Bilingual Education

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History of Bilingual Education in the United States

Bilingual Education, or instruction provided to children whose first language is not English, is not a new phenomenon; in fact, it was quite common in the United States in the eighteenth and nineteenth centuries, and linguistic pluralism was accepted and tolerated, if not encouraged. Until the end of the nineteenth century, the language of instruction was not an important issue, and was often the language of the community. However, the large influx of lower-class and poorly educated immigrants at the end of the nineteenth century, predominantly from southern and eastern Europe, resulted in the advent of the common school, or public school movement, as well as compulsory education. Public policy began to focus on mandatory education to ensure that children of immigrants assimilated into mainstream American culture (Malakoff & Hakuta, 1990). During this time, English became the dominant, yet unofficial, language of instruction as a means to assimilate (Brisk, 2006). This meant a simultaneous loss of immigrants’ origin language, as children of native speakers of other languages were required to learn English in order to function in society. Not only were immigrants affected by their language minority status, Native Americans were also greatly impacted by policy that adopted teaching only English in government schools. Through coercive measures, Native American children were sent to boarding schools away from their reservations beginning in 1870, where they were stripped of their tribal identities and forced to abandon their native languages (Bear, 2008). Thus, the need to address linguistic diversity among several subgroups has given rise to the issue of bilingual education. Efforts to allow for academic progress among language minority students, while at the same time preserving their heritage language, have been at the forefront of the bilingual education debate.

The shift from accepting and tolerating linguistic diversity to rejecting languages other than English was characteristic of the beginning of the twentieth century, during which there was a great influx of immigrants, primarily Europeans (who made up 85 percent of immigrants until the 1950’s) (Crawford, 1999). Due to fear that foreigners would prevail over citizens and that English would soon wash out, several states enacted laws mandating English as the language of instruction, forbidding other languages from being used in public schools (Brisk, 2006). Bilingual education was prevalent before World War I in
localities where German, French, and Spanish speakers had gained political influence, but during the 1920’s, a strong anti-German reaction caused native language instruction to be abandoned by schools until the 1960’s (Rothstein, 1998). As stated by Brisk (2006), English was imposed as the language of instruction in 34 states; teachers who used other languages of instruction could be fined or jailed. Rather than addressing linguistic disadvantages among children, public schools adopted a “sink-or-swim” attitude, or full English immersion, with the assumption that children learned languages easily and therefore did not need special accommodations to acquire English-speaking skills. As a result, children of language minorities had educational difficulties, impeding their academic progress. Students were generally held back one or two years until they acquired enough English to move ahead in school.

After the Immigration and Nationality Act of 1965 (which repealed the “national origins quota system” that limited entry of non-English speakers), there was a rapid increase of immigrants from all countries (Brisk, 2006). The U.S. population increased by 9.8 percent, while the Hispanic and Asian populations increased by 53 percent and 107 percent, respectively (Crawford, 1999). This resulted in public school enrollment of children who were limited-English-proficient (LEP). However, the imposition of English as the language of instruction and sink-or-swim strategies led to massive academic failure of students, especially of those from Spanish-speaking backgrounds. In select communities in states such as Arizona, California, Florida, New Jersey, New Mexico, and Texas, “educators and parents created bilingual education programs to improve the education of their children” (Brisk, 2006, p. 23). These programs utilized English and students’ native languages for instruction in all grades to acquire knowledge and skills in language and content area. Finally, during the 1960’s, a shift in how educational policy addressed the needs of English language learners (ELLs) surfaced at the national level.

In 1965, the Elementary and Secondary Education Act (ESEA) was passed in an effort to provide educational equity for students from low-income families (Paige, 2006). More specifically, Title I of ESEA provided grants to school districts to increase educational achievement of students raised in poverty. The Bilingual Education Act (BEA), added as Title VII of ESEA, was enacted in 1968, legitimizing bilingual education programs in public schools (Malakoff & Hakuta, 1990). These programs
“promoted the use of the students’ mother tongues to initiate instruction, whereas English was taught as a second language, and later introduced in instruction” (Brisk, 2006, p. 24). Thus, in tandem with civil rights efforts to provide English language learners and minority students equal educational opportunities, the BEA served as a platform to better assist those who were not only of low-income status, but also disadvantaged by their inability to speak English (Crawford, 1999). While the BEA encouraged innovative programs to address the needs of ELLs and provided funding for institutions to create bilingual programs, it did not mandate strict policy for specific types of programs. In other words, the focus of the legislation, whether to expedite the transition to English or to encourage bilingualism, was unclear. Therefore, as noted by Malakoff and Hakuta (1990), the Department of Housing, Education and Welfare (HEW) published Title VI guidelines in 1970 of how to educate language minority students. These guidelines stated that in cases in which children from minority groups who could not speak or understand English were unable to actively participate in educational programs, the “district must take affirmative steps to rectify the language deficiency” (Malakoff & Hakuta, 1990, p. 33, as cited in 35 Federal Register, 11595). Yet again, the lack of specification concerning program enforcements (in this case, the vagueness of “affirmative steps”) resulted in several court cases; these rulings tested the legal obligation of public school districts to defend the rights of bilingual students to instruction in their native languages.

One of the major U.S. Supreme Court rulings regarding the rights of language minority students was Lau v. Nichols, initiated in 1971. Roughly 1,800 Chinese students brought to court this class action suit, claiming that the San Francisco Unified School District failed to meet their linguistic needs, thus denying them an equal education (Crawford, 1999). However, the San Francisco district courts responded that, because there was no segregation or discrimination against non-English speaking children, they were not treated any differently and the same instruction was provided to all students. The case was taken to the Supreme Court, which overruled the federal courts in 1974. Supreme Court Justice William O. Douglas stated, “there is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum…for students who do not understand English are effectively foreclosed from any meaningful education” (Crawford, 1999, p. 45). The court ruled that under Title VI
of the Civil Rights Act, these Chinese students were entitled to assistance in allowing them to participate equally in school, and as a result, San Francisco officials signed a decree to provide bilingual education programs to Chinese, Filipino, and Hispanic children. Following the *Lau* decision, Congress translated the Supreme Court ruling into the Equal Educational Opportunity Act (EEOA), enacted in 1974 (Malakoff & Hakuta, 1990). This piece of legislation required all school districts, not only those receiving government funding, to “take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs” (20 USC Sec. 1703f). The Supreme Court supported the students in the *Lau* case, but did not recommend any specific remedies, so the Office of Civil Rights published the *Lau Remedies* in 1975; these guidelines contained instructions to identify students’ primary language, assess their linguistic abilities, and prescribe an educational program that used the most effective teaching style to meet their needs (Brisk, 2006).

