

***SCHOOL YEAR FILLED WITH MISSED COMMUNICATION:***  
Despite Chancellor's Regulation, Immigrant Parents Still Face Language Barriers

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June 27, 2007

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## **ACKNOWLEDGMENTS**

This report would not have been possible without funding from the Rockefeller Brothers Fund, the Robert Sterling Clark Foundation, the Donors' Education Collaborative and the Rockefeller Foundation.

We would also like to acknowledge the contributions and expert advice of all the members of the NYC's Immigrant and ELL Education Reform Taskforce.

## Executive Summary

The New York City Department of Education (DOE) oversees the largest and most diverse school district in the country. The school system has long had great difficulty communicating with and involving parents, almost half of whom do not speak English as a primary language. On February 27, 2006, Mayor Michael Bloomberg, City Council Speaker Christine Quinn, and DOE Chancellor Joel I. Klein announced a new Regulation (Chancellor's Regulation A-663) with the purpose of providing translation and interpretation services to the hundreds of thousands of parents who have limited English skills. The Regulation, which is intended to break down language barriers and enable Limited-English Proficient (LEP) parents to participate in their children's education, was the result of a coalition campaign led by immigrant parents, community groups, and City Council Members. The Regulation became effective on September 5, 2006.

At the beginning of this school year, the *Equity Monitoring Project for Immigrant and Refugee Education (EMPIRE) Collaborative*, through the coordination of Advocates For Children (AFC) and the New York Immigration Coalition (NYIC), set out to determine whether or not Chancellor's Regulation A-663 was being implemented and whether parents were being afforded the services promised under the new Regulation. The EMPIRE Collaborative is composed of community-based organizations serving a broad range of immigrant families throughout the city: Asian Americans For Equality, Comprehensive Development Inc., El Centro de la Hospitalidad, Haitian Americans United For Progress, Latin American Integration Center, Make the Road By Walking, and Metropolitan Russian American Parents Association. Together we collected almost 900 parent surveys, visited more than 100 schools, Registration Centers, and Borough High School Fairs, and conducted 14 focus groups with over 100 parents. This report presents our findings and recommendations for reform.

### Key Findings

Our data shows that the majority of LEP parents are still not receiving translation and interpretation services in our schools. For example:

- **Approximately 60% of parents in our general survey were not aware of the translation and interpretation services available to them.**
- **Parents are not receiving important notices to attend Parent-Teacher conferences or translated report cards. Over one third (37%) of the parents surveyed did not receive notices to attend Parent-Teacher conferences in their primary language.**
- **Only 36% of parents surveyed received translated report cards, which means that nearly two thirds of these parents could not understand one of the most important documents they receive regarding their child's education.**
- **In our high school survey, 31% of parents were not able to understand the teachers and staff at the Parent-Teacher conferences, and 46% said that they could not communicate with the teachers and staff.**

- **Sixty-two percent of parents reported receiving information about their child’s health, safety, legal or disciplinary matters, entitlements to programs, or permission slip and consent forms, but only 30% received information in a language they could understand most or all of the time.**
- **More than 70% of schools we visited during the school year failed to have signs visible at or near the entrance of the school as mandated by the Regulation. At over 90% of our visits to Regional Offices required signs were not posted.**

Our findings are particularly troubling since the DOE has recently emphasized its commitment to parent engagement and its desire to have meaningful working relationships with parents. However, unless translation and interpretation services improve, hundreds of thousands of the city’s parents will be denied an opportunity to participate in their child’s education. Although the DOE must further develop strategies to increase parental engagement among immigrant and LEP parents, eliminating language barriers is the necessary first step in getting parents involved. The bottom line is that an important opportunity to engage LEP parents is lost when language barriers impede parents from interacting with schools.

### **Recommendations**

In order to correct the lapses identified in this report, we recommend the following actions be taken by the start of the 2007-2008 academic school year so that parents can receive the necessary translation and interpretation services:

#### **1) Monitor and Hold Schools Accountable for Translation and Interpretation Services.**

Currently, the DOE has no accountability system for this Regulation and has largely responded to service lapses that advocates have pointed out without affirmatively seeking to anticipate, document, and remedy those lapses. While the DOE is moving towards a hands-off approach to happenings within schools in exchange for improved outcomes, it is important to monitor the provision of services that are non-negotiable, such as translation and interpretation and others not captured by typical outcome measures. Citywide parent satisfaction surveys conducted by the DOE this Spring provided an opportunity to identify failures in implementation, but there were no questions relating to translation and interpretation services. To ensure that schools and the DOE comply with the Regulation, the DOE must:

- Designate a point person formally responsible for monitoring the enforcement of the Regulation citywide and overseeing coordination at the district level. The central office responsible for monitoring of services should also be responsible for fielding complaints and correcting service lapses at schools;
- Ensure that schools prepare and make publicly available their language needs, their plan for meeting those needs, and an itemized budget showing how they actually used translation and interpretation funds to meet those needs. Currently, it is hard to determine if the level of translation and interpretation funding is adequate to meet the

needs because schools have not been required to put forth a budget plan that can be compared to what was actually spent at the end of the year.

## **2) Provide Training and Resources to Schools and Districts on the Provision of Translation and Interpretation Services.**

The DOE must ensure that key school staff, such as the principal, assistant principal, parent coordinator, bilingual coordinator, and selected administrators, are informed and trained on the provision of the Regulations, the resources available through the Translation and Interpretation Unit, and guidelines for the use of translation and interpretation funding for schools. This will require:

- Professional development for school staff over the summer and throughout the school year. Although not employed by the DOE, school security personnel should also receive training, be given procedures to follow, and be provided with materials, such as language cards, in the eight languages and other commonly spoken languages in their school.
- The creation of an Immigrant Parent Language Access Kit. The Kits should include a manual for the provision of translation and interpretation services, language cards, important translated documents such as those outlined in the Regulation, contact information for the Translation and Interpretation Unit, and information on where schools and parents can go to resolve problems.

## **3) Track and Coordinate the Distribution of Translated Materials to DOE Offices, Districts, Schools, and Parents.**

To guarantee that translated materials ultimately reach parents via the schools and District and Regional Offices, the DOE must ensure that:

- All DOE offices know about the Regulation's requirements and coordinate internally to ensure the timely translation and distribution of documents going to schools and district offices;
- Translated documents are easily accessible to schools via the DOE website, the Immigrant Parent Language Access Kit, and district offices. Translated documents must be made available to schools at the same time as the English version to ensure proper coordination and distribution of materials.

## **4) Ensure Parents Receive Information on the Services Available to Them Through a Comprehensive Outreach Campaign.**

The DOE should provide to parents and community groups a list of activities to increase awareness of the Regulation, particularly at the school level. As the next school year approaches, the DOE should:

- Analyze its current parent outreach, and with community input, create new and more effective ways of conducting outreach to parents. Methods may include

distributing flyers or palm cards outlining parents' rights, placing new advertisements in ethnic newspapers, public service announcements, and distributing information in high immigrant communities through community venues, such as faith and community events. These efforts should begin before the school year begins and continue throughout the year;

- Ensure signs informing parents of their rights are posted in clear strategic places within the schools, such as near the security guard desks and around administrative offices, so that parents who are not able to communicate with staff can see those signs;
- Ensure the DOE website is capable of providing key information in the 8 languages of the Regulation and that it is well organized so that parents can easily find the translated options. For instance, all DOE sub-pages should have, at the very top, an introductory paragraph linking them to key translated information for that office.

### **5) Improve the Availability and Accessibility of Interpretation Services.**

Our findings show that these services were generally not available to parents, and without further guidance on when and how schools must provide these services, this problem will continue to persist. In particular:

- For phone interpretation services, parents need a quiet space and better technology, so that these services are actually accessible to all schools;
- For in-person translation services, schools should use their own assessment of language needs to plan and ensure that interpretation services are available and that school staff know how to access interpretation services for unexpected school visits.
- Parent Teacher Association, School Leadership Teams, and other school leadership meetings must be accessible to parents through the provision of interpretation services, either through head pieces<sup>1</sup> that can be used throughout the district, or through on-site interpreters, so that parents can be fully involved and do not feel as though they are simply sitting through a meeting, unable to comprehend anything that is happening. The importance of parent leaderships under the reorganization has made it necessary to ensure that parents can participate, understand, and have input on the budgetary and administrative decisions of their schools.

