



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

August 5, 2025

Ms. May Mizuno
Executive Director
Office of Language Access
Hawaii State Department of Health
Kinau Hale, Room 201
1250 Punchbowl Street
Honolulu, HI 96813

Re: Language Access Plan

Dear Ms. Mizuno:

Please find the enclosed Hawaii State Department of Education's revised Language Access Plan for your review and posting on the Hawaii State Department of Health's website.

Should you have any questions, please contact Anna Tsang, Title VI Specialist, at (808) 784-6325 or Anna.Tsang@k12.hi.us.

Sincerely,

A handwritten signature in blue ink, which appears to read "Keith T. Hayashi", is written over the printed name and title.

Keith T. Hayashi
Superintendent

KTH:at
Enclosure

c: Beth Schimmelfennig, Director, Civil Rights Compliance Branch

Hawai‘i State
Department of Education



Language Access Plan
July 2025

I. INTRODUCTION

The Hawai‘i State Department of Education (Department) is committed to improving access to services for persons with limited English proficiency (LEP). This Language Access Plan (LAP) is a guide to the Department’s responsibilities, policies, and strategies for providing language assistance to LEP persons, in order to ensure meaningful access to all Department services, programs and activities.

II. LEGAL BASIS FOR LANGUAGE ACCESS

Title VI of the Civil Rights Act of 1964 and its regulations (Title VI) provide that “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participating in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Different treatment based upon a person’s inability to speak, read, write, or understand English may be national origin discrimination under Title VI. Title VI may be violated if:

- students¹ are excluded from effective participation in school because of their inability to speak and understand the language of instruction;
- national-origin minority students are mis-assigned to classes for students with disabilities because of their lack of English skills;
- programs for students whose English is less than proficient are not designed to teach them English as soon as possible, or if these programs operate as a dead-end track; or
- parents whose English is limited do not receive school notices and other information in a language they can understand.

On July 10, 2006, the Hawai‘i State Legislature enacted Hawai‘i’s Language Access Law, now Hawai‘i Revised Statutes Chapter 321C (HRS 321C), to further reduce language barriers that can preclude individuals who have LEP from meaningful access to services, programs, and activities offered by the State of Hawai‘i or by state-funded programs. Hawai‘i’s Language Access Law specifically requires each state agency or covered entity (entities that receive state funds) to establish a LAP. State agencies receiving federal financial assistance, including the Department, are required to update the LAP every two years.

III. DEFINITION OF LIMITED ENGLISH PROFICIENT PERSONS

For purposes of this LAP, a limited English proficient person or LEP person is defined in HRS 321C-2 as “an individual who, on account of national origin, does not speak English as the person's primary language and self identifies as having a limited ability to read, write, speak, or understand the English language.” Such persons may be eligible to receive language assistance with respect to a particular service, benefit, or encounter free of charge.

¹ Students who have LEP may also be referred to as English learners, or EL, throughout the LAP.

IV. DESIGNATION OF THE DEPARTMENT LANGUAGE ACCESS COORDINATOR

The Civil Rights Compliance Branch (CRCB) is the designated Language Access Coordinator (LAC) for the Department and is responsible for overseeing implementation and evaluation of the LAP. CRCB will also be responsible for revising the LAP, as necessary; responding to inquiries/comments/complaints regarding the LAP and its implementation; and training Department staff on the LAP. The LAC may be contacted by phone at 808-784-6325 or by email at crcb@k12.hi.us. Any curriculum-related questions relating to English Learner (EL) or other instructional programs should be directed to the Office of Student Support Services (OSSS).

The LAC will also be responsible for informing the Office of Language Access (OLA) of any language access complaints. Department staff will be instructed to forward all language access complaints to the LAC to be recorded and addressed.

V. MEASUREMENT OF LEP POPULATION SERVED

Department staff who work with the public will be asked to document all interactions (encounters) with LEP persons. The LAC will compile and submit a report of these interactions, when required, to OLA. Each encounter with an LEP person will have the following information recorded: date, whether a language service was accepted or refused, language and service provided, and additional details of the service used, if appropriate (similar to OLA's Language Access Encounter Tool).

