

Effective 5/4/2022

Part 5

Educational Interpretation and Translation Services Procurement Advisory Council

63A-2-501 Definitions.

As used in this part:

- (1) "Advisory council" means the Educational Interpretation and Translation Services Procurement Advisory Council established in Section 63A-2-502.
- (2) "Contract" means a contract entered into by the division for interpretation or translation services in accordance with Section 63A-2-502.
- (3) "Local education agency" or "LEA" means the same as that term is defined in Section 53E-1-102.
- (4) "State board" means the State Board of Education.

Enacted by Chapter 354, 2022 General Session

63A-2-502 Educational Interpretation and Translation Services Procurement Advisory Council.

- (1) There is established the Educational Interpretation and Translation Services Procurement Advisory Council to provide advice to the purchasing director regarding the language-access needs of LEAs, students learning English, and the families of students learning English.
- (2) The advisory council shall consist of the following members:
 - (a) the purchasing director or the director's designee;
 - (b) an individual representing the state board, appointed by the state superintendent of public instruction;
 - (c) the purchasing director for the state board or the director's designee;
 - (d) an individual representing the Division of Multicultural Affairs created in Section 9-21-201, appointed by the executive director of the Department of Cultural and Community Engagement; and
 - (e) appointed by the cochairs:
 - (i) one or more employees of the state board who manage or administer services or programs for a student learning English and the student's parents;
 - (ii) an administrator from an LEA with a high density of students learning English;
 - (iii) an administrator from an LEA with a low density of students learning English;
 - (iv) a teacher, counselor, or other licensed LEA staff, from a school with a high density of students learning English;
 - (v) a teacher, counselor, or other licensed LEA staff, from a school with a low density of students learning English;
 - (vi) an individual who works to assist students learning English or minority students navigate school and community resources, such as a refugee liaison;
 - (vii) an LEA procurement agent;
 - (viii) an individual representing a community organization that directly serves parents and their children learning English; and
 - (ix) a parent who is a person learning English and also the parent of a student learning English who is enrolled in an LEA.
- (3)

- (a) The purchasing director and the individual representing the state board, as described in Subsection (2)(b), shall serve as cochairs for the advisory council.
 - (b) Each advisory council member shall serve until a successor is duly appointed.
- (4) The division shall provide staff support to facilitate the function of the council.
- (5)
- (a) A member of the advisory council may not receive compensation or benefits for the council member's service.
 - (b) An advisory council member may receive per diem and travel expenses in accordance with:
 - (i) Section 63A-3-106;
 - (ii) Section 63A-3-107; and
 - (iii) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.
- (6)
- (a) Before the commencement of each school year, the state board shall collect and provide to the advisory council the following information for each LEA:
 - (i) a list of preferred languages of:
 - (A) students learning English; and
 - (B) parents and families of the students described in Subsection (6)(a)(i)(A); and
 - (ii) the frequency by which each language of a student learning English is preferred.
 - (b) Before the commencement of each school year after July 1, 2024, the state board shall, for each LEA, collect and provide to the advisory council the list of preferred methods of communication and frequency by which each method is preferred by parents and the parents' children learning English.
- (7)
- (a) Before the commencement of each school year, the advisory council shall advise the purchasing director on:
 - (i) the needs of the LEAs for interpretation and translation services, as described in Subsection (6);
 - (ii) the appropriate points of contact at the state board and each LEA that should receive information regarding the availability and use of procured interpretation and translation contracts; and
 - (iii) the form, manner, and content of information that is to be disseminated to the state board, each LEA, and LEA administrators and principals, regarding the availability and use of procured interpretation and translation contracts.
 - (b) The advisory council shall include in the information described in Subsection (7)(a)(iii) the following information:
 - (i) a notice of available contracts;
 - (ii) the language and types of services offered under each contract;
 - (iii) the requisite procedures for accessing the services stipulated within the contracts;
 - (iv) a list of additional translation and interpretation materials, including posters or flyers, provided through a contract;
 - (v) an opportunity to provide feedback on contracts, including contact information for the division purchasing agent;
 - (vi) the estimated and actual cost to each LEA for use of interpretation and translation services; and
 - (vii) the availability of alternative procurement mechanisms that are independent of the division and available contracts.

- (8) The advisory council shall report to the Education Interim Committee no later than November 1 each year on the existing use and efficacy of all contracts.

Enacted by Chapter 354, 2022 General Session