

# The Role of Advocacy in Shaping Immigrant Education: A California Case Study

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**Background Context:** *Throughout United States history, immigrant education has been shaped and defined by political struggles over immigration, language rights, national security, and educational equity and access. Bilingual education has become the contemporary battleground for these struggles. In 1996, in California, a struggle ensued between supporters of bilingual education and the English Only movement, culminating in a public ballot initiative, Proposition 227, designed to end bilingual education.*

**Purpose/Focus:** *This article explores the ways in which advocacy groups engage in efforts to protect immigrant students' access to, and inclusion in, schools, and how that engagement is shaped and seeks to impact on prevailing policies and ideologies.*

**Design:** *This qualitative case study is based on historical records from the Proposition 227 campaigns, analysis of media coverage, and interviews, and was written as a reflective piece by a social scientist who was active in the campaigns.*

**Conclusions and Recommendations:** *The battle over Proposition 227 was just one episode in a historically broader and deeper societal struggle between fundamentally different perspectives about the role of public schools in a diverse society. Although the explicit conflicts between English Only and bilingual education forces in California before, during, and after Proposition 227 were focused on English learner program design—the language to be used for instruction, materials, and credentialing—this was and is an ideological struggle. Advocates for bilingual education were unprepared for fighting this battle in the public arena of a ballot initiative. In the course of the Proposition 227 campaign, advocates drew lessons that informed a revised strategy: to shift the basic paradigm within which immigrant education is framed beyond the framework of civil rights and a compensatory program to redefine immigration schooling in an affirmative, additive 21st-century global vision. This*

*has resulted in a renewed advocacy movement, illustrating the role that advocacy organizations play in adapting and reshaping the dialogues and policies over immigrant education.*

Throughout the history of public schools in the United States, immigrant education has been shaped by political struggles over immigration, language rights, educational equity, and access for racial, cultural, and national minority groups, and also by issues relating to national security and foreign policy. Immigrants are, by definition, “outsiders,” and the diverse cultures, languages, and perspectives they bring as they cross borders have the potential to threaten and destabilize dominant cultural norms, as well as the economic and ideological status quo. In response, waves of language oppression and anti-immigration policies have alternated with periods of policies aimed at inclusion. Eras in which the public was convinced that immigrants could not be sufficiently assimilated into “American” ways of life featured policies to limit and control immigration. Eras of conviction that immigrants could be assimilated saw policies to enlist schools in the tasks of immigrant Americanization and incorporation. At different times, this has involved providing an explicit curriculum to Americanize immigrants, instituting policies to eradicate foreign languages and cultures, and providing more open access to promote equality of opportunity and social mobility.

In addition to carrying out these agendas, schools have also served as sites in which the nation has battled out issues of identity, diversity, and citizenship. In the last part of the 20th century, the struggle over the role of schools in mediating tensions related to immigration was framed around bilingual education. Advocacy organizations have played key roles in these battles and impacted immigrant education through groundbreaking lawsuits that engaged court intervention on behalf of civil rights, parent and community organizing for control of their children’s schooling, coalition building around bilingual education policy, and the mobilizing of educators to create bilingual programs.

California has been an important part of this history since a lawsuit filed by Chinese parents in San Francisco reached the Supreme Court in the early 1970s. The resulting decision, *Lau v. Nichols* (1974), established the responsibility of schools to take affirmative steps to ensure educational access for children who are not fluent in English. Once home of the strongest state bilingual education program in the nation, in the past two decades, California has weathered contentious and far-ranging battles over how to educate immigrants. The 1970s and 1980s were marked by major demographic changes and a new era of civil rights legislation and social programs. Schools faced new challenges in serving the rapid

and dramatic influx of immigrants. A worsening economy and the increasing ethnic and linguistic diversity of the state provided fertile ground for politicians to build their popularity by feeding on the fears of a shrinking White majority and focusing campaigns about the incorporation of immigrants on the terrain of public school policy. This was the setting for the clash between the English Only movement and the bilingual education movement in campaigns for and against Proposition 227, a ballot initiative designed to end bilingual education in California.

This chapter provides a case study of that bilingual education battle in California beginning with the two decades leading up to the introduction of Proposition 227. It describes the proposition itself, the campaign against the initiative, and the aftermath, in which bilingual education advocates sought to glean lessons from the bruising experience and to build an advocacy movement anew.

The battle over Proposition 227 was just one episode in a broader and deeper societal struggle between fundamentally different perspectives about what holds a diverse society together and what constitutes common culture. It provides a glimpse into how, in an era of backlash, school agendas grow to exclude immigrants and how advocates attempt to respond those attacks (Olsen, 1990). The Proposition 227 story illustrates the role that advocates and organizing play in establishing and protecting rights of educational access, in mediating the impacts of exclusionary campaigns and policies, and in seeking to build the programs and policies that define the experiences of immigrants in schools.

#### THE CONTEXT: THE RISE OF A BILINGUAL EDUCATION MOVEMENT

In the several decades leading up to Proposition 227, advocates focused on the legal and political systems at the federal and state levels to establish a body of law that might assure rights of educational access for racial and language minorities. The Supreme Court's ruling on *Lau v. Nichols* (1974) established the legal basis for bilingual education. In addition to federal bilingual legislation providing funding for English learner programs, 26 states enacted some form of bilingual education legislation. These were decades during which teachers and administrators experienced increasing numbers of students with whom they shared neither a language nor a cultural reference. In the context of a society that was polarized over defining the role of schools in mediating the increasing cultural and linguistic diversity, they sought to build understanding of the needs of limited English proficient (LEP) students and the capacity to respond to these needs. In a 15-year period, the number of LEP students

in United States schools tripled, to 3.1 million in 1995 (Pompa, 1998).

In the 1960s, the nation was immersed in civil rights battles around racial segregation. Issues of educational access and equity were shaped by the framework of a struggle defined by Black–White relations and the legacy of slavery. The 1964 Civil Rights Act banned discrimination in any federally funded program on the basis of race, color, or national origin. Because they received federal funding, this also applied to schools. It was an era of expanding federal social programs considered to be in the national interest, among them a host of compensatory programs designed to improve the educational performance of racial minority and poor “disadvantaged” children: antipoverty programs, youth development programs, Head Start, school lunch programs, and so forth.

Nationwide, Latino activists focused on two issues related to educational access—the very high dropout rate, and low academic achievement. Their efforts resulted, in 1968, in Title VI of the federal Elementary and Secondary Schools Act, which explicitly applied a civil rights discrimination framework to language as the proxy for national origin discrimination. This was the first federal Bilingual Education Act.

From a policy perspective, bilingual education was defined as a compensatory education program responding to a civil rights issue—a matter of overcoming a language barrier to participation in English society. As the court stated in *Lau v. Nichols* (1974), “There is no equality of treatment merely by providing students with the same facilities, textbook, teachers and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education.”

But bilingual education had, from the start, an undercurrent that went far beyond an educational program and was rooted in the politics of recognition for a growing Hispanic population (Crawford, 1992b; Moran, 1998). Access was an issue, but for advocates, bilingual education was also about language and cultural rights and recognition. The demand for native language instruction and maintenance in schools was about more than a preferred program, it was about a community’s culture and language being respected and included. It was as a symbol of rights, not just as a teaching pedagogy, that bilingual education became a major focus of political controversy (Moran).

The political winds in Washington, D.C., favored increased attention to Hispanics, who had been largely passed over by the new antipoverty and civil rights laws (Crawford, 1992a). In response, early proposals for a federal bilingual education bill focused only on Spanish-speaking children, but by the time it became law, the program was extended to all children of limited English speaking ability, with a preference given to those from low-income families.

