



Orlando Science Center

Title VI-LEP Compliance Report



Office of Diversity and Equal Opportunity
March 2019

Title VI-LEP Compliance Report

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I. Introduction

The National Aeronautics and Space Administration (“NASA” or “the Agency”) conducted a compliance review of the Orlando Science Center (“OSC” or “the Center”), a recipient of NASA funding located in Orlando, Florida, under the NASA regulations¹ implementing Title VI of the Civil Rights Act of 1964 (“Title VI”).² Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. NASA Title VI implementing regulations require the Agency to conduct periodic compliance reviews of its grant recipients, stating “[t]he responsible NASA official or his designee shall from time to time, review the practices of recipients to determine whether they are complying with this part.”³

A. Scope of the Review

Under the NASA Title VI implementing regulations, recipients of Federal financial assistance have a responsibility to ensure meaningful access to their programs and activities for persons with limited English proficiency (“LEP”).⁴ In addition, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (August 11, 2000), directed each Federal agency that extends assistance subject to the requirements of Title VI, to clarify Agency recipients’ obligations regarding LEP. To guide agencies in this effort, the U.S. Department of Justice (“DOJ”) issued a policy guidance document, “Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination against Persons with Limited English Proficiency.”⁵ The DOJ Policy Guidance clarified existing statutory and regulatory requirements regarding LEP by providing a description of the factors recipients must consider in fulfilling their Title VI obligations in the LEP context.

NASA published its Title VI-LEP Guidance to Grant Recipients in December 2003.⁶ Consistent with DOJ’s LEP compliance standards and framework, the NASA Title VI-LEP Guidance to recipients clarified the responsibilities of institutions and/or entities that receive financial assistance from NASA, to assist them in fulfilling their responsibilities to LEP persons pursuant to Title VI. The NASA policy guidance emphasized that in order to avoid discrimination against LEP persons on the grounds of national origin, recipients of NASA financial assistance must take adequate steps to ensure that people who are not proficient in English can effectively participate in and benefit from the recipient’s programs and activities. Therefore, consistent with the guidance, LEP persons should expect to receive the language assistance necessary to afford them meaningful access to the recipients’ programs and activities, free of charge.⁷ The NASA Title VI regulations, Title VI-LEP Guidance, and relevant DOJ regulations and guidance provide the compliance requirements and considerations under which the Agency examined and assessed the Center’s Title VI-LEP compliance. NASA limited the scope of this compliance review to Title VI’s prohibition against national origin discrimination, specifically in the context of LEP.

¹ 14 C.F.R. Part 1250.

² 42 U.S.C. 2000d, *et seq.*

³ 14 C.F.R. Sec. 1250.106(a).

⁴ See 14 CFR Sec. 1250(b)(2). The NASA Title VI regulations, consistent with DOJ and other Federal agency Title VI regulations, state that a recipient may not discriminate by utilizing *criteria or methods of administration that have the effect of subjecting individuals to discrimination because of their national origin*, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular national origin. 14 C.F.R. Sec. 1250.103-2(b)(emphasis added). The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted regulations promulgated by the former Department of Health, Education, and Welfare, including a regulation similar to that of the NASA Title VI regulations, 45 CFR 80.3(b)(2), to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination.

⁵ Published at 65 Fed. Reg. 50123 (August 16, 2000).

⁶ Published at 68 Fed. Reg. 70039 (hereafter cited as NASA Title VI-LEP Guidance).

⁷ See NASA LEP Guidance, Supplementary Information.

B. Objectives

The objectives of this review are as follows:

1. To ensure that the Center is in compliance with NASA Title VI regulations, NASA Title VI-LEP guidance, and relevant DOJ guidance, specifically to ensure that people who are limited in English proficiency can effectively participate in and benefit from the Center's programs and activities; and
2. To report on any promising practices of the Center to ensure meaningful access to all members of the public, regardless of their level of English proficiency, to Center programs and activities.

