



The Hispanic Border Leadership Institute

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Entre Nosotros

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The Arizona State Department of Education, in collecting data from school districts offering bilingual instruction to limited English speaking students, reports that students learning English in Bilingual Programs scored significantly higher in reading at every grade level for the third consecutive year than students enrolled in English-only immersion programs. So, if there is no educational foundation to eliminate a successful program, what is the basis for this proposition? Since Proposition 203 eliminates parental choice, a cardinal principle promoted by state legislators who represent the view of their constituents, why are so many in favor of Proposition 203? After examining the facts, HBLI agrees with the thinking of Senator Joe Eddie Lopez, a former school board member and one knowledgeable about such programs. He concludes that this proposition is irrationally motivated and is based on fear of other cultures and an unfounded bias toward migrating populations from our southern border.

SOME QUESTIONS AND ANSWERS ABOUT ARIZONA'S PROPOSITION 302

What is the initiative?

Proposition 203, which will appear on the November 7th ballot as "English for the Children in Arizona," is modeled on California's proposition 227 and seeks to eliminate K-12 bilingual education programs, such as English as a Second Language (ESL) and Limited English Proficiency (LEP), in Arizona.

At the root of the issue is the assumption that high Latino drop out rates are a sign of the failure of bilingual education. In fact, only 5 percent of LEP student are enrolled in a bilingual program, the rest (95 percent) already are in immersion programs.

Who supports the initiative?

Ron Unz, a Silicon Valley tycoon who wrote the California initiative, is funding the proposition in Arizona, providing 99 percent of the monetary backing for it so far. He has no background in education in general or English learners in particular. The campaign in Arizona is led by Maria Mendoza and Hector Ayala, who are both bilingual and products of English immersion, but neither of them have any experience as a teacher in a bilingual education program.

If enacted, what will it do?

Schools would be required to use a single program model for all LEP children, a nine-month English immersion program. It would eliminate parental choice and all existing programs, such as bilingual education, ESL, and IEP regardless of these programs' track record. It would also repeal existing Arizona law requiring these programs (Title 15, chapter 7, article 3.1).

Who would be affected?

Over 112,500 Arizona students currently served by bilingual education and ESL programs. School boards, administrators, and teachers would no longer have a choice as to which educational program to use. Mainstream teachers will see increased numbers of LEP students in their classrooms after the first year, teachers

without training in how to teach LEP students.

This proposition would not just affect Hispanic LEP students but all Native American students. Many tribes see the proposition as a threat to them maintaining their indigenous languages, though their being federally recognized tribes should exempt them from 203.

Are there exemptions?

The initiative permits parents to request a waiver for their children provided the parents apply in writing and in person at the school and if the child falls into one of three categories:

- 1) The child already knows English and scores above the state average for their grade level on a standardized English test (above the 5th grade level). Children with the greatest need, though, would never have the option of participating in bilingual education.
- 2) The child is ten years or older and the school principal and educational staff believe that an alternate program would better suit the child's overall educational progress and rapid acquisition of basic English language skills. The parent, however, has no input on this decision.
- 3) The child has already been placed (for at least 30 days) in an English-only classroom and has special physical or psychological needs that have been documented in writing, and both the teacher and superintendent sign the waiver application. This requires that parents and school officials certify that the child has a psychological need, and it gives the district the right to reject the waiver without explanation or appeal.

What about enforcement?

School board members and administrators may be held personally liable for refusing to implement the initiatives requirements, and they could be barred for five years from serving in an Arizona public school system.

How does the initiative relate to federal law?

After World War II, bilingual education programs were initiated when it was discovered that nonwhite children were not learning as fast as most white children because they could not understand the teacher. The U.S. Supreme Court in the *Lau v. Nichols* decision in 1974 said that schools can not expect children to learn English before they learn content. Since the one-year limit proposed by the initiative will be insufficient time for the vast majority of LEP students, they will not enjoy a meaningful access to education as required by the 1974 U.S. Supreme Court decision and Title VI of the Civil Rights Act of 1964. In addition, the state would be at risk to lose federal funds for bilingual education and other school programs.

What are the differences with California Proposition 227?

Proposition 203 is more severe and limiting than Proposition 227—it would eliminate all English language development programs lasting more than six months, and it more severely limits parents' choice than 227 by practically eliminating exemptions.

Weaknesses of Proposition 203

The initiative provides no standard or procedure for determining English proficiency, and it would eliminate the comprehensive assessment processes now in place.

It provides no method to ensure that the immersion program is properly and uniformly implemented. By contrast, under the current requirements, schools submit a comprehensive yearly report on LEP programs.

It eliminates parental input in decisions about what language program is best for their child(ren), and it does away with the authority of schools to offer programs based on the needs of individual students.

It provides no standards for teachers regarding preparation, experience, training, or certification.

The initiative focuses on learning English to the exclusion of all other academics, meaning that students in an immersion program would have to wait one year before they could learn math, science, and other subjects, putting them academically behind other students and making it difficult for them to catch up.

Success of bilingual education

Depending on their academic backgrounds, socioeconomic status, and other variables, students need three or more years to become sufficiently fluent in English and to succeed in an English-only program. Instruction in the first language does not impede acquisition of the second; in fact, it makes the process more efficient. While the “playground language” can be picked up by students in a relatively short time, learning the “academic language,” the higher-order thinking, takes 3 to 5 years to learn. Bilingual education programs are more successful than other forms of instruction in producing high academic achievement. In fact, the current trend in Arizona is that the mean scores of students in bilingual education programs are consistently higher than those in ESL programs on reading and language tests. In the past, Tucson had an immersion program from 1919 to 1967, and during that time the drop out rate never fell below 60 percent. Since the implementation of bilingual education, the drop out rate in Tucson has fallen to less than 8 percent, as compared to 17 percent for Latinos in the rest of the state.

In summary....

This initiative **eliminates parental input, school authority, and current successful programs. It limits language development and academic participation, and it ignores current data, past history, and state and national research.** Proposition 203 fails to set standards for English fluency and for teachers while eliminating existing standards, and it **flies in the face of the U.S. Supreme Court decision of 1974**, which states that schools can not expect students to learn content before language.

PROS

- English is the national language of the United States and immigrant parents are eager to have their children acquire a good knowledge of English.
- Public schools inadequately educate immigrant children, wasting financial resources on costly experimental language programs whose failure over the past twenty years is demonstrated by high drop out rates.
- Immigrant children have low English literacy levels, but they could easily acquire full fluency in English if they were heavily exposed to it in the classroom at an early age.
- A standardized, nationally-normed written test of academic subject matter will be given to students at least once a year to monitor educational progress.
- Rising test scores in California shows that immersion works.
- Arizona is home to 72 different languages and we can't offer bilingual instruction in all those languages.

CONS

- Language acquisition experts agree that children cannot become fluent enough after 175 days to compete with native speakers of English. These students would be mainstreamed prematurely and may fall further behind academically.
- The initiative creates a weaker standard for English fluency that is currently in place. Current Arizona law sets academic fluency as the goal, requiring that students have the English language skills to succeed in school. The initiative only calls for “a good working knowledge of English.”
- There is no requirement that the standardized test gauge the effectiveness of the immersion program. Also, all students will be tested based on national standards, not Arizona ones. The current AIMS test does not satisfy the requirements of the initiative, creating the need for a new testing program.
- Higher reading and language test scores for bilingual students than for immersion students shows that bilingual education does in fact work.