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Latino Parent Group, Holyoke Public Schools and State Reach Settlement in Discrimination Lawsuit

BOSTON (July 23, 2020) – Attorneys for Padres Latinos de las Escuelas de Springfield y Holyoke (PLESH) today announced a settlement in the organization's federal lawsuit against the Massachusetts Department of Elementary and Secondary Education (DESE) and the City of Holyoke for long-standing policies, procedures and actions which denied language access to parents who do not speak English or speak limited English. The settlement comes three years after PLESH filed a lawsuit in the U.S. District Court of Massachusetts charging that these practices unconstitutionally denied limited English proficient (LEP) parents adequate translation and interpretation of important educational documents and communications, both written and oral.

Under the settlement agreement, Holyoke Public Schools (HPS) is implementing detailed principles and procedures for providing interpretation and translation services to LEP parents and guardians, and reporting on their efforts to attorneys with the Massachusetts Law Reform Institute, Inc. (MLRI) and The Mental Health Legal Advisors Committee (MHLAC), an affiliated agency of the Massachusetts Supreme Judicial Court, both of which are co-counsel in this case.

Also representing PLESH are Ramos Law and Holland & Knight LLP. Holland & Knight is providing its services on a pro bono basis.

The principles and procedures stipulate that HPS is required to:

- Conduct an annual home language survey to identify the language needs of parents and guardians of HPS students so that written and oral communications can be in a language the parent understands.
- Post all documents on its website in English and Spanish that relate to education programs, opportunities, services, HPS sponsored or produced school activities, and any events to which the community is invited.
- Provide any documents directed to all parents and guardians of students in both English and Spanish, including report cards and requests for parent permission for student participation in school activities.
- Provide trained Spanish/English interpreters to LEP parents and guardians for scheduled parent-teacher conferences, special education meetings, meetings on discipline and other meetings or events that HPS sponsors or produces.
- Provide interpretation and translation services to parents or guardians who are LEP and have students with disabilities, consistent with special education requirements.

- Make reasonable efforts to provide interpretation and translation to LEP parents and guardians who speak a foreign language other than Spanish.

The complete principles and procedures can be found [here](#).

“We applaud the Holyoke Public School system, the State Department of Elementary and Secondary Education, and the State Board of Education for taking this important step to address years of neglect of LEP parents and guardians in a systemic and meaningful way,” said Holland & Knight partner Dianne Phillips. “Together, we are working to ensure that LEP parents are able to exercise their constitutional right to direct and participate in their children’s education programs which will benefit students, the school system, and the community.”

“This is a great step forward for children with disabilities with limited English Proficient parents. These kids are entitled to and need parents’ involvement and advocacy no less than any child but can’t get it unless parents’ language needs are met,” commented Phillip Kassel, executive director of MHLAC. “This minutely negotiated agreement effectively balances language access rights and practicalities. It is doable and creates a model for the many school systems statewide that struggle to address the rights of those whose home language is not English. We thank the many who helped bring this about, including DESE Commissioner Jeffrey Riley and former receiver/superintendent of Holyoke Public Schools Stephen Zrike for working with us to address a serious problem that had plagued the city's schools for decades.”

"This settlement is a big step forward in guaranteeing that non-English speaking parents can participate in their kids' education the same as those who speak English. Studies show that parental involvement is crucial in a student’s success in school. I am thrilled that the Department of Education and the Holyoke Public Schools have worked with us to close the gap in education achievement in our state by addressing the language access needs of families," said Tere Ramos, an attorney with Ramos Law, formerly with MLRI when the case began.

About Padres Latinos de las Escuelas de Springfield y Holyoke:

Padres Latinos de las Escuelas de Springfield y Holyoke (PLESH) is an unincorporated association of Latino(a) parents of students enrolled in western Massachusetts schools working together to improve educational outcomes for their children. PLESH’s mission is organizing for the purpose of ensuring that their children receive the complete education to which they are entitled and access to educational opportunities available to all other children.

About Holland & Knight LLP: Holland & Knight is a global law firm with more than 1,400 lawyers and other professionals in 27 offices throughout the world. Our lawyers provide representation in litigation, business, real estate and governmental law. Interdisciplinary practice groups and industry-based teams provide clients with efficient access to attorneys throughout the firm.

About the Massachusetts Law Reform Institute:

Massachusetts Law Reform Institute (MLRI) is a nonprofit poverty law and policy center. It provides statewide advocacy and leadership in advancing laws, policies, and practices that secure economic, racial, and social justice for low-income people and communities. MLRI advances its mission through legal initiatives and policy reforms that address the root causes of poverty,

remove barriers to opportunity, and create a path to economic stability for low-income individuals, families, and communities.

About the Mental Health Legal Advisors Committee:

The Mental Health Legal Advisors Committee (MHLAC) was established by the Massachusetts Legislature in 1973 to advocate throughout the Commonwealth on behalf of indigent persons who have or are perceived to have mental health concerns. The Agency does legal and policy advocacy designed to enhance and protect the rights of clients in key areas most closely related to their ability to live full and independent lives free of discrimination. It helps clients gain access to services in the community and combats mistreatment in hospitals, schools, workplaces, and prisons.

About Ramos Law:

The mission of Ramos Law is to provide fearless and dedicated representation in educational matters to all families regardless of their means. Its attorneys are experienced, dedicated and passionate about advocating for the rights of individuals with disabilities or special needs. They have a strong history of success in helping clients navigate the special education, long-term disability and Social Security disability processes to get results.

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