



Massachusetts | Center for
APPLESEED | Law & Justice

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May 20, 2021

Senator Jason M. Lewis, and
Representative Alice Hanlon Peisch, co-chairs
Joint Committee on Education
State House, Room 473G
Boston, MA 02133

RE: Testimony in Support of H.552, *An Act Relative to the Training, Assessment, and Assignment of Qualified School Interpreters in Educational Settings*

Dear Chairwoman Peisch, Chairman Lewis, and Honorable Members of the Committee:

The Massachusetts Appleseed Center for Law & Justice (“Massachusetts Appleseed”) respectfully submits the following letter in support of H.552, *An Act Relative to the Training, Assessment, and Assignment of Qualified School Interpreters in Educational Settings*, and strongly urges the Joint Committee on Education to issue a favorable report.

Massachusetts Appleseed’s mission is to promote equal rights and opportunities for Massachusetts residents by developing and advocating for systemic solutions to social justice issues. Appleseed Centers across the country work both collectively and independently to build a society in which opportunities are genuine, access to the law is universal and equal, and government advances the public interest.

Central to this mission is ensuring that all parents can actively participate in their children’s educational development, regardless of their English proficiency or national origin. Federal and state law require that schools provide parents with language interpreters upon request; however, there is no clear or standardized interpreter certification process, resulting in poorly translated information and the inappropriate use of children and educators as stand-in interpreters. To ensure that both students and parents understand key information relating to academic achievement and wellbeing, school districts must ensure that their language access policies provide parents with effective and professional interpretation. H.552 would meet this need by training, assessing, and determining the qualifications of interpreters in educational settings, thus ensuring that limited English proficient (“LEP”) parents can fully participate in their child’s growth and development.

School districts that do not provide meaningful access to LEP families not only lessen immigrants’ ability to participate in the education system but also violate their civil rights. Both Title VI of the 1964 Civil Rights Act and Massachusetts General Laws c.151 B prohibit discrimination based on

race, color, or national origin.¹ National-origin discrimination includes discrimination based on one's native language, and failing to provide language access creates an inequitable disparity based merely on English speaking ability. Poor interpretation practices may also further racial disparities in academic achievement, as many LEP students from immigrant backgrounds are Black or Latino. Lack of accurate and effective interpretation creates a disparity between LEP parents and English-speaking parents who do not have to worry about misunderstanding important information regarding the health and safety of their children. Qualified interpreters would help address these disparities and also would ensure that communication between parents and the school remains confidential, culturally competent, and accurate.²

Unfortunately, many schools currently are asking children, educators, and staff to interpret for LEP parents. Researchers have found that using children as interpreters forces children to discuss age-inappropriate matters, disrupts the parent-child dynamic, and sends the message that children should act as interpreters at any time, including during the academic year, for their parents.³ Being used as interpreters can also impose physical, emotional, and psychological burdens on children already exposed to financial or legal stressors, many of which children with English-speaking parents do not regularly face.⁴ Further, when teachers or other unqualified personnel act as stand-in interpreters, the translation is often distorted because they are unsure which words to use and often feel uncomfortable relaying information they deem embarrassing or offensive.⁵ This results in an interpretation that leaves parents confused about important information regarding their own children. These practices not only encumber the roles of teachers and children, but also can leave parents misinformed about their parental rights and the responsibilities of their school districts. This makes it difficult for parents to stay involved in their child's education, voice complaints to the school, and advocate on behalf of their children. Parents who are forced to interact through unqualified interpreters have reported feeling "powerless" when they attempt to participate in their children's academic progress.⁶ These parents often feel that they have failed to help their children because they are not provided with the tools to communicate with school personnel.

The legislation before the Committee would establish a clear system to train, assess, and assign interpreters in educational settings. The system would allow schools to provide effective and efficient language access services to LEP parents in various contexts and prevent teachers and students from being misused, allowing educators to do their jobs and children to focus on school. Clear interpretation, provided by qualified interpreters, would also allow parents to understand school expectations and create a better line of communication between schools and parents.

¹ 42 U.S.C. § 2000(d) (1964); MASS. GEN. LAWS ch. 151B, § 4 (2020).

² Interpreter Bill Fact Sheet, Mass. Advoc. for Children,

<https://static1.squarespace.com/static/5d1cd93071be2d0001425ed6/t/6079e42da20c1c2b296fa13a/1618601005757/InterpreterBill.FactSheet.pdf> (last visited May 19, 2021).

³ Mireya Vera, *Chapter 6: Interpreters in the School Setting*, in *SERVING ENGLISH LANGUAGE LEARNERS WITH DISABILITIES: A RESOURCE MANUAL FOR ILLINOIS EDUCATORS* (Ill. State Bd. of Educ., 2002), https://www.isbe.net/Documents/bilingual_manual2002.pdf.

⁴ *Id.*

⁵ *Id.*

⁶ Tara García Mathewson, *One of the Nation's Poorest Districts Has Found a Way to Help Immigrant Students*, HUFFINGTON POST (Jul. 2, 2016, 9:14 AM), https://www.huffpost.com/entry/syracuse-schools-translator_n_5776b7cae4b04164640fe39b.

No parent should be excluded from participating in their child's academic progress because of their English proficiency. **Massachusetts Appleseed strongly urges you to issue a favorable report for H.552.** This bill represents the opportunity, not only for parents to actively participate in their children's future as they want to, but also to create stronger relationships between Massachusetts' diverse communities and schools.

Thank you for considering this letter and please feel free to contact me with any questions.

Respectfully submitted,



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Massachusetts Appleseed Center for Law & Justice