As a result of the increase in bilingual education programs implemented to address the linguistic needs of language minority students, there was growing opposition in the 1980’s to the use of languages other than English in education. For example, the 1978 Title VII reauthorization shifted national sentiment “to focus on English acquisition as the primary goal of education for language minority students” (Garcia, 2009, p. 90), and the 1984 reauthorization transferred 45 percent of Title VII program funds to support the transition of ELLs to English immersion instruction. Even the Office of Civil Rights mitigated its monitoring of school districts’ compliance with the *Lau Remedies* (Brisk, 2006). In some states, statutes were implemented to end bilingual education, requiring all school instruction to be conducted in English immersion. For example, Proposition 227 in California (1998) and 203 in Arizona (2000), declared that English language learners would be educated “through sheltered English immersion during a temporary transition period” that would not exceed one year (Rossell, 2003, p. 44). However, despite criticisms of bilingual education, and in light of research indicating bilingual education students have progressed academically (surpassing national standards in English and math tests) (Brisk, 2006), the reauthorization of Title VII in 1994 took precedent, continuing support at the federal level for these programs.
Even more recently, the No Child Left Behind Act (NCLB) enacted in 2001 has supported bilingual education programs through its Title III “Language Instruction for Limited English Proficient and Immigrant Students” (Brisk, 2006, p. 29). However, according to Brisk (2006), rather than using bilingual education as the term in referencing school instruction provided to ELLs, the new term English language acquisition reflects efforts toward the promotion of English immersion instruction. Even the Office of Bilingual Education and Minority Language Affairs was renamed the Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students. Furthermore, García (2009) draws attention to how Title III of NCLB has shifted away from previous policy that designated federal funds to support educational equity program grants, to instead allocate financial resources for programs that primarily promote English proficiency. Moreover, due to increased pressure to meet rigorous testing standards mandated by NCLB, schools have placed greater focus on English immersion instruction at the expense of students’ heritage languages (Brisk, 2006). Dr. Catherine Snow, a leading expert on children’s language and literacy development and the Henry Lee Shattuck Professor of Education at the Harvard Graduate School of Education, states,

People think it was Proposition 227 [in California] and Question 2 [in Massachusetts] that killed bilingual education, but it’s clear that that’s not true. It’s really NCLB that killed bilingual education. Because if you have to test kids by third grade, and by third grade they’re already going to be held accountable, then the focus is English early, English often, English all the time, [to] get them doing well on the test. So I think NCLB has unwittingly had a very bad effect on the range of options available for language minority kids. (personal communication, November 10, 2009)

Thus, while NCLB has created increased accountability among ELLs, the shift from bilingual education toward English immersion instruction has created challenges for schools to address the needs of these students.
English Language Learners Policy Research

The No Child Left Behind Act (NCLB) requires each state to measure adequate yearly progress (AYP) documenting that all students meet the federally mandated state proficiency goal. Furthermore, states not only need to separately measure AYP for what the United States Government Accountability Office (GOA, 2007) identifies as NCLB’s four specific focus groups: “students who (1) are economically disadvantaged, (2) represent major racial and ethnic groups, (3) have disabilities, and (4) are limited in English proficiency” (p. 12), but they also must document that at least 95 percent of the students in each group participate in the state assessments. NCLB’s focus on disaggregation was initially widely supported because, “breaking with a long tradition of Federal education policy that ignored racial and socioeconomic inequalities, NCLB takes an express interest in the education of minorities, economically disadvantaged children, nonnative speakers of English, and other groups historically at risk of falling through the cracks of the American education system” (Baugh & Welborn, 2009, p. 46). NCLB’s fundamental principle for disaggregating between class, race, ability, and language proficiency is meant to identify groups that teachers could readily assist and to hold schools accountable for these students’ academic improvement. However, in practice, students within each disaggregated subgroup are not mutually exclusive. For example, the results for an economically disadvantaged, Hispanic, disabled, ELL student could be counted towards four separate AYP results. Moreover, of the four disaggregated subgroups, ELLs are the only students who can exit their subgroup. Kieffer, Lesaux and Snow (2008) specifically identify the irony and frustration of how “the schools that are most successful at moving ELLs quickly out of special programs are punished the most severely by losing the most successful learners from that subgroup” (p. 61). Successfully mainstreaming ELLs ends up weakening that subgroup’s AYP reports; hence successful schools are threatened with further sanctions.

Before addressing how NCLB assesses and accommodates ELLs, it is important to identify the historic change in ELL policy and the ELL population that NCLB now addresses. Firstly, Title VII of the Elementary and Secondary Education Act (ESEA), the Bilingual Education Act (BEA), was enacted to protect ELLs in obtaining equal educational opportunity from 1968 until 2001. BEA was reauthorized
five times (1974, 1978, 1984, 1988, and 1994) and was intended to assist “language deficiencies” through bilingual educational means and in the name of educational equity (García, 2009). BEA did not mandate specific programs, but instead gave financial support to develop educational programs, such as bilingual education. The 1974 reauthorization specifically addressed native language inclusion, even though earlier native language programs were BEA financed, and also included Native American children’s languages, allowing students to enroll in bilingual education to better understand their native cultural heritage (García, 2009).

