**CULTURAL AND LINGUISTIC**

|  |  |
| --- | --- |
|  | Systemwide values, infrastructure, and organization |
|  | Program access and delivery |
|  | Practitioner standards and professional development |
|  | Public awareness and outreach |
|  | Evaluation and continuous improvement (CQI) |

# COMPETENCE ASSESSMENT FOR DISPUTE RESOLUTION SYSTEMS

**5 FUNCTION AREAS**

**SYSTEMWIDE VALUES, INFRASTRUCTURE, AND ORGANIZATION**

This section examines the system’s: 1) philosophy and values; and 2) worldview of cultural diversity, 3) approaches to [inclusion](#Inclusion) and equity, and 4) commitment to cultural and linguistic competence. It also examines the extent to which these views, philosophies, and values guide behavior and are established in policy.

**SUGGESTED RATING SCALE: 3 = FULLY IN PLACE, 2 = SOMEWHAT IN PLACE, 1 = NOT IN PLACE**

|  |  |  |
| --- | --- | --- |
| OUR DISPUTE RESOLUTION SYSTEM: | RATING | COMMENTS |
| 1 | Understands the value of cultural and linguistic diversity to a well-functioning system |       |  |
| 2 | Recognizes and respects the degree of diversity among families and youth with disabilities (e.g., ethnicity, languages spoken, gender, sexual orientation, gender identity and expression, immigration status) |       |  |
| 3 | Embraces:1. *Cultural competence as an essential* [*value*](#Value) *and*
2. *Linguistic competence as an essential value*
 |            |  |
| 4 | Includes in leadership roles individuals from culturally and linguistically diverse groups that reflect the population in the state\* |       |  |
| 5 | Uses an equity mindset to allocate resources that meet the interests and needs of all populations within the state |       |  |
| 6 | Ensures the engagement of culturally and linguistically diverse individuals and communities in all aspects of the system (e.g., program improvement, policy development, evaluation of program effectiveness, community engagement) |       |  |
| 7 | Has policies that address [culturally appropriate](#Culturally) language and inclusive practices |       |  |

\*For the purposes of this assessment, the term “state” may refer to any of the 60 Part B grant recipients (i.e., the fifty States, the District of Columbia, the Bureau of Indian Education (BIE), Puerto Rico, the Virgin Islands, American Samoa, Guam, the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau).

## **PROGRAM ACCESS AND DELIVERY**

This section examines the mechanisms in place that enable people across racial, ethnic, cultural, and linguistic groups to easily access all available dispute resolution options and the practices in place that ensure community engagement.

**SUGGESTED RATING SCALE: 3 = FULLY IN PLACE, 2 = SOMEWHAT IN PLACE, 1 = NOT IN PLACE**

|  |  |  |
| --- | --- | --- |
| OUR DISPUTE RESOLUTION SYSTEM: | RATING | COMMENTS |
| 1 | Has assessed [institutional barriers](#Institutional) that prevent individuals, populations, and communities from accessing and using services and supports (e.g., location of services, hours of operation, written and spoken languages) |       |  |
| 2 | Has taken steps to minimize the barriers cited above |       |  |
| 3 | Has intake processes responsive to the: 1. *Cultures of families or clients*
2. *Languages spoken by families or clients*
3. *Accessibility needs of families or clients*
 |                 |  |
| 4 | Complies with all applicable federal, state, tribal nation, or territory mandates for:1. *Language access*
2. *Accessibility needs (such as those compliant with ADA)*
 |            |  |
| 5 | Has policies and practices to engage and develop partnerships with underserved communities |       |  |
| 6 | Utilizes partnerships in culturally and linguistically diverse communities to inform system access and delivery such as community-based service organizations, [social justice](#Social) and racial equity organizations and programs, and racial, ethnic, and multicultural advocacy organizations |       |  |
| 7 | Provides technical assistance that is tailored to the socio-cultural contexts of the state (e.g., demographic make-up, K-12 education system, identified disparities or [disproportionality](#Disproportionality)) |       |  |

**PRACTITIONER STANDARDS AND PROFESSIONAL DEVELOPMENT**

This section examines: 1) diversity of system staff; 2) cultural and linguistic competence within system personnel and practitioners; and 3) quality and consistency of training and support provided in alignment with cultural and linguistic competence.

