# **English Learner** (EL) 101 Part IX: Parent & Family Rights and Engagement



### **TODAY'S SESSION TAKEAWAYS**

## What will be covered in today's session?





### **IMPORTANCE OF FAMILY ENGAGEMENT**

Family engagement is a key element of successful EL programming.

This brings different assets and needs that makes effective, two-way communication essential.

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### **PARENTS RIGHTS: COMMUNICATION**

#### **Office of Civil Rights Memo, 1970**

"School districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English." DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OFFICE OF THE SECRETARY

WASHINGTON, D.C

#### May 25, 1970

MEMORANDUM

TO: School Districts With More Than Five Percent National Origin-Minority Group Children

FROM: J. Stanley Pottinger, Director, Office for Civil Rights

SUBJECT: Identification of Discrimination and Denial of Services on the Basis of National Origin

Title VI of the Civil Rights Act of 1964 and the Departmental Regulation (45 CFR Part 80) promulgated thereunder require that there be no discrimination on the basis of race, color or national origin in the operation of any federally assisted programs.

Tile VI compliance reviews conducted in school districts with large Spanish-sumamed student populations by the Office for CoVI Rights have revealed a number of common practices which have the effect of denying equality of educational corporturity to Spanishsumamed pupils. Similar practices which have the effect of denying equality of educational corport on the Spanishexpect to disadvantaged pupils from differ analonal origin-mixing transfer. Second, Charles et al. 2014 of the contexpect of the standard public should be related to a standard public should be related to a standard be related to the relation to the related to the relation to the relation to the related to the relation to the relationt to th

The purpose of this memorandum is to clarify DiHEW policy on issues concerning the responsibility of school districts to provide equal educational opportunity to national origin provide provide deficient in English language skills. The following are some of the major areas of concern that relate to compliance with Title VI:

- Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.
- 2. School diatricts must not assign national reigns/starty,minority group strutemits to classes for the mentally retarted on the basis of criteria which essentially measure or evaluate English inargues skits, care may achool district demonstrational orignminimonly group children access to college preparatory courses on a basis directly related to the failure of the school system to incucate English inargues exits.
- Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.
- 4. School districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

School districts should examine current practices which exist in their districts in order to assess compliance with the matters set forth in this memoradum. A school district which determines that compliance problems currently exist in that district should immediately communicate in writing with the Office for Civil Rights and indicate what steps are being taken to remedy the situation. Where compliance questions arise as to the sufficiency of programs designed to meet the language skill needs of national origin-minority group children arise(or persiting) and and compliance programs should be provided. In the area of special language assistance, the scope of the program and the process for identifying need and the extent to which the need is fulfiled should be set forth.

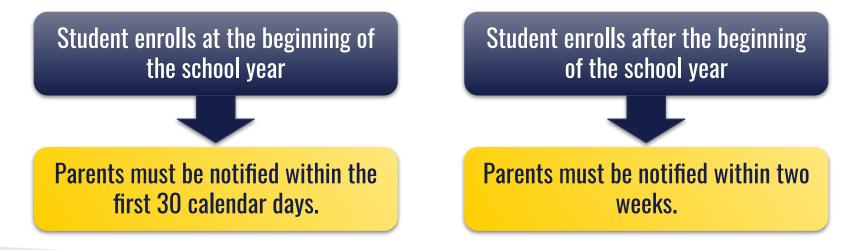
Shoot districts which receive this memorandum will be contacted shortly regarding the availability of technical assistance and will be provided with any additional information that may be needed to assist districts in activenity compliance with the law and educational opportunity for all children. Effective as of this date the aforementioned areas of concern will be regarded by regional Office for CAI highly begrowned as a part of their compliance regions billies.

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### **PARENT RIGHTS: NOTIFICATION**

Once a student is identified as an EL, and every ensuing year that the student remains in the program, parents must be notified of their child's placement in an EL program via the **Annual Parent Notification Letter**:



## **PARENT RIGHTS: DENIAL OF SERVICES**

Parents have the right to opt their child out of EL services.