Secondly, the limited English proficient (LEP) population has drastically changed in the last 20 years and will continue to grow. As Goldenberg (2008) reports, “in 1990, one in 20 public school students in grades K-12 was an ELL... today the figure is 1 in 9 [and] demographers estimate that in 20 years it might be 1 in 4” (p. 10). In the last 20 years, this population has grown from two to five million students. It may not be surprising that 80 percent of current ELLs are Spanish speakers, yet what may be revealing is that the majority of ELLs were born in the United States (76 percent of elementary-age ELLs and 56 percent of middle- and high-school-age ELLs). Of those ELLs born in the U.S., 80 percent of their parents are foreign born (Goldenberg, 2008). Of those classed as ELLs, Kieffer et al. (2008) explain that there are actually at least three different classifications that correlate with language minority learners’ stage of schooling. First, students who may have been born in the U.S. but who speak their native language at home and who have high oral proficiency may be classed as initially fluent English proficient (I-FEP) and enrolled in mainstream classrooms without additional support. The second group, which is given the most attention, is composed of ELLs who are “considered to have an English proficiency level that compromises meaningful participation in mainstream classrooms, and thus, they receive support for language learning” (Kieffer et al., 2008, p. 59). Finally, once ELLs exit into mainstream classrooms, they are re-designated as fluent English proficient (R-FEP), yet, because different states and districts identify language minority students differently, there is not a consistent formula for who is classified as an ELL, I-FEP, or R-FEP within the ELL disaggregated subgroup (Kieffer et al., 2008).
Beyond differing classifications, policy makers should be concerned about how ELLs are best served and whether NLCB provides these services to the ELL population. Prior to NCLB, ELLs could be excluded from statewide assessments; hence, schools were not held accountable for assessing their academic improvement. Therefore, as Kieffer et al. (2008) comment, the spirit of NCLB is to make sure ELLs’ academic needs are met, but ensuring beneficial implementation and assessments are difficult to achieve. In practice, Goldenberg (2008) has shown that the achievement gap between ELLs and non-ELLs is widening; on average, ELLs’ academic achievement is lower than their non-ELL peers. For example, on the 2007 National Assessment of Educational Progress (NAEP), “fourth-grade ELLs scored 36 points below non-ELLs in reading and 25 points below non-ELLs in math,” where eighth grade gaps were even larger (Goldenberg, 2008, p. 11). Data sets, alone, do not explain these differences, but this paper will briefly address how socioeconomic factors, teacher preparation, and testing assessments and accommodations all influence ELL performance.

Many social and economic factors can contribute to ELL educational risk. As previously noted, 80 percent of ELLs are Spanish speakers which “is an important fact to bear in mind, since Spanish speakers in the U.S. tend to come from lower economic and educational backgrounds ... for example, nearly 24 percent of immigrants from Mexico and Central America are below the poverty level” (Goldenberg, 2008, p. 10). Peterson (2009) examines how students’ backgrounds relate to high school dropout rates in Chicago; students from historically disadvantaged racial and ethnic groups, which some ELL students belong to, have a 50 percent high school graduation rate. As Kieffer et al. (2008) note, “just as students of color and students coming from economically disadvantaged homes are at elevated risk, the entire population of language minority learners is at educational risk for reading difficulties and for school failure, more generally” (p. 61, emphasis added). This risk can be exacerbated if ELLs are placed in programs that do not provide them with the proper support.

Goldenberg (2008) summarized 2001-2002 school surveys to conclude that the majority of ELLs, approximately 60 percent, are placed in English immersion instruction. Of these, one-fifth does not receive support services, while four-fifths receives all-English instruction with limited English proficient
services. This raises concerns as to whether mainstream classroom teachers are being specifically trained for the growing ELL population in their classrooms. August (2006) reports that public school mainstream teachers working with at least one ELL has grown from 15 percent in 1991-1992 to 42.6 percent in 2001-2002. Of those teachers whose primary responsibility was ESL instruction, 77.4 percent held an ESL certification; however, most teachers whose main responsibility was not ESL instruction had not received proper training of how to best serve this population. Furthermore, six out of ten mainstream teachers who worked with at least three ELLs had a median of four hours of in-service training within the previous five years (August, 2006).

The way in which ELL assessments and accommodations serve ELLs is also questionable. NCLB abstains from making ELLs participate in state assessments during their first year in U.S. schools, but during their second and third year, ELLs must take the state assessment, and schools can decide whether or not to include ELL scores in their AYP reporting. After three or more consecutive years, NCLB mandates annual assessments in English for all students, including ELLs (García, 2009). GOA (2007) explains that NCLB policy “requires that students with limited English proficiency receive reasonable accommodations and be assessed, to the extent practicable, in the language and form most likely to yield accurate data on their academic knowledge” (p. 11). However, accommodations for ELLs in the form of bilingual dictionaries, reading items aloud in English, extra time, small group administration, or native language versions of the exams, do not necessarily “even the playing ground.” GOA (2007) acknowledges that, “research is lacking on what specific accommodations are appropriate for students with limited English proficiency, as well as their effectiveness in improving the validity of assessment results” (p. 18). Without proper guidance or conceptual understanding, ELLs do not benefit from such accommodations.

