



English Language in Public Schools. Initiative Statute.

Official Title and Summary Prepared by the Attorney General

ENGLISH LANGUAGE IN PUBLIC SCHOOLS. INITIATIVE STATUTE.

- Requires all public school instruction be conducted in English.
- Requirement may be waived if parents or guardian show that child already knows English, or has special needs, or would learn English faster through alternate instructional technique.
- Provides initial short-term placement, not normally exceeding one year, in intensive sheltered English immersion programs for children not fluent in English.
- Appropriates \$50 million per year for ten years funding English instruction for individuals pledging to provide personal English tutoring to children in their community.
- Permits enforcement suits by parents and guardians.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Impacts on individual school districts would depend on how schools, parents, and the state respond to the proposition's changes. These impacts could vary significantly by district.
- Requires state spending of \$50 million per year for ten years to teach tutors of limited English proficient students. Total state spending on education, however, probably would not change.

Analysis by the Legislative Analyst

BACKGROUND

California's public schools serve 5.6 million students in kindergarten through twelfth (K-12) grades. In 1996-97, schools identified 1.4 million, or 25 percent, of these students as "limited English proficient" (LEP). These are students who cannot understand English well enough to keep up in school. Eighty-eight percent of the state's schools had at least one LEP student, and 71 percent had at least 20 LEP students.

Under current law, schools must make their lessons understandable to LEP students. To help schools address the needs of these students, the State Department of Education created guidelines for the development of local LEP programs. These guidelines state:

- The main goal of all programs is to make LEP students fluent in English.
- Programs must allow LEP students to do well in all school work. In some cases, this means teaching some subjects to LEP students in their home languages.
- Schools must allow all LEP students the option of being in bilingual programs. A bilingual program is one in which students are taught both in their home language and in English.
- Schools must allow parents to choose whether or not their children are in bilingual programs.

How Are Students Currently Served?

Schools currently use a range of services to help LEP students (1) learn how to speak, read, and write English; and (2) learn academic subjects (such as math, reading, writing, history, and science).

Services to Help Students Learn English. Almost all LEP students get special services to help them learn English. These services are often provided during a part of the school day, separate from lessons on regular academic subjects.

Services to Help Students Learn Academic Subjects. Most LEP students receive special help in their academic subjects in one of two basic ways:

- **Lessons That Use Special Materials.** About 40 percent of all LEP students are taught their academic subjects in English. The class materials and teaching methods for these students, however, are specially designed for students who do not speak English well.
- **Lessons That Are Taught in Students' Home Language.** About 30 percent of all LEP students are taught some or all of their academic subjects in their home languages. These are what people usually refer to as bilingual classes.

The remaining 30 percent of LEP students do not receive special help in their academic subjects. This is either because they do not need it or because the school does not provide it. These students are taught their academic subjects in regular classrooms.

How Long Do Students Receive LEP Services?

State guidelines say that schools should give LEP students special services until (1) they can read, write, and understand English as well as average English speakers in their grade; and (2) they can participate equally with fluent speakers in the classroom. Schools report that LEP students often receive special services for many years.

How Are LEP Services Funded? The state currently provides over \$400 million in special funds for students—both LEP and non-LEP—who need extra help to succeed in school. These funds are known as “compensatory” funds. Schools report that the majority of this money is spent for LEP students. In addition, schools may spend federal and local funds for special services for LEP students.

PROPOSAL

This proposition significantly changes the way that LEP students are taught in California. Specifically, it:

- Requires California public schools to teach LEP students in special classes that are taught nearly all in English. This would eliminate “bilingual” classes in most cases.
- Shortens the time most LEP students would stay in special classes. The initiative states that: (1) LEP students should move from special classes to regular classes when they have acquired a good working knowledge of English and (2) these special classes should not normally last longer than one year. This would eliminate most programs that provide special classes to LEP students over several years.

Exceptions. Schools would be permitted to provide classes in a language other than English if the child’s parent or guardian asks the school to put him or her in such a class *and* one of the following happens:

- The child is at least ten years old and the school principal and teachers agree that learning in another language would be better for the child.
- The child has been in a class using English for at least 30 days and the principal, teachers, and head of the school district agree that learning in another language would be better for the student.
- The child already is fluent in English and the parents want the child to take classes in another language.

If a school lets 20 or more LEP students in a grade choose to take their lessons in a language other than English, then the school must give such a class. If there are not 20 students or more, then the school must let the students go to other schools that have classes in those languages.