- Before making a decision, parents must be made fully aware of the benefits of the EL program, their students' proficiency levels, etc. in a language they understand.
- If parents waive services, schools must keep written documentation with parent signature and date.
- All students are still required to take WIDA ACCESS annually until proficient, will receive an Individual Learning Plan (ILP) to ensure meaningful participation, and will have access to accommodations on statewide assessments.
- Parents may opt back in to EL services at any time.

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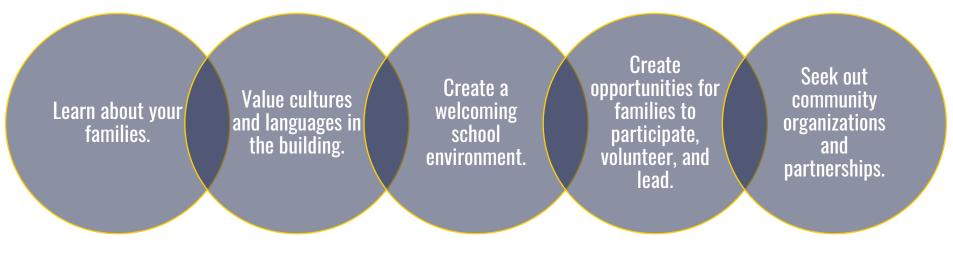
### **PARENT RIGHTS: LOCATION OF SERVICES**

Districts with a low incidence of ELs may decide to only provide specified EL staff at certain buildings and may request that ELs attend those buildings to receive direct services. However, if a parent chooses not to participate in this model but wishes to receive services at the school in which the student would normally attend, the district must develop an alternate plan to provide an equal level of services for this student with designated, qualified EL staff.



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# **ENGAGING EL FAMILIES: CONSIDERATIONS**





### **ENGAGING EL FAMILIES: RESOURCES**

#### INDIANA DEPARTMENT OF EDUCATION Office of English Learning & Migrant Education

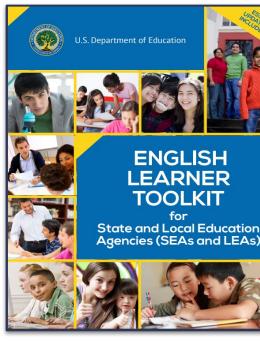
#### **English Learner Guidebook**

Revised August 2022





INDIANA DEPARTMENT of EDUCATION







U.S. Department of Education Office for Civil Rights

grievance procedures and notices of

nondiscrimination

parent handbooks

Information for Limited English Proficient (LEP) Parents and Guardians and for Schools and School Districts that Communicate with Them

This fact sheet answers common questions about the rights of parents and guardians who do not speak, listen, read, or write English proficiently because it is not their primary language.

#### Must my child's school provide information to me in a language I can understand?

Yes. Schools must communicate information to limited English proficient parents in a language they can understand about any program, service, or activity that is called to the attention of parents who are proficient in English. This includes, but is not limited to, information related to:

- registration and enrollment in school and
  - school programs
- language assistance programs
  report cards
  - gifted and talented programs
- student discipline policies and procedures
  magnet and charter schools
- special education and related services, and
  requests for parent permission for
- meetings to discuss special education student participation in school activities parent-teacher conferences

#### Must a school provide language assistance if I request it even if my child is proficient in English and I am somewhat proficient in English?

Yes. Schools must respond to a parent's request for language assistance and remember that parents can be limited English proficient even if their child is proficient in English.

#### May my child's school ask my child, other students, or untrained school staff to translate or interpret for me?

No. Schools must provide translation or interpretation from appropriate and competent individuals and may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents.

#### What information should I expect from the school if my child is an English learner?

When your child enrolls, you should receive a home language survey or similar form to fill out that helps the school identify potential English learners, who are eligible for language assistance services. If your child is identified as an English learner, the school must notify you in writing within 30 days of the school year starting with information about your child's English language proficiency level, programs and services available to meet your child's educational needs, and your right to opt your child out of a program or particular services for English learners. For more information about the rights of English learners, visit http://www.ed.gov/about/fices/list/orc/fices/lis

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# **QUESTIONS? CONTACT US!**

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