It is important to understand the different approaches to teaching ELLs: approaches that encourage fluency in English and native languages, and approaches that prepare students for monolingual (English immersion) classroom instruction. There are multiple forms of bilingual education models. Firstly, two-way bilingual education programs emphasize cultural respect and understanding and usually,
gradually increase instructional language until the needs of the students meet half-time instruction in English and the native language (Brisk, 2006). Dr. Corinne Váron-Green, a second grade English teacher at the Amigos School (a two-way bilingual immersion school in Cambridge, MA) argues that two-way programs benefit ELLs because they enhance the cognitive development of students, and encourage learning academic English while not forgetting their native language. She argues that whereas Structured English Immersion (SEI) programs segregate ELL students, do not allow them to have native English speakers as friends, and promote a “them vs. us” mentality, two-way programs help students develop more advanced critical thinking skills and metacognitive understanding of language and culture. When students are immersed in a multicultural, multilingual educational environment, they are able to understand things at a deeper level. She also states that two-way bilingual education programs promote interdependence between students, where status roles get reversed and majority students become a minority and need help from their non-English speaking classmate (C. Váron-Green, personal communication, November 12, 2009). As stated above, because many ELLs are at risk for poor school outcomes not only because of language, but also because of socioeconomic factors, Dr. José Ruiz-Escalante, president of the National Association for Bilingual Education, advocates for dual language education to help level the academic gap. He argues that all children can learn regardless of where they come from and that pobrecito (“poor little child”) should be eliminated from vocabulary attached to ELLs. Instead, he argues for a solid emphasis on content development, more than linguistic development, to encourage ELL students to think, to learn, and to succeed academically (J. Ruiz-Escalante, personal communication, November 14, 2009).

Secondly, maintenance programs only serve ELL students; they promote cultural heritage and build-up towards English proficiency by using the native language and English for literacy and subject matter comprehension, but unlike two-way programs, ELLs are segregated from their non-ELL peers. Lastly, transitional bilingual education (TBE) uses the native language for content instruction at the same time students learn English until they are totally mainstreamed. This can vary from 90 percent native language and 10 percent English instruction, to half-time native language and English instruction. Yet,
because TBE is deemed successful by how quickly students exit, there is pressure to mainstream ELL students (Brisk, 2006). On the other hand, English immersion instruction models are not designed to retain native languages or to promote cultural heritage. Instead, their only goal is to enhance English proficiency. English as a Second Language (ESL) programs provide additional instruction for English proficiency on top of ELL students’ normal mainstreamed day, and SEI programs segregate same language groups for personalized English instruction where content instruction is taught using simplified language to enhance English proficiency (Brisk, 2006).

Even though there are different approaches to teach ELLs, NCLB policy mandates and tests English proficiency. Therefore it is important to analyze from within this policy to summarize what Goldenberg (2008) identifies as three practices to best improve ELL English proficiency. Firstly, “teaching students to read in their first language promotes higher levels of reading achievement in English” (p. 14). Transfer, or learning skills in one’s native language assists better understanding of literacy, vocabulary, and conceptual frameworks in English. Professor Catherine Snow explains that for elementary-aged children “instruction that mostly occurs in the native language and introduces oral English slowly and literate English immersion after oral English has achieved a reasonable level of fluency, is safest, most risk free, and not any less efficient, and also better at protecting the home language” (personal communication, November 10, 2009). Educators who support native language instruction also point out the cultural value of allowing students to maintain fluency in their home language. Jamy Stillman, a professor at the University of Southern California Rossier School of Education, says that students’ cultural and linguistic diversity adds value to the class, and that good teachers are able to encourage learning through this avenue (personal communication, November 10, 2009). However, teachers cannot assume that transfer is automatic because students may not know a concept in their native tongue and still need to learn it.

Secondly, Goldenberg (2008) highlights “what we know about good instruction and curriculum in general holds true for English learners as well” (p. 17). All instruction that benefits non-ELLs, instruction that is labeled as simply good teaching, also benefits ELLs. Such direct and indirect instructional
techniques include explicit vocabulary, phonetics, cooperative learning, oral instructional conversations, and skill building. Heather Clements, who teaches at the June Jordan School for Equity in San Francisco, CA, recommends word-banks, visuals, pre-teaching vocabulary, writing sentence starters, structured outlines, and to contextualize the information and make it apply to students’ lives; if you’re talking about Romeo and Juliet, you can make it apply to either a telanovela or Twilight. (personal communication, November 11, 2009). J. Stillman also emphasizes the importance of contextualizing language instruction. In her opinion, the scripted curricula used for English immersion by many urban schools with high numbers of ELLs not only treat students as though they have a cultural deficit, but also teach the English language as though it is simply a laundry list of discrete skills, rather than an adaptive tool one uses to derive meaning from words in context (personal communication, November 10, 2009).

Lastly, Goldenberg (2008) identifies that “when instructing English learners in English, teachers must modify instruction to take into account students’ language limitation” (p. 18). ELLs have a double challenge of learning skills and content at the same time as the language of instruction. Therefore, mainstream teachers need to modify their instructional practices to include word recognition, vocabulary development, cognate identifiers, and clearly pronouncing letter sounds to better scaffold ELL progress.

It is also imperative to better prepare ELLs for academic English. ELLs must distinguish academic English from conversational English, understand academic vocabulary, perform reading comprehension activities, and connect scientific and mathematical concepts, ideas and facts to compete on standardized exams (Kieffer et al., 2008). Academic language directly relates to what is being assessed as proficient on NCLB mandated standardized exams and therefore the same academic language needs to be practiced in mainstream classes. NCLB’s Title III mandates monitoring English proficiency beyond just mainstreaming students and is usually tested in alignment with English language standards. This is problematic because overall academic success includes content areas of math, science, and social studies, not just language arts. Therefore, if language proficiency exams do not measure the same challenging academic language needed for content area academic success, the proficiency tests are a disservice to ELLs and fail to prepare them with the necessary academic language needed to close the content area...
achievement gap between their non-ELL peers (Kieffer et al., 2008). Thus, since NCLB policy holds schools accountable for assessing ELL subgroup progress towards English proficiency, to better serve ELLs, Kieffer et al. (2008) recommend high-quality instruction that better prepares ELL students for assessment in academic language, long-term assessment measurements, and “identifying the whole population of language minority students as a disaggregation category when calculating AYP” (p. 60).