Further, all newly enrolling students to the Department must complete the Home Language Survey, regardless of race, nationality, or language origin. Title VI and the Equal Educational Opportunities Act of 1974 (EEOA) require that the Department utilize a non-biased procedure for identifying students who are potential ELs in order to provide appropriate language instruction educational programs and services. In addition, the Home Language Survey inquires whether a parent or legal guardian requires oral and/or written communication in a language other than English, and captures information about the languages most used in the home (regardless of the language spoken by the student), which is indicative of the languages spoken by parents/legal guardians.²

In addition to the interactions with LEP persons that are recorded by the Department and the Home Language Survey, as the Department encompasses a statewide system of public schools, it is important to track the languages spoken throughout Hawai'i. According to the 2019-2023 American Community Survey (ACS), Public Use Microdata Sample (PUMS) data from the Department of Business, Economic Development & Tourism (DBEDT), the top 14 languages spoken by individuals with LEP in the State of Hawai'i³ are:

² A copy of the Home Language Survey (in English and fifteen other commonly spoken languages) can be found [here](#). See "Section A: Parent/Legal Guardian Information" and "Section B: Student Information."

³ These are the languages spoken by at least 5% of the state population or 1,000 people. A copy of OLA Memorandum No. 2025-001, can be found [here](#).

1. Ilocano (34,269)
2. Japanese (17,683)
3. Tagalog (16,238)
4. Korean (9,223)
5. Cantonese (6,991)
6. Spanish (6,471)
7. Vietnamese (6,265)
8. Chuukese (5,279)
9. Mandarin (4,312)
10. Samoan (3,002)
11. Hawaiian (2,470)
12. Marshallese (2,192)
13. Cebuano (1,730)
14. Thai (1,347)

VI. LEP POPULATIONS SERVICED BY THE DEPARTMENT

A. Students

Part of the LEP population served by the Department are students with limited English language proficiency. Students with limited English language proficiency require support and targeted instruction. Schools provide these students with supplementary instructional activities and supports. The Department's EL Program ensures students with LEP (1) have access to educational opportunities by providing services that assist these students with the attainment of English language proficiency, (2) develop high levels of academic attainment in English, and (3) meet the same challenging State academic content and student achievement standards all students are expected to meet. Services for EL Program students include dedicated English Language Development instruction, sheltered instruction throughout the curriculum, as well as acculturation activities.

The EL Program supports the Department's mission to provide standards-based education through supplementary instructional and acculturation activities. Services provided through the EL Program implement the requirements of Title VI and its regulations and the EEOA. With regard to students with limited English proficiency, Title VI and its regulations require that students are able to meaningfully participate in and benefit from regular or special education instructional programs. Services to EL Program students and Immigrant Children and Youth also implement the requirements of Title III of the Elementary and Secondary Education Act (Title III). Title III requires EL Program students attain English proficiency, and meet the same challenging academic standards all students are expected to meet.

B. Parents, Legal Guardians and Members of the Public

Another LEP population served by the Department is the LEP parents or legal guardians of students, who may or not be EL Program students, and members of the public. The

Department strives to ensure parents or legal guardians understand the availability and type of programs and services available to students in a language that the parents or legal guardians understand, whether their child is an EL Program student or otherwise.

The Department's Home Language Survey captures information about the languages most used in the home (regardless of the language spoken by the student), which is indicative of the languages spoken by parents/legal guardians.⁴ The following languages are the top fifteen languages spoken at home (other than English):⁵

Language spoken at home	Percentage of student population (number of households)
Ilocano	3.28% (5086)
Chuukese	2.19% (3392)
Tagalog	1.54% (2394)
Marshallese	1.38% (2142)
Spanish	1.33% (2070)
Japanese	1.15% (1779)
Mandarin	0.91% (1409)
Cantonese	0.59% (909)
Vietnamese	0.54% (854)
Korean	0.41% (636)
Samoan	0.40% (626)
Kosraean	0.33% (508)
Cebuano/Visayan	0.30% (466)
Pohnpeian	0.29% (447)
Hawaiian	0.28% (434)

⁴ A copy of the Home Language Survey (in English and fifteen other commonly spoken languages) can be found [here](#). See "Section B: Student Information."

⁵ Based on Home Language Survey data from the 2024-25 school year.

VII. DESCRIPTION OF SERVICES PROVIDED

A. EL Program

The Department provides language services to LEP students through the EL Program. The Department approach to educating ELs strives to:

- 1) Provide meaningful access to educational opportunities and academic content by providing services that assist students with developing English language proficiency.
- 2) Support students in attaining the same State academic content and student achievement standards expected for all students.
- 3) Ensure students graduate with the language, knowledge, and skills to pursue post-secondary education and careers.
- 4) Develop an understanding of and appreciation for diverse cultures.
- 5) Engage parents and families in the education of their children.

