

Translation and IEPs:

Providing Meaningful Access to Non-Native English Speaking Students, Parents, and Guardians



For the parents or guardians of students with disabilities, a significant opportunity for family engagement occurs at a child's annual Individualized Education Program (IEP) meeting. During these meetings, some of the most important people connected to a child's success are all together in a room, articulating a child's present academic and behavioral needs, and establishing rigorous goals and objectives that will be followed throughout the upcoming school year. These engagement opportunities, however, are missed when schools struggle to communicate with their non-native English speaking parents.

Today in the United States, one in every five residents (65.5 million) does not speak English at home. Of these residents, 39.8% (26.1 million) reportedly do not speak English "very well." The largest increases over the past five years are among speakers of Spanish (up 3.5 million), Chinese (up 564,000), and Arabic (up 366,000).¹ And these numbers continue to increase. At the same time, non-native English speaking parents are more likely to miss IEP meetings, feel disenfranchised as a member of their child's IEP team, and withdraw from broader engagement within their child's school.² The most common question local education agencies (LEAs) face is which documents they must translate. Given the number of laws at issue and the paucity of guidance available, many LEAs are rightly confused about the onus of their responsibility to provide language services to Limited English Proficiency (LEP) parents. Issues between non-native English speaking parents and schools often emerge when the IEP is not translated, there is not a qualified translator at IEP meetings, and/or families feels pressured to sign a document they do not understand.³

Family engagement in schools is critical, both for English-proficient as well as English learner families. According to a report published by the National Academies of Science, Engineering and Medicine, family engagement in schools is associated with higher grades, test scores, language proficiency, and social skills.⁴ Yet non-native English speaking families consistently report that they are receiving less information, communications, and correspondence from school than English speaking families.⁵

Research indicates that meaningful engagement of families in the education of their children improves their long-term social skills, outcomes, and results, and fosters student success. As educators, it is our professional obligation to reach out to the parents of all of our students and implement strategies that help engage and provide access when communicating with those who speak a home language other than English.

According to a 2015 Dear Colleague Letter from the US Department of Education:

School districts and [state education agencies] SEAs have an obligation to ensure meaningful communication with [limited English proficiency] 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. At the school and district levels, this essential information includes but is not limited to information regarding: language assistance programs, special education and related services, 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 options.⁶

In addition, recent litigation around IEP translation as a civil rights matter prompted the US Department of Education to further elaborate in a 2016 Dear Colleague Letter, stating:

Under Title VI, all vital documents, including a student's IEP, must be accessible to LEP parents, but that does not necessarily mean that all vital documents must be translated for every language in the district. For example, a timely and complete oral interpretation or translated summary of a vital document might suffice in some circumstances. A district must, however, be prepared to provide timely and complete translated IEPs to provide meaningful access to the IEP and the parental rights that attach to it. This is because a parent needs meaningful access to the IEP not just during the IEP meeting, but also across school years to monitor the child's progress and ensure that IEP services are provided.⁷

Family engagement strategies that facilitate communication are critically important elements to consider given the increasing numbers of residents that do not speak English in our communities, and their children who attend our schools. The guidance issued by the US Department of Education through the two Dear Colleague Letters provided greater clarity on the obligations of SEAs and districts to meaningfully engage and communicate with parents by providing IEPs that are translated and made accessible to them in their home language. Translated, language accessible IEPs will help families determine if their child is making progress and what prescribed services are being rendered with fidelity from year to year.

In summary, engaging families in their home language through oral and written communication, including translation services when necessary, helps to provide them the necessary tools for access so that they can fully participate and advocate on behalf of the best interest of their children and partake in all educational decisions.

These literacy practices show the day-to-day scaffolding supports for teaching language in tandem with content. Aligned with the six key principles from Stanford's Understanding Language, they amplify language opportunities across the curriculum by facilitating meaningful conversation, building teaching skills through contextualized instruction, developing vocabulary through authentic experiences, activating schema, and increasing background knowledge. These language and literacy practices involve listening, speaking, reading, and writing. They allow ELL students to participate in challenging grade-level tasks when students are supported at their English proficiency level. Examples of the 10 practices are available for K-12 classrooms. These literacy practices are enumerated for clarity, and while there is obvious overlap within and across practices, each practice is pedagogically sound, in and of itself.

Strategies to Improve Engagement for Non-Native English Speaking Students, Parents/Guardians, and the Community at Large

Improving the family engagement with non-native English speaking parents does not happen overnight. However, embarking on strategies to improve this engagement will yield results that impact long-term student outcomes. Having worked with several schools across the country who have improved their family engagement practices with non-native English speaking parents/guardians, we recommend schools employ the following five practices:

- 1 Identify the languages that are likely to be encountered** in the educational community, and the number of non-native English speaking students and parents that are likely to participating in IEP process (e.g., home language surveys or questionnaires). This information may be gathered, entered and monitored through student information systems, web-based IEP systems or other tracking tools. Use this information to create a needs inventory for the following four practices below.
- 2 Post signs in public areas in several languages**, informing the families of their right to free interpreter services and inviting members of the public to identify themselves as persons needing language assistance. Using the roster of languages spoken within your district, make sure that the signage is consistent across the district and located in high-traffic areas of the school, including the lobby, the guidance office, and the special education office.
- 3 Employ staff that are bilingual** and proficient in appropriate languages spoken in your community, in key school staffing positions. In places such as the front-desk and the special education office, ask that staff wear "I Speak..." identification tags, giving non-native English speaking families a way to immediately find someone who speaks their native language.

