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Newcomers Left Behind:

Immigrant Parents Lack Equal Access to New York City's Schools

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About the program:

The New Immigrant Families and Children program at the Center for New York City Affairs works to address issues affecting the city's growing immigrant population, as well as the rapidly changing neighborhoods where many newcomers live. Nearly two-thirds of New York City's residents are immigrants and the children of immigrants, and approximately 53 percent of New York's children live in immigrant-headed households. Since 2000, the New Immigrant Families and Children program has convened working groups on issues including juvenile justice, linguistic and cultural issues in education, parent involvement in schools, and the cultural challenges faced by immigrant girls.

Acknowledgements:

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EXECUTIVE SUMMARY

Newcomers Left Behind:

Immigrant Parents Lack Equal Access to New York City's Schools

In a city of immigrants, language and cultural barriers inevitably prevent some people from participating fully in civic life. Yet when it comes to education, parent involvement is widely recognized as a fundamental component of a child's success. Acknowledging this, public school policymakers have established guidelines intended to overcome the problems that language and cultural differences pose for New York's immigrant families so that parents may participate more actively in their children's educational life.

No matter how enlightened, however, policies themselves cannot solve problems. What truly matters on the ground — in the schools and communities of New York City — is the action taken in carrying out those policies.

According to the New York City Department of Education, the parents of immigrant children are meant to be provided full access to the tools they need to make informed choices about their children's educational experience. They are expected to play a substantial role in the placement of their children in mainstream or special programs. They are supposed to receive translated documents and notices from the schools and from central administration. They are expected to be able to participate fully in school meetings, with the help of translators if necessary. In short, immigrant parents are, according to city policy, meant to be supported in every reasonable way to ensure that they are actively engaged in their children's education.

Our findings in this report, however, indicate that at the school level, these policies and procedures are in many cases either unknown to or not being carried out by school staff.

The New York City public school system aims to educate almost 1.1 million children. Nearly 90,000 of them are recent immigrants from all parts of the world, and roughly 145,000 students are classified as "English Language Learners," for whom English is not their first language.

This report discusses findings from a survey and interviews conducted between summer 2002 and spring 2003 by the Center for New York City Affairs, a nonpartisan public policy institute at the Milano Graduate School of New School University. The Center set out to document the experiences of new immigrant families in New York's public schools to determine to what extent they were able to satisfactorily access education and related services.

Surveys were completed by 294 immigrant adults, by and large parents, with at least one child in the family attending public school in New York City. Of these respondents, 109 fell into the category of "new immigrants," meaning their children had been attending school in New York City for three years or less. To learn more about the experiences of these families, Center staff also spoke with community-based organizations that serve immigrant communities around the city.

Key Findings

Our research found that the Department of Education's policies meant to address the special needs of immigrant students — and particularly English Language Learners (ELLs) — and their parents are often not implemented at the school level.

Among our key findings:

- Most immigrant parents reported that they had experienced problems communicating with the staff and/or teachers at their children's school.

- Half of all survey respondents said that written notices sent home from their children's school were not translated into their native language.

- Forty percent of immigrant parents surveyed said the school did not ask for their input regarding placement in grade, class and/or school when their child was first enrolled.

- A majority of parents who said their children experienced discriminatory treatment in school were not satisfied with the way the school worked to resolve the problem.

- The majority of parents surveyed said they had never received information in their home language from the Department of Education explaining the various education options for their children.

Each of these findings contradicts Department of Education policy. For example, non-English speaking parents are supposed to be engaged directly in their child's enrollment process, and are expected to receive and return a series of surveys and documents explaining the process and offering placement options. They also have the right to a full explanation of available English Language Learner and Special Education programs, a school orientation session and twice-yearly meetings with staff — in their native language if necessary. Important documents from the schools are also expected to be sent home in a language that parents can understand.

Parents who speak languages uncommon in New York City neighborhoods are not the only ones who have experienced these problems. Our research revealed large gaps in service for Spanish and Chinese speakers — the city's largest language minorities — among many others.

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Recommendations

Most of the difficulties we found stemmed from interactions between school staff and parents. This indicates a need for the Department of Education to help school staff learn to deal with immigrant parents' needs in more productive ways on a daily basis. This type of change has to come from within the school system itself, and be implemented at the ground level.

One very positive sign is that, upon presentation of our report findings, department leadership acknowledged the gaps in the system we have identified, and that a vigorous response is required to repair them. Chancellor Joel Klein is beginning to address some of these needs, establishing regional Parent Support Offices in each of the city's ten new Instructional Leadership Divisions. To help meet the need for more personalized parent support services, the department is hiring full-time Parent Coordinators for each school. We encourage the department to hire qualified, language-appropriate bilingual staff for these positions, especially in communities with large immigrant populations. These systemic reforms should help improve access for all parents.

Such efforts matter because parents' initial experiences with their child's school can profoundly influence the success or failure of that child's education.

Our main recommendation, therefore, is the establishment of a system-wide training program for all school staff covering Department of Education policies on the rights of immigrant parents and students and the obligations of school staff and teachers. The training should highlight proper procedures for handling routine issues, such as parent-teacher meetings or registering a child for school, as well as more difficult situations, such as a child's placement in an incorrect class or grade.

