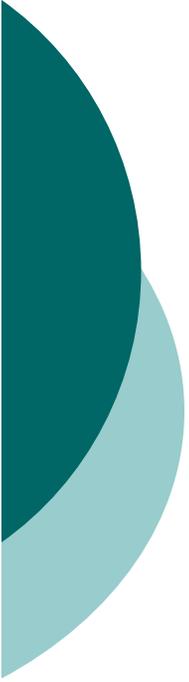


# Language Access in the Educational Setting

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## Panel

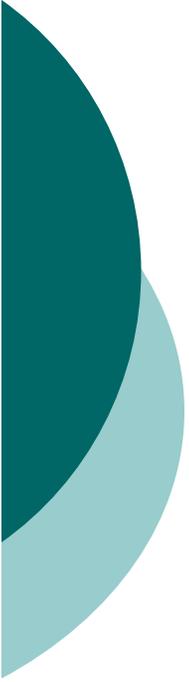
- Gillian Dutton– Director of Externship Program and Assistant Professor of Lawyering Schools, Seattle University
- Danielle Eidenberg-Noppe—Office of the Education Ombudsman, Governor’s Office
- Phil Koestner—English Language Development, Spokane Public Schools



# Overview of Law Regarding Language Access in Educational Settings

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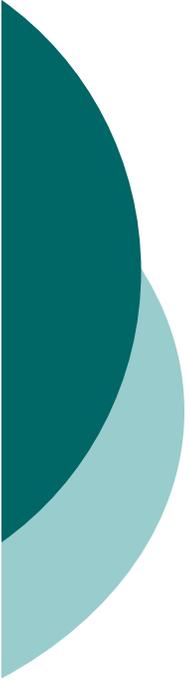
- The Office for Civil Rights (OCR) within ED has responsibility for enforcing Title VI of the Civil Rights Act of 1964
- It prohibits discrimination on the basis of race, color, or national origin in programs and activities that receive federal financial assistance.



School districts receiving federal financial assistance may not, on the basis of race, color, or national origin:

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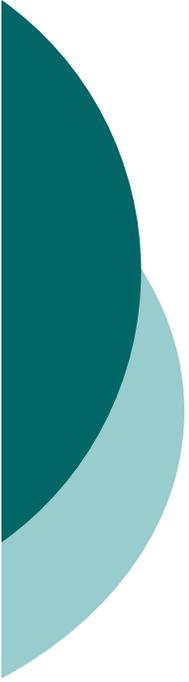
- Provide services, financial aid, or other benefits that are different or provide them in a different manner;
- Restrict an individual's enjoyment of an advantage or privilege enjoyed by others;
- Deny an individual the right to participate in federally assisted programs; and
- Defeat or substantially impair the objectives of federally assisted programs.



## 1974 Lau v. Nichols case

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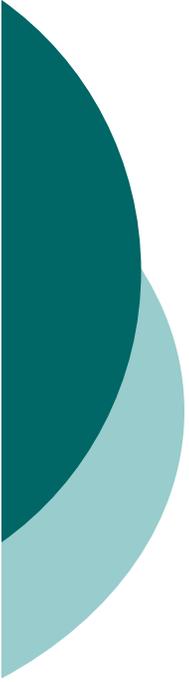
- The U.S. Supreme Court upheld the 1970 memorandum as a valid interpretation of the requirements of Title VI. The Supreme Court stated that, "[T]here is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education."



## 1985 OCR "The Office for Civil Rights' Title VI Language Minority Compliance Procedures"

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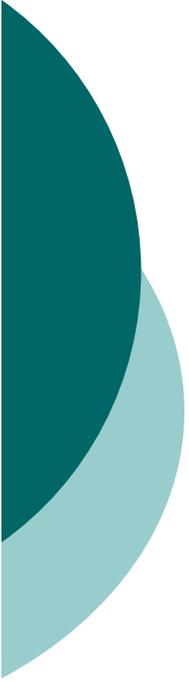
- Outlined OCR policy with regard to the education of language-minority students and Title VI compliance standards.
- 1991 "Policy Update on Schools' Obligations Toward National Origin Minority Students with Limited-English Proficiency (LEP students)."



