

February 7, 2020

Board of Education Student Achievement Committee

re: **Much-Needed Amendment to English Learner (or Family & Community Engagement) Policy**

Aloha Distinguished SAC Chair and Committee Members,

Thank you for committee approval of Proposed Board Policy “English Learner (EL)” at the December 5, 2019 Student Achievement Committee meeting.<sup>1</sup> There was less than a day between the time the unanimously carried committee “motion to adopt” the new Board Policy<sup>2</sup> and its adoption by the Board later that day. Since the public had little time to contemplate the policy proposed for adoption and comment on it, I hope you will consider giving us the opportunity to make adjustments to the policy before the end of the school year. In that spirit, I request that the SAC recommend to the Board for adoption the following necessary amendment:

**PROPOSED AMENDMENT:**

Add the following underlined text (item #6) to the list of responsibilities after item 5:

*... The Department shall provide adequate services to EL students and be responsible for developing rules, guidelines, and/or procedures to implement the goals set forth below:...*

- 6. Entitle parents with the right to enlist the aid of an interpreter/language assistant of their own choosing who shall be included in and may help the parents manage communication with the Department.**

**ARGUMENT IN FAVOR OF THE AMENDMENT**

Although the DOE offers hired interpreters for non-native-English-speaking parents in the event of a special meeting, sometimes parents have their own friend or extended family member they would prefer to assist them with Department communication (written and/or spoken) and their child’s education. As things stand now, the Department is extremely resistant to including “outsiders,” even when it’s someone the parents want to have help them! The Department is FERPA-blind, often citing confidentiality issues as a pretext for all the intimidating and hostile barriers they erect to exclude and discourage parent-chosen interpreters/language assistants.

<sup>1</sup> [Click here](#) to view the 12/5/19 SAC meeting material. Attachment B (Proposed EL Policy) is on p. 11.

<sup>2</sup> Procedurally, a committee cannot adopt a new Board Policy, so the committee motion should have been a “motion to recommend for Board adoption.”

The negative, suspicious, exclusionary attitude toward parent helpers that permeates the Department is deleterious to the parent engagement of those who need the most help. It also is the antithesis of the Board's Family and Community Engagement Policy. If parents need assistance with communications sent and received in English either spoken or written, and they provide someone to help them, the Department should *welcome* the assistant and rejoice in the educational benefit this can bring to the child overall. Reality is a far cry from this picture.

Note that this interpreter/assistant philosophy also should apply to monolingual-English-speaking parents with limited English proficiency. For that reason, perhaps the amendment is better suited for [BOE Policy 101-14](#) under Standard 2:

*Standard 2: Communicating effectively—Families and school staff engage in regular two-way, meaningful communication about student learning.*

**Parents have the right to enlist the aid of an interpreter/language assistant of their own choosing who shall be included in and may help the parents manage communication with the Department.**

Not only should parents have the right to choose whomever they want to assist in them with aural/oral communications with the Department, there should be an expectation that this interpreter/assistant be included in email correspondence between the parent and the school – if that's what a parent wants. Technology, if used appropriately, makes that so easy to do – it doesn't require postage to put an email address in a cc: field. The only barrier is attitude. That can be changed with policy.

I assist a non-native-English-speaking parent with educational matters related to her child as best I can. It's not easy when at every turn, for several years now, the Department has resisted my involvement in spite of the parent's continued requests for this. The latest atrocity is that the Principal has cut me out of the communications loop altogether, and the school is sending emails in English to the mother that she doesn't understand. Nobody should have to fight as hard as this parent and I have had to do, year after year, school after school, for the right to have me included in communications with the school and help the parent.

Although existing policies regarding family and community engagement *should* be sufficient for parents to have the right to enlist the aid of whomever they choose to help them communicate with the school, it obviously needs to be spelled out clearly, in writing, in a BOE policy.

I invite you to read Attachment A, the cover letter to the complaint I sent to the Deputy Superintendent on January 28th concerning this matter. I hope that after reading the complaint cover letter (noting that at this time more than 10 days have passed, but I have received no response yet), you will understand fully why the proposed amendment to policy is necessary.

Mahalo,



Vanessa Ott

cc: All current voting members of the Board of Education

## Attachment A: Cover Letter of Complaint to Deputy Superintendent

sent: Jan 28, 2020, 9:29 AM

The following is the 4-page cover letter sent to State of Hawaii  
Department of Education Deputy Superintendent Phyllis Unebasami.  
The Appendix and attachments are not included here.

---

Phyllis Unebasami, Deputy Superintendent  
Office of the Superintendent, Hawaii State Department of Education  
Phyllis.Unebasami@k12.hi.us

re: Complaint Concerning CAS Dilwith's and Principal Balatico's Non-Compliance with BOE  
Policies E-2, 101-6, 102-3, 101-14, 304, 304-1, and 304-5.

