate Bill 6245](#) calls for change in how Washington State agencies procure interpreter services. It requires the DES to create a procurement model that can be used by all eligible purchasers* by directly contracting through scheduling and coordinating entities or interpreters or both. The bill also calls for the OPI and VRI services to be provided through a single entity/vendor. Bill changes have to be in place by September 1, 2020**. Codified in [RCW 39.26.300](#).

*Note: DES is required to ensure that Statewide Contract's resulting from this bill implementation, meets all purchaser requirements so that they are able to use the Statewide Contract's. This includes requirements related to security, technology, privacy, and Collective Bargaining Agreements (CBA).

**Note: DES determined that meeting the RCW deadlines is executing Statewide contracts by that date.

Department of Enterprise Services

In accordance with the Washington State Legislature [Revised Code of Washington \(RCW\) Chapter 39.26, Procurement of Goods and Services](#), it is the intent of this chapter to promote open competition and transparency for all contracts for goods and services entered by state agencies, unless specifically exempted under this chapter, therefore the DES was created.

It is further the intent of this chapter to centralize within one agency the authority and responsibility for the development and oversight of policies related to state procurement and contracting. To ensure the highest ethical standards, proper accounting for contract expenditures, and for ease of public review, and the intent to centralize the location of information about state procurements and contracts. It is also the intent of the legislature to provide state agency contract data to the public in a searchable manner.

What does this mean exactly? State agencies will not be required to complete the state policy competitive procurement process because Enterprise Services has already done this on their behalf.

Please note, DES is not every state agency contracts department representative just because DES completed the procurement. DES cannot speak on behalf of state agencies. Each state agency has their own internal contracts department. Please be sure to speak to the agencies internal contracts if you have any technical questions.

Statewide Contracts

The Enterprise Services Contracts & Procurement Division leads all statewide contract procurements, vendor relationship management, and contract performance tracking for all statewide contracts. We conduct customer and market research to identify opportunities to procure statewide contracts that will help our customers reduce costs, optimize resources, and meet their contracting needs.

What is a Statewide Contract? A Statewide Contract is a contract established and administered by DES and used by state, local, and tribal governments, higher education institutions, and qualifying non-profits to purchase products and services directly from contractors. Statewide Contracts meet the state's competitive procurement requirements.

The Enterprise Services statewide contracts team:

- Develops and manages statewide/multistate contracts and solicitations.
- Develops and presents statewide contract training/education.
- Provides consultations on statewide contracts, solicitations, and procurement statutes, rules, procedures, and authorities.
- Evaluates opportunities for new or modified statewide contracts.

Enterprise Services oversees more than 1,500 vendors supplying goods and services through statewide contracts. These contracts are available to state, local, and tribal governments. We offer contractors and vendors access to open, competitive business opportunities for goods, services and construction projects.

Interpreter Qualifications

All Interpreters must be skilled to industry standards, expectations, and trends. Interpreters must have the proper certification based on the interpreting type of service. Below are the three main interpreter types of language access Statewide contracts will require.

Spoken Language Interpreter: Acceptable industry standards and expectations include the Washington State Department of Social and Health Services (DSHS) [Language Testing and Certification Program](#) (LTC) or Authorization, guidelines outlined by the American Translation Association (ATA) for Interpreters, the Certification Commission for Healthcare Interpreters, or the National Board for Certification of Medical Interpreters. Interpreters trained through accredited higher education institution (university or college) programs, which are widely accepted by industry experts, the interpreter community, and by Washington State Purchasers are also acceptable. DSHS LTC has partnered with three additional testing providers who's test will be accepted by DSHS LTC to certify medical interpreters starting August 1, 2022. Visit the [DSHS LTC testing](#) page for more information.

Court Certified Interpreter: Court interpreters interpret in court proceedings for participants, such as a witness or defendant, who speak or understand little or no English. Court interpreters must accurately interpret for people from any background without changing the language register, whether the speaker is using very formal legal language or less formal colloquial language. They interpret in both criminal and civil cases with a wide range of possible subjects. The interpreter who performs court interpreting must be certified by the Washington State Administrative Office of the Courts (AOC) [Washington State Court Interpreter Program](#).

