



Multicultural Education, Training and Advocacy, Inc.



January 19, 2021

Dear Educator:

As you may or may not be aware, last week the Massachusetts Department of Elementary and Secondary Education (DESE) sent you two versions of guidance pertaining to the in-person administration of the WIDA ACCESS test. In the first version DESE expressly told district educators that parents of English Learners (ELs) who are uncomfortable sending their children into schools to take the ACCESS test at this time during the surging pandemic would face “no penalties for the child or parent.” DESE deleted this message from the otherwise identical version sent a few hours later. In this follow-up version DESE said nothing about parents’ rights to keep their ELs at home without penalty.

DESE’s dual messaging has led to substantial and unnecessary confusion and worry. It is unclear whether DESE’s action is attributable to administrative bungling or a reconsidered opportunity to pressure parents, many who are immigrants and of limited English proficiency, into taking risks that they have in their own judgment deemed unacceptable.

The undersigned are long-term civil rights education lawyers. We write today to give you, and we hope through you, the parents of EL children in your districts, a simple and clear understanding of what is and is not required.

No parent is required by state or federal law to send their child into school for the purpose of taking the WIDA ACCESS test at this time. Period. There should be no hint of punishment or threat directed at any parent or child from any school, school district or DESE. This message should be communicated to each parent of an EL student in the language preferred by the parent.

Thank you for your kind attention to this urgent matter and your concern for all your students. Additional information may be found in our [letter to Commissioner Riley](#) and a [letter from Court Monitor](#) to the Denver Public Schools.

Yours truly,

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