

Q&A on California Bilingual Education Issue
January 31, 1998

Background

The Administration has strongly supported the federal bilingual education program, which permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. We proposed a 27% increase in bilingual education for FY 98, protected it in the balanced budget agreement, and secured it in the House and Senate-passed appropriations bills. Our FY 99 budget will include another increase of over \$30 million for the bilingual program.

In June 1998, Californians are expected to face a ballot initiative to abolish bilingual instruction for public school children in the state, requiring that most instruction be conducted only in English. The idea has support from many conservatives and, polls indicate, many in the Latino community and other minority groups, who are frustrated with what they see as an ineffective approach to learning English. The California GOP endorsed the initiative at the end of September. However, the ballot initiative is vehemently opposed by many Latino leaders, who strongly support bilingual instruction and see the initiative as an attack cut from the same cloth as Propositions 187 and 209. The state's largest teacher organization recently has announced its opposition, as well. Meanwhile, Speaker Gingrich has recently called for an end to bilingual education.

Q. What is the Administration's view of bilingual education and do you plan to intervene in California or campaign on behalf of bilingual education?

A: It is very important that all students become proficient in English. That is the language for success in school, and for success in life. New immigrants and other students whose native language is not English need extra help in order to learn to speak, read and write in English. The federal bilingual education program is designed to do exactly that. It permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. We are gathering more information on the California initiative as events develop. However, the Administration supports the approach of the federal program, which permits a variety of different instructional strategies.

Questions and Answers on Bilingual Education

January 20, 1998

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Q. What is your Administration's view of bilingual education?

- A.** It is very important that all students become proficient in English. That is the language for success in school, and for success in life. New immigrants and other students whose native language is not English need extra help in order to learn to speak, read and write in English, and we should give them that help. The federal bilingual education program is designed to do that. The program permits a variety of different approaches to helping students master English, including both English immersion instruction.

Q. Will the national tests be made available in bilingual versions?

- A.** The purpose of our proposed national test is to test student proficiency in reading *in English*, not general reading comprehension. Therefore, there are no plans to develop a national reading test in other languages, although the National Assessment Governing Board will be making appropriate accommodations for students whose native language is not English.

By 4th grade, U.S. students need to have mastered basic English reading skills in order to begin to learn other subjects. I realize that there are students who have developed strong reading skills in their native language -- and that's great because those strong reading

skills will transfer over to another language. However, the purpose of the voluntary national tests is to encourage all students to meet the same high standards of reading in English -- so that is the skill that these tests will be designed to measure.

Q. Does the Administration plan to intervene in California or campaign on behalf of bilingual education?

A. We are gathering more information on the initiative as events develop. I don't think it would be appropriate for me to say more at this time, before the people of California have had any real opportunity to consider and debate the issue. My Administration does support the approach of the federal program, which permits a variety of different strategies for English language instruction.

Questions and Answers on Bilingual Education

January 19, 1998

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Q. Will the national tests be made available in bilingual versions?

A. The voluntary national tests consist of a 4th grade test of reading in English and an 8th grade test of mathematics. We have proposed a bilingual (Spanish and English) version of the 8th grade math test -- because that test is designed to measure mathematics, not language skills. However, the purpose of the 4th grade test is to test student proficiency in reading *in English*, not general reading comprehension. Therefore, there are no plans to develop a national reading test in other languages, although the National Assessment Governing Board will be making appropriate accommodations for students whose native language is not English.

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UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

NO. 0524 1. 1
Bilingual
Comments
provided by me

FAX TRANSMITTAL

TO: Alison B. / Mire Cohen

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Our mission is to ensure every child is educated and to ensure everyone understands the power of learning.

Q & A on Bilingual Education

Q. Mr. Secretary, what are your views on bilingual education?

The very first purpose of bilingual education is to teach young people English. A second very important purpose is to make sure they keep up their academic skills in subjects like math and science. This second purpose is very important to remember when it comes to older students in middle school and high school.

But helping young people master the English language is what any good bilingual program is all about. Immigrants come to America to get good jobs and give their children a better chance. Learning English is the first step to being part of the American Dream. We also have new evidence that a language barrier can lead young people to drop-out of school at a higher rate. So it is very important to make sure that students are learning to speak ^(and think) in English. ^{few write}

^{by the} Good bilingual programs are closely monitored to show progress. They ^{emphasize} ~~have a double emphasis~~ on the mastery of English and ^{keeping up} academic skills. They are flexible to give parents a choice of options. And they are researched based.

Students in bilingual classes should be improving every year. In fact, they ought to be tested every year to make sure that they are learning English. If a bilingual program can't demonstrate that ^{it is} ~~they are~~ moving young people into regular classes with the skills they need in a timely way then ^{it} ~~they~~ need to take a good hard look at what is being accomplished. ^{ought to be changed -}

Q. What is the federal government doing when it comes to bilingual education?

Federal bilingual programs are voluntary and the demand for additional bi-lingual support is actually growing. Congress, with my full support, increased bilingual and immigrant education funding by 35% -- \$354 million. This increase will allow school districts to teach English as a second language to more than a million additional children and train 4,000 teachers to help ~~this process along~~. One of the current problems we have with teaching children English as a second language is the lack of qualified teachers.

We have an ongoing evaluation underway of ^{local program supported by Dedicated Bilingual Funds} ~~the federal bilingual effort~~ and we should have the first results in the Spring. I want to make sure that young people are learning English, keeping up their academic skills, and getting the full support that they need to move into mainstream classes as soon as they can.

Let's also remember that children learn at different speeds. Some children might be able to move into regular classes after one year, others in two years, and some may take longer. So we ought to keep the focus on the needs of each individual child.

William J. Jeter

Q. Has the President taken a position on the California bi-lingual initiative sponsored by Ron Unz?

No, not at this time.

Q. Mr. Secretary, do you have an opinion about whether the Unz initiative is good or bad?

I have not taken a position on the bilingual ballot initiative in California at this time. Ultimately, the people of California are going to have to decide and you always need to read the fine print.

[It seems to me, however, at first glance that this initiative does seem to limit the choices and options that parents are given. Some parents, for example, want a strong English only focus -- what educators call sheltered immersion. That's fine if that is what the parents want and the program produces results. Other parents are very eager for their children to ~~participate in full immersion classes where children learn two languages at the same time.~~ There are young people growing up all over America who are already fluent in two languages and I think that is a very good thing. So I think it is very important to give parents ~~both options and other choices as well.~~

Q. If the Unz initiative passes will federal funds be cut off?

No. Federal funds will not be cut off. We fund close to \$200 million a year for bilingual education programs and about 40% of that goes to California. English only programs are in fact funded using federal funds. ~~Our~~ program is quite competitive, however, and the lack of a choice in a California bilingual programs may put California programs at a disadvantage when it comes to competing with other states for the limited amount of federal funds. Texas, New York, Oklahoma, Illinois and New Mexico are some of the other states that are quite eager for federal bilingual funding.

Q. Do you have an opinion on the one year time frame that is at the heart of the Unz initiative and would you care to comment on the recent statement by Newt Gingrich that children should be taking all of their classes in English no later than the 4th grade?

Children ~~should not linger~~ in a bilingual program. ~~When they are ready to go into a regular classroom -- after one year of bilingual instruction or two years or four -- they should start taking all of their classes in English. I think the decision should be based on what is best for each child. That requires bilingual programs to have a strong and effective process to make sure young people get reclassified appropriately.~~ *should not linger there as soon as*

~~I respect Mr. Gingrich's opinion about making sure children in bilingual classes are learning English in a timely manner. And he is quite right in saying that English is "common, commercial language of America." Every child needs to learn English as soon as possible and let's remember that children are very eager to learn English. [I think, however, that we need to keep the focus on what is best for each child. As I said before, children learn at different speeds and we need to give parents as many options as possible.]~~

67. Associated Press

11-14 4:11a Category: Local

UT Law School unveils news admissions criteria

By RENAE MERLE

Associated Press Writer

AUSTIN (AP) - The University of Texas' law school has revamped its admission policy again, this time identifying applicants from socioeconomically disadvantaged backgrounds.

It is the latest attempt by the school to counter the effects of an appeals court ruling banning affirmative action from admissions decisions.

"We very much hope that we are able to increase minority enrollment," said Cynthia Estlund, associate vice president for academic affairs at the law school. "But we can't tell ahead of time what change the new admissions policy is going to make."

Under the new policy, released Wednesday, Law School Admissions Test scores and undergraduate grade point averages will still be considered along with several new factors, including a "commitment to public service, leadership."

The criteria includes an essay about personal challenges or disadvantages faced. "We are expanding our vision of what is important for future lawyers," she said.

Any distinct experiences that are not already "well-represented in the student body" also will be considered in the application process, in addition to

whether an applicant is from an underserved region of the state or has a socioeconomically disadvantaged background.

"There is a sense that all regions of this state are not well represented in this school," she said.

The new criteria will be considered for applicants to fall 1998.

In 1992, four law school applicants sued after they were denied admissions, while minorities with lower test scores were admitted. They claimed that the law school's affirmative action policies constituted reverse discrimination.

The U.S. 5th Circuit Court of Appeals agreed in a decision known as Hopwood sending minority enrollment plummeting.

This fall's freshman class includes four blacks and 26 Mexican Americans. That is compared to the 31 blacks and 42 Mexican Americans that were admitted last year.

"We're hoping to end up with a more diverse class," Estlund said. "But this just one of many ways."

She added that the law school is also hoping to see results from beefed up minority recruitment efforts.

"We have been trying to respond to the concerns inside the law school and outside the law school about what we're doing," she said.

The effects of Hopwood also are

being felt across the state as minority enrollment at Texas' four public law schools declined 23 percent for blacks and 19 percent for Hispanics.

"The new UT law school admissions criteria for 1998 is definitely a good start and a step in the right direction," said Rep. Kino Flores, D-Mission. "UT must build on this to ensure that access to higher education reaches everyone in Texas."

Flores has pushed for a new law school branch at the University of Texas-Pan American that would allow law students to complete two years in Edinburg, then finish at the UT law school in Austin.

Vincent Lazaro, general counsel for the Hispanic Association of Colleges and Universities, said he congratulates the law school on its efforts.

"However it is not going to accomplish what needs to be done," Lazaro said. "It is not going to achieve the level of diversity that was at the law school before the decision."

He said any improvements in minority enrollment would be marginal. "But anything will certainly be better than the numbers that we saw during the first year of Hopwood," Lazaro said.

Lazaro added that the emphasis on socioeconomic background is futile. "It is not interchangeable with race not should it be," he said. ■

68. Associated Press

11-14 6:33a Category: Local

Bilingual education opponents turn in first of ballot-qualifying signatures

LOS ANGELES (AP) - Advocates of English-only instruction in California schools turned in their first batch of what they claim are more than 700,000 signatures supporting a ballot measure to remove bilingual instruction from state education.

Millionaire businessman Roy Unz, author and sponsor of the proposed initiative, and co-sponsor Gloria Matta Tuchman, an Orange County schoolteacher, displayed more than a dozen cartons of petitions Thursday,

which were later handed to the Los Angeles County registrar of voters.

"We're advocating common sense," said Unz, a software entrepreneur. "We're advocating teaching English to the children as quickly as possible when they start school."

The removal of bilingual education has sparked furious debate. In California, schools must teach English to non-English-speaking students while learning math, science and other subjects in their own language, if necessary. About 25 percent of California

schoolchildren - 1.4 million - are not proficient in English. Most of these speak only Spanish.

The proposal sponsored by Unz and Tuchman, dubbed "English for the Children," would end financing for bilingual education, which cost the state \$319 million last year. The proposal would virtually ban immigrant pupils under age 10 from learning in their native language, favoring a method called "English immersion."

Children not fluent in English would receive about a year of special help and

CA Bilingual initiative

then move into mainstream classes. The plan would also hold teachers and school officials liable for violating its provisions and calls for the state to spend \$500 million to tutor adults in English.

Earlier this month, 86 percent of voters endorsed a plan to remove bilingual education in the Orange Unified School District. The Nov. 4 vote was considered a barometer measuring support and opposition of the program.

Unz and Tuchman's proposal is well-financed, with supporters raising

\$470,000 for the campaign, including \$270,000 Unz loaned himself, state records show.

Other backers include conservative groups including \$48,000 from Fieldstead & Co., an Irvine group linked to Christian conservative causes; \$1,000 from Nobel Prize-winning economist Milton Friedman; \$10,000 from the Jacobs Engineering Group of Pasadena; and \$25,000 each from Florida businessmen Harry Teasley and William A. Dunn.

Unz's opponents concede his measure will probably qualify for the June ballot but promise the initiative will suffer a resounding defeat.

"How truthful are those signatures when people have been told, 'Do you want your children to learn English?' Who wouldn't sign that?" said Maria S. Quezada, president of the California Association for Bilingual Education. "I think that's fraudulent. It's based on very false misconceptions and representations of the program." ■

69. The Daily Oklahoman

November 13, 1997

3 Cited Schools Say They Left Loan Program

By Jim Killackey
Education Editor

Officials from three Oklahoma post-secondary schools cited by the U.S. government Wednesday for having unacceptably high student loan default rates say they already have left the loan program.

The schools that had a default rate of more than 40 percent in 1995 are Central State Beauty Academy, Oklahoma City, 100 percent; Central Oklahoma Area Vocational-Technical School, Drumright, 50 percent; and CC's Cosmetology College, Hugo, 47 percent.

The owner of Central State Beauty Academy disputed the government's figures, saying that his school had two of 40 students default in 1992, the last year the school participated in the program.

A school's 100 percent default rate "is impossible ... ridiculous," Harold Fisher said Wednesday.

Schools "have no control over the loans, but the defaults reflect back on us," said Judy Robinson, Drumright vo-tech assistant superintendent.

She said the vo-tech dropped out of the federal student loan program in 1993. The school was cited because two of four students defaulted on loans in 1989 and 1990, Robinson said. The school still is eligible for federal grants, which do not require repayment.

CC's College in Hugo stopped using student loans two years ago. "Schools don't borrow the money, students do," said owner Chiquita Carter.

She said some graduates of her school are working, but won't repay the loans.

Carter said the state should do a better

job of enforcing a 1996 law that revokes or suspends professional licenses and commercial driver's licenses of defaulted borrowers who do not have an approved payment plan in place.

The federal government gets its default data by focusing on borrowers scheduled to begin their loan repayments in 1995 and who defaulted in that year or 1996. Students have 10 years to pay off the loans.

Colleges, universities, and trade schools whose students have default rates of 25 percent or more for three straight years may be cut off from student loan programs. Schools with a one-year default rate of more than 40 percent may face cutoff of restrictions, as well.

Borrowers who default on federally guaranteed loans face repercussions, including the withholding of federal or state income tax refunds, wage garnishments, reports to credit bureaus, and litigation.

Oklahoma's student loan default rate is 12.4 percent, with an average default of \$3,500.

The national average default rate is 10.4 percent.

State regents' officials said Wednesday that Oklahoma's current 12.4 percent default rate had dropped from 19.8 percent in 1991. The national default rate was as high as 22.4 percent in 1990.

