

## Providing Language Assistance to Parents

This guidance is intended to assist public schools in meeting their obligations to limited English proficient (LEP) parents, or parents with communications-related disabilities, who are parents of public school students. Public schools have a general responsibility to provide meaningful access to their programs and activities to students, parents, and other community members, under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA), and section 118.13 of the Wisconsin statutes. Additional requirements specifically related to parents of students with disabilities are found in the Individuals with Disabilities Education Act (IDEA) and Chapter 115 of the Wisconsin statutes.

### *Who are LEP parents?*

LEP parents are parents or guardians whose primary language is other than English and who have limited English proficiency in speaking, listening, reading, or writing.

### *How do public school districts know which parents or guardians have limited English proficiency?*

A public school must develop and implement a process for determining whether parents are LEP and what their language needs are. The process should identify all LEP parents, including parents or guardians of children who are proficient in English and parents and guardians whose primary language is not common in the district.

### *What is a school district's obligation to LEP parents regarding communication?*

School districts have an obligation to ensure meaningful communication with LEP parents in a language they can understand and to adequately notify LEP parents of information about any program, service, or activity of a school district that is called to the attention of non-LEP parents.

### *What information must school districts meaningfully communicate to LEP parents?*

Information districts have an obligation to meaningfully communicate with LEP parents includes, but is not limited to information regarding: language assistance programs, special education and related services, individualized education program (IEP) meetings, grievance procedures, notices of nondiscrimination, student discipline policies and procedures, registration and enrollment, report cards, requests for parent permission for student participation in district or school activities, parent-teacher conferences, parent handbooks, gifted and talented programs, magnet and charter schools, and any other school and program choice option.

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

The parent. School districts are required to take parents at their word about their communication needs, and must work with parents to provide language assistance in a manner that meets the parent's individual needs.

*Who should provide language assistance to LEP parents?*

School districts must ensure that translators and interpreters are qualified. In general a qualified translator or interpreter has knowledge in both languages of any specialized terms or concepts to be used in the communication at issue, and have been trained in the ethics of interpreting and translating, and the need to maintain confidentiality.

*Who are parents with communications-related disabilities?*

A parent with a communication-related disability is any parent with a physical or mental impairment which substantially limits the parent's ability to see, hear, or speak.

*What is a school district's obligation to parents with communications-related disabilities?*

A school district must ensure that its communications with individuals with disabilities are as effective as communications with others. A school district must make available appropriate auxiliary aids and services where necessary to ensure effective communication. Auxiliary aids and services may include but are not limited to: qualified interpreters, note-takers, transcription services, written materials, qualified readers, audio recordings, brailled materials, large print materials, speech synthesizers, and communication boards.

*How does a school district determine what auxiliary aids and services to provide?*

The school district must give primary consideration to the choice expressed by the parent. The school district must honor the choice of the parent unless the school district can demonstrate that another equally effective means of communication is available, or that the use of the means chosen by the parent would result in a fundamental alteration in the school district's program service, or activity, or in an undue financial burden to the school district.

*Who should provide language assistance to parents with communications-related disabilities?*

School districts must provide qualified interpreters when needed. A qualified interpreter must be able to interpret both receptively and expressively, and communicate effectively and accurately through the use of any necessary specialized vocabulary. The school district must be prepared to provide an impartial interpreter if requested by the parent.

*How does a school district provide LEP parents or parents with communications-related disability the opportunity to participate in IEP team meetings?*

The school district must take action necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

*Must a school district translate individualized education program (IEP) documents for LEP parents and parents with communication-related disabilities?*

IDEA requires school districts to provide any notices to parents in their native language or other mode of communication used by the parent, unless it is clearly not feasible to do so. Chapter 115 of the Wisconsin statutes identifies the IEP as one of the notices required by IDEA. Other IEP related documents should be translated to ensure meaningful communication or at the parent's request.

*Is extra time permitted to allow for the translation of IEP documents?*

School districts are not exempted from any required IDEA notice timelines in instances where IEP documents must be translated. LEP parents or parents with communications-related disabilities are entitled to receive communications from the school district on the same basis as other parents.

## **Federal Guidance**

[The Americans with Disabilities Act, Title II Technical Assistance Manual](#)

[Frequently Asked Questions on Effective Communication for Students with Hearing, Vision, or Speech Disabilities in Public Elementary and Secondary Schools](#)

[Dear Colleague Letter regarding schools' obligations to ensure that English Learner \(EL\) students can participate meaningfully and equally in school and to communicate information to limited English proficient \(LEP\) parents in a language they can understand.](#)

[OCR's EL Students and LEP Parents web page](#)

*For questions about this information, contact [dpisped@dpi.wi.gov](mailto:dpisped@dpi.wi.gov) or (608) 266-1781.*