**SUGGESTED RATING SCALE: 3 = FULLY IN PLACE, 2 = SOMEWHAT IN PLACE, 1 = NOT IN PLACE**

|  |  |  |
| --- | --- | --- |
| OUR DISPUTE RESOLUTION SYSTEM: | RATING | COMMENTS |
| 1 | Has recruitment and selection processes which adhere to stated principles and practices of diversity and inclusion |       |  |
| 2 | Has staff who represent diverse communities served by: * race
* ethnicity
* languages spoken
* other cultural identities
 |       |  |
| 3 | Ensures that diversity and culturally and linguistically competent practices are embedded in:* 1. *Position descriptions*
	2. *Dissemination plans for announcements*
	3. *Search committee composition*
	4. *Search committee values and practices*
	5. *Search committee criteria*
 |                           |  |
| 4 | Surveys staff and practitioners on a routine basis to determine professional development interests and needs |       |  |

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | Conducts professional development activities that are: 1. *Tailored to the interests and needs of program staff and practitioners*
2. *Facilitated in a manner that fosters a respectful and secure environment*
3. *Designed for comprehensive training and activities for staff and practitioners spanning across the spectrum of CLC learning and growth*
4. *Designed to promote self-reflection and encourage dialogue that elicits diverse experiences and perspectives*
5. *Evaluated for relevance, applicability, and quality*
 |                           |  |
| 6 | Facilitates learning communities on topics such as, cultural competence, linguistic competence, disproportionality, intersectionality, explicit and [implicit biases](#Implicit), and impact of racism |       |  |
| 7 | Ensures staff have a foundational understanding of historical implications and lived experiences of racially, ethnically, culturally, and linguistically diverse families and youth with disabilities, related to:1. *Discrimination*
2. *Disproportionality*
3. [*Ableism*](#Ableism)
4. *Racism*
5. *Sociocultural contexts and economic conditions that affect children receiving special education and related services, their families, and the communities in which they live*
6. *Current literature on approaches to mitigate biases, discrimination, ableism, and racism that emerge in special education and dispute resolution*
 |                                |  |

**PUBLIC AWARENESS AND OUTREACH**

This section examines the dispute resolution system’s commitment to providing clear, consistent, and accessible information to the diverse communities they serve.

**SUGGESTED RATING SCALE: 3 = FULLY IN PLACE, 2 = SOMEWHAT IN PLACE, 1 = NOT IN PLACE**

|  |  |  |
| --- | --- | --- |
| OUR DISPUTE RESOLUTION SYSTEM: | RATING | COMMENTS |
| 1 | Ensures products and services\*, (e.g., *print, website, multimedia, products, forms*) are: 1. *Publicized and disseminated in a culturally and linguistically appropriate manner*
2. *Offered in languages other than English*
3. *In plain language and written at the literacy levels of the intended audience*
4. *Accessible to people with disabilities*
 |                      |  |
| 2 | Partners with [community](#Community) leaders to reach intended audiences |       |  |
| 3 | Uses multiple platforms and formats tailored for culturally and linguistically diverse communities (e.g., social media, webpages, radio, print media, community events) |       |  |
| 4 | Ensures that all communication state the program’s commitment to diversity, equity, and inclusion |       |  |
| 5 | Ensures all materials that use images of people accurately reflect the diverse populations in the state |       |  |

*\*Rate each separately*

## **EVALUATION AND CONTINUOUS IMPROVEMENT (CQI)**

This section examines the dispute resolution system’s: 1) investment in evaluation and continuous improvement activities that focus on eliminating disparate treatment and adverse impact for culturally and linguistically diverse users; 2) access to and usage of data to improve the experiences of the communities served; and 3) collaboration with stakeholders to inform system improvement activities.

