

## Providing Language Assistance to Parents or Guardians

Districts and charter schools have an obligation to communicate meaningfully with parents or guardians who are not proficient in English; the federal term is limited English proficient (LEP) parents. This document provides further details on the language assistance that must be provided as well as outlines how districts and charter schools can create a language access plan.

District and charter schools are in a unique position to create a culture of success within their school community. One important aspect of students' success, regardless of their background or home language, is family engagement. Establishing strong family-school partnerships with a culturally and linguistically responsive mindset, can provide a framework for family engagement activities that help schools and families partner for improved student outcomes.

### **Communicating with Parents or Guardians in Languages Other Than English**

The Office for Civil Rights is responsible for enforcing [Title VI of the Civil Rights Act of 1964](#) and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities that receive Federal financial assistance from the U.S. Department of Education. Districts and charter schools that are recipient of Federal funding are subject to this law and its regulation. This guidance is intended to assist districts and charter schools in meeting obligations to ensure national origin minority (culturally and linguistically diverse) parents or guardians who are not proficient in English receive school related information in a language and mode of communication they understand; this includes any and all languages.

### **What is the process for districts and charter schools to identify and provide language assistance to parents or guardians who are not proficient in English?**

A district and charter school must develop and implement a sound process for determining whether parents or guardians are not proficient in English and what their language needs are. It is important to not make assumptions about parent or guardian communication needs but rather directly inquire. The process should identify all parents or guardians who are not proficient in English regardless of the students' English language proficiency level. A district and charter school may consider using the following questions from the [New Mexico Language Usage Survey](#) (LUS), **Question 10**. *In what language do you prefer to receive communication from the school?* and **Question 11**. *In what language would you prefer to communicate with school staff?* to inquire about whether a parent or guardian requires oral (interpreter services) or written (translation services) communication in a language other than English. Staff must be notified of the communication needs of the parents or guardians and of their responsibility to meet those communication needs.

**What information must districts and charter schools meaningfully communicate to parents or guardians who are not proficient in English?**

Districts and charter schools must communicate information given to parents or guardians about any school related program, service, and activity to parents or guardians who are not proficient in English in a language and mode of communication that they understand. This includes, but is not limited to, information related to:

- registration and enrollment in school
- grievance procedures and notices of school programs nondiscrimination
- structure of the district and its schools
- academic standards for the state, district, school, and class
- parents' rights
- parent handbooks
- report cards and academic progress reports
- school bus schedules and routes
- requests for parent or guardian permission for meetings to discuss student participation in school programs and activities.
- magnet and charter schools
- special education, individual education programs (IEP), section 504 plans, and related services
- language assistance programs
- college admission process (for parents or guardians of middle and high school students)
- gifted and talented programs
- student discipline policies and procedures
- parent-teacher conferences
- tutoring and after school programs

**Who determines what a parent or guardian's communication needs are?**






Parents or guardians determine their communication needs; districts and charter schools must work with parents or guardians to provide them with free and effective language assistance in a manner that meets the parent's or guardian's individual needs for any school related information.

**What procedures should districts and charter schools have in place for parents or guardians who are not proficient in English to be informed of programs, services, and activities in a language they understand?**

Districts and charter schools have an obligation to communicate meaningfully with parents or guardians who are not proficient in English and to notify them adequately of information about any program, service, or activity called to the attention of parents or guardians who are proficient in English. Qualified interpreters and translators must be used. A qualified interpreter or translator must be proficient in both languages and have knowledge of any specialized terms or concepts to be used in the communication at issue as well as be trained in the ethics of interpreting and translating, and the need to maintain confidentiality. Schools must not rely on students, siblings, friends, or untrained school staff to translate or interpret for parents.

### Developing a School Language Access Plan

Districts and charter schools should have and implement a meaningful language access plan designed to meet the communication needs of parents who are not proficient in English. A language access plan is a document that spells out how to provide services to parents or guardians who are not proficient in English. Language access plans should be tailored to meet each individual school and community’s needs but may include the following sections: qualified interpreters and translators, a needs assessment, language services offered, notices, training for staff, and evaluation, as described below.