The Politics of Educating English Language Learners

No Child Left Behind (NCLB), as well as a number of state policies that have stipulated English immersion for English Language Learners (ELLs), has polarized debate between proponents of “English immersion” models, such as Ron Unz and his English for the Children movement, and proponents of bilingual education, such as Dr. José Ruiz-Escalante and the National Association for Bilingual Education. Additionally, a number of organizations and individuals concerned about ELLs fall at various points along the spectrum of debate, by advocating for models that combine methods, such as transitional bilingual education. Although English immersion advocates have largely prevailed in the tide of public opinion and legislation, advocates of linguistically diverse models have found voice in political advocacy groups and alternative models of educating English learners, such as the Internationals Network for Public Schools.

Proponents of Linguistically Diverse Models of Instruction

A number of national, local, and cultural organizations campaign for instructional models that suit the varied needs of ELLs and help them maintain their home languages. One such national network, the National Association for Bilingual Education (NABE), supports research on bilingual education and calls for better funding for bilingual instruction and teacher training programs. Dr. José Ruiz-Escalante, president of NABE, supports bilingual education for ELLs and cites the concept of knowledge transfer, that strong native language skills can support English acquisition (personal communication, November 14, 2009). Accordingly, NABE advocates for the reinstatement of the Bilingual Education Act and state
support for programs that view native language instruction as a vehicle for learning English. It also proposes content area assessments to be administered in ELL students’ native languages. Currently, Texas administers these tests through the 5th grade, but NABE would like to see this policy extended through high school and adopted by other states. NABE has met with Secretary Arne Duncan, testified before the House of Representatives, and is developing a 7-point national action plan for bilingual education, which NABE will present to policy makers.

While NABE is working at the federal level, smaller, more localized advocacy groups are petitioning for bilingual education at the city and state level. The New York Immigration Coalition (NYIC), for example, has formulated an ELL Success Agenda, which points out that those ELL students in New York who are not given appropriate support to meet graduation requirements fall through the cracks; in fact, drop-out rates for ELLs are 50.5 percent in New York City (Avitia, Chap, Davila, & Vidal, 2007). The Success Agenda outlines specific policy recommendations to improve ELLs’ academic success through professional development for ELL teachers, more push-in and dual-language bilingual programs, extended school days for ELLs, dropout prevention programs, and parent leadership trainings. In collaboration with other groups, the NYIC obtained $700 million in state funding for ELL education this past year, and a $20 million increase in funding from New York City (Avitia et al., 2007).

Finally, ethnically-affiliated civil rights organizations like the League of United Latin American Citizens (LULAC) are engaged in the debate. LULAC spearheads an English Plus campaign that promotes “additive bilingualism”, a concept that promotes learning English in addition to maintaining native language fluency (Ortiz, 1986). They argue that the adoption of English as the official language in many states does not provide any additional resources for ELLs to learn English, but actually constitutes “linguistic racism” in marking ELLs as linguistic “Others”.

*Proponents of English immersion Models of Instruction*  

Proponents of English immersion instruction state that bilingual education shortchanges ELLs by not providing them with the level of academic English instruction necessary to develop fluency. The
English immersion movement aims to replace bilingual education programs with concentrated English instruction, typically Structured English Immersion (SEI), in which ELL students have a year of intensive English instruction followed by mainstreaming in regular classrooms. ProEnglish, a leading organization in this movement claims that a status-quo bureaucracy and politicians’ fear of offending minorities hamper efforts to end bilingual education programs (ProEnglish).

Dr. Rosalie Porter, a leader in the English immersion movement, began her career as a bilingual educator, but became disillusioned with bilingual education when her students were not able to transition out of bilingual education programs within the allotted, 3-year timeframe. Her research now focuses on the effectiveness of SEI, suggesting that students learn English faster through this model (Porter, 2009). In addition, she states that when she worked in Newton, MA, most parents of ELLs supported English immersion for their children. She suggests that parents elsewhere feel similarly, citing a national survey by Public Agenda, in which 75 percent of immigrant parents indicated that “the school’s first priority should be to teach English quickly, even if it means that their children fall behind in other subjects” (Porter, 2000, p. 55). Porter admits that well-constructed two-way bilingual programs are effective, but questions their scalability and practicality. To successfully implement this type of program, she argues, a school needs a stable population of students; in reality, many ELLs switch schools too often to derive the benefit of two-way bilingual education.

Porter worked with Ron Unz, the founder of the English immersion movement, to make SEI programs the main model of ELL instruction in California, Arizona, and Massachusetts. Unz, a former businessman and erstwhile candidate for California governor, cited the poor results of bilingual education programs in California in his advocacy for SEI. By his measure, a quarter of students in California public schools did not know English in 1996 (“Tongue-Tied”, 2002). While openly stating that he had not spent much time in a bilingual classroom (Tamer, 2006), Unz convinced large numbers of California voters, in 1998, to approve Proposition 227, or “English For the Children”, a voter referendum that replaced bilingual education programs in California schools with SEI. In a 2002 debate with Catherine Snow, Unz stated that under Prop. 227, ELL students’ test scores improved by 40 percent (“Tongue-Tied”, 2002).
Snow pointed out that the factors contributing to test score gains cannot be isolated; in fact, test scores improved across the board, suggesting that the cause may have been more education funding, the adoption of statewide standards, or class size reductions, all of which had also been introduced during that year.

Nevertheless, “the Unz initiative” had gained traction and similar ballot measures were approved in Arizona (Prop. 203 in 2000) and Massachusetts (Ques. 2 in 2002). Question 2 in Massachusetts took a harder stance towards bilingual education, mandating teachers only to use a minimal amount of students’ native languages in the classroom when necessary (Full Text, 2002). Question 2, like Prop. 227, allowed parents to request a waiver to continue bilingual education for their children. The process for obtaining a waiver included getting approval from the school’s superintendent. Question 2 also stated that school officials or teachers could be sued for “willfully or repeatedly hindering a child’s access to immersion programs or suggesting a waiver under fraudulent terms” (Fichtenbaum, 2004, p. 12). The measure passed by a landslide, with a 61 percent approval from voters (Fichtenbaum, 2004). It was supported by a number of political leaders, including then-candidate for governor, Mitt Romney.