Higher education Chancellor Hans Brisch noted Wednesday that default rates for guaranteed loans continue to drop despite a 44 percent increase in the Oklahoma student loan volume: from \$184.9 million in 1989 to \$266.6 million

in 1995.

Since 1966, Oklahoma students have defaulted on some 44,500 government-guaranteed loans worth \$155 million. More than \$1.5 billion has been loaned to Oklahoma students in the past 31 years.

Default Rates

The following are public and private post-secondary institutions in Oklahoma and their federal student loan default rates for 1995. The default rate is the percentage of federal student loan recipients at the school who defaulted in the first or second year of repayment:

East Central University, Ada, 10.9.
Aladdin Beauty College 9, Altus, 26.0.
Western Oklahoma State College, Altus, 20.3.
Northwestern Oklahoma State University, Alva, 8.9.
Oklahoma Northwest Area Vocational-Technical School, Alva, 14.3.
American Beauty Institute, Ardmore, 0.0.
Southern Oklahoma Area Vocational-Technical Center, Ardmore, 36.8.
Bartlesville Wesleyan College, Bartlesville, 7.0.
Tri-County Area Vocational-Technical School, Bartlesville, 0.0.
Southern Nazarene University, Bethany, 8.8.
Southwestern College of Christian Ministries, Bethany, 21.9.
University of Biblical Studies and Seminary, Bethany, 0.0.
Broken Arrow Beauty College, Broken Arrow, 8.0.
Western Oklahoma Area Vocational-Technical School, Burns Flat, 5.3.
Aladdin Beauty College 12, Chickasha, 35.5.
University of Science and Arts of Oklahoma, Chickasha, 11.8.
Eastern Oklahoma County Area Vocational Center, Choctaw, 0.0.
Claremore Beauty College, Claremore, 24.2.
Rogers University, Claremore, 13.2.
Central Oklahoma Area Vocational-Technical School District, Drumright, 50.0.
Red River Area Vocational-Technical School, Duncan, 28.6.
Southeastern Oklahoma State University, Durant, 13.7.
University of Central Oklahoma, Edmond, 9.2.
Canadian Valley Vocational-Technical School, El Reno, 8.3.
Redlands Community College, El Reno, 21.8.
Enid Beauty College, Enid, 10.1.

24. Education Week

October 15, 1997

Plan To Curb Bilingual Ed. Progresses in Calif.

By Lynn Schnaiberg

In what would be the latest in a series of emotionally charged ballot measures in California, an initiative that would severely curtail bilingual education in the state's public schools seems almost certain to go before voters in June.

Launched by a multimillionaire businessman and an Orange County elementary school teacher, the "English for the Children" initiative is well on its way toward meeting a Dec. 1 deadline for collecting the 433,269 signatures needed to place it on the ballot.

The debate over the proposal is already heating up and seems likely to draw the national attention received by successful initiatives in recent years aimed at illegal immigrants and affirmative action in the state. ("Judge Rejects Prop 187 Bans on

Calif. Services," Nov. 29, 1995 and "Anti-Preference Measure Sparks Competing Suits," Nov. 13, 1996.)

And it comes at a time when bilingual education in California and beyond is under fire from critics who charge that students are not learning English well or fast enough in such programs.

The initiative's sponsors believe the best path to academic achievement for language-minority students in most cases is to learn English and learn it quickly. Too many bilingual programs, they say, shunt those students into slower learning tracks where they rarely learn sufficient English and from which they may never emerge.

And, they argue, their measure will place the key decisions in the hands of parents instead of educators.

But bilingual education's supporters

argue that students can best keep up academically with their English-speaking peers if they are taught at least partly in their native languages while learning English.

In general, the proposed initiative would require that students be taught in English, and it sets out the conditions under which parents could choose a bilingual education program. Students with limited English skills would be taught, in most cases, for no more than a year in special English classes before moving into the mainstream.

Although many education leaders and groups have not yet taken a formal position on the initiative, it appears likely that it will face opposition from the state's school boards' organization, the 270,000-member California Teachers Association, and the state's elected schools chief.

77. Washington Times

December 4, 1997 Category: Commentary

Piscataway payoff

By Suzanne Fields

THE WASHINGTON TIMES

The bad fortune of the Piscataway school directors was that they got into affirmative action a little deeper than they wanted to, and their good fortune was that they found the money to buy themselves out of it.

The rest of us can't do that.

A lot of people, black and white, can only shake their heads at this squandering of good money and good intentions. We can understand why the Piscataway directors didn't want to be the guinea pigs paraded before the U.S. Supreme Court, but raising the money — much of it from civil-rights organizations — to pay \$433,000 to a white teacher who was fired to make room for a black teacher was the wrong way to do it.

"If only they could have raised this kind of money to actually help minority communities, rather than to buy themselves out of a losing case," says Roderick Conrad, director of Project Twenty-One, a black conservative think tank.

That kind of money, nearly a half-million dollars, could have endowed a lot of scholarships for poor children in Piscataway, a New Jersey suburb of 50,000. Or it could have paid for a lot of child care workers in understaffed day care centers for the underclass. Many of the children helped would have been black.

This large sum of money, raised by civil rights groups who were afraid the Piscataway case was exactly what the

Supreme Court was waiting for to dismantle the racial goals-and-quotas superstructure of affirmative action, was actually received from corporations who want to be protected from affirmative action lawsuits. Some of them imagine that contributing to the "solution" would protect them from the attention of civil-rights organizations later.

How the money was raised also suggests questions about the degree to which blacks themselves support this questionable cause. In 1994, when the National Association for the Advancement of Colored People (NAACP) became suspicious of the way Benjamin Chavis, its executive director, handled more than \$3 million, the organization hunkered down in hopes the matter would go away. It didn't, and the NAACP responded only after the Ford Foundation withheld a major grant, forcing it to put its financial affairs in order.

Peter Skerry, writing in the *Wilson Quarterly*, questions why civil rights groups often find themselves dependent on "outside" white establishment money and support when they boast of having a broad political base in the black community. Might it be because these black constituents do not see this "leadership" producing the direct benefits they want, and deserve?

"The lack of strong, organized bases of support also helps explain why black leaders have been willing to dilute their historically unique claims on the American conscience by accepting

women, Hispanics, and the handicapped as equal claimants for the benefits of affirmative action," writes Mr. Skerry. "Deprived of the organizational resources formerly available to leaders that allowed them to discipline as well as reward constituents, minority leaders today resort to rhetoric and ideology to enforce conformity."

That's why Kweisi Mfume, president of the NAACP, was able to say that the Piscataway case was "never about affirmative action." This line of argument was echoed this week by Edward Eodice, who has been on the Piscataway board of education longer than anyone else. The directors wanted to settle, he says, not because of philosophical and political considerations, but because they were trying to avoid the heat of confrontation and protracted and expensive litigation.

"We were never out to be the slayers or the saviors of affirmative action," he told the *New York Times*. "It was about what we believed in for our school district and the impact it would have on our town."

Robert DePaul, another director who voted to take the money and run to a settlement, agrees: "Here was an opportunity to get rid of this albatross around our necks. We don't need any more disruptions."

No doubt. But to try to distance the settlement from the cutting edge of the affirmative-action controversy reminds me of Tweedledee's definition of logic: "If it was so, it might be; and if it were so, it would be; but as it isn't, it ain't." ■

78. Los Angeles Times

* 12/04/97; Edition: Valley Edition; Section: Metro; No Desk; Page B-1

A Failure to Communicate on Bilingual Ed

By SCOTT HARRIS

Recess was over and the kindergartners in burgundy and gray plaid were having too much fun as they scurried back into Room 11. Bilingual education teacher Karen Schwartz raised her voice above the din: "I really like the way Gustavo is sitting with his book and reading so quietly."

The positive reinforcement was delivered in English, as are many other

lessons in this class filled with pupils who speak Spanish at home. Here at the storied Vaughn Next Century Learning Center in Pacoima, Los Angeles' most acclaimed charter school, there are 10 kindergarten classes taught on seven different levels, according to students' familiarity with English.

The idea is to group pupils with the right teachers. A quick tour reveals "limited English proficiency" (LEP)

students in a "full immersion" class in which no Spanish is used; a bilingual class where kids get some lessons in English but are already starting to read in Spanish; another in which a native Spanish speaker with an emergency teaching credential leads pupils who've had the least exposure to English. The lesson here is very basic: "Uno, dos, tres. . ."

In this classroom, especially, are some

of the kids Principal Yvonne Chan worries about. If the so-called "English for the Children" initiative becomes law—if they are tossed into the deep end of a one-year English immersion class—some will swim, she says, but others may sink into special education, branded as dummies.

"Define to me what bilingual education means," she says. "Nobody gives me identical definitions. So how can you tell me it doesn't work?"

*

So is Chan saying bilingual education works? The answer isn't as simple as yes or no—which, alas, is all the choice voters may have next June.

Chan is worth listening to. Considering the honors Vaughn has received under her leadership, she might be the closest thing Los Angeles has to Jaime Escalante, the calculus teacher of "Stand and Deliver" fame who now serves as honorary chairman of the anti-bilingual education campaign launched by software entrepreneur Ron Unz.

Like Escalante, Chan is an immigrant who has achieved the status of folk hero educating students in a poor Latino community. Like Escalante, she has a dynamic, outspoken manner that has helped make her a media darling. And as with Escalante, her accolades have spawned resentment among some of her fellow educators.

Some, no doubt, were glad to see her halo knocked askew when a recent review of standardized tests at Vaughn found what appeared to be an unusually high number of erasures on some tests. (A preliminary investigation exonerated the school of any cheating on the English version of the tests. A review of the Spanish-language tests continues.) But if you saw "Stand and Deliver"—and if not, rent it tonight—you'll recall that

Escalante weathered a test-score controversy of his own.

Other test results, meanwhile, have shown Vaughn generally outperforming neighboring schools and climbing closer to national norms despite the community's poverty and low education level. This shouldn't be surprising. Vaughn, which under the charter program manages its own budget, has added 20 days of instruction to the school year and has dozens of parents pitching in as volunteers.

Chan, like Escalante, emphasizes the importance of teaching English. And she doesn't agree with critics who are quick to label the initiative as racist or xenophobic. Reform in bilingual education, she says, is long overdue.

While Escalante has lent considerable prestige to the anti-bilingual campaign, it's worth remembering that he is a high school math teacher. Unz's academic specialty was theoretical physics. Chan, who came to the United States from Hong Kong as a young woman, brings to the debate broader experience and greater expertise.

She speaks four languages. She has observed the workings of bilingual education as a classroom teacher, a district administrator, an assistant principal and a principal. She's administered bilingual programs as dictated by the Los Angeles Unified School District and by the different policies adopted under Vaughn's charter.

"I'm not an expert in bilingual education," she says, "but I'm an expert in dealing with the struggles of bilingual education."

L.A. Unified, she says, has generally done a poor job of bilingual education, for various reasons. A child's progress, she believes, is too often slowed by a shortage of qualified teachers and the resulting inconsistency. A funding

formula that provides extra money to schools for its LEP students, she says, should be revamped to create a funding incentive for mainstreaming LEP students.

Vaughn is now revising its charter so that teachers would earn bonuses for advancing students out of the LEP classification. And while the LAUSD has a goal of mainstreaming LEP students during the fifth grade, Vaughn's target is the third grade. This is why, Chan says, Vaughn's fourth-graders fared poorly in recent tests. Many are Spanish speakers making the transition to classes taught exclusively in English.

The anti-bilingual initiative, meanwhile, envisions "English immersion during a temporary transition period not normally intended to exceed one year."

Chan doesn't see much wiggle room in that sentence.

"One year," she asserts flatly, "isn't enough."

*

Exactly how Vaughn would be affected if the anti-bilingual initiative becomes law isn't clear. Charter schools have limited autonomy; some state laws apply, some don't. A press secretary for the initiative campaign says charter schools would "probably" be exempted. A spokesman for the state Department of Education says the initiative language still needs to be studied.

Amid all the confusion and worry, Chan finds herself wondering why state legislators concerned about bilingual education haven't stepped forward with an alternative plan to guide a program that nobody knows how to define.

"Is it too late? I don't think so," she says. "Something needs to be done."

Scott Harris' column appears Tuesdays, Thursdays and Sundays. ■

79. Slate Magazine

December 4, 1997

Blacks Only

A simple, honest solution to the affirmative-action puzzle.

By Jacob Weisberg

The debate about affirmative action is usually cast as a fight between conservatives who wish to abolish the policy and liberals who want to keep it.

That is a misunderstanding. The argument is actually between conservatives who want to remodel affirmative action and liberals who want to conceal it.

Even those conservatives deemed the most extreme on issues of race, like Charles Murray and Dinesh D'Souza, do not favor doing away with affirmative action. Rather, they propose to base it on

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Calif. bilingual education foes seek vote

LOS ANGELES - Opponents of bilingual education submitted petition signatures Thursday for a ballot initiative that would dismantle virtually all the bilingual classes in California and require that children be taught in English.

Leaders of the English for the Children campaign said they have collected more than 720,000 signatures. Only 433,000 signatures are required to qualify the measure for the June 1998 ballot.

If California's voters support the initiative and eliminate bilingual education, "there's a good chance that within two years bilingual education will be no more than a bad memory around the country," said Ron Unz, a Silicon Valley businessman who is spearheading the campaign.

The initiative would require that children be taught in English unless a parent requests bilingual instruction. Even newly arrived immigrant children would have only one year of "sheltered English" instruction.

Currently, students with limited English skills are taught primarily in their native languages, with perhaps one class daily in English, until teachers say their English is good enough for them to be mainstreamed, which can take years.

Among the harshest critics of bilingual classes are some Spanish-speaking parents who say their children are routinely tracked into such classes and never master English.

The initiative already enjoys overwhelming support among all races, income levels, ages and political leanings. A Los Angeles Times poll last month found 80% in favor; there was a slightly higher margin of support among Hispanic voters.

Unz recruited as the campaign's honorary chairman the famed high school teacher Jaime Escalante. His success teaching calculus to poor Hispanic high school students in East Los Angeles was celebrated in the movie *Stand and Deliver*.

Escalante, who emigrated from Bolivia at 32, favors all-English

instruction, he said Thursday, because "school prepares you for life. You educate yourself to integrate in this society. The way you do that is learning English."

Theresa Bustillos, a lawyer with the Mexican American Legal Defense and Educational Fund, which opposes the initiative, said that putting students with limited English abilities into mainstream classes means they "are going to fall behind academically in math, science and social studies."