Many community-based organizations with expertise working with New York's immigrant communities are already active in public schools, either providing special resources and activities or managing after school programs. Such groups are especially well placed to work with school staff on language and cultural issues. We recommend that these community and ethnic organizations receive modest funding to conduct training and provide ongoing support for school staff as well as parents.

Our hope is that, in addition to improving education access for new immigrant students, such a program will encourage the respect and professionalism necessary to improve the relationship between newcomer parents and public school teachers, staff and officials. This will go a long way toward the Department of Education's goal of a world-class school system driven by community — and, especially, parent — engagement.

The Chancellor's office is already partnering with community organizations for the training

of the system's new Parent Coordinators. But ensuring immigrant parents access to school administrators and teachers will require more. We urge Chancellor Klein to expand training on language rights and access issues to include all school staff, as described in this report.

INTRODUCTION

> When Yelena*, who emigrated here from Russia with her family in 2001, went to the public school in her Bensonhurst neighborhood to enroll her eight-year-old daughter, Alina*, the worker at the registration table asked if she'd brought a translator. Yelena and her daughter had brought passports as well as records and transcripts from Alina's school in Kiev. But no, they had not brought a translator.
>
> The worker's reply? "No translator, no school."
>
> Yelena, a teacher in her home country, tried to argue, but with her extremely limited English she did not get very far.
>
> Fortunately, Yelena was able to find a nearby shopkeeper willing to translate the documents. Yet for both her and her daughter, this incident was just an introduction to the obstacles they would encounter in their quest for a decent education in the New York City school system.

When it comes to education access for immigrants in New York's public schools, there is a wide gulf between policy and practice.

The Department of Education's official policy on translation of foreign transcripts is not, of course, to turn away parents who have not had their documents translated. It is in fact the obligation of the school and district to assist parents in obtaining translations of their child's documents.[1] In the department's *Handbook for Guidance Counselors on Foreign School Systems and Cultures*, the list of "do's" includes: "Contact the [foreign transcript] evaluation centers for assistance." The list of "don't's" includes: "Don't accept family translated documents" and "Don't turn students and families away to 'navigate' the system on their own."[2] Yet in some cases at least, school staff are ignoring these policies—to the frustration of our city's newest families.

Yelena's experience is illustrative of what the Center for New York City Affairs found in surveying nearly 300 immigrant parents: when it comes to education access for immigrants in New York's public schools, there is a wide gulf between policy and practice.

BACKGROUND

New York has recently experienced one of the greatest periods of immigration in its history. Almost two-thirds of the city's residents are immigrants and the children of immigrants. Approximately 53 percent of New York's children live in an immigrant-headed household. And in the 2000 Census, 22 percent of the New York City's population reported they were not proficient in English.

More than 140 languages and 200 countries are represented in New York's public schools, with 13.2 percent of the city's 1.1 million students learning English as a second language.[3]

Immigrant children face unique challenges when it comes to their education. Most of these stem from language and cultural barriers, and from the public school system's failure to systemically address these issues.

Immigrant parents are often uncertain about how the New York City school system works

** Not their real names. Some survey respondents we interviewed requested anonymity.*

and the role they are expected to play in their child's education. This lack of knowledge, combined with language and cultural barriers, means newcomers often have to struggle harder than native-born students and their parents to get their needs addressed.

METHODOLOGY

The Survey

Newcomers often have to struggle harder than native-born students and their parents to get their needs addressed.

The findings of this report are based on a survey of 294 immigrant adults living in New York City. With the assistance of community-based organizations throughout the city, we administered the survey to adult students in English as a Second Language classes in Manhattan, Queens, the Bronx and Brooklyn. We targeted community organizations in the school districts with the highest concentration of English Language Learners (ELLs): former Community School Districts 6, 24, 10, 20, 9, 30 and 28, now known as Instructional Leadership Divisions 10, 4, 1, 7 and 3, which encompass Washington Heights, Corona, Jackson Heights, Grand Concourse, Kingsbridge, Bensonhurst, Flatbush and nearby neighborhoods.

Our findings therefore reflect a bias toward parents who have already learned at least some English, and who have already had significant contact with community-based organizations. However, in many cases the experiences with the school system they recounted to us had taken place before they began to study English as a second language. For a variety of reasons, we were not able to survey the newest immigrants with the most extreme language and cultural barriers.

Because of limited resources, we were able to translate the survey into only two languages other than English — Spanish and Chinese. Indeed, the majority of surveys collected were in English. With the exception of a few classes in which the ESL teacher was willing to translate each question aloud to the class, we surveyed mainly students in intermediate- or advanced-level English classes.

In the end, however, we did reach a broad mix of people with divergent backgrounds and widely varied experiences of the city's public schools.

In order to keep our results consistent with the Department of Education's own statistical data on immigrants, we extracted from our entire survey sample a subgroup of "recent immigrants," defined as those having a child attending school in New York City for three years or less.

Unless otherwise stated, therefore, all of the statistical findings cited in this report apply to this recent immigrant subgroup, which consists of 109 new immigrants.

The Respondents

The population we interviewed and surveyed cannot be considered random. All of the respondents had already come into contact with at least one local community-based organization, either through an adult ESL class or an after school program. This makes ours a self-selecting group of immigrants who had already sought assistance for some of their needs. They are also a group of literate parents who are making a significant personal investment in their own education.