C. Methodology

NASA conducts onsite reviews of grant recipients in areas of the United States with significant populations of LEP individuals, typically, major metropolitan areas. For this review, NASA selected a Center that serves a significant number of individuals who identify as Spanish as their primary home language, as well as the languages of Asian/Pacific Islander populations, such as Chinese, Japanese, Korean, Tagalog, Laotian, Hmong, and others. NASA notified the Center of its selection for a Title VI-LEP compliance review by letter dated April 25, 2017. NASA also sought documentation of the Center's provision of services to LEP populations, including a list of translators and staff responsible for LEP program implementation, as well as a number of publications printed in English and other languages.

The onsite phase of the compliance review, conducted October 9-11, 2017, included interviews with management and staff, the examination of written documents and publications, and a tour of the Center's facilities and exhibits. NASA's tour involved a walk-through survey, designed to replicate as much as possible a Center patron's experience of the facility. The focus of the walk-through was an observation of visitor-staff interactions and the availability of appropriate signage for exhibits, public notices, and informational materials in languages other than English.

D. Program Description

OSC, first incorporated in 1955 as the Central Florida Center, opened in Orlando Loch Haven Park in 1960. The current facility opened in 1997 with four floors of exhibit space, an observatory, a giant screen-domed theater for films and planetarium shows, a café, and a store. The facility was created by traditional Center exhibit designers and fabricators, as well as theme park designers and fabricators. These creative professionals worked with the Center's staff to pioneer innovative exhibit environments for immersive guest experiences focused on interactive learning and discovery through the Center's hundreds of exhibits, programs and labs, and giant screen films. The Center provides educational opportunities both within and outside its walls, including field trips, family science nights at schools and community centers and other outreach.⁸

II. Title VI-LEP Compliance Analysis

The compliance review analysis provides an assessment of any issues or concerns with OSC's efforts to address its obligations to ensure meaningful access to its programs and activities regardless of English proficiency. In the "Yes" or "No" charts used for each section, a positive answer means that compliance is generally sound on a given area. A negative does not necessarily mean non-compliance, but does indicate a compliance issue or concern. However, the greater the number of negative responses, or the seriousness of a single negative response, the more likely NASA will find noncompliance in a given area. The associated requirements are

⁸ This information is accessible via the OSC's website at <http://www.osc.org/about/our-center/>

intended to bring the Center into compliance. Promising practices associated with each of the compliance areas are also reported.

A. Assurances

NASA awarded OSC a five-year, \$1,208,395 grant in August 2016 under the Agency’s Competitive Program for Science Centers, Planetariums, and NASA Visitor Centers Plus Other Opportunities (CP4SMPVC+). The grant is for OSC’s program “STEM Satellites: A Mobile Mathematics and Science Initiative for Orlando Metropolitan Area Children's Hospitals.” As a condition to a grant award’s approval, the award must contain an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed by NASA, including Title VI regulations. NASA Form (NF) 1206, “Assurance of Compliance with the NASA Regulations Pursuant to Nondiscrimination in Federally Assisted Program,” serves as the Agency’s assurance of civil rights compliance from its grant recipient institutions.

<i>Review Criteria: Assurance of Compliance</i>	<i>Yes</i>	<i>No</i>
1. Does the Center have a grant with NASA that requires completion of an assurance form?	X	
2. Did the Center provide NASA with a completed assurance form?	X	

Observations

OSC provided NASA with an NF 1206 Form signed and dated by JoAnn Newman, OSC’s President and Chief Executive Officer, on July 5, 2016. Ms. Newman stated that OSC has not been accused of discrimination in violation of grant related civil rights laws such as Title VI nor has it been the subject of any court or administrative agency finding of civil rights noncompliance in the past three years. The next time NASA will request this assurance to be signed by OSC is July 2019. NASA has reviewed its Form 1206 records and confirmed that appropriate assurances of nondiscrimination under Title VI have been obtained.