**In addition to these actions that the DOE needs to take, the New York City Council must play a greater role in overseeing compliance with the Regulation by holding yearly hearings, requesting data on the use of funds, and working with the DOE to ensure full implementation of the Regulation in the 2007-2008 school year.**

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<sup>1</sup> Simultaneous interpretation using headsets.

## Introduction

After releasing several reports on the lack of translation services and running an intensive advocacy campaign, AFC, the NYIC, and the EMPIRE Collaborative leveraged a groundbreaking agreement with the Mayor, City Council Members, and the DOE to establish a Chancellor's Regulation that outlined how schools should provide translation and interpretation services<sup>2</sup> for immigrant and LEP<sup>3</sup> parents in New York City (NYC). The Regulation, which became effective on September 5, 2006, mandates the provision of translation and interpretation services for NYC parents who speak one of the 8 most commonly spoken languages in the city: Arabic, Bengali, Chinese, Korean, Haitian-Creole, Russian, Spanish, and Urdu.<sup>4</sup> The Regulation's stated purpose is to give parents "a meaningful opportunity to participate and have access to programs and services critical to their child's education."<sup>5</sup> This report examines whether the DOE has fulfilled its promise of meaningful access for LEP parents during the 2006-2007 academic school year.

### History of Chancellor's Regulation A-663

In 2005-2006, approximately 42% of New York City's 1.1 million students came from families that speak a language other than English at home.<sup>6</sup> Historically, LEP parents have faced widespread obstacles in their efforts to participate in their children's schools and education. AFC and the NYIC, in partnership with the EMPIRE Collaborative, have documented this struggle throughout the years and have advocated for the provision of services, such as translation and interpretation services, that would allow LEP parents to actively participate in the NYC school system.<sup>7</sup> Since our release in February 2004 of *Denied at the Door: Language Barriers Block Immigrant Parents from School Involvement*, we have remained committed to ensuring that parents with limited English are not excluded from participating in their children's education for lack of translation and interpretation services.<sup>8</sup>

In 2005, in joint leadership with Make the Road by Walking, the Latin American Integration Center, and other EMPIRE groups, we advised City Council Members Hiram Monserrate and David Yassky to introduce the Education Equity Act, Intro. 464-A. The introduction of this legislation set the foundation for a high-intensity campaign to bring translation and interpretation services into the City's schools.

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<sup>2</sup> As defined by the Regulation, translation applies to written communication and interpretation applies to a contemporaneous oral act. This report will use the same definitions.

<sup>3</sup> While NYC uses the term English Language Learner (ELL), the term limited-English proficient (LEP) is a state designated term that is used to define individuals who speak a language other than English and, in the case of students, score below a state designated level of proficiency. See 8 N.Y.C.R.R. §154 for a more detailed definition.

<sup>4</sup> New York City Department of Education, Chancellor's Regulation A-663, 2006, available at <http://docs.nycenet.edu/docushare/dsweb/Get/Document-151/A-663%20Translation%203-27-06%20.pdf>.

<sup>5</sup> Chancellor's Regulation A-663.

<sup>6</sup> DOE Office of English Language Learners. *ELLs in New York City: Student Demographic Data Report*. Summer, 2006.

<sup>7</sup> See *From Translation to Participation: A Survey of Parent Coordinators in New York City and Their Ability to Assist Non-English Speaking Parents* (2004) available at <http://www.advocatesforchildren.org/reports.php>.

<sup>8</sup> See *Denied at the Door: Language Barriers Block Immigrant Parents from School Involvement* (2004) available at <http://www.advocatesforchildren.org/reports.php>.



Our multifaceted strategy generated and sustained widespread support for this issue and resulted in a major victory: on February 27, 2006, parents and community leaders joined Mayor Bloomberg, Speaker Quinn, Council Member Monserrate and Chancellor Klein in a major press conference making the provision of translation and interpretation services to parents NYC DOE policy and law. The new Chancellor's Regulation, which is based on model language we proposed, sets clear standards for when the DOE should provide language assistance; requires each school to come up with its own comprehensive language assistance plan; comes with \$2 million in additional funding, bringing the total program funding to over \$12 million; and is accompanied by a promise by the DOE to report to the City Council when language assistance is not provided due to funding limitations. At this time, the DOE also agreed to form a Translation and Interpretation Taskforce (T and I Taskforce) with community groups to review and strategize on the implementation of the Regulation.

Following the enactment of the Chancellor's Regulation, we have continued to press education and elected officials to support and implement a comprehensive system for service provision. We have held meetings with DOE representatives to stress our concerns regarding the provision of translation and interpretation services and monitoring the implementation of the Regulation. The EMPIRE Collaborative plays a leading role on the DOE's T and I Taskforce where we meet quarterly to discuss the services being provided to LEP parents and how translation and interpretation services can be strengthened at the school and city level. At these meetings, we have presented the substance of the findings outlined in this report.

### **The Importance of Implementation**

While Chancellor's Regulation A-663 was a significant victory, the *implementation* of the Regulation is the real key to giving parents meaningful access to schools and the school system. Research has shown that one of the major factors in predicting a student's achievement in school is the extent to which a student's family is able to participate and become involved in their child's school and community.<sup>9</sup> Among other things, parental involvement is credited with helping students achieve better grades and better attendance and eroding the achievement gap between students.<sup>10</sup>

Making school-related information accessible to all parents is particularly important now as the DOE undertakes a large-scale restructuring effort that began this spring and will continue throughout the summer and next school year. As a result of this effort, there will be major changes in the day-to-day functioning of schools and how schools and administrative offices communicate with parents. Now more than ever, parents must stay actively involved and informed to navigate the school system effectively. Without the actual delivery of translation and interpretation services, a large number of parents will be effectively shut out of their children's schools. The provisions of this Regulation, if implemented correctly, could begin to

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<sup>9</sup> See summary of major research by National Education Association available at <http://www.nea.org/parents/index.html>.

<sup>10</sup> See National Coalition for Parent Involvement in Education review of research published by the Southwest Educational Development Laboratory (2002) available at <http://www.ncpie.org/WhatsHappening/researchJanuary2006.html>.

facilitate families' participation in the NYC school system. As research shows, receiving information about a child's school and participating in a child's education benefits families in all communities.<sup>11</sup>

The failure of the DOE to provide basic language access to LEP parents stands in sharp contrast to recent public statements by the Mayor, Chancellor, and others affirming parent engagement as one of their top priorities. As detailed below, the DOE has missed many opportunities throughout this school year to provide LEP parents with translation and interpretation services. To move forward significantly on parent engagement, the DOE will need to address these major barriers to communication between parents and schools.

### **Initial Efforts to Monitor**

Because of the importance of and need for this Regulation, we have followed its implementation closely. In the months leading to the Regulation's effective date, many parents and community members were still unaware of the new Regulation or the services it provides. As a result, AFC and the NYIC had to develop and disseminate our own fact sheets and flyers regarding the Regulation to schools, community groups and parents. Despite our requests to discuss and meet as a taskforce on the implementation of the Regulation, the DOE did little during the summer of 2006 to prepare for the Regulation's effective date of September 5, 2006.

Therefore, starting in late August 2006, the EMPIRE Collaborative set out to monitor whether or not the Chancellor's Regulation would be fully implemented in its first year and whether parents would actually receive the notices and services they were promised. As we will discuss later, our efforts in the beginning of the school year focused on monitoring High School Registration Centers and surveying Parent Coordinators. Our preliminary findings of service gaps were released in our Fall 2006 report, *A Bad Start to the School Year: Despite New Regulation Immigrant Parents Still Face Major Language Barriers*.<sup>12</sup> With the release of that report, we launched a yearlong monitoring effort to follow important provisions of the Regulation to see if they were being fully implemented. This report is the result of those efforts.

### **Features of the Chancellor's Regulation**

Chancellor's Regulation A-663 codifies many of the language access requirements set forth in Federal and State law into a clear framework for DOE personnel and school staff to follow.<sup>13</sup> The overall aim of the Regulation is to provide parents with access to their children's education by eliminating the language barriers that keep parents from being able to participate in a meaningful way.

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<sup>11</sup> See National Coalition for Parent Involvement in Education citing research published by Chrispeels and Rivero, (2000) at <http://www.ncpie.org/WhatsHappening/researchJanuary2006.html>.