**SUGGESTED RATING SCALE: 3 = FULLY IN PLACE, 2 = SOMEWHAT IN PLACE, 1 = NOT IN PLACE**

|  |  |  |
| --- | --- | --- |
| OUR DISPUTE RESOLUTION SYSTEM: | RATING | COMMENTS |
| 1 | Continually reviews and assesses the extent to which policies and procedures create barriers (e.g., cultural, linguistic, physical accessibility, literacy, technical language) |       |  |
| 2 | Analyzes data to identify demographic trends |       |  |
| 3 | Collaborates with stakeholders to analyze data and identify system strengths, challenges, and opportunities for improvement |       |  |
| 4 | Uses multiple modalities to collect user experience data (e.g., surveys, focus groups, interviews) |       |  |
| 5 | Reviews internal and external stakeholder user experience data for: 1. *Cultural barriers*
2. *Linguistic barriers*
 |            |  |
| 6 | Evaluates the impact of policies, procedures, and practices within the communities served |       |  |

# GLOSSARY OF TERMS

The following terms are defined within the context of this self-assessment:

**Ableism:** discrimination or biases that favor people without disabilities

**Biases:** tendencies, (either [explicit](#Explicit) or implicit) to prefer one thing over another that influences understanding and outcomes

**Community:** a group comprised of individuals that create a social unit identified by commonalities such as cultural backgrounds, norms, values, interests, customs, ethnicity, environment, identity, affiliation, circumstance, etc.

**Cultural competency:** an area in which individuals or institutions have achieved levels of awareness, knowledge, and skills along a cultural competence continuum, the ability to value diversity, conduct self-assessments, avoid [stereotypes](#Stereotype), manage the dynamics of differences, acquire and institutionalize cultural knowledge, and adapt to diversity and cultural contexts in communities

**Cultural competence:** the act of becoming aware of assumptions about human behavior, values, biases, preconceived notions, and personal limitations, and how these assumptions influence actions, interactions, behaviors, and decisions

**Culturally appropriate:** demonstrating respect and acknowledgment of the background, knowledge, and experiences of others in actions, interactions, and decisions

**Dialogue:** communicating ideas and opinions and working toward common understanding to achieve a desired goal or resolution

**Discrimination:** the unjust or prejudicial treatment of different categories of people or things, especially on the grounds of race, ethnicity, gender identity, sexual orientation, age, religion or belief, language, health status, disability, education, socioeconomic status, geographic location, etc.

**Disproportionality:** representation of a demographic within a categorized group that exceeds what would be expected by probability

**Equity:** giving each person fair treatment, opportunity, and access to the resources needed to be successful,

**Explicit biases:** the attitudes and beliefs that people have on a conscious level and intentionally act upon

**GLOSSARY OF TERMS CONTINUED**

**Function areas:** five management areas that comprise the framework of a well-functioning dispute resolution system: systemwide values; infrastructure and organization; program access

and delivery; practitioner standards and professional development; public awareness and outreach; and evaluation and continuous quality improvement (CQI)

**Implicit biases:** the attitudes and beliefs that people have on a subconscious level and may unintentionally act upon

**Inclusion:** bringing traditionally excluded individuals or groups into processes, activities, and decision-making, and the creation of policy in a way that shares power

**Indicators:** specificelements within the function areas of the assessment tool which help identify, compare, and evaluate systems, processes, procedures, and outcomes

**Inequities:** biased or unfair policies, programs, practices, or situations that contribute to a lack of equity in educational performance, results, and outcomes

**Institutional barriers:** policies, structures, practices, procedures, or situations that systematically disadvantage certain groups of people

**Meaningful family engagement:** intentionally seeking out and actively encouraging family perspectives in problem-solving and decision-making, while ensuring understanding through building trust, confidence, strong connections, and new and strengthened relationships

**Oppression:** the systemic and institutional abuse of power, either knowingly or unknowingly, by a group of people within a dominant group at the expense of people outside of that dominant group

**Power:** the ability to influence, control, or exhibit authority over others

**Racism:** the belief that different races possess distinct characteristics, abilities, or qualities that inherently make one inferior or superior to the other. Racism can occur at the personal or institutional level, where one person or group has the power to carry out discrimination against the other and is often supported by institutional policies and practices

**Social justice:** a perspective that everyone deserves equal economic and social rights and opportunities through equity in access, and participation

**Stereotype:** an oversimplified opinion, prejudiced attitude, or uncritical judgment about a group of people held in common within a community

**Team:** persons associated together to engage in the process of completing the self-assessment

**Value:** fundamental principles that guide or influence attitudes, behaviors, priorities, and beliefs in what is considered acceptable, important, right, appropriate, beneficial, valued, or desired.