By Carol Morello, USA TODAY

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Information about California Requirements for Limited English Proficient Students

Office of Bilingual Education and Minority Languages Affairs

California Law

- The California Bilingual-Bicultural Education Act of 1976 was sunsetted on June 30, 1987.
- The former State Bilingual Education Act established specific bilingual program requirements for identification, instruction, staffing assignments, classroom composition, reclassification and parent involvement.
- California currently has no existing requirements for bilingual education of its own. On July 14, 1995, the State Board of Education (SBE) adopted a policy statement on educational programs and services for Limited English Proficient (LEP) students. The policy is not binding on school districts.
- However, Section 62002 states that if the Legislature does not enact legislation to continue a program listed in The Bilingual-Bicultural Education Act of 1976, "the funding of that program shall continue for the general purposes as specified in the provisions relating to the establishment and operation of the program." The funds shall be used for the intended purposes of the program. There are eight intended purposes:

- ▶ The primary goal of all (bilingual) programs is, as effectively and efficiently as possible, to develop in each child fluency in English.
- ▶ The program must provide equal opportunity for academic achievement, including, when necessary, academic instruction through the primary language.
- ▶ The program must provide "positive reinforcement of the self image of participating children".
- ▶ The program must promote "cross-cultural understanding".
- ▶ California school districts are required to offer "bilingual learning opportunities" to each pupil of limited English-proficiency enrolled in the public schools."
- ▶ California school districts are required to "provide adequate supplemental financial support" in order to offer such bilingual learning opportunities.
- ▶ Insofar as the individual pupil is concerned participation in bilingual programs is voluntary on the part of the parent or guardian."
- ▶ School districts must "provide for in-service programs to qualify

What SBE
is using for
its compliance
monitoring

existing and future personnel in the bilingual and cross-cultural skills necessary to serve the pupils of Limited English- Proficiency of this state.”

- The Bilingual-Bicultural Education Act of 1976 provided for parent advisory committees and school site councils to continue subsequent to the termination of funding for the programs sunsetted and that provision continues.

Some California Facts:

- The number of Limited English Proficient students has nearly doubled in less than a decade.
- Nearly 80 percent of the California LEP population is Hispanic.
- The California State Department of Education estimates that there is a shortage of 21,000 qualified bilingual teachers in California.
- About 30 percent of all LEP students receive instruction in the academic subjects through the primary language.
- In California, Hispanics have a 50 percent dropout rate.
- An average annual rate for transfer out of a bilingual program is 5 percent.
- In 1997, the total LEP population in California was 1,381,393.

- ① • 29.70% received ^{ESL} English Language Development (ELD) and Primary Language Instructional services
 - ① • 21.61% received ELD, Specifically Designed Academic Instruction in English (SDAIE) and Primary Language support services
 - 19.91% receive ELD and SDAIE services
 - 16.00% receive **no** special services
 - • 11.50% receive ELD services
 - 1.40% withdrawn from services (by month)
- sheltered English*
SDAIE allows English in support not instruction
have a native language component

California Funding

- Distribution of Education Funds in California--about 60% of the money is for general purposes, and about 40% is earmarked for special purposes or categories of students. Each district has its own combination of federal, state and local sources. The amount depends on: 1) the average number of students (Average Daily Attendance or ADA), 2) the general purpose money the district is allowed to have for each student (its revenue limit) and 3) the special support for which it qualifies (categorical aid). (EDFACT Sheet, September 1996. EdSource).
- Schools fund bilingual programs through their General Fund. Each district receives a set amount of general purpose income (“revenue limit”) from a combination of state

aid and local property taxes for each pupil (ADA). Revenue limit income is the largest portion of each district's budget. The school board decides how to spend this support (i.e. whether and how to fund bilingual education programs or LEP services). (EDFACT Sheet, October 1996. EdSource).

- Schools also fund bilingual programs through Economic Impact Aid (EIA) . This funding is based on the number of special category, including LEP and economically disadvantaged, students. EIA funds are used at the district's discretion. Each individual district decides what percent of EIA money will be allocated to LEP services and what percent will be allocated to other categories. (Leroy Hamm at the Bilingual Compliance Unit of Economic Impact Aid).

1ST STORY of Level 1 printed in FULL format.

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Los Angeles Times

October 29, 1997. Wednesday. Home Edition

SECTION: Part A; Page 3; Metro Desk

LENGTH: 444 words

HEADLINE: CALIFORNIA AND THE WEST;
UNION OPPOSES BILINGUAL MEASURE;
EDUCATION: STATEWIDE GROUP ATTACKS INITIATIVE THAT WOULD DISMANTLE SUCH
INSTRUCTION. BUT BACKER SAYS IT WILL BE POPULAR AMONG TEACHERS.

BYLINE: NICK ANDERSON, TIMES STAFF WRITER

BODY:

California's largest teachers organization came out Tuesday against an initiative proposed by a Silicon Valley businessman and an Orange County schoolteacher to dismantle bilingual education.

The announcement by the California Teachers Assn. was a significant counterpunch for opponents of the "English for the Children" initiative, who had been struggling in recent weeks.

The proposed initiative, targeted for the June ballot, would require virtually all public school instruction to be conducted in English, although it would offer a year of special "English-immersion" lessons to students who are not fluent in the language.

Now, such students are taught in a variety of ways, many in bilingual classes that use their native language, usually Spanish.

"This initiative arbitrarily limits the access of some students to the curriculum by dictating a single method of language instruction," CTA President Lois Tinson said in a statement. "Students do not come in 'one size fits all' containers. They are individuals and they need instruction built around their individuality."

The union's actions on education issues are watched closely because the organization can call on 270,000 members to help raise money and volunteer for campaigns.

Initiative sponsor Ron K. Unz, a software entrepreneur and former Republican gubernatorial candidate, called the announcement "unfortunate."

Unz, whose co-sponsor is Santa Ana elementary schoolteacher Gloria Matta Tuchman, denied that the initiative would mandate one instructional approach, noting that parents who object to English-only teaching could seek a waiver. Opponents, however, say such waivers would be difficult to obtain.

Unz and Matta Tuchman have secured key endorsements of their own. In September, delegates to a Republican state convention endorsed the measure.

Los Angeles Times, October 29, 1997

Latino calculus teacher Jaime Escalante, made famous in the movie "Stand and Deliver," also has endorsed it.

A recent Los Angeles Times poll found that the proposed initiative enjoys overwhelming support among the state's voters, including Latinos. Foes of the initiative say that the poll numbers will turn around.

Unz said Tuesday that he has gathered 600,000 signatures to put the initiative on the ballot. He needs 433,269 verified signatures. The deadline to turn them in is Dec. 1.

Unz is bankrolling part of the signature gathering. Campaign records show he has also received \$ 25,000 from each of two Florida businessmen, whom Unz said he met through conservative circles, and \$ 48,000 from Fieldstead & Co., an Irvine philanthropy group associated with Christian conservative Howard F. Ahmanson Jr.

LANGUAGE: English

LOAD-DATE: October 29, 1997

LEVEL 1 - 15 OF 17 CASES

LAU ET AL. v. NICHOLS ET AL.

No. 72-6520

SUPREME COURT OF THE UNITED STATES

414 U.S. 563; 94 S. Ct. 786; 1974 U.S. LEXIS 151; 39 L. Ed.
2d 1

December 10, 1973, Argued
January 21, 1974, Decided

PRIOR HISTORY: [***1]

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.

DISPOSITION: (=1> 483 F.2d 791, reversed and remanded.

SYLLABUS: The failure of the San Francisco school system to provide English language instruction to approximately 1,800 students of Chinese ancestry who do not speak English, or to provide them with other adequate instructional

414 U.S. 563, *; 94 S. Ct. 786, **;
1974 U.S. LEXIS 151, ***1; 39 L. Ed. 2d 1

procedures, denies them a meaningful opportunity to participate in the public educational program and thus violates § 601 of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance," and the implementing regulations of the Department of Health, Education, and Welfare. Pp. 565-569.

COUNSEL: Edward H. Steinman argued the cause for petitioners. With him on the briefs were Kenneth Hecht and David C. Moon.

Thomas M. O'Connor argued the cause for respondents. With him on the brief were George E. Krueger and Burk E. Delventhal.

Assistant Attorney General Pottinger argued the cause for the United States as amicus curiae urging reversal. With him on the brief were Solicitor General Bork, Deputy Solicitor General Wallace, Mark L. Evans, [***2] and Brian K. Landsberg. *

* Briefs of amici curiae urging reversal were filed by Stephen J. Pollak, Ralph J. Moore, Jr., David Rubin, and Peter T. Galiano for the National Education Assn. et al.; by W. Reece Bader and James R. Madison for the San Francisco Lawyers' Committee for Urban Affairs; by J. Harold Flannery for the

414 U.S. 563, *: 94 S. Ct. 786, **;
1974 U.S. LEXIS 151, ***2; 39 L. Ed. 2d 1

Center for Law and Education, Harvard University; by Herbert Teitelbaum for the Puerto Rican Legal Defense and Education Fund, Inc.; by Mario G. Obledo, Sanford J. Rosen, Michael Mendelson, and Alan Exelrod for the Mexican American Legal Defense and Educational Fund et al.; by Samuel Rabinove, Joseph B. Robison, Arnold Forster, and Elliot C. Rothenberg for the American Jewish Committee et al.; by F. Raymond Marks for the Childhood and Government Project; by Martin Glick for Efrain Tostado et al.; and by the Chinese Consolidated Benevolent Assn. et al.

JUDGES: Douglas, J., delivered the opinion of the Court, in which Brennan, Marshall, Powell, and Rehnquist, JJ., joined. Stewart, J., filed an opinion concurring in the result, in which Burger, C. J., and Blackmun, J., joined, post, p. 569. White, J., concurred in the result. Blackmun, J., filed an opinion concurring [***3] in the result, in which Burger, C. J., joined, post, p. 571.

OPINIONBY: DOUGLAS

OPINION: [*564] [**787] MR. JUSTICE DOUGLAS delivered the opinion of the Court.

414 U.S. 563, *564; 94 S. Ct. 786, **787;

1974 U.S. LEXIS 151, ***3; 39 L. Ed. 2d 1

The San Francisco, California, school system was integrated in 1971 as a result of a federal court decree, <=2> 339 F.Supp. 1315. See <=3> Lee v. Johnson, 404 U.S. 1215. The District Court found that there are 2,856 students of Chinese ancestry in the school system who do not speak English. Of those who have that language deficiency, about 1,000 are given supplemental courses in the English language. n1 About 1,800, however, do not receive that instruction.

-Footnotes-

n1 A report adopted by the Human Rights Commission of San Francisco and submitted to the Court by respondents after oral argument shows that, as of April 1973, there were 3,457 Chinese students in the school system who spoke little or no English. The document further showed 2,136 students enrolled in Chinese special instruction classes, but at least 429 of the enrollees were not Chinese but were included for ethnic balance. Thus, as of April 1973, no more than 1,707 of the 3,457 Chinese students needing special English instruction were receiving it.

-End Footnotes-

[***4]

414 U.S. 563, *564; 94 S. Ct. 786, **787;

1974 U.S. LEXIS 151, ***4; 39 L. Ed. 2d 1

This class suit brought by non-English-speaking Chinese students against officials responsible for the operation of the San Francisco Unified School District seeks relief against the unequal educational opportunities, which are alleged to violate, inter alia, the Fourteenth Amendment. No specific remedy is urged upon us. [*565] Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instructions to this group in Chinese is another. There may be others. Petitioners ask only that the Board of Education be directed to apply its expertise to the problem and rectify the situation.

The District Court denied relief. The Court of Appeals affirmed, holding that there was no violation of the Equal Protection Clause of the Fourteenth Amendment or of § 601 of the Civil Rights Act of 1964, 78 Stat. 252, <=4> 42 [**788] U. S. C. § 2000d, which excludes from participation in federal financial assistance, recipients of aid which discriminate against racial groups, <=5> 483 F.2d 791. One judge dissented. A hearing en banc was denied, two judges dissenting. <=6> Id., at 805.

We granted the petition for [***5] certiorari because of the public importance of the question presented, <=7> 412 U.S. 938.

414 U.S. 563, *566; 94 S. Ct. 786, **788;

1974 U.S. LEXIS 151, ***6; 39 L. Ed. 2d 1

Under these state-imposed standards there is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful.

We do not reach the Equal Protection Clause argument which has been advanced but rely solely on § 601 of the Civil Rights Act of 1964. <=9> 42 U. S. C. § 2000d, to reverse the Court of Appeals.

That section bans discrimination based "on [***7] the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance." The school district involved in this litigation receives large amounts of federal financial assistance. The Department of Health, Education, and Welfare (HEW), which has authority to promulgate regulations prohibiting discrimination in federally assisted school systems, <=10> 42 U.

What is the Unz Proposed Initiative ...

- Eliminates bilingual education programs
- English learners from different ages and grade levels, but similar degrees of English proficiency will be taught together in English for up to 1 year
- Schools will be encouraged to mix together in the same classroom different language groups with the same degree of English proficiency
- After 1 year of instruction in a so called "sheltered English immersion" students would be mainstreamed in English only classrooms
- Teachers need to have no other qualification than a good knowledge of the English language
- Parents would have to request a waiver if they want bilingual instruction for their children (only applies to children 10 years or older, unless parents can prove that there is a special need)
- Schools will only be required to offer bilingual instruction when parents request a waiver and the school has 20 or more students of a given grade level
- If the parents request a waiver and the school is not mandated to offer the program, the school will transfer the student to a public school where the program is offered
- There are specific restrictions for parents requesting a waiver for the child to receive bilingual instruction, and waivers for children under 10 years are restricted to special circumstances only
- \$50 million per year for a 9 year period would be appropriated from the General Fund to subsidize programs for adult English instruction
- Adults participating in these English classes must pledge to provide English tutoring to English learners
- School Board members, elected officials, teachers and administrators may be held personally liable for fees and actual damages for not implementing the terms of the proposed statute.

(This piece was developed by CAFE to be duplicated for educational purposes)



California Association for Bilingual Education

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¿Qué es la Iniciativa propuesta por Unz?

- Elimina la educación bilingüe
- Los estudiantes que están aprendiendo inglés de edades diferentes pero del mismo nivel en inglés recibirían instrucción todos juntos en el mismo salón
- Se incentivaría a las escuelas a mezclar estudiantes de diferentes idiomas y del mismo nivel de inglés en un mismo salón
- Después de un año de instrucción en estos salones con lo que la propuesta llama "sheltered English immersion", los estudiantes pasarían a salones regulares de clase, totalmente en inglés
- Los maestros/as enseñando en estos salones sólo necesitarían tener conocimiento del idioma inglés como único requisito para enseñar a los estudiantes aprendiendo inglés
- Los padres tendrían que solicitar una petición si quisieran instrucción bilingüe para sus hijos, siempre y cuando los niños tengan por lo menos 10 años, y sólo se consideraría bajo circunstancias específicas
- Las escuelas sólo estarían obligadas a tener instrucción bilingüe si los padres solicitan una petición y la escuela tiene más de 20 estudiantes en cada grado cuyos padres han hecho el pedido especial
- Si los padres hacen un pedido y la escuela no está obligada a ofrecer el programa, la escuela podría transferir al estudiante a una escuela pública donde se ofrezca instrucción bilingüe
- Hay restricciones específicas para los padres que interesados en petitionar instrucción bilingüe, especialmente para niños menores de 10 años
- Se usarían 50 millones de dólares por año del Fondo General, durante un período de 9 años para subsidiar programas de instrucción en inglés para adultos
- Los adultos participando en esas clases de inglés deberían prometer que servirían como tutores en las escuelas para los niños que están aprendiendo inglés
- Miembros de las Mesas Directivas de Educación, oficiales electos, maestros y administradores podrían ser responsables por daños y perjuicios si no implementaran los términos del estatuto propuesto

(Esta información ha sido preparado por CABA para duplicarse con fines educativos)



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Let Parents Choose

**“The English for Children”
(The Unz Initiative)
will take away your rights!!!**

- **Eliminates parent's right to choose**

Every parent should have the right to decide the best way to educate their children

- **Undermines Local School Boards**

Every community should have the right to determine education policy at a local level

- **Anti-business**

More and more businesses require employees to speak several languages to compete in California's diverse & global market

- **Ron Unz has no background in education policy**

Initiative adopts and mandates the most unproved method of effectively learning English

- **Criminalizes Teachers**

Educators and administrators can be sued if they assist their students in their home language

- **Hurts Children**

Segregates and warehouses English learners regardless of language, age or grade level.