Had we been able to survey a truly random sample of parents, we believe that the percentage of new immigrants experiencing these problems would likely be higher.

Further, some parents may have been reluctant to discuss personal stories with strangers in a public forum. In several cases, we gave parents the opportunity to speak with us individually, but the structure of the ESL classes was not always conducive to this. Respondents were given further opportunities to express themselves in the final section of the survey, but most did not write additional comments.

It bears remarking upon, therefore, that these parents' willingness and ability to communicate with us about their experiences of the public schools were, in the end, subject to the same language and cultural barriers as their communications with teachers and school officials. This report, then, offers a less-than-complete picture of what is truly happening in the schools.

Administering the Survey

The majority of our surveys were administered in adult ESL classes in immigrant communities. In about half the cases, the survey was conducted in person by one or both of the project's two researchers, who went over each question aloud with the class, answering questions and adding explanation where necessary. The survey was used as a springboard for discussion so that we might learn more about what the parents and other close relatives of students in the public schools had experienced.

The other half of the ESL surveys were distributed to classes after a brief in-person description of the project and collected at the end of class or at a subsequent session.

Another set of about 20 surveys was obtained through a partnership with Forest Hills Community House (FHCH), a progressive multi-service settlement house serving the diverse neighborhoods of Central Queens and specializing in services to new immigrant youth and adults. FHCH's Peer Educators/Youth Organizers distributed surveys to parents of children in after school programs at two elementary schools in District 28 (now Region 3) in Queens.

Our purpose is to present a snapshot of new immigrants' experiences in the public schools in order to identify the obstacles these families face.

EDUCATION ACCESS PROJECT

Background

This project began as part of the Center for New York City Affairs' New Immigrant Families and Children program. Initial conversations with several community-based organizations serving New York's immigrant communities revealed that many immigrant children and their families were experiencing a variety of school-related difficulties. In an attempt to get a clearer picture of what was happening in the schools, we convened a roundtable on education access for new immigrant students at the Partnership for After School Education (PASE) annual conference in June 2002. Program staff from community-based organizations throughout the city participated, sharing what they knew of the experiences of immigrant families with whom they had come into contact through their work in the schools and communities.

At the roundtable we repeatedly heard stories of parents frustrated in their attempts to take an active part in their child's education. Many comments touched upon access in the most literal sense of the word — parents had been turned away at the schoolhouse door because they did not speak English, and felt disrespected and even harassed by school staff and officials. Participants told many tales of children placed inappropriately in special education or in the wrong grade, and of parents discouraged from participating in decision-making about their children's education.

Our research is therefore focused specifically on these issues of basic access: the enrollment process, parental involvement in school assignment and class placement, and interactions between parents and school staff and teachers. Our purpose is to present a snapshot of new immigrants' experiences in the public schools, and to document where problems have arisen in order to identify the obstacles these families face.

We developed our survey based on in-depth follow-up conversations and meetings with some of the roundtable participants and with other advocates and leaders of ethnic and community organizations.[4]

The Chancellor's Reform Efforts

With the establishment of mayoral control over the schools, New York City has set out to overhaul its public school system. The multi-year effort put in place by Mayor Michael Bloomberg and Chancellor Joel Klein, known as *Children First: A New Agenda for Public Schools in New York City,* champions a "far-reaching community engagement process to ensure widespread participation in the reinvention of the school system."[5] Among the early steps taken under *Children First* was a series of Regional Parent/Community Engagement

meetings held around the city to explain the restructuring of the system and curriculum changes, as well as "the new supports for parents and families that will be adopted across the system."[6]

Children First calls for each school to have a full-time Parent Coordinator who will address parent concerns and inquiries, and assist parents in becoming more involved in their children's schools. In addition, Regional Learning Support Centers, each of which will house a Parent Support Office providing parent services, have recently been established in each of the ten Instructional Leadership Divisions. There are also plans for a Parent Academy to provide training for parent support staff, and to offer programs to parents and parent organizations that would further increase opportunities for involvement.

The majority of parents surveyed reported problems communicating with the staff and/or teachers at their children's school.

In responding to a near-final draft of this report, the Chancellor's office described efforts, already underway, to train Parent Coordinators to be sensitive to the particular needs of immigrant parents, especially those for whom English is not their first language. The active recruitment of bilingual candidates for these positions will no doubt go a long way toward this, as will the participation of community-based organizations in these trainings.

These efforts underline the extent to which school reform architects at the Department of Education understand the importance of parent involvement to every child's education. In fact, in an open letter to parents (available on the *Children First* website in nine languages), Chancellor Klein states:

> A core element of our reforms is a system-wide effort to improve your access to the school system so that your concerns and inquiries are effectively addressed and you feel welcomed in your children's schools. We are working to create parent-friendly schools that respect and welcome your vital participation in educating your child.[7]

This recognition of parents' key role in their children's education underscores how important it will be to ensure that access is extended to all parents, no matter what their language and cultural barriers may be.

Advocacy Efforts

To advance the interests of English Language Learners and their families, numerous advocacy efforts are underway in New York City. For example, the Equity Monitoring Project for Immigrant and Refugee Education (The EMPIRE project), a collaborative effort of Advocates for Children and the New York Immigration Coalition, coordinates the work of eight community organizations from around the city on ELL-related issues. The EMPIRE project gives these organizations small grants to mobilize residents around such issues as the growing number of immigrant students discharged early from high school and the need for more qualified ESL and bilingual education teachers. The grantees conduct surveys on language access, run workshops to inform parents of their rights, and engage parents in the debate around Department of Education reforms.