4 Translate all IEP related forms, notices and consents, including the IEP itself, as well as other instructional, informational or key documents into the native language of the parent and provide oral interpreter assistance with documents for those whose language does not exist in written form. Use technology tools to translate all IEP related documents, forms, notices and consents in real-time when you need them. Professional translators are not always available when you need them at school, in the community, under contract or even through language lines.

5 Monitor all IEP school/district and state translations requests to determine patterns, trends over time. Using these data, implement strategies to improve internal processes and efficiencies. When your school district gets a request for a translated IEP, an interpreter, or language line assistance make sure this request is fulfilled in a timely manner, consistently across the entire district. There are many options to consider for language assistance.

How PCG can help

Public Consulting Group (PCG) has been a leader in special education consulting and solutions for more than 20 years. Through our special education technology and deep national special education expertise, we have helped thousands of school districts and nine state departments of education implement EDPlan™ to improve educational outcomes for students.⁸ The following are examples of the supports we offer to help our education partners improve engagement practices with non-native English speaking students, parents, and guardians:

Language Translation. EDPlan Translation™ enables IEPs to be translated automatically into over 90 languages. This capability is indispensable for non-native English speaking parents to meaningfully engage in conversations about their child's IEP and educational performance.

Multilingual Call Center. PCG's call center currently employs 50 bilingual representatives, who offer translation services in 12 languages. Each of our call center representatives are required to be bilingual in one of the target languages, including English, Russian, Vietnamese, Cantonese, Mandarin, Ukrainian, Korean, Somali, Cambodian, Arabic, Tagalog, and Lao. The center also has the capability of on-demand additional languages. PCG already provides technology and consulting services within Washington state's K-12 community, collaborating with the Office of Superintendent of Public Instruction, 186 individual school districts, two Educational Service Districts, seven charter schools, and the School for the Deaf. The populations PCG serves include students with disabilities, English language learners (ELL), Section 504 students, and Medicaid-eligible students and their families. Since the center's launch in 2015, the top non-English language calls include Russian (32,656 calls); Spanish (22,749); and Vietnamese (20,744).

Strategic Planning. PCG teams facilitate stakeholder group meetings and action planning to develop Language Assistance Plans⁹ to help SEAs and school districts communicate effectively with the growing population of non-English speaking students, parents, and guardians, as well as other members of the community at large.

Program Reviews. Through our special education program reviews, PCG teams assess school district practices that contribute to high achievement and performance outcomes for students who are ELL and/or dually served as eligible ELL students with disabilities. We review qualitative and quantitative data, interviews, and discussions with focus groups to develop our reports, which document school district effective practices, opportunities for improvement, and recommendations. PCG staff are also available to support districts with follow-up strategic planning and implementation.

Conclusion

School districts and LEAs who are seeking to address the needs of non-English speaking students, parents, and/or guardians do not need to feel overburdened with the responsibilities for improving their engagement efforts and implementing effective practices. There are a variety of language assistance assessment tools and resources that are available at the federal, state, and local levels that will help in taking "reasonable steps to ensure meaningful access."¹⁰ There are many strategies that can be proactively implemented and will not take a lot of time or cost much. Many local governmental agencies and school districts have already taken the initiative to develop locally determined Language Assistance Plans¹¹ to help them communicate effectively with the growing population of non-English speaking students, parents, and guardians as well as other members of the community at large.¹² These plans lay the necessary foundation to provide meaningful educational access to students and families, and in turn, promote improved outcomes and student success.

Looking for ways your school district or LEA can improve engagement and provide meaningful access to non-English speaking students, parents, and guardians?

Contact PCG today to learn more!

About the Authors

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About Public Consulting Group

Public Consulting Group, Inc. (PCG) is a leading public sector management consulting and operations improvement firm that partners with health, education, and human services agencies to improve lives. Founded in 1986 and headquartered in Boston, Massachusetts, PCG has over 2,000 professionals in more than 50 offices around the US, in Canada and in Europe. PCG's Education practice offers consulting services and technology solutions that help schools, school districts, and state education agencies/ministries of education to promote student success, improve programs and processes, and optimize financial resources. To learn more, visit www.publicconsultinggroup.com/education.

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- 4 Consensus report, 2017, <https://www.nap.edu/catalog/24677/promoting-the-educational-success-of-children-and-youth-learning-english>
- 5 Id.
- 6 2015 Dear Colleague Letter, <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>
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- 8 EDPlan EasyIEP™, Solution
PCG's Public Partnership's Multilingual Call Center <http://www.publicconsultinggroup.com/news-perspectives/legislators-tour-pcg-public-partnership-s-multi-lingual-call-center/>
- 9 Language Assistance Plans as set forth in guidance memoranda from the U.S. Department of Justice (DOJ), Civil Rights Division. (See, e.g., 65 FR 50123 (August 16, 2000), and 67 FR 41466 (June 18, 2002), also available at LEP.gov .
- 10 Language Assistance Self- Assessment Tool <https://www.lep.gov/selfassesstool.htm>
- 11 Language Assistance Plans as set forth in guidance memoranda from the U.S. Department of Justice (DOJ), Civil Rights Division. (See, e.g., 65 FR 50123 (August 16, 2000), and 67 FR 41466 (June 18, 2002), also available at LEP.gov .
- 12 Sample State and Locally Determined Language Assistance Plans
<http://ftp.dot.state.tx.us/pub/txdot-info/ocr/language-assistance-plan.pdf>
https://www.tulsaschools.org/3_Parents/_documents/pdf/_languageAssistance/Language_Assistance_Plan.pdf

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