**Parent PRS Complaint Form: Language Access**

Date: {{ today().format () }}

Problem Resolution System

Massachusetts Department of Elementary and Secondary Education (DESE)

75 Pleasant Street

Malden, MA 02148-4906

Re: School District’s Failure to Provide Adequate Interpretation and/or Translation

Name of School District: {{ school.district\_name }}

Date of Birth of Student: {{ student.birthdate.format() }}

Student’s Program: {{ student.classroom\_type }}

Student’s Primary Language: {{ student.language }}

Date received in ESE:

60-Day Date:

Are any of these concerns currently being addressed by Mediation or a Hearing in the Bureau of Special Education Appeals (BSEA)? {{ yesno(hearing\_in\_bsea) }}.

If applicable, include any accommodations that the parent requires when communicating:

{{ parent.accommodations }}

Role of person filling out form, if it is not the parent: {{ requestor.right\_to\_send if requestor.right\_to\_send != "Parent" else "" }}

Dear Sir or Madam:

I am filing this complaint because the {{ school.district\_name }} school district failed to provide me with adequate interpretation and/or translation for matters relating to my child {{ student }}’s education in the primary language of my home.{% if add\_introduction %} {{ fix\_punctuation(letter\_introduction) }}{% endif %}

**Background**

I am the parent of {{ student }}, a child at {{ school.name }} in {{ school.address.city }}, Massachusetts. My native language is {{ parent.language }}. {% if how\_notified\_school | length > 0 %} The school knows that I speak {{ parent.language }} because I notified a school official by {{ how\_notified\_school }}.{% endif %}{% if how\_notified\_school\_details %} {{ fix\_punctuation(how\_notified\_school\_details) }}{% endif %}

**Statement of Current Concerns**

1. **{%p if translated\_documents.there\_are\_any %}**
2. **Translation**

The school district

1. {%p if translated\_documents.untranslated() %}
2. did not translate the following documents regarding my child’s education
3. {%p endif %}
4. {%p if translated\_documents.partially\_translated() %}
5. did not translate the documents completely or adequately in violation of 603 C.M.R. 28.07(8), 34 and C.F.R. 300.322(e).
6. {%p endif %}

{%p for paragraph in translated\_documents\_review.split("\r") %}

{{ paragraph }}

{%p endfor %}

{% if translated\_documents.attached == True %} **I have provided copies of documents that were not adequately translated.** {% endif %}

1. **{%p endif %}**
2. **{%p if meetings.there\_are\_any %}**
3. **Interpretation**

{%p for paragraph in meetings\_review.split("\r") %}

{{ paragraph }}

{%p endfor %}

{%p endif %} {# any meetings #}

**Legal Authority**

**Failure to Provide Primary Language Translation and Interpretation of Parent Communications:**

Massachusetts law and the IDEA require school districts to ensure that all communications and meetings are provided in the primary language of the child’s home. [[1]](#footnote-1) This school district and school officials’ failure to translate documents into the primary language of my home, and/or to adequately interpret meetings and spoken communications has deprived me of my rights. The school district’s failure to provide language access to me on matters relating to my child’s education could also constitute national origin discrimination under Title V1 Civil Rights Act of 1964 and federal regulations. [[2]](#footnote-2)

**Actions by the School District Needed to Resolve Parent/Guardian’s Concerns**

To resolve my concerns, the school district will need to:

1. {%p if translated\_documents.includes("school\_evaluation") %}
2. Provide me with complete and accurate translations of all evaluation reports regarding my child, including but not limited to educational assessments, speech and language evaluations, and psychological assessments, completed during the {{ requested\_school\_year }} school year, and any untranslated or improperly translated evaluation reports from prior school years.
3. {%p endif %}
4. {%p if translated\_documents.includes("progress\_reports") %}
5. Provide me with complete and accurate translations of all progress and grade reports from the start of the {{ requested\_school\_year }} school year to the present.
6. {%p endif %}
7. {%p if translated\_documents.includes("ieps") %}
8. Provide me with complete and accurate translations of all Individualized Education Program reports, meeting, notices, and/or consent forms completed during the {{ requested\_school\_year }} school year.
9. {%p endif %}
10. {%p if translated\_documents.includes("discipline\_notices") %}
11. Provide me with complete and accurate translations of any and all notices informing me of school disciplinary action against my child, including, but not limited to, school disciplinary hearing notices and/or disciplinary hearing decisions, reports from the start of the {{ requested\_school\_year }} school year to the present.
12. {%p endif %}
13. Provide me with high quality interpretation from a trained interpreter for any and all discussions and meetings with school district staff and/or officials regarding my child. Such interpreter should be unbiased and allow me the opportunity to understand everything from such discussions and meetings.

I also request that Program Quality Assurance Services at DESE address the system-wide problems in this school district, because I know that the problems I raised in this letter affects other families. I ask that you please do the following:

1. issue a notice to all school district staff and school administrators stating the district’s legal obligation to provide to each family known to have a primary language spoken at home other than English **all communications** in their primary language, as required under 603 C.M.R. 28.07 (8) and 34 C.F.R. 300.322(e). This notice should also include procedures for school staff
   1. to request, obtain, and give parents documents that are translated completely, accurately, and on a timely basis;
   2. to implement an effective quality assurance system to prevent poorly translated documents; and
   3. to request and ensure provision of interpreters for IEP team meetings, and other meetings between parents and school staff and officials, who are not only bilingual, but trained in the ethics of interpretation, confidentiality, and special education terminology. As with written documents that are translated, a quality assurance system should be implemented to evaluate the quality of interpretation on an ongoing basis.

{%p if letter\_outro %}

{{ fix\_punctuation(letter\_outro) }}

{%p endif %}

I respectfully request that DESE resolve this matter immediately.

Sincerely,

{{ parent.signature }}

Parent/Guardian Name (*print*):{{ parent.name.full() }}

{%p if parent.phone\_numbers() %}

{{ parent.phone\_numbers() }}

{%p endif %}

{{ showifdef('parent.email') }}

1. 603 C.M.R. 28.07(8), 34 C.F.R. 300.322(e) [↑](#footnote-ref-1)
2. Title VI of the Civil Rights Act of 1964; 28 CFR 42.405(d)(1). [↑](#footnote-ref-2)