## 1970 OCR memorandum “The Identification of Discrimination and Denial of Services on the Basis of National Origin”.

---

- Required the school districts to take affirmative steps, and,
- Gave examples of violation of Title VI.
  - Students are excluded from effective participation in school because of their inability to speak and understand the language of instruction;
  - National-origin minority students are mis-assigned to classes for the mentally retarded because of their lack of English skills;
  - Programs for students whose English is less than proficient are not designed to teach them English as soon as possible, or if these programs operate as a dead-end track; or
  - Parents whose English is limited do not receive school notices and other information in a language they can understand.

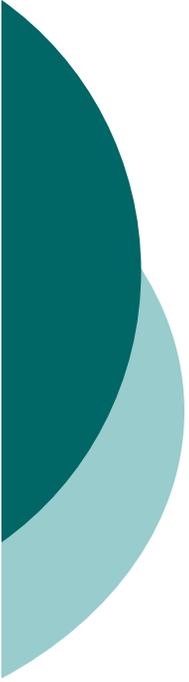


## What does Title VI of the Civil Rights Act of 1964 require for English-language learner students?

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Federal law requires programs that educate children with limited English proficiency to be:

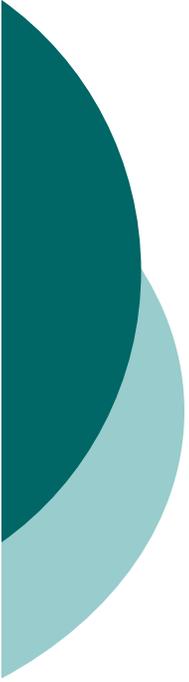
1. Based on a sound educational theory;
2. Adequately supported, with adequate and effective staff and resources, so that the program has a realistic chance of success; and
3. Periodically evaluated and, if necessary, revised.



The following procedures should be used by school districts to ensure that their programs are serving LEP students effectively.

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- Identify students who need assistance; develop a program which, in the view of experts in the field, has a reasonable chance for success;
- Ensure that necessary staff, curricular materials, and facilities are in place and used properly;
- Develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and
- Assess the success of the program and modify it where needed.



## What happens to limited-English proficient (LEP) students who are not offered services to help than overcome language barriers?

---

Limited-English proficient students (also sometimes referred to as English-language learners) may suffer:

- Repeated failure in the classroom,
- Falling behind in grade,
- Dropping out of school,
- Inappropriate placement in special education classes
- Unnecessary discipline
- Lack of access to high track courses or Gifted and Talented programs.

# Effective Communication: *Families & Schools*



Presented by  
Danielle Eidenberg-Noppe, Education Ombudsman  
Office of the Education Ombudsman  
Governor's Office  
1-866-297-2597  
[www.waparentslearn.org](http://www.waparentslearn.org)

# The Office of the Education Ombudsman

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The Office of the Education Ombudsman (OEO) is an agency within the Governor's Office created by the Washington State legislature in 2006. It is not part of the public education system.

OEO works with parents, students and educators across the state.



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[www.waparentslearn.org](http://www.waparentslearn.org)

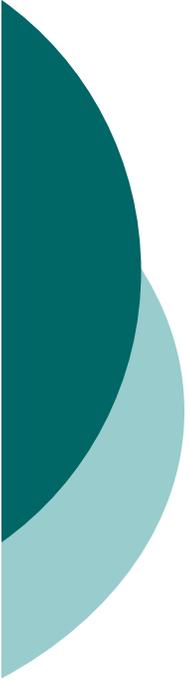
# What is an Education Ombudsman?

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- OEO ombudsmen are impartial problem solvers who help families and students understand how the state public education system works, how they can get their needs met, and what to do when conflict occurs.
- They provide consultation, facilitation, and informal mediation services for families and educators.
- They facilitate the resolution of conflict between students, families and public schools in a neutral and confidential manner.