B. Provision of Compliance Information

NASA regulations require the Center to provide all compliance information requested in a timely, complete and accurate manner. The information provided must enable the Agency to ascertain whether the Center has complied with applicable requirements.⁹

<i>Review Criteria: Provision of Compliance Information</i>	<i>Yes</i>	<i>No</i>
1. Did the Center provide compliance information requested?	X	
2. Was the information provided in an accurate and timely fashion?	X	
3. Did the Center provide access to its staff for interviews?	X	

Observations

The OSC provided all information requested and access as required by NASA Title VI regulations. Records of LEP efforts were made readily available, such as a list of individuals who can speak languages other than English. The OSC also provided unfettered access to its staff who cooperated fully during interviews. NASA finds OSC fully compliant on these items.

⁹ 14 C.F.R. Sec. 1250.105(b).

C. Efforts to Ensure Meaningful Access Regardless of English Language Proficiency

The NASA Title VI regulations prohibit a grantee from utilizing methods of administration that have the effect of subjecting individuals to discrimination because of their national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular national origin.¹⁰ The regulations also state that a grantee, where it determines that the services and benefits of the program or activity it administers may not be equally available to some racial or nationality groups, may properly give special consideration to race, color, or national origin to make the benefits of its program more widely available to such groups.¹¹

In the LEP context, these provisions require a grantee to ensure that it is providing meaningful access to services and programs regardless of the beneficiaries' level of English proficiency.¹² NASA's Title VI-LEP Guidance establishes a Four-Factor Analysis to assess compliance. The Four Factors are: 1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; 2) the frequency with which LEP individuals come in contact with the program; 3) the nature and importance of the program, activity, or service provided to people's lives; and 4) the resources available to the grantee and the costs of compliance.

After completing the Four-Factor Analysis, a grantee should develop a language access plan (LAP) to address the identified needs of the LEP populations it serves.¹³ A periodically updated written LAP is a cost-effective means of documenting compliance with regulations and LEP guidance. Further, a written LAP should fully leverage the Four-Factor Analysis to provide meaningful access to programs and services for LEP individuals. This means undertaking a number of practical, "real-world" actions including, but not limited to, helping employees identify the appropriate language(s) of the LEP persons using the Center's services, providing appropriate training of staff, and providing notice to LEP persons of what language services are available. The NASA LEP Guidance provides a detailed blueprint for how a grantee's LAP should be developed and what it should encompass.¹⁴

In assessing compliance, NASA analyzes the extent to which the grantee performs the following functions:

- Identifying the population of LEP Individuals;
- Providing Language Assistance Measures;
- Training Staff;
- Providing Notice to LEP Persons; and
- Monitoring and Updating the LAP.¹⁵

In addition to NASA's guidance, two LEP guidance documents from DOJ, "Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs" (May 2011) and "Common Language Access Questions, Technical Assistance, and Guidance for Federally Conducted and Federally Assisted Programs" (August 2011), provide in-depth information to Federal agencies and their grant recipients on

¹⁰ 14 C.F.R. Sec. 1250.103-2(b).

¹¹ 14 C.F.R. Sec. 1250.103-4(g).

¹² NASA Title VI-LEP Guidance, Sec. I.

¹³ NASA Title VI-LEP Guidance, Sec. VII.

¹⁴ NASA Title VI-LEP Guidance, Sec. VII

¹⁵ NASA LEP Guidance, Sec. VII.

developing and implementing LAPs consistent with LEP requirements.¹⁶ DOJ's 2011 guidance documents build on NASA'S Guidance by identifying the components parts of an effective LAP. These include:¹⁷

- Identification of persons who will implement the plan;¹⁸
- Identification and assessment of LEP communities¹⁹ and the nature and importance of the program (aligns with Factors One through Three);²⁰
- Identification of funding and procurement issues (aligns with Factor Four);²¹
- Notice of language assistance services;²²
- Staff training on policies and procedures;²³
- Collaboration with LEP communities and other stakeholders;²⁴
- Monitoring and updating of policies, plan, and procedures; and
- Description of timeframe, objectives, and benchmarks.

