

281—41.29(256B,34CFR300) Native language.

41.29(1) General. “Native language,” when used with respect to an individual who is limited English proficient, means the following:

a. The language normally used by that individual or, in the case of a child, the language normally used by the parents of the child; or

b. The language normally used by the child in the home or learning environment; this language shall be considered “native language” in all direct contact with a child, including evaluation of the child.

41.29(2) Special rule. For an individual who is deaf or hard of hearing or who is blind or visually impaired, or for an individual with no written language, the mode of communication is that normally used by the individual, such as sign language, braille, or oral communication.

[ARC 7792C, IAB 4/17/24, effective 5/22/24]