


TO: Members of the State Board of Education

FROM: Carey M. Wright, Ed.D., State Superintendent of Schools 

DATE: April 29, 2025

SUBJECT: COMAR 13A.01.10 *Language Access*
Permission to Publish

Executive Summary

The purpose of this item is to request permission to publish a new regulation, COMAR 13A.01.10 *Language Access*. The regulations establish new requirements that local education agencies (LEAs) develop a language access plan that describes how translation and interpretation services will be provided to individuals whose dominant language is not English. In the Final Report of the Blueprint for Maryland's Future: Workgroup on English Learners in Public Schools, Recommendation 2, Equitable Engagement and Communication with Multilingual Families, states that "Maryland should explore legislation and/or regulations to establish a mandated comprehensive language access policy for MSDE and public schools."

Background and Process

While federal and state mandates require equal access to public services for individuals in a language they can understand, the Maryland State Department of Education (MSDE) has no formal regulations in place. Communication that is not linguistically and culturally appropriate is a barrier to family engagement. MSDE convened a study group to develop a language access regulation. Representatives from LEAs, higher education, MSDE, and community groups met in 2024, studying national exemplars and models and outlined the components to be included in this regulation.

Action

MSDE requests permission to publish COMAR 13A.01.10 *Language Access*.

Regulation and Promulgation Process

Under Maryland law, a state agency, such as the State Board of Education (State Board), may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, MSDE staff will present a recommendation to the State Board to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because the

suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggest revision is a substantive change. At any time during the process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

Attachments

COMAR 13A.01.10 *Language Access*

Title 13A STATE BOARD OF EDUCATION

Subtitle 1

Chapter 10 Language Access

Authority: Education Article §2-205, Annotated Code of Maryland; Federal Statutory Reference: 42 U.S.C. § 2000d

.01 Purpose

The purpose of this chapter is to establish as a matter of policy and priority that parents, guardians, and caregivers are provided with a meaningful opportunity to participate in and have access to programs and services critical to their child's education, regardless of their dominant language.

.02 Scope

This chapter applies to all local school systems.

.03 Definitions

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Covered languages" means the most common dominant languages other than English spoken by persons living in the county in which the local school system is located.
- (2) "Interpretation" means the process of converting a spoken language from one language to another in a way that is culturally and linguistically appropriate, while preserving the original meaning.
- (3) "Language access plan" means a document that describes how the local school system will provide services to individuals whose dominant language is not English.
- (4) "Translation" means the process of converting text from one language to another while preserving the original meaning.

.04 Requirements

Each local school system shall:

A. Develop and implement a language access plan to:

- (1) Determine the covered languages for which language services will be provided,
- (2) Establish a process to identify, translate, and disseminate documents containing critical information regarding students' education,
- (3) Establish a process to provide interpretation services for meetings and communication with parents and guardians,

- (4) Establish a plan to provide language access for families whose dominant language is not a covered language, and
- (5) Provide regular training sessions for translators, interpreters, school staff, and administrators;
- B. Establish a process for users of language access services to provide feedback on the implementation of the language access plan;
- C. Track and report on the effectiveness of their language access services;
- D. Develop annual goals to improve the effectiveness of language access services;
- E. Review and revise their language access plan every two years; and
- F. Update covered languages annually.