OSC provided an inadequate LAP to NASA prior to the Agency's onsite visit. This LAP failed to specifically address a number of the factors and considerations identified in NASA and DOJ guidance. NASA provided OSC another opportunity to develop a LAP consistent with the Agency's guidance. NASA's compliance assessment of OSC's current LAP, provided below, focuses on whether, or the extent to which, each of the factors and considerations cited in the NASA LEP and DOJ guidance is addressed in the LAP.

¹⁶ The DOJ May 2011 guidance may be accessed at:

http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf; the August 2011 guidance is accessible at: http://www.lep.gov/resources/081511_Language_Access_CAQ_TA_Guidance.pdf.

¹⁷ DOJ May 2011 guidance, p. 17.

¹⁸ Id., pp. 18-19. DOJ guidance regarding this plan element states: "A plan should describe the management staff, workgroup, committee, or other agency staff who will be responsible for creating and overseeing the policy directives, developing and modifying the Language Assistance Plan, and establishing and implementing operational procedures." DOJ recommends grantees name a Language Access Coordinator. The Guidance states: "The language access coordinator should be or report to a high-ranking official within the agency since high level support is essential to successful implementation. The coordinator is responsible for language assistance services and may delegate duties but should retain responsibility for oversight, performance, and implementation of the Language Assistance Plan."

¹⁹ Id. at Sec. V.1, Sec. VII(1). In Factor One, grantees must rely on LEP population data to determine what level of language services they should provide and in what languages, based on the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population. The greater the number or proportion of these LEP persons, the more likely language services are needed. The NASA Title VI-LEP Guidance notes that another way to determine the language of communication is to use language identification cards (or "I speak cards"), which invite LEP persons to identify their language needs to staff wearing the cards. Such cards, for instance, might say "I speak Spanish" in both Spanish and English.

²⁰ NASA LEP Guidance at Sec. V.2. Under NASA's Title VI-LEP Guidance, the more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed. A grantee needs to determine the implications of denial or delay of access to services or information are for the LEP individual. The most important kind of program or service referred to in the NASA Title VI-LEP Guidance is that which is "life-threatening."

²¹ NASA Title VI-LEP Guidance, Sec. V(3).

²² Id. at Sec. VII(4). NASA's LEP Guidance suggests several possible means of LEP notification, including posting signs in intake areas and other key entry points, stating in outreach documents that language services are available from the NASA grantee, and using a telephone voice mail menu, among others.

²³ Id. at Sec. VII(3). Staff having contact with the public should be trained to work effectively with in-person and telephone interpreters.

²⁴ DOJ May 2011 Guidance, pp. 18-20. DOJ guidance recommends that LAPs include provisions for creating and conducting outreach and the actions needed to implement an effective system to gather feedback and involve outside entities or individuals in the review process. DOJ states that efforts should be made to provide information to the public and LEP communities regarding the language assistance services available free of charge. Such efforts should include community-focused outreach and coordination with other agencies and stakeholders.

1. Assessment of the Center’s Language Assistance Planning and Implementation

NASA grant recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.²⁵ The starting point is an individualized assessment by the grantee that balances the four factors discussed in the NASA Title VI-LEP Guidance, which is addressed below. While designed to be a flexible and fact-dependent standard, this guidance is intended to ensure meaningful access by LEP persons to critical services while not imposing undue burdens on grantees. Grant recipients must develop a LAP that incorporates and builds on the Four-Factor Analysis. The specific components of the LAP are detailed in NASA’s LEP Guidance and form the basis of the compliance checklists below.