Barriers to Promoting Linguistic Diversity

State policy, judicial decisions, and public opinion have largely trended towards the views of English immersion advocates in recent years, but proponents of bilingual education and other linguistically diverse models of ELL instruction are trying to rekindle support for their programs. One barrier that proponents face is the argument from English immersion advocates that bilingual education is ineffective. During the 25 years in which bilingual education had been in wide use, excellent programs and terrible programs both existed. As Catherine Snow describes, the attention of bilingual advocates had been focused on expanding access to bilingual education for ELLs rather than on identifying effective practices within programs and ensuring the quality of all bilingual programs (personal communication, November 10, 2009). Thus, when English immersion advocates observed programs that were failing, they had ripe fodder for their argument.
Unfortunately, the political reaction affected all bilingual programs, even those that were working well. Worse still, the SEI model does not seem to be producing promising results. A state-mandated study investigating the effectiveness of Prop. 227 analyzed five years of data and concluded that it has not improved children’s learning outcomes (Gorman, 2009). A recent *Boston Globe* article reported on a study by researchers at the University of Massachusetts-Boston, which found that since Ques. 2 was implemented, dropout rates for ELLs in the city have nearly doubled (Vaznis, 2009). The report also found that the district is not properly identifying students for English immersion and is failing to inform parents about their program options. Similarly, a *Los Angeles Times* article described a study by policy analysts at the University of Southern California, which found that ELL students are being kept in segregated English immersion classes for far longer than the planned one year (Gorman, 2009). The study found that the sooner students moved into mainstream classrooms, the sooner their standardized test scores caught up with those of their peers. Anecdotally, University of Southern California Professor Jamy Stillman, who was a teacher in California when Prop. 227 passed, had students who were devastated about the change in their instruction, and she felt that teachers and parents were not given clear information about how to opt out (personal communication, November 10, 2009).

Another major barrier is the strong public opinion that English immersion is the best way for ELL students to learn English. Some analysts pin this on the effective marketing strategies of the English immersion movement, as phrases like “English For the Children” led voters to believe that the model was proven to support children. Others blame a history of anti-immigration sentiment in the U.S. As Snow puts it, Americans’ conservative views on bilingual education are often affected by a desire to “maintain control over the discourse” of language and education, a reaction to the perceived threat of bilingualism to “a populace that is largely monolingual and that considers learning other languages extremely difficult” (Tamer, 2006). Indeed, before Prop. 227 in California, Prop. 187 banned undocumented immigrants from utilizing any state-supported resources, including public schools. The law passed by voter referendum, but was later repealed as unconstitutional. A more complex issue is that of immigrant parents’ support for English immersion. J. Ruiz-Escalante suggests that English immersion advocates have hijacked the
language of educational equity to convince parents that English immersion is more equitable than bilingual education and that students will unequivocally learn English faster this way (personal communication, November 14, 2009). In addition, many immigrant parents do not realize that speaking their native language at home may not be enough to preserve children’s grasp of the language; formal instruction in the language is also needed to maintain fluency (C. Snow, personal communication, November 10, 2009).

The judicial system also seems to be on the side of English immersion models. In the recent court case *Horne v. Flores*, a group of parents filed a complaint against the Nogales Unified School District in Arizona faulting its immersion programs for ELL students as inadequate and inequitable instruction. The Supreme Court, in a 5-4 ruling, sent the case to be re-examined by a federal district court after the collection of more data about the effectiveness of SEI programs. Though the final verdict is pending, this initial narrow margin was hailed as a victory by English immersion advocates (Clegg, 2009), and lamented by civil rights groups like the NAACP (Gagarin, 2009).

*Opportunities for Change*

A number of schools that have employed supportive and effective programs for ELLs can serve as case studies of ways to enhance learning for ELLs in both their native language and in English, while also supporting other content areas. The Internationals Network for Public Schools (INPS) has schools in New York City and the San Francisco Bay Area that serve a diverse group of ELLs, with a student body made up of immigrants from Asia, Latin America, Africa, and the Caribbean. Though the students’ native languages vary, the curriculum engenders positive recognition of home languages and cultures through projects that incorporate reading and writing in students’ native languages. The schools employ content area literacy instruction so that all teachers are engaged in students’ English learning, and students are grouped in clusters that work with the same teachers over 1-2 years. The schools also provide significant professional development for teachers, through inter-visitations, a video-library of effective practice and online database of resources, and special funding for teacher collaboration in curriculum development.
The dropout rates at the New York schools are below 10 percent, and 70-100 percent (varies by school) of students pass state exams (INPS website).

For student populations with a common language, dual immersion schools like the Oyster-Adams Bilingual School in Washington, D.C., help students to master two languages. Oyster-Adams is a neighborhood public school, but allows out-of-boundary students to enter a lottery for seats. The school is composed of 50 percent native English speakers and 50 percent native Spanish speakers, and each class is taught all subjects by both an English-language teacher and a Spanish-language teacher, who plan instruction together (Oyster-Adams website). Alma Cadenas-Molina, an alumna of the school, and currently the Community Outreach Coordinator for Congresswoman Eleanor Holmes Norton (D-DC), says that her bilingual education was not only integral to her cultural development, but is also crucial in her professional work, in which she interacts with the Congresswoman’s Latino constituents daily (personal communication, November 17, 2009).

Can programs like these serve as a model for state policy? Although 30 states currently list English as their official language and many states have moved in the direction of the English immersion model, a few states have retained bilingual programs. New Jersey, for example, has a Bureau of Bilingual/ESL Education that offers resources to schools to develop effective programs that educate ELLs, as the state requires schools to submit a plan for ELL instruction every three years (State of New Jersey). It also requires that a bilingual program be implemented when there are 20 or more ELL students of any one-language classification enrolled in a school, and it provides year-long professional development workshops for ELL educators.

