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NEWS RELEASE

Richmond Public Schools Agrees to Significant Improvements in Policies for Non-English-Speaking Families

Agreement with U.S. Department of Education Resolves Civil Rights Complaint Filed by the Legal Aid Justice Center

Richmond, August 12, 2014 – As the result of a complaint filed by the Legal Aid Justice Center with the U.S. Department of Education Office of Civil Rights, the Richmond Public School division has agreed to revise and improve its policies to ensure that parents and guardians whose primary language is not English are not discriminated against and have full access to the educational process.

The complaint was filed on behalf of a Spanish-speaking parent whose middle school child faced expulsion from Richmond Public Schools (RPS). According to the complaint, although the mother spoke only Spanish, the school division conducted its expulsion process in English only, preventing the mother “from meaningfully participating in the disciplinary process and understanding her rights.” The child was expelled.

The complaint stated that RPS failed “to adequately communicate with limited English-speaking parents about important school-related information in languages they can understand” – which is a requirement under a federal Civil Rights law.

During the course of the Office of Civil Rights’ investigation, RPS agreed to resolve the complaint.

Lisa A. Bennett, the JustChildren attorney for the Legal Aid Justice Center who filed the complaint in January, stated she was encouraged by the voluntary agreement between RPS and the Office of Civil Rights.

“The willingness of Richmond Public Schools to resolve this issue with such wide reaching policy changes is commendable. It is a step in the right direction toward making sure all parents in the division are engaged in the educational process, regardless of their race, color or national origin,” Bennett said.

The school system in July signed on to a voluntary resolution agreement, stating it would implement changes to policies including:

- Revising its student registration procedures by August 31, 2014, to “make sure they do not have a chilling effect” on families seeking to enroll their children in school.
- Reviewing all disciplinary notices to parents and guardians with limited English proficiency during the 2012-2013 and 2013-2014 school years by November 21, 2014, and determine whether the notice was accessible for the parents and if not, if it resulted in harm to the student. Students and parents who were potentially harmed by the lack of accessible information would receive notice of the opportunity to request a new disciplinary hearing.
- Developing a written plan by January 30, 2015, to provide language assistance to parents and guardians who have limited English proficiency, which ensures they have meaningful access to RPS’s programs and activities. This includes making sure vital written documents are translated, that RPS tracks such parents so they are able to provide information about language assistance to them, and provides knowledgeable translators who understand specific education terminology.

The school system will have to report to the U.S. Department of Education’s Office of Civil Rights on its progress and perform an annual evaluation of the effectiveness of its language assistance plan.

The agreement comes at a time when U.S. public schools are projected to have more minority students than white students at the start of the new school year, with Hispanics accounting for one-quarter of the minority student population, according to the National Center for Education Statistics.

“There are more than 1,200 students in Richmond Public Schools who have limited English. And possibly more students whose parents are limited in the amount of English they speak or understand,” Bennett said. “So this agreement by RPS to review all its policies – not just its discipline policies – will positively affect a significant number of families and students. We are heartened to see the school system take this so seriously.”

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The JustChildren Program of the Legal Aid Justice Center offers civil legal services to low-income families throughout Central Virginia in the areas of education, juvenile justice, mental health, and foster care. Through legal representation, statewide advocacy, community education and organizing, JustChildren works both to eliminate the immediate symptoms and to address the underlying causes of poverty in Virginia.

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