The vehicle through which bilingual education moved forward was the civil rights framework and paradigms related to educational opportunity. Building on Title VI of Civil Rights Act of 1964, the advocacy movement for immigrant education focused on equal protection, constitutional rights applied to language (*Lau*), and educational access for the undocumented. The courts and federal law made clear that schools were to enforce equal access by providing programs for LEP students—but gave little guidance about what those programs should be. A 1970 Office of Civil Rights memorandum read, “Where inability to speak and understand English excludes national-origin minority children from effective participation in the educational programs, districts must take affirmative steps to rectify the language deficiency in order to open the instructional program to these students” (Office of Civil Rights, 1970).

“Affirmative steps to overcome language barriers” was mandated, but what was meant by “affirmative steps” was up for grabs. When the Office of Civil Rights later drafted federal “*Lau*” guidelines prescribing transitional bilingual programs for elementary schools, there was heated opposition to the emphasis on primary language instruction. As a result of the controversy, those *Lau* remedies were never accorded the weight of law and were eventually withdrawn by the Reagan administration in early 1981. This shifted the struggle to the state level, where disputes swirled over the role of home language, the amount of prescriptiveness the state ought to employ in setting programs, and requirements for teacher training and certification.

#### ADVOCACY AND THE CALIFORNIA BILINGUAL EDUCATION MOVEMENT

In California, a period of major and unprecedented immigration from all over the world initiated dramatic demographic shifts in the cultural, linguistic, and racial composition of the state that would profoundly alter almost every aspect of public life. The proportion of immigrant children in the state’s population of school-age children increased threefold in two decades—a consequence of depressed birth rates in the native-born population, coinciding with immigration from Mexico and Central America and augmented by refugees from wars in Southeast Asia (Cornelius, 1995). During the 1970s, 1.8 million immigrants came to California, more than the previous decade. This rate doubled in the 1980s and escalated further in the 1990s. These demographic shifts, which presented new challenges to public schools confronting an increasingly diverse student population, precipitated public battles over the role of schools in serving immigrants and over immigration and the

degrees of growth and diversity the state could bear. The education of immigrant children became a conflict over the use of resources, focused on bilingual education.

Because of its roots in civil rights, immigrant education advocacy in California in the early 1970s and 1980s focused on desegregation and was carried out primarily by civil rights lawyers. California Rural Legal Assistance, a legal aid organization, worked on the exclusion of undocumented children from schools and the disproportionate placement of English learners into classes for the retarded. Important legal precedents were set. Peter Roos, one of the attorneys who argued the *Plyler v. Doe* case to protect the rights of undocumented children to attend public schools, explained,

Our framework was segregation. Coming out of the civil rights movement, we thought if we could just solve segregation, other problems of poor kids would disappear. We were concerned that large numbers of kids who don't speak English were being put into "sinkholes" they never came out of. Stuck in dead-end and segregated educational programs. That was the main issue to us about immigrant education. (P. Roos, unpublished interview, July 2006)

Legal advocacy and the court decisions emanating from lawsuits played a major role in defining the educational rights and programs for language-minority students and fundamentally shaped how bilingual education was perceived and implemented (Arriaza, 1997). In the field, some schools were already building bilingual programs, and there was a small but deeply committed bilingual education movement emerging in the state that went about developing teacher training workshops (MTTI), creating various program models, and occasionally, when they could, stepping into the fray of legislative debates. Armed with "the law," they were able to convince districts to build programs for LEP students.

#### **EFFORT TO BUILD THEORETICAL FRAMEWORK AND RESEARCH BASE**

There was little research at this time on which to determine program design. Stepping outside the standard bureaucratic role of government employees, staff in the bilingual education office of the California Department of Education took the unusual step of proactively setting out to create a framework that could inform and guide the field in developing bilingual programs for LEP children. They convened researchers

who were known for their research in second language acquisition and bilingual education, and facilitated the process of hammering out applied research: what theory and second language development research had to say that might guide educators in schools. Well-known linguists, such as Stephen Krashen and Jim Cummins, each brought their own knowledge base and discipline into a dialogue that eventually distilled in a “theoretical framework.” This framework established the research foundation behind the role of the home language in the development of English, the importance of affirming children’s home culture and language as part of education, and the need for purposeful English language development (ELD; Evaluation, Dissemination and Assessment Center, 1981).

The theoretical framework was meant to be a tool to impact the field, which had little knowledge base on which to develop programs. Commissioned papers were put together into a publication. But in a climate already becoming hostile to bilingual education, the California Department of Education (CDE) got cold feet and decided not to publish the theoretical framework because of the framework’s strong support for primary language instruction. Instead, the California State University at Los Angeles stepped in and published it. Almost overnight, the theoretical framework found its way throughout the state. As one advocate explained, “Once written, we rode it as a vehicle. We talked the framework; we used the language of it everywhere we went, in whatever work we had to do we brought it with us and framed that work around the basic elements of that framework. We made it common currency in the field.”

When state CDE staff and bilingual coordinators went to school sites to monitor compliance with basic civil rights laws of access, they brought with them the framework to guide districts in designing plans to rectify and remedy lack of access. As County Office of Education staff developed and presented workshops on meeting the needs of LEP students, they now had a theoretical framework to share with the field. The theoretical framework impacted the development of state teaching credentials for bilingual educators and program development throughout the state.

The “iceberg” graphic illustrating Jim Cummins’s “common underlying proficiency” thesis and the assertion that literacy developed in one language is transferable to another became common language in the field (Cummins, 1981). The term *affective filter*, coined by Stephen Krashen, began to be heard in discussions about affirming learning environments all over the state. *Cognitive academic language proficiency* began to be cited in teacher education programs throughout California to promote intentional and dedicated ELD curriculum (Krashen, 1991).

## DEVELOPING PROGRAMS AND BUILDING RELATIONSHIPS BETWEEN EDUCATORS AND ADVOCATES ACROSS THE STATE

Federal Title VII funds became another major vehicle for building both bilingual programs and a bilingual movement. Locally, bilingual educators were largely isolated in relatively small numbers and regularly faced resistance to their work. Title VII became their lifeline. Federal Title VII funds were directed to the CDE for coordinating implementation of Title VII programs throughout the state. The implementation strategy included creating a statewide Bilingual Coordinators Network, bringing people together four times a year from the state's most impacted districts and counties. It did serve to get basic implementation information out to the field, and it also served as a way for bilingual education advocates to come together and compare notes about what they were facing in their districts, share strategies, identify common policy concerns, and plan how to work together more concertedly toward the implementation of powerful programs for English learners. These conversations frequently were the means through which emerging political threats to bilingual education were identified, major breaches of compliance were made known, and the newest research and tools were shared.

Title VII programs became the first arena within which educators who were concerned with language rights and bilingual education could come together. The early Title VII projects knit a community of shared values and fostered the will to push the state legislature on developing bilingual policy. The second mechanism developing in the state was the creation of California Association of Bilingual Educators, with annual professional development conferences to bring people together and to disseminate models and research.

By 1972, California had enacted its first bilingual education law—promoting native language instruction, calling for an annual census of non-English speakers, instituting a home language survey to identify students upon enrollment who were in need of a program, and appropriating funds for a new state program for bilingual education. There was strong opposition to the bill, arguing that state dollars and public institutions should not be used to promote languages other than English and that the state should not be prescribing program design. Teachers' unions resisted the notion that teachers would have to receive special training to teach LEP students. By this time, the bilingual advocacy movement was sufficiently strong to pass the Chacon-Moscone Bilingual Bicultural Education Act, a compromise between those who wished minimal prescriptiveness about the use of children's primary language for instruction, and those who argued for primary language literacy as a goal in

addition to English literacy. It attempted to mediate concerns over integration with the need for targeted instruction to students with limited English proficiency. It balanced the need for teachers to receive training but softened requirements by offering substantial numbers of waivers, or agreements that teachers would pursue certification requirements.

