

Procedural safeguards and prior notices required under 20 U.S.C. 1415(a)–(b) must be written in language understandable to the general public. The notice must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

(20 U.S.C. 1415(a)–(b), (d); 34 CFR 300.503(c); 34 CFR 300.504(c))

If the parent is unable to speak English and Spanish is the parent’s native language, the School shall provide a written or audiotaped copy of the student’s IEP translated into Spanish. If the parent’s native language is other than Spanish or English, the School shall make a good faith effort to provide a written or audiotaped copy of the student’s IEP translated into the parent’s native language.

(TEC § 29.005(d); 19 TAC 89.1050(e))

*Native language*, when used regarding an individual who has limited English proficiency, means the following:

- (1) the language normally used by that person, or, in the case of a child, the language normally used by the child's parents;
- (2) in all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment.

If the parent’s native language or other mode of communication is not a written language, the open-enrollment charter school must ensure that:

- (1) the notice is translated for the parent orally or by other means in the parent’s native language or other mode of communication;
- (2) the parent understands the content of the notice; and
- (3) there is written evidence that the requirements in paragraphs 1 and 2 have been met.

It is the policy of Universal Academy Open Enrollment Charter School to determine on a case-by-case basis the most effective mode of communication with parents who are unable to speak English and to deliver information required by state and federal law in that mode.