Advocates for Children is also addressing the disproportionate drop-out rate of ELLs in New York City high schools. According to Department of Education data, ELLs now have the highest dropout rates and lowest graduation rates of all high school students. In the class of 2002, 31.5 percent of ELLs dropped out prior to graduation, compared to a 20.3 percent overall dropout rate. Similarly, just 30.3 percent of ELLs graduated, while the overall graduation rate was 50.8 percent.[8] These rates are rising in part because of the June 2000 implementation of New York State's new graduation standards, which require ELLs to pass the English Language Arts Regents. Advocates for Children reports that there is a shortage of services for ELLs at the high school level.[9]

Community-based groups such as Project Reach Youth in Brooklyn and Forest Hills Community House in Queens are educating parents of children in city schools about their rights and teaching them effective methods of communicating with school staff and teachers.

Goals

The aim of this report is twofold:

- to draw the Department of Education's attention to the difficulties new immigrant parents have in trying to navigate the city public school system, and
- to make recommendations for improving access to the school system so that new immigrant parents and students are better served.

Survey Findings

Most of the problems experienced by the new immigrant parents we surveyed were the result of language and cultural barriers that impeded their communication with school staff. As has been documented by Advocates for Children and others, one major problem appears to be that parents lack knowledge about their education options and rights.[10] Our findings indicate a similar lack of knowledge about parents' options and rights on the part of school administrative staff. The intersection of these two forces results in the inability of many immigrant parents to play an active and effective role in their children's education.

A majority of parents said they had never received any information in their native language from the Department of Education.

Our survey of new immigrants found:

- A majority (54 percent) of parents reported they had experienced problems communicating with the staff and/or teachers at their children's school.
- Half of the parents said written notices from the schools were not translated into their native language.
- Twenty-two percent of parents who requested a translator for a school event or meeting were not provided with one.
- Two of every five parents surveyed (40 percent) said they had not been invited to take part in the decision-making process when their child was placed in a particular grade, class or school.
- Almost half (45 percent) of parents who reported their child had been mistreated at school (either by peers, teachers or school staff) said they were not satisfied with the way the school worked to resolve the matter.
- Almost half (44 percent) of parents who transferred their child to a different school reported difficulties in doing so.
- Thirty-nine percent of those who had transferred schools reported coming up against language barriers during the transfer process.
- The majority (63 percent) of parents surveyed said they had never received any information in their native language from the Department of Education.
- Of those who *had* received materials in their native language from the Department of Education, 79 percent found the information provided to be helpful to them.

This last finding serves as an example that, when put into practice, Department of Education policies can indeed be very effective.

Theory vs. Practice

Our research findings do not indicate that the New York City Department of Education is lacking in enlightened policies toward newcomers. Quite the contrary: on paper, New York has a fairly elaborate system — including an entire unit, the Division of English Language Learners — to address the special needs of non-English speaking students and their parents. The problem, however, lies with implementation.

In accordance with New York State's Regulations governing policies related to English Language Learners (known as Part 154), the City Chancellor's Regulations state that

> schools with immigrant students must ensure that the needs of these students are reflected in all school based planning, including:
>
> - identifying appropriate support services, resources and referral mechanisms and ensure the dissemination of this information to students and parents in the students' home language.
> - providing for parental involvement.
> - establishing linkages with community based organizations that have experience in the delivery of immigration services.[11]

On paper, New York City has a fairly elaborate system to address the special needs of non-English speaking students and their parents. The problem lies with implementation.

Know Your Rights, published by Advocates for Children, informs parents of their right to be notified when their child is required to be in bilingual education or an English as a Second Language (ESL) program, and states that

> parents also have the right to:
> (1) an explanation of the different program options, and
> (2) an orientation session on the state standards, assessments, school expectations and general program requirements for bilingual education and ESL. This orientation must be provided in the first semester of the child's enrollment in school. School districts must also make an effort to meet with parents at least twice a year to help them understand the goals of the program and how they might help their children.... All information must be provided in the parent's or guardian's native language when needed.[12]

When a child is first registered for school, her or his parent is supposed to complete a Home Language Identification Survey. If the survey shows the home language to be one other than English, the child is given the Language Assessment Battery-Revised (LAB-R) "to determine whether he/she is an English Language Learner who requires bilingual or English as a Second Language services."[13]

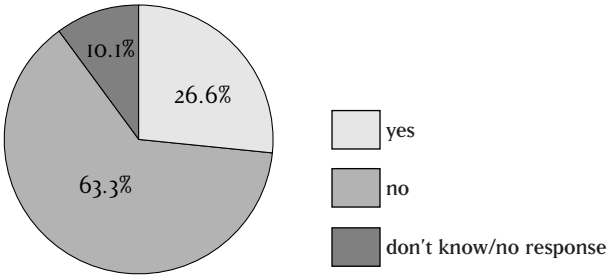
Parents receive an entitlement letter explaining this process, and are asked to complete a Program Selection Form, which gives them the option of stating their preference for either bilingual education or the English as a Second Language program, and a Parent Survey, which verifies whether all of the correct procedures have been followed in the enrollment process. If a parent wants bilingual education for their child but it is not available at their zoned school, the parent must be offered the option of transferring to another school in the district that offers the program, if there is one.