The Chacon-Moscone Bilingual Bicultural Education Act of 1976 required school districts to offer bilingual education to each pupil assessed upon enrollment as being LEP. It was the strongest state bilingual education law in the nation, but the policies established through court interventions and federal and state law were never supported adequately with the leadership or resources needed to make implementation feasible. A teaching shortage made implementation difficult, and even when sufficient teachers were available to mount a bilingual program, understanding of effective pedagogy was still largely lacking (Gandara & Sun, 1997a). Advocates began to focus on the training of teachers with the skills to teach students who were limited in English and to create a pool of bilingual educators because the lack of capacity in the field was clearly undermining the development of effective bilingual programs. Those districts, schools, and individual educators who were resistant to using a child's home language dragged their heels on hiring certified teachers.

As the number of LEP students grew in the state, and the number of teachers repeatedly fell short of the numbers needed, bill after bill was passed, extending waivers to allow existing untrained teachers to remain in the teaching force and teach LEP students without bilingual training or authorization. The quality of bilingual programs became vastly uneven. Some districts and schools boasted strong and effective programs. Many mediocre programs existed as well, barely following the model and staffed primarily by teachers ill equipped for the task. And there were some horrors—the very kind of segregation and separation into inferior schooling that civil rights law sought to end with the passage of the Civil Rights Act.

At the local level, the bilingual parent committees (English language advisory committees) established by state bilingual legislation became major advocacy forces in some districts. In Oakland, for example, after parents had filed several complaints with the Office of Civil Rights against the Oakland Unified School District for failure to implement an adequate bilingual education program as required by federal and state law, parents went to court. The case, *Zambrano v. Oakland Unified School District*, was argued by public advocates and the Mexican American Legal Defense Education Fund (two public interest legal organizations). The result was a plan requiring that students be given daily access to bilingual

instruction and that the district take steps to hire bilingual education teachers and aides for the program. But throughout the next decade, repeated violations occurred, leading at one point to the withdrawal of state funding.

By the time the 1990s rolled around, an informal “floating coalition” existed in the state on behalf of bilingual education; it included researchers in schools of education, teachers and administrators, bilingual coordinators in the field, activist parent advisory committees (ELACs), activist staff of state agencies responsible for implementation of programs for LEP students, and civil rights lawyers and advocates working on behalf of immigrant, Latino, and farm worker communities. Bilingual educators and advocates were still struggling to implement programs and policies, but their presence was felt in policy commissions, through the courts, through active county and district professional development efforts, and through teacher education programs.

Still, however, new state school reforms were designed without attention to the needs of English learners and competed with compliance mandates about serving LEP students. The resulting frustration in schools over how to serve the burgeoning immigrant population and the anxiety among the public over the new demographic realities became the backdrop for a backlash against bilingual education that would engulf the advocacy movement.

The growth of immigrant population in the state precipitated a rise of anti-immigration sentiment. In 1984, California voters approved Proposition 38, sponsored by leaders of U.S. English, putting California on record as opposed to the federal Voting Rights Act provisions for bilingual ballots. In Monterey Park, an English Only campaign was formally launched with the passage of a local ordinance leading to a statewide ballot initiative declaring English as the official language of California. It passed in 1986 by a 2-to-1 margin, feeding on fears that language diversity was contributing to the dissolution of a common culture.

The English Only campaign spread images of immigrants dragging their heels or actively resisting learning English. English, the common language, was portrayed as in danger because of immigrants who would not assimilate unless forced to do so. But for many voters, Proposition 63 was also a hopeful attempt to speed immigrant incorporation through linguistic assimilation. As one editorial in the *San Francisco Examiner* read, “The unforgettable message will be that people who want to succeed need to learn the common language, quickly and thoroughly. It is a message of practicality, not of ethnocentricity. The California majority wants to help immigrants to assimilate. . . . This is a law to help improve the melting pot” (“Prop 63 Deserves Approval,” 1986). A year later, the State

Bilingual Education Act was due to sunset. The legislature barely voted for an extension, but the governor, under pressure from a growing English Only movement, vetoed the bill. Since the sunset in 1987, not one bilingual education bill has passed.

By the 1990s, the dramatic demographic shift toward becoming a state in which no single ethnic group would constitute a majority was clear, and many sensed the inevitability of Latinos forming the majority in the future. As the overall population grew dramatically, tightening school budgets and a worsening economy helped to frame immigration as a source of added burden.

A new public ballot initiative, Proposition 187, called on California voters to endorse a measure that would bar immigrant children from receiving public services, including a public education. As one policy maker argued, with money saved by excluding undocumented children, “the state could buy computers for every fourth grader in public school.” The initiative was passed by an overwhelming margin but was struck down in 1994 by a federal court judge as unconstitutional interference with congressional power to make immigration policy. The damage was done, however. By this time, immigrant children in schools were widely perceived as a burden and a drain on the public coffers.

By 1997, 2 out of 5 schoolchildren in the state were Hispanic. To the shrinking Anglo population in California that was facing the rise of Latino numbers, bilingual education was becoming a key symbol and battleground for stopping the increasing prominence of Spanish and protecting public services and tax dollars from being wasted on “those” children.

## THE STATUS OF BILINGUAL EDUCATION

By the mid 1990s, the vast majority of California’s English learners were in English-only instruction. Only 30% of California’s English learners were in bilingual education classrooms, receiving ELD and instruction in academic subjects in their home language.<sup>1</sup>

Research on models for educating English learners began to be conducted after the passage of the federal Bilingual Education Act (Gandara & Sun, 1997b). Program evaluations provided some information on the effectiveness of federally funded bilingual programs but did not share a methodological approach, making comparison of program models difficult. Some research studies compared program models, but overall, the research base was mixed and inconclusive.<sup>2</sup> No studies had been done on the most frequently used model, specially designed academic instruction in English (SDAIE). The most cited national studies at the time included

the Ramirez et al. report, published in 1991, that compares English immersion and early-exit transitional bilingual models. Over 4 years, students demonstrated comparable skills in English (Ramirez, Pasta, Yuen, Billings, & Ramey, 1991). Similarly, a longitudinal study comparing Texas English learners in bilingual immersion and early-exit transitional bilingual programs found no significant differences in achievement in English (Gersten & Woodward, 1995). The fact that the models produced relatively the same achievement in English but bilingual programs also produced bilingualism was overlooked in a political atmosphere that focused only on the acquisition of English (Berman et al., 1992). Because Title VII required evaluations of federally funded bilingual education programs, numerous evaluation data had been collected. However, there was no consistency among them, and the quality of many of the evaluations did not stand up to the standards of rigorous research methodology.

The battle over making sense of the research centered on two meta-analyses published in the mid-1990s. In 1996, Rossell and Baker published a review concluding that structured English immersion is more effective than bilingual models in teaching English learners. Their study was followed by a similar meta-analysis conducted by Greene in 1998, reviewing the very same program evaluations. Believing that Rossell and Baker lacked rigor and consistency, Greene focused on the findings only of those evaluations that followed the achievement of English learners for more than one academic year. He concluded that the research moderately favored the use of native language instruction.

It is worthwhile to note, however, that the definition of *English immersion* used by Rossell and Baker was not the same as the 1-year structured English immersion model that would emerge as the policy choice put before voters in California 2 years later. There existed no research for either the 1-year structured English immersion model or the most frequently implemented model, SDAIE.

