



Success Indicator PI05: School maintains consistent and accessible communication with families about their children’s academic progress as well as about ways to support their children’s academic success outside of school. (5875)

Overview: Consistent and accessible communication between schools and EL parents, meaning at designated, regular times of year, and in a mode and language that the parents can easily understand has been linked to improved academic experiences and outcomes. Clear guidelines, procedures, and resources support regular and ongoing communication. These guidelines, procedures, and resources should include the process for identifying EL parents; a comprehensive list of documents and other types of information that requires translation or interpretation, an explanation of how to access translation and interpretation resources, and samples of commonly used forms translated into the languages used by the families served by the school.

Questions: What constitutes consistent and accessible communication with families about their children’s academic progress? What are potential legal consequences for not having or following procedures? What do clear guidelines, procedures, and resources for communicating with EL Families entail? What additional resources are available?

What constitutes consistent and accessible communication with families about their children’s academic progress?

Consistent communication with families entails providing information at designated, regular times of year, according to the Elementary and Secondary Education Act (“Elementary”, 2015). Accessible communication refers to the language and format in which the information is provided. According to Every Student Succeeds Act (ESSA), when communicating with parents with limited English proficiency, parents with disabilities, and parents of migratory children, schools make communication accessible by providing it, “to the extent possible, in a language such parents understand” (“Every”, 2015, pg. 129). To facilitate this, the ESSA requires public schools to provide professional translation (written communication) and interpretation (oral communication) services free of cost to individual school personnel and EL families so that communication between schools and parents is financially accessible (“Every”, 2015; Martinez-Gonzalez, 2011).

Districts must ensure they supply sufficient interpreters and translators to meet the demand of school personnel who request these services (“DHEW Memo”, 1970; “Dear Colleague”, 2015). Except in the event of an emergency, and only if no district interpreter is available, school personnel are not permitted to engage family or friends of limited English proficiency parents for oral interpretation or translations of district- or school-generated documents. If there is an emergency and no district interpreter is available, the district shall follow up with the parents in a timely manner to provide written translation of all relevant document(s) that were orally translated by family or friends. (“2016 Successor”, 2016, p. 14).

To help make communication accessible, Smith & Elish-Piper (2002) recommends using technology, such as by highlighting the most important information and adding pictures and graphics to print materials to make the information accessible. Schools, however cannot rely solely on written materials, even translated texts, because some parents

may be low-literate in their native language, or may not have a written form of their first language. Oral forms of communication, such as telephone calls, home visits, or other forms of in-person interaction, may be required to ensure all parents receive the same information on their child's schooling (Smith & Elish-Piper, 2002; Mansuetti, 2009; Fenner, 2014).

What are potential legal consequences for not having or following procedures?

Schools and school districts that do not meet the federal standards for maintaining accessible and consistent communication with EL families may be subject to an investigation and, ultimately, litigation. In 2010, for example, the Department of Justice and Department of Education, initiated a joint investigation of the Boston School District for not providing adequate language support services to EL students and their parents ("Boston", 2010). In 2011, the US Department of Justice received complaints that the Palm Beach County School District was not translating enrollment and registration information for LEP parents, so the Department of Justice took legal action to address these complaints ("Agreement", 2012).

In a 2014 federal class action lawsuit against the Philadelphia School District, the court ruled that because the district did not provide parents with translated and interpreted information about IEP services for LEP parents, the district violated the Individuals with Disabilities Education Act, the Equal Education Opportunity Act, Title VI of the Civil Rights Act of 1964, as well as multiple state laws ("Philadelphia", 2015). More recently, in 2016, the US Department of Justice found the Worcester School District to be noncompliant of providing translated materials to LEP parents ("2016 Successor", 2016). In all cases, the school and/or district was required to create a corrective action plan, specifying their revised policies and procedures for providing translation and interpretation services to their students and families to ensure equal access to education.

What do clear guidelines, procedures, and resources for communicating with EL Families entail?

Comprehensive guidelines and procedures detail the process for identifying EL parents, the documents and other types of information that requires translation or in-

terpretation, and a system for accessing translation and interpretation resources ("Schools' Civil", 2017). They also might include samples of commonly used forms translated into the languages used by the families served by the school ("Schools' Civil", 2017).