Funding Provisions. The initiative requires the state to provide \$50 million every year for ten years for English classes for adults who promise to tutor LEP students. In addition, the measure requires that any special funding currently spent on LEP students be maintained, if possible.

FISCAL IMPACT

School Costs and Savings

This proposition would result in several fiscal impacts on schools.

Savings. By limiting the time LEP students can be in special classes generally to one year, the initiative would reduce the number of special classes schools would have to offer. This could result in major savings for schools.

Costs. The proposition could also result in new costs to schools, for a number of reasons. For instance, the one-year special classes could be more expensive than existing classes if schools provide more intensive services. Schools may also need to give LEP students extra help in academic subjects once they are moved to regular classes if they fall behind other students.

Distribution of “Compensatory” Funds. The state provides “compensatory” funds to schools based in part on the number of LEP students. The proposition would likely reduce the number of students who are considered LEP at any given time. As a result, state funds would be allocated differently—some schools would get more compensatory funds and others would get less.

Net Impact on Schools. We cannot predict the proposition’s net impact on schools. It would depend in large part on how people respond to its passage, including:

- Parents’ decisions on the types of services they want for their children.
- Schools’ decisions on the types and levels of services provided to LEP students.
- State decisions on the allocation of “compensatory” funds it currently provides to schools with LEP students.

The net impact could vary significantly by individual school.

State Fiscal Effects

Under the proposition, the state would spend \$50 million each year for ten years for English classes for adults who promise to tutor LEP students. This provision, however, probably would not change total state spending for schools. (This is because the level of state spending for K–12 schools is generally based on a formula in the Constitution.) As a result, the costs to the state of this provision would likely reduce spending on other school programs by a like amount.

For the text of Proposition 227 see page 75



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Argument in Favor of Proposition 227

WHY DO WE NEED TO CHANGE CALIFORNIA'S BILINGUAL EDUCATION SYSTEM?

- Begun with the best of intentions in the 1970s, bilingual education has failed in actual practice, but the politicians and administrators have refused to admit this failure.
- For most of California's non-English speaking students, bilingual education actually means monolingual, SPANISH-ONLY education for the first 4 to 7 years of school.
- The current system fails to teach children to read and write English. Last year, only 6.7 percent of limited-English students in California learned enough English to be moved into mainstream classes.
- Latino immigrant children are the principal victims of bilingual education. They have the lowest test scores and the highest dropout rates of any immigrant group.
- There are 140 languages spoken by California's schoolchildren. To teach each group of children in their own native language before teaching them English is educationally and fiscally impossible. Yet this impossibility is the goal of bilingual education.

COMMON SENSE ABOUT LEARNING ENGLISH

- Learning a new language is easier the younger the age of the child.
- Learning a language is much easier if the child is immersed in that language.
- Immigrant children already know their native language; they need the public schools to teach them English.
- Children who leave school without knowing how to speak, read, and write English are injured for life economically and socially.

WHAT "ENGLISH FOR THE CHILDREN" WILL DO:

- Require children to be taught English as soon as they start school.
- Provide "sheltered English immersion" classes to help non-English speaking students learn English; research shows this is the most effective method.
- Allow parents to request a special waiver for children with individual educational needs who would benefit from another method.

WHAT "ENGLISH FOR THE CHILDREN" WON'T DO: It will:

- NOT throw children who can't speak English into regular classes where they would have to "sink or swim."
- NOT cut special funding for children learning English.
- NOT violate any federal laws or court decisions.

WHO SUPPORTS THE INITIATIVE?

- Teachers worried by the undeniable failure of bilingual education and who have long wanted to implement a successful alternative—sheltered English immersion.
- Most Latino parents, according to public polls. They know that Spanish-only bilingual education is preventing their children from learning English by segregating them into an educational dead-end.
- Most Californians. They know that bilingual education has created an educational ghetto by isolating non-English speaking students and preventing them from becoming successful members of society.

WHO OPPOSES THE INITIATIVE?

- Individuals who profit from bilingual education. Bilingual teachers are paid up to \$5,000 extra annually and the program provides jobs to thousands of bilingual coordinators and administrators.
- Schools and school districts which receive HUNDREDS OF MILLIONS of extra dollars for schoolchildren classified as not knowing English and who, therefore, have a financial incentive to avoid teaching English to children.
- Activist groups with special agendas and the politicians who support them.