<sup>12</sup> The report is available at: <http://www.advocatesforchildren.org/reports.php>.

<sup>13</sup> For an overview of other laws and Regulations governing translation and interpretation services, please see our 2004 report *From Translation to Participation: A Survey of Parent Coordinators in New York City and Their Ability to Assist Non-English Speaking Parents*, available at: <http://www.advocatesforchildren.org/reports.php>.

As part of this process, parents are to be given notice of their rights under the Regulation, and schools and offices are generally responsible for giving each parent who qualifies for services written notification of their rights and instructions on how to obtain services. In particular, each school is required to have signs posted in the eight most common languages informing parents of their rights to translation and interpretation.

The Regulation also sets forth a requirement that schools and DOE offices provide interpretation services for parents and translate documents that are important to a child's education. To do this, the DOE has allocated approximately \$6.4 million to schools.

In response to our advocacy and in order to facilitate the translation of documents and interpretation at events or meetings that are essential to a student's education, the Department of Education created a Translation and Interpretation Unit (T and I Unit) in 2005 to provide services citywide.<sup>14</sup> The T and I Unit offers centralized translation and interpretation services and oversees the provision of multilingual telephone conference services. The T and I unit also coordinates interpretation at citywide and district-wide events. This year, the T and I Unit received approximately \$5.5 million to provide services.

**The core elements of the Regulation require:**

- Schools to identify the primary language spoken by a student's parent and determine whether the parent needs language assistance to communicate with the DOE within 30 days of enrolling a student;
- Schools to address the translation and interpretation needs of parents as they develop their Comprehensive Educational Plans. As part of these plans, schools should be prepared to provide translated documents and interpretation services at group and one-on-one meetings;
- The T and I Unit to identify and translate documents containing critical information regarding a child's education, which are communicated to all or substantially all parents. This includes registration materials and report cards;
- Schools to provide parents with translation of any documents that contain information about their specific child's health, safety, special education entitlements, or legal or disciplinary matters, or any documents relating to parental permission or consent;
- Schools to provide interpretation services to the maximum extent possible for parents who request services in order to communicate with DOE or school staff regarding critical information about their child's education;
- The provision of services at Citywide or Regional meetings such as Panel for Educational Policy meetings, Citywide English Language Learner (ELL) parent meetings, Community Education Council meetings, and other Citywide or Regional parent meetings organized by central or Regional offices; and

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<sup>14</sup> The DOE's Translation and Interpretation Unit website is available at: <http://schools.nyc.gov/Offices/Translation/default.htm>

- Signage and notices at schools, at central and Regional offices and on the DOE’s website that inform parents of their rights to translation and interpretation. Signs must be posted in a conspicuous location at or near the entrance.

The Regulation applies citywide and it applies to the eight most commonly spoken languages in New York City: Arabic, Bengali, Chinese, Haitian-Creole, Korean, Russian, Spanish, and Urdu.<sup>15</sup> However, schools that have parent populations of 10% or more that speak one language not covered by the Regulation are also required to provide translation and interpretation services to those parents under the Regulation.<sup>16</sup>

Funding for mandated translation and interpretation services is largely provided by the DOE. The DOE has also provided additional funds for schools to provide their own translation and interpretation services through Title I, Title III, and/or tax levy funds.<sup>17</sup> Funds going to schools should be used to provide services above and beyond what is mandated by State and local laws and what is provided for by the T and I Unit. Schools have some discretion on the use of these funds.<sup>18</sup> Among the approved uses listed by the DOE are the retranslation of materials that come from the T and I Unit, the purchasing of services for training programs, and the general purchasing of services related to providing translation and interpretation services.<sup>19</sup> However, the monies given to schools cannot be used to supplement the T and I services that schools are legally mandated to provide, such as Special Education Educational Planning Conferences.<sup>20</sup>

### **Translation and Interpretation Taskforce**

The EMPIRE Collaborative has played a key role in the T and I Taskforce, which resulted from our original agreement with the DOE and City Hall that gave rise to the Regulation. This year, we met three times to discuss the services being provided to LEP parents and how translation and interpretation services can be strengthened at the school and city level. At these meetings, we have presented the substance of the findings outlined in this report.

While DOE representatives at the T and I Taskforce have shown concern about our findings of substantial lapses in mandated services and worked to correct school-specific problems, we have not seen the type of system-wide outreach, training, and oversight necessary to eliminate language barriers in our schools. For instance, Make the Road by Walking shared its findings on the lack of signage throughout District 32 and were successful in getting the problem largely corrected within a few weeks, but by the end of the school year, there were many other schools in the city that still did not have appropriate signage. In another instance, when we told the Office of New Schools about the lack of translated materials for students to

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<sup>15</sup> Chancellor’s Regulation A-663.

<sup>16</sup> Chancellor’s Regulation A-663.

<sup>17</sup> New York City Department of Education, School Allocation Memorandum, No.52, FY07, available at: [http://schools.nyc.gov/NR/rdonlyres/40FB90C0-A485\\_4442-B42F-5FBDA704E3A6/13524/SAM54.pdf](http://schools.nyc.gov/NR/rdonlyres/40FB90C0-A485_4442-B42F-5FBDA704E3A6/13524/SAM54.pdf).

<sup>18</sup> School Allocation Memorandum, No.52.

<sup>19</sup> School Allocation Memorandum, No.52.

<sup>20</sup> School Allocation Memorandum, No.52.

apply to small schools, we received a reply a month after the application deadline had passed and were unable to disseminate this important information to parents and students.

The DOE appears to be relying on our monitoring to react to problems with the implementation of the Regulation, instead of developing a system for finding and addressing problems on its own. As of the publication of this report, the DOE does not have a designated individual or office to monitor and ensure that schools are in compliance with the Regulation nor does it have an office that monitors the quality of services provided by the T and I Unit. When asked about the complaint process for services lapses, the DOE has suggested that parents call 311 and lodge a complaint there. According to DOE representatives, the Mayor will, at least yearly, look at all complaints logged through 311. However, it is unclear what the Mayor or DOE will do with those complaints or if there will be follow up with schools or DOE offices that are not providing mandated services.

## Methodology

In order to monitor whether or not the Regulation was being implemented, the EMPIRE Collaborative decided to look at individual sections of the Regulation to determine if those requirements were being met and whether those services were being provided.

We did so using three broad approaches:

**1). Site Visits:** To see whether notice requirements were being met, we visited and monitored schools, Borough High School Fairs, High School Registration Centers, and Regional Offices. Since parents often receive information at Borough High School Fairs that can shape their child's educational experience and are required to make important decisions about their child's education at High School Registration Centers, we decided to monitor both to see if the DOE was providing mandated services and signage and whether LEP parents could navigate these events. Similarly, we visited schools and Regional Offices, which are often a parent's first point of contact with their child's school or the DOE, to see if proper signage was available to make parents aware of their rights. In total we conducted 104 visits from August 2006 through May 2007.

**2) Surveys:** To see what services were being provided to parents, two surveys were used in the Fall and Spring to get information from parents and students at Parent-Teacher conferences. We focused on Parent-Teacher conferences because they are pivotal to parental access and knowledge of their child's education. The Parent-Teacher conference also affords the DOE several opportunities to implement the Regulation by providing translated materials, such as report cards, to parents and offering on-site interpretation services for parents to communicate with teachers and staff. In addition, a third survey was administered in May and June to ask parents for background information and questions about the types of services they received throughout the year.

In total we received 881 surveys. For the first two surveys, parents were surveyed outside of schools during 2006-2007 Fall and Spring Parent-Teacher conferences. For the third survey administered in May and June of 2007, the parents surveyed were largely community members of groups in the EMPIRE Collaborative. During all three survey periods, approximately three quarters of the parents surveyed did not speak any English at all, with the rest of them largely speaking another language and some English. Overall, over 20 languages were spoken by the parents surveyed, including the 8 languages covered by the Regulation, with Spanish, Chinese, Russian, and Haitian-Creole being the most common. Please see the Appendices for copies of the three surveys used.

**3). Focus Groups:** Finally, in order to gain a more detailed understanding of what parents need at the school and citywide level, we conducted focus groups with immigrant parents. In particular, we asked parents to focus on where the DOE had been successful and where services could be improved. In total, we conducted 14 focus groups involving over 100 parents. Focus groups were conducted in Chinese, Haitian-Creole, Spanish, and Russian. Please see the Appendices for copies of the focus questions asked.