<i>Review Criteria: Language Assistance Plan</i>	<i>Yes</i>	<i>No</i>
1. The grantee has developed a Language Assistance Plan (LAP).	X	
<ul style="list-style-type: none"> The Language Assistance Plan is made available to program beneficiaries. 		X
2. The Plan identifies persons who will implement it.		X
<ul style="list-style-type: none"> The grantee has named a Language Access Coordinator. 		X
<ul style="list-style-type: none"> The Language Access Coordinator is or reports to a high-ranking official. 		X

Observations

As stated above, OSC provided an inadequate LAP to NASA prior to the Agency’s onsite visit. NASA provided OSC another opportunity to develop a LAP consistent with the Agency’s guidance. OSC provided this revised LAP to NASA in April 2018, but has not yet shared it with its beneficiaries pending NASA’s review. The revised LAP reflects a dramatic improvement over the original but additional changes are still needed. First, the LAP must name a Language Access Coordinator. A number of other needed changes are discussed in detail below.

<i>Review Criteria: Elements of the Language Assistance Plan</i>	<i>Yes</i>	<i>No</i>
1. Identifying LEP Individuals Who Need Language Assistance: The Center has conducted the Four-Factor Analysis and incorporated it into its LAP, which includes clear and detailed explanation of the following:		
<ul style="list-style-type: none"> Identification and assessment of LEP communities; 	X	
<ul style="list-style-type: none"> Frequency of the contact with LEP communities; 	X	
<ul style="list-style-type: none"> Identification of the nature and importance of the program; and 		X
<ul style="list-style-type: none"> Identification of funding and procurement issues. 	X	
2. Language Assistance Measures. An effective LAP should include clear information on the ways language assistance is provided. The LAP includes the following information:		
<ul style="list-style-type: none"> Types of language services available; 	X	
<ul style="list-style-type: none"> How those services can be obtained, for example, in-person, telephonic or written request; 		X
<ul style="list-style-type: none"> How staff will respond to LEP individuals who have in-person contact with recipient staff; 		X
<ul style="list-style-type: none"> How staff will respond to written communications from LEP persons; and 		X
<ul style="list-style-type: none"> How the grantee will ensure competency of interpreters and translation services. 		X

²⁵ Id. at Sec. V.

3. Training Staff: Staff are provided training on policies and procedures, such as how to work effectively with language interpreters.		
<ul style="list-style-type: none"> The training appears to be effective for the purposes for which it was designed, based on staff interviews and a review and assessment of the training materials provided by the grantee. 		X
4. Providing Notice to LEP Persons: Beneficiaries and stakeholders are provided notice of language assistance services through the following:		
<ul style="list-style-type: none"> Posted signs in intake areas and entry points on the premises or other means of notice of language assistance available, for instance, "I speak . . ." buttons worn by floor staff in the most common languages encountered; 		X
<ul style="list-style-type: none"> Stating in outreach documents such as websites, brochures, booklets, and in other outreach information that language services are available translated into the most common languages; 	X	
<ul style="list-style-type: none"> Working with community-based organizations and other stakeholders to inform LEP individuals of the grantees' services, including the availability of language assistance services; and 		X
<ul style="list-style-type: none"> Using a telephone voice mail menu in the most common languages encountered that provides information about available language assistance services and how to get them. 		X
5. Monitoring and Updating the LAP: The Plan includes monitoring and updating of policies, plan, and procedures and addresses the following		
<ul style="list-style-type: none"> The Plan has a description of timeframe, objectives, and benchmarks; and 		X
<ul style="list-style-type: none"> The Plan makes provision for periodically revisiting the Four-Factor Analysis to assess changes in current LEP populations in service area, frequency of encounters with LEP language groups, nature and importance of activities to LEP persons, and availability of resources. 	X	

Observations

OSC has conducted a Four-Factor Analysis (referred to as "the analysis" below). OSC clearly described the first element of the analysis, the number/proportion of LEP individuals with which the Center interfaced during the period October 2017-March 2018. Based on OSC's analysis, the highest percentage of Center interactions was with Spanish speaking individuals, followed by Mandarin and then Russian. With respect to the second element, the frequency of contact, while OSC's analysis identifies where within the Center the interaction occurred, it does not identify the language involved, which is needed.