Democracy, Deception, and Denial

The 1998 California "English for the Children" Initiative

by James J. Lyons, Esq., Executive Director
National Association for Bilingual Education

In 1967, California Governor Ronald Reagan signed legislation ending a 95-year-old state education mandate which required that "all schools shall be taught in the English language." Governor Reagan signed the bipartisan bill ending the state's English-only classroom mandate and authorizing bilingual instruction because of solid evidence that English-only schooling had harmed Hispanic, Asian, and Native American students. The 1960 Census showed, for example, that 50 percent of California's 1.4 million Hispanic residents had dropped out of school before completing the 8th grade.

Now, thirty years later, a wealthy and politically ambitious California businessman by the name of Ron Unz wants to ban bilingual instruction and re-impose an English-only mandate on all state classrooms. To achieve his objective, Unz has mounted a slick, expensive media campaign to promote a ballot "initiative" for the Spring state election called "English for the Children."

If approved by California voters, the Unz initiative would require the placement of *all* public school pupils in "English language classrooms." The state's 1.3 million limited-English-proficient (LEP) students would "be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year."

The Unz initiative campaign doubly debases democracy. It is a campaign based on deception, and the initiative's objective is the denial of fundamental rights.

Deception

Ron Unz argues that "California's future depends on these [LEP] children becoming fluent and literate in English..." The development of oral proficiency and literacy in English is important and absolutely necessary. Mastery of English is not enough, however, to secure the state's future. California's future also depends on its students mastering science, mathematics, government, history and other academic subjects and on their ability to engage in critical thinking. And because of its location — on the border with Mexico and the edge of the Pacific rim — California's economic and social future increasingly depends upon the development of multilingual skills by its citizenry.

English-only is not a meaningful goal for California public education. Nor is English-only an effective instructional approach for helping LEP students succeed academically.

For nearly a century, California pursued an English-only educational policy with the disastrous results noted above. English-only schooling failed not only in California but also in Arizona, Florida, New Mexico, New York, Texas, and other states. It failed because it defied a basic pedagogical principle dictated by commonsense and documented by research: effective instruction depends upon intelligible communication. Students learn little when they do not understand their teacher's lessons, when they do not comprehend the language of their textbooks.

It is deceptive for Ron Unz to claim that "young children can easily acquire full fluency in a new language, such as English..." Indeed, Mr. Unz has not proffered a single piece of evidence to support his claim of easy and rapid second-language learning or his proposal to limit special instructional programs for non-English-language students to generally no more than one year. Why? Because no evidence exists.

Language development involves progression through a natural hierarchy of skills — from listening to speaking, from speaking to reading, and lastly, from reading to writing. By the time a child enters school at the age of five, he or she will have developed a vocabulary of between 2,000 and 5,000 words. These words, developed through thousands of hours of mother-tongue communication with parents, siblings, and caregivers, give meaning to a child's world and enable a child to interact with the people in it.

Requiring California teachers to teach only in English would compel them to ignore the knowledge that all children bring to school, and would effectively reduce LEP students to the learning level of infants. While LEP students are learning the words their English-speaking classmates already know, they would fall behind in their development of literacy skills and academic studies; they would be retained in grade; they would grow frustrated in school; and they would drop out. Given the escalating educational demands brought about by the advancement of technology, it is unthinkable that California should return to the English-only instructional approach which, for more than a century, proved to be a failure.

what is different from now?

Ron Unz's allegation that California's current system for educating LEP students is "centered on use of native language instruction, with English being introduced to children only in later grades" is deceptive. In truth, most California limited-English-proficient students do not receive native-language instruction. Most LEP students in the state are educated in English-only instructional programs. Fewer than one-in-three LEP students (32.49 percent) are in classes where native-language instruction is provided according to the California Department of Education. The remaining two-thirds of the state's LEP students are taught by teachers who use English as the language of instruction. The vast majority of California LEP students do not have the benefit of native-language instruction. Accordingly, it is deceptive for Mr. Unz to claim that they suffer from



native-language instruction.

Denial

Ron Unz's initiative would deny LEP students the opportunity to learn academic subjects while they are in the process of acquiring English. It does so by forbidding schools from using a child's native language to facilitate subject matter teaching.

The initiative also suggests that instruction in California schools be restructured solely on the basis of student English proficiency. The initiative states that "local schools shall be permitted to place in the same classroom English learners of different ages but whose degree of English proficiency is similar." Grouping students based on a single criteria of level of English language proficiency ignores important student differences and would create an educational nightmare.

The proposal to reorganize schools on the basis of student English proficiency ignores the academic knowledge that students bring to the classroom. Moreover, it does not take into account the reality that LEP students enter California schools at different ages, with different levels of previous schooling. And finally, it ignores the fact that there is no correlation between a child's level of English proficiency and the child's level of subject matter knowledge. Little, if any, academic content can be taught and learned in a class containing both sixth and first graders. As a consequence, even those LEP students who know math or science as well as their English-speaking peers would quickly fall behind in their academic progress. Organizing instruction on the basis of student English proficiency is a prescription for student failure.

The Unz initiative would deny parents' right to choose the educational program they deem most effective for their LEP children. Current California law affords the parents of all LEP children with the choice of English-only instructional programs if they don't want their children placed in a bilingual classroom. Simply by sending a signed written request to the school principal, parents of LEP children can have them placed in an English-only classroom.

Under the Unz initiative, parents of LEP children under the age of 10 who do not have "special physical, emotional, psychological, or educational needs" have no choice about the kind of instruction provided to them -- it will be English-only.

Waivers from the English-only instructional mandate may be obtained by parents of LEP children 10 years or older "if it is the informed belief of the school's principal and educational staff that an alternative course of educational study would be better suited to the child's rapid acquisition of basic English language skills." To obtain the waiver, the parents must "personally visit the school to apply for the waiver and ... there be provided

a full description of the educational materials to be used in the different educational program choices and all the educational opportunities available to the child."

Parents of LEP children with "special" educational can obtain a waiver under very limited circumstances. The Unz initiative provides:

The circumstances in which a parental exception waiver may be granted...are as follows:

(e) Children with special needs: the child already has been placed for a period of not less than thirty days during that school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the child has such special physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the child's overall educational development. A written description of these special needs must be provided and any such decision is to be made subject to the examination and approval of the local school superintendent, under guidelines established by and subject to the review of the local Board of Education and ultimately the State Board of Education. The existence of such special needs shall not compel issuance of a waiver....

But parents who do succeed in obtaining a waiver of the English-only mandate still are not guaranteed that their children will receive bilingual instruction. Schools are to provide bilingual instruction only when there are 20 or more students of the same grade whose parents have obtained waivers. In all other cases, parents of LEP children receiving waivers would have to find a school offering bilingual instruction, and then transfer and transport their child to it.

The Unz initiative would deny educators the opportunity to provide the most effective instructional services to LEP children, even after they find that English-only instruction is not working. Section 320 of the initiative states that "Any school board member or other elected official or public school teacher or administrator who willfully and repeatedly refuses to implement the terms of this statute...may be held personally liable for fees and actual damages by the child's parent or legal guardian."

Finally, the Unz initiative would deny the popularly-elected members of the California legislature the opportunity to amend the English-only instructional mandate through usual and normal procedures. Section 335 of the initiative elevates Ron Unz' English-only policy to constitutional status, providing that it can only be modified by a legislative supermajority "two-thirds vote of each house of the Legislature and signed by the Governor." If such a requirement had applied to California's 1872 English-only schooling



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Date: 10/29/97

To:

Name: Tanya Oubre

Organization: WH - DPC

Fax: 456-5581

From:

Name: Gabriela Uro

Notes:

FYI - Unz info.

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English Language Education for Children in Public Schools

by Ron K. Unz and Gloria Matta Tuchman

Text:

SECTION 1. Chapter 3 (commencing with Section 300) is added to Part 1 of the Educational Code, to read:

CHAPTER 3. ENGLISH LANGUAGE EDUCATION FOR IMMIGRANT CHILDREN

ARTICLE 1. Findings and Declarations

300. The People of California find and declare as follows:

- (a) WHEREAS the English language is the national public language of the United States of America 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 a 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 public schools shall be taught English as rapidly and effectively as possible.

ARTICLE 2. English Language Education

305. Subject to the exceptions provided in Article 3 (commencing with Section 310), all children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children be placed in English language classrooms. Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year. Local schools shall be permitted to place in the same classroom English learners of different ages but whose degree of English proficiency is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different native-language groups but with the same degree of English fluency. Once English learners have acquired a good working knowledge of English, they shall be transferred to English language mainstream classrooms. As much as possible, current supplemental funding for English learners shall be maintained, subject to possible modification under Article 8 (commencing with Section 335) below.

306. The definitions of the terms used in this article and in Article 3 (commencing with Section 310) are as follows:

(a) "English learner" means a child who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a Limited English Proficiency or LEP child.

(b) "English language classroom" means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such

teaching personnel possess a good knowledge of the English language.

(c) "English language mainstream classroom" means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English.

(d) "Sheltered English immersion" or "structured English immersion" means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language.

(e) "Bilingual education/native language instruction" means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the child's native language.

ARTICLE 3. Parental Exceptions

310. The requirements of Section 305 may be waived with the prior written informed consent, to be provided annually, of the child's parents or legal guardian under the circumstances specified below and in Section 311. Such informed consent shall require that said parents or legal guardian personally visit the school to apply for the waiver and that they there be provided a full description of the educational materials to be used in the different educational program choices and all the educational opportunities available to the child. Under such parental waiver conditions, children may be transferred to classes where they are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise, they must allow the students to transfer to a public school in which such a class is offered.

311. The circumstances in which a parental exception waiver may be granted under Section 310 are as follows:

(a) Children who already know English: the child already possesses good English language skills, as measured by

standardized tests of English vocabulary comprehension, reading, and writing, in which the child scores at or above the state average for his grade level or at or above the 5th grade average, whichever is lower; or

(b) Older children: the child is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of educational study would be better suited to the child's rapid acquisition of basic English language skills; or

(c) Children with special needs: the child already has been placed for a period of not less than thirty days during that school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the child has such special physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the child's overall educational development. A written description of these special needs must be provided and any such decision is to be made subject to the examination and approval of the local school superintendent, under guidelines established by and subject to the review of the local Board of Education and ultimately the State Board of Education. The existence of such special needs shall not compel issuance of a waiver, and the parents shall be fully informed of their right to refuse to agree to a waiver.

ARTICLE 4. Community-Based English Tutoring

315. In furtherance of its constitutional and legal requirement to offer special language assistance to children coming from backgrounds of limited English proficiency, the state shall encourage family members and others to provide personal English language tutoring to such children, and support these efforts by raising the general level of English language knowledge in the community. Commencing with the fiscal year in which this initiative is enacted and for each of the nine fiscal years following thereafter, a sum of fifty million dollars (\$50,000,000) per year is hereby appropriated from the General Fund for the purpose of providing additional funding for free or subsidized programs of adult English language instruction to parents or other members of the community who pledge to

provide personal English language tutoring to California school children with limited English proficiency.

316. Programs funded pursuant to this section shall be provided through schools or community organizations. Funding for these programs shall be administered by the Office of the Superintendent of Public Instruction, and shall be disbursed at the discretion of the local school boards, under reasonable guidelines established by, and subject to the review of, the State Board of Education.

ARTICLE 5. Legal Standing and Parental Enforcement

320. As detailed in Article 2 (commencing with Section 305) and Article 3 (commencing with Section 310), all California school children have the right to be provided with an English language public education. If a California school child has been denied the option of an English language instructional curriculum in public school, the child's parent or legal guardian shall have legal standing to sue for enforcement of the provisions of this statute, and if successful shall be awarded normal and customary attorney's fees and actual damages, but not punitive or consequential damages. Any school board member or other elected official or public school teacher or administrator who willfully and repeatedly refuses to implement the terms of this statute by providing such an English language educational option at an available public school to a California school child may be held personally liable for fees and actual damages by the child's parents or legal guardian.

ARTICLE 6. Severability

325. If any part or parts of this statute are found to be in conflict with federal law or the United States or the California State Constitution, the statute shall be implemented to the maximum extent that federal law, and the United States and the California State Constitution permit. Any provision held invalid shall be severed from the remaining portions of this statute.

ARTICLE 7. Operative Date

330. This initiative shall become operative for all school terms which begin more than sixty days following the date at which it becomes effective.

ARTICLE 8. Amendment.

335. The provisions of this act may be amended by a statute that becomes effective upon approval by the electorate or by a statute to further the act's purpose passed by a two-thirds vote of each house of the Legislature and signed by the Governor.

ARTICLE 9. Interpretation

340. Under circumstances in which portions of this statute are subject to conflicting interpretations, Section 300 shall be assumed to contain the governing intent of the statute.

Ron K. Unz, a high-technology entrepreneur, is Chairman of One Nation/One California, 555 Bryant St. #371, Palo Alto, CA 94301.

Gloria Matta Tuchman, an elementary school teacher, is Chair of REBILLED, the Committee to Reform Bi-Lingual Education, 1742 Lerner Lane, Santa Ana, CA 92705.

OCT-29-97 11:33 FROM: Great City Schools ID: 102 335 111

MALDEF QUESTIONS & ANSWERS ON THE UNZ INITIATIVE

1. What is the Unz initiative?

The Unz initiative is a measure also known as "English for the Children" that a group called One Nation/One California is attempting to place on the June 1998 ballot to eliminate bilingual education and all other English language development programs. The initiative would require that only English be used in the classrooms. All English learners would be placed in separate, segregated classrooms for one year to learn English. Children of different ages and grade levels could all be placed together in these separate classrooms. After one year, students would be placed back in regular classrooms, regardless of whether or not they had mastered English.

2. Who is supporting this initiative?

Ron Unz, a wealthy computer businessman who wrote the initiative, has contributed substantial amounts of his private funds to the campaign and has formed One Nation/One California to run the campaign. He has no background whatsoever in bilingual education or the education of English learners. He ran for governor in the Republican primary in 1994 and lost to Governor Pete Wilson. He has taken positions on statewide ballot measures in the past, such as his support for Proposition 209, probably to increase his public profile as a politician. He has enlisted the support of individuals associated with the English Only movement, such as English immersion teacher and former U.S. English board member Gloria Matta Tuchman. These facts suggest that some supporters of the Unz initiative may have motives in mind other than the best interests of English learners.

