

Category: STUDENTS

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Number: **A-663**

Subject: TRANSLATIONS

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## **SUMMARY OF CHANGES**

This regulation supersedes Chancellor's Regulation A-663 dated November 2, 2007.

It establishes the procedures for ensuring that Limited English Speaking parents are provided with a meaningful opportunity to participate in and have access to programs and services critical to their child's education.

### Changes:

- Reflects the current NYC Department of Education organization
- Provides that minor students may not provide translation services
- The Translation and Interpretation Unit will provide training to parent coordinators and other key school-based staff on language access requirements.

### **ABSTRACT**

This regulation supersedes Chancellor's Regulation A-663 dated November 2, 2007. It establishes the procedures for ensuring that Limited English Speaking parents<sup>1</sup> are provided with a meaningful opportunity to participate in and have access to programs and services critical to their child's education.

The Translation and Interpretation Unit within the Office for Family Engagement and Advocacy is responsible for providing language access support to families and parent leaders.

#### **I. DEFINITIONS**

For purposes of this regulation:

- A. Covered languages mean the nine most common primary languages other than English spoken by persons living in New York City as identified by the Department of Education ("The Department").
- B. Primary language means the primary language spoken by a student's parent or guardian, as determined by the Department.
- C. Interpretation means the act of contemporaneous communication between a speaker of English and a speaker of a covered language wherein the words of one person are communicated to others orally in a different language.
- D. Translation means the written communication between a speaker of English and a speaker of a covered language wherein the written words of one person are communicated to others in writing in a different language.
- E. Language assistance services means interpretation and/or translation between English and a covered language.

#### **II. DETERMINATION OF PRIMARY LANGUAGE**

- A. Schools must determine within 30 (thirty) days of a student's enrollment (or, for students already enrolled, by a date and procedure to be determined by the Office of Teaching and Learning) the primary language spoken by the parent of each student enrolled in the school, and if such language is not English, whether the parent requires language assistance in order to communicate effectively with the Department.
- B. The school shall maintain an appropriate and current record of the primary language of each parent. Such information must be maintained in ATS and on the student emergency card.

#### **III. OBLIGATION TO PROVIDE LANGUAGE ASSISTANCE SERVICES**

- A. Each school and office shall, consistent with this regulation, provide translation and interpretation services to all parents who require language assistance in order to communicate effectively with the Department.
- B. The Department may provide translation and interpretation services beyond those outlined in this regulation.
- C. Parents may choose to rely on an adult friend/companion or relative for language and interpretation services. Students and other children (minors under the age of 18) may not serve as interpreters for school staff and parents during any formal or informal meeting where student achievement and/or student conduct are discussed.

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<sup>1</sup> The term "parent", whenever used in this regulation, means the student's parent(s) or guardian(s), or any person(s) in a parental or custodial relationship to the student, or the student, if he/she is an emancipated minor or has reached 18 years of age.

**IV. SCHOOL-BASED LANGUAGE ASSISTANCE ASSESSMENT**

- A. As part of its Comprehensive Educational Plan, each school must address:
1. its language assistance needs consistent with the requirements of this regulation, including:
    - a. regular and timely provision of translated documents through either existing resources or the Translation and Interpretation Unit;
    - b. timely provision of interpretation services at group and one-on-one meetings upon request when such services are necessary for parents to communicate with teachers, guidance counselors, school nurse and/or other school staff regarding critical information about their child's education;
    - c. how it will provide those needs; and
    - d. the budgetary and staffing resources it is devoting to fulfill those needs;
    - e. compliance with the notification requirements set forth in Section VII below.

**V. TRANSLATION REQUIREMENTS**

- A. Centrally Produced Critical Communications
1. The central offices of the Department of Education shall identify documents which are distributed or electronically communicated to all or substantially all parents within the City containing critical information regarding their child's education, including, but not limited to:
    - a. registration, application, and selection;
    - b. standards and performance (e.g., standard text on report cards);
    - c. conduct, safety, and discipline;
    - d. special education and related services; and
    - e. transfers and discharges.
  2. The Translation and Interpretation Unit shall: (a) translate such critical communication in a timely manner, in each of the covered languages; and (b) work with the office responsible for the critical communication to make such translations available to the schools.
- B. Student Specific Critical Documents
1. Schools shall provide parents whose primary language is a covered language with a translation of any document that contains individual, student-specific information regarding, but not limited to, a student's:
    - a. health;
    - b. safety;
    - c. legal or disciplinary matters; and
    - d. entitlement to public education or placement in any Special Education, English Language Learner or non-standard academic program.