Regarding the third factor (which correlates roughly with OSC's LAP's second section, "Language Assistance Measures"), the nature and importance of the interaction, OSC properly provides information on its utilization of staff to provide Spanish language interpretation to guests. However, it is not clear how the Center provided assistance in the interactions listed, or plans to provide needed verbal interpretation services to address the issues raised. More detail on these efforts is needed and should include reference to the utilization of "I Speak" buttons as well as the numbers and positions of staff with Spanish or other language capability.

Also, in many cases, the Center relied on translation services from family members, an unacceptable practice, particularly in high-stakes interfaces, such as the provision of medical services. The analysis should establish how OSC is meeting its LEP obligations through translation services.

As noted, this third factor of the analysis correlates with the “Language Assistance Measures” section of OSC’s LAP. In the compliance chart shown above for the “Language Assistance Measures” section, NASA views OSC as having complied with the item for showing “Types of language services available” because OSC clearly states in its LAP how it will obtain most translations as well as specialty services. However, other items in this section of the chart above are marked as non-compliant, because neither OSC’s analysis nor its LAP identifies its actions with any specificity.

Regarding the translation of written material, the Center’s exhibits generally do not provide panels or written information in languages other than English, with the notable exception of the Kidstown exhibit. NASA recognizes that many science exhibits are designed to be visually interactive and do not rely heavily on written information. We also note that the availability of language assistance has been primarily in the lobby and guest services contexts, not the exhibits. Nonetheless, because the science exhibits are the most essential aspect of the Center’s programs and activities, and especially to the extent that exhibits rely on panels or other written information in English, OSC needs to explain how it intends to address language accessibility in current and future exhibits, including theater programs.

Further, OSC needs to explain how it will verify the competency of its staff interpreters and the accuracy of translations. The section above for “Training Staff” is marked non-compliant because OSC has not shared its LEP training module with NASA.

OSC’s analysis of the third factor does an excellent job of identifying its plans for the general provision of written translation services for Spanish language communications. This correlates both with the “Language Assistance Measures” and the “Providing Notice to LEP Persons” sections of OSC’s LAP. NASA requests an update on the Center’s status with translating each of its communications materials, including the membership landing page at <https://www.osc.org/support/membership/>.

As to the fourth factor, available resources, OSC needs to clarify in its LAP the resources available to address each section of the plan, especially any limitations that may require an expanded timeline to implement.

2. Requirements for Compliance

a. Formally Naming a Language Assistance Coordinator. OSC needs to name a high-ranking official as its Coordinator within its LAP and identify roles and responsibilities of the Coordinator, along with any other officials who will assist the Coordinator in performing these duties.

b. Integrating Four-Factor Analysis into Language Access Plan. OSC needs to integrate its Four-Factor Analysis into its LAP. As Factors One and Two correlate with the LAP section called “Identifying LEP Individuals Who Need Language Assistance,” these should be incorporated into this section. As Factor Three, Nature and Importance of the Program, correlates with OSC’s LAP section “Language Assistance Measures to be Provided,” its substance should be incorporated in this section. As Factor Four concerns available resources, it should be addressed in all sections of the LAP that require resources to be expended.

c. Revising the Four-Factor Analysis and LAP for Greater Clarity and Outcomes. Along with incorporating its Four-Factor Analysis into its LAP, OSC also needs to revise its Four-Factor Analysis to state which languages were involved with which interaction (Factor Two). Further, OSC needs to expand on its analysis of the nature and importance of the interactions (Factor Three). It should do so, first, by explaining how it addressed specific interactions listed. For example, one reference is to a “Programs” issue relating to Hebrew. The analysis states that OSC “[h]elped mother and daughter with experiment because they spoke limited English and were struggling with the instructions,” but does not explain how it did so.