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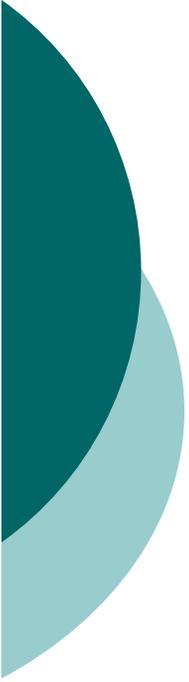


# OEO Services

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- **Language Line** – Education Ombudsmen provide coaching, consultation and conflict resolution services to families through telephone interpreters in over 170 languages.
- **Conflict Resolution** – Education Ombudsmen help families resolve conflict with schools and provide information about the public education system,
- **Public education-** We teach free workshops and sponsor conferences, forums, and training opportunities for families, students, and educators.
- **Publications** – We offer a variety of informational brochures for parents and students, translated in several languages.
- **Website** – [www.waparentslearn.org](http://www.waparentslearn.org) offers information regarding K-12<sup>th</sup> education.
- **Family involvement** – OEO promotes family involvement in education to support student achievement.
- **Systemic change** – OEO makes recommendations to public officials to develop legislation to improve the education system.

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# OEO Callers

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## 1. Presenting concern:

### Content area

Special Education

Bullying

Discipline

Academic

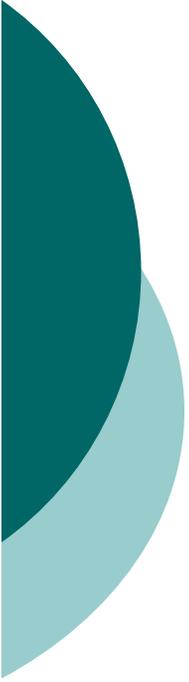
Social

Emotional

## 2. Underlying concern:

Communication in every case.

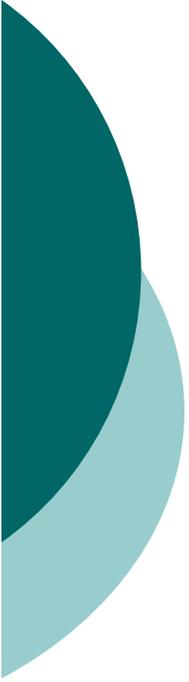
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# Range of Communication Issues

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- Lack of two-way communication
- Conflict with school or district
- Language barriers
  - Non-English speaking family members
  - Family members that speak but don't read in English so can't read communications from school/ district
  - Limited English speaking family members who may not understand technical education language



# LANGUAGE

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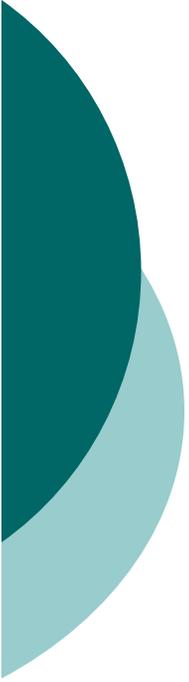
The language, the word, carries within it  
the history, the culture, the traditions,  
the very life of a people, the flesh.

Language is people.

We cannot even conceive of  
a people without a language  
or a language without a people.

The two are one and the same.  
To know one is to know the other.

- Sabine Ulibarri

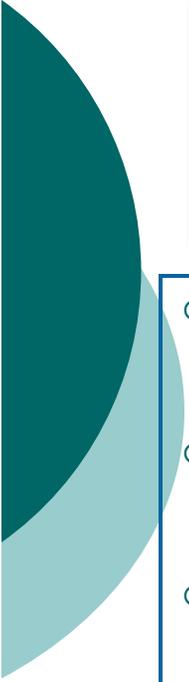


# Inconsistency in services for ELL families in Washington's schools

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- Bilingual Orientation Centers in some districts
- ELL students at all levels are mainstreamed for at least part of the day in other districts
- Inconsistent Para-educator support for students/families
- Inconsistent use of language line technology
- Inconsistent interpreter availability
- Inconsistent translations available for families

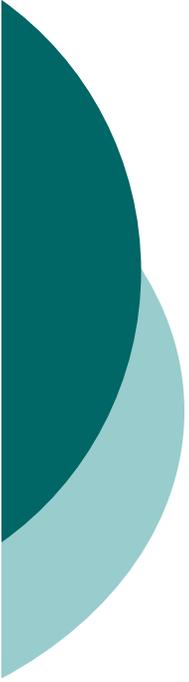
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# Frame of Reference

## Differences between schools in other countries and American schools

- Schools have fewer resources than American schools. School buildings are basic --no library, computer rooms, gym, lunchroom, playground.
- Teachers expect parents to “be involved” by providing basic necessities for their children. There are no PTAs.
- School discipline is very strict. Corporal punishment is the norm in many countries.
- Education is left to schools and considered exclusive domain of teachers. Parents are expected to tell students to behave well at school and obey their teachers.
- Grading systems are completely different. There are no school calendars.
- Education systems are based on testing. Students are promoted to the next grade level based on test scores.
- Schools have no structures in place to accommodate volunteers.

