

# KNOW YOUR RIGHTS LANGUAGE ACCESS AND INSTRUCTIONS IN SCHOOLS



**HERE IS SOME INFORMATION ABOUT WHAT RIGHTS ENGLISH LANGUAGE LEARNERS AND PARENTS WHO SPEAK LANGUAGES OTHER THAN ENGLISH HAVE IN REGARDS TO A CHILD'S EDUCATION.**

## Language access rights: translation and interpretation

- Parents who speak languages other than English have the right to receive important educational information, such as enrollment forms, disciplinary notices, special education documents, and information about a student's English language instruction program, **in their preferred language**. Schools should provide translation and/or interpretation services at no cost to the parent or caregiver.

## Screening for English language instruction

- When a student enrolls in public school, **the school must consider whether the student and caregiver speak languages other than English**. The student may be assessed on their ability to speak, read, write, and understand English and be recommended for English language instruction. Caregivers can decide not to have their students receive English language instruction.
- **English language instruction must be available for students who are identified as English language learners**. Students must be assessed each year on their ability to read, write, speak and understand English. When a student reaches proficiency in all four areas, the school will notify parents or caregivers that the student no longer needs to receive English language instruction.

## Special education and English language learners

- English language proficiency cannot be used as a reason to deny or delay a student from a referral or evaluation for special education. When considering an English language learner's eligibility for special education, **the IEP team must consider the language needs of and the services available for the student**.
- Special education laws require schools to provide parents the opportunity to participate in the education-making decisions of students with disabilities. **Schools must provide Prior Written Notice in the caregiver's preferred language**. Schools should also provide interpretation from qualified interpreters – familiar with special education terminology, remain in their role as interpreters, able to translate everything in both languages – at IEP meetings
- The school should translate special education documents for parents and caregivers in their preferred language.