

MODEL POLICY Utah State Board of Education (USBE) Model Language Access Plan

1.0 Guidance for each Local Education Agencies (LEA) to consider when creating a language access policy

1.1 LEA Administrators should ensure that educators and staff comply with the LEA-created policy written after consideration of the USBE model LAP policy.

1.2 An LEA shall adopt a policy addressing the LEA's communication and assistance to students learning English, their parent or guardian, and their families.

1.3 Each local school board shall adopt a policy on parental involvement for multilingual learners (MLs, students learning English) in the schools of the district.

1.4 The local school board shall design its policy to build consistent and meaningful communication in a language that a parent or guardian can understand among teachers, administrators, and parents.

1.5 The policy shall provide parents with the opportunity to be actively involved in their children's education and to be informed of the importance of the involvement of parents in directly affecting the success of their children's educational efforts; and groups and organizations that may provide instruction and training to parents to help improve their children's academic success and support their academic efforts.

1.6 The LEA shall review this language assistance plan for efficacy annually, consulting with community members: refugee resettlement agencies, immigration services organizations, ethnic based community organizations for the purpose of evaluating the effectiveness of the LAP policy.

1.7 LEA administrators and school staff are responsible for notifying each parent and student who require language assistance services of their right to free language assistance, including a complaint procedure. A model is available at the Title III website under [Legislation](#).

2.0 Purpose

The Utah State Board of Education (USBE) has prepared this model Language Access Plan (“LAP” or “Plan”) regarding access to agency services, programs, and activities for persons who have

limited English proficiency and understand other languages other than English. This model Language Access Plan is mandated by [HB302](#).

3.0 Definitions

3.1 Primary language means the first language spoken by a student and a student's parent or guardian.

3.2 Interpretation means simultaneous communication between a speaker of English and a speaker of another language.

3.3 Translation means the written communication wherein the written words of one person are communicated to others in writing in a different language.

4.0 Language Access Plan

4.1 Language Access Coordinator: A language access coordinator will be designated by an LEA and is responsible for implementing and updating this language access plan annually which includes relevant training.

4.2 LEAs will notify school personnel of this language access plan, the rights of parents and students to language assistance services, and the proper procedures to access language assistance services as outlined in this document.

4.3 Determination of Primary Language

4.3.1 Schools must determine within 30 (thirty) days of a student's enrollment (or, re-enrollment) the primary language spoken by the student and the parent or guardian of each student enrolled in the school, and if such language is not English, whether the student and parent require language assistance to communicate effectively with the school.

4.3.2 The school shall maintain an appropriate and current record of the primary language of each parent.

5.0 Obligation to Provide Language Assistance Services

5.1 LEAs and office shall, consistent with this regulation, provide translation and interpretation services to students and parents who require language assistance in order to communicate

effectively with their school.

5.2 The school may provide translation and interpretation services beyond those outlined in this regulation.

6.0 Interpretation Services

6.1 The LEA shall provide interpretation services during regular business hours, to parents and students who require such services in order to communicate with the LEA regarding critical information about their child's education.

6.2 Depending upon availability, such interpretation services may be provided either at the location where the parent or student is seeking to communicate or virtually.

6.3 Interpretation shall be provided for, but not limited to, the following activities: (a) classroom activities; (b) impromptu and scheduled office visits or phone calls; (c) enrollment or registration processes;

(d) the Individual Education Program (IEP) process; (e) student educational and occupational planning processes; (f) fee waiver processes; (g) parent engagement activities; (h) student disciplinary meetings; (i) school community councils; (j) school board meetings; (k) other school or LEA activities; and (l) other interactions between the parents of a student learning English and educational staff.

6.4 Qualifications of Interpreters and/or Translators

6.4.1 Interpreters and translators may be certified and, where possible, have education- specific experience for the following:

(a) classroom activities;

(b) impromptu and scheduled office visits or phone calls;

(c) enrollment or registration processes;

(d) the IEP process;

(e) student educational and occupational planning processes;

- (f) fee waiver processes;
- (g) parent engagement activities;
- (h) student disciplinary meetings;
- (i) school community councils;
- (j) school board meetings;
- (k) other school or LEA activities; and
- (l) other interactions between the parents of a student learning English and
- (m) educational staff.

6.4.2 Translation Requirements Translation shall be provided for, but not limited to:

- (a) registration or enrollment materials, including home language surveys and English learning program entrance and exit notifications;
- (b) assignments and accompanying materials; (c) report cards or other progress reports;

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- (d) student discipline policies and procedures; (e) grievance procedures and notices of rights and nondiscrimination; (f) parent or family handbooks; (g) requests for parent permission; immunizations; and,
- (h) any other guidance, including guidance on when oral interpretation is preferable to written translation, to improve instruction and assistance by teachers, counselors, and administrators to a student learning English and the student's parents and family.

7.0 Centrally Produced Critical Communications

7.1 The LEA shall identify documents which are distributed or electronically communicated to guardians containing critical information regarding their child's education, including, but not limited to: registration, application, and selection; standards and performance (e.g., standard text on report cards); conduct, safety, and discipline; special education and related services;

and transfers and discharges.

7.2 The LEA shall procure translations of 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.

7.3 Student Specific Critical Documents

Schools shall provide parents 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.