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Testimony Before the District of Columbia Council  
Committee on the Judiciary  
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**Performance Oversight Hearing  
Office of Human Rights**

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## **Introduction**

Good morning Chairman McDuffie and members of the Committee on the Judiciary. My name is Renee Murphy. I am a Senior Policy Attorney at Children's Law Center<sup>1</sup> and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 8 children in DC's poorest neighborhoods – more than 5,000 children and families each year. We represent hundreds of families per year about the education of their children with disabilities, and we help many families with limited English proficiency.

I appreciate this opportunity to testify regarding the performance of the Office of Human Rights (OHR). Since the creation of the Citywide Youth Bullying Prevention Program several years ago at OHR, Children's Law Center has engaged with their important work. Our experiences have been consistently positive, despite the small staff for the program and the magnitude of the task. Through the work of Program Director Suzanne Greenfield and her staff over the last three years, 100% of DC agencies and 95% of Local Education Agencies (DCPS and Public Charter Schools) have compliant bullying prevention policies.<sup>2</sup> The Citywide Youth Bullying Prevention Program has also increased the information available to parents and schools about best practices to deal with bullying.<sup>3</sup> The program has also partnered with the Office of the

State Superintendent of Education (OSSE) and ChildTrends for a federal grant to begin a much-needed pilot program to implement and study the effectiveness of the research-based Safe School Certification Program.<sup>4</sup> We look forward to the start of the pilot program in schools in the fall and support the continued work of the Citywide Youth Bullying Prevention Program with all youth-serving DC agencies.

### **Language Access**

As a new member organization of the DC Language Access Coalition, we also wanted to discuss some concerns about language access. Despite the efforts of OHR to train and oversee compliance with the *Language Access Act of 2004*, many of our client families who are limited English proficient or non-English proficient have difficulty accessing services at multiple government agencies. Many times their needs for interpretation of conversations and translation of documents go unmet by agency staff. OHR's own field testing shows that only sixty-seven percent of in-person testers and forty percent of phone testers received adequate language assistance.<sup>5</sup> Because Children's Law Center most often interacts with public schools on this issue, however, I will focus on schools today.

As this Committee heard this past summer at the joint public hearing for the *Language Access for Education Amendment Act of 2015*, many students struggle in school and families struggle to engage in their children's education because of language barriers.<sup>6</sup> Language access is not only a human right, but improving partnerships with

parents of all language and cultural backgrounds is a key way that schools can help students achieve. Many of our client families are unable to communicate with school staff and unable to read vital documents, including report cards, suspension/expulsion notices, and attendance/truancy plans. Interpreters are rarely present for parent-teacher conferences and other events at which English-proficient parents can freely engage with teachers and school leaders. Some of the public schools have interpreted their duty to translate documents under the Act in a restrictive way, leaving our parents of children with disabilities without translated Individualized Education Programs and progress reports. Many schools do not have a language access coordinator who has enough time to devote to all the families who need language access and all the important events and documents that need translation.

OHR has limited resources and ability to enforce and monitor under the current *Language Access Act* and with its current level of staffing.<sup>7</sup> OHR has done trainings, has started working with some public charter schools, and has worked with DCPS on a Corrective Action Plan for several years. However, work by DCPS and other agencies, such as the Department of Human Services, to come into compliance has been slow.<sup>8</sup> To be more effective, OHR should have an enforcement mechanism, specifically a fine structure, to spur compliance. OHR should have the ability to oversee the language access compliance of all public schools in the District. The *Language Access Act* should be amended to clarify what documents schools must translate, since current

interpretations by public schools vary. The Act should also ensure that schools encountering high populations of students and parents with limited English proficiency dedicate an employee for language access activities. OHR also needs more resources to be able to conduct ongoing monitoring and technical assistance at different schools and agency service centers, to fulfill their mission. I suggest this Committee ask OHR leadership about what resources and staffing they need to realize the vision of the *Language Access Act* -- that DC “truly create opportunities” for all residents, regardless of “where they were born or what language they speak.”<sup>9</sup>

## Conclusion

Thank you for the opportunity to testify. I am happy to answer any questions.

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<sup>1</sup> Children’s Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to be the voice for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 8 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

<sup>2</sup> OHR Performance Oversight Responses, Q. 22.

<sup>3</sup> OHR Performance Oversight Responses, Q. 12.

<sup>4</sup> OHR Performance Oversight Responses, Q. 12; see also <http://cfo.dc.gov/federal-grant-provides-38-million-bullying-prevention-district-0>

<sup>5</sup> DC Office of Human Rights, (2015), *Language Access in the District: 2014 Annual Compliance Review*, P. 20, See [http://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/LAAR-2014\\_FinalCompleteCopy.pdf](http://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/LAAR-2014_FinalCompleteCopy.pdf)

<sup>6</sup> Committee on Education Report on B21-066, *Language Access for Education Amendment Act of 2015* (November 9, 2015), <http://lims.dccouncil.us/Download/33343/B21-0066-CommitteeReport1.pdf>

<sup>7</sup> Although the Language Access Program leverages community partners such as the Language Access Coalition and many bilingual volunteers, the program is staffed with only two FTEs and a few interns and Fellows to oversee and monitor over thirty government agencies that significantly interact with the public, and their contractors and grantees. See *Language Access in the District: 2014 Annual Compliance Review*.

<sup>8</sup> *Language Access in the District: 2014 Annual Compliance Review*, P. 21, 33.

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<sup>9</sup> Quote of OHR Director Monica Palacio, on the cover website for the *Language Access in the District: 2014 Annual Compliance Review*, at <http://ohr.dc.gov/page/languageaccess/2014report>