**Section 226.530 Parents' Participation**

a) With respect to parents' participation in meetings, school districts shall conform to the requirements of 34 CFR 300.322 and 300.501. For purposes of 34 CFR 300.322(a)(1), "notifying parents of the meeting early enough to ensure that they will have an opportunity to attend" means the district shall provide written notification no later than ten days prior to the proposed date of the meeting. *No later than 3 school days prior to a meeting to determine a child's eligibility for special education and related services or to review a child's IEP, or as soon as possible if an IEP meeting is scheduled within 3 school days with written consent of the child's parent or guardian, the local education agency must provide the child's parent or guardian with copies of all written material that will be considered by the IEP team at the meeting so that the parent or guardian may participate in the meeting as a fully-informed member. The parent or guardian shall have the option of choosing from the available methods of delivery, which must include regular mail and picking up the materials at school. For a meeting to determine the child's eligibility for special education, the written material must include all evaluations and collected data that will be considered at the meeting. For a child who is already eligible for special education and related services, the written material must include a copy of all IEP components that will be discussed by the IEP team, other than the components related to the educational and related service minutes proposed for the child and the child's placement. Parents shall also be informed of their right to review and copy their child's school student records prior to any special education eligibility or IEP review meeting, subject to the requirements of applicable federal and State law.* (Section 14-8.02f(c) of the Code)

1) In addition, the district shall take whatever action is necessary to facilitate the parent's understanding of and participation in the proceedings at a meeting, including arranging for and covering the expense of a qualified interpreter, as described in Section 226.800(k), for parents whose native language is other than English or for an interpreter licensed pursuant to the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443] for parents who are deaf. All interpreters for the common languages and American Sign Language shall be qualified interpreters. If a qualified interpreter is not available, a school district may use outside vendors, including telephonic interpreters, that are commercially recognized as providing competent interpretation services.

2) For the less common languages, the school district will make all reasonable efforts to provide an interpreter.

A) The interpreter must be:

i) demonstrably qualified and competent to interpret into and out of the less common language;

ii) trained in providing the interpretations requested and is sufficiently knowledgeable in both languages and of any specialized terminology needed; and

iii) trained in the ethics of interpretation.

B) In fulfilling this request, a school district may use outside vendors, including telephonic interpreters, that are commercially recognized as providing competent interpretation services.

b) Each school district must provide annually to all parents of children with disabilities and in each Notice of Conference the following information:

1) notice to all parents of children eligible for an individualized education program (IEP) about the availability of interpretation services at IEP team meetings. This notice must be provided in English, in all common languages, and in the parent’s preferred language, if known and practicable;

2) an explanation of how parents can request an interpreter;

3) notice that a parent has the right to request that the interpreter provided by the school district serve no other role in the IEP meeting than as an interpreter, and that the school district must make reasonable efforts to fulfill this request. If a parent believes the school district unreasonably denied their request for an interpreter who serves no other role in the IEP meeting, that parent has all rights under the IDEA and Article 14 of the School Code, including a due process hearing, the State's special education complaint investigation process, mediation, ISBE monitoring, and the ability to file a complaint with the U.S. Department of Education's Office for Civil Rights;

4) a point of contact for any questions or complaints about interpretation services; and

5) notice to all parents of children eligible for an IEP that written translations of vital IEP process documents are available, how to request translated documents, and whom to contact with any questions or complaints about the translations. This notice must be provided in English, in all common languages, and in the parent’s preferred language, if known and practicable.

c) Each school district must record the following information in a standardized manner within the IEP Conference Summary Report and report that anonymously aggregated data at the individual school level to ISBE on an annual basis using the IEP-Student Tracking and Reporting System (ISTAR) or another adopted reporting system:

1) whether a parent requested an interpreter, had previously requested interpretation services, or had otherwise indicated that an interpreter was necessary to ensure meaningful parental involvement in the IEP meeting;

2) the language for interpretation;

3) whether a qualified interpreter was provided for each IEP meeting; and

4) whether a parent requested that the interpreter serve no other role in the IEP meeting and, if so, whether the school district granted that request.

d) Each school district must track the following data and must report that anonymously aggregated data at the individual school level to ISBE on an annual basis through ISTAR or another adopted reporting system:

1) the number of Parent/Guardian Notification of Conference Recommendations forms and IEPs prepared during the year for which a parent requested translation, had previously requested translation services, or had otherwise indicated that a translation was necessary;

2) the number and percentage of Parent/Guardian Notification of Conference Recommendations forms and IEPs prepared, by language, when a translated Parent/Guardian Notification of Conference Recommendations form and an IEP were provided;

3) the number and percentage of such Parent/Guardian Notification of Conference Recommendations forms, by language, when a translated Parent/Guardian Notification of Conference Recommendations form was provided at the time of the IEP meeting;

4) the number and percentage of the Parent/Guardian Notification of Conference Recommendations forms that were translated, the average number of school days between the IEP meeting and provision of the translated Parent/Guardian Notification of Conference Recommendations, by language;

5) the number and percentage of IEPs, by language, when a translated IEP was provided within 30 school days of the IEP meeting; and

6) of the IEPs that were translated, the average number of school days between the IEP meeting and provision of the translated IEP, by language.

(Source: Amended at 47 Ill. Reg. 2244, effective February 6, 2023)