In total, the EMPIRE Collaborative conducted 104 visits and observations, surveyed 881 parents, and conducted 14 focus groups with more than 100 parents in Spanish, Russian, Chinese, and Haitian-Creole.

### **Problems Faced by LEP Parents and Volunteers Conducting Our Surveys and Visits**

While we were able to look for signage at points of entry to schools, our ability to look further was often hindered by school staff who would not allow our staff and volunteers, who oftentimes were LEP parents of children at that particular school, to enter the schools to look for signage requirements or ask for copies of translated materials and blank forms. Indeed, our inability to access schools is problematic not just because it hindered our visits, but because it demonstrates some of the problems that parents typically face in accessing their children's schools. At one school in Brooklyn, our volunteers were literally run off the school property by the principal who threatened to call the police and asked parents not to speak to us.

Our monitors had particular difficulty dealing with school security officers, who often stopped them from entering by asking them for identification or turned them away for lack of an “appointment.” In describing their interactions with guards, our volunteers used words such as “unpleasant” and “rude.” Many of these security officials were also monolingual, and their inability to communicate with LEP parents and volunteers aggravated the situation. We are concerned that LEP parents face similar barriers as they attempt to enter their children’s schools.

## **Findings**

The beginning of the school year brought the promise of a language access Regulation that would allow hundreds of thousands of NYC's immigrant and non-English speaking parents to meaningfully participate in their children's education. Yet, our findings show that the DOE is far from meeting its promise of meaningful language access. With one academic year complete, there is room for a great deal of improvement.

### **A Bad Start to the School Year: Our Preliminary Findings**

Our previous report, *A Bad Start to the School Year*<sup>21</sup>, which focused on the implementation of the Regulation in August and September of 2006, detailed service lapses at High School Registration Centers, which are responsible for informing parents of high school options and generally placing high school students who are either new to the system or who do not have a high school placement for the year. Yet monitoring visits to 13 of the 15 centers revealed that **many centers lacked translated forms and signs, on-site interpreters, and a general knowledge of where to find resources in languages other than English. The problems were even more pronounced for languages other than Spanish.** We received complaints that one center sent students to Richmond Hill High School to enroll with enrollment letters only in English regardless of the language the parent and student spoke.

As part of that initial report we also conducted a survey of Parent Coordinators, who are supposed to be parents' first stop in their search for information about their child's school; the system in general; or for issues or concerns which need to be addressed at the school, and we found that Parent Coordinators are typically unaware of the new requirements for translation and interpretation services and the additional funding within their schools to assist with translating documents and providing interpretation services at meetings. For more details about our findings, please see our report.

Because we found such widespread gaps in services and a lack of general awareness about the Regulation at such a critical time of year, we released our preliminary findings with the intention of motivating the DOE to step up its efforts to fully implement the Regulation so that parents could make critical decisions about their children's school placements and services before it was too late. Unfortunately, as this report shows, service gaps are still prevalent and, in many schools and DOE Offices, the norm.

### **On-Site Visits and Observations**

Part of our monitoring efforts included making school and site visits throughout the academic school year. We visited over 51 schools in all 5 of NYC's boroughs and looked for the following four things: (1) posted signs that would fulfill the Regulation's signage requirements informing parents of their rights, (2) translated copies of a parent's bill of rights, (3) translated blank emergency cards and (4) availability of translated documents and interpretation services. We focused on signage and the availability of the bill of rights because this was the first year of

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<sup>21</sup> The report is available at: <http://www.advocatesforchildren.org/reports.php>.



the Regulation, and parental notice and an opportunity to learn about one's rights were extremely important. We also chose emergency cards because of their essential function of communicating vital information about a student's health and safety. However, due to an inability to access most schools because of security personnel and uncooperative school staff, our findings below largely detail our findings regarding mandated signage.

### **Missing Signage**

***More than 70% of schools we visited during the school year failed to have signs visible at or near the entrance of the school as mandated by the Regulation.*** Although the DOE provides copies of translated signs in the 8 covered languages for schools to use, it is unclear whether schools knew of the availability of these signs since at least two schools we visited had school-made signs posted with information only in Spanish or Chinese. On a positive note, our results show a great deal of improvement as the year progressed; none of the schools surveyed from September to November displayed signs while over 40% of schools we visited after December 2006 met signage requirements.

In addition, when we were allowed to access the schools we noticed a very important trend: the schools that had signs posted at or near the entrance often also had the other translated materials we had targeted. Of the over 40% of schools that had signs posted after December, 86% also had the other materials we targeted while 88% of the schools that did *not* have signs posted also *did not* have translated parents bills of rights and emergency cards. This correlation shows that schools who meet one part of the Regulation and know of their responsibilities will likely meet their responsibilities under other aspects of the Regulation.

Along with visiting schools, we also visited every Regional Office at least once to look for signage. Under the Regulation, District and Regional Offices have signage requirements similar to those for schools. Despite the ease with which these offices can comply with these requirements (hanging pre-made signs near the entrance), we found major lapses in compliance at the regional office level. We visited every Region in NYC at least once in February and March of 2007 and found that at ***over 90% of our visits to Regional Offices no signs were posted.*** Only Region 4 had the proper signs posted. At other Regions, our volunteers were met by staff that generally did not know about the Regulation or its mandate that Regions post signs and provide translated materials. Indeed, a staff person at one Region was so confused by our request that she sent our volunteer to a day care center in the same office building to ask for help.

### **Other Examples of Service Lapses**

As part of our monitoring efforts, we also visited Regional Committees on Special Education, suspension hearings, and several Citywide meetings sponsored by the DOE. Our findings during these visits parallel our findings at schools and Regional Offices. For example, *none* of the 4 Committee on Special Education offices that we visited had translated signs posted at or near their entrances. During our visits to suspension hearings, we regularly saw lapses in translation services. It was common to see parents struggling to understand notices and letters given to them in English. Indeed, the lack of translated materials at suspension hearings is so pronounced that throughout the school year, even with the Regulation in effect, parents have

called AFC staff for assistance with reading the charges against their children. We attended about a dozen PTA meetings to monitor and/or to give information to parents and we saw similar lapses in services, with interpretation services being provided in Spanish but not in any other language and materials being disseminated only in English. Similarly, at most citywide meetings, including Panel for Educational Policy meetings, that we visited, there were no interpretation or translation services being provided to parents with one meeting official mentioning that that they had tried but were unable to secure services.

## **Fall and Spring Surveying**

### **Translation and Interpretation Services During Parent-Teacher Conferences**

When we surveyed parents at Parent-Teacher conferences, we specifically wanted to find out whether parents were receiving notices to attend Parent-Teacher conferences and whether they were written in a language that parents could understand. We found that although most parents were receiving notices for these meetings, the letters were often not in a language that parents could understand. As mentioned earlier, the Regulation mandates that schools determine parental language needs within 30 days of enrolling a student, so all parents should be receiving notices in a language that they can understand. In terms of receiving notices to attend Parent-Teacher conferences, **the vast majority, or 86%, of parents surveyed in both the Fall and Spring received a notice. Yet, when asked if these notices were translated into parents' primary languages, 37% of parents said no.**

Since we only surveyed parents who actually came to Parent-Teacher conferences despite a lack of notice or translated notice, one could assume that a number of parents who did not receive proper notice stayed home.<sup>22</sup> Therefore a large portion of LEP parents may not understand that they are invited to attend Parent-Teacher conferences at all and may be losing out on an opportunity to interact with their children's teachers.