Every step of the process, then, appears to be designed to ensure parent input and choice. Our findings reveal, however, that on the school level, these procedures seem in many cases to be either unknown to, or willfully ignored by, school staff. On the systemic level, the Department of Education's Division of English Language Learners is, in fact, limited in its reach. Needed procedures and resources do exist, at least in theory, but parents cannot benefit if they are not aware of what is available. For example, the division produces a multilingual parent guide and video, entitled "A Parent Connection," explaining educational options for English Language Learners, yet almost none

of the parents we spoke with had ever seen these or any other such materials.

The Division of English Language Learners has information on its website available in nine languages, as well as other resources aimed at improving education and access for immigrant parents and students, including 17 Foreign Transcript Evaluation Offices, each specializing in different languages.

Has the Department of Education ever sent you any information in your native language?



While the process is designed to ensure parent input, we found that at the school level these procedures are in many cases either unknown to, or ignored by, school staff.

As we have seen, then, the problem is not that these resources do not exist, but that parents (and frequently school staff) are not aware of them. In our discussions with parents, what we found was when immigrant parents *are* aware of their rights and able to navigate the public school system, it is often because they have received assistance from a community-based organization in their neighborhood.

The Chancellor's new regional Parent Support Offices and his hiring of full-time Parent Coordinators in each school reflect the department's acknowledgement of its role in facilitating and encouraging parent involvement in the schools. There is some indication that the special needs of immigrant parents are being considered in the current restructuring. According to the Division of English Language Learners, bilingual candidates are now being recruited for the Parent Coordinator positions.[14] These new resources should improve access to the schools for immigrant parents.

Such efforts matter because parents' initial experiences with their child's school can profoundly influence the success or failure of that child's education. Many studies have shown that the earlier parent involvement in a child's educational process begins, the more powerful the effects.[15] But given the language and cultural barriers they are faced with, many immigrant families are losing out. Those who wish to be involved become discouraged; those who are less likely to participate are not encouraged.

The lack of adequate communication between immigrant parents and school staff has led in some cases to children being improperly placed in special education, the wrong grade level or even a bilingual class *not* in the child's home language. Parents with limited involvement in their children's school are also less likely to be engaged in their children's educational and literacy development. And, as decades of research have told us, this can have a significant effect on student achievement. By contrast, when parents are involved at school as well as at home, children do better and stay in school longer.[16]

The quality of communication at the school level matters as well. A harsh interaction with teachers or school staff can leave its mark on a young child, affecting her or his ability and willingness to fully participate in school.

RESULTS AND DISCUSSION

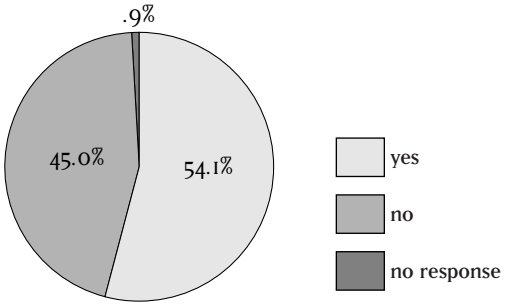
Communication Struggles

A majority of the parents we surveyed (54 percent) indicated they had experienced problems communicating with staff and/or teachers at their child's school. Conversations with these par-

ents confirmed that their greatest difficulty is the language barrier. Often they would go to school to speak to the teacher or principal, only to find no one who could understand them, or no one willing to take the extra step required to attempt to address their needs.

Given their experiences, it is not surprising that nearly all the parents we spoke with were

Have you ever had problems communicating with the staff or teachers at your child's school?



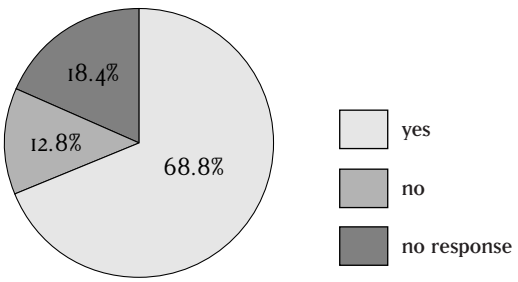
unaware of the school's obligation to provide translation services when needed.[17] Half of the parents surveyed said written materials sent home from their children's school were not in their native language. Almost none were aware of their right to receive all materials in their language, and to have translation services provided at meetings with school officials.

Despite being confronted regularly with such language barriers, three-quarters of parents surveyed reported they were aware of major happenings, such as school closings or class trips, at their children's school. We found, anecdotally, that this seems to be the case because many children keep their parents informed about such things and older students often translate notices when necessary.

Most parents (75 percent) reported they often attend school activities, including children's performances and parent/teacher conferences, whether or not translation is provided. While this evinces a very high level of parental involvement, it should be kept in mind that the group of immigrants we surveyed are those seeking English instruction for themselves and/or other programmatic resources for their children, and so are not necessarily representative of New York City's vast and diverse new immigrant community. Further, a majority of these parents (69 percent) also said they would attend *more* activities if translation were provided.

The Department of Education's *Handbook for Guidance Counselors on Foreign School Systems and Cultures* specifically says it is inappropriate to rely on children to translate conversations between parents and school staff. Many of the parents we spoke with, however, said this practice is standard. This can be problematic, depending upon the age of the child. Moreover, it makes impossible any private, candid conversation between a parent and teacher or other school official.

