

SILENCED PARTNERS:

THE NEW YORK CITY DEPARTMENT OF EDUCATION'S FAILURE TO PROVIDE ADEQUATE TRANSLATION AND INTERPRETATION SERVICES TO IMMIGRANT PARENTS VIOLATES CIVIL RIGHTS LAW, PREVENTS EFFECTIVE PARENT INVOLVEMENT AND IMPAIRS THE ACHIEVEMENT OF IMMIGRANT CHILDREN.

A report by
Make the Road by Walking



May 2004

"SILENCED PARTNERS" - ABOUT THIS REPORT:

For years, immigrant parents have suffered from inadequate translation and interpretation services at New York City's public schools. The 2000 Census reports that 47% of all New York City households speak a language other than English in the home. One out of every four New Yorkers does not speak English. In vibrant immigrant communities like Bushwick, Brooklyn, these numbers are even higher. As the City's demographics have shifted over the years, complaints about obstacles to involvement of immigrant parents in their children's education have intensified. The consequences of this national origin discrimination for New York City children and parents are severe.

During the spring of 2004, Spanish-speaking members and organizers from Make the Road by Walking interviewed 235 Limited English Proficient (LEP) parents at eleven Bushwick schools to ascertain the scope of the problem. We initiated this survey because of parent concerns about the lack of access to appropriate language assistance services at a local middle school, IS 291, and the failure of regional and local school officials to intervene and address the problem effectively. We were dismayed to find widespread problems across the schools in our neighborhood. While parents at all schools reported problems, the level of discrimination varied widely from school to school. Some schools are providing written notices in Spanish but are failing to provide interpretation at parent conferences. Some schools have interpretation services for PTA meetings but inappropriately rely on students to interpret for parents at other times. Some schools are failing to provide language assistance services across the board.

Silenced Partners summarizes the results of these interviews, and includes a brief summary of the City, State and federal laws and policies that require language assistance services for LEP New Yorkers.

MAKE THE ROAD BY WALKING

Make the Road by Walking is a membership-led organization. We promote economic justice and participatory democracy by increasing low-income people's power to achieve self-determination through collective action. Our multi-faceted approach includes:

Organizing and Activism to build a stronger community, to make governing institutions subject to democratic community control, and to mobilize resistance to oppression based on race, class, gender, age, national origin, and sexual orientation.

Collaborative Learning to share ideas and experiences, to analyze the root causes of the problems we face, and to strategize about how we can take action together to resolve these problems in a way that values the voice, perspective and contribution of every person.

A Community of Support to provide badly needed services to members and leaders, to draw people into our educational and organizing activities, and to affirm an ethic of cooperation, mutual support, dignity and *animus*.

SUMMARY OF MAJOR FINDINGS

Only **39%**, or 91 respondents, indicated that they always receive written information from the school in a language they can understand.

Only **43%**, or 99 respondents, indicated that they always receive oral interpretation or assistance in a language they understand when visiting their child's school in person.

Only **49%**, or 115 respondents, indicated that they receive telephone communication from their child's school in a language they can understand.

Only **41%**, or 91 respondents, indicated that they always receive oral interpretation or communication in a language they understand at Parent Teacher Conferences.

Only **40%**, or 93 respondents, indicated that interpretation services are always provided in PTA meetings at their child's school or that meetings are conducted in a language they understand.

Over half of survey respondents (**52%** or 121 respondents) indicated that they have used their child or another child as an interpreter in attempts to communicate with the school.

98%, or 228 respondents, indicated that they believe that if more translation and interpretation services were available, they would be better able to support their son or daughter in being a successful student.

Responses from parents of students at **I.S. 291**, a neighborhood intermediate school, placed the school in the bottom two schools for five of the six areas of concern listed above and the bottom three for the sixth. This was the **worst overall performance** of a school in this survey.

THE LEGAL REQUIREMENTS:

There are federal, state and local laws that mandate that LEP parents have access to interpreters and translators at their children's school.