Sign Language Interpreter: The Washington State [Office of the Deaf and Hard of Hearing](#) (ODHH) is responsible for quality assurance and data collection. All of the Sign Language Interpreters are Certified Interpreters either through [Registry of Interpreters of the Deaf \(RID\)](#) or have obtained Board for Evaluation of Interpreters (BEI) credentials. All sign language interpreters are required to obtain an updated background check through Washington State [Department of Social and Health Services](#) (DSHS) [Background Check Central Unit](#) (BCCU).

Language Access Service Types

Interpretation (Spoken Language): Interpreters provide verbal interpretation. Language interpretation is the method of converting a spoken message into another language, keeping the meaning of the source language content. A language interpreter must not only interpret the meaning, but also tone and intent of the source message into the target language.

Translation (Written Language): Translation focuses on written communication. Translation process and resources; It is important to ensure that documents are translated accurately and effectively. Some sections of the organization's documents will need to be translated verbatim. It is also critical to ensure that, once translated, the content is conceptually, linguistically, and culturally accurate. It is also helpful to work directly with the communities served to ensure that translations are culturally relevant.

Sign Language (Hand Interpreting): A sign language interpreter must accurately convey messages between two different languages. An interpreter is there for both deaf and hearing individuals. The act of interpreting occurs when a hearing person speaks, and an interpreter renders the speaker's meaning into sign language, or other forms used by the deaf party(ies). The interpreting also happens in reverse: when a deaf person signs, an interpreter renders the meaning expressed in the signs into the oral language for the hearing party, which is sometimes referred to as voice interpreting or voicing.

Language Access Modalities

Interpreting services can be delivered in multiple modalities. The most common modality through which interpreting services are provided is on-site interpreting.

On-site: Also called "in-person interpreting" or sometimes colloquialized as "face-to-face", this delivery method requires the interpreter to be physically present in order for the interpretation to take place. In on-site interpreting settings, all of the parties who wish to speak to one another are usually located in the same place. This is by far the most common modality used for most public and social service settings.

Telephone: Also referred to as "over-the-phone interpreting," "telephonic interpreting," and "tele-interpreting," telephone interpreting enables interpretation via telephone. Telephone interpreting can be used in community settings as well as conference settings. Telephone interpreting may be used in place of on-site interpreting when no on-site interpreter is readily available at the location where services are needed. However, it is more commonly used for situations in which all parties who wish to communicate are already speaking to one another via telephone (e.g. telephone applications for insurance or credit cards, or telephone inquiries from consumers to businesses).

Video: Interpretation services via Video Remote Interpreting (VRI) and Video Relay Service (VRS) interpreting is useful for spoken language barriers where visual-cultural recognition is relevant, and even more applicable where one of the parties is deaf, hard-of-hearing or speech-impaired (mute). With video interpreting, sign language interpreters work remotely with live video and audio feeds, so that the interpreter can see the deaf or mute party, converse with the hearing party and vice versa. Much like telephone interpreting, video interpreting can be used for situations in which no on-site interpreters are available. However, video interpreting cannot be used for situations in which all parties are speaking via telephone alone. VRI and VRS interpretation requires all parties to have the

necessary equipment. Some advanced equipment enables interpreters to control the video camera, in order to zoom in and out, and to point the camera toward the party that is signing.

Language Access Suite of Statewide Contracts

We offer a wide suite of language access statewide contracts that eligible purchasers may use, based on their unique needs. To search for a Statewide contract, in the Contract Search application, type "Language Access" into the "Contracts Search" field to pull up language access contracts.

- [Use Contract Search to find language access contracts](#)
- [View Planned Procurements to see upcoming contracts](#)

Purchasing from a Language Access Statewide Contract

Step 1: Contract User Agreement. Per the Department of Enterprise Services (DES), the CUA is a one-time agreement necessary to meet statutory requirements allowing qualifying organizations to use Statewide Contracts. Authorized organizations, known as Authorized Purchasers, are provided access to over 1,500 vendors supplying goods and services through statewide contracts to meet all the business needs of their organization at no cost.