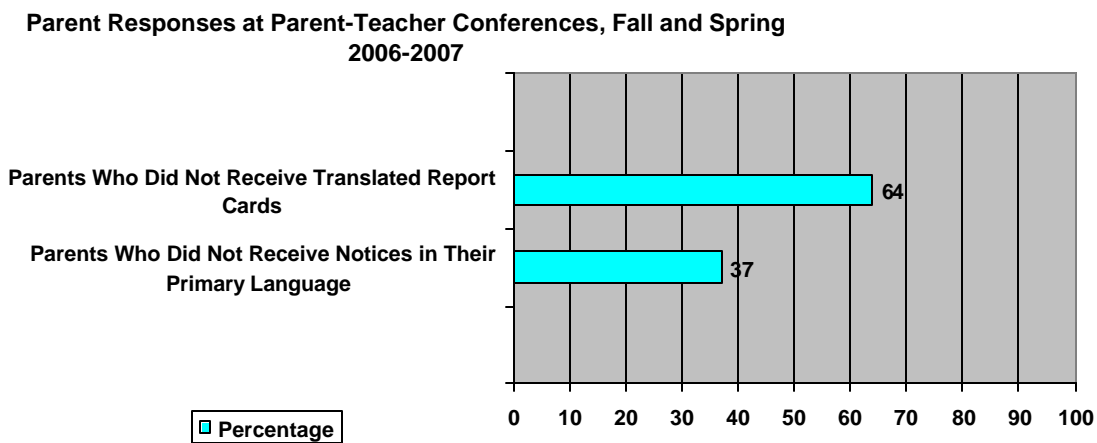
### **Translated Report Cards**

Report cards are an extremely important mechanism to help parents follow their children's progress and determine when their children may need additional assistance with school work. Despite the critical importance of providing report cards in a language that parents can understand, the DOE is still lagging in providing translated report cards to parents. Our elementary and middle school survey also asked parents if they received translated report cards during Parent-Teacher conferences. Again, we found that the vast majority of parents in both the Fall and the Spring had received their child's report card, but a substantial number did not receive a translated report card. Most, or 82%, of parents surveyed said that they had received a report card, but only 36% of parents said they had received a translated report card. **Therefore,**

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<sup>22</sup> In a recent report, *So Many Schools, So Few Options* (2006), the EMPIRE Collaborative in coordination by the NYIC and AFC, detail how immigrant parents largely rely on informal networks to receive information and learn about schools. The fact that parents were attending the Parent-Teacher conferences without having received notices testifies to the many mechanisms that parents use to participate in their child's education. The report is available at: <http://www.advocatesforchildren.org/pubs/2005/ellsmallschools06.pdf>.

**about 18% of parents are not receiving report cards while an additional 64% are receiving report cards they cannot understand.**

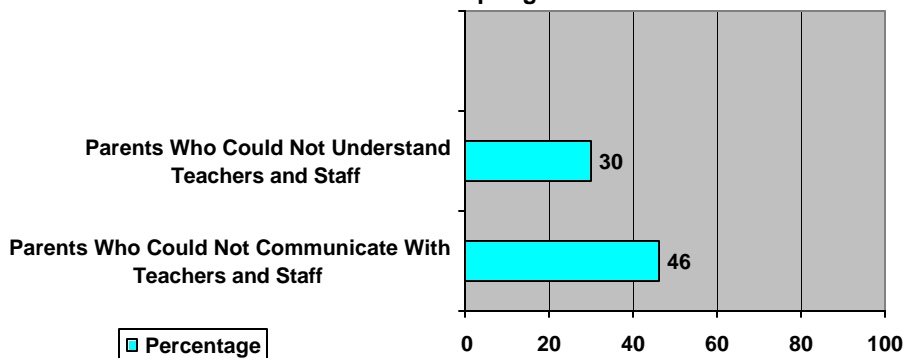


This finding is particularly troubling because student report cards are one of the main ways in which schools communicate student performance to parents and records by which parents can gauge student progress over time. Even more troubling is that we have been pushing the DOE to provide translated report cards for over three years, and they were the main proponent for the Chancellor’s Regulation. It is important to note that the DOE has translated templates of the report cards into the eight most common languages, but that many schools continue to use old report card templates either because they are unaware of the translated versions or because they have customized school report cards that they have not translated. Even if teachers or school staff translate report cards for parents at meetings, parents may not be able to understand their children’s progress or lack of progress over longer periods of time and will not have the information they need to work with their children at home, ask for additional help for their children or advocate for changes in their children’s services or programs when necessary.

### **Interpretation Services**

A substantial percentage of parents could not communicate with school staff even when they attended Parent-Teacher conferences. In our high school survey, **30% of parents were not able to understand the teachers and staff at the Parent-Teacher conferences, and 46% said that they could not communicate with the teachers and staff.** Therefore, a substantial number of parents who made the effort to attend Parent-Teacher conferences to find out about their children’s progress could not meaningfully participate in these meetings. We found that some students were asked to interpret for their parents or for other parents, particularly at the high school level.

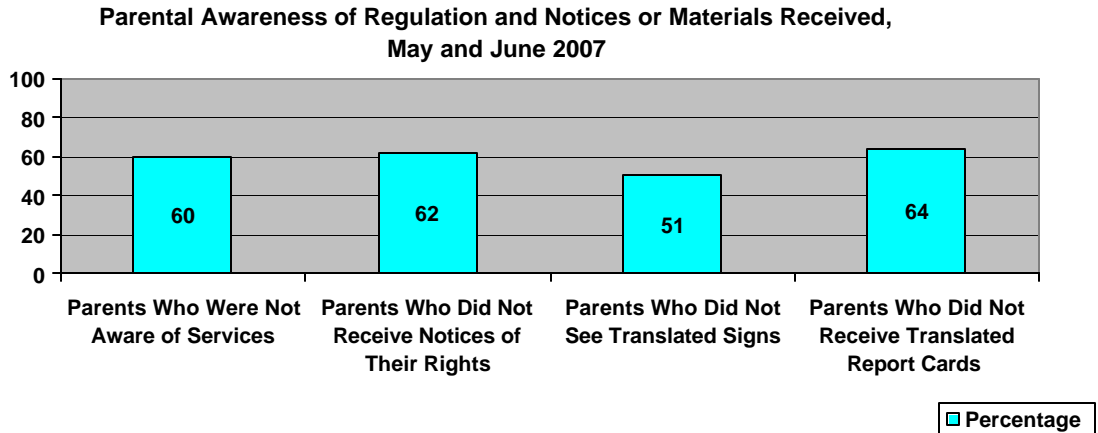
**Parental Communication With School Staff at Parent-Teacher Conferences,  
Fall and Spring 2006-2007**



Schools rely on Parent-Teacher conferences to have more in-depth interaction and meaningful conversations with parents about students’ needs, strengths, weaknesses and progress or lack of progress. Our findings show that even with the promulgation of Chancellor’s Regulation A-663, a substantial number of LEP parents are still not afforded meaningful access to these critical conversations. Furthermore, many of these parents are not being provided with translated information about their child’s performance. Without even the most basic information about their children’s performance or a way to communicate with the school staff responsible for educating their children, many LEP parents are prevented from being actively involved in their children’s education.

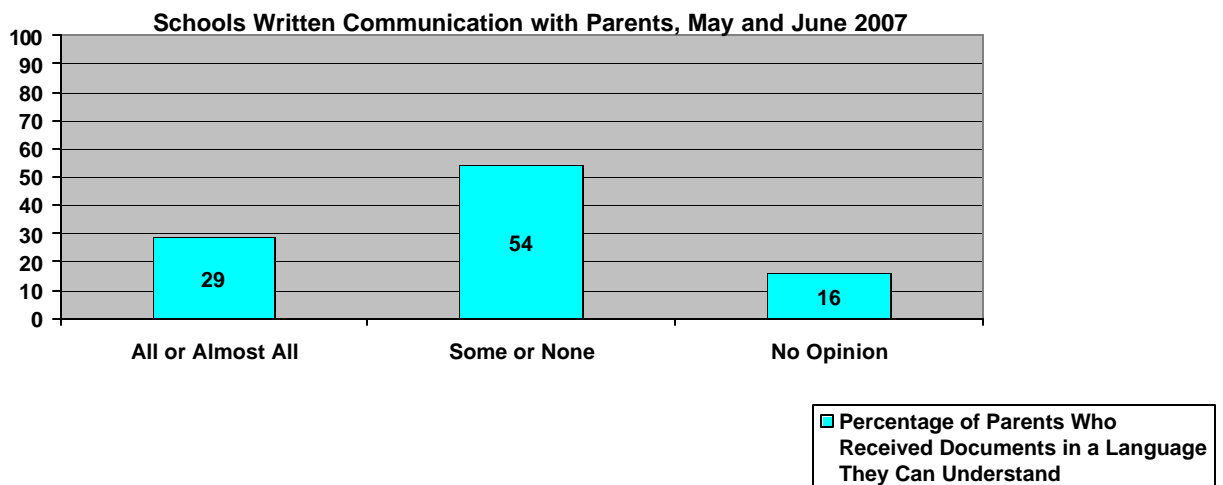
### **Survey at the End of the School Year**

The final survey that we conducted was designed as a way for us to find general patterns in the implementation of the Regulation. We found that only 40% of the 474 parents we surveyed were aware of the DOE’s interpretation and translations services, meaning that **60% of parents were not aware of the language services to which they are entitled**. Sixty-two percent of parents surveyed had not received letters informing them of their language access rights, and only 41% of letters received were in a language that the parents understood. Further, only 49% of parents reported seeing signs in their children’s schools that told them of the interpretation and translation services that were available to them. Although the Regulation had been in effect for almost an entire academic school year, 60% of all parents in this survey did not know of their rights under the new Regulation, and 64% of parents in this survey reported that the report cards they received had not been translated.