#### PROPOSITION 227: ENGLISH FOR THE CHILDREN

In April 1997, rumors began to circulate that an “anti-bilingual education” initiative was collecting signatures to be placed on the state ballot. Called “English for the Children,” it was designed to greatly limit the use of primary language instruction for ELs and institute instead a 1-year structured English immersion model as the policy of the state. The initiative was authored and sponsored by Silicon Valley millionaire Ron Unz, a software developer who once was a Republican gubernatorial hopeful. Setting the stage for the appeal to voters, the formal announcement of “English for the Children” was made in the context of a Latino parent

boycott at a Los Angeles elementary school that allegedly would not release children from a bilingual program. The preamble to the initiative read:

*The people of California find and declare as follows:*

- a) *Whereas the English language is the national public language of the United States and of the State of California, is spoken by the vast majority of California residents, and is also the leading world language for science, technology, and international business, thereby being the language of economic opportunity; and*
- b) *Whereas immigrant parents are eager to have their children acquire a good knowledge of English, thereby allowing them to fully participate in the American Dream of economic and social advancement; and*
- c) *Whereas, the government and the public schools of California have a moral obligation and constitutional duty to provide all of California's children, regardless of their ethnicity or national origins, with the skills necessary to become productive members of our society, and of these skills, literacy in the English language is among the most important; and*
- d) *Whereas the public schools of California currently do a poor job of educating immigrant children, wasting financial resources on costly experimental language programs whose failure over the past two decades is demonstrated by the current high drop out rates and low English literacy levels of many immigrant children; and*
- e) *Whereas young immigrant children can easily acquire full fluency in a new language, such as English, if they are heavily exposed to that language in the classroom at an early age.*
- f) *Therefore it is resolved that all children in California shall be taught English as rapidly and effectively as possible.*

Embedded in the language of the initiative is a belief in immigrant assimilation, an assertion of the preeminence of English, and the need to wrest the power to determine educational policy away from those who might victimize Latino children out of self-interest. Unz was careful to distance his initiative from the anti-immigration forces. In fact, Unz was not aligned with them. He seemed sincerely to believe in immigrant assimilation and had opposed Proposition 187, which would have denied public

services to immigrants. The thrust of his argument was rooted in the belief that public services, including education, should serve as vehicles of assimilation.

The initiative was designed to appeal to those who desired better incorporation of immigrants through the teaching of English. It fed on a sense of unease that immigrants, particularly Latino immigrants, were not assimilating quickly or thoroughly enough. The initiative referenced this as a threat and put the blame squarely on the government and the schools: “We believe that the unity and prosperity of our society is gravely threatened by government efforts to prevent young immigrant children from learning English” (*English for the Children, Ballot Initiative Proposition 227*).

Six core messages became Unz’s drumbeat over the next six months.

*(1) Bilingual education is a failed program and divisive policy.*

Proposition 227 mirrored the national rise of neoconservative ideology and the effort to roll back the commitment to social programs and civil rights that had existed in the 1970s and 1980s. The rhetoric of the Proposition 227 campaign echoed arguments used successfully against affirmative action in a ballot initiative several years earlier in California. Bilingual education, like affirmative action, was cast as a relic of a previous era, a failed social policy. The Proposition 227 campaign wrote in the official ballot argument, “Bilingual education has failed in actual practice, despite beginning with best of intentions in the 1970s. The current system fails to teach children to read and write English” (California Secretary of State, 1998).

In fact, bilingual education, the campaign argued, is the antithesis of civil rights values. According to Unz, it was the civil rights political and policy agenda that undermined those values of equity and integration by designing programs that were divisive and ineffective. Bilingual education, he claimed, is actually a form of segregation. The ballot argument in support of Proposition 227 read, “Bilingual education has created an ‘educational ghetto’ by isolating non English speaking students and preventing them from becoming successful members of society. Spanish only bilingual education is preventing children from learning English by segregating them into an educational dead end” (California Secretary of State, 1998).

*(2) Latino parents want their children to learn English but are being denied that right by bilingual programs, which continue to exist and trap children in the programs because schools get money for it and bilingual educators directly benefit.*

The campaign for Proposition 227 frequently stressed the incentives for schools to keep children in bilingual education rather than move them into an English mainstream. The ballot argument read, “The people who oppose the initiative are individuals who profit from bilingual education. Schools receive hundreds of millions of extra dollars for school children classified as not knowing English and therefore have a financial incentive to avoid teaching English to children.”

The term *bilingual education industry* became common currency over the course of the 227 campaign, along with the claim that bilingual teachers had a vested self-interest in maintaining the program because their jobs were on the table. The “bilingual education industry” also included researchers whose work supported the appropriateness and effectiveness of bilingual education. Unz was quoted in the *San Francisco Bay Guardian* (May 13, 1998): “Bilingual education is utter lunacy. All this research supporting it is utter garbage. If you want to talk to a few activists who make money off bilingual education they’ll say whatever they want. But the fact is that most people support this because they want their children to learn English” (Griswold, 1998). This seemed an attempt to discredit the very voices that might be able to speak knowledgeably on behalf of bilingual education.

The 227 campaign tried to quantify the amount of financial benefit that bilingual educators, researchers, and administrators received. Ron Unz stated in a radio interview,

I hate to say this, but I think one of the real goals of the bilingual education program in California is to keep the hundreds of millions of dollars going into that program and paying the salaries of all the bureaucrats and administrators in that program. California right now spends a minimum of between 400 million and a billion dollars a year on these programs and it goes into the pockets of people who want to maintain them. . . . We’re talking definitely about hundreds of millions of dollars going to pay the salaries of all of these bilingual education coordinators and administrators, and they certainly want to keep that system. (Owens, 1998)

This message was picked up and repeated in the national media. Throughout the campaign, Proposition 227 was positioned as a kind of populist movement of poor Latino parents and a public who were being misled and taxed for a system gridlocked by special interests that profited by preventing children from learning English.

*(3) Bilingual education is responsible for Latino school failure.*

During the 1980s and 1990s, every new governor and new superintendent of instruction in California put into effect his own school reform effort to improve the academic achievement of California's schoolchildren and to lower dropout rates. As a result, there was widespread public awareness that Latino students were persistently falling into the lowest quartiles of achievement and experiencing disproportionately high dropout rates. Erroneously equating the Latino student enrollment with English learners and mistakenly implying that Latinos were generally educated in bilingual programs, the Proposition 227 campaign placed the educational failures of Latinos in general at the feet of bilingual education. Latino students were portrayed as the principal victims, with the lowest test scores and highest dropout rates in the state—presumably because of bilingual education programs.

*(4) It is not the role of the public schools to teach home language—our job is to teach English.*

The Proposition 227 campaign was careful not to frame the initiative as anti-Spanish, but instead to assert that a child's home language was already taken care of by the family. In the language of the initiative, "they already know their native language—they need the public schools to teach them English." In debates and interviews, Unz maintained that "it isn't the duty of the public schools to help children maintain their native culture." In other words, it is not that languages other than English do not have a place in California, but that the use of Spanish and other non-English languages in the schools is inappropriate. Home language is the family responsibility.

*(5) You can learn a new language in a year if you are not being held back from doing so.*

The Proposition 227 campaign put forth the claim that children can learn a new language in a year as a kind of common-sense appeal. The ballot argument simply states that "learning a new language is easier the younger you are, and is much easier if the child is immersed in the language."

If the public accepted that claim, then clearly an educational program of language support (bilingual or not) that lasted more than 1 year was unnecessary and wasteful. Though the vast number of linguists and educators disputed this claim, the public accepted it. It underscored the

public's sense that bilingual educators were holding children back unnecessarily.

### THE CAMPAIGN AGAINST PROPOSITION 227

For 4 months, the Proposition 227 campaign's framing and arguments permeated the media and editorial boards of the state virtually without any countering. Bilingual education advocates had been caught by surprise that they were a direct target of a public ballot initiative. By the time they realized what was happening and began to respond, Unz already had set the parameters of the battle. Bilingual educators, used to functioning as advocates in the legislative, education, and policy realms, faced the wholly unfamiliar challenge of mounting a statewide "No on 227" media and ground campaign against a public referendum.