- **Title VI of the Civil Rights Act of 1964** is the oldest of these laws. Passed almost forty years ago, this law prohibits schools that receive federal money from discriminating against persons based on race, national origin or color. Title VI requires schools to ensure that all individuals have meaningful access to their programs and services. Under Title VI, schools must provide LEP persons with interpretation and translation services so that they, like English-speakers, can access the school's services.
- **The No Child Left Behind Act of 2001** emphasizes the importance of parent involvement in the education of their children. The law specifically states that local educational agencies "shall provide full opportunities for the participation of parents with limited English proficiency."
- On the state level, the **New York State Commissioner's Regulations Part 154** requires the New York City Department of Education to "distribute to parents...with limited English proficiency school related information in English or, when necessary, the language they understand."
- **The New York City Department of Education's Regulations of the Chancellor** recognize that "[p]arents must be integral partners in the education of their children. As such, parents must understand the levels of achievement necessary for promotion and be informed if their child needs intervention early in the school year." In order to effectively involve parents in the education of their children, Chancellor's Regulation A-501 directs that "to the extent possible, communication with parents should be in the home language."

THE PROBLEM OF LANGUAGE DISCRIMINATION:

Our local public schools do not comply with these laws and regulations, and the city and state departments of education have not enforced them. This failure violates civil rights law, prevents effective parent involvement and, ultimately, undermines successful student learning.

Our schools in Bushwick have a long history of dismal academic results and weak parent involvement. While the Bloomberg administration's "Children First" reforms emphasize the importance of parent involvement and school responsiveness, we have experienced the opposite in our schools. Our regional administration has failed to adequately investigate and rectify systemic failures to ensure universal language assistance services in our schools, particularly at I.S. 291, despite repeated requests for help from parents.

RECOMMENDATIONS:

- 1) Governor Pataki and the New York State Education Department must take an active and aggressive role in ensuring that the New York City Department of Education enacts policies and procedures that ensure equal access to information and participation for all New York City parents.
- 2) The State Education Department should create and implement a clear and comprehensive language access policy for all New York State School Districts that requires that translation and interpretation services be provided in all communications between the school district and limited English proficient parents.
- 3) The New York City Council and Mayor Bloomberg should enact comprehensive civil rights legislation that mandates language assistance services for all limited English proficient parents and/or guardians in all interactions with their children's schools, and should provide sufficient funding to ensure effective implementation.
- 4) New York City's Department of Education should create and implement a comprehensive language assistance system in New York City. This system should ensure that all limited English proficient parents are notified of their rights to receive language assistance services, always receive translated documents, and are provided with interpretation services at all in-person interactions with their children's schools.
- 5) The Chancellor of the New York City Department of Education must centralize responsibility for creating an effective system with adequate resources in the Chancellor's Office.
- 6) The Chancellor of the New York City Department of Education should appoint a panel of experts to identify potential school-level language assistance strategies, and develop a plan for implementing these strategies in all New York City schools.

ACKNOWLEDGEMENTS:

Make the Road by Walking would like to thank our organization's members who are leaders in our Parents in Action for Education committee, and organizer Placida Rodriguez, who spent hours interviewing limited English proficient parents. Thanks also to organizers from the New York Civic Participation Project who helped in completing interviews. Additionally, we would like to thank all of the Spanish-speaking community residents who took time to speak with us and to share their often-difficult experiences with discrimination at local public schools.

Also, we would like to thank our compañeros in the struggle to ensure equal access to educational services for LEP New Yorkers from the New York University Institute for Education and Social Policy, the Latin American Integration Center, Advocates for Children and the New York Immigration Coalition.

TRANSLATION OF WRITTEN DOCUMENTS

The only translated documents I receive in my native language of Spanish are regarding after-school requirements and obligations. These translated documents represent about 5% of the documents that the school sends me. My daughter has often missed out on activities and has lost time in class because I am unable to promptly read and understand the documents the school sends me that require my signature, because they are all in English. I feel that my daughter is losing opportunities to participate in enrichment and extracurricular activities because I am not able to understand information the school sends me about these opportunities.

