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## **PRESS RELEASE: ACLU of Utah Demands American Preparatory Academy Rescind its English-only Rule for Students**

On January 3, 2019 the American Civil Liberties Union (ACLU) Foundation of Utah, Inc. sent a letter to Carolyn Sharette, executive director of the American Preparatory Schools, and Board Chairman, Clay Hatch, calling for American Preparatory Academies (APA) charter school network to stop enforcing its unconstitutional English-only rule for students outside of class time. The letter also addressed other discipline issues the ACLU of Utah considers discriminatory. The ACLU reminded APA about this letter again on February 11, 2019.

Having received no explanation or detailed response from APA, we are issuing this public press release to restate our positions and request resolution of these complaints.

The letter states that APA's policy forbidding students from speaking any language besides English on campus "violates students' national and state constitutional rights and discriminates against students whose native language is not English." While classroom instruction in English is allowable, multiple courts have held that students retain free speech rights during school, and that students' choice of language is a form of expression protected by the First Amendment.

The complaints against APA investigated by the ACLU of Utah originated at APA's West Valley I location, formerly known as "The School for New Americans." In operation since 2009, the West Valley site enrolls a large number of immigrant and refugee students who come from diverse language backgrounds. Multiple complaints detailed how students caught speaking a language other than English at school received disciplinary action. In addition, a former APA teacher told the *Salt Lake Tribune* that students caught speaking a non-English language were suspended from his class.

"Besides being unconstitutional, APA's strict English-only policy actually deters students, especially those from immigrant or refugee backgrounds, from fully pursuing their academic goals in the school," says John Mejia, Legal Director at the ACLU of Utah. "Families told us how the punishments for violating the school's English-only policy created mental and emotional stress on students."

After several months of attempting to communicate with APA administrators about these concerns, we sent this letter to encourage APA to address these problematic policies. Specifically, the letter states that APA must:

- (1) rescind the English-only policy at American Preparatory Academy schools outside of class time;
- (2) instruct teachers and students of their right to communicate with each other in any language;
- (3) monitor all disciplinary measures pursuant to the Utah Antidiscrimination Act and cease all unlawful practices.

The ACLU of Utah is ready and willing to sit down with APA administrators and the families making these complaints to resolve these issues as soon as possible.

**Media Contacts:** Available for comment and discussion today

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