It wasn't until August 18, 1997, that a statewide "summit" in opposition to 227 was called together by California Tomorrow.<sup>3</sup> Two hundred educators, immigrant rights advocates, civil rights lawyers, researchers, and representatives of community-based organizations, major education-related professional associations, and unions came together at the Oakland Airport Hilton hotel. Participants were asked to articulate their reasons for opposition to the initiative and the common core messages for a coalition. Responses were diverse. Representatives of the teachers unions were concerned about the 227 provision allowing anyone to sue a teacher who didn't abide by the initiative's mandate of instruction "overwhelmingly in English." Educators and linguists were incensed at the assertion that most students could learn English in a year and concerned that a 1-year English immersion program would fail to give LEP students the language development support they needed. Community groups viewed the initiative as an attack on the languages and cultures of immigrant communities (California Tomorrow, 1998; Cline & Necochea, 2001). School board members and school administrators worried that the initiative represented an incursion of public opinion and inflexible state mandates into what should be local decisions about curriculum and pedagogy.

Clear on their opposition to 227 but unclear on the specific messages and core values that connected them to each other, participants left the summit not knowing how or where a No on 227 campaign would emerge. But within a month, such a campaign, calling itself Citizens for an Educated America (CEA), was formed by the California Association of Bilingual Education, the two state teachers unions (California Teachers Association and the California Federation of Teachers), California Tomorrow, Californians for Justice (a statewide youth organizing group), the Latino Civil Rights Network, and others. The No on 227 campaign

was now almost 6 months behind Unz.

Although well-implemented bilingual programs had strong support among parents and communities, poorly implemented bilingual programs were resulting in poor educational outcomes for English learners in too many places—enough to evoke public skepticism about the model. Yet many claims that the Proposition 227 initiative made about the education of English learners and about bilingual education flew in the face of research on second language development and bilingual education models. Bilingual educators found it a tremendous challenge to step into the strong framing that Unz had already established for the initiative. Unz had portrayed educators who supported bilingual education as a major part of the problem, part of an industry out for themselves who were perpetuating a failed social program that victimizes Latino children. Having named the initiative “English for the Children,” Unz put advocates into the bind of having their opposition to the initiative understood as being *against* English for children and thus invoking the already-existing biases and fears in the public eye about bilingual education as a separatist or antiassimilation movement. The coalition against 227, which comprised exactly those whom Unz had labeled the “special interests bilingual education industry,” had to find a way to oppose the initiative in a climate in which their voices were discredited and in which they were perceived as defending a failed social program.

Bilingual education is, in many ways, counterintuitive, particularly in the United States, where a strong current of English Only ideology has existed for a century. The tendency of the voters from the start was to support the initiative. Initial polls reported 69%–72% of likely voters would vote Yes.<sup>4</sup> To defeat 227, the campaign would need to educate voters throughout the state about the realities of bilingual education and what it takes for students to learn English and to cut through the pervasive paradigm that only English is needed. Geography and demography made waging a public ballot campaign on issues related to diversity in California even more difficult. California is a state of over 33 million people; to reach the voting public, a media campaign would be essential. This required money and expertise.

Like all statewide initiative campaigns in the 1990s, CEA hired a political consultant, a public opinion pollster, and a spokesperson. This was a new paradigm for bilingual advocates. The hope was to find a political campaign consultant who, according to the job description, “has experience with anti-initiative campaigns, knows education, parent choice and bilingual issues,” but many would-be political consultants were already contracted for the election, and 227 was viewed generally as a losing proposition. The campaign consultant eventually hired was experienced

in state campaigns and knew state politics but was distant from the particulars and passions of this issue. It was an uncomfortable marriage for bilingual advocates, who were fighting an initiative that most perceived as hitting at the very core of their being. But the campaign leadership felt urgency about getting the campaign moving. The California Teachers Association was the one organization with significant funds to contribute to the campaign in this early period, and it lobbied hard for this particular consultant. In October, CEA hired the campaign manager, and from that moment on, the campaign relied on the expertise of the consultant.

It was not until November 25 at a press conference in the Sacramento offices of the California Teachers Association, that Laurie Olsen and Rosalia Salinas, the cochairs, formally announced the launch of Citizens for an Educated America—the No on 227 campaign. On the advice of the consultant, the initial message was framed simply: The proposed English immersion was a one-size-fits-all solution that was not adequate for a diverse state, and the Unz plan of a 1-year English immersion programs was not sufficient to develop English proficiency (in the words of the press release, it “wasn’t even sink or swim, it was doggie-paddle or drown”).

A scramble to shape the framing and core messages for the No on 227 campaign began. Focus groups and polls of likely voters indicated that the strong support for the initiative among California voters was rooted in the requirement that all instruction be in English. Sixty-eight percent of would-be voters polled by the campaign believed that if 227 passed, a higher proportion of LEP students would learn English. Sixty-two percent agreed that the current bilingual program was a failure and that spending money on a failed program was a “huge waste of tax dollars.” The No on 227 campaign was also discovering how deeply the public equated the exclusive use of English with being a loyal American.<sup>5</sup> In a report to the CEA executive committee, David Binder (1998) summarized the poll findings with this statement: “There is one thing the voters want, for everyone to speak English.”

Gender and party affiliation were significant factors. Republican men were the strongest supporters of Prop 227; Democratic women were least likely to support it. Economic status was also a key element. Survey respondents with household incomes over \$60,000 were more than twice as likely to oppose bilingual education as those with incomes below \$20,000. Among Latinos, the vote was close in middle-class communities, but Prop 227 was losing nearly 3 to 1 in working-class communities. The public’s perception, framed by a Latino parent boycott at a Los Angeles elementary school that opened the 227 campaign, was that Proposition 227 was exactly what Latino parents wanted for their children. However,

Binder (1998) concluded from the polls and focus groups, "Available data suggest that recent immigrants with children in bilingual education were far more likely to oppose Proposition 227 than others" but were far less likely to vote.

The voters in California differed substantially, both from the demographics of the state as a whole and from the language-minority communities and immigrant families impacted by the issue of bilingual education. In fact, the majority of likely voters did not have children in the public schools. A comparison of the ethnic composition of California voters to enrollment in public schools portrays the disjuncture between those making educational decisions through the public ballot process, and those being affected by those decisions (Baldassare, 2002; see Table 1).

Table 1. Comparison of public school enrollment with California voters by ethnicity, 1997-1998 school year and 1998 election).

	School Enrollment	California Voters
White	38.8	74
Hispanic	40.5	14
Asian	8.1	6
Black	8.8	7
Other	3.8	1

This increased the trend of voters viewing the initiative as a largely symbolic measure.<sup>6</sup> Unz traveled the state, consistently on message. The No on 227 campaign found itself constantly in a reactive and defensive position. Although most major newspapers eventually took a No on 227 position editorially, the news articles and general coverage tended to repeat Unz's arguments uncritically. In addition to the "common sense" notion that learning English is not really that hard (anyone can do it in a year) and the claim that bilingual educators were holding students back in a kind of ethnic ghetto because of personal financial incentives, most of this coverage repeated statistics and arguments that were misleading.

At the heart of the Proposition 227 frame was the single statistic repeated over and over: that only 5% of English learners actually become fluent in English, which was framed as a 95% failure rate. This claim was based on taking the state's redesignation rate out of context. Even Unz admitted that the 95% failure rate was not accurate, and he was at one point quoted in the press as saying, "I have no claim that the numbers are realistic or accurate." For bilingual educators to explain why it was a meaningless interpretation of redesignation rates, however, was difficult. It meant that people needed to understand that immigration was increasing the pool of English learners (the denominator used to determine the

rate), so larger numbers each year were not a good indication of how many students had been in programs for a sufficient length of time to learn English. Second, it meant that the public needed to understand that the great majority of English learners were not in bilingual classrooms at all and that the redesignation rate lumped together students of all different programs. Third, the redesignation criteria were based not on students' development of general oral fluency in English, but academic English sufficient to participate in English-taught academic content—a process that linguists generally agree can take 4–7 years. Finding ways to turn these arguments and clarifications into digestible sound bites was difficult for educators and researchers who had the tendency to get into complexities rather than sound bites.