The outlook on linguistic diversity might be changing at the federal level, as well. During his campaign, President Obama advocated for transitional bilingual education (TBE), taking a moderate stance between bilingual education and English immersion (Zehr, 2008). Though many bilingual advocates do not think TBE is the best approach, others are happy to see ELLs on the national education agenda. The Obama administration filed an amicus brief in the *Horne v. Flores* case, supporting more funding for ELL students in Arizona, which is a sign to bilingual education advocates that the president
may be an ally in their work. Additionally, in a speech at the Mapleton Expeditionary School in Denver, Obama called for second-language learning for native English-speakers as well as ELLs, saying, “When it comes to second-language learners, the most important thing is not to get bogged down in ideology, but figure out what works. Everybody should be bilingual, or everybody should be trilingual” (Daily Camera, 2008).

Policy Analysis

All parties in the national dialogue over how best to serve English language learners (ELLs) agree that our nation cannot allow such a large and rapidly growing subgroup of students to lag behind their native-English speaking peers. Because the costs of continuing to under-serve this population far outweigh the costs of providing adequate and equitable schooling to all students, policy makers must put aside ideological differences and take action to assure quality education for ELLs. Because this is a nationwide dilemma, it is the onus of the federal government to leverage its power to provide incentives to states and local school boards to improve their services. In order to do this, the federal government should target the following areas: improve instructional quality for ELLs, grant local autonomy of program design in exchange for accountability, make significant changes to the No Child Left Behind (NCLB) accountability and testing requirements, encourage external support services for immigrant families, and promote a value for bilingualism for all students.

Improving Instructional Quality

Any program for ELLs--bilingual, two-way, or English as a Second Language (ESL)-- requires consistent high-quality implementation in order to be effective. ELL policy must seek to improve instructional quality. The first step is to establish an agreed upon set of standards for academic English proficiency for which districts can be held accountable. Current NCLB guidelines for assessing English proficiency do not adequately emphasize testing academic English, the more complex and vocabulary-rich language students need to access academic material (Keiffer, et. al. 2008). A national set of standards
might look similar to those currently used by 19 states known as the World-Class Instructional Design and Assessment (WIDA) consortium. WIDA emphasizes a research-based set of tiered standards for both social and academic English language development in grades K-12, which focus on both language and content area development (WIDA Consortium website). The federal government can hold states accountable to adopt WIDA or a similar set of standards, as well as to meet established measures of progress on those standards. Adopting nationwide standards would not only keep states accountable to raising students’ academic English proficiency, but it would also assure consistency of instruction for migratory populations (Gándara & Contreras, 2009). In addition, national norms for ELL entry and exit criteria should be established. Criteria should be based not only on tests such as WIDA’s ACCESS test, but on other sources of supporting information, including academic achievement and teacher ratings (Ragan & Lesaux, 2006).

If the federal government is going to hold schools accountable, it must provide states and local districts with the capacity to improve their instructional quality through recruitment of qualified personnel and professional development for existing personnel. First, qualified bilingual teachers, including those proficient in students’ first languages, are needed. To meet this need, the federal government and the states must find ways to supply the schools with qualified personnel. They might follow the example of The Georgia Project, which in 1997, created a partnership with the University of Monterrey in Monterrey, Mexico, bringing over 60 native Spanish speaking teachers to rural Georgia schools, and training U.S. teachers in Spanish, ESL methods, and culture (National Immigration Forum website, 2007).

Furthermore, the existing teaching force must be equipped to keep up with the changing standards and expectations. Existing Title III money can be used to provide intensive and ongoing training for ELL teachers in the approved standards, and for mainstream teachers working with ELLs using appropriate methods and strategies for making content knowledge comprehensible. Furthermore, the federal government can prod districts and teacher training institutes to utilize proven, research-based models such as the Sheltered Instruction Observation Protocol (SIOP)—a widely used instructional model for effectively teaching content to ELLs—as training for content area teachers working with ELLs (SIOP
Institute website, 2007). Furthermore, exemplary professional development models such as that of the Internationals Network for Public Schools mentioned in the previous section can be adopted by other school districts.

Local Autonomy with Accountability

One effect of the California, Arizona, and Massachusetts measures was a severe restriction on the autonomy of localities to choose the program model that best fits their population. Dr. José Ruiz-Escalante cleverly points out that “we don’t let the general public decide how to teach reading or math” (personal communication, November 14, 2009). In other words, it is the educators’ job to determine pedagogy, but these measures took that decision out of their hands. NCLB further eroded district’s options through its high-stakes testing requirements by forcing a focus on early testing, as well as through its removal of the term bilingual education from the law. In order to best serve their students, districts should have some flexibility with regard to the program model they choose. Thus, the federal government should grant autonomy to districts, in exchange for accountability based on strict, established standards as mentioned above. Under such a policy, areas with high concentrations of a stable, single language population might employ two-way immersion programs. For those with more linguistic diversity, intensive, content-based ESL instruction with sufficient supports for students, such as highly qualified bilingual teacher’s aides, extended school hours, academic tutoring, and strong parental outreach, might be optimal.

Changes to the No Child Left Behind Requirements

Positively, NCLB has focused attention on ELLs, forcing schools to prioritize the achievement of these students. However, the increased focus on high-stakes testing has largely put ELLs at a disadvantage (Keiffer, et. al, 2008). Several changes will have to be made to this bill as it is reauthorized. First, the disaggregated subgroup should be changed to include the whole population of Language Minority students, not just ELLs (Keiffer, et. al., 2008). For one, this would mean that schools will no
longer be punished for having success with ELLs who then test out of the subgroup. It will also force schools to be accountable for the students’ performance throughout their schooling, an important issue because all language minority students are considered an at-risk group. Finally, it would create uniformity across states and districts in the definition of the subgroup, which currently does not exist (Kieffer, et.al., 2008).

Second, high-stakes testing must be reconsidered. In order to accurately test students’ content knowledge, some tests, where feasible, should be provided in the native language of students who have not had adequate time to acquire sufficient academic language skills for the tests, as Texas does for students up through fifth grade (J. Ruiz-Escalante, personal communication, November, 14, 2009). Admittedly, this cannot be done for students in every language, but can be done for larger linguistic populations. When testing is administered in English, sufficient accommodations must be made to assure that the tests accurately assess the students’ content knowledge and skills (Suarez-Orozco, 2009).