The CUA states, purchasers must understand and agree that it shall: (a) deal directly with the Statewide Contract awarded Contractor for any purchases it makes under the Statewide Contract and assume full & complete responsibility, financial and otherwise, for any purchases made pursuant to any Statewide Contract. Each individual user requesting services on behalf of each purchaser, represents and warrants that it has full power & authority and that no further approvals or consents are required to bind the agency.

The following is a list of organizations that can sign a CUA, these are State Agencies, State Boards, State Commissions, Higher Education Institutions, such as colleges, Offices of Separate Elected Officials, local government Agencies, Federal Agencies, Washington State Tribal Entities, and Public Benefit Non-profit organizations (PBNP).

If you are unsure if your organization has an active CUA, you can check here on DES's website, [CUA Listing \(wa.gov\)](#), which provides an updated list on active CUA's per organization. This link will also be available in our resources section.

Step 2: Search Language Access Contracts. On DES's website select the Purchase tab, then select the how to use Statewide Contracts link. From there select the current contracts link to get to our Statewide Contracts search page. First, make sure the Contract Scope is within your means. When you engage in correspondences with a contractor, be sure to reference the Statewide Contract number and name, for example "04218; Translation Services – Written Word", and your active CUA number that way services rendered by the contractor can be billed correctly. Be sure to check with your organization if there any internal policy standards set in place for purchasing and communicating with contractors. The pricing and ordering information is a quick resource document that provides pertinent information on purchasing from a statewide contract. Please review this document thoroughly and reach out to the contract manager if you have any questions, before purchasing.

- **Specialty Terms and Conditions.** At this stage, it would be a good opportunity to establish Specialty Terms and Conditions with each of the contractors or independent interpreters you plan to request services through. Specialty Terms and Conditions means written terms and conditions that are:

- a) different from or additional to the terms and conditions set forth in the Agreement,
- b) specially negotiated by the parties in reference to an Order,
- c) express in an Order or incorporate by reference to a document attached to an Order, such as a scope of work or statement of work, and
- d) executed by both Parties. DES does not have any involvement in developing or negotiating Specialty Terms and Conditions, this would require your organizations contracts department.

[Watch our language access training videos.](#) Review our videos to learn more about how statewide language access contracts and sign language interpreter services work:

- [View language access statewide contracts training](#)
- [View sign language interpreter services statewide contracts training](#)

[Statewide Contracts Summary Page.](#) All Statewide contacts can be found on DES’s public facing website at <https://apps.des.wa.gov/DESContracts/> or by visiting des.wa.gov and selecting the purchase tab, then selecting the “How to use Statewide Contracts” link, finally you select the current contracts link under the Common goods and Services header. You can also find the link in our resources section.

- **Contract Scope.** The Contract Scope explains what services are offered.
- **How To Use this Contract.** The “how to use this contract” section goes over a step-by step instruction on how to successfully purchase these services.
- **Active Contractors.** Further along, here’s a list of active contractors available on the Statewide Contract and their contact information.
- **Pricing and Ordering Information.** Under the current document’s dropdown menu, you will find Pricing and Ordering information. Keep in mind when using Sign Language Interpreter Services there is a whole different procedure you must follow that requires purchasers to use the Department of Social and Health Services Office of Deaf and Heard of Hearing’s, or ODHH, online request portal. You can find more on this in our resources section. You may also find this linked on the contract summary page.
- **Historical Documents.** The historical documents pertain to information such as when DES engaged in the competitive solicitation process per RCW 39.26. Finally, the resource dropdown menu provides information relative to the contract such as updates to active or inactive vendors.
- **Contractor Preferences.** Finally, the Statewide contract provides you a legend on unique criteria these vendors are associated with, such as the small businesses criteria, and if they were given consideration under the Washington State Procurement Priorities & Preferences, during the bidding process. Here’s another one by adhering to Washington Executive Order (EO) 18-03, on not requiring their employees to sign arbitration clauses and class or collective action waivers. If you would like to know more on where your purchases are going to, you can refer to the Competitive Solicitation section that covers Washington State Procurement Priorities & Preferences.

Contractor Performance Requirements

In this section, you will find help and instructions for:

- Contractor administration
- Doing business with the state
- Required reporting and management fee
- Other potential recordkeeping requirements (as applicable)

Contractor Administration

Contract website: Information about contractors' contract will be listed on the DES website. This website provides product, pricing, and contact information to state agency customers. If errors are found, or information needs to be updated on this page, it is the contractor's responsibility to send an email with specific details of the changes to the contract administrator for this contract.