ALICE CALLAGHAN

Director, Las Familias del Pueblo

RON UNZ

Chairman, English for the Children

FERNANDO VEGA

Past Redwood City School Board Member

Rebuttal to Argument in Favor of Proposition 227

Several years ago, the 1970's law mandating bilingual education in California expired.

Since then local school districts—principals, parents and teachers—have been developing and using different programs to teach children English.

Many of the older bilingual education programs continue to have great success. In other communities some schools are succeeding with English immersion and others with dual language immersion programs. Teaching children English is the primary goal, no matter what teaching method they're using.

Proposition 227 outlaws all of these programs—even the best ones—and mandates a program that has *never* been tested anywhere in California! And if it doesn't work, we're stuck with it anyway.

Proposition 227 proposes

- A 180-day English only program with no second chance after that school year.
- Mixed-age classrooms with first through sixth graders all together, all day, for one year.

Proposition 227 funding comes from three wealthy men . . . one from New York, one from Florida, and one from California.

The New York man has given Newt Gingrich \$310,000!

The Florida man who put up \$45,000 for Proposition 227 is part of a fringe group which believes "government has no role in financing, operating, or defining schooling, or even compelling attendance."

These are not people who should dictate a single teaching method for California's schools.

If the law allows different methods, we can use what works. Vote NO on Proposition 227.

JOHN D'AMELIO

President, California School Boards Association

MARY BERGAN

President, California Federation of Teachers, AFL-CIO

JENNIFER J. LOONEY

President, Association of California School Administrators

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Argument Against Proposition 227

Proposition 227 imposes one untested method for teaching English on every local school district in California.

Proposition 227 puts limited English speaking children of all ages and languages into one classroom.

The California PTA opposes Proposition 227 because it takes away parents' right to choose what's best for their children.

The California School Boards Association opposes Proposition 227 because it *outlaws the best local programs* for teaching English.

California's teachers oppose Proposition 227—teachers can be *sued personally* for teaching in the children's language to help them learn English.

Outlawing decisions by parents, teachers, and school boards on how to teach children English is wrong.

Children in California must learn English.

In thousands of classrooms all over California, they are. Good teachers. Good local school boards. Good parent involvement.

Those successes are not the result of one instructional method imposed on every school by state government.

Sadly, there have been failures too. However, these failures can best be remedied by reasonable program changes that maximize local control.

California should be returning more decisions to parents, teachers, principals, and local school boards.

A growing number of school districts are working with new English teaching methods. Proposition 227 stops them.

The San Diego Union-Tribune Editorial said it best: "School districts should decide for themselves."

We urge you to join us, the California PTA, the California School Boards Association, and California's teachers in voting "NO" on Proposition 227.

JOHN D'AMELIO

President, California School Boards Association

MARY BERGAN

President, California Federation of Teachers, AFL-CIO

LOIS TINSON

President, California Teachers Association

Rebuttal to Argument Against Proposition 227

The arguments against Proposition 227 were signed by leaders of organizations whose members receive HUNDREDS OF MILLIONS OF DOLLARS annually from our failed system of SPANISH-ONLY bilingual education.

Because they can't defend bilingual education, they have resorted to attacks that are FACTUALLY WRONG.

Proposition 227:

- *Doesn't* impose an untested method of teaching English. Our method *has* been used successfully in the U.S. and worldwide.
- *Doesn't* eliminate choice or impose a single approach. Today, California schools are forced to use bilingual education despite parental opposition. We give choice to parents, not administrators.
- *Doesn't* require schools to mix together children of different ages. We allow such combined classes where necessary at the school's discretion, such as in rural areas with few students. This is *no different* than current law.
- *Doesn't* prohibit teachers or students from speaking

another language in class. This initiative only requires that school instruction be primarily in English. Teachers can still use some of the child's native language. Foreign language programs remain completely unaffected.

- *Doesn't* allow teachers to be sued for speaking a foreign language. Parents may only sue those who "*willfully and repeatedly*" refuse to obey the law and teach children in English.
- *Should* save huge amounts of money. Although we maintain *per capita* spending on English learners, once these children are quickly taught English and moved into regular classes, this extra funding ends.

The opposition's only true statement is that children must learn English. The current system fails to do this. Change is necessary.

JAIME A. ESCALANTE

East LA Calculus teacher portrayed in "Stand and Deliver"