Moreover, few schools with bilingual programs actually had data they could produce about the impact of their programs. Although the field could espouse a theoretical framework for bilingual programs, and research on the effectiveness of the approach existed overall, there was little useful data on impacts of actual programs in California. The realities of the teaching shortage and the resulting lackluster implementation of bilingual programs also meant that although there were thriving and well-supported bilingual programs, there were also mediocre programs, and some that were inexcusably bad. Generally, teachers were not sufficiently conversant about the research or about their own evidence of student success to be able to explain it to the public. Administrators did not have the strategies or skills to use the media to share what they knew about teaching and learning. Immigrant parents were wholly outside the political process, and in California, as many as a third to a half are estimated to be undocumented. In contrast to the catchy sound bites of the “Yes” campaign, the arguments of bilingual advocates and researchers were too complex and nuanced to be conveyed clearly to the public through the media.

Another claim that the No on 227 campaign had to refute was that Latino parents do not want their children in bilingual programs. This claim was based on a single much-quoted (and misquoted) poll statistic: that 83% of Latino parents wanted their children in English-only programs. The actual poll had asked, “Which of the following do you most prefer for teaching students who speak limited English?” From the responses offered to the question, 57% of Latino parents chose “mostly English with some help in their native language”; 26% chose “only in English as soon as they enroll in school”; and 17% chose “native language until they are ready to learn English.” In fact, only one in four wanted English-only programs.

The lack of well-organized immigrant parent groups left Unz's claim

that he spoke on behalf of Latino and immigrant parents unchallenged. And although parents were involved in the No on 227 campaign, particularly on the ground, the media persisted in portraying the opposition to 227 as coming from the “bilingual industry.” Civil rights groups within the Latino community were equally discounted. One typical editorial read, “The initiative goes overboard, but just as telling, the chief defenders of bilingual ed in recent years have not been parents, but Latino activists and CABE, the lobby of teachers, counselors and professional associations of bilingual education” (Schrag, 1997).

Eventually, the polls convinced the CEA board that the strongest hope for defeating 227 was to find ways to get swing voters to oppose the initiative. Focus groups and polls identified some issues that could effectively convince such voters to oppose 227: Voters did not like lawsuits against teachers, and they were opposed to mandating one program and teaching method. In general, the public also opposed spending more state money, and the initiative would appropriate \$50 million a year for 10 years for community-based adult English as a second language education (Binder, 1998).

For bilingual advocates, the thought of running a statewide campaign based on opposition to funding for adult English education and to state mandates was problematic. The bilingual education field had relied on the intervention of courts and federal and state governments to get local districts to provide access to English learners. To now argue for local flexibility was difficult. This was the first signal to the executive committee that the challenges of this campaign would go beyond getting out information about bilingual programs. With the mantra of all campaigns, “stay on message,” Citizens for an Educated America generally swallowed and fell in line.

With a close eye on the polls and focus groups, the political consultant advised that a statewide media campaign could not take on all the complexities of the arguments needed to disassemble Unz’s frame. Media messages needed to be simple and directed at the swing voters and what would move them. This was conventional campaign practice. Out of their league in a media campaign, bilingual advocates accepted the advice. Midway through the campaign, the cochairs issued a carefully worded internal statement:

The Unz camp is seeking to capitalize on public discomfort with the use of a child’s home language in schools—making this a referendum on bilingual education. Every poll that has been done has indicated clearly that as long as the public sees it as a referendum on bilingual education, Unz will win hands down. This

state is not going to vote yes on bilingual education within six months. (Olsen & Salinas, 1998)<sup>7</sup>

The media spots purchased for the duration of the campaign stayed “on message,” speaking not to bilingual education issues but rather to the “one size fits all” mandate in the initiative and the cost to the public. In media appearances, advocates were advised to stay on message, but in the ground campaign, issues of bilingual education were still the primary focus. This split strategy resulted in tension between the state-level media campaign and the grassroots ground campaign (Crawford, 1997).

In their local work, campaigners spoke openly and passionately about the importance of home language to families and about why bilingual education mattered to them. In San Francisco, for example, the “No on 227” T-shirt read in eight languages, “Language is Power! One way to degrade a people permanently is to destroy their language! Families, Teachers and Community for Bilingual Education—Resist 227.” Thousands of students walked out of schools in the Bay Area protesting 227. Anti-227 rallies were held throughout the state. In many locales, videos were produced of local bilingual programs that seemed to be working, featuring satisfied parents and children. Local campaigners wanted CEA to produce precinct sheets, lawn signs, and buttons. But the money was not sufficient to run both a ground campaign and a statewide media campaign—and the ground campaign was left without sufficient supplies. Some charged CEA with a defeatist strategy; others charged local ground campaigns with lack of discipline for going “off message.” The resultant splits would have reverberations throughout the bilingual education movement for years.<sup>8</sup>

The polls did start to shift, however. By the end of March, 2 months before the election, 54% of likely voters were supporters of 227, 31% were opposed, and 32% were undecided. But after hearing about what was actually contained in the initiative, this shifted. Forty-five percent of likely voters said they would vote “Yes” for 227, 39% would vote against it, and 6% were undecided after hearing arguments. The push to buy more media spots intensified. So did the ground campaign and the phone banking.

By March, all four major candidates for governor had come out against Proposition 227. President Clinton took the unusual step of weighing in on state education policy and spoke out against 227. Hundreds of school boards and school district leaders throughout California passed resolutions and statements against the initiative. Most editorial boards of newspapers came out in opposition to Proposition 227, mostly because they felt a ballot initiative was not the right way to make educational policy.<sup>9</sup>

But none of this was enough. The deeper ideological and demographic split in California was moving close to the surface.

In the end, 61% of voters approved 227. The issue on most voters' minds was not "Does bilingual education work or not?" Exit polls found that 65% of Proposition 227 voters agreed with the statement, "If you live in America, you should speak English" (Schmid, 2001). In large part, people were voting according to two sides of a deep fissure in the state over the increasing presence of Spanish speakers, the growing minority proportion of the population, and the need of many to affirm English as the core of what holds the state together. But 63% of Latino voters had voted against it, and 52% of African American voters opposed it ("Exit Poll," 1998). Democrats voted more "No" than "Yes."

In a concession statement issued the night of the election, the CEA campaign returned to the issues that were in bilingual education advocates' hearts.

Our opposition was always based on our belief in the rights of parents to decide on the educational program for their children. Our opposition was always anchored in our understanding that 180 days of English will not be enough for the full English fluency required to fully participate. We sought to defeat 227 out of a commitment to fight for the full access of English Learners to a quality education. Our opposition was . . . about the importance of teachers being able to use the full professional toolbox of teaching strategies that will help all children learn English. The commitments that led to our opposition to 227 have not diminished. We have new challenges before us, but we have strong and new relationships built through this campaign to help us meet those challenges. (Olsen & Salinas, 1998)

Because the California vote might be a test case for similar initiatives in other parts of the nation, the Proposition 227 battle was carefully watched. The night before the election, a *Milwaukee Journal Sentinel* editorial stated,

California residents will vote on an initiative today that would virtually abolish programs in bilingual education and English as a Second Language. In their place would be an untested, one-year intensive English class for limited English speakers. Educators are bracing for the worst fearing a ripple effect should the initiative be approved by voters. The California initiative comes at a

time when bilingual programs in Milwaukee are flourishing (1998).

The *Seattle Times* wrote, “If California’s voters tomorrow approve a controversial measure to end bilingual education in the public schools, it could spark efforts to pass similar laws in this state.”