Schools should strive to take the following steps to meet these goals:

STEP 1: EDUCATIONAL APPROACH

The school must select a Language Instruction Educational Program in alignment with the State's educational approach for providing English language development and meaningful participation in school for English Learners. In Hawai'i, the WIDA English Language Development Standards are required to be used in conjunction with state content standards.

STEP 2: IDENTIFICATION

The school is responsible for identifying all students potentially needing EL services based upon the student's enrollment form and Infinite Campus. If any one of the languages indicated (first, home or most used languages) is not English, a student is a potential EL student.

STEP 3: ASSESSMENT

The school is responsible for assessing each identified potential EL student for English proficiency, using the State-approved initial English language proficiency assessment, the WIDA Screener and the annual ACCESS for ELLs.

STEP 4: PLACEMENT INTO EL PROGRAM SERVICES & PARENT NOTIFICATION

The school is responsible for providing its EL students with a program of services consistent with the state's educational approach. Parents must be notified of EL Program services within 30 calendar days from the start of the school year, or within 14 days if students arrive after the start of the school year.

STEP 5: STAFFING AND RESOURCES

The school is obligated to provide the necessary resources and qualified staffing to implement the selected LIEP, and must include personnel that are both highly qualified in content and knowledgeable in English language development for English learners.

STEP 6: TRANSITION FROM EL SERVICES

The school is responsible for implementing state criteria for exiting an EL student from the EL Program into regular program participation based upon the annual English Language Proficiency (ELP) assessment, the ACCESS for ELLs. Students meet the exit criteria if they score an overall ELP level of 4.7 or 4.5 - 4.6 with additional criteria met on the ACCESS for ELLs, or P1 (correlated PL) on the Alternate ACCESS.

STEP 7: MONITORING

The school will ensure that students transitioning from the EL Program will participate meaningfully in the school's core education program. Students are monitored for two full academic school years after meeting the EL exit criteria.

STEP 8: PROGRAM EVALUATION

The school will develop evaluation procedures to periodically evaluate and revise its EL program, which may go beyond State and Complex Area accountability measures, e.g., Growth-to-Target.

If any parent, legal guardian or member of the public has any questions about the EL Program, more information and Department contacts can be found [here](#).

B. Parents, Legal Guardians and Members of the Public

Parents may be LEP even if their children are not identified as EL. Schools must communicate information to LEP parents and legal guardians in a language they can understand about any program, service, or activity that is called to the attention of parents or legal guardians who are proficient in English. This can be done through interpretive services or translation and includes, but is not limited to, information related to:

- Registration and enrollment in school and school programs
- EL program
- Report cards
- Student discipline policies and procedures
- Special education and related services, and meetings to discuss special education
- Parent-teacher conferences
- Grievance procedures and notices of nondiscrimination

- Parent handbooks
- Gifted and talented programs
- Requests for parent permission for student participation in school activities

Schools must respond to a parent’s request for language assistance and remember that parents can be limited English proficient even if their child is proficient in English.

Schools must develop and implement a process for determining whether parents or legal guardians are limited English proficient and what their language needs are. The process should identify all LEP parents, including parents or legal guardians of children who are proficient in English and parents and legal guardians whose primary language is not a common language. Such efforts may include home language surveys,⁶ interaction between parents and staff, and taking into account that LEP students also may have LEP parents. Generally, schools should take a parent at his or her word that he or she needs language assistance. Schools should not administer tests to determine a parent’s language proficiency.

All four domains of language proficiency—speaking, reading, writing, and comprehending—are significant to understanding the need for services and assistance and what types of services and/or assistance may be appropriate. Whether a parent is considered LEP may vary with the topic, service, benefit or encounter at issue. That is, LEP status may be context-specific. For example, a parent may have sufficient English language skills to communicate basic information, but not have sufficient skills to communicate the detailed specific information that may be needed in a particular context, such as a disciplinary hearing or an individualized education program. Currently the Department has not identified any limitations due to resource concerns which would prohibit providing language assistance services.