Would you attend more school activities if translation were provided?



Language Barriers Intensify Difficulties in School

Some problems immigrants face in New York City schools are similar to those experienced by native-born families. But in the case of recent immigrants, we found that such difficulties were exacerbated by the parent's and/or child's difficulty communicating.

Some experiences can have serious consequences for a family, but the parents are left feeling powerless to remedy the situation or even, in some instances, have it acknowledged by the school.

> Benjamin was six years old and had arrived in New York from Bolivia in December 2000. After being here for one and a half weeks, he entered first grade in Jamaica, Queens. His mother, Ana, brought him to school his first day, and the next day sent him on the school bus. Like the other young children on the bus, Benjamin had a card, provided by the school, attached to the outside of his backpack indicating his name, address and bus stop location. After school, Benjamin, who spoke no English, got off the bus at what he mistakenly thought was his stop. The driver apparently did not notice the error. (The Department of Education requires only drivers of special education students to make sure that the children get off at the proper stop and that an adult is there to meet them.)
>
> Benjamin found himself alone in a strange neighborhood, his father whom he expected to be awaiting him nowhere in sight. After the crowd of parents and children had cleared away, one mother who had stayed behind to speak to some other parents noticed this little boy on his own, crying, and went over to try to help him. She spoke Spanish, so Benjamin was able to tell her what had happened. The woman retrieved his parents' contact information from Benjamin's school bag and called home, and he was returned safely to his family, approximately one and a half hours after he had left school.
>
> The next morning Benjamin was too afraid to take the bus to school, so his mother brought him herself. She explained to his teacher what had happened, and the teacher told her to speak to the person in charge of the buses. (This is as specific information as we were able to obtain from speaking with Benjamin's mother.) Ana spoke very little English, and the woman she contacted spoke very little Spanish.
>
> Ana says she was told that it was her responsibility to teach her son to recognize his bus stop, and so the blame lay entirely with her. She says the staff person berated her for what had happened and yelled at her (in English), even going so far as to tell her she should be grateful that she was getting free transportation for her child. Ana was intimidated. Unable to express herself, she felt helpless to do anything more and never reported the incident to any other school official.
>
> The experience had a profound effect on Benjamin. He is now eight years old and attends a different school, but remains too afraid to ride a school bus. His parents, because of their own work schedules, pay a neighbor to drive him to and from school, as they have done for the last two years.

Many parents said that reliance on children to translate conversations between parents and school staff was standard practice.

The language and cultural barriers Ana encountered left her unable to seek any redress. According to the Department of Education's Office of Pupil Transportation (OPT), the first step for a parent who wants to lodge a complaint against a school bus driver is to notify the principal. Had Ana been able to do so, the incident would then have been investigated by OPT to

determine whether the driver had a history of negligence that might warrant disciplinary action.

In her interaction with the school's staff, however, Ana was never presented with the option of taking her complaint to the principal. And although she was certain that what had taken place was wrong, she says, at the time she didn't feel comfortable enough with the language or familiar enough with the school system to do anything more.

Ana says now that she finds it "incredible that in this country such a thing could happen."[18] To this day she is overcome with emotion when talking about how powerless she felt to help her child.

In some cases, cultural barriers may serve to prevent parents from intervening on their children's behalf.

Discrimination

Discrimination is, unfortunately, a problem experienced by many newcomers to this country, and public school students are no exception. Our survey found that 28 percent of new immigrant parents said their child had been mistreated in school because he or she was from another country. Most often, this was at the hands of other students.

> Miriam is 14 years old, and emigrated here from Kuwait seven years ago. She and her family are practicing Muslims. In seventh grade this past school year at an intermediate school in District 20, Brooklyn, Miriam had been relentlessly teased by her peers about her religion and country of origin. She reported that other girls pushed and shoved her, made fun of her mother's *hijab* (traditional head scarf), called her country "stupid," and even once tore up a test she had taken and managed to get the teacher to blame Miriam.
>
> School staff referred Miriam and her mother, Fatema, to the school's counselor to help resolve the problems. Fatema, however, does not speak English and the school did not provide an Arabic translator. Only at Fatema's third meeting did a teacher provide translation. As a result, some of Miriam's classes were switched, but the harassment continued unabated. Fatema spoke with the principal to request that Miriam be allowed to change schools, but was told she had to contact the district. As no interpreter was available for this or any of the subsequent meetings with District 20, Miriam had to translate for her mother. Fatema and Miriam requested a transfer, but their request was denied.
>
> The harassment continued, causing Miriam's schoolwork to suffer. Fatema now says she is considering moving the entire family to another school district. (It is unclear at this time how or if the reorganization of the district structure into regional divisions will affect their situation.) Fatema has five children, including three boys who are thriving in high school. But Miriam's experience and the inability to have her concerns addressed has frustrated Fatema and she feels she has no other options at her disposal to improve her daughter's life and education.

Fatema and Miriam had to navigate the school system on their own. They had no one to walk them through the transfer request process and advise them of their rights — which in fact do include the right to appeal the denial of a transfer.

While it is expected that children will mistreat each other, and those who appear different in any way tend to be most vulnerable, it is the school's responsibility to supervise student behavior to the greatest extent possible, and to deal with harassment when it affects a student's ability to participate fully in school.

