



# MASSACHUSETTS ADVOCATES *for* CHILDREN

## AN ACT RELATIVE TO CERTIFICATION OF INTERPRETERS IN EDUCATIONAL SETTINGS

*HD 2334 (Rep. Cabral) SD 1144 (Sen. Welch)*

- This legislation directs the Department of Elementary and Secondary Education (DESE) to create standards and competencies for the training, hiring and use of interpreters in educational settings in order to provide limited English proficient (LEP) parents and students with competent interpretation services, as required by federal and state law.
- 20% of students across the Commonwealth come from families whose native language is not English.<sup>1</sup> Despite well-established federal and state legal requirements to provide competent interpreters, families throughout the Commonwealth continue to face significant language access barriers.
- In 2016, 113 school districts in Massachusetts were found by DESE Coordinated Program Review to be in need of corrective action when it came to their provision of competent interpretation and translation services to parents who are limited English proficient.
- Many school districts rely on untrained employees or volunteers who are often unqualified as interpreters and unprepared to adequately interpret information vital to a child's growth and development. These staff are often untrained, unfamiliar with the terminology being used and may not be fluent in both languages, yet they are asked to interpret for important meetings regarding expulsion, special education, and other matters.
- As a result, too many parents are provided inaccurate information, are unable to participate meaningfully in their child's education, and are unable to access equal education opportunities for their children. Meaningful language access is one of the greatest challenges faced by LEP families.
- The US Department of Education, Office of Civil Rights (OCR) has stated that schools must: *"provide language assistance to LEP parents effectively with appropriate, competent staff ... It is not sufficient for the staff merely to be bilingual."*<sup>2</sup> OCR has further clarified that individuals acting as interpreters must be trained in interpreter ethics, confidentiality, and have knowledge of specialized terms and concepts in both languages. Massachusetts DESE has also issued guidance echoing these principals<sup>3</sup>.
- Implementation of the bill would be phased in, focusing initially on school districts designated as chronically underperforming, in order to enhance the ability to reach the goals of the districts' turnaround plans. Implementation in other districts would be delayed until the department determines appropriate.

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<sup>1</sup> 2017-18 data from MA DESE state reports. Found at: [http://profiles.doe.mass.edu/state\\_report/selectedpopulations.aspx](http://profiles.doe.mass.edu/state_report/selectedpopulations.aspx)

<sup>2</sup> Letter from U.S. Dep't of Justice and U.S. Dep't of Educ. on English Learner Students and Limited English Proficient Parents to Sch. Educ. Agencies, Sch. Dist., and All Pub. Sch. (Jan. 7, 2015). p. 38

<sup>3</sup> *Guidance on Identification, Assessment, Placement and Reclassification of English Learners*, MA Department of Elementary and Secondary Education, November 2016, p 102.