3. What is bilingual education?

Bilingual education is a general instructional method that teaches students English while at the same time teaching them other subjects, like science, math, and social studies, in their native language. Only 30% of California's 1.3 million English learners are in bilingual programs that use native language instruction. Studies show, however, that bilingual education programs are more successful than other forms of instruction in producing high academic achievement. Studies also show that bilingual instruction is successful in teaching students how to speak, read, and write English. Bilingual education is one of many forms of English language development that the Unz initiative will eliminate.

4. What is English immersion?

English immersion is a method of teaching English that uses English only and focuses on learning English to the virtual exclusion of all other academic subjects. Studies of this method cast serious doubt on its effectiveness. While the Unz initiative

**MALDEF Questions and Answers on
The Unz Initiative
September 18, 1997
Page 2**

propose a one-year immersion program, research shows that English learners usually spend about four years in immersion programs before educators believe the students have gained sufficient command of the English language. Students in immersion programs have to wait until they learn English sufficiently before they can really learn math, science and other subjects. By providing English only instruction for only one year to the detriment of other subjects, the Unz initiative is setting up English learners for academic failure.

5. If you want someone to learn English, shouldn't you teach them in English?

If learning English were the only goal of public schools, English immersion might make sense. Even then, the Unz initiative proposes a one-year immersion program, rather than the approximately four years required before educators believe students can gained sufficient command of the English language. However, students need to both learn English and to excel and advance in other academic subject areas like math, science and social studies. One-year of English immersion, as proposed by the Unz initiative, will not adequately teach students English, and will put students behind in every other academic subject.

6. What is the best way to teach English learners English and allow them to succeed academically?

Students need to learn both English to excel and to advance in other academic subject areas like math, science and social studies. Well implemented bilingual education programs provide both of these necessary components. One-year of English immersion, as proposed by the Unz initiative, will put students behind in every other academic subject. It will strip schools of flexible and innovative approaches for English learners and force students of different ages and grade levels to learn the same subject matter. In the end, it will do no more than teach the students "playground English," instead of allowing them to advance in all subject areas while learning English to excel.

7. Why does this initiative seek to eliminate bilingual education?

In some cases bilingual education has not worked as intended. This is due to the same problems faced by every program in our public schools: inadequate resources, untrained teachers, or school districts that misuse special funding for other purposes. However, in cases where school districts use their resources properly and educate English learners with trained and credentialed teachers, bilingual education is successful in both teaching students English and in giving them the tools to succeed academically. When bilingual education is done right, it has a proven track record of success.

**MALDEF Questions and Answers on
The Unz Initiative
September 18, 1997
Page 3**

- 8. If there are problems with bilingual education, why isn't this initiative the answer?**

Where problems exist with bilingual education, the answer is to fix the program, not to eliminate it. Bilingual education can be successful and districts should be allowed to use it if they desire. Instead of taking a more fair and reasonable approach, the Unz initiative would force school districts to use only English immersion to instruct English learners. Since immersion does not work for all children and can lead to poor academic performance in later years, the Unz approach puts California's fastest growing segment of students (English learners) at risk for academic failure.

- 9. What effect could this initiative have on foreign language instruction?**

The Unz initiative could prevent many students under 10 years old from receiving foreign language instruction because it only allows children who already know English and who score above average on English vocabulary, reading comprehension, and writing tests to receive anything other than English only instruction. All students -- even those 10 years and older -- would be prevented from learning a foreign language unless their parents visit the school and request a waiver from the initiative's English-only rules, and they also obtain their principal's and school staff's approval. This could prevent many students from fulfilling college entrance requirements.

- 10. Do some Latinos support this initiative?**

Many Latino parents are concerned that their children are not learning English in the schools. Latino parents want their children to learn English for good reason -- many parents and grandparents have faced limited upward mobility due to their lack of English skills. The Unz initiative plays into the fears of these parents by offering an "easy answer." Unfortunately, that easy answer fails to deal with the real problems facing our schools and ignores the many successful bilingual education programs in this state. Effective instruction for English learners require assessment of student progress and teacher training. The initiative fails to provide for either of these. Many Latino parents are outraged at recent local and statewide attempts to eliminate bilingual education for their children. Learning English should not have to come at the expense of academic success. People concerned about the education of English learners are unlikely to support the initiative once they realize the devastating impact it would have on English learners' education.

**MALDEF Questions and Answers on
The Unz Initiative
September 18, 1997
Page 4**

11. Do parents have a choice about which program their children receive?

Yes. Current law already gives parents an undeniable right to choose the instructional method offered to their children, including English only instruction, regardless of age or grade level.

12. How does this initiative affect parents' choice?

The initiative eliminates bilingual education and requires all English learners to be placed in separate classrooms for no more than one year to learn only English, regardless of the student's age or grade level. The Unz initiative would only allow a parent to choose some other form of instruction, such as bilingual education, with the permission of the principal and school staff. Schools can only grant such waivers based on three narrowly defined grounds: (1) above average test performance in English, (2) the child is over 10 years old and staff believe another program would be better, or (3) the child has "special physical, emotional, psychological or educational needs." Even then, parents of at least 20 students from the same grade level will have to obtain waivers before another educational program, like bilingual education, can be offered to English learners. Otherwise, English learners will be forced to sit in segregated English only classrooms with students of all ages and grade levels.

13. What will this Initiative do to parent advisory committees?

The initiative will eliminate school district and school site advisory committees that allow parents of English learners to participate in designing, implementing, and monitoring the educational services offered to their children. The initiative thus takes power away from the parents and gives it to principals and school districts, many of whom have already demonstrated a failure to provide adequate service to English learners.

14. How will this initiative affect teachers?

The Unz initiative targets teachers for personal liability for speaking to a student in a non-English language. That means that a teacher can be sued and forced to pay out of their own funds if he or she tries to help a student by speaking to them in a language other than English. Currently, teachers are not personally liable for acts done during the course of their employment. Penalizing teachers in this way may discourage people from pursuing teaching careers precisely at a time when California schools face a severe teacher shortage.

**MALDEF Questions and Answers on
The Unz Initiative
September 18, 1997
Page 5**

15. Will this initiative save the state money?

No. The initiative does not eliminate funding for instructional services for English learners, and it allocates an additional \$ 50 million to train tutors. The initiative may cost the state more than current programs for several reasons. Remedial programs will likely be necessary for students falling behind their grade level in core academic subjects as a result of the one-year English only program. Many students may take longer to graduate due to being placed in a classroom with younger students. In addition, where waivers require it, schools will have to run two instructional programs for English learners. Administering the onerous waiver procedure will also cost schools more. The personal liability disincentive will make schools send more money to recruit teachers. Finally, the state will spend more funding to defend the English only program, which is likely to be challenged in court on several grounds. Such litigation could result in the loss of federal funds to the state of California.

Analysis of Unz Initiative
Office of Bilingual Education and Minority Languages Affairs

- All children are to be placed in English language classrooms.
- English learners shall receive their education in a sheltered English immersion program.
- After acquiring “a good working knowledge of English” the children will be transferred to English language mainstream classes.
- Parent waivers must be in writing, acknowledged each year by a personal visit to the school by the parents or guardians.
- The waivers will be granted if:
 - the child already possesses good English language skills,
 - the child is age 10 years or older, or
 - the child has special physical, emotional, psychological, or educational need.
- Adult English instruction will be provided for parents or members of the community who pledge to provide personal tutoring to California LEP students. \$50,000,000 per year for ten years will be appropriated from the General Fund for this purpose.
- Parents will have the right to sue for enforcement of the provisions of this statute. Administrators or elected officials or teachers can be held personally liable.

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September 28, 1997

Ms. Glenda Booth
Office of Senator Dianne Feinstein
U. S. Senate

Dear Glenda:

I am pleased to offer the following comments about the proposed California ballot initiative, "English Language Education for Children in Public Schools", authored by Mr. Ron K. Unz.

1. The initiative focuses exclusively on the language of instruction, and does not address the quality of instruction in the content areas (such as reading, math, science and social studies). Research amply demonstrates that program quality involves multiple factors, of which the language of instruction is just one. The goal of educational reform should be the continuous improvement in all instructional aspects of schools, not just whether the environment is conducive to the learning of English.
2. The initiative assumes that sheltered immersion in English will result in more rapid and efficient acquisition of English. This is not the case. Exposure to programs that use the student's native language does not appear to slow down their progress in English. At least one major study funded by the U.S. Department of Education and subsequently reviewed by an independent panel of statisticians at the National Academy of Sciences¹ showed no difference between immersion and short- and long-term bilingual education programs in how long it took students to learn English. Language minority students across the U.S. appear to be learning English "at the speed limit" across program types. Research does show considerable variation across individuals -- mostly, the speed of English acquisition is related to family education background and level of development in their native language.²
3. The initiative assumes that there is no finding supporting the efficacy of bilingual education programs. But at least two independent committees of the National Academy of Sciences that reviewed the evidence of program effectiveness concluded, tersely but in no uncertain terms, that: "the panel still sees the elements of positive relationships that are consistent with empirical results from other

¹ M. Meyer & S. Fienberg (1992), *Assessing Evaluation Studies: The Case of Bilingual Education Strategies*. Washington, DC: National Academy Press.

² Bialystok, E. & Hakuta, K. (1994), *In Other Words: The Science and Psychology of Second Language Acquisition*. New York: Basic Books.

studies that support the theory underlying native language instruction".³ In the study that compared immersion and short- and long-term bilingual education programs, the cleanest comparisons showed the short-term bilingual education programs to be significantly better than immersion program in the areas of reading and mathematics achievement.

In sum, I believe that the initiative is misguided because it will focus attention on English acquisition, and away from attending to academic standards. Children are learning English anyway. Attention needs to be directed toward why, despite successfully learning English, many language minority students (80 percent of whom are economically poor) do poorly in our schools. This initiative does not help us focus on this key issue, and instead drags us back into the 30-year-old debate of language of instruction, a trap from which most serious educators are hoping to escape.

Please do not hesitate to contact me if I can provide you with any additional information or supporting documents.

Sincerely,



Kenji Hakuta
Professor

³ August, D. & Hakuta, K. (1997), *Improving Schooling for Language-Minority Children: A Research Agenda*. Washington, DC: National Academy Press.

BILINGUAL EDUCATION

Background

In June 1998, Californians may face a new ballot initiative to abolish bilingual instruction for public school children in the state, requiring that most instruction be conducted only in English. The idea has support from many conservatives and some in the Latino community, as well as other minority groups, who are frustrated with what they see as an ineffective approach to learning English. However, the ballot initiative is vehemently opposed by many other Latinos, who strongly support bilingual instruction and see the initiative as an attack cut from the same cloth as Propositions 187 and 209. The measure has until October to gain sufficient signatures.

In a related controversy, the school district in Orange County, California recently received a one year waiver from the California State Board of Education allowing it to eliminate bilingual education from its curriculum and to teach limited English proficient students in English only. After a temporary stay by a state court was vacated last week by federal judge, the district will proceed with its English only policy this fall. Further legal action on the lawsuit is expected.

The Administration has strongly supported the federal bilingual education program, which funds local programs designed to provide help to kids so they can become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. We proposed a 27% increase in bilingual education for FY 98, protected it in the balanced budget agreement, and secured it in the House and Senate-passed appropriations bills.

Q's and A's

Does the Administration support bilingual education?

The Administration strongly supports the federal bilingual education program, which funds local programs designed to help kids become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. To help ensure that resources are available to assist children to learn English well, we proposed a 27% increase in the program, successfully protected bilingual education in the balanced budget agreement, and secured the increased funding in the House- and Senate-passed appropriations bills.

Does the Administration plan to intervene in California or campaign on behalf of bilingual education?

The initiative measure has not yet qualified for the ballot so this question is premature. We will be getting more information on the initiative as events develop. However, the Administration supports the approach of the federal program, which permits a variety of different strategies for English language instruction.

September 18, 1997

BILINGUAL EDUCATION

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The Administration *in FY* has strongly supported the federal bilingual education program, which funds local programs designed to provide help to kids so they can become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. ~~To help ensure that resources are available to help children learn English well,~~ We proposed a 27% increase in bilingual education, and succeeded in including it as one of the areas protected in the balanced budget agreement. *What has happened to this in the approps process?*

Q's and A's

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The Administration strongly supports the federal bilingual education program, which funds local programs designed to help kids become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. To help ensure that resources are available to assist children to learn English well, we proposed a 27% increase in the program, and worked successfully to include bilingual education as one of the protected areas in the balanced budget agreement. *See above for wording*

Does the Administration plan to intervene in California or campaign on behalf of bilingual education?

The initiative measure has not yet qualified for the ballot so this question is premature. We will be getting more information on the initiative as events develop. However, the Administration supports the approach of the federal program, which permits a variety of different strategies for English language instruction, ~~and thinks that a range of options for meeting the~~

~~needs of children, based on the latest research, should continue to be available to local
communities~~

September 18, 1997

Background:

Unz

Unz vehemently worked against the anti-immigration proposition (187). He was on our side. He unsuccessfully ran for US senator from California.

The California Republican leadership is not supporting this initiative (assumption is that many are afraid of backlash similar to what happened to Dornan).

If successful this will appear on the June ballot.

Orange County

Orange Unified School District recently received a one year waiver from the California State Board of Education allowing it to eliminate bilingual education from its curriculum and to teach limited English proficient students in English only. The district planned to start this English-only instruction at the start of the school year this September. A state judge, temporarily suspended this English-only policy. Last week a federal judge vacated the state judge's temporary restraining order. The district is currently going ahead with its English-only policy. Further legal action on the parent's lawsuit is expected.

Talking Points

This initiative segregates children who are English learners by placing them in sheltered English immersion programs for a transitional period.

Although no research evidence suggests that one year is sufficient time to learn any language at any grade level the Unz initiative states that the transition period "is not normally intended to exceed one year."

Parents or legal guardian must personally visit the school to apply for a waiver from this provision.

The waivers will be granted if:

the child already possesses good English language skills,
the child is age 10 years or older, or
the child has special physical, emotional, psychological, or educational need

Provides \$50 million per year for ten years for the purpose of providing additional funding for free or subsidized programs of adult English language instruction to parents or other members of the community who pledge to provide personal English language tutoring to California school children with limited English proficiency.

Other considerations

Suggested Statement:

The Unz amendment is a misguided attempt to provide all children English skills by asserting that the only method for teaching a second language is immersion. The initiative provides an arbitrary time of one year to become proficient in English. In addition, it unnecessarily coerces parents to forsake their home language in

exchange for support in acquiring English. We believe that local districts should have the opportunity to choose a method of instruction for English learners that best reflects the latest research and the values of the community.

Final
7/22/97

BILINGUAL EDUCATION

Background

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English Language Education for Children in Public Schools

by [Ron K. Unz](#) and [Gloria Matta Tuchman](#)

Text:

SECTION 1. Chapter 3 (commencing with Section 300) is added to Part 1 of the Educational Code, to read:

CHAPTER 3. ENGLISH LANGUAGE EDUCATION FOR IMMIGRANT CHILDREN

ARTICLE 1. Findings and Declarations

300. The People of California find and declare as follows:

(a) WHEREAS the English language is the national public language of the United States of America 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 a 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 public schools

shall be taught English as rapidly and effectively as possible.

