



MALDEF

Mexican American Legal Defense and Educational Fund

August 24, 2016

**Chicago
Regional Office**
11 East Adams Street
Suite 700
Chicago, IL 60603
Tel: 312.427.0701
Fax: 312.427.0691

Via Email

Principal Jean Suchy
Emerson Elementary
6850 West 31st Street.
Berwyn, IL 60402
Email: jsuchy@bsd100.org

**National Headquarters
Los Angeles
Regional Office**
634 S. Spring Street
Los Angeles, CA 90014
Tel: 213.629.2512
Fax: 213.629.0266

Dear Principal Suchy:

The Mexican American Legal Defense and Educational Fund (MALDEF) is a privately funded, non-profit, public interest law firm that promotes and protects the civil rights of Latinos in the United States. One of our goals is to ensure that English language learners (ELLs) receive access to a quality public education.

**San Antonio
Regional Office**
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Suite 300
San Antonio, TX 78205
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Our office was contacted about an incident which occurred in Ms. Jennifer Kruger's third grade classroom on Monday, August 22, 2016. As you no doubt are aware, several of the students in Ms. Kruger's class progressed through Emerson Elementary's ELL program and are now in their first all-English classroom. It has come to our attention that Ms. Kruger told her students that they were not allowed to speak Spanish in her classroom. Later, upon hearing students communicate in Spanish, Ms. Kruger punished those students by making them sit on the bare floor while their classmates were allowed to sit on carpet. After learning that students had complained to their parents, Ms. Kruger threatened to retaliate against them. We have been informed by parents that Ms. Kruger has acted in the same way in the past. This shows a pattern and practice of mistreating ELL students and that is unacceptable.

**Washington, D.C.
Regional Office**
1016 16th Street, NW
Suite 100
Washington, DC 20036
Tel: 202.293.2828
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From the information we have received, Ms. Kruger's conduct was unprofessional and harmful to her students' education. It is also illegal. The U.S. Supreme Court has long held that the Constitution protects the right of individuals to communicate in a foreign language. *See Meyer v. Nebraska*, 262 U.S. 390 (1923). As well, Ms. Kruger's conduct might have violated federal laws, including Title VI of the Civil Rights Act of 1964, and Illinois law barring discrimination.

Should Ms. Kruger's aforementioned conduct be substantiated, MALDEF insists that you take action to remedy the violation of her students' rights and ensure that it does not happen again, including but not limited to removing Ms. Kruger from teaching third grade students.

We hope that this issue can resolved without further action. Thank you for your prompt consideration. I can be reached via email at smonroy@maldef.org or by phone at 312.427.0701.

Sincerely,

Steven Monroy
Staff Attorney
MALDEF Regional Office

A handwritten signature in black ink, appearing to read "Steven Monroy", with a long horizontal flourish extending to the right.