### Translated Documents

Since communication between parents and schools is vital, we were also interested in determining how many parents received important school documents in a language that they could understand. **Sixty-two percent of parents in this survey reported receiving information about their child’s health, safety, legal or disciplinary matter, entitlements to programs, or permission slip and consent forms, but only 29% received information in a language they could understand most or all of the time.** Of that 62%, a few parents received information they could understand: 14% received *all* of the information in a language they could understand, and 15% received *almost all* of the information in their spoken language. However, a much larger number of parents, 40%, received only *some* of the information in a language they could understand, and 14% had never received *any* information in a language that they could understand. The remaining 16% provided no opinion.



## **Lack of Translated Materials in Languages Other Than Spanish**

A major trend that we identified was that non-Spanish speaking LEP parents were particularly vulnerable to lacking access to translated materials and services. While Spanish is the most commonly spoken second language of most New Yorkers, we found several instances where the DOE provided materials in Spanish and in no other languages. For example, when we visited the Regions, some Regions, like Region 10, only had signs posted in English and Spanish and not in the 7 other mandated languages. In another visit, we noticed that one DOE office tried to meet its signage requirements by posting information only in French and Italian. While translation into these languages will be helpful to some parents, they are not languages that are covered by the Regulation and are not as commonly spoken as Spanish, Chinese, Haitian-Creole, or Russian in NYC.

## **Interpretation Services**

Verbal communication has also been difficult for many of the parents that we surveyed. When asked to rate how easy it was to communicate with the teachers and staff at their children's schools, **30% replied that it was somewhat difficult, and 15% stated that it was very difficult.** In contrast, only 20% thought it was easy to communicate with teachers and staff, and only 8% felt that it was very easy. The remaining 25% offered no opinion. We also asked the parents to rate how often they had been provided with interpretation services at school meetings. **Of the parents that offered their opinions, 26% stated they had never received interpretation services and 38% said that they had received services at some meetings.** Only 14% said they had received services for almost all meetings, and a mere 7% said they had received services for all meetings.

Throughout our surveying, we found parents still having to use creative ways of finding translation and interpretation services when none were provided by the DOE or schools. One of the most common ways of communicating without these services was using their child to translate and interpret. While a parent should have the right to use an adult or other relative to interpret or translate text if he or she chooses, it should not be the default option. Indeed, having a *child* translate is a far from adequate option since many times this informal means of communicating does not yield accurate or complete information. For example, we saw children as young as first grade interpreting for their parents. A parent should not have to rely on a six-year-old to communicate with his or her child's school. In addition, it is not always appropriate or reliable for a child to be interpreting or translating information about himself or herself to his or her parent.

Generally, our groups found that the majority of school-based meetings did not have interpretation available. Even when we specifically conducted workshops to inform parents of their rights to translation and interpretation services, many parent coordinators had failed to arrange for an interpreter to be present. On separate occasions, the parent coordinators pulled students out of their classes to interpret, made parents wait for over an hour until another parent arrived to interpret for large number of Bengali-speaking parents at the meeting, or attempted to use their personal cell phone to obtain over-the-phone interpretation because the school did not have the technology necessary. At one of these schools, the principal committed to improve

communication with parents by purchasing dictionaries for the next meeting. Obviously, the schools still need a lot of guidance and support on how to provide the necessary interpretation services to parents.

### **DOE Website**

When asked if they used the DOE's webpage to find translated documents, only 9% of parents surveyed responded "yes." We believe that these statistics show a clear disconnect between parents and the DOE, with the DOE efforts in cyberspace not reaching most LEP parents. While the DOE significantly improved its website during the past year to include information in the 8 covered languages of the Regulation, there are still major problems with accessing translated documents online. For example, clicking the button that takes users to the translated Spanish version of the DOE's website, users will find only 9 links. Of these links, 8 are educational links, and one is technology related. Of the 8 educational links, 2 direct users to English language websites. LEP parents trying to find translated materials using the DOE's search engine would also have a difficult time, as many documents are labeled using a system that brings up documents in English.<sup>23</sup>

### **Focus Groups**

Throughout this year, we have often found that the parent voice has largely been absent in the implementation and application of the Regulation. When we decided to review the Regulation's first year, we knew that the parent voice would be vital to this discussion so that their experiences with translation and interpretation services could be heard. In general, our focus groups revealed that parents are not receiving translation and interpretation services and that they are frustrated by not being able to communicate with school staff. For example, one parent stated that the difference between having translation and interpretation services is between "know[ing] what I want to know" and just receiving generalized information. Another parent stated, "all we want to know is what is going on with our children."

Parents are frustrated because they are not receiving services, and this lack of services is affecting their ability to communicate with schools and know what is happening with their children. At least two parents stated that they have become less involved in their child's education because they do not feel like they can participate. This is especially true at school events like PTA meetings, which parents told us they have stopped attending because without interpretation services, they just "sit there" and "don't know what is happening." These parents, particularly those with tight or irregular work schedules, may be dissuaded from attending meetings because they may find that when they get there, they cannot understand what is going on. Other parents added that their level of participation would increase if simple things were made available to them, like translated report cards.

Our focus group results revealed that since interpretation services were not being provided to parents who needed them, parents are still being forced to find creative ways to communicate with English-speaking teachers and staff. **In the focus groups that we conducted**

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<sup>23</sup> See the DOE's website, last visited on June 20, 2007, available at: <http://schools.nyc.gov/default.aspx>.

**with over 100 LEP parents, we found only *one* parent who successfully used the T and I Unit’s over-the-phone service to receive interpretation services, and we found no parents who successfully used in-person interpreters provided by the school.** Therefore, parents need to rely on informal interpretation by people who happen to be available. Many parents still relied on family members or friends to speak to school staff, not out of preference, but out of need. Other parents relied informally on school support staff who speak their language. These informal methods often yield inaccurate and incomplete interpretations and compromise confidentiality. Furthermore, the parents who rely on school support staff found that the staff is not available at certain times and that they might not be familiar with the issue at hand, possibly affecting the effectiveness of the interpretation

Having someone available to provide interpretation services is especially crucial when students get in trouble or parents are asked to come to schools without the lead time necessary to find a friend or family member to go with them to the school. One parent explained, “When you’re told that your child is behaving badly [you need an interpreter] to know what your child did and for us to speak as well.” Parents in our focus groups repeatedly identified this issue as one of their main concerns, as schools will often ask parents to the school at the last minute without having any mechanisms in place for them to communicate with the staff. The over-the-phone interpretation technically available to schools sometimes proved unhelpful because the school was not aware of the service, did not have the technology for conference calls, or did not have a location where over the phone conversations could occur confidentially.

## **Promising Findings and Recommendations**

### **Promising Findings**

Despite the negative trends that this report highlights, we did find that some aspects of the Regulation were being implemented and that certain schools were doing a good job of notifying parents of their rights. About half of the parents in our focus groups knew about the Regulation. However, many of these parents are either involved in or receive information from the groups in the EMPIRE Collaborative, and many of them knew of the Regulation because of community groups’ own outreach efforts.

It is important to note that there were some improvements in the implementation of the Regulation through the course of the year in some key areas. For example, in the visits we conducted between September and November, none of the schools we visited met the Regulation's signage requirements, while in visits conducted after December, this number grew to 40%. Similarly, in the Fall, 34% of parents we surveyed at Parent-Teacher conferences knew that the DOE provided translation and interpretation services, while in the Spring, this number had grown to 54%. While this increase is a sign that schools are moving in the right direction, we find that schools and the DOE offices have been slow in informing parents of their rights and making materials and services accessible. We are also concerned that this increase in the provision of services and notices to parents would not have occurred without active outreach and monitoring efforts of community groups, including the EMPIRE Collaborative.