Carmen C., parent

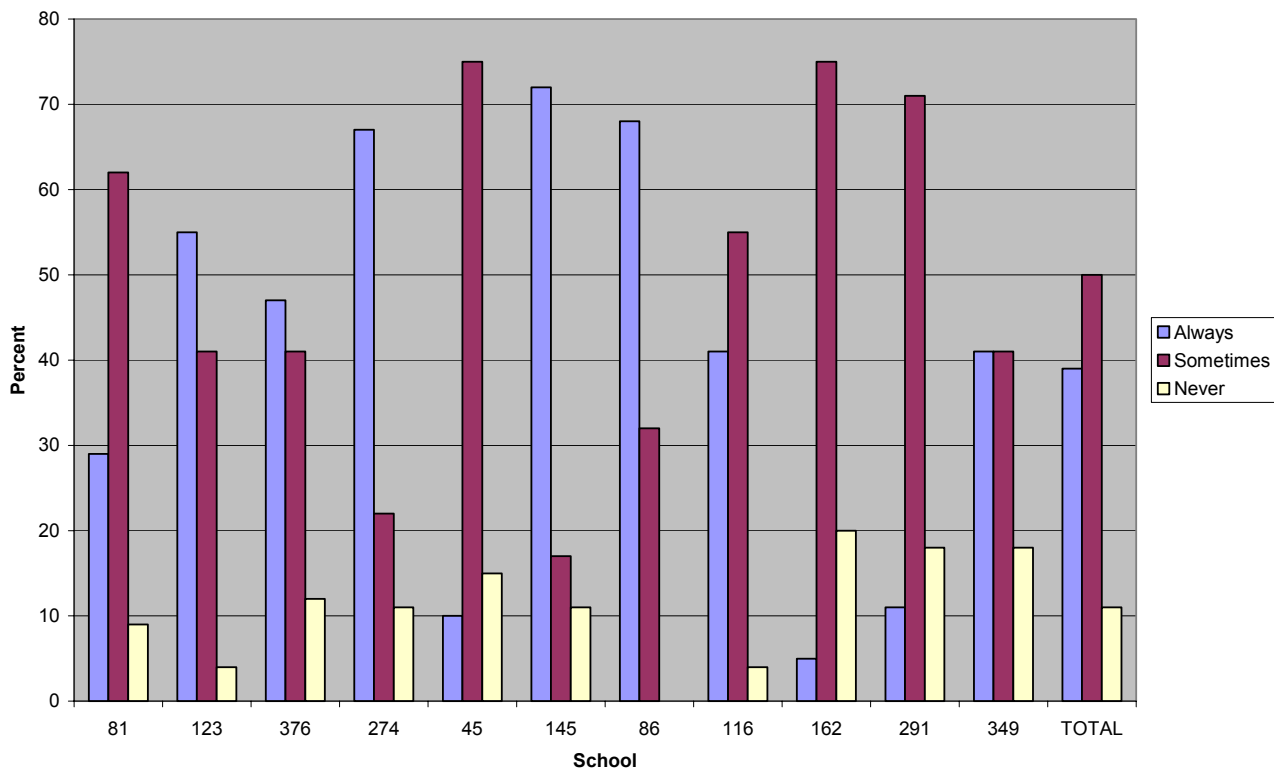
Overall, only **39%**, or 91 respondents indicated that they always receive written information from the school in a language they can understand. Of the remaining respondents, 117 said they sometimes receive written information in a language they understand and 26 said they never receive translated written information.

Serious Failure: Three schools had exceptionally low rates of respondents indicating that they always receive written materials in a language they can understand.

I.S. 162: 5% or 1 respondent P.S. 45: 10% or 2 respondents
 I.S. 291: 11% or 4 respondents

Passing Scores: Only one school, P.S. 145, received a “passing score” of 70% or above in this area. At P.S. 145, 72%, or 13 respondents, reported that they always receive translated written information.

Receive translated written information



PROVISION OF LANGUAGE APPROPRIATE SUPPORT DURING IN-PERSON VISITS TO THE SCHOOL

The school called my home to tell me to come in. When I arrived at the school, they told me, in very limited Spanish, that my daughter should go home because she had a 5 day suspension. They did not explain why my daughter was being suspended, because no employee was available who spoke Spanish adequately to explain this to me. They did not inform me of my rights or the rights of my daughter. The information which I was able to understand was limited and alarming.

