

# Native Language Requirements

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Native language means the language normally used by the parent. “Normally used” means the language the parent generally uses to speak to others outside the home. IDEA, Part C includes specific native language requirements Lead Agencies must adhere to.

The following includes the Part C, IDEA native language requirements:

- Explanation of parental rights
- Obtaining any type of consent
- Evaluation of the child and assessment of the child and family
- Conducting IFSP meetings (initial, six-month review, annual, etc.)
- Notice to parents upon referral
- Prior written notice

There are several types of native language services available: translation, interpretation, and sign/cued language.

## Interpretation Services

Interpretation services include verbally translating spoken language into a parent’s native language.

When a parent has limited English proficiency, meaning the parent has difficulty speaking or understanding the English language that would result in the inability to access the Infant Toddler Program or participate in early intervention services, interpretation services are necessary to provide a verbal explanation, so the parent understands the required information.

The following entities can be used to provide Interpretation Services:

- Family member or friend
- Contracted Interpreter
- Phone interpretation service
- ITP staff/contractors

## Activities that Require an Interpreter

- **Meetings** – An Interpreter is required to attend the intake meeting and all IFSP meetings to help the Service Coordinator ensure the parent understands required information. The use of an Interpreter does not extend required timelines, including the 45-day timeline, IFSP review meeting timelines, and timely services.
- **Evaluation and Assessment of the Child** – All evaluations and assessments of the child must be conducted in the language normally used by the child unless there is no possible way to use the child’s native language. The purpose of the evaluation and assessment is not to determine if the child understands English, rather it is to determine the child’s level of functioning. Therefore, when a child’s native language is not English, an Interpreter is necessary to assist the provider conducting the evaluation of the child, initial assessment and ongoing assessment of the child.
- **Assessment of the Family** – The family assessment is conducted to determine the families concerns, priorities, and resources related to improving their child’s development. Although the family assessment is voluntary, family member participation is important to determine their

concerns. Therefore, the family assessment must be conducted in the language normally used by the family, unless there is no possible way to use the family's native language.

- **Forms/Brochures** - An Interpreter is required to provide verbal interpretation for the following forms/brochures:
  - Child and Family Safeguards
  - Prior Written Notice
  - Consent for Screening, Evaluation, Child Assessment, and Family Assessment
  - System of Payment Policy
  - Letter of Invite
  - Release of Information
  - Financial Resources Form
  - Individualized Family Service Plan
  - Evaluation Report Summary
  
- **Service Visits** – Interpreting information for the parent during a service visit (e.g., home visit with a provider) is an important aspect of implementing early intervention evidence-based practices (coaching, primary coach, teaming, etc.).

When a parent uses another mode of communication (e.g., sign language, braille, etc.), the Service Coordinator/Service Provider must take steps to ensure:

- The official document is explained verbally or in another mode of communication (e.g., Braille);
- The parent understands the document;
- The parent signs the document, if applicable; and
- There is written documentation of the explanation (i.e., CSR)

## Translation Services

Translation services include translating written documents into a parent's native language.

When a parent has limited English proficiency, meaning the parent has difficulty reading or understanding the English language, translation services are necessary to ensure the parent understands required Infant Toddler Program information.

No online translation services may be used as a method for translation (ex: Google Translate, Translate.com, etc.). Online translation services do not ensure confidentiality and protection of PII as well as allows for the potential for words and/or phrases to be incorrectly translated.

Only approved contractors or staff/contractors may translate necessary ITP information.

## Activities that Require a Translator

- **Forms** – Upon parent request, a Translator is required to provide written translation for the following forms (unless translation is clearly not feasible to by the Infant Toddler Program):
  - Prior Written Notice
  - Consent for Evaluation, Child Assessment, and Family Assessment
  - Letter of Invite
  - Individualized Family Service Plan
  - Evaluation Reports

## Sign/Cued Language Services

When a parent is deaf or hard of hearing, sign/cued language services are necessary to provide information in another mode of communication (e.g., sign language), so the parent understands the required information. Sign/cued language services are provided by an Interpreter for the Deaf.

The following entities can be used to provide sign/cued language:

- Family member or friend
- Contracted Translator with qualified Interpreters for the Deaf
- IESDB staff member

## Activities that Require an Interpreter for the Deaf

- **Meetings** – An Interpreter for the Deaf is required to attend the intake meeting and all IFSP meetings to help the Service Coordinator ensure the parent understands required information. The use of an Interpreter for the Deaf does not extend required timelines, including the 45-day timeline, IFSP review meeting timelines, and timely services.
- **Evaluation and Assessment of the Child** – All evaluations and assessments of the child must be conducted in the mod of communication normally used by the child unless there is no possible way to use the child's native language. An Interpreter for the Deaf is required to assist the provider conducting the evaluation of the child, initial assessment and ongoing assessment of the child.

If the parent is deaf, then an Interpreter for the Deaf is required to communicate with the parent during the evaluation of the child, initial assessment, and ongoing assessment of the child.

- **Assessment of the Family** – The family assessment is conducted to determine the families concerns, priorities, and resources related to improving their child's development. Although the family assessment is voluntary, family member participation is important to determine their concerns. Therefore, the family assessment must be conducted in the mode of communication normally used by the family, unless there is no possible way to use the family's native language.
- **Sign/Cued Language Service** - An Interpreter for the Deaf is required to provide translation of the following forms/brochures:
  - Child and Family Safeguards
  - Prior Written Notice
  - Consent for Evaluation, Child Assessment, and Family Assessment
  - System of Payment Policy
  - Letter of Invite
  - Release of Information
  - Financial Resources Form
  - Individualized Family Service Plan
  - Evaluation Reports
- **Service Visits** – Translating information using an Interpreter for the Deaf for the parent during a service visit (e.g., home visit with a provider) is an important aspect of implementing early intervention evidence-based practices (coaching, primary coach, teaming, etc.). Other Modes of Communication

When a parent is blind or has not written language, the Infant Toddler Program must ensure all required information is explained verbally or in another mode of communication (e.g., Braille) so the parents understand the information.

When a parent uses another mode of communication, the Service Coordinator must take steps to ensure:

- The official document is explained verbally or in anther mode of communication;

- The parent understands the document;
- The parent signs the document, if applicable; and
- There is written documentation of the explanation (i.e., CSR)

## **Other Modes of Communication**

When a parent is blind or has no written language, the Infant Toddler Program must ensure all required information is explained to the parent verbally or in another mode of communication (e.g., Braille) so that the parent understands the information.

When a parent uses another mode of communication, the Service Coordinator/Service Provider must take steps to ensure:

- The official document is explained verbally or in another mode of communication (e.g., Braille);
- The parent understands the document;
- The parent signs the document, if applicable; and
- There is written documentation of the explanation (i.e., CSR)