In Washington, D.C., members of Congress braced for a debate over federal bilingual education programs. The newspaper *Education Week* reported from Washington at the end of May,

California’s heated debate over bilingual education echoed in the halls of Congress last week. Even as House Republicans started work on a bill that would mandate a major overhaul of federal bilingual education programs to emphasize English language instruction, six GOP Senators planned to introduce a resolution calling for Americans to learn more than one language and for immigrants to retain their native tongues. The debate will likely come to a head after California voters decide whether to replace nearly all-bilingual education in the state with “Sheltered English Immersion.” A victory of the anti-bilingual education ballot measure would give the House bill the momentum it needs to get through the legislative process before Congress adjourns in the fall. (1998).

The aftershocks came quickly (Schultz, 1998). After the win in California, the anti-bilingual education effort spread, with initiatives in Massachusetts, Colorado, and Arizona (Welner & Escamilla, 2002). In California, within a few years, bilingual programs were largely dismantled (now fewer than one in 12 English learners receives home language instruction or support); misinformation about the research on home language instruction and bilingual education became established as common sense; and services for English learners dwindled. Limited English proficient students became known as English learners, and the EL issue at the policy level became narrowed to simply “learn English.”

#### AFTERMATH OF THE CAMPAIGN: ADVOCATES FACE THE LOSS

Within days after the election, legal challenges were filed. The summer of 1998 was a time for reflection and healing. Activists and parent and community groups that had been involved in the No on 227 campaign came together at the Granlibakan Retreat Center in California. The purpose was “to provide an opportunity for people to come together for

reflection with others who have been deeply involved in the struggle to protect/preserve/further bilingual education in California; to share what we learned from the efforts to further an agenda for access; and to begin to shape strategy for the future.” The subtext of this gathering, according to notes from one of the planning sessions, was to assert that there would be a future for the bilingual movement and that despite splits and differences during the campaign, advocates could and would again be united.

It was a diverse gathering and represented the many sectors of the bilingual education movement.<sup>10</sup> The retreat provided a place in which people could voice their disappointments and draw lessons. By the time the retreat ended, it was clear that a new political coalition and new set of strategies would emerge. The relationships and the lessons learned by advocates through the painful experience of the Proposition 227 battle would become the basis of a new coalition and a new thrust of advocacy.

A lawsuit was already under way. Peter Roos, a lawyer from Multicultural Education Training Associates (META) who, even before the election, was preparing the lawsuit that would challenge Proposition 227 in court, said, “We’d seen the writing on the wall before the election. It was a vote about a program for a small group of people who are low status in California. We never expected the public to vote to support bilingual education. The research is too complicated, and the White population in the state is threatened by changing demographics. We took a look at that and concluded that there wasn’t much of a chance of winning against Unz, but maybe we would be able to knock it out in the courts” (P. Roos, personal communication, August 1998).

There was widespread consensus among advocates that one clear lesson from the Proposition 227 experience was that bilingual education advocates needed to be more formally organized and skilled at moving an agenda in a political arena; they should never again be caught unprepared to mount a quick political response. In 1999, a new coalition, Californians Together, was formed out of the relationships forged during the No on 227 campaign. Recognizing that the isolation of bilingual educators was part of the problem in battling 227, the new coalition purposely set out to engage more parent groups from throughout the state, community organizers, and mainstream educators, in addition to the civil rights groups, bilingual educators and advocates already at the table.<sup>11</sup>

The political atmosphere for immigrant education post-227 was worsening. Over the course of the next few years, emboldened by the passage of Proposition 227, English Only forces in the state went on to attack ELD programs that provided “special” services to English learners in an attempt to weaken credentialing requirements related to bilingual and

cultural competencies and to deny resources to those bilingual programs that still remained in the state. The strategy of the English Only forces was to claim victory by citing the improved achievement of English learners since Proposition 227 based on selected testing data and altered definitions of *proficiency*. The refrains that “bilingual education is a failed program,” “the voters in 227 were right,” and “English immersion works” were echoed by the media.

Californians Together responded with traditional advocacy strategies such as lawsuits, compliance complaints, action alerts, mobilization, and legislation to intervene and mediate when educational access was threatened. Using the strength of new alliances, the coalition was able to mobilize parents to go to Sacramento, to generate hundreds of letters from educators, and to analyze data and issue press releases. Through those strategies, some battles were won and some lost.

The coalition’s agenda included a strengthened relationship to the Latino Caucus in the legislature, lawsuits against the California Department of Education to enforce basic civil rights of access, forums for educators and parents on emerging research and effective instructional practices, and draft legislation designed to strengthen English learner programs. Although still characterized by some as a special interest, the coalition emerged as a familiar force and source of English learner expertise in state policy dynamics—dynamics characterized thusly by the chair of the Assembly Education Committee in her message to the annual CAFE conference: “Make no mistake, when it comes to English Learners in Sacramento, there is a war going on” (Goldberg, 1998).

## DISCUSSION

Five years after Proposition 227 changed public policy in California, research evidence became available to refute the claim that the one-year structured English immersion program was superior to bilingual education. The California legislature had commissioned a 5-year evaluation study of the impacts of Proposition 227. The final report, released in 2006, showed that the achievement gap between English learners and English Only students had remained constant. Proposition 227 did not improve the outcomes (Parrish, Perez, Merikel, & Linqanti, 2006). The National Literacy Panel on Language Minority Children and Youth extensively reviewed all research on literacy approaches and concluded that the development of oral proficiency and literacy in the first language facilitates literacy development in English:

The research indicates that instructional programs work when they provide opportunities for students to develop proficiency in their first language. Studies that compare bilingual instruction with English-Only instruction demonstrate that language minority students instructed in their native language as well as in English perform better, on average, on measures of English reading proficiency than language minority students instructed only in English. (August & Shanahan, 2006)

A synthesis of the research on effective reading programs for English learners conducted by Slavin and Cheung (2003) similarly found that native language instruction can be beneficial. And yet, the damage had been done. Doubts that a research base exists for bilingual education persist among educators and in the media.

Although the explicit conflicts between English Only and bilingual education forces in California before, during, and after Proposition 227 were focused on program design, language of instruction, materials, and credentialing, this was and is an ideological struggle. The ideological “package” behind Proposition 227 and the English Only movement in California draws on several elements that appear in various combinations in specific political and policy contexts: English is the marker of citizenship and loyalty to the United States; acquisition of English is more important than any other skill or knowledge for immigrants; targeted support programs and social programs are costly, unnecessary, unfair to others, and ineffective; civil rights laws and compliance apparatus are an intrusion of government from above, tying the hands of local systems and professionals who should be free agents; and diversity is divisive and balkanizing. The ideology feeds on and fosters a set of popular beliefs: Immigrants aren’t sufficiently assimilating; in school, the more English the better, and time taken for instruction in any other language undermines or weakens the learning of English; an immigrant can learn English quickly if he or she is motivated (sometimes immigrants need incentives to become motivated) and immersed; in the United States, you don’t really need a language other than English, and if you decide you want to keep a home language, that is a private matter; and bilingual education doesn’t work and is a form of segregation.

The policies that derive from this ideology include an accountability system in California based on tests only in English, and the Proposition 227 provisions that instruction should be overwhelmingly in English and that English language arts programs designed for English-fluent students are sufficient for English learners with very few adaptations.

For bilingual education advocates, the ideological frame is about

respect for, and inclusion of, diverse cultures and languages and about equal educational opportunity. Their advocacy for bilingual education had been deeply rooted in the civil rights paradigm of the 1960s and 1970s that defined the educational task for immigrants as learning English and overcoming the language barrier. Although language was the proxy for culture, and language access was defined as the issue in bilingual education, the bilingual education movement at its heart was also about cultural inclusion and political recognition of a minority group. As long as the paradigm remained focused on the civil rights of access, compensatory transitional and language programs were sufficient. The civil rights and access paradigm allowed for the solution to be “learn English,” or replace home language with English.