We also identified several schools in the city where the Regulations were being implemented and the level of translation and interpretation services was exemplary. These schools include Manhattan Comprehensive Night and Day School, P.S. 165, and P.S. 110 in Manhattan and P.S. 20 in Staten Island. At these schools it appears that the Parent Coordinators made extraordinary efforts to inform LEP parents of their rights and actively sought materials and information from the Translation and Interpretation Unit to give to parents. In general, most schools that were unaware of the Regulation were receptive to information from the EMPIRE Collaborative informing them of the Regulation's requirements and the resources available to them.

## **Recommendations**

In order to correct the lapses identified in this report, we recommend the following actions be taken by the start of the 2007-2008 academic school year so that parents can receive the necessary translation and interpretation services:

### **1) Monitor and Hold Schools Accountable for Translation and Interpretation Services.**

Currently, the DOE has no accountability system for this Regulation and has largely responded to service lapses that advocates have pointed out without affirmatively seeking to anticipate, document, and remedy those lapses. While the DOE is moving towards a hands-off approach to happenings within schools in exchange for improved outcomes, it is important to monitor the provision of services that are non-negotiable, such as translation and interpretation and others not captured by typical outcome measures. Citywide parent satisfaction surveys conducted by the DOE this Spring provided an opportunity to identify failures in implementation, but there were no questions relating to translation and interpretation services. To ensure that schools and the DOE comply with the Regulation, the DOE must:

- Designate a point person formally responsible for monitoring the enforcement of the Regulation citywide and overseeing coordination at the district level. The central office responsible for monitoring of services should also be responsible for fielding complaints and correcting service lapses at schools;
- Ensure that schools prepare and make publicly available their language needs, their plan for meeting those needs, and an itemized budget showing how they actually used translation and interpretation funds to meet those needs. Currently, it is hard to determine if the level of translation and interpretation funding is adequate to meet the needs because schools have not been required to put forth a budget plan that can be compared to what was actually spent at the end of the year.

### **2) Provide Training and Resources to Schools and Districts on the Provision of Translation and Interpretation Services.**

The DOE must ensure that key school staff, such as the principal, assistant principal, parent coordinator, bilingual coordinator, and selected administrators, are informed and trained on the provision of the Regulations, the resources available through the Translation and Interpretation Unit, and guidelines for the use of translation and interpretation funding for schools. This will require:

- Professional development for school staff over the summer and throughout the school year. Although not employed by the DOE, school security personnel should also receive training, be given procedures to follow, and be provided with materials, such as language cards, in the eight languages and other commonly spoken languages in their school.
- The creation of an Immigrant Parent Language Access Kit. The Kits should include a manual for the provision of translation and interpretation services,

language cards, important translated documents such as those outlined in the Regulation, contact information for the Translation and Interpretation Unit, and information on where schools and parents can go to resolve problems.

### **3) Track and Coordinate the Distribution of Translated Materials to DOE Offices, Districts, Schools, and Parents.**

To guarantee that translated materials ultimately reach parents via the schools and District and Regional Offices, the DOE must ensure that:

- All DOE offices know about the Regulation's requirements and coordinate internally to ensure the timely translation and distribution of documents going to schools and district offices;
- Translated documents are easily accessible to schools via the DOE website, the Immigrant Parent Language Access Kit, and district offices. Translated documents must be made available to schools at the same time as the English version to ensure proper coordination and distribution of materials.

### **4) Ensure Parents Receive Information on the Services Available to Them Through a Comprehensive Outreach Campaign.**

The DOE should provide to parents and community groups a list of activities to increase awareness of the Regulation, particularly at the school level. As the next school year approaches, the DOE should:

- Analyze its current parent outreach, and with community input, create new and more effective ways of conducting outreach to parents. Methods may include distributing flyers or palm cards outlining parents' rights, placing new advertisements in ethnic newspapers, public service announcements, and distributing information in high immigrant communities through community venues, such as faith and community events. These efforts should begin before the school year begins and continue throughout the year;
- Ensure signs informing parents of their rights are posted in clear strategic places within the schools, such as near the security guard desks and around administrative offices, so that parents who are not able to communicate with staff can see those signs;
- Ensure the DOE website is capable of providing key information in the 8 languages of the Regulation and that it is well organized so that parents can easily find the translated options. For instance, all DOE sub-pages should have, at the very top, an introductory paragraph linking them to key translated information for that office.

### **5) Improve the Availability and Accessibility of Interpretation Services.**

Our findings show that these services were generally not available to parents, and without further guidance on when and how schools must provide these services, this problem will continue to persist. In particular:

- For phone interpretation services, parents need a quiet space and better technology, so that these services are actually accessible to all schools;
- For in-person translation services, schools should use their own assessment of language needs to plan and ensure that interpretation services are available and that school staff know how to access interpretation services for unexpected school visits.
- Parent Teacher Association, School Leadership Teams, and other school leadership meetings must be accessible to parents through the provision of interpretation services, either through head pieces<sup>24</sup> that can be used throughout the district, or through on-site interpreters, so that parents can be fully involved and do not feel as though they are simply sitting through a meeting, unable to comprehend anything that is happening. The importance of parent leaderships under the reorganization has made it necessary to ensure that parents can participate, understand, and have input on the budgetary and administrative decisions of their schools.

**In addition to these actions that the DOE needs to take, the New York City Council must play a greater role in overseeing compliance with the Regulation by holding yearly hearings, requesting data on the use of funds, and working with the DOE to ensure full implementation of the Regulation in the 2007-2008 school year.**

We urge the DOE to work with us, parents, and other stakeholders to implement fully this important language access Regulation. Only through full implementation will the DOE be able to finally achieve its goal of giving parents a “meaningful opportunity to participate and have access to programs and services critical to their child’s education.”<sup>25</sup>

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<sup>24</sup> Simultaneous interpretation using headsets.

<sup>25</sup> Chancellor’s Regulation A-663.



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## **SUMMARY OF CHANGES**

### Changes:

- Attachment #1 has been modified to streamline the notification requirements.



# Regulation of the Chancellor

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## ABSTRACT

This regulation 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. This regulation is effective on September 5, 2006.

### I. DEFINITIONS

For purposes of this regulation:

- A. Covered languages mean the eight 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 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.

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\* 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. For a student with a disability, consult the standard operating procedures established for assigning a surrogate parent, if applicable.



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- 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 central and regional office shall, consistent with this regulation, provide translation and interpretation services to 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 rely on an adult or relative for language and interpretation services if they choose.

### **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. 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-and-one meetings upon request when such services are necessary for parents to communicate with the Department regarding critical information about their child's education.
      - i. how it will provide for those needs;
      - ii. the resources it is devoting to fulfill those needs;
      - iii. compliance with the notification requirements set forth in Section (VII) below.

### **V. TRANSLATION REQUIREMENTS**

- A. Centrally and Regionally Produced Critical Communications
1. The Translation and Interpretation Unit shall identify documents which are distributed or electronically communicated to all or substantially all parents within a city or a region which contain critical information regarding their child's education, including, but not limited to:



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- 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) make such translations available to the regions and/or 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;
    - d. entitlement to public education or placement in any special education, English language learner or non-standard academic program; and
    - e. permission slips/consent forms.
- C. Alternatives to Translation
1. When the Translation and Interpretation Unit, a school, or a central or regional 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 the Department regarding critical information about their child's education.





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- 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 and/or regional meetings:
  - 1. Panel for Educational Policy Meetings;
  - 2. Citywide and regional ELL parent meetings;
  - 3. Citywide/Community Education Council Meetings;
  - 4. Other Citywide or regional parent meetings organized by the central or regional office.

Such 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 central and regional offices are responsible for providing each parent whose primary language is a covered language and who requires language assistance services with written notification of their rights regarding translation and interpretation services in the appropriate covered languages, and instructions on how to obtain such services.
- B. Schools and central and regional offices must post in a conspicuous location at or near the primary entrance to such school a sign in each of the covered languages indicating the office/room where a copy of such written notification can be obtained (Attachment #1).
- C. Each school's safety plan will contain procedures for ensuring that parents in need of language assistance 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.