OSC needs to describe the steps it has taken or will take to address the identified issues and concerns. For example, where requests were made for interpreting, OSC should explain what resources/services it will or does offer to provide the service free of charge. Regarding verbal interpretation by staff, if OSC plans to use or is currently using “I Speak” buttons for Guest Services and other staff to wear, this should be stated in the analysis. If OSC does not have staff who speak some of the less common languages in which interactions have occurred, such as Hebrew, efforts to acquire telephonic interpretation services should be described.

For situations involving translation, OSC identifies the service on which it will rely. However, in addressing specific interactions involving the need for translation, such as the written survey in which a Spanish speaker could not complete the survey because it was in English, OSC needs to provide updates on how these will be addressed, for example, by creating a Spanish language version of the survey. In addition, OSC should develop a means of assessing the importance of the interaction and the needed action, for example, interpretation or translation services provided, in relation to the overall program. In this regard, OSC might consider establishing a 1-10 scale assigning each interface with a point value on the scale. The enhanced interface chart from the analysis’s Factor Three should then be incorporated into the LAP “Language Assistance Measures” section.

OSC needs to incorporate a brief guide to its exhibits and theater programs in its LAP and identify which currently provide bilingual elements in at least some component of the exhibit. To the extent that the exhibit is intentionally designed to focus on visual interface for visitors, OSC should so state.

As noted, OSC does an excellent job, both in its analysis and LAP, of identifying the specific material on its website and other communications information it will translate into Spanish. NASA requests that OSC provide an update on where it stands with each.

OSC’s LAP needs to clarify how it will assess the qualifications of its staff interpreters and translation services. In this regard, NASA recommends OSC visit the [lep.gov](http://www.lep.gov) website, particularly the page providing information on how to assess quality language interpretation and translation services at: https://www.lep.gov/interp_translation/trans_interpret.html. In addressing this and other recommendations, OSC should review the two key DOJ LEP guidance documents from 2011 referenced above (see fn. 14). These documents are accessible at: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf; and http://www.lep.gov/resources/081511_Language_Access_CAQ_TA_Guidance.pdf.

Finally, OSC needs to clarify in its LAP the resources available to address each section of the plan, especially any limitations that may require an expanded timeline as to implementation.

d. Staff Training. OSC needs to develop a training module for its staff on the Center’s LEP obligations and how these are to be met. This module should be provided to NASA within three months of the date of this report.

3. Promising Practices

a. Kidstown Exhibit. OSC designed its recently built, fully interactive ‘Kids Town’ exhibit with bilingual signage throughout, including touch screen monitor displays allowing for English/Spanish language preferences. KidsTown offers 11,000 square feet of skill-based activities for children in which they are encouraged to invent and create while being introduced to science concepts through whole-body experiences, hands-on interactions and opportunities for imaginative role-playing. By providing this particular

exhibit in both Spanish and English, OSC recognizes that many in the Orlando community and beyond are bilingual. This exhibit is consciously designed to create a more inclusive environment.

b. Transcreation Services. OSC utilizes “transcreation” services in providing its translations into Spanish language. Transcreation differs from standard translation or transcription services by adapting a message from one language to another, while maintaining the original language’s intent, style, tone and context in the new language. A successfully transcreated message goes beyond simple translation by utilizing culturally appropriate images and context, evoking the same emotions, and carrying the same implications in the target language as in the source language. OSC has used transcreation in developing outreach materials to the Orlando Spanish-speaking community for Otronican, a four-day annual expo designed to encourage greater and more diverse participation in the science, technology, engineering and mathematics (STEM) fields.

III. Conclusion

Based on its compliance review, NASA finds that the Orlando Science Center has completed a Four-Factor Analysis and LAP, as required. However, in order to be compliant with NASA’s Title VI regulations and LEP Guidance, the Center needs to significantly revise its LAP. In particular, the Center needs to explain how it will accomplish specific elements within its LAP, especially the section on the provision of language assistance measures. The Center needs to provide an updated LAP that conforms to the compliance requirements identified in this report within three months.