Significantly, we found that only 45 percent of parents who reported that their child had suffered mistreatment in school said they were satisfied with the school's response.

While the majority (56 percent) of parents who reported mistreatment of their child said it

was at the hands of other students, 12 percent said their child had been mistreated by students as well as school staff, and 16 percent said the mistreatment was by students as well as teachers. We learned of several such incidents in our interviews.

> Alina, the eight-year-old girl from Russia mentioned in our introductory section, found herself singled out as the only child in her third-grade class who could not speak English. (There were other immigrant students in the class who had lived here longer and were fluent in English, including three boys from Russia who refused, unfortunately, to offer her assistance with the lessons.) She was pulled out of class for ESL instruction one hour each day, but the remaining time in the classroom her teacher appears to have ignored Alina's educational needs altogether.
>
> While other students participated in the day's lessons, the teacher would often give Alina small non-academic tasks to do, such as helping cut and paste materials for art projects and classroom decoration. She also refused to give Alina all of the textbooks she would need for homework. When her mother, Yelena, requested that Alina receive all of the books, the teacher replied that Alina wouldn't understand them. Three months of back-and-forth argument with the teacher and a school counselor followed before Alina finally received the textbooks she needed to participate more fully in the class.

Some children are wrongly placed without their parents having had any engagement with administrators or education professionals.

Part 154 of the Regulations of the New York State Commissioner of Education governs school policy with regard to English Language Learners. The regulations clearly state that "each school district shall provide pupils with limited English proficiency equal access to all school programs and services offered..." Indeed, one of the main purposes, as stated, of Part 154 is to "assure that such pupils are provided opportunities to achieve the same educational goals and standards as the general student population."[19]

Despite significant language barriers, Alina's mother, Yelena, advocated for her daughter's interests. While she had no knowledge of or access to the state education laws, and no assistance asserting her daughter's right to an equal education, she was a teacher in her native country and had the confidence to fight for what she instinctively knew her daughter deserved.

In some cases, however, cultural barriers may serve to prevent parents from intervening on their children's behalf. For example, in many Asian countries, teachers wield a great deal of authority and parents do not normally challenge them, according to the Coalition for Asian American Children and Families.[20] Immigrant parents from such countries, having no experience with our public school system, may often be unwilling to pursue advocacy efforts on their children's behalf.

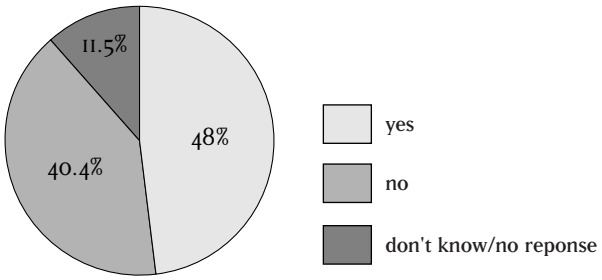
Parent Involvement and Child Placement

Forty percent of the parents we surveyed reported they were never asked for input when their child was placed in his or her particular grade, class or school. While most parents surveyed did feel their child had been appropriately placed, our finding is evidence that some schools are not carrying out Department of Education requirements, which, as discussed earlier, include questionnaires and forms for immigrant parents to complete stating their educational preferences for their children. (See *Theory vs. Practice* section for more details.)

Procedures are not always followed, and many parents are not being informed of their right to participate in these decisions. The result is that some children are wrongly placed without their parents having any engagement with administrators or education professionals.

Brooklyn's Project Reach Youth (PRY) is one of the many community organizations around

Did your child's school ask for your opinion on placement in grade, class and school?



School staff must be well-informed regarding department policies, and instructed in appropriate methods of assisting parents — including those who do not have a command of English.

the city that advocates on behalf of immigrant parents. In one typical instance, a child had been assigned to special education in preschool, and before she could enter elementary school it had to be determined whether she would continue there or be placed in general education. The Preschool Committee on Special Education sent the parent a notice to attend a meeting at which her child's case would be discussed. But the day of the meeting the child was sick, the mother was unable to attend and the determination to keep the child in special education was made without her. The mother disagreed with the placement, and was disturbed at not having been allowed to be an equal participant in the decision-making process. She came to Project Reach Youth for help, and a staff person accompanied her — along with her daughter's teacher, who had recommended the child be placed in general education — in approaching the committee to contest its decision. PRY believes it is likely the committee's determination was based solely on the child's therapist's evaluation, with insufficient weight given to her teacher's recommendation. With the teacher's help, PRY presented compelling evidence for the child's qualification for general education classes, and the decision was reversed.

Another immigrant parent had been notified about a meeting of the Committee on Special Education to discuss her child's placement, but she arrived late and the committee had started without her. Although she was in attendance for most of the meeting, her lack of English skills prevented her from identifying herself and participating. The committee recommended special education for her child — a placement with which she disagreed. With intervention by Project Reach Youth, this classification was reversed as well.

Research has shown immigrant children to be at a higher risk of an improper assignment to special education — usually because teachers and evaluators may mistakenly attribute their lack of facility with the language to a learning disability. Despite recognition of this in recent years, over-representation of English Language Learners in special education persists.[21] According to the Chinese American Planning Council (CAPC), Chinese students seem to be especially vulnerable in this area: when they are unable to communicate in English, some choose not to communicate at all, leaving teachers to suppose the child has a developmental disability. CAPC and a number of other community-based organizations we spoke with reported incidents in which they had intervened to get an immigrant child appropriately placed in general education.