Nieves M., Parent

Overall, only **43%**, or 99 respondents indicated that they always receive oral interpretation or assistance in a language they understand when visiting their child’s school in person. Of the remaining respondents, 68 said they sometimes receive oral interpretation or assistance in a language they understand when visiting their child’s school in person and 60 said they never receive oral interpretation or assistance in a language they understand when visiting their child’s school in person.

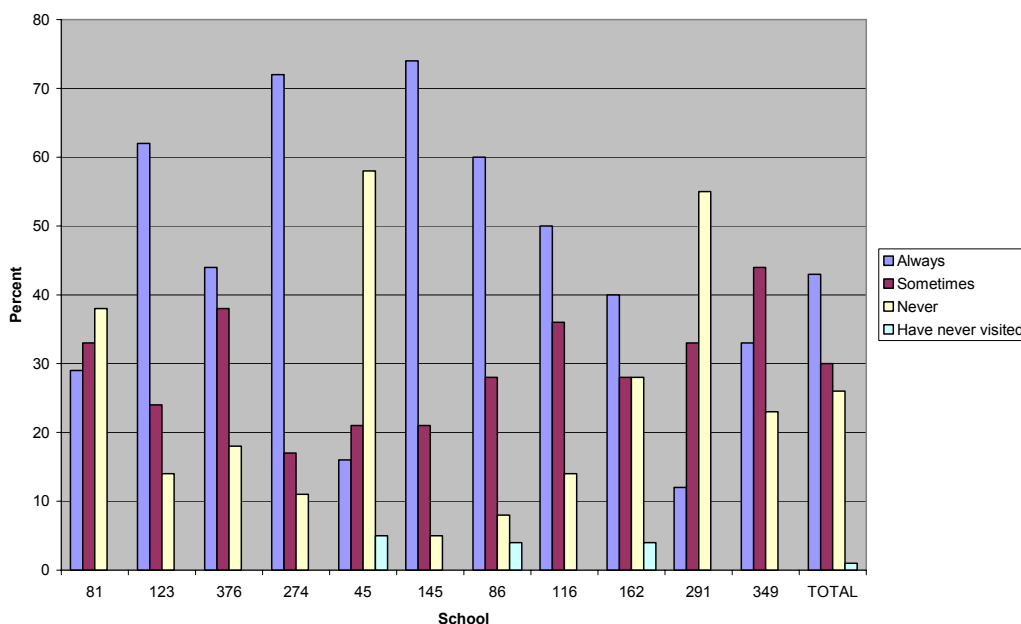
Serious Failure: Two schools had exceptionally low rates of respondents indicating that they always receive oral interpretation or assistance in a language they understand when visiting their child’s school in person.

P.S. 45: 16% or 3 respondents

I.S. 291: 12% or 4 respondents

Passing Scores: Only two schools, P.S. 274 and P.S. 145, received “passing scores” in this area. At P.S. 145, 74%, or 14 respondents reported that they always receive oral interpretation or assistance in a language they understand when visiting their child’s school in person. This was the highest percentage of respondents from a particular school reporting that they always receive written information in a language they can understand. At P.S. 274, 72%, or 13 respondents reported that they always receive oral interpretation or assistance in a language they understand when visiting their child’s school in person.

Received interpretation on personal visits



LANGUAGE APPROPRIATE TELEPHONE COMMUNICATION

On four occasions I have been called by the school regarding my son's health. On each of these occasions I have been unable to understand the person speaking to me, because I do not speak or understand English. On each occasion I have had to rush to the school not knowing if my son had a critical or life threatening health condition.

