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**VIA FACSIMILE (214) 661-9587,
U.S. MAIL, AND ELECTRONIC MAIL**

Office for Civil Rights Dallas Office
U.S. Department of Education

class consists of Latino students enrolled in JPPSS whose parents speak Spanish as their primary language and understand little to no English.

As set forth below, Complainants allege that JPPSS fails to provide adequate translation and interpretation services to Latino students and their LEP parents. Complainants further allege that JPPSS employees routinely question Latino students and their families on their citizenship status, and condition enrollment in and graduation from JPPSS on proof of U.S. citizenship or immigration status, by requiring copies of their social security cards.
omissions towards its Latino students

Lastly, JPPSS engages in discriminatory practices of questioning Latino students on their citizenship status as a condition of enrollment in and graduation from JPPSS. The practice of interrogating students for their social security numbers has terrified Latino students, made them feel unwelcome at school, and discouraged them and their parents from being active participants in their school communities. The practice of questioning Latino students about their citizenship status and trying to condition enrollment in and graduation from public school on their immigration status directly violates their rights pursuant to the Supreme Court's decision in *Plyler v. Doe*, 457 U.S. 202 (1982), and constitutes national origin discrimination pursuant to Title VI.⁴ Recently, a JPPSS staff member utilized ethnically

1. M.V., by and through J.V.

J.V. is the mother of rising second grader, M.V., who attended the recently-closed Joseph S. Maggiore, Sr. Elementary School. M.V. i ESL program, and J.V., a native Spanish-speaker, understands no effort to communicate with J.V. in Spanish, despite its notice assistance needs, determined by the JPPSS Home Language Survey form. Throughout the 2011-2012 school year, J.V. did not receive any written translated documentation from JPPSS including, but not limited to, enrollment in the LEP program, annual Spring 2012 English Language Development Assessment ELDA results, and of recent concern, formal written notice -2013 school year. (*see* Exhibit 2). Because

no idea whether he was making academic progress on the basis of written report cards alone.

With regards to I.A., a rising seventh grader enrolled in ESL classes, E.A. has received no translated documents or language assistance at Livaudais Middle School. I.A.

E.A., and thus E.A. is failures. (*see* Exhibits 3, 4, 5, and 6 respectively).

past summer was communicated to E.A. in English only. (*see* Exhibit 7).

special education eligibility but the significance and meaning of this English-only form did not register with E.A. (*see* Exhibit 8). Written and verbal language assistance has similarly

By denying M.T. the opportunities afforded to English-speaking parents around

as is afforded to English-speaking families. Furthermore, JPPSS has subjected C.K. to a hostile learning environment on the basis of his national origin minority status. As a result JPPSS has discriminated against C.K. and C.K., Sr. on the basis of their national origin.

5. E.H., M.H., J.H., O.H., by and through N.H.

N.H. is the mother o

Between the several schools attended by his daughters, V.G. has never received any communication translated into Spanish; he reports that newsletters, pre-recorded telephonic invites to open houses, and report cards are uniformly in English. V.G. has been unable to verbally communicate with any of the schools in Spanish, as the schools expect B.G., N.G., and E.G. to translate for their parents. At the beginning of the 2011-2012 school year, E.G. felt uncomfortable attending Terrytown Elementary and a parent-teacher conference was scheduled; yet, Terrytown staff did not provide a translator, and oldest sister B.G. had to come along translator service or separate number for Spanish-speakers to utilize in order to obtain essential school information in Spanish, but his requests have been ignored disinterest and unwillingness to communicate with V.G. in Spanish, V.G. is deterred from participating at

Furthermore, when attempting to complete enrollment at William Hart Elementary, JPPSS officials conditioned enrollment upon V.G. providing a Louisiana state ID card, even though V.G. established local residency at a Jefferson Parish address.⁸ V.G. attempted to provide a valid Texas state ID card, but this was initially deemed insufficient by JPPSS staff. Although V.G. was ultimately allowed to enroll his daughters, the experience of having his documentation challenged was very intimidating, and set the tone for the unwelcoming environment that V.G. has continued to experience as a non-English speaking Latino parent. V.G. is concerned about the chilling effect such practices would have on more timid families.

JPPSS has not afforded V.G. consistent and equal access to information nor a full ability -speaking families. As a result, JPPSS has discriminated against V.G., B.G., N.G., and E.G. on the basis of their national origin.

7. B.T. and L.T., by and through N.A.

N.A. is the mother of rising eighth grader B.T., who attends Gretna Middle School, and rising third grader L.T., who attends William Hart Elementary School. N.A. is a native Spanish-speaker who is largely unable to communicate in English.

N.A. has received largely no communication from JPPSS schools translated into Spanish, although she does report that Hart Elementary is beginning to translate some limited communications and does employ a Spanish-speaker in the front office. However, Gretna Middle School does not appear to employ any Spanish-speakers in the main office, as N.A. has never received a phone call home in Spanish, nor has she encountered a Spanish-speaker when trying to communicate with staff in the main office.