Prices: The price list will be published on the DES website. The prices reflected in the contractor's Statewide contract are ceiling prices. As the contractor and state agency customer enter into individual agreements, contractor may negotiate lower pricing but cannot charge more than the listed contract price.

Contractor Contact information: State agency customers will reference the DES website for contact information. It is important to keep this information up-to-date and accurate. Contractor may want to consider listing more than one contact.

Receiving agency payment: In order to receive payment from the state you must be registered with the [Statewide Payee Desk](#) per Section insert contract section Statewide Payee Desk of your contract.

Washington's Electronic Business Solution (WEBS): WEBS is the system required by state agencies to post solicitation opportunities. Contracts and Procurement posts contract opportunities using WEBS. See the [WEBS Manual for Vendors](#) or the [WEBS Manual for State Customers](#) for more information. DES has a WEBS user group that meets quarterly (Jan, Apr, July, Oct) on the third Wednesday of the month. The user group includes volunteer members from various agencies, currently including DES, DOR, DSHS, LNI, SOS, ESD, DOT, and DOL. If you would like to join the user group, please contact CPRMAalytics@des.wa.gov.

General contact information:

Washington's Electronic Business Solution (WEBS)	WebsCustomerService@des.wa.gov 360-902-7400
DES Finance Office	financecashier@des.wa.gov 360-725-5700
Statewide Payee Desk (10-15 days to process)	PayeeRegistration@ofm.wa.gov 360-407-8180

Stakeholder Engagement

This language access plan encourages stakeholders from state agencies and the community to be involved within the State of Washington. Understanding culture is important as well and collaborating with stakeholders can help ensure that the organization's efforts are culturally and linguistically appropriate. DES plans to consult with stakeholders by:

- Soliciting feedback from community-based organizations and other stakeholders, before the plan is finalized, about the organization's effectiveness and performance in ensuring meaningful access for individuals with limited English proficiency; and
- Allowing state agency customers to submit a satisfaction survey of applicants and beneficiaries with limited English proficiency about their experience accessing the organization's benefits, programs, information, or services. This can be submitted selecting the Vendor and Contract Performance Feedback dropdown under Resources located on the Statewide contract summary page.

Including stakeholders in the organization's efforts around communication and language services can help ensure that DES can provide information about its programs in a manner that will resonate with the community. DES would like to let the community know that DES is working to be inclusive and ensure that their language needs are met. By engaging with stakeholders from the community, the organization may be able to foster relationships and form connections with individuals that can be mutually beneficial.

Public Notices

Posted notices about the availability of language access services can be found on the DES website for the [Language Access Program](#). DES has found this is the most effective way to ensure persons with limited English proficiency can meaningfully access DES's language access program information.

DES Language Access Program Manager

The DES Language Access Analyst is DES's organization lead for language access efforts and oversees the DES Language Access Program. As a lead and contract matter expert, the Language Access Program Manager is responsible for monitoring the relevant contracts; developing and maintaining program guidance, manuals, and training materials; developing and conducting program training and presentations; and providing technical assistance when requested.

The Language Access Program Manager's responsibilities generally include:

- Build relationships between state agency language access programs.
- Build relationships between DES and the contractors.
- Receive feedback on developing and maintaining language access program guidance, manuals, and training materials.
- Receive feedback on industry standards from contractors.
- Providing technical assistance Contractors and Purchasers.

Please contact the Language Access Program Manager if you have any questions regarding this language access program's content, need help to ensure that it is utilized correctly, or monitor its performance by emailing DESLanguageAccess@des.wa.gov

Need more training?

The Department of Enterprise Services makes its comprehensive [State Contract and Procurement Training](#) available to anyone, including those with Statewide contracts usage agreements. Most state agencies provide state contract & procurement training internally, but DES also offers this training to anyone in your organization who makes purchases or manages contracts and can benefit from our DES training. Through this training, we can improve relationships within the business community by learning about best practices, ethics, laws, and resources so that we can all work towards reducing risk and being good stewards of public dollars.