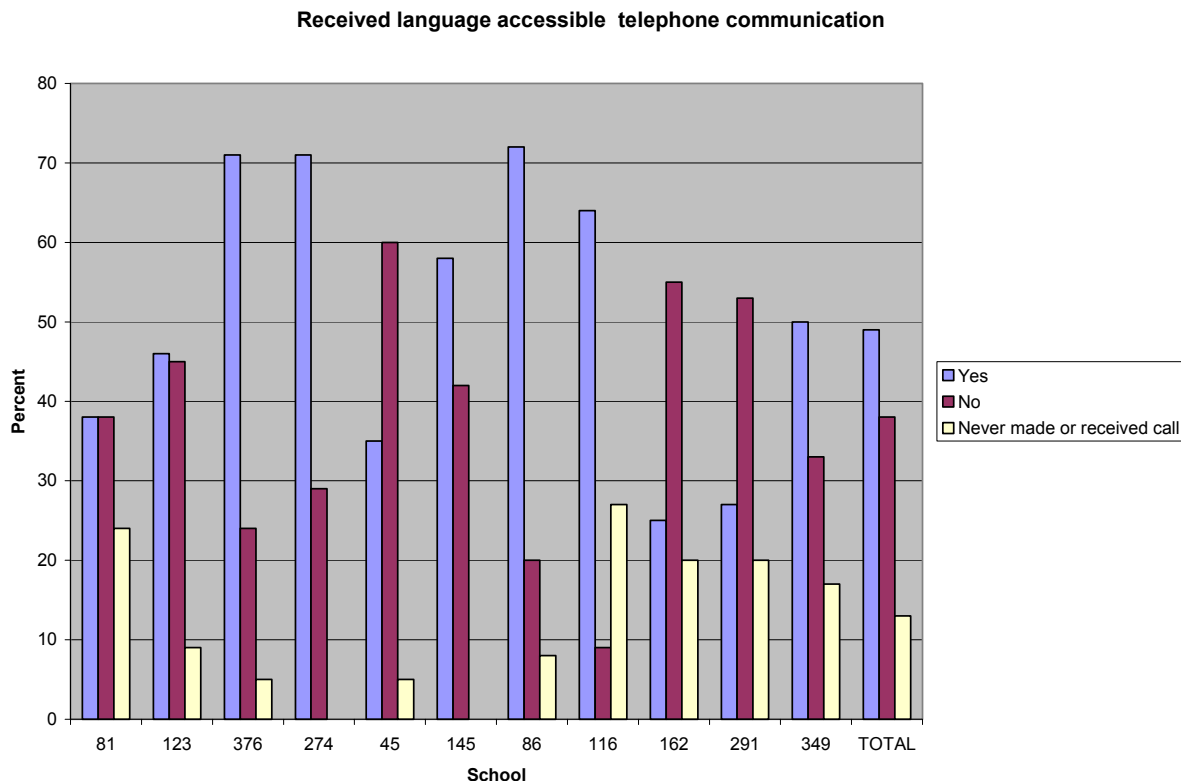
Catalina M., Parent

Overall, only **49%**, or 115 respondents indicated that they do receive telephone communication from their child's school in a language they can understand. Of the remaining respondents, 38 respondents said they did not receive telephone communication from their child's school in a language they can understand and 13 said they have never communicated with their child's school via telephone.

Serious Failure: I.S. 291 and I.S. 162, the two large middle schools included in the survey, had the lowest rates of respondents indicating that they receive telephone communication from their child's school in a language they can understand.

I.S. 162: 25% or 5 respondents I.S. 291: 27% or 9 respondents

Passing Scores: Three schools, P.S. 376, P.S. 86, and P.S. 274, received "passing scores" in this area, with over 70% of respondents at each of these schools indicating that they receive telephone communication from their child's school in a language they can understand.



USING CHILDREN AS INTERPRETERS

I have attempted to find an interpreter at my child's school, but this service is not available. I regularly have to ask my older daughter to translate. I also have been forced to use my son, who is in the third grade, several times to translate between myself and the school's staff.

