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HOUSE BILL NO. 1278

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on February 19, 2026)

(Patron Prior to Substitute—Delegate Reaser)

A *BILL to amend the Code of Virginia by adding in Chapter 13.2 of Title 22.1 a section numbered 22.1-253.13:11, relating to Standards of Quality; school board policies; communication and language accessibility for limited English proficient parents; requirements; report.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 13.2 of Title 22.1 a section numbered 22.1-253.13:11 as follows:

§ 22.1-253.13:11. School board policies; communication and language accessibility for limited English proficient parents.

A. As used in this section:

"Language assistance services" means oral interpretation and written translation services that are provided in an accurate, timely, and effective manner to an LEP parent, at no cost to the LEP parent.

"Limited English proficient parent" or "LEP parent" means an individual (i) who is the parent of a student enrolled or preparing to enroll in a public elementary or secondary school; (ii) who either (a) was not born in the United States or whose native language is a language other than English; (b) is a Native American or Alaska Native or a native resident of one of the outlying areas of the United States and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (c) is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and (iii) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the opportunity to participate fully in society, including to deny the individual the opportunity to participate fully in decisions relating to or effectively communicate with the school about their child's education.

"Native language," with respect to an LEP parents, means the language normally used by such individual.

"Vital documents" means documents that (i) create or define legally enforceable rights or obligations, (ii) solicit information necessary to establish or maintain eligibility for educational programs or services, or (iii) are necessary for a parent to make informed decisions relating to his child's education. "Vital documents" includes enrollment forms, disciplinary notices, student codes of conduct, individualized education program documents, and information relating to rights of appeal.

B. Each school board shall develop, implement, and post in a publicly accessible location on its website a language access plan consisting of policies and procedures designed to ensure meaningful communication with and informational accessibility for LEP parents, in a language understandable to such LEP parents. Such language access plan shall include policies and procedures for:

1. Ensuring LEP parents are notified as adequately as non-LEP parents of any essential information about any program, service, or activity provided or sponsored by the Board, the school board, or a public school within the applicable school division, including information relating to (i) language assistance programs; (ii) special education and related services; (iii) IEP meetings; (iv) grievance procedures; (v) notices of nondiscrimination; (vi) student discipline policies and procedures; (vii) registration and enrollment; (viii) report cards; (ix) requests for parental permission for student participation in division or school activities; (x) parent teacher conferences; (xi) parent handbooks; and (xii) any available courses of instruction or academic program options, including gifted and talented programs and magnet and charter schools;

2. Identifying each LEP parent at the enrollment of such parent's child, or as soon as possible thereafter, and determining and maintaining records of the language needs and preferred language for communication of each identified LEP parent;

3. Providing to each LEP parent language assistance services to ensure meaningful access to all school and school division-level communications, including relevant meetings, notices, and electronic communications, which shall (i) include providing, in situations where written translation into a language understandable or preferred by an LEP parent is not feasible or immediate communication is necessary, oral interpretation services for an LEP parent in a language understandable to or preferred by such LEP parent; (ii) be provided by the school board and at no cost to the LEP parent; and (iii) be provided in an accurate, timely, and efficient manner to ensure no LEP parent is required to rely on the student or any of the parent's other children, family members, or untrained school board employees to interpret or translate for education-related purposes. In providing language assistance services pursuant to this subdivision, each school board may use, when necessary to ensure meaningful access to all school and school division-level

60 *communications, research-based language access technology, including digital platforms and remote*
61 *interpretation tools, provided that any such research-based language access technology is accurate, utilized*
62 *in a timely and effective manner, and, if deemed appropriate by the school board, supplemented by qualified*
63 *human interpretation;*

64 *4. Translating all vital documents into the languages most commonly spoken by the LEP parents in the*
65 *school division, as determined annually based on each LEP parent identified and the language needs and*
66 *preferences of each LEP parent identified pursuant to subdivision 2;*