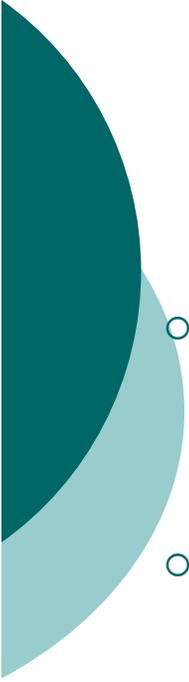


# Assumptions about Families and Education

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- All families want their students to learn successfully
- All families have much to offer their children educationally
- Family involvement in education is key to student success
- Appropriate interpretation and translation support is critical for effective family involvement in education as well as for maintaining parental authority and dignity within the family.

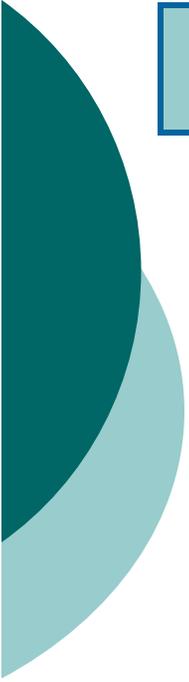
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## What ELL Families say about Family Involvement in education

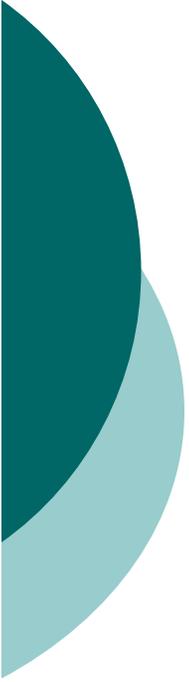
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- The American concept of family involvement in education does not exist in other cultures. “In other countries parents also want their children to succeed academically but they leave the task of educating children to the professionals working in the schools.”
- What American schools mean by family involvement has to be defined and explained to ELL families --in their native language. “All parents want the best education for their children and once they understand that they should be involved and how, they will support the school.”
- School procedures and expectations for families and children have to be defined, translated, and clearly explained to ELL families. “ I don’t know how things are done here. The schools in my country don’t look like American schools and teachers and students don’t do the same things.”
- The PTA, since it doesn’t exist in other parts of the world, has to be defined and explained to ELL families. “if I go to my children’s school, where will I find the PTA?”



## What ELL families said schools should do

- 
1. Facilitate relationships between bilingual families and staff. *“I need to know at least someone at the school to feel safe.”*
  2. Have a consistent school-home communication system that includes regularly translated materials, and interpreters for parent-teacher conferences and other family meetings.
  3. Have teachers call bilingual parents directly with an interpreter when children are falling behind academically - as soon as it starts happening and not some time later. *“If the teacher calls me, we can resolve problems in mutual agreement.”*
  5. Provide help to understand the American school system. *“Who can explain American schools to me?”*



## Relationship-building School Events With An Added Educational Component

- ✓ Invite bilingual parents to be part of event planning committees, to coordinate and work the event or to create bilingual phone trees to encourage families to attend.
- ✓ Provide professional interpretation for families
- ✓ Translate and send invitations and schedule phone reminders prior to the event.