Fidelina C., parent

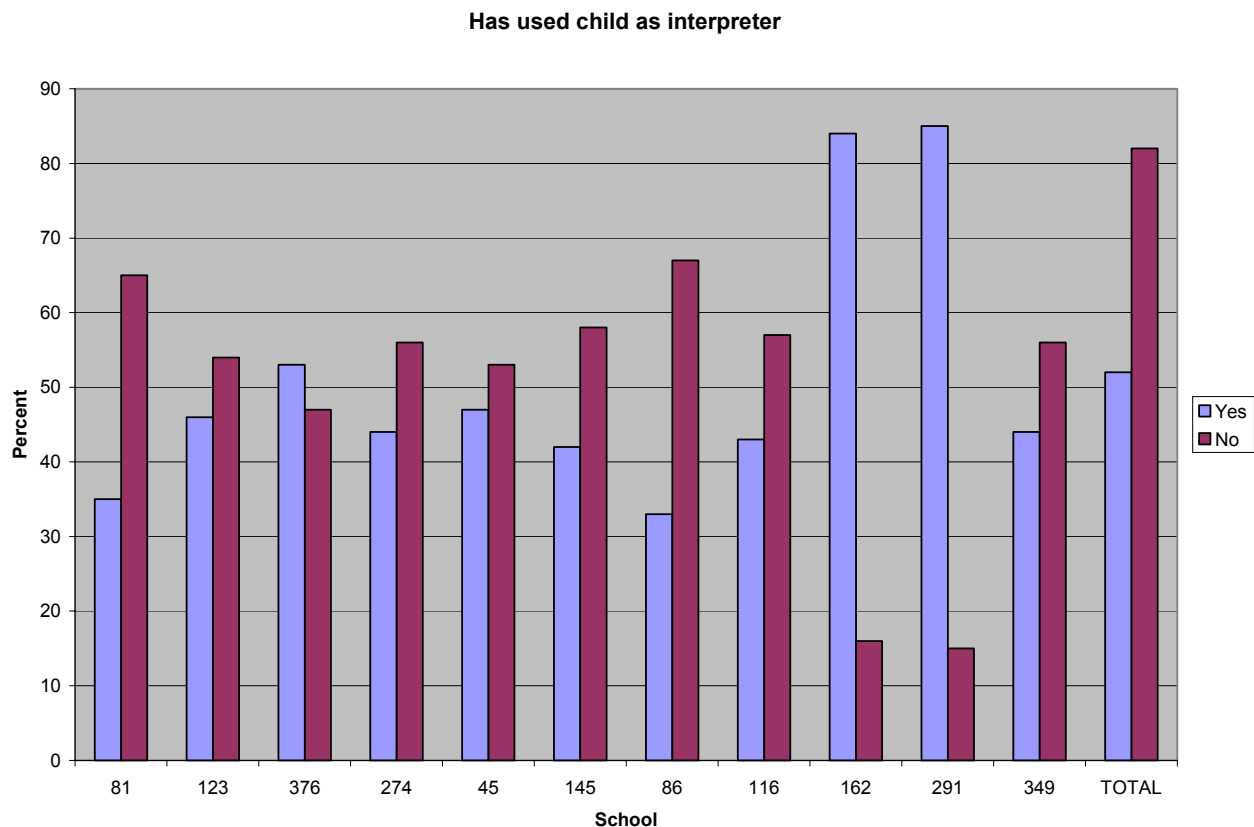
Overall, over half of survey respondents (**52%** of 121 respondents) indicated that they have used their child or another child as an interpreter in attempts to communicate with the school.

Serious Failure: At I.S. 291 and I.S. 162, the two large middle schools included in the survey, respondents reported using their children as interpreters with great frequency.

At I.S. 291, 85% or 29 of 34 total respondents reported using children as interpreters in attempts to communicate with the school.

At I.S. 162, 84% or 16 of a total of 19 respondents reported using children as interpreters in attempts to communicate with the school.

Passing Score: No school included in the survey received a "passing score" of 70% of respondents or more reporting that they never use children as interpreters.



INTERPRETATION IN PTA MEETINGS

After being invited to a teacher presentation for parents that was conducted entirely in English without translation services, I have not returned to any subsequent teacher presentations or school meetings.