Common Sections of a Language Access Plan	
 NEEDS ASSESSMENT	Number of parents or guardians who are not proficient in English
	Points of contact
	Importance of benefits or service
	Stakeholder engagement
 LANGUAGE SERVICES	Policies and procedures
	Interpretation and translation services
	Languages to be included in the language access plan
 NOTICES	“I speak…” cards
	Parent or guardian’s rights
	Taglines
	Signage
 TRAINING	Front-line staff
	Providers
	Leadership
 EVALUATION	Conduct surveys
	Monitor complaints or suggestions
	Keep current on community demographics
	Track utilization

#### I. Needs Assessment

- a. Familiarize yourself with [Title VI of the Civil Rights Act of 1964](#) and its implementing regulation at 34 C.F.R. Part 100.
- b. Use the Department of Justice’s four-factor assessment to determine what your school is responsible for under Title VI of the Civil Rights Act:
  - i. Number or proportion of parents or guardians who are not proficient in English in the school community
  - ii. Frequency with which the parents or guardians who are not proficient in English come into contact with school staff
  - iii. Importance of the benefit or service (i.e., parent or guardian interaction with school)
  - iv. The resources available to the school and the costs of language services

## II. Language Services Offered

- a. Determine the goal of the school language access plan.
- b. Designate a language access coordinator within your school.
- c. Identify the languages that will be included in the district/charter school's language access plan and how the school will provide translation and interpretation services free of charge to parents or guardians who are not proficient in English.

## III. Notices

- a. Develop an outreach plan to notify parents or guardians who are not proficient in English about the free interpreter and translation services available to them.
- b. Integrate your school's language access policies and procedures into the school's regular policies and procedures manual.

## IV. Training of Staff

- a. Reach out and respond to parents or guardians who are not proficient in English via phone, e-mail, or in person.
- b. Provide parents or guardians who are not proficient in English with tools (such as "I speak..." cards) that assist them in asserting their right to language access in the school system.
- c. Work with interpreters; this includes basic knowledge about interpretation: types, modes, code of ethics, qualifications, and roles.
- d. Identify and respond to poor, incorrect or biased interpretation/translation when this occurs.
- e. Enforce [Title VI of the Civil Rights Act of 1964](#) and its implementing regulation at 34 C.F.R. Part 100.
- f. Provide trainings on culturally and linguistically responsive parent engagement with an emphasis on culture, language, and school-related information; or require this type of training for all staff including registrars and other frontline staff

## V. Evaluation

- a. Evaluate the effectiveness of this language access plan regularly to ensure it meets the needs of parents or guardians who are not proficient in English.
- b. Monitor demographic changes and immigration/refugee resettlement patterns to identify new parents or guardians who are not proficient in English that the district/charter school will need to serve.

## **Additional Resources**

Department of Justice and Office for Civil Rights: Dear Colleague Letter

[Schools' obligations to ensure that schools communicate information to limited English proficient \(LEP\) parents](#)

Office for Civil Rights

[Schools' civil rights obligations to EL Students and LEP Parents](#)

Limited English Proficiency (LEP)

[A Federal Interagency Website](#)

Office of English Language Acquisition (OELA) at the U.S. Department of Education: English Learner Tool Kit (chapter 10)

[Tools and Resources for Ensuring Meaningful Communication with Limited English Proficient Parents](#)

U.S. Department of Education: Newcomer Tool Kit

[Newcomer Tool Kit \(PDF\) \(state.nm.us\)](#)

WIDA Family Engagement

[Resources to strengthen connections with families](#)

Colorín Colorado, a bilingual site for educators and families of English language learners

[Communicating with ELL Families: 10 Strategies for Schools](#)

Digital Government Resources

[Top 10 Best Practices for Multilingual Websites](#)

Regional and State Interpreter Associations

[Interpretation and Translation Resources](#)

Eleven Tips to Communicating Effectively with Interpreter

[Tips for using interpreters](#)

Communication Apps

[Parent Communication in Multiple Languages](#)



Refugee Education Center  
[Refugee Community Engagement](#)

Language Access Assessment and Planning  
[Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs](#)

Directory of Certified Court and Justice System Interpreters in New Mexico  
[Language Interpreter Services Directory \(\[nmcenterforlanguageaccess.org\]\(http://nmcenterforlanguageaccess.org\)\)](#)