For questions relating to language access for parents and/or legal guardians of students, students, Department staff, or members of the public, contact CRCB Title VI Specialist Anna Tsang via phone at (808) 784-6325 or email at Anna.Tsang@k12.hi.us. You may also contact the applicable CRCB Complex Area Compliance Specialist.⁷

VIII. DETERMINATION OF LEP SERVICES PROVIDED

The LAC is responsible for reviewing all services offered to determine the cost of offering interpretation and translation services to ensure access. The LAC will make a determination regarding which services to offer based on the record of LAP encounters recorded each year, the information captured by the Home Language Survey,⁸ along with the number of other language speakers throughout the general population in Hawai‘i, and will use the four-factor analysis set forth in HRS 321C-3(a) to ensure meaningful access to LEP students and parents:

⁶ A copy of the Home Language Survey (in English and fifteen other commonly spoken languages) can be found [here](#).

⁷ A list of the CRCB Complex Area Compliance Specialists can be found [here](#).

⁸ See section above, “V. MEASUREMENT OF LEP POPULATION SERVED.”

1. The number or proportion of LEP persons served or encountered in the eligible service populations;
2. The frequency with which LEP individuals come in contact with services, programs, or activities;
3. The nature and importance of the services, programs, activities; and
4. The resources available to the State or covered entity and the costs.

IX. NOTICE OF AVAILABLE LANGUAGE ASSISTANCE

The Department issues the “Notice of Non-Discrimination and Anti-Harassment” to students, parents, legal guardians, employees and the general public to notify that it does not discriminate on the basis of race, color, national origin, ancestry, sex, gender identity, gender expression, sexual orientation, age, disability, and religion in its programs and activities (which appears in English and fifteen other commonly spoken languages), which prominently states:

If you have difficulty understanding English, you have the right to receive language assistance at no cost to you. Please contact your school’s principal for more information on language assistance.⁹

Schools should post the “Notice of Non-Discrimination and Anti-Harassment” in the header or footer of the school’s official school homepage via hyperlink to the CRCB’s website. The “Notice of Non-Discrimination and Anti-Harassment” must also be prominently posted in the school’s office and at various locations throughout the school. The “Notice of Non-Discrimination and Anti-Harassment” is also included in the Opening of the School Year packet and distributed to all employees at the beginning of the school year. In addition, the Department’s “Equal Educational Opportunity” brochure contains information about language assistance and is distributed to all parents and legal guardians at the beginning of the school year.¹⁰

More specifically, notice of available language assistance is also provided as follows:

In person: Schools should post the “Notice of Language Assistance”¹¹ (which appears in English and fifteen other commonly spoken languages, in a one-page format) or the Point to Your Language Poster¹² (provided by OLA) in the front office (entry door or front

⁹ A copy of the “Notice of Non-Discrimination and Anti-Harassment” (in English and fifteen other commonly spoken languages) on the CRCB’s website can be found [here](#). Note that while the “Notice of Non-Discrimination and Anti-Harassment” notifies individuals to contact the school’s principal for language assistance, school staff are trained to provide timely language assistance services when encountering LEP individuals within schools and on the phone.

¹⁰ A copy of the “Equal Educational Opportunity” brochure on the CRCB’s website can be found [here](#).

¹¹ A copy of the “Notice of Language Assistance” can be found [here](#). Note that while the “Notice of Language Assistance” notifies individuals to contact the school’s principal for language assistance, school staff are trained to provide timely language assistance services when encountering LEP individuals within schools and on the phone.

¹² A copy of the Point to Your Language Poster can be found [here](#).

counter), in locations where advising/counseling is provided by counselors, in their course registration materials for all diploma-track students, as well as any Career and Technical Education promotional materials, to inform the public that language assistance is available at no cost to them. Schools should also include the “Notice of Language Assistance” with all communication issued to LEP parents/guardians.

Over the Phone: If a person self-identifies as LEP over the phone, the staff member should ask what language they speak and inform the person that interpretation services are available at no cost to them. Schools may also utilize the Department’s Home Language Survey to determine what language they speak.

Online: The Department’s website has the “Notice of Language Assistance” to inform the public to call the school for language assistance at no cost to them.¹³ Schools should also post the “Notice of Language Assistance” on their homepage to inform the public that language assistance is available at no cost to them.

X. ORAL LANGUAGE ASSISTANCE

Schools must provide interpretation or translation from appropriate and competent individuals and may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents.