C. Alternatives to Translation

When the Translation and Interpretation Unit, a school, or office is temporarily unable to provide required translation into one or more covered languages, it must provide, in addition to any other assistance, a cover letter or notice on the face of the English document in the appropriate covered language(s), indicating how a parent can request free translation or interpretation of such document.

**VI. INTERPRETATION SERVICES**

- A. The Department shall provide interpretation services, to the maximum extent practicable within the budget appropriated for such services, during regular business hours, to parents whose primary language is a covered language and who request such services in order to communicate with school staff and school officials regarding critical information about their child's education.
- B. Depending upon availability, such interpretation services may be provided either at the location where the parent is seeking to communicate or by telephone.
- C. The Department's Translation and Interpretation Unit shall provide interpretation services at the following Citywide meetings:
  1. Panel for Educational Policy Meetings;
  2. Citywide ELL parent meetings;
  3. Citywide/Community Education Council Meetings;
  4. Other Citywide parent meetings organized by central offices.

Interpretation services shall be provided in whichever of the covered languages the Department expects will be spoken as the primary language(s) of the persons attending such meeting or event.

**VII. NOTIFICATION REQUIREMENTS**

- A. Schools and offices are responsible for providing each parent whose primary language is a covered language and who require language assistance services with a copy of the Bill of Parent Rights and Responsibilities which includes their rights regarding translation and interpretation services. Translated versions of this document, in the covered languages, are available at <http://schools.nyc.gov/RulesPolicies/ParentBillofRights/Parents+Bill+of+Rights+and+Respo+nsibilities.htm>.
- B. Schools and offices must post in a conspicuous location at or near the primary entrance to such school a sign in each of the covered languages, or most prominent covered languages, indicating the availability of interpretation services. Translated signs, in the covered languages, are available at <http://schools.nyc.gov/Offices/Translation/TipsandResources/Default.htm>.
- C. Each school's safety plan will contain procedures for ensuring that parents in need of language access services are not prevented from reaching the school's administrative offices solely due to language barriers.
- D. Each school at which the parents of more than 10% of the children at such school speak a primary language that is neither English nor a covered language, shall obtain from the Translation and Interpretation Unit a translation into such language of the signage and forms required pursuant to this section and shall post and provide such forms in accordance with this section.
- E. The Department's website shall provide information in each of the covered languages concerning the rights of parents to translation and interpretation services and how to access such services.

**VIII. MECHANISM FOR REQUESTING LANGUAGE ACCESS SERVICES**

- A. Schools and DOE offices shall follow the procedures outlined on the Translation and Interpretation Unit website in order to meet the translation and interpretation requirements set forth in this regulation.
- B. Parents who wish to receive language access services should contact their local school office or the school that their child attends.
- C. Questions regarding how interpretation and translation services may be obtained should be addressed to the Translation and Interpretation Unit.

**IX. TRAINING**

The Translation and Interpretation Unit will provide periodic training to parent coordinators and other key school-based personnel on the language access requirements contained in this regulation and on resources available to support these requirements.

**X. REPORTING REQUIREMENTS**

The Translation and Interpretation Unit will maintain records of all language access services it provides, including, but not limited to:

- the number of distinct documents that it translates into the covered languages and the general nature of such documents;
- the number of meetings at which it provides interpretation services and the languages for which it provides such services;
- its annual budget for language access services;
- the number of Department employees who provide language access services on a full-time basis;
- the number of times interpretation services are provided by telephone, and the language in which such services are provided.

**XI. INQUIRIES**

Inquiries pertaining to this regulation should be addressed to:

Telephone:	<i>Office for Family Engagement and Advocacy</i> <i>Translation and Interpretation Unit</i> N.Y.C. Department of Education 45-18 Court Square - 2 <sup>nd</sup> Floor Long Island City, NY 11101	Fax:
718-752-7373		718-752-7390
	E-mail: <a href="mailto:translations@schools.nyc.gov">translations@schools.nyc.gov</a> <a href="http://www.nyc.gov/schools/offices/translation">http://www.nyc.gov/schools/offices/translation</a>	