Alejandra S., parent

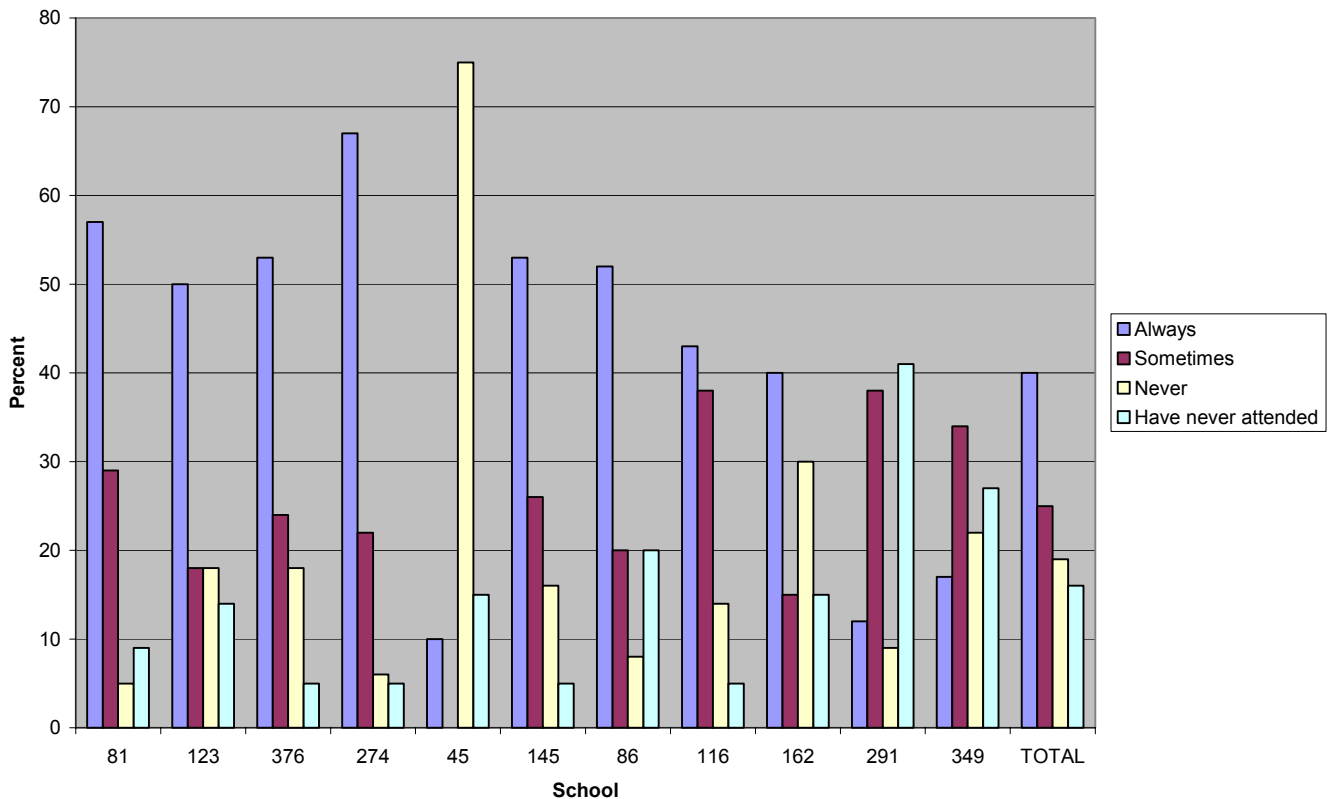
Overall, only **40%**, or 93 respondents indicated that interpretation services are always provided in PTA meetings or other important meetings at their child’s school or that meetings are conducted in a language they understand. Of the remaining respondents, 58 said this sometimes occurs and 26 said this never occurs. Thirty-nine, or 16% of the respondents indicated that they had never attended a PTA meeting or other important meeting at their child’s school.

Serious Failure: At I.S. 291, P.S. 45, and P.S. 349, an exceptionally low number of respondents indicated that translation services are “always” provided at PTA meetings or that meetings are conducted in a language they understand.

I.S. 291: 12% or 4 respondents. P.S. 45: 10% or 2 respondents.
 P.S. 349: 17% or 3 respondents.

Passing Score: No school included in the survey received a “passing score” of 70% of respondents or more reporting that interpretation is always provided at PTA meetings.

