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Policy and Practice Brief 4:

The Obligation of Schools to Provide Information to Multilingual Families in a Language They Can Understand

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Research shows that strong relationships between families and schools are key to student success.¹ By providing information and communication in languages and formats that multilingual parents and guardians can access and understand, schools can strengthen relationships with these families.

Schools and school divisions have a legal obligation to ensure meaningful communication for all families in a language they can understand, including for multilingual families whose primary language is not English and who are developing English language proficiency in reading, writing, listening, and/or speaking. This long-standing federal policy is in accordance with Title IV the Civil Rights Act of 1964, which requires public schools to take affirmative steps to ensure that English learners can meaningfully participate in educational programs and services, and with the Equal Educational Opportunities Act of 1964, which requires public schools to act to overcome language barriers that impede equal participation in their instructional programs.²

Schools have a legal obligation to adequately notify multilingual parents and guardians of information about any program, service, or activity of a school or school division that is called to the attention of families whose primary language is English. Such information may include but is not limited to information regarding language assistance programs, special education and related services, Individualized Education Program (IEP) meetings,³ grievance procedures, notices of nondiscrimination, student discipline policies and procedures, registration and enrollment, parent-teacher conferences, gifted and specialty programs, and any other school and program choice options, as well as documents such as permission slips, handbooks, and report cards.⁴

The U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, provide guidance on ways schools can provide linguistic access to information for multilingual families. They state school divisions should identify parents and guardians who may need language assistance by using a home language survey to inquire whether a family requires written and/or oral communication in a language other than

¹ https://sedl.org/connections/engagement_forum/beyond_random_acts.pdf

² Pub. L. No. 93-380, § 204(f), 88 Stat. 484, 515 (1974) (codified at 20 U.S.C. § 1703(f))

³ <https://www.asha.org/Advocacy/federal/idea/IDEA-Part-B-Issue-Brief-Culturally-and-Linguistically-Diverse-Students/>

⁴ <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

English, and provide them with effective support services, such as a competent interpreter and/or translated documents. It is necessary to provide language assistance to multilingual families even if their children are proficient in English, and whether or not their primary language is common in the school division. It is important to note that some parents may have emerging literacy in their home language, so it may be necessary to provide information in more than one format.

Schools and school divisions are required to provide free and effective language assistance to parents and guardians who need it using trained and qualified staff or appropriate and competent outside resources. All interpreters of oral communications and translators of written documents should be familiar with specialized school terms and concepts in both languages, as well as be trained in the ethics of verbal interpretation and written translation, and in the need to maintain confidentiality. It is not sufficient for students, siblings, friends, or unqualified school personnel to serve as translators or interpreters, even if they are multilingual. If a parent or guardian has their own interpreter, the school should still provide competent linguistic support to ensure accuracy.

School divisions can use routinely-administered home language surveys to identify major languages spoken by large numbers of families, and establish databases of frequently-used documents translated in these languages for easy access by schools. Schools can identify staff members who are trained and qualified to provide interpreter and/or translator assistance, as well as partner with community organizations that can provide qualified linguistic support. Language phone lines may be used to provide oral interpretation services. When using web-based automated translators to translate documents, it is important that a qualified individual reviews the translation and edits it as needed, to ensure that essential information has been accurately translated and conveys the meaning of the original document.⁵

It is important to be mindful that some parents and guardians who identify a home language may actually be more proficient in another local language, which may warrant special attention,⁶ including parents and guardians who identify as Spanish speakers but speak an Indigenous first language, and may not have strong proficiency in Spanish.⁷

Schools can remove barriers to communication and engagement with multilingual families by providing information in both written and verbal formats and by using a variety of modes of communication, including individual and mass telephone calls, video calls, emails, social media posts, text messages, informational videos, learning management system communications, and messaging applications that include translation capabilities such as [Remind](#) and [Talking Points](#). Some video conferencing platforms offer a simultaneous interpretation feature which allows multilingual meeting participants to access a separate channel with an interpreter, in order to participate in meetings alongside English-speaking attendees in real time. Two-way communications are preferred, since it may not be safe to assume that a message sent is a message received.

⁵ <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap10.pdf>

⁶ From “Why Migrants who Speak Indigenous Languages Slip through the Cracks in US Schools,” by C. Connolly, *The Guardian*, 2019

⁷ From “Hidden in Plain Sight: Indigenous Migrants, Their Movements, and Their Challenges,” by C. Yescas, *Migration Policy Institute*, 2010