Language assistance must be free and provided by appropriate and competent staff or through appropriate and competent outside resources. It is not sufficient for the staff merely to be bilingual. In addition, OLA has videos on its website illustrating how interpreters should be used.¹⁴

Schools should select language service providers (vendors) to perform interpretation services. The Department maintains a resource list of language service providers (vendors), which can be found on the Department Intranet Portal.¹⁵ Many of the language service providers on the list offer over-the-phone interpreting in hundreds of languages and dialects and provide on-demand phone interpretation with LEP callers or LEP persons at the office. The Department relies on the language service providers (vendors) to hire and use qualified interpreters. Department staff will be instructed to end an interpretation phone call if they have concerns about the quality of the interpretation service. Department staff will also be instructed to clarify terms that the interpreter may not be familiar with. Staff will be trained to provide the following information to each LEP person using the interpretation services:

- Introduction of office staff member

¹³ A link to the Department’s website can be found [here](#) (see bottom footer for the “Notice of Language Assistance”).

¹⁴ The videos on OLA’s website can be found [here](#).

¹⁵ A copy of the Interpreter and Translator Vendor list can be found [here](#). As an example, the CRCB has vendor accounts established with CyraCom (Voiance) and Language Link to provide on-demand phone interpretation with LEP callers or LEP persons at the office.

- Introduction and explanation of interpretation service
- Instructions for using interpretation service

Staff will be trained to offer professional interpretation services to anyone who contacts the Department that self-identifies as LEP. In addition, the Department's resource list of language service providers, contains local language service providers who can interpret for events where a remote service would not be feasible or appropriate, such as parent-teacher conferences or other meetings. Video remote interpretation is also offered by the language service providers.

The Department currently does not assign bilingual employees to provide oral language assistance services. Schools are trained to utilize language service providers (vendors) to provide oral language assistance.

XI. WRITTEN LANGUAGE ASSISTANCE

The Department will review all documents used by parents, legal guardians or the public to determine if any documents currently would be considered vital documents requiring written translation under Section 321C-3(c). The LAC will also determine if a written translation of any documents used by the Department would provide more efficient access to services than oral interpretation of the documents. The Department translates vital documents into the following languages.¹⁶

- Cebuano
- Chinese (Simplified)
- Chinese (Traditional)
- Chuukese
- Hawaiian
- Ilokano
- Japanese
- Korean
- Marshallese
- Samoan
- Spanish
- Tagalog
- Thai
- Tongan
- Vietnamese

Schools should select language service providers (vendors) to perform translation services. The Department maintains a resource list of language service providers, which can be found on the Department Intranet Portal.¹⁷ The Department relies on the language service providers (vendors) to ensure the timeliness and competency of the translation of the documents.

¹⁶ A list of the documents translated, along with translated languages, can be found [here](#).

¹⁷ A copy of the Interpreter and Translator Vendor list can be found [here](#).

The Department currently does not assign bilingual employees to provide written language assistance services. Schools are trained to utilize language service providers (vendors) to provide written language assistance. Schools must provide interpretation or translation from appropriate and competent individuals and may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents.

Under state and federal safe harbor laws, the Department is required to provide written translation of vital documents for each eligible LEP group that constitutes 5% or 1,000 persons, whichever is less, of the population of persons eligible to be served, or likely to be affected or encountered. If there are fewer than 50 persons in a LEP group, LEP persons must be provided written notice of the right to receive free oral interpretation of written materials.

XII. TRAINING

The LAC is responsible for ensuring that Department staff will receive basic language access training on the LAP. The training will include the following:

- best practices of offering language assistance and compliance with state and federal laws;
- the interpretation and translation services the schools should provide to LEP individuals;
- language access tools, such as the “Notice of Language Assistance,” Point to Your Language Posters (provided by OLA), and the Home Language Survey;
- how to record interactions (encounters) with LEP members of the public;
- how to use the Department’s resource list of language service providers (vendors) for schools to select language service providers (vendors) to perform interpretation and translation services for LEP individuals within the office and on the phone.

The LAC will consult with OLA regarding training during the regularly scheduled LAC meetings held by OLA.

Additional training for working with the LEP individuals will be encouraged for all Department staff. Staff are encouraged to participate in language access training through OLA and given time off from regular work, with supervisory discretion, to participate in training seminars related to language access.

The LAC is responsible for informing and monitoring language access provided by any subcontractors that the Department employs.

XIII. MONITORING AND UPDATING THE PLAN

To ensure continual improvement in the area of providing educational opportunities for EL students, and language access for parents, legal guardians and the general public with LEP, the LAC will continually monitor provisions of this LAP and language access services for persons with LEP and update the LAP every two years.