Several community organizations also report that, more recently, they have seen the opposite problem: a hesitancy on the part of school staff to refer immigrant students to special education even when they truly need help, perhaps as a consequence of past criticism. Some community and advocacy organizations report that schools and parents have told them of a Department of Education policy directive recommending that immigrant children not be placed in special education for the first two years they are in school. The Department of Education clearly stated to us that no such directive exists, and that such a policy would violate federal law.[22] Unfortunately, the rumor has traveled widely, and appears to have had an impact.

Lucy* is an African immigrant who has been in the New York City school system less than three years. When she first enrolled in elementary school,

** Not her real name. Because of the confidential nature of this case, attorneys for the family were unable to provide more specific details than those contained herein.*

administrators placed her in a bilingual Spanish class, where she remained for an entire semester. When someone at the school eventually questioned the wisdom of placing a child who speaks an African dialect in a bilingual Spanish class, Lucy was transferred to a regular classroom and assigned to the ESL program. Her new teacher quickly determined that Lucy suffers from a serious developmental delay, and recommended she be placed in special education. The referral was denied by the school.

School administrators told the teacher they had to follow a rule issued by the then Board of Education that immigrant students not be referred to special education until they had been in school for two years. Lucy remained in her general education classroom — and would have continued there indefinitely had a sympathetic worker at the school not brought her case to the attention of a child advocacy organization.

Lucy's parents were aware of her disability all along but, as new immigrants who lacked English skills, they had no understanding of the school system and were never informed that special services were available. They were never even informed that Lucy had been wrongly placed and that her teacher had referred her to special ed. This family is currently receiving legal representation from the nonprofit advocacy organization, which intends to see that Lucy is placed in an appropriate special education setting.

We urge the department to establish a training program that utilizes the expertise of community-based organizations that have established relationships with the schools.

Our survey does not indicate how common such experiences might be. Still, Lucy's case underlines what we found to be true in many cases: immigrant parents are not being provided the opportunity to participate in planning their child's education.

Placement is just one part of the overall issue of parent involvement. A large majority of the parents we surveyed reported that they often attend their children's school meetings and activities, but an almost equally large majority said they would attend more activities if translation were provided.

As we have seen throughout this report, language and cultural barriers can at times pose serious problems for immigrant parents and children.

RECOMMENDATIONS

As we learned from our interviews with immigrant parents and staff from community organizations around the city, the treatment many new immigrants receive in the public school system often fails to adhere to policy guidelines. The system designed to assist these families appears to be failing many of them, and must be improved in order to better serve this rapidly growing segment of New York's public school population.

Most of the difficulties we came across in the course of our research stemmed from interactions between school staff and parents. Miscommunication — and sometimes misinformation — at the school level was common, according to the parents and organization staff we interviewed.

The Department of Education's institutionalization of the Parent Coordinator position in each school and its plan for partnering with community organizations for training are important steps toward a system that is more accommodating of non-English speaking parents. Even so, we recommend that the department institute a community-run training program on language access and other related policies that engages all frontline school employees. School staff, including receptionists and administrators, must be well-informed regarding department policies pertaining to immigrant students, and instructed in the appropriate methods of assisting parents who come to the schools seeking help or information—including those who do not have a command of English.

We urge the department to establish a training program that utilizes the knowledge and expertise of community-based organizations that have established relationships with the schools — whether from running after school programs, creating collaborative partnerships with specific schools or administering Beacon programs.

Immigrant communities have particular needs and cultural characteristics relevant to education and youth, and the organizations that serve them in their own neighborhoods understand these needs. These unique characteristics are highly relevant in helping to define parents' relationships with their children's schools. For example, in some communities, after school programs and other extended-day childcare options are much needed by parents working long hours at several jobs, and parent-teacher meetings have to accommodate such work schedules. In others, gender-specific programming for sports and other activities is necessary due to cultural mores. Community-based organizations tend to be highly sensitive to the needs of immigrants in their communities, and are therefore very well placed to pass on their knowledge of relevant cultural issues to help instill such sensitivity on the part of workers in the schools.

Further, shared language and culture allows such community-based organizations greater access to the leadership and residents of immigrant communities. Staff from local schools can benefit from this access and expertise in a way that can only originate from within the community.

We believe, therefore, that these community-based organizations will make ideal partners for the Department of Education. The department, in its new reform efforts, has recognized the potential of such partnerships, as it is utilizing the expertise of such groups in training its new Parent Coordinators. We encourage the Chancellor's office to collaborate further with community groups and ethnic organizations to design a curriculum for "training the trainers." Once trained, staff from appropriate community organizations throughout the city would in turn conduct workshops in Department of Education policy and procedures, parents' rights and cultural sensitivity for all frontline and administrative school employees.

In this way, we believe the New York City school system can better prepare itself to serve the specific and diverse needs of immigrant parents and students. This will, in turn, make for a stronger public education system with equal access and opportunity for all of New York's children.

The survey on which this report was based can be found on the Center for New York City Affairs website, at www.newschool.edu/milano/nycaffairs.

ENDNOTES

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