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Language Services & Special Education

New York City

If you are the parent or guardian of a child who is receiving or may need special education services, you have the right to help create and choose your child's special education program. If your primary language is not English, you have the right to translation services (written words from documents put into your language) and interpretation services (spoken words put into your language) so that you can understand and help create your child's education program.

Schools and Committees on Special Education (CSEs) are responsible for translating documents and for making sure that interpreters are at meetings between parents and members of the New York City Department of Education (DOE). The DOE is required to provide these services to you and may not ask or force you to bring someone to interpret for you at meetings. However, you still can choose to bring an adult friend or relative to interpret for you at meetings. Under no circumstances should the DOE use a child as an interpreter.

TRANSLATION

You have the right to receive the following information in your primary language:

- **Notice of consent for evaluation:** This is a letter the school must send you when they want permission to evaluate or test your child to figure out if s/he needs special education services.
- **Meeting notice:** This letter lets you know that a meeting has been scheduled.
- **Evaluation reports:** These reports are made from the results of tests done by the DOE to tell whether your child has learning-related disabilities and what kind of services s/he might need.
- **Final notice of recommendation:** This letter lets you know what changes the DOE plans to make to your child's special education services.
- **Individualized Education Program (IEP):** This document describes what special education program and services your child should receive.
- **Report Cards/Progress Reports:** These documents explain how your child is doing in school.
- **Procedural Safeguards Notice:** This document explains what your rights are as a parent of a child who is receiving or might need special education services.
- **Mediation Agreement:** This is a legal agreement that is made after a meeting (a "mediation session") between you and the DOE, that explains how you have resolved a disagreement over your child's special education program.
- **Resolution agreement:** This is a legal agreement that is made during a meeting (a "resolution session") between you and the DOE that can happen before an impartial

hearing. The agreement explains how you have resolved a disagreement about your child's special education program.

- **Impartial hearing decision:** When you and the DOE cannot agree about your child's special education program (and cannot agree at a mediation or resolution session), you can present your case at an impartial hearing to a hearing officer who makes a decision about what programs and services your child has the right to receive from the DOE. This is a written decision made by the hearing officer after the impartial hearing.

INTERPRETATION

You have the right to an interpreter fluent in your primary language in the following situations:

- **IEP meeting:** A meeting to create, discuss, or go over your child's special education program, which is called the Individualized Education Program (IEP).
- **CSE review:** A meeting to go over your child's IEP with the CSE. The CSE is part of the DOE and is in charge of special education.
- **Mediation Session:** A meeting between you, the CSE or school, and someone who does not take sides who tries to help resolve disagreements about your child's special education program.
- **Resolution session:** A meeting between you and the CSE that happens before an impartial hearing where you try to agree about your child's special education program.
- **Impartial Hearing:** A hearing that happens when you and the CSE cannot agree about your child's special education program and where your case is presented to an impartial hearing officer, a person who acts like a judge and makes the final decision about what programs and services your child has a right to receive.

ADDITIONAL RIGHTS

You have the right to receive translated documents that are sent to all parents within the city. This may include information about registering your child, applying for and selecting a school, and how a child's success in school is measured. In addition, you should also receive translated information about the conduct, safety, and discipline of your child. You also have the right to an interpreter at citywide meetings, such as the Panel for Educational Policy Meetings; Citywide English Language Learner parent meetings; Citywide/Community Education Council Meetings; and other citywide parent meetings organized by central offices. You should also receive interpretation services at Parent Teacher Association (PTA) meetings held at your child's school.

TAKE ACTION!

If the school your child attends has not been providing you with language services, you can send a letter to the school to request such services. If you have questions about the letter or this fact sheet, please contact New York Lawyers for the Public Interest at (212) 244-4664 or Advocates for Children of New York at (212) 822-9521.

If the school or a DOE office does not translate your requested documents, you can make a complaint by calling the Office of Family Engagement and Advocacy (OFEA) at (212) 374-2323 or by faxing the office a copy of your letter at (212) 374-0138.