Furthermore, testing for language minority students must measure both academic language development and content knowledge. An assessment such as WIDA’s ACCESS test, which measures academic language proficiency in language arts, math, social studies, and science, is a step in the right direction (WIDA Consortium website). Benchmarks for progress must be grounded in language acquisition research. For example, it would be unreasonable to expect students to gain academic proficiency in English after one year in an ELL program when research shows that academic proficiency takes 5-7 years. Furthermore, additional measures of proficiency such as student portfolios, classroom performance, and teacher recommendations, should be balanced with test scores to obtain more accurate measures of student progress (García, 2009; Suarez-Orozco, 2009).

External Support Services

While ELLs come from a range of socio-economic backgrounds, a significant number of immigrant ELLs come from families of low socio-economic status, and often grow up in linguistically isolated communities. As a result, they enter school at a significant disadvantage to their native English-
speaking peers, not only in language, but also in social capital. Federal policy towards ELLs, then, should encourage external social support structures, such as early childhood programs and pre-school programs that are accessible and tailored to meet the language and cultural needs of immigrant children (Suarez-Orozco, 2009). Such programs might start as early as age three, and should emphasize social and linguistic development, with an eye toward preparing children for their entry into schooling. In order to receive federal support, these programs must be staffed by appropriately qualified individuals and use a research-based model of early childhood intervention. Furthermore, since such programs might be culturally unfamiliar to many immigrant parents, they must be accompanied by an aggressive community outreach campaign (Suarez-Orozco, 2009).

Furthermore, to assist students throughout their schooling, the federal government should encourage the increase of community-based supports such as mentoring and after-school programs for immigrant youth. It has been shown that students who are supported through mentoring relationships are more likely to stay in school, perform better academically, and are less likely to engage in anti-social behaviors (Rhodes, 2002). In addition, after-school programs, such as those provided by community organizations or churches, also support student outcomes by providing academic tutoring and assistance with homework, as well extra-curricular activities that promote positive identity and self-confidence (Suarez-Orozco, 2009). The federal government should use its influence to encourage the replication of such programs.

Promoting the Value of Bilingualism

In a globalized economy, proficiency in more than one language is a growing asset for an individual and the nation. Language minority students losing their native language is both unnecessary and unfortunate. Even some opponents of bilingual education models, such as Dr. Rosalie Porter, believe that it is a worthwhile goal to graduate students proficient and literate in two languages (personal communication, November 13, 2009). It behooves our leaders to encourage bilingualism and multilingualism where possible. C. Snow suggests that to accomplish this, proficiency in a second
language, determined by a rigorous standardized exam, be made a high school graduation requirement, which would give schools and parents an incentive to work to maintain immigrant children’s first language (personal communication, November 10, 2009). At the same time, it would impel districts to improve foreign language programs for native English speakers. While it might not be feasible to impose such a requirement uniformly, the federal government could create incentives for states and districts to offer something like a special diploma add-on for students who attain bilingualism. For example, the number of students graduating with a bilingual endorsement on their diploma could be used as a district measure toward adequate yearly progress, much as the number of students enrolled in Advanced Placement classes is used now.

To further encourage bilingualism, districts that have demographics that favor the two-way bilingual immersion model should be encouraged to utilize that model. It is “the best practice we have for English Language Learners” (J. Ruiz-Escalante, personal communication, November 14, 2009) at the elementary school level. This model best prevents the loss of the home language and supports academic and cognitive development in two languages, so it is the most promising model for developing students who are bilingual and biliterate.

By establishing uniform standards, providing states and local districts with the capacity to meet those standards, allowing sufficient flexibility to districts, and assuring that students have the support they need, the federal government can significantly impact the academic outcomes of all students, not only ELLs, and boost the nation towards greater global competitiveness in the 21st century.
Appendix A: Interviews

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<th>Name</th>
<th>Relation to Topic</th>
<th>Organization</th>
<th>Title</th>
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<tbody>
<tr>
<td>Jamy Stillman</td>
<td>Professor with teaching and research experience regarding ELLs</td>
<td>USC Rossier School of Education, Los Angeles, CA</td>
<td>Professor</td>
</tr>
<tr>
<td>Alma Cadenas-Molina</td>
<td>Alumna of the Oyster-Adams Bilingual School in DC who currently works with Congresswoman Norton’s Latino/a constituents</td>
<td>Congresswoman Eleanor Holmes Norton, Washington, DC</td>
<td>Community Outreach Coordinator</td>
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<tr>
<td>Heather Clements</td>
<td>Teacher in an immersion classroom</td>
<td>June Jordan School for Equity, San Francisco, CA</td>
<td>Teacher</td>
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<tr>
<td>Corinne Váron-Green</td>
<td>Teacher at a dual language immersion school</td>
<td>Amigos Elementary School, Cambridge, MA</td>
<td>Teacher (2nd Grade)</td>
</tr>
<tr>
<td>Catherine Snow</td>
<td>Harvard professor with research experience regarding ELL instruction</td>
<td>Harvard Graduate School of Education, Cambridge, MA</td>
<td>Professor</td>
</tr>
<tr>
<td>José Ruiz-Escalante</td>
<td>President of National Association of Bilingual Educators</td>
<td>National Association for Bilingual Education, Washington, DC</td>
<td>President</td>
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<tr>
<td>Donna Christian</td>
<td>President, Center for Applied Linguistics</td>
<td>Center for Applied Linguistics, Washington, DC</td>
<td>President</td>
</tr>
<tr>
<td>Rosalie Porter</td>
<td>Board Member of the Center For Equal Opportunity, and Independent Consultant for English Language Learners</td>
<td>Center for Equal Opportunity, Falls Church, VA</td>
<td>Board Member</td>
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Reference List