School provides interpretation in PTA meetings



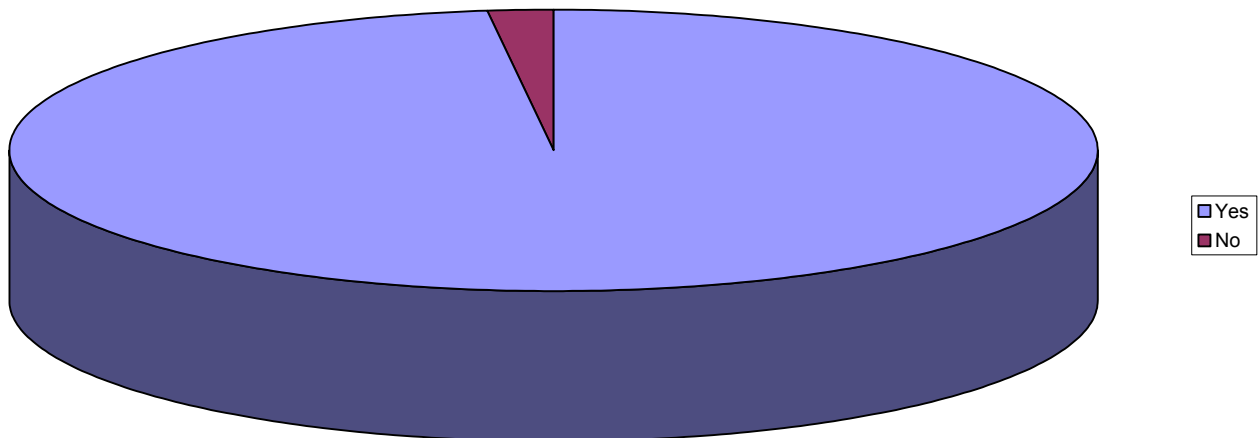
GREATER AVAILABILITY OF INTERPRETATION AND TRANSLATION SERVICES WOULD ENABLE PARENTS TO BETTER SUPPORT THEIR CHILDREN'S SUCCESS IN SCHOOL

The lack of language services makes me feel vulnerable, because I cannot inquire about my child or even check on her progress. I fear that this lack of translation and interpretation services will negatively affect my children. I also cannot fully participate in my child's activities, because I cannot understand the notices that are sent home.

Maria L., Parent

Overall, **98%** or 228 respondents reported that they believed that greater availability of translation and interpretation services would enable them to better support their children's success in school.

Greater language access would have a positive impact on parent ability to support student success



APPENDIX I: SAMPLE SURVEY INSTRUMENT IN ENGLISH

First Language _____ School _____ Child's current grade _____

- 1) **Do you speak English?** Yes No
2) **Do you read English?** Yes No
3) **Do you understand English?** Yes No

4) **Do you receive written information in Spanish from the school?**

Always Sometimes Never

5) **When you have personally visited the school, do they provide interpretation?**

Always Sometimes Never Never have gone to the school

6) **If the school provides an interpreter, do they do so promptly? (*Question omitted from results*)**

Yes No Never have gone to the school

7) **If you have had telephone contact with the school, do they provide you with interpretation or a bilingual employee to facilitate communication?**

Yes No Never have tried to call or received a call

8) **In Parent Teacher Conferences, or other important meetings at the school dealing with your child's education, does the school provide an interpreter?**

Always Sometimes Never Never have attended these meetings

9) **Have you ever had to use your child or another student as an interpreter?**

Yes No

10) **In PTA meetings, does the school provide interpretation or conduct the meetings in your language?**

Always Sometimes Never Never have attended these meetings

11) **Do you believe that if interpretation or translation services were available it would enable you to better support your child in being a good student?**

Yes No

12) **In the future, if we have questions, can we call you?**

Yes No

Name:

Phone:

APPENDIX II: COMPARISON OF READING AND MATH TEST RESULTS TO EFFICACY IN LANGUAGE ASSISTANCE PROVISION

The percentage of positive results for each school in each of the six areas discussed earlier in this report were averaged to create a "success ratio" for each school. These areas were: 1) Translation of written information 2) Language assistance during in-person visits 3) Telephone communication 4) Linguistic accessibility at Parent-Teacher Conferences 5) Using children as interpreters 6) and Language-accessible PTA meetings or other events. On the graph below, this "success ratio" is plotted against reading and math results at the schools.

For all but three of the 11 schools included in this survey, some correlation appears to exist.

Data regarding school performance used in this analysis was prepared by the NYU Institute for Education and Social Policy, ©2004.

Comparison of efficacy in providing translation and interpretation services to student achievement