That approach fit the immigrant education paradigm of the 19th and early 20th century, when immigration was about leaving a homeland and its identity behind to become American. Moran (1998) characterized this “immigration model” as being about assimilation and conformity to dominant norms. But that paradigm was not sufficient for a movement that was about protecting and affirming the languages and cultures of immigrants and about incorporating them into the mainstream of U.S. life. The honoring and preservation of culture cannot be solved with transitional efforts. It requires a different understanding of what it means to be an immigrant.

Ideological battles call for a different kind of strategy. In this case, it is necessary for bilingual education advocates to shift the basic paradigm, within which immigrant education is framed beyond the framework of civil rights and a compensatory program, to redefine the immigration paradigm and to assert the value of diversity and an affirmative, additive vision. There is evidence of increasing efforts to do so.

Californians Together has set a vision of biliteracy for all as one of its goals. The coalition sponsored legislation to create a Seal of Biliteracy to go on the diplomas of students throughout the state who graduated with mastery of two or more languages. Efforts have begun in several counties to build schools and programs that implement the commitment to biliteracy for all. The City of San Bernardino declared itself the first “Official Bilingual City: a City that Celebrates Multiple Languages and Cultures.” Despite the prevailing English Only political climate and the impacts of Proposition 227, some schools have designed curricula aimed at developing bilingual and cross-cultural competencies for all students. The dual-language immersion model of bilingual education has grown from a few programs to hundreds across the nation (Center for Applied Linguistics, 2002).

In a rejection of the transitional and either-or polarization (English or

home language), the new paradigm posits “both/and.” It proposes culture and language as assets for children and families, two languages as better than one, and cross-cultural competencies as necessary for all students in a 21st-century global society. The vision behind it, supported by new brain research about the cognitive benefits of bilingualism, also asserts the unifying aspects of multilingualism as an alternative to the Tower of Babel evoked by English Only forces. Information on global job markets and on corporate preferences for employees who are bilingual and have cross-cultural competencies is more widely recognized now, as is the basic research on effective instructional strategies. Advocates pose bilingual education as a forward-looking 21st-century vision rather than an old-school failed social program. To reach the public with this new view, advocates include communication strategies in their arsenal of advocacy toolkits.

Whether the new strategy catches on, advocates may be setting the parameters of a new kind of direct confrontation between two conflicting ideologies about America as a diverse nation. It may be that this will continue to be an era in which English Only forces prevail, and the public school system will continue as the means of enforcing a single cultural model and single language on the peoples of this nation. Perhaps because of the war on terror and the challenges of incorporating still-increasing immigration, Americans will once again come to the conclusion that immigrant assimilation and incorporation are not possible and that immigrants are a threat to our cultural survival, and the focus will shift from education to restrictive immigration policy. But advocates for immigrant inclusion, for language and cultural rights, and for democratic participation of diverse communities have made their presence felt in California. Perhaps the new advocacy strategy and paradigm borne out of the bruising battles over Proposition 227 may prevail and define a new inclusive model of what schools can be for a diverse America.

### *Notes*

1. According to the California Department of Education Annual Language Census (R-30), 11.4% were receiving just English language development (ELD) and mainstream English-taught classes, 21.8% were receiving ELD and specially designed academic instruction in English (SDAIE), 21.7% were receiving ELD and SDAIE with some home language support, and 29.1% were in bilingual classrooms.

2. The National Research Council (NRC) conducted a review of the research on English learner programs in 1997. The review reported significant limitations with the existing research studies, calling the research base “mixed and inconclusive.” The NRC found it difficult to synthesize conclusions related to effectiveness of various program models based on existing evaluations and reported that there was not yet enough information to deter-

mine with confidence which program models were more effective.

3. California Tomorrow is a nonprofit organization dedicated to building a fair and inclusive multicultural society. Their research and technical assistance role in helping schools address the needs of immigrant students positioned them to be a statewide convener of people engaged in bilingual education.

4. Polls conducted by David Binder and Associates for the No on 227 campaign and the California Field Poll in November 1998 established the range.

5. In his exploration of middle-class Americans, social critic Alan Wolfe (1996) found that when given a series of statements about the obligations of citizenship (voting, keeping informed, serving in war, and so forth), being able to speak and understand English was placed second in importance.

6. Rachel Moran, analyzing the Proposition 227 struggle several months later, wrote, "Those who speak English fluently saw the [Proposition 227] debate primarily as a referendum on the role of English in the assimilation of immigrants" (1998).

7. Four years later, when Colorado faced an almost identical antibilingual education initiative and campaign run by Ron Unz, the No on Amendment 31 campaign reached the same difficult conclusion. Staying on message, not engaging or responding to Ron Unz and his framework, also became the mantra on the advice of their political consultant firm. An article on that battle read, "Discipline included staying on the message, not engaging and responding to Ron Unz, and ignoring overtly racist comments that were frequently leveled at opponents of Amendment 31. Evidence of discipline in the campaign was seen from the Latino community, who agreed early on not to focus the campaign on Mexican, Latino or immigration issues. After the election, Ramon del Castillo wrote: 'One of the major differences between Latino activists and the consultants was how the struggle was perceived. Latino activists perceived the struggle as one of historical and linguistic survival, the battle in a larger cultural war. The consultants viewed it as a political battle. . . . However, once we gave our word to the campaign, it was never broken'" (Escamilla, Shannon, & Garcia, 2003, p. 17). Colorado defeated the antibilingual education initiative.

8. Colorado's campaign against Amendment 31 experienced a similar split in the ranks. "Challenges to our resolve to be disciplined came not only from the supports of Amendment 31, but also from people in the field of bilingual education and ESL. We were criticized at various points in the campaign for not publicly defending bilingual education and for the nature and content of our television ads" (Escamilla et al., 2003, p. 17)

9. This included the *San Diego Union-Tribune*, the *Stockton Record*, the *Sacramento Bee*, the *San Jose Mercury News*, the *San Francisco Examiner*, and the *Los Angeles Times*. However, editorial positions did not seem to impact the news reporting, which remained heavily biased toward Proposition 227.

10. Leaders of the Citizens for an Educated America campaign were there. Researchers and academics included Eugene Garcia, Kenji Hakuta, and Stephen Krashen. Civil rights attorneys included Mario Blanco from the Latino Civil Rights Network, Theresa Fay-Bustillos from MALDEF, Pauline Gee from California Rural Legal Assistance, Peter Roos from META, and others. Legislative lobbyists included Peter Schilla from the Western Center for Law and Poverty, and Martha Zaragoza-Diaz from CABLE. Community groups were represented, including Christina Wong from Chinese for Affirmative Action; Gabriel Medel from Padres Unidos represented some of the most active pro-bilingual parents, and Eric Mar, Jesus Solorio, and Mamie Chow from the San Francisco No on 227 campaign attended.

11. The coalition includes the Asian Pacific American Legal Center, the Association of Mexican American Educators, the California Association for Bilingual Education, the California Latino Civil Rights Network, California Teachers of English to Speakers of Other

Languages, California Tomorrow, Chinese for Affirmative Action, the League of United Latin American Citizens, the National Council of La Raza, Parents for Unity (Padres Unidos), META, California Rural Legal Assistance, the National Council of La Raza, Asian Pacific Americans Legal Center, Chinese for Affirmative Action, California Tomorrow, the Latino Civil Rights Network, the California Teachers Association, the California Association for Teachers of English as a Second Language, Padres Unidos (Parents for Unity), the Center for Language Minority Education and Research, the Parents Institute for Quality Education, EJE (an immigrant parents group in San Diego), and others.

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