67 *5. Providing training to all school board employees whose duties, as determined by the school board, are*
68 *relevant to or involve communication with LEP parents, on the requirements of this section with respect to*
69 *LEP parents and the processes and procedures for obtaining interpretation or translation services in*
70 *accordance with this section; and*

71 *6. Posting in a prominent and publicly accessible location on such school board's website information*
72 *relating to language and communication accessibility for LEP parents, including information on the rights of*
73 *LEP parents, the corresponding obligations of the school board to LEP parents under this section, and any*
74 *language assistance services available to LEP parents under this section and clear, easily understandable*
75 *instructions for accessing such language assistance services.*

76 *C. In implementing the language access plan pursuant to subsection B, each school board may fulfill the*
77 *requirements and provide the services required pursuant to subsection B through contracts, cooperative*
78 *procurement agreements, or statewide or regional service arrangements, including telephonic or video*
79 *remote interpretation and centralized translation services. Each school board shall provide language*
80 *assistance services required pursuant to subsection B in a manner consistent with the Standards of Quality*
81 *but shall be afforded discretion in selecting cost-effective service delivery models that meet the specific needs*
82 *of the limited English proficient population in its school division.*

83 *D. Each school board shall annually submit to the Department a report on its activities relating to*
84 *meeting its obligations to LEP parents in accordance with the requirements of this section, including (i) a*
85 *description of the language access plan developed and implemented pursuant to subsection B, including any*
86 *revisions or modifications made to such language action plan since the report submitted the preceding year;*
87 *(ii) data relating to LEP parents identified by the school board pursuant to subdivision B 2, including the*
88 *total number of LEP parents identified and served in the school division, the total number of languages other*
89 *than English preferred or spoken by such LEP parents and the number of such languages supported by the*
90 *school board in accordance with this section; and (iii) any other efforts of the school board to comply with*
91 *this section.*

92 *E. The Department shall annually post and maintain in a publicly accessible location on its website each*
93 *annual report submitted by a school board in accordance with subsection D. The Department may adopt*
94 *such policies and procedures as it deems necessary for monitoring and enforcing each school board's*
95 *compliance with the provisions of this section.*

96 **2. That the provisions of the first enactment of this act shall become effective on July 1, 2027.**

97 **3. That the Department of Education shall develop and make available to each school board by**
98 **September 1, 2026, guidance on the development and implementation of language access plans in**
99 **accordance with subsection B of § 22.1-253.13:11 of the Code of Virginia, as created by this act,**
100 **including (i) model policies and procedures for such language access plans and (ii) technical guidance**
101 **relating to the implementation of language access plans by each school board in accordance with the**
102 **requirements of § 22.1-253.13:11 of the Code of Virginia, as created by this act.**

103 **4. That by the beginning of the 2027–2028 school year, the Department of Education (the Department)**
104 **shall designate one or more staff members to provide direct technical assistance and compliance**
105 **support to school boards in implementing the requirements of § 22.1-253.13:11 of the Code of Virginia,**
106 **as created by this act, including by (i) providing guidance and consultation to school boards relating to**
107 **the development, implementation, and revision of language access plans required pursuant to**
108 **subsection B of § 22.1-253.13:11 of the Code of Virginia, as created by this act; (ii) responding to**
109 **inquiries from school boards relating to compliance with state and federal language access**
110 **requirements applicable to limited English proficient parents; (iii) developing and disseminating model**
111 **tools, templates, and best practices to support consistent implementation of the provisions of this act**
112 **across school divisions in the Commonwealth; and (iv) coordinating technical assistance efforts with**
113 **existing Department initiatives relating to equity, student support services, and family engagement.**
114 **Any staff member designated by the Department pursuant to the provisions of this enactment shall not**
115 **limit or restrict the Department's authority to monitor or enforce compliance with the provisions of**
116 **this act in accordance with subsection E of § 22.1-253.13:11 of the Code of Virginia, as created by this**
117 **act.**