Aloha Deputy Superintendent Unebasami,

I am writing to you in your capacity as the immediate supervisor of Superintendent Linell Dilwith [CAS] of Kaimuki-McKinley-Roosevelt Complex Area [the Complex Area], who is, in turn, supervisor of Katherine Balatico, [the Principal] of Robert Louis Stevenson Middle School [RLSMS]. This complaint concerns non-compliance with Board of Education (BOE) Policies E-2, 101-6, 101-14, 102-3, 304, 304-1, 304-5, and HAR §8-34-4. (See APPENDIX for details.)

### BACKGROUND

For the past two-and-a-half years, I have worked closely with a Tongan mother with limited English skills per her wishes by serving as her interpreter, helping her understand the complexities of the Hawaii public school system, and communicating with DOE personnel in English concerning her son's education. For almost three years, I also served as her son's tutor that is, until very recently. The child transitioned to Grade 6 at RLSMS this school year, and both of the services I was providing have become impossible to perform due solely to the Principal's decisions which are contrary to several BOE Policies. Not surprisingly, the child's education is suffering, and his progress has been miniscule though I know he is capable of far more advancement. In many ways he has regressed since last school year. I feel quite certain that the research-based, proven solutions we've proposed will reverse this trend and are in the best interests of the child, but for some reason, the Principal refuses to implement them.

When we sought relief from the CAS, Ms. Dilwith refused to provide oversight concerning the home-to-school communication, family engagement, and poor-quality curricula problems claiming the reason is because the child is a SpEd student, and the CAS doesn't get involved with IEPs. Our complaints to the CAS went far beyond issues concerning IDEA procedures, and deserve more thoughtful attention. SpEd students' parents should have the same rights to have the CAS address complaints, and not be discriminated against by a having a complaint dismissed by the CAS, and funneled into an IDEA complaint process simply because the child is identified as having special needs.

Not a topic of this complaint, but to be clear about other steps being taken at this time to try to resolve issues that are deleterious to the student, Ms. Huahulu intends to file an IDEA due process complaint concerning the lack of an appropriate FAPE. Also, she's been contacted by the Mediation Center of the Pacific, and she hopes the Principal agrees to mediate the poor home-to-school communications

and family engagement issues, not the IDEA FAPE issues which we both hope will be addressed during due process. We are still waiting to hear from MCP whether the mediation is going to commence or not.

## SUMMARY of MY COMPLAINT – FROM a COMMUNITY VOLUNTEER

- I.) Years ago, I made a commitment to the mother to help tutor her son, assist in IEPs, write, read, and process all communication in English with the school concerning her son's education. In essence, I'm like an academic guardian working closely with the mother. She has written letters, emails, and signed Form HAR 34 expressing her wish that I act as her interpreter and assistant.

In December 2019, the Principal decided to cut me out of the communication loop, against the mother's wishes, and instructed teachers to ignore any correspondence that comes from me. Now, the Principal and Care Coordinator are sending emails to the mother in English that she cannot understand, and deliberately excluding me. I am being prevented from being a good community member and assisting a non-native-English-speaking mother interface with the school. The hostility toward my involvement is shocking, and it goes from the school, up through the district, to a recent exchange with the Compliance and Monitoring Branch of the Office of the Superintendent. So, I'm complaining about how this apparently acceptable treatment of a family interpreter and assistant flies in the face of not only BOE Policy 101-14 (Family and Community Engagement), but also professional models of *authentic family engagement* clearly described in current scholarly literature on the subject. The pretext the Principal gave for cutting me out of the communication loop is based on grossly exaggerated calculations of the amount of time her staff spent answering my emails (see Appendix: DATA ANALYSIS of CORRESPONDENCE).

- II.) In the past, I have been the child's home tutor, but the Principal's stolid stance against a cooperative partnership with the mother and me has made tutoring impossible. Since the beginning of the year, the mother and I have not been allowed to visit teachers in their classrooms to discuss what the student is learning and what he needs to progress. Teachers don't even have office hours when students and parents can come and ask questions. We continued to request opportunities to meet with teachers. So, the Principal dictated that we could correspond via email, and I was directed to include the school's care coordinator on all correspondence. Then, the Principal complained that I sent too many emails, took up too much staff time, and blamed me for the inefficient communications system that she had devised.
- III.) Ms. Huahulu and I have been requesting the child's current i-Ready Diagnostic reports since December 8, 2019. The Principal and CAS have ignored our requests.
- IV.) Complaints to the CAS are either ignored or dismissed as not being within the realm of her responsibility.

A detailed description of BOE Policy and HAR violations with references to corresponding evidence in connection with this complaint is provided in the Appendix.

## PROPOSED RESOLUTIONS FOR THIS COMPLAINT

It's best to put forth an appropriate resolution before getting bogged down with the details of why this is needed. That way, you can see how simple, reasonable, and logical the solutions are.