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- 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 ASSISTANCE SERVICES**

- A. Schools 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 assistance services should contact their local school office.
- C. Questions regarding how interpretation and translation services may be obtained should be addressed to the Translation and Interpretation Unit.

## **IX. REPORTING REQUIREMENTS**

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

- the number of distinct documents that it translated into the covered languages and the general nature of such documents;
- the number of meetings at which it provided interpretation services and the languages for which it provided such services;
- its annual budget for language assistance services;
- the number of Department employees whose full time job is to provide such language assistance services; and
- the number of times interpretation services were provided by telephone, and the languages in which such services were provided.



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## X. INQUIRIES

Questions regarding how to access such services should be addressed to:

	<i>Translation and Interpretation Unit</i> NYC Department of Education Court Square - 2 <sup>nd</sup> Floor Long Island City, NY 11101 E-mail: <a href="mailto:translations@nycboe.net">translations@nycboe.net</a> <a href="http://www.nycenet.edu/Offices/Translation">http://www.nycenet.edu/Offices/Translation</a>	
Telephone 718-752-7373		Fax 718-752-7390

**IMPORTANT NOTICE FOR PARENTS**  
**REGARDING LANGUAGE ASSISTANCE SERVICES**

The Department of Education is committed to ensuring that you have a meaningful opportunity to participate in and have access to programs and services critical to your child's education. The Department of Education provides translation and interpretation services that will assist you in communicating effectively with your child's school. Information about your rights regarding translation and interpretation services is available in the Bill of Parent Rights and Responsibilities, a copy of which is available in Room \_\_\_\_\_ of this school.

Parents who need language assistance are encouraged to contact their school's Parent Coordinator. More information about the Translation and Interpretation Unit is available at [www.nycenet.edu/offices/translation](http://www.nycenet.edu/offices/translation).

**Sample List of Schools and Regions We Monitored or Surveyed At  
2006 and 2007**

<b>Borough</b>	<b>School</b>	<b>Borough</b>	<b>Region</b>
Bronx	PS 86 Kingsbridge Heights School	Bronx	Region 1
Bronx	Bronx High School of Science	Bronx	Region 2
Bronx	Dewitt Clinton High School	Queens	Region 3
Brooklyn	Bushwick Community High School	Queens	Region 4
Brooklyn	Abraham Lincoln High School	Queens	Region 5
Brooklyn	IS 98 Bay Academy	Brooklyn	Region 6
Brooklyn	PS 119	Staten Island	Region 7
Brooklyn	PS 189	Brooklyn	Region 8
Brooklyn	HS 405 Midwood High School	Manhattan	Region 9
Brooklyn	IS 30	Manhattan	Region 10
Brooklyn	PS 377	Manhattan	Region 10
Brooklyn	PS 169		
Brooklyn	IS 162		
Brooklyn	PS 116		
Brooklyn	PS 106		
Manhattan	HS 460 Washington Irving High School		
Manhattan	PS 234		
Manhattan	PS 20 Anna Silver		
Manhattan	PS 124		
Manhattan	HS 520 Murry Bergtraum High School		
Manhattan	MS 167 Robert Wagner		
Manhattan	PS 1		
Manhattan	PS 110		
	HS 575 Manhattan		
Manhattan	Comprehensive Day and Night High School		
Manhattan	George Washington Complex		
Manhattan	PS 165		
Staten Island	PS 20 Port Richmond		
Staten Island	PS 44		
Staten Island	PS 80 Petrides School		
Queens	PS 16		
Queens	PS 19 Marino Jeantet		
Queens	PS 20 John Bowne		
Queens	HS 460 Flushing High School		
Queens	HS 430 Francis Lewis High School		
Queens	HS 445 Richmond High School		

**ELEMENTARY AND MIDDLE SCHOOL PARENT-TEACHER CONFERENCE SURVEY**

1. In what grade is your child? Please circle one.

Kindergarten    1st    2nd    3rd    4th    5th    6th    7th    8th

2. Do you speak enough English to communicate with your child's teacher in English? Yes    No

3. What language(s) do you speak at home? \_\_\_\_\_

4. Is your child in Bilingual Education, English as a Second Language (ESL), or a Dual Language Program? Yes    No

a. If yes, which type (circle one):

Bilingual Education    Dual Language Program    English as a Second language (ESL)

5. Did you receive a letter or flyer asking you to attend this conference? Yes    No

a. If yes, was the letter in your primary language? Yes    No

6. Did the letter or flyer say that there would be bilingual staff, translated documents or other interpretation services available tonight? Yes    No

7. Tonight, did the school provide someone to communicate with you in your home language? Yes    No

8. If no, who translated for you?

Another Parent    My Child    A Family Member    Other

9. Did you receive your child's report card today? Yes    No

a. If yes, was the report card translated into your home language? Yes    No

## **HIGH SCHOOL PARENT-TEACHER CONFERENCE SURVEY QUESTIONS**

1. Are you attending a Parent-Teacher conference for your son or daughter? Y N
2. What language(s) do you speak? \_\_\_\_\_
  - a. Which language do you feel the most comfortable in?  
\_\_\_\_\_
3. In what grade is the student whose conference you are attending? \_\_\_\_\_
  - a. What language(s) does she or he speak? \_\_\_\_\_
  - b. Are they in a bilingual education, English as a second language, or a dual language program? Yes No  
If yes, what type: \_\_\_\_\_
4. Did you get a notice to attend this conference? Yes No
  - a. In what language was the notice? \_\_\_\_\_
5. Did you use an interpreter to speak to the teacher? Yes No
  - a. Who was the interpreter? \_\_\_\_\_
6. Were you given any paperwork at the conference? Yes No
  - a. In what language was it? \_\_\_\_\_
7. Do you feel that you understood the information that the teacher (s) gave you about your child? Yes No
  - a. Please explain:  
\_\_\_\_\_  
\_\_\_\_\_
8. Were you able to communicate concerns and questions to the teacher?  
Yes No
  - a. Please explain:  
\_\_\_\_\_  
\_\_\_\_\_
9. Did you know that the DOE has translation and interpretation services to help parents?  
Yes No
  - a. If yes, who told you? \_\_\_\_\_
  - b. Did you see or use any of their services today? Yes No

School \_\_\_\_\_

### PARENT/GUARDIAN SURVEY

1. In what grade is your child/children? Please circle below.

Kindergarten   1<sup>st</sup>   2<sup>nd</sup>   3<sup>rd</sup>   4<sup>th</sup>   5<sup>th</sup>   6<sup>th</sup>   7<sup>th</sup>   8<sup>th</sup>   9<sup>th</sup>   10<sup>th</sup>   11<sup>th</sup>   12<sup>th</sup>

2. Do you speak enough English to communicate with your child's school in English? Yes   No

a. If NO, what language(s) do you feel comfortable speaking?

Arabic   Bengali   Chinese   English   Haitian-Creo   Korean   Russian   Spanish   Urdu   Other: \_

3. Do you feel comfortable reading and writing English? Yes   No

a. If NO, what language(s) do you feel comfortable reading and writing?

Arabic   Bengali   Chinese   English   Haitian-Creo   Korean   Russian   Spanish   Urdu   Other: \_

4. Do you know that the DOE offers translation and interpretation services to parents? Yes   No

5. Have you received a letter or flyer from the school informing you about your rights to interpretation and translation? Yes   No

a. If YES, was the letter in a language you can understand? Yes   No

6. Have you seen translated signs posted at your child's school telling you about translation and interpretation services available to parents? Yes   No

7. Have you been given translated Report Cards at Parent-Teacher Conferences? Yes   No

8. Have you ever used the DOE website to find translated documents? Yes   No

If yes, how would you rate the information you found. Please circle one.

Not Very Helpful   Somewhat Helpful   No Opinion   Helpful   Very Helpful

9. Overall, how easy is it to communicate with teachers and staff at your child's school?

Very Difficult   Somewhat Difficult   No Opinion   Easy   Very Easy

10. This year, did you receive information about your child's health, safety, legal or disciplinary matters, entitlements to programs, or permission slips/consent forms? Yes   No

If YES, was the information in a language you can understand?

Never   Some   No Opinion   Almost All   All

11. This year, how often were you provided with interpretation services at school meetings?

Never   Some   No Opinion   Almost All   All

12. What else would you like us to know about your experiences getting translation and interpretation services this year? Feel free to include your contact information.

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