### Event examples:

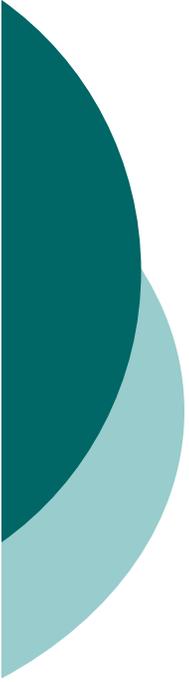
- Back to School Night add a guided school building tour
- Parent meeting add “What is the PTA/PTO?” workshop
- Volunteer Fair add Parent Involvement workshop
- Open House add Community Services Fair
- Curriculum Night add Cultural Heritage Fair/Pot Luck
- ESL class presentations add School Support Services fair

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# What ELL Parents tell OEO

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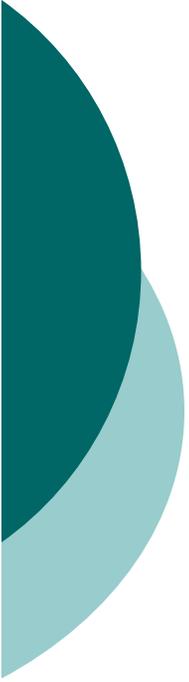


# Translation & Interpretation in High Stakes Situations

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## Challenges and Solutions....

- IEP Meetings
- Suspensions/ Expulsions
- Re-entry hearings



# Resources

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Language line access by school districts:

[www.k12.wa.us/CISL/k-12/PhoneInterpretation.aspx](http://www.k12.wa.us/CISL/k-12/PhoneInterpretation.aspx)

Educational Audio Files for families:

<http://www.nhwa.org/gethelp/community-resources.php>

Translated resources for families:

[www.waparentslearn.org](http://www.waparentslearn.org)

Call us toll-free! 1-866-297-2597  
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## *Translate smart*

---

1. Translate parent information materials that are not likely to change. Have someone review and simplify the language before sending it to be translated.
  - School attendance policy
  - School academic goals and tips for families
  - Directory of school personnel information and support services. List of who in the school speaks other languages.
  - Progress report and report card information
2. Create a system for bilingual families to communicate with the school and vice versa. Ask the school to designate staff to be the primary contact person and communicate his/her name, phone, office hours, etc. to bilingual families.

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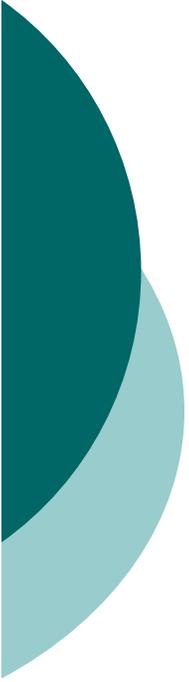
# How to work with interpreters

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Always clarify your message and any technical education language before interpretation begins.

Check for understanding as you go.

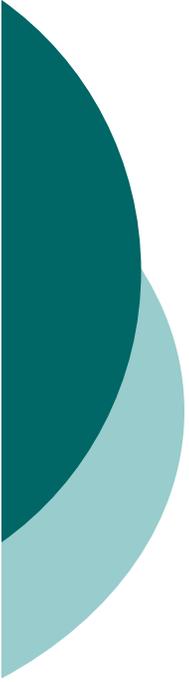
- Take time prior to the meeting to arrange for an interpreter.
- Always select trained professionals.
- Allocate time to meet with the interpreter before the meeting or event and explain the purpose and outcomes.
- While talking during the meeting, always pause for the interpreter to begin to interpret and wait to start again when the interpreter has finished.



# Never utilize children as interpreters

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- It confirms parental loss of control
- It's a tremendous pressure placed on children
- Children lack appropriate vocabulary
- Children have limited translation skills
- Some issues should not be discussed in front of students
- In some cultures, there is a great deal of shame when some subjects are discussed in front of children.



# Working towards Change

---

- OEO issue paper focusing on the lack of systemic translation/interpretation services within education system state-wide.
- OSPI's recent Achievement Gap recommendation: "to assure the competence of language assistance provided to LEP students by interpreters and bilingual staff. Family and friends should not be used to provide interpretation services."
- OEO to continue ongoing work with WASCLA, OSPI and other stake holders to develop consistent state-wide translation/interpretation services for schools.

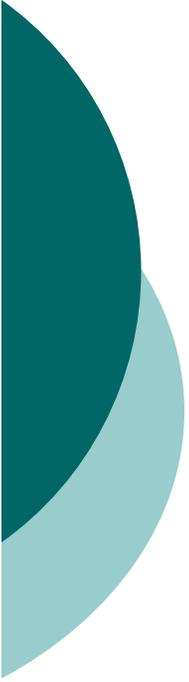
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# THE ELD PROGRAM

WASCLA presentation on  
Spokane Public Schools/ELD  
program

October 16, 2009



## IMPLICACIONES DE NO ENTENDER UN IDIOMA...

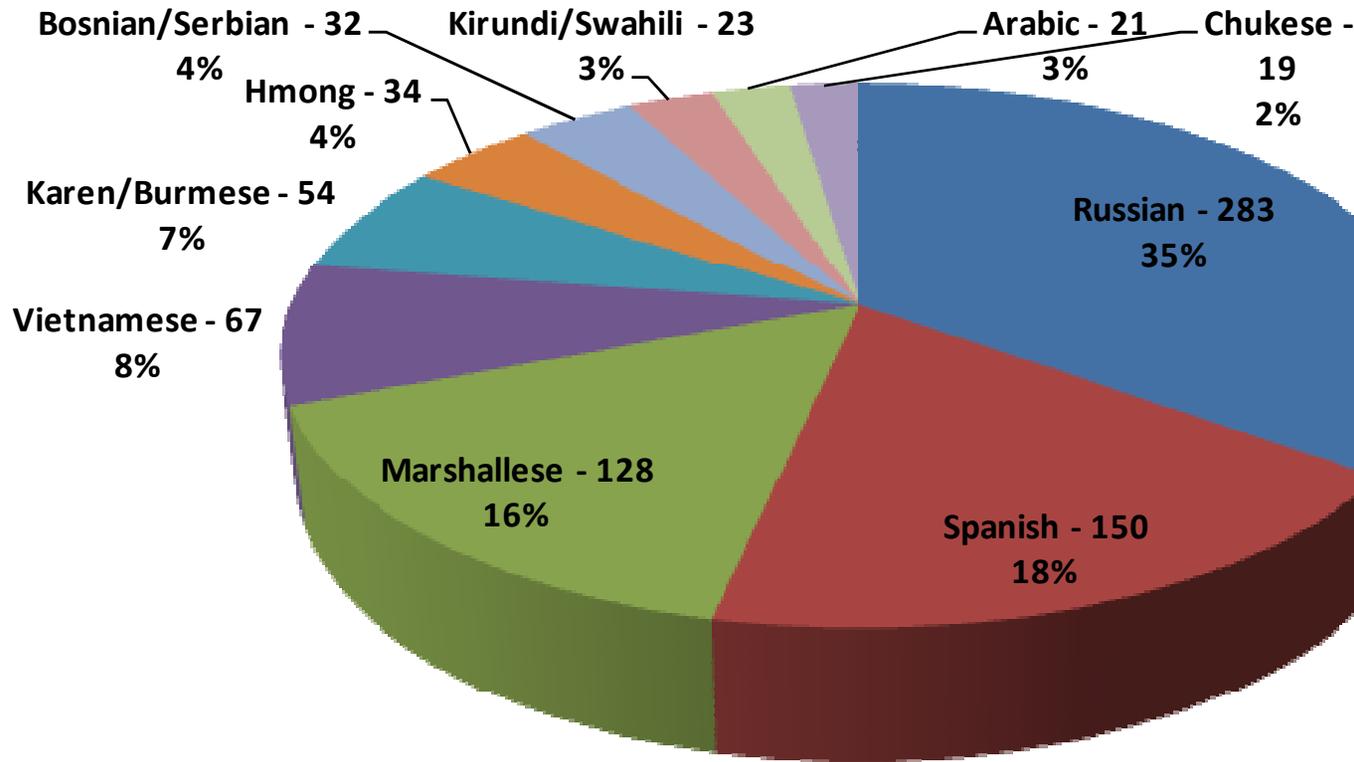
- ¿ COMO SE SIENTE UD. NO ENTENDER?
- NO ENTENDER UN IDIOMA NO SIGNIFICA QUE NO SEA UD. INTELIGENTE
- TOMA TIEMPO PARA APRENDER



## ELD IN SPOKANE

- ~~ELD students total more than 1100~~  
ELLs, 4% of district total enrollment (29,000\*) across all buildings grades K-12
- More than 50 language groups represented in Spokane
- Russian, Spanish, Marshallese and Vietnamese are the top languages in Spokane
- Many students come as refugees via

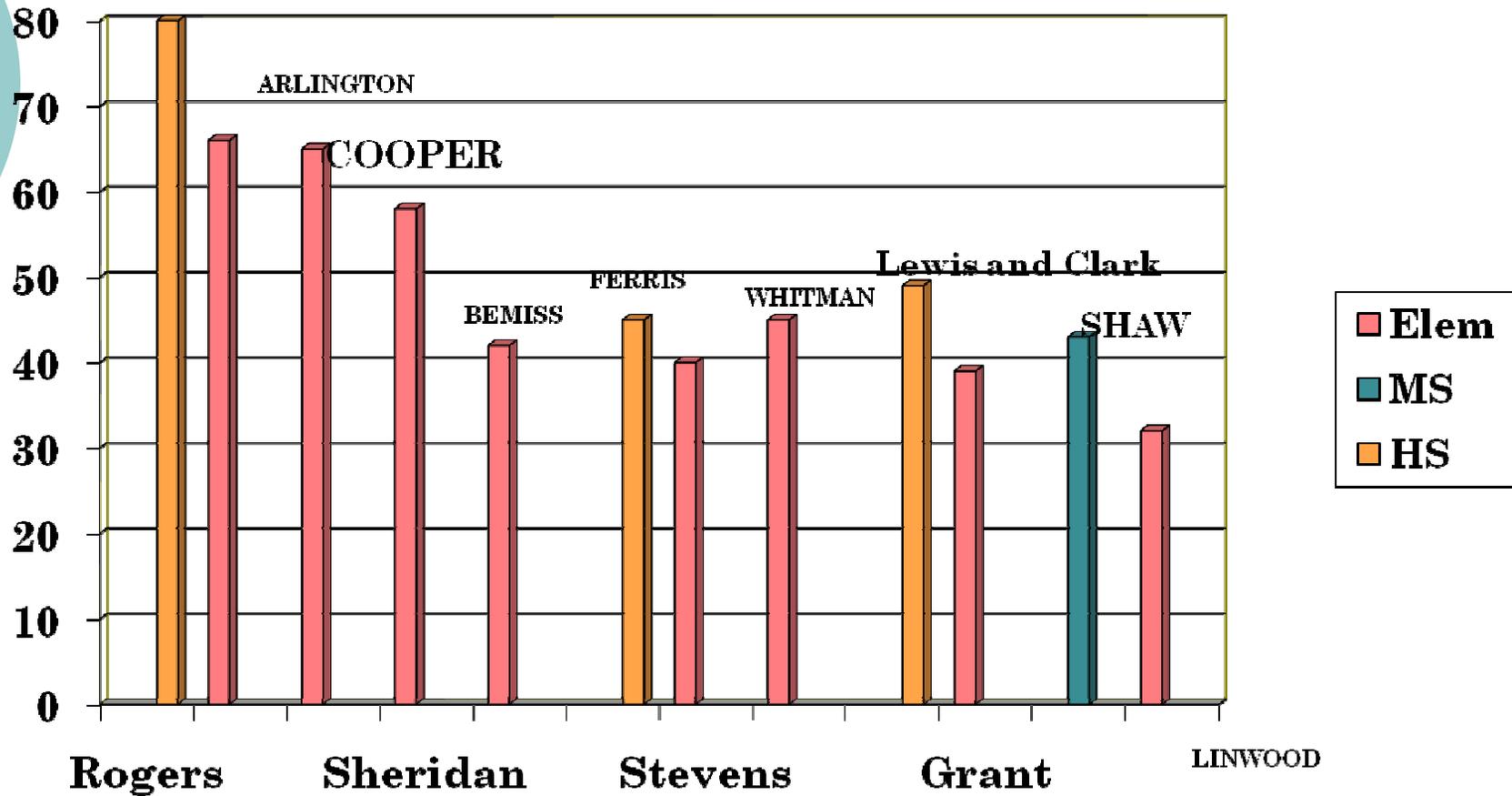
# Languages in ELD Program (Spring 2009)