- I.) The mother wants me to assist her with communication, have access to her son's personal information, and advocate for her son with her. She's written letters, signed forms and expressed many times her desire that the DOE accept this arrangement which we call the "**Home Team**," and accord me the respect this position deserve. This includes, but is not limited to including me in all correspondence that the DOE has with the mother concerning her son's education, responding to requests I make on the mother's behalf, and if the mother is present at a meeting or cc:'ed on an email written by me, it will be treated with the same respect as any correspondence coming from a parent. If you don't believe that these are the mother's wishes, please contact her directly: Feketi Huahulu (nickname: Toakase) @ 808-308-8977. (Her son's student ID: 1281600637 )
- II.) I want the Home Team to be treated as equal partners of the IEP team, and that our valid concerns will not be dismissed with lip service that they have been "considered." This requires that the Principal adopt a new attitude about family and community engagement that is based in cooperation, collaboration, and partnership with the Home Team.
- III.) I want the Home Team to receive full diagnostic assessment reports upon first request.
- IV.) I want the Home Team to be allowed to correspond by email directly with teachers, receive timely responses, meet with teachers in their classroom as needed (within reason) in the furtherance of the child's education, and work collaboratively to achieve solutions for problems as they are identified.
- V.) I want the school to: build a positive relationship with the Home Team; embrace my strengths as a university-trained, highly-experienced teacher who has tutored the same child (looping) for the past two and a half years; and engage in a partnership that focuses on the optimum growth and development of the child.

This type of collaborative partnership between home and school can be accomplished easily when teachers use high-quality instructional materials that are well organized, planned in advance, content-rich, rigorous, and professionally written.

Note: The mother will be filing a due process complaint regarding the lack of an appropriate education because the teachers are not teaching the school selected Math and Language Arts curricula. Whatever curriculum is used, resolution (V) shall apply.

- VI.) I want the Complex Area Superintendent to address legitimate complaints about a Principal's performance if the complainant can show they've made a good-faith effort to resolve the dispute with the Principal. If responsibility for resolution is delegated to another person, the CAS shall provide oversight and ensure that a reasonable compromise or solution is achieved *and* documented in writing in a timely manner.
- VII.) I want DOE employees in positions of power to *explain* their actions and decisions regarding concerns either from or about the Home Team, and that these explanations be based on facts, data, written documentation, and research – not hearsay, unsubstantiated claims, emotions, or personal whims. Decisions should also comply with all Board Policies and Department HARs.
- VIII.) I want to spend much more time educating this child in collaboration with the school, and **no more time pleading or battling for the opportunity** to do so.

The quality of this child's future depends on it.

---

## CONCLUSION

Attached to this complaint is a compilation of all the written correspondence the mother and I had during Semester 1. I would truly appreciate if you read through at least the annotated Table of Contents, and familiarize yourself with the contents of specific emails referenced in the Appendix before soliciting any addition oral commentary. That is the best way to filter out hearsay, and identify when someone is telling you the truth or not. The facts are in black & white in the document. I did supply the CAS with the most current version of this compilation when I submitted my complaints to her on 11/4/19, and again on 11/25/19, but based on her response I have to conclude she did not read any of it. Also, based on the response I received from Complex Area SpEd Education Specialist, Stuart Kim, on November 27<sup>th</sup>, his understandings of reality do not coincide with facts contained in the correspondence record. Apparently, he read did not read the written record either. I countered his misperceptions on 11/30/19, but of course, never received a response nor any resolution to our complaints. Besides, what authority does a SpEd Educational Specialist have over ensuring a Principal practices authentic family engagement? That's the CAS's job.

And therein lies the root of all these problems. The lack of authentic family engagement. I don't think the Principal or the CAS have any concept of what that looks like much less the ability or incentive to implement it. I'm certain that there are no checks and balances, no system of accountability, no metrics in place the help ensure that authentic family engagement is happening in the schools and not just empty words in some BOE Policies. I'm willing to bet the DOE doesn't provide any training for CASs and Principals about how to practice authentic family and community engagement. If they did, then what has been happening to me this school year surely should never have happened.

If we truly want high quality schools in Hawaii, we have to implement research-based, tried and true, logical, common sense solutions. THE MOST fundamental cornerstone is authentic family and community engagement. I have seen *very* little of this in all the years I've been involved with the Hawaii Department of Education in one way or another and here we are, reaping what we sow – a public education system that is so bad, we have one of the highest rates of private school enrollment in the nation – not because the people of Hawaii are so rich, but because so many parents recognize the poor quality education their children will get in a DOE school. The Principal thinks that the school's family and community engagement is just fine, but I disagree. What is the test for poor family and community engagement? Well, I know it when I see it, and I've seen a lot of it. I hope you know it, too, and have a better vision for the future.

Original  
text:  
"state"

Mahalo,



Vanessa Ott

cc: Janet Offner, Private Secretary to Deputy Superintendent Unebasami, Janet.Offner@k12.hi.us  
attachments: (3)

1. *Semester1-Correspondence.pdf*  
Compilation of all correspondence regarding student's education during Semester 1, SY 2019-2020.
2. *Semester1-Correspondence.docx*  
Same as PDF file except easier to access sections using Microsoft Word's navigation feature (select menu/option: *View > Navigation Pane*).
3. *Correspondence-Data-Analysis.xlsx*  
Spreadsheet includes formulas for DATA ANALYSIS of CORRESPONDENCE of different time scenarios for school and complex area personnel to dispose (read, research, respond) of all correspondence listed in *Semester1-Correspondence.pdf*