At Gretna Middle School, N.A. has particularly struggled to get critical information . For more than five months, from October 2011 until February 2012,

⁸ Upon information and belief, JPPSS does not maintain a formal written policy requiring parents to provide a Louisiana state identification card at the time of student enrollment. It appears that the

is limited do not receive school n

meaningful way. _____ independently report that there are neither teachers nor central office personnel with whom they can communicate in Spanish to help them understand or learn more about _____ academic progress.²⁰

_____ gs of the Equal Rights Center _____, through its language access testing. Across 28 in-person visits to JPPSS schools and the West and East Bank English Language Acquisition Department centers the ERC determined the following:

- In just 21.4% of visits did testers immediately encounter a bilingual staff member at a JPPSS school or ELAD Center.
- After clearly requesting and waiting for Spanish language assistance, ultimately 53.6% of testers were not provided any Spanish-language assistance at the school.²¹
- In just four visits, or 14.3%, where a bilingual employee could not be located at the school did JPPSS staff think to call an ELAD Center to provide translation assistance, which should be a known resource of language assistance for non-English speaking parents.
- In these four instances where an ELAD Center employee was contacted, two of the four times the ELAD employee was ultimately unable or unwilling to provide assistance to the Spanish-speaking tester.²²
- Lastly, in 5 visits (17.3%)²³ where no bilingual JPPSS employee was available, JPPSS staff resorted to calling upon other parents in line or pulling students out of classes to translate for the tester and JPPSS personnel expected these unrelated adults and minors to relay federally-protected private information²⁴ to non-JPPSS staff to get basic information about how to enroll a student in school.

²⁰ See, e.g. J.V., mother of Maggiore Elementary student M.V.; N.A., mother of Gretna Middle student B.T.; N.H., mother of former Estelle Elementary students E.H. and M.H.; V.G., father of Terrytown Elementary student E.G.; E.A., mother of Livaudais Middle student I.A.; and M.T., mother of Roosevelt Middle student A.V.

²¹ See, e.g., Tests No. SPLC-12-LAN-IP-LA-03 (Adams Middle); LA-05 (Bonnabel High); LA-12 (Cox High); LA-20 (Livaudais Middle); LA-23 (C.T. Janet Elementary); and LA-24 (Pittman Elementary).

²² On July 27, 2012 (Test No. SPLC-12-LAN-IP-LA-14), an ELAD employee contacted by Stella Worley Middle School refused to act as an interpreter so that the tester could communicate with Worley staff regarding enrollment. On July 25, 2012 (Test No. SPLC-12-LAN-IP-LA-11), Riverdale Middle School staff reached an ELAD employee on the phone, but the tester reported that no help was given at all.

²³ See Tests No. SPLC-12-LAN-IP-LA-01 (J.C. Ellis Elementary another visitor intervened); LA-02 (Jefferson Elementary reported that non-staff provided interpretation); LA-22 (Myrtle C. Thibodeaux Elementary child was pulled out of class to interpret); LA-03 (A.C. A(t)n-140(A)sdb1 72erbod

email, and postal demonstrate the lack of Spanish-language assistance across the district. Across 65 phone tests, ERC data demonstrates:

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special education student with significant emotional problems and limited English proficiency, was tasked with the challenging task of relaying messages between his mother, M.T., and Roosevelt Middle School staff when trying to explain his absences from school due to illness a task that quickly became an additional source of anxiety for the emotionally unstable child. Or, talks to M.T. in English anyway, and suggest that they believe M.T. can probably understand English.

E.A., the mother of I.A., Y.A., and J.C.A., has experienced similar difficulties communicating with West Jefferson High School and Livaudais Middle School. In fact, E.A. has given up on attending parent-teacher conferences or school open houses because of the programs a decision echoed by other parents like V.G. and N.A. after their experiences at Livaudais Middle School, Terrytown Elementary School, and Gretna Middle School, respectively.

Spanish-speaking parents are not only unable to communicate with their children

- cards and performance on Louisiana standardized assessments (LEAP, iLEAP, and

- The remaining 16 schools (57.1%) were unable to provide any written materials at all.³⁴
- Each tester requested the same registration information, but identical or similar registration paperwork was either inconsistently translated between schools, or an

because no one is willing to communicate with her in Spanish
academic counselor was completely flustered by the thought of having to find a translator to

while E.H. and M.H were enrolled there was extremely negative, as she found that the JPPSS employees there were outright rude and unhelpful towards N.H., as a Spanish-speaking Latino, when N.H. would approach the main office seeking assistance while speaking Spanish. As for
been so
frustrating, he now feels discouraged from engaging in future communication with JPPSS schools. For example, V.G. tried suggesting to JPPSS employees that a telephonic translator service be utilized to improve communication with LEP families, but his requests were flatly
schools.

allegations of a hostile environment within JPPSS schools towards non-English speaking families. The ERC language access testers who approached 28 sites in person and made 65 phone-call inquiries to 50 sites reported the following information:

- Each test included an overall impression of the staff

compromised if their Spanish-speaking parents are actively shut out of communication and collaboration with their schools. The existence of a hostile environment is illegal and blatantly violates the federal government's obligation to provide a public education for all, regardless of national origin and English proficiency.

Furthermore, JPPSS engages in a well-documented policy and practice of demanding that enrolling students provide proof of their social security numbers as a condition of enrollment in JPPSS schools.³⁹ According to several anonymous community stakeholders who have challenged these practices within their schools, their concerns have been largely ignored.⁴⁰ The ERC has identified a widespread practice of conditioning enrollment in its schools upon proof of a social security card:

- During 6 phone tests when the tester was able to discuss enrollment with a bilingual JPPSS employee, 6 different schools instructed testers that proof of social security numbers was a required component of the enrollment paperwork.⁴¹
- During the August 10, 2012 phone test with Grand Isle High, the tester heard an English-speaking employee on the background of the call instructing the Spanish-

speaking employee went on to ask the tester if her son was born in the United States. (Test No. SPLC-12-LAN-PH-41).

Complainant L.M. has experienced similar problems with JPPSS officials, surrounding graduation from a JPPSS school. L.M. was harassed for proof of her social security number by