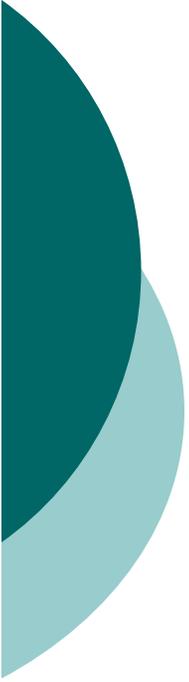


- |                      |                 |                        |                        |
|----------------------|-----------------|------------------------|------------------------|
| ■ Russian - 283      | ■ Spanish - 150 | ■ Marshallese - 128    | ■ Vietnamese - 67      |
| ■ Karen/Burmese - 54 | ■ Hmong - 34    | ■ Bosnian/Serbian - 32 | ■ Kirundi/Swahili - 23 |
| ■ Arabic - 21        | ■ Chukese - 19  |                        |                        |

# SPS-ELD STUDENTS BY SCHOOL

## 2009

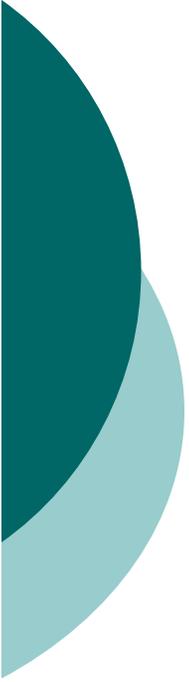




# SERVICES FOR NEW ELL'S AND FAMILIES IN SPOKANE

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- Ferris Newcomer Center (HS)
- Family Registration and Orientation Center, at Havermale – for all new ELL families.
- Gonzaga Language Camp (k-20)
- RSIG-Refugee School Impact Grant funding supports “refugee simulations” PD, and after school programs, support services
- Partnership with World Relief



## WHO WE SERVE: THEN and NOW (Spokane)

---

- 1980'S-  
2000'S

- Vietnamese
- Hmong
- Cambodian
- Russian speaking
- Bosnian
- Cuban

- 2000'S +

- Russian speaking
- Latino
- Marshallese
- Vietnamese
- Burmese/Karen/Ch  
en
- E. African
- Arabic



## FACING CHALLENGES...

---

### ○ **CHALLENGES:**

- New language groups/needs
- Community Engagement
- Diversity/quantity of languages
- Emergency comm./staffing needs
- Funding gaps
- Cultural/community education gaps

### ○ **HOW WE FACE THEM:**

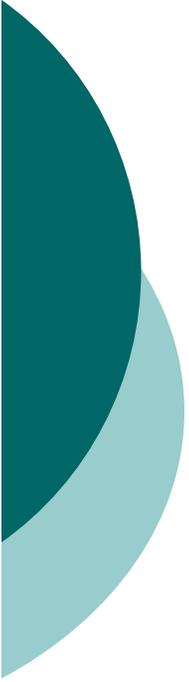
- Active recruitment of bilingual staff
- Community Forums/cultural events
- "grow our own"



## ELD STAFF

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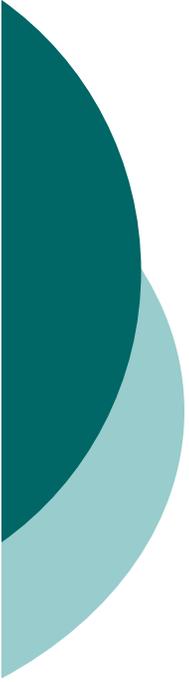
- 22 ELD Teachers (K-12)
- 29 Bilingual specialist/classified staff
- 6--(Support staff/admin./facilitator)
- Full, part time, and "on-call" staff
- 30+ staff are bilingual



# WHAT HAS WORKED SERVING THESE GROUPS

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- Partnering with our CBO/VOLAG...World Relief, Odyssey World.. which resettles/supports refugee families
- Using “real” interpreters/community leaders and Language Line to communicate
- RSIG funding for aforementioned programs
- Collaboration/partnerships and presentations from ELD to non ELD staff in Spokane



# QUESTIONS

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- Contact me with any questions...
- Phil Koestner—ELD Coordinator for Spokane Public Schools
- [www.eldspokane.com](http://www.eldspokane.com)
- [philk@spokaneschools.org](mailto:philk@spokaneschools.org)
- 509.354.7261