- **Process for identifying and recording LEP parents and their preferred language.** The US Department of Education states, "Limited English Proficient (LEP) parents are parents or guardians whose primary language is other than English and who have limited English proficiency in one of the four domains of language proficiency (speaking, listening, reading, or writing)" (2015, p.37). Schools must establish procedures for identifying all LEP parents, including parents of children who speak English and parents whose first language is uncommon in the district ("Dear Colleague", 2015; Dyson, 2001). LEP parents are identified as individuals who specifically request translated information as determined by, for example, a home language survey, interaction with the parent's child, or interaction directly with the parent ("Agreement", 2012). Upon becoming aware of a parent's communication needs, school personnel must update the student management system to keep a record of which student's parents require translated and interpreted information ("Agreement", 2012; "Dear Colleague", 2015).
- **Documents and other types of information, including spoken information (e.g. parent-teacher conferences), that needs to be translated or interpreted for LEP parents.** According to Every Student Succeeds Act (2015), school districts and personnel are legally required to provide translated or interpreted versions in a language that parents can understand of all information and communication related to the following ("Every, 2015):

School Policies and Procedures

- Information on privacy rights, including access to student information by military and college recruiters, FERPA annual notice for disclosure of school directory, and the Protection of Pupil Rights Amendment annual notice to parents.
- Grievance procedures.
- Registration and enrollment.
- Information on how to obtain translation and interpretation services provided by the school district free of charge.

- Public school choice information, including private, magnet, and charter schools, request for school transfer form, and district confirmation of school transfer form.
- Notices of nondiscrimination.

Instruction and Academic Performance/Supports

- Academic achievement results of individual students, including state assessment results, report cards, and other academic progress reports.
- Title III information, including but not limited to a home language survey, description of English language development program, notification of English language development program placement, request for English language development program withdrawal/denial of enrollment form, and notification.
- Gifted and talented programs.
- Special education and related services.
- Parent teacher conferences.
- Annual Measurable Achievement Objectives.

School Climate Management

- Student discipline policies and procedures.
- Parent handbooks.
- Unsafe school information, including notice to parent of student victim of violent offenses and request for school transfer form.

Physical and Psychological Resources/Supports

- Section 504, including but not limited to all information on parent consent for evaluation, determination of eligibility, exit forms, accommodation plans, and invitations to team meetings.
- IDEA, including but not limited to all information on IEP meetings, evaluation and reevaluation, parent consent, and psychoeducational reports.
- Public health and safety notifications.

School Events and Community-building Activities

- Requests for parent permission for student participation in school activities.
- School-sponsored activities that require notification for participation, including after school activities and other activities requiring an application, testing, and open houses.
- Parent involvement information, including school-parent compacts, parent involvement policy meeting invitations, and parent chaperone forms.

Other Information

- Annual state and local educational agency report cards.
- Professional qualifications of the teacher.
- Title I information including notice of school-wide title I eligibility.
- Adequate Yearly Progress information, including status of school AYP notice to parents, district not making AYP notice to parents, school transfer options, district improvement plan meeting invitation to parents, and notice of school restructuring and parent meeting.
- Additional information specifically requested by an LEP parent.

How school personnel can access district-provided translation and interpretation resources. The US Department of Justice recommends that guidelines contain an accurate and current list of all district interpreters/translators, including their languages of proficiency, current phone number, office location, and email address (“Agreement”, 2012). Guidelines also include phone numbers for telephonic interpretation services and updated website addresses with clear instructions for using district-provided document translation services (“Agreement”, 2012).

The Department of Justice advises principals to make these guidelines available to all school personnel, and that schools update and distribute these guidelines annually (“Agreement”, 2012). Electronic guidelines include hyperlinks to district-provided translation and interpretation services’ websites. To help ensure that personnel make regular use of the resources, the Department of Education (2015) suggests that school personnel bookmark links to district-provided translation services’ websites on their work computer browser, that school personnel create an easily accessible text file on their computer of the list of interpreters and translators, and that the list of interpreters and translators is posted throughout the school (“Schools’ Civil”, 2017).

What additional resources are available?

The Department of Education provides a host of additional resources which may prove useful in creating guidelines for communicating with EL parents and for meeting federal requirements (“Schools’ Civil”, 2017).

- Tips for working with telephonic interpreters:
<https://www.lep.gov/resources/TIPS%20FOR%20>



WORKING%20WITH%20TELEPHONE%20INTERPRETERS%20_%203-19-14%20_%20508.pdf

- Tips for building an effective staff language service program: <https://www.justice.gov/crt/file/923341/download>
- Brochure on what schools should know about providing services to LEP individuals: https://www.lep.gov/13166/LEP_Brochure_Fed_Agencies_Recipients.pdf
- A list of weblinks regarding schools' civil rights obligations to EL students and parents: <https://www2.ed.gov/about/offices/list/ocr/ellresources.html>

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