ARTICLE 2. English Language Education

305. Subject to the exceptions provided in Article 3 (commencing with Section 310), all children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children be placed in English language classrooms. Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year. Local schools shall be permitted to place in the same classroom English learners of different ages but whose degree of English proficiency is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different native-language groups but with the same degree of English fluency. Once English learners have acquired a good working knowledge of English, they shall be transferred to English language mainstream classrooms. As much as possible, current supplemental funding for English learners shall be maintained, subject to possible modification under Article 8 (commencing with Section 335) below.

306. The definitions of the terms used in this article and in Article 3 (commencing with Section 310) are as follows:

- (a) "English learner" means a child who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a Limited English Proficiency or LEP child.
- (b) "English language classroom" means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language.
- (c) "English language mainstream classroom" means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English.
- (d) "Sheltered English immersion" or "structured English immersion" means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language.
- (e) "Bilingual education/native language instruction" means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the child's native language.

ARTICLE 3. Parental Exceptions

310. The requirements of Section 305 may be waived with the prior written informed consent, to be provided annually, of the child's parents or legal guardian under the circumstances specified below and in Section 311. Such informed consent shall require that said parents or legal guardian personally visit the school to apply for the waiver and that they there be provided a full description of the educational materials to be used in the different educational program choices and all the educational opportunities available to the child. Under such parental waiver conditions, children may be transferred to classes where they are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise, they must allow the students to transfer to a public school in which such a class is offered.

311. The circumstances in which a parental exception waiver may be granted under Section 310 are as follows:

- (a) Children who already know English: the child already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading, and writing, in which the child scores at or above the state average for his grade level or at or above the 5th grade average, whichever is lower; or
- (b) Older children: the child is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of educational study would be better suited to the child's rapid acquisition of basic English language skills; or
- (c) Children with special needs: the child already has been placed for a period of not less than thirty days during that school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the child has such special physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the child's overall educational development. A written description of these special needs must be provided and any such decision is to be made subject to the examination and approval of the local school superintendent, under guidelines established by and subject to the review of the local Board of Education and ultimately the State Board of Education. The existence of such special needs shall not compel issuance of a waiver, and the parents shall be fully informed of their right to refuse to agree to a waiver.

ARTICLE 4. Community-Based English Tutoring

315. In furtherance of its constitutional and legal requirement to offer special language assistance to children coming from backgrounds of limited English proficiency, the state shall encourage family members and others to provide

personal English language tutoring to such children, and support these efforts by raising the general level of English language knowledge in the community. Commencing with the fiscal year in which this initiative is enacted and for each of the nine fiscal years following thereafter, a sum of fifty million dollars (\$50,000,000) per year is hereby appropriated from the General Fund for the purpose of providing additional funding for free or subsidized programs of adult English language instruction to parents or other members of the community who pledge to provide personal English language tutoring to California school children with limited English proficiency.

316. Programs funded pursuant to this section shall be provided through schools or community organizations. Funding for these programs shall be administered by the Office of the Superintendent of Public Instruction, and shall be disbursed at the discretion of the local school boards, under reasonable guidelines established by, and subject to the review of, the State Board of Education.

ARTICLE 5. Legal Standing and Parental Enforcement

320. As detailed in Article 2 (commencing with Section 305) and Article 3 (commencing with Section 310), all California school children have the right to be provided with an English language public education. If a California school child has been denied the option of an English language instructional curriculum in public school, the child's parent or legal guardian shall have legal standing to sue for enforcement of the provisions of this statute, and if successful shall be awarded normal and customary attorney's fees and actual damages, but not punitive or consequential damages. Any school board member or other elected official or public school teacher or administrator who willfully and repeatedly refuses to implement the terms of this statute by providing such an English language educational option at an available public school to a California school child may be held personally liable for fees and actual damages by the child's parents or legal guardian.

ARTICLE 6. Severability

325. If any part or parts of this statute are found to be in conflict with federal law or the United States or the California State Constitution, the statute shall be implemented to the maximum extent that federal law, and the United States and the California State Constitution permit. Any provision held invalid shall be severed from the remaining portions of this statute.

ARTICLE 7. Operative Date

330. This initiative shall become operative for all school terms which begin more than sixty days following the date at which it becomes effective.

ARTICLE 8. Amendment.

335. The provisions of this act may be amended by a statute that becomes effective upon approval by the electorate or by a statute to further the act's purpose passed by a two-thirds vote of each house of the Legislature and signed by the Governor.

ARTICLE 9. Interpretation

340. Under circumstances in which portions of this statute are subject to conflicting interpretations, Section 300 shall be assumed to contain the governing intent of the statute.

END

Ron K. Unz, a high-technology entrepreneur, is Chairman of One Nation/One California, 555 Bryant St. #371, Palo Alto, CA 94301.

Gloria Matta Tuchman, an elementary school teacher, is Chair of REBILLED, the Committee to Reform Bi-Lingual Education, 1742 Lerner Lane, Santa Ana, CA 92705.

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BILINGUAL EDUCATION

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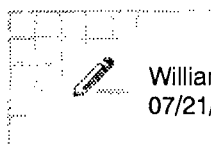
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07/21/97 12:03:44 PM

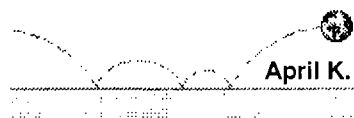
Record Type: Record

To: April K. Mellody/WHO/EOP
cc: Elena Kagan/OPD/EOP, Michael Cohen/OPD/EOP, Laura Emmett/WHO/EOP
bcc:
Subject: Re: guidance for McCurry

April--

This looks good but note a couple of suggested revisions from Mike Cohen and me below. I know you are under a tight timeline so I am sending this back to you but copying Elena Kagan in case she suggest chanes in this.

April K. Mellody



April K. Mellody

07/21/97 11:46:38 AM

Record Type: Record

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cc:
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**Press Guidance
July 21, 1997**

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[omit Note for briefer: The balanced budget agreement calls for an increase in the account for bilingual and immigrant education – funded at level proposed in the President's FY 97 budget (27% overall increase).]

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Mellody per Bill Kincaid, DPC

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Bill -
Suea R.
Elena

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6. Los Angeles Times

* 07/21/97: Edition: Ventura County Edition; Section: Metro; Zones Desk; Page B-2

Students Schooled in Arts Have Higher Test Scores, Study Finds

Schools have been giving the arts the ax since the late 1970s, when belt-tightening and a renewed emphasis on the basics began to edge arts classes out of the curriculum. But a new study suggests that teaching about music and other art forms ought to be as

fundamental as the three Rs.

UCLA professor James S. Catterall analyzed the academic achievement of 6,500 poor students whose standardized test scores were reported to a federal database called the National Educational Longitudinal Study of 1988. He found

that by the time these students were in the 10th grade, 41.4% of those who had taken arts courses scored in the top half, contrasted with only 25% of those who had minimal arts experience. The arts students also were more proficient readers and watched less television. ■

7. Los Angeles Times

* 07/21/97: Edition: Ventura County Edition; Section: Metro; Zones Desk; Page B-2

Whether It's Homework or TV, Fewer Children Are Exercising

Midriff bulge afflicting little Tommy or Susie? A study shows that more American children are overweight than ever—and, if you ask them, homework may be to blame.

The study by the International Life Sciences Institute, based on a poll by Louis Harris & Associates, found that fewer than one in four students in grades four through 12 exercise every day. More than half of those children blamed a lack of time . . . and too much homework.

But ask their parents for the reason and the answers were quite different: Two out of three said children are couch potatoes because they are uninterested in calorie-burning activity or prefer the sedentary stimulation of TV, video games and computers.

"Daily physical activity for children needs to become a priority for parents equal to that of buckling seat belts," said James O. Hill, a professor of pediatrics and medicine at the University of

Colorado Health Sciences Center and chairman of a nutrition project supported by the institute.

Hill said parents also need to demand that schools make recreation part of the daily schedule.

According to the study, 14% of children ages six to 11, and 12% of adolescents—those from 12 to 17—are overweight. That is up from about 5% to 7% in both groups during the 1970s. ■

8. The Washington Post

07/21/97: Edition: FINAL; Section: A Section; Page A15

Bilingual Education Under Attack; Calif. Ballot Initiative Backers Hope Effort Will Resonate Elsewhere

By Lou Cannon
Special to The Washington Post

California, where socially divisive ballot measures often ignite national policy debates, is at it again.

The latest hot-button initiative is called "English for the Children" and would virtually abolish bilingual instruction for 1.3 million California public school students who are classified by the state as "not proficient in English." Proponents hope that eliminating bilingual education here would sound the death knell for similar programs elsewhere. Half of the national

total of children not proficient in English live in California.

California voters are often harbingers of social change. In 1978, passage of the anti-tax Proposition 13 triggered a national anti-tax movement. In 1994, Proposition 187 denied educational and medical benefits to illegal immigrants, leading to similar efforts in other states and federal legislation that reduced benefits for legal immigrants, as well. Last year, in another possible trendsetter, voters passed Proposition 209 to eliminate state and local affirmative action programs. Propositions 187

and 209 have not been fully implemented because of ongoing court challenges.

"Bilingual education is a bizarre government program that costs hundreds of millions of dollars and doesn't succeed in teaching children English," said Ron Unz, a multimillionaire software entrepreneur from Palo Alto who is underwriting the campaign to put the initiative on the ballot next June. Opponents acknowledge that the initiative will qualify, and several of them also concede that it will be difficult to defeat.

But Latino leaders contend that the

in limbo, and Harvard continues to earn interest on his initial gift of \$1 million. Mr. Lipper said the long search had

made him a wiser man. "I've learned from this," he said, "that it's sometimes harder to receive money than it is to give

money away." ■

5. Los Angeles Times

* 07/20/97: Edition: Bulldog Edition: Section: Advance Desk: Page A-8

Schools May Be Out, but Reading Isn't: More districts are requiring students to delve into anything from 'Great Expectations' to 'The Firm' over the summer.

By ROBERT GREENE
ASSOCIATED PRESS

MANASSAS, Va. — It's normally time to forget about studies in this far suburb of the nation's capital. School is out. The local theater offers diversions like "Batman" or a lost world full of dinosaurs.

But like it or not, the youngsters lining up for movie tickets here will also have to follow the tribulations of Pip in Dickens' "Great Expectations" or some other well-worn print character before school returns in September.

They're not alone. Public schools nationwide have decided that a small dose of required reading will keep young minds from going too limp in summer's heat, humidity and idleness.

Prince William County, which surrounds Manassas, adopted a summer reading requirement two years ago for all students from kindergarten through high school.

But despite the national concern with improving education, forcing children to read in the summer can be tough. Even some reading experts wonder whether the pressure will just breed resistance in touchy adolescents.

"If they were to give us a lot of books, that would be one thing," Eric Noll, 13, said while waiting one day recently to see "Batman & Robin." "They just have us read two books, and that's it."

Parents weary of nagging their young ones to get their homework done now must decide whether to start cracking the whip in June, July or August.

The books must be read, and journals or other accompanying assignments

finished. Schools vary on how to score the youngsters on the reading, but it's still homework.

"It should be their vacation," said Bill Johnson, perched on a stool as sons John, 16, and Mike, 12, browsed through much lighter fare at Comic World. The school reading load is not that demanding, and the boys are "A-B" students, but something's not quite right about it. "It should be voluntary," said Johnson. "It depends on the kid."

A daughter, Carlena, 13, breezes through books, he added, and would have no trouble.

Although Johnson has his misgivings, nothing beats the protest raised in Suwanee, Ga., last year over a similar requirement that had been imposed at Fort Collins Hill High School. Incoming seniors signed petitions against it, noting the demands of jobs and, yes, summer school. A number of parents also complained.

The school made some changes but kept the requirement to read one classic book and a novel of the student's choice.

Teachers know this is new turf and want to move gradually.

"I would hope we're going to go beyond that minimum of two," said Reba Greer, supervisor for language arts, libraries and social studies in the Prince William County schools.

Bookstores and libraries also need to adjust, school officials found. In neighboring Fairfax County, which has the nation's 12th-largest district, bookstores and libraries couldn't meet the demand when the county's one-book requirement was imposed last year.

This year, the list of books to choose

from was doubled and the information sent out earlier.

Schools also often put some fun material on the reading list.

In Randolph, Mass., incoming juniors may read John Grisham's page-turner "The Firm" as one of the two required books.

The list also includes Thomas Hardy's "The Mayor of Casterbridge," Charlotte Bronte's "Jane Eyre," William Faulkner's "As I Lay Dying" and George Orwell's "1984."

"What we tried to do was blend classics and contemporary works so we have something that would appeal to everyone," said Karen Brodeur, director of humanities at Randolph Junior-Senior High School.

Although the choices are geared to future course work, "We're trying to encourage reading as a pleasurable activity."

For Prince William youngsters, the idea may be catching on, pushing them to ideas or books they might otherwise not have known.

"It takes away from vacation, I guess, but it also can help you out because it helps your vocabulary a little and it helps you read faster," said Isaac Bonilla, 14, waiting with Edwin Mora, 14, to see "The Lost World: Jurassic Park."

"Great Expectations," on their list, sounded boring.

"They should give us some good books," Edwin said. "Last year there was this one good book."

It was "The Devil's Arithmetic," Jane Yolen's story about a young girl and the Holocaust. ■

measure is dubious policy and that the campaign to pass it will stir up the ethnic and racial passions associated with the campaigns over Propositions 187 and 209.

"It's a horrible way to decide educational policy and another example of the initiative process gone berserk," said Arturo Vargas, executive director of the National Association of Latino Elected and Appointed Officials.

Bilingual education has been a thorny issue in California since 1986, when voters passed an initiative, since emulated by many states, designating English as the state's "official language."

In 1987, the state legislature extended a law mandating bilingual education, but it was vetoed by then-Gov. George Deukmejian (R). Bilingual education programs survived because they have been mandated by the California Education Department, which is headed by a nonpartisan superintendent of public instruction.

Now, a new effort has arisen to curtail bilingual education, backed by a loose coalition of political conservatives and Latino parents who do not think their children are learning English rapidly enough.

Last year, dozens of Latino parents at the Ninth Street School in downtown Los Angeles, where 90 percent of children do not speak English, organized as Las Familias del Pueblo and demanded that the school replace bilingual education. Their plea was rejected by school officials.

Similar but less publicized revolts have produced modification of bilingual programs in at least two Southern California communities, Santa Ana and Santa Barbara. Recently, the State Board of Education gave the Orange Unified School District in Orange County, with 29,000 students, a year to try alternatives to bilingual education.

Educators in this district believe that young children learn English best if plunged into what are called "sheltered immersion programs" where they are taught English intensively. This is also the view of Gloria Matta Tuchman, a bilingual first-grade teacher in Santa Ana

who co-chairs the "English for the Children" campaign.

As a child of Mexican American parents in Texas, Tuchman was a central plaintiff in a desegregation lawsuit that opened a rural town's schools to children of all ethnic backgrounds. She said she often talks to the parents of her first-grade students in Spanish.

"The parents tell me that the children learn Spanish at home, and they want them to learn English in school," Tuchman said.

Unz, who calls himself a libertarian conservative, is not fearful of immigrants. In 1994, in his first try for political office, he received more than a third of the vote in the Republican primary against Gov. Pete Wilson (R), whose reelection campaign featured television commercials showing hordes of Mexicans running across the border near San Diego.

Unz denounced Proposition 187 and Wilson's campaign as "despicable." He said that he will not allow anyone associated with that campaign or others with "anti-immigrant views" to become involved in his effort to eliminate bilingual education.

"It would be a disaster if this initiative was perceived as anti-immigrant because it is not," Unz said.

But Harry Pachon, director of the Tomas Rivera Policy Center in Claremont, thinks that Unz is naive about his ability to control the political debate. He believes the initiative inevitably will attract support from those who fear the growth of Latino political and economic power in California and that Latinos will also see it as "an extension of 187 and 209."

Pachon, whose parents are from Colombia, was put in a class for mentally handicapped students when he entered school in Florida because he spoke only Spanish. He eventually learned English by immersion, which he calls the "sink-or-swim" method of teaching language.

"I swam, but some kids sink," he said.

Immersion advocates say that children also sink under bilingualism, with many

of them never becoming proficient in English. Unz cites state data which he says prove a "95 percent failure rate" because only 5 percent of bilingual students move into regular classes.

Some educators contend that Unz misreads the data.

Reynaldo Macias, a professor of education at the University of California at Santa Barbara, said there is research evidence showing that bilingual education succeeds when there are "qualified teachers and materials and a positive environment" but that such conditions prevail in only about a third of California schools.

Still others, including Pachon, say that existing data are inconclusive and heavily "politicized" by both sides. Because of the absence of adequate data, he said, the Unz initiative is "premature."

For the past two years, moderates in the legislature led by state Sen. Deirdre Alpert (D) of San Diego and Assemblyman Brooks Firestone (R) of Santa Barbara have been trying to find a middle ground that would give school districts flexibility to use different programs.

An Alpert bill to allow this flexibility recently won approval of the Senate Education Committee but has drawn opposition from bilingual teachers and influential Latino organizations. Alpert expects that it will be bottled up by Latino leaders in the legislature.

If recent California history is any guide, voters are more apt to approve broad initiatives when the legislature has failed to address a perceived problem with more measured solutions — as was the case both with Proposition 13 and Proposition 187. Alpert regards Unz's initiative as "divisive and poorly drawn" but believes it is likely to pass unless school districts are given flexibility.

"There is growing concern that we're producing students who are illiterate in two languages," Alpert said. "There are a number of approaches and combinations of approaches to teach English, but both sides are dug in. Sometimes in California, we're our own worst enemies." ■

9. The Washington Post

07/21/97; Edition: FINAL; Section: A Section: Page A11

Clinton Presses for 'Mainstream' Tax Relief in Letter to Hill Negotiators

By Clay Chandler
Washington Post Staff Writer

President Clinton brushed aside an overture from Republican tax-writers and admonished negotiators from the House and Senate to send him a "mainstream" tax cut plan that allocates a larger share of benefits to the middle class.

In a letter sent late Saturday to members of a congressional panel seeking to iron out the differences in tax bills approved in the House and Senate, Clinton charged that proposals from both chambers "failed the critical test of fairness." He faulted the GOP tax plans for shortchanging low-income workers and scrimping on education tax cuts while splurging on tax breaks for high-income taxpayers that would "explode" in cost over time.

Clinton's criticisms of the Republican tax bills followed a two-hour meeting Saturday night between Republican tax negotiators and Treasury Secretary Robert E. Rubin to consider tax proposals outlined in a "discussion draft" released Friday by Senate Finance Committee Chairman William V. Roth Jr. (R-Del.).

Roth aides said the new tax package had been designed to balance differences between the House and Senate tax plans, as well as accommodate the president, and encourage all sides to show more flexibility. Among its provisions: an offer by Roth to reduce by \$10 billion his original plan for expanding Individual Retirement Accounts.

Roth spokeswoman Ginny Flynn said

Roth had shown willingness to give ground on an issue that has been a personal priority over the years as a sign of good faith to other negotiators.

Administration officials, however, said the new Roth plan contained no genuine concessions and was never taken seriously by the White House. "This was a non-offer," a senior administration official said yesterday. "If there was any movement here, it was backwards."

Senate Majority Leader Trent Lott (R-Miss.) has vowed that congressional tax conferees will complete work on a tax proposal before Congress leaves for the summer recess on Aug. 1. But with that deadline only 11 days away, there is growing concern at both ends of Pennsylvania Avenue about the lack of progress in resolving differences on tax issues.

House Ways and Means Committee Chairman Bill Archer (R-Tex.) said yesterday he remains confident that final agreement can be reached. "The president wants to sign a bill, and we want a bill signed," Archer said in an appearance on ABC's "This Week." "I'm satisfied they're going to get it and that we'll come together on this."

But others worry that renewed intra-party conflict among House Republicans could jeopardize efforts to reach consensus. "Our concern would be that in the effort to deal with the internal politics, that it would cause a lurch from the mainstream that would make it impossible to put together a mainstream budget and tax bill," said White House

budget director Franklin D. Raines, who also appeared on "This Week."

With Republicans divided and internal polls suggesting that Clinton's tax plan is playing far better with the public than the GOP alternatives, White House officials feel little pressure to heed demands from Congress.

"With the situation in the House, the president's approval ratings in the polls so high and the economy doing well, I don't think there is much question that the White House is dealing from a position of strength right now," a Senate Republican aide acknowledged yesterday.

In many respects the Senate tax bill, which was approved with strong bipartisan support, is much closer to the priorities of the administration. The House bill, however, won virtually no backing from Democrats.

Some features of Roth's latest proposal appeared to seek a midpoint between the Senate and Clinton tax cut packages. For example, the Roth plan would allow more working poor families to benefit from the \$500-a-child tax credit than would be the case under GOP tax bills approved in the House or Senate.

But a top Clinton aide complained that many other elements of the Roth plan — including provisions relating to tax cuts for profits from the sale of stocks and other assets — seemed designed to find middle ground only between the House and Senate. Those changes, the aide said, were "a step in the wrong direction." ■

10. Los Angeles Times

* 07/21/97; Edition: Home Edition; Section: National Desk; Page A-5

Clinton Seeks Dialogue on Race, but He Must Go Beyond Same Old Talk

By RONALD BROWNSTEIN

The news flash from last week's first meeting of President Clinton's advisory board on race is that America is a racist country. Deeply, broadly racist. Perhaps

irredeemably racist.

Board member Angela Oh, a Los Angeles lawyer, set the tone early on when she said the panel should not waste its time documenting the extent of

discrimination because it was so widespread. "I don't need the data," she said. "I don't think any of us need the data; we know it's there."

John Hope Franklin, the prominent

The Inquirer's series shows that the job of supporting our Free Library is far from over.

Corporate America, like all of us,

must become more involved in its communities as creative catalysts for change, because when it comes to the future of our children, it's one investment

guaranteed to pay big dividends.

Virginia L. Cunningham is a scientist with SmithKline Beecham. ■

61. The Washington Post

07/05/97; Edition: FINAL; Section: OP-ED; Page A17 Category: Commentary

When Black Students Fail

Three critical points raised in Patrick Welsh's Outlook piece ["They've Got What It Takes: My Black Female Honors Students Beat Long Odds to Succeed," Outlook, April 27] compelled me to consider how our schools perpetuate social inequities.

First, Welsh says that at the suburban Virginia high school where he teaches, "honors classes are open to anyone willing to try them," implying that black kids, who are underrepresented in those classes, are themselves responsible for their academic failure. However, Welsh fails to recognize that both learning and teaching are profoundly political activities in which success is heavily contingent upon acceptance of existing social structures and practices.

Second, Welsh himself acknowledges that membership in honors classes often has virtually nothing to do with intellectual ability. Although the number of black children attending schools in suburban communities is growing, the number of these children in honors classes is not likely to keep pace; school

officials have in place a system of de facto segregation widely known by the more benign name of tracking. Tracking is accepted by virtually everyone as an innocuous scheme for categorizing students' academic aptitude. But under this system, black students often wind up with very little choice in their academic futures.

The third critical issue Welsh addresses is the image of black parents. Black students are woefully inadequate, one standard stereotype says, in large part because they are the products of inadequate mothering. Black parents' (read, black mothers') "lack of involvement" in their children's schools is evidence that they do not give a damn.

In truth, a growing body of research suggests a troubling finding: Young African American students, particularly females, are not rewarded for academic performance. What gets them noticed instead is their willingness to protect, defend and nurture others. Those African American females who are either unwilling or unable to fulfill these

nonacademic, gender-specific roles are tracked for failure. (It has been suggested that if we could get black schoolgirls to behave more like white schoolgirls, they would increase their chances of academic success.)

One might wonder why teachers don't fight the practice of tracking and work to offer black children greater academic challenges. Like other children, African American children begin school eager to tell their teachers their dreams, to share with them how, why and where they want to fly. Ironically, it is the school experts' unwillingness to raise their expectations for black children that guarantees these students' failure. Indeed, some teachers misguidedly "protect" African American children by not pushing them harder.

If black children are to succeed, they must be given greater opportunities — including the opportunity to try and to fail. If teachers don't give them this chance, they will kill — perhaps unwittingly — these children's dreams.

— Signithia Fordham ■

62. Los Angeles Times

* 07/06/97; Edition: Home Edition; Section: Opinion; Opinion Desk; Page M-6 Category: Commentary

A Bilingual-Education Initiative as a Prop. 187 in Disguise?

By Ruben Navarrette Jr.

Ruben Navarrette Jr is author of a "Darker Shade of Crimson" (Bantam)

SANGER, CALIF. — Bilingual education is back in the news. The Orange Unified School Board has voted unanimously to seek permission from the state to terminate its bilingual education program and replace it with English immersion. Ruben Zacarias, superintendent of the L.A. Unified

School District, wants to limit the number of years a student remains on a bilingual track. And new polling data suggest that a majority of Latino parents, notably in Orange County, are worried that their children will become mired in bilingual education; they strongly believe in early English proficiency. Come June 1998, all California may be pulled into the bilingual fray if the English Language Education for Immigrant Children Initiative qualifies for the ballot.

At first glance, the measure appears to be the latest embodiment of the sort of anti-immigrant and anti-Latino prejudice enshrined in Proposition 187. But that oversimplification may mischaracterize the proposed initiative as harmful, when it may be helpful.

The initiative would require that all students be placed in English-language classrooms; provide students classified as "English learners" (limited English proficient in current parlance) with a one-year transition period of "sheltered

They're allowed to pay taxes on installment-plan payments only as they come in. By requiring them to pay the full tax liability at the time of sale, as Mr. Archer wants them to do, the government would squeeze the manufacturers for another \$508 million over four years.

US West and AirTouch Communications are lobbying to keep the tax break called the Morris Trust, which allows companies to use stock and debt transfers to avoid paying taxes when selling off parts of their businesses. Special pleaders for US West and AirTouch are as ubiquitous on the Hill as the summer flies at the town dump.

Mr. Archer and his Republican

colleagues in the House say, in the matter of the university pensions, that they're only trying to correct an example of favoritism, that this was a break not available to anyone else and they wouldn't have got it except that the Democrats who then controlled Congress were in a vote-buying frenzy. The tax lawyers call this benefit a "rifle shot."

The Republicans in charge now regard the professors' retirement system as an insurance company, not a pension plan. Tax-exempt statutes give it an advantage over other insurance companies, an advantage taxpayers pay for with a break of \$1.1 billion spread over the next decade.

Several very important congressmen, including Sen. Daniel Patrick Moynihan of New York and Sen. Phil Gramm of Texas, good men both on the Senate Finance Committee, hold pensions vested in the professors' pension fund. They're both former university teachers. So is Rep. Dick Armey of Texas, the No. 2 Republican in the House.

Congressmen have resources available to them that the rest of us don't. All they have to do is dip into the public till to cover the costs of protecting themselves from what they do to the rest of us. The rest of us must beg for mercy on this glorious Independence Day. ■

60. Philadelphia Inquirer

July 7, 1997 Category: Commentary

Corporate support of libraries underwrites far more than books

Libraries are critical to the well-being of our communities.

By Virginia L. Cunningham

Andrew Carnegie must be turning over in his grave at the troubling revelations about Pennsylvania's underfunded and underutilized library system exposed in Gilbert Gaul's Inquirer series "Libraries in distress" (June 1-4).

The sad state of our library system is doubly disturbing when we remember that it was Benjamin Franklin who founded America's second library right here in Philadelphia — a library dedicated to scientific knowledge. A hundred and fifty years later, another Pennsylvanian, philanthropist Andrew Carnegie, used his great fortune to endow libraries across America.

Yet today, Pennsylvania's public libraries, so critical to the intellectual soul and economic well-being of our communities, are threatened by increasing competition for both tax dollars and the kind of private philanthropy Carnegie exemplified.

Individual giving is still a crucial component in meeting urgent community needs, but business is becoming a much bigger player. But as critical as dollars are to any effort, corporate America must do more than simply write a check. Corporations must become catalysts for change by broadening their vision and creating partnerships with communities

to solve problems.

Let me give you a couple of examples. As an environmental scientist, I knew we had a serious problem 11 years ago when international science tests showed U.S. students falling behind. American 13-year-olds placed 13th out of the 15 countries participating. If this country is to maintain its leadership in the world, we must continue to attract the "best and the brightest" young minds to science. Yet too many children, especially girls and minorities, were rejecting science as too difficult or not much fun.

Science education was also a problem for SmithKline Beecham, where I work as a scientist. Without a constant supply of young scientists bringing with them new ideas and innovative thinking, companies like ours will struggle to meet America's long-term health-care needs. So I asked SmithKline Beecham to get behind an idea I had to help address both our company's and our country's future need for scientists — the "Science in Summer" program, and it agreed.

Through SIS, certified teachers take their "show on the road" to libraries throughout the Greater Philadelphia region, through which children explore everything from physics to paleontology.

This summer, Steven Spielberg won't have the only dinosaurs in town. And at

summer's end, thousands of dollars worth of science books will have been left behind to help fill thinning library shelves.

SIS began with 10 libraries and 300 students. Today, 103 libraries reach more than 5,100 children, and by 2001, every branch of the Free Library will be an SIS site — a commitment made as part of the Presidents' Summit for America's Future. For many children, this program is not only their first experience with hands-on science, it is also their first opportunity to experience a library. The branches themselves get a boost in usage and financial support.

SIS isn't the only game in town, however, when it comes to creative partnering to help our libraries. First Union National Bank and Conrail are the lead sponsors, along with other local businesses, for the Free Library's summer reading game — Wild About Reading. This wonderful program helps children improve their academic achievement during the school year by encouraging them to read during the summer.

Here again is a proven partnership that works for both the community and its corporate neighbors, as many of the summer reading graduates end up years later as talented employees of these and other local companies.

End Bilingual Mandate

THE time has come to face facts: Bilingual education in the United States has failed. Worse, its effects are the opposite of those intended.

The original idea of the 1968 federal bilingual-education law, championed by then-Sen. Ralph Yarborough (D) of Texas, was to teach very young Mexican-American children in Spanish for a short time until their English was good enough for school.

Those good intentions, as often happens with government programs, over time shifted into federal mandates that states and local schools offer bilingual education to Hispanic or other students whose first language is not English. Now most first-grade students from Spanish-speaking homes are taught to read and write in Spanish rather than English, the language of government and commerce in this country. Once Hispanic students get into bilingual programs, their parents often find the children are in a trap they can hardly escape. Their English often does not improve because they aren't using it. Sometimes students have been shunted off into bilingual programs on the basis of a resident Spanish-speaking grandparent.

The statistics are sobering. Census Bureau data show that the less English a student speaks, the more likely he or she is to drop out of school. The highest dropout rate is among Spanish-speakers who speak English "with difficulty." A New York City Board of Education study found that 92 percent of Korean-language children, 87 percent of Russian-language children, and 83 percent of Chinese-language children had placed out of English-as-a-second-language (ESL) programs three years after entering kindergarten. These children got most of

their instruction in English. By contrast, only 51 percent of Spanish-speaking children and 59 percent of those speaking Haitian-Creole exited bilingual programs in which instruction was in their original tongue.

Language learning comes from repetition and speaking practice.

Experience shows that young children learn English fastest when they are forced to do so.

Small children do it best because they have few inhibitions and are not afraid to make mistakes, and because they have not lapsed into language patterns that appear harder to break as people's language habits become more inflexible. Experience with previous and present immigrants, and with foreign-language immersion programs for English-speaking elementary-school students, shows that young children learn English fastest when forced to do so. And it doesn't matter what their native tongue is. (Were more adults willing to try, they too would find this natural language learning is the most practical.)

From late elementary school on, children can have a more difficult time learning a new language, although each individual is different. For them, teaching in English with special help from ESL teachers is best.

One might ask, as many Hispanic parents around the country do, why bilingual programs continue. The answers are: 1) the ideology of some members of the educational establishment, who are loath to abandon pet theories (and their jobs), and 2) government funding. The more bilingual students a school district has, the

more money it can pump from the federal government. Thus, following well-known bureaucratic laws, the programs take on a life of their own as those who benefit most from them—bilingual-program educators—fight to preserve their bureaucracy.

We have no desire to eliminate the speaking of other languages in the United States. The ability to speak more than one language is ever more necessary in a global economy. But "bilingual" programs are taking that ability away from millions of pupils. They can learn Spanish at home, at church, and yes, even at school. But they will not be able to compete in the job market if they do not speak English as well. Society is practicing a cruel deception on immigrant parents and children if it pretends otherwise.

It's time to stop the bilingual-education experiment and try something that works—an ESL-style program.

Bilingual
Education

Copyright 1997 Times Mirror Company
Los Angeles Times

October 15, 1997, Wednesday, Orange County Edition

SECTION: Part A; Page 1; Metro Desk

LENGTH: 1878 words

HEADLINE: THE TIMES POLL;
LITTLE SUPPORT FOR BILINGUAL CLASSES FOUND

BYLINE: MARK Z. BARABAK, TIMES POLITICAL WRITER

BODY:

Opponents of bilingual education enjoy overwhelming support in a brewing ballot fight that has sparked early skirmishing in the 1998 campaign, with strong backing among California voters of all races, ethnicities and political persuasions.

A proposed measure to virtually dismantle California's system of bilingual public education garnered huge support among the state's electorate, with 80% in favor and 18% against, according to a new Los Angeles Times poll.

Support was in the 75% to 80% range virtually across the board, among all races, income levels and age groups. Latinos voters surveyed favored the initiative by a slightly higher margin--84% to 16%--than whites, at 80% to 18%.

Even two-thirds of self-described liberals supported the proposed initiative, aimed at the June 1998 ballot.

The Times survey offered the first independent sounding of public opinions on a wide range of social and public policy issues that could face California voters when they go to the polls next year.

Among its other findings:

* A proposed measure aimed at curbing the influence of organized labor by restricting the political use of union dues was opposed by nearly 2 to 1. Those not in unions were only slightly less opposed than union members.

* Californians evidently look forward to their expanded choices under the state's new "open primary" law, which allows them to vote next June for whichever candidate they prefer, regardless of party. Only a minuscule percentage said they intended to use the opportunity to make political mischief.

* Californians strongly support the state's ban on assault weapons, though most question its effectiveness. Such doubts notwithstanding, an overwhelming majority would like to see the ban strengthened.

* Californians strongly support legalized abortion during the first three months of pregnancy. At the same time, however, a large majority believe parental consent should be required for girls under 18.

Please give a
copy to Kara
Skellern in political
affairs
— Bill

Los Angeles Times, October 15, 1997

The poll surveyed 1,396 adults statewide Oct. 4-7. The margin of sampling error is plus or minus 3 percentage points.

Much of the early attention surrounding the 1998 campaign has focused on the proposed bilingual education initiative. The measure, pushed by Silicon Valley businessman Ron Unz and Orange County schoolteacher Gloria Matta Tuchman, promotes English-only instruction for California's 1.3 million students with limited English skills.

Some Latino political activists have criticized the proposal and the negative reaction has, in turn, made some Republican leaders skittish about associating the party with the so-called Unz initiative, for fear of a backlash.

But the GOP rank and file was solidly behind the measure, with 89% support. Seventy-three percent of Democrats backed the initiative.

"The immigrant community has long viewed education as a way up the socioeconomic ladder," said Susan Pinkus, director of the Times Poll. But, she continued, "a lot will depend on how the campaign for the Unz initiative is waged and how the Latino community responds."

As a case in point, she noted the polling history of Proposition 187, the 1994 anti-illegal immigration initiative. A Times poll conducted in September 1994 found that Latinos supported Proposition 187, 52% to 42%.

However, sentiment toward the initiative had turned decidedly negative by election day, after a campaign that many Latinos perceived as scapegoating their community. Although Proposition 187 won statewide approval by a handy margin, exit interviews conducted at polling places found that 77% of Latinos ended up voting against the measure.

"The Unz initiative starts out a lot less controversial," Pinkus said. "The campaign to follow will determine if it stays that way."

A second proposed ballot initiative fraught with potential political undertones aims to inhibit the use of union dues for campaign activities.

The measure, also intended for the June ballot, would require union members to expressly approve part of their membership dues to be used for political candidates or initiatives.

Republicans have seized upon the issue as a way to undercut the influence of Democratic-leaning labor unions. In Washington, the controversy over a similar provision sidetracked campaign finance reform legislation.

In California, Gov. Pete Wilson has enthusiastically embraced the initiative, sponsored by conservative activists, and has indicated that he may use the issue to help him realize his presidential ambitions.

But the Times Poll found little initial support among voters for the concept of a crackdown on unions' political activities, with opposition to the proposed ballot measure running 59% to 33%. Sixty-three percent of union members were opposed, only slightly more than the 58% among those not in unions.

Los Angeles Times, October 15, 1997

Democrats were strongly opposed, 62% to 31%, with Republicans less so, 54% to 37%.

"That finding is counterintuitive," said Pinkus, noting the political import that leading Republicans have staked on the issue.

One of the ballot measures that voters approved last year will have its first tryout next June. Under the so-called open primary system, California voters can cast their ballots for any candidate, regardless of party registration.

Proponents of the measure suggested that it would encourage voter participation and promote bipartisanship and problem-solving in government by boosting more moderate candidates.

Opponents--including the two major political parties--have gone to court seeking to overturn the measure. Among their objections, Democratic and Republican leaders have asserted that the law impinges on the rights of their members to choose their own parties' nominees, and invites mischief by cross-over voters.

But the Times poll suggests that voters are enticed by the notion of greater choice and not terribly interested in causing trouble.

Seventy-seven percent of voters said they could think of circumstances in which they might vote for a candidate from a party other than their own. Seventy-eight percent of Republicans said so, along with 75% of Democrats.

Independents and voters who decline to state a party preference stand to gain the most from the new primary system because, for the first time in years, they can vote for candidates seeking office. Before, independents and decline-to-state registrants could vote only for initiatives on the ballot. Seventy-one percent of those surveyed said they would take advantage of their new status to cast ballots in contested primaries.

As for mischief-making, most voters said they would mix and match their ballots with benign intent. Eighty-six percent of those registered in a party said they would vote for a candidate of a different party because they supported that individual. A mere 5% said they would support an opposing party's candidate in hopes of sabotaging that party by nominating the weakest possible general-election candidate.

On the assault weapons issue, 59% of respondents strongly favored the 1989 California law banning possession, sale or manufacture of 75 specific semiautomatic firearms, with an additional 14% somewhat favorably disposed. Sixteen percent were strongly opposed to the legislation, with an additional 8% somewhat opposed.

Eighty-one percent of Democrats viewed the ban favorably, compared with 67% of Republicans and a like percentage of independents.

Despite the strong support for the 1989 legislation, 58% of respondents felt the ban had done little or nothing to take such weapons out of the hands of criminals. Thirty-three percent felt the ban had been somewhat or very effective.

Los Angeles Times, October 15, 1997

An overwhelming majority, 71%, expressed support for legislation that would close the loopholes in the 1989 law and expand the definition of what constitutes an illegal weapon to include so-called copycat firearms.

Democrats, at 80%, and independents, at 77%, were the most favorably disposed to follow-up legislation, compared to 58% of Republicans.

Sixty-three percent of gun owners favored the initial legislation and 56% favored strengthening the ban. Twenty-eight percent of respondents said there was at least one gun in their household.

On the abortion issue, 59% of those surveyed expressed support for the landmark 1973 Roe vs. Wade decision that legalized abortion during the first trimester of pregnancy. At the same time, 67% of respondents said that girls under 18 should be required to obtain parental consent before they could have an abortion. Twenty-six percent said no such permission should be required.

(BEGIN TEXT OF INFOBOX / INFOGRAPHIC)

Key California Issues

Members of the California electorate say they would not vote for a proposed initiative to require union members to approve part of their dues for political purposes. On other issues, Californians would maintain the ban on the manufacture, sale and possession of semiautomatic weapons and would require girls under the age of 18 to get parental consent before they have an abortion.

Would you vote for or against an initiative that would require union members to approve part of their dues to be used for political purposes?

(Asked of registered voters)

	All Voters	Union Members	Non-Union Members
Vote for	33%	33%	33%
Vote against	59%	63%	58%
Don't know	8%	4%	9%

Should girls under 18 be required to get their parents' consent before they may have an abortion?

	All	Favor Roe vs. Wade	Oppose Roe vs. Wade
Should be required	67%	56%	90%
Should not be required	26%	38%	5%
Depends on family circumstances*	4%	3%	3%
Don't know	3%	3%	2%

Los Angeles Times, October 15, 1997

Do you favor or oppose maintaining California's present ban on the manufacture, sale and possession of semiautomatic assault weapons?

	All	Gun Owners	Non-Gun Owners
Favor	73%	63%	78%
Oppose	24%	34%	20%
Don't know	3%	3%	2%

Has this ban been effective in reducing the use of semiautomatic weapons by criminals?

	All	Gun Owners	Non-Gun Owners
Effective	33%	26%	36%
Not effective	58%	67%	53%
Don't know	9%	7%	11%

Note: *volunteered

Source: L.A. Times Poll

Times Poll results are also available on the World Wide Web at
<http://www.latimes.com/HOME/NEWS/POLLS>

How the Poll Was Conducted

The Times Poll contacted 1,396 adults, including 1,092 registered voters, statewide by telephone Oct. 4-7. Telephone numbers were chosen from a list of all exchanges in the state. Random-digit dialing techniques were used so that listed and non-listed numbers could be contacted. The sample was weighted slightly to conform with census figures for sex, race, age, education, region and registration. The margin of sampling error for all adults and registered voters is plus or minus 3 percentage points; for certain subgroups, the error margin may be somewhat higher. Poll results also can be affected by other factors, such as question wording and the order in which questions are presented.

GRAPHIC: GRAPHIC-TABLE: Key California Issues, Los Angeles Times

LANGUAGE: English

LOAD-DATE: October 15, 1997

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Sacramento Bee

October 16, 1997, METRO FINAL

SECTION: MAIN NEWS; Pg. A1

LENGTH: 778 words

HEADLINE: STAR LATINO TEACHER JOINS BILINGUAL FOES

BYLINE: Phil Garcia, Bee Deputy Capitol Bureau Chief

BODY:

The nation's most celebrated Latino educator has joined forces with organizers of a proposed ballot initiative that would all but eliminate bilingual education in California schools.

Hiram Johnson High School mathematics teacher Jaime Escalante, whose success with Latino public high schoolers from East Los Angeles was depicted in the 1988 film "Stand and Deliver," has joined the campaign as honorary chairman, the group announced Wednesday.

The proposed initiative would require that all California public school instruction be conducted in English, allowing exceptions in limited circumstances when parents request it. It has yet to qualify for the June primary ballot but already has become the subject of much political debate.

Escalante said his support for the measure stems from his own experience as an immigrant who struggled in menial jobs until he learned enough English to pursue a career. He believes that bilingual education programs "are a negative factor for most immigrant children," as he wrote earlier this month in accepting the honorary post.

"From my experience, working at Garfield High (in Los Angeles) and over here at Johnson High, I notice that the kids who are not proficient in English always sit in the back of the room," Escalante said Wednesday.

"They don't want to be involved or participate because they haven't mastered the language," he said. "It creates a complex of inferiority in the classroom, naturally. It's great to have a bilingual teacher to motivate the kids to participate in the class, but unfortunately we don't have that."

Ron Unz, the wealthy Silicon Valley businessman and former California GOP gubernatorial candidate who is behind the proposed measure, called Escalante's support "a tremendous boost" to his campaign.

"Having the most prominent Latino educator serving as honorary chairman really just allows more of these Latino public figures to voice their true feelings on the issue," Unz said.

Backing up his claims, Unz pointed to a Los Angeles Times poll published Wednesday that showed 84 percent of all California Latino voters supporting the proposed initiative.

The Times poll also found that 80 percent of white voters -- and an equal percentage of all California voters -- support the proposed measure, which its backers call "English for the Children."

Jorge Duran of Redwood City is one Latino parent who said he supports the proposed measure -- and didn't need Escalante's endorsement to decide.

He said he and his wife finally succeeded in getting their two girls, now age 9 and 7, out of a local school that spent maybe "20 minutes" in English language instruction. For now, they have them, along with a son in kindergarten, in a school that splits instruction evenly between Spanish and English. But they want more English instruction.

"There were neighborhood children who came from Mexico and they knew more English than my own children, who were born in this country," Duran said in explaining his support for the Unz measure. ". . . I want my children to have a better future, that they learn English so they can fight for their rights and be somebody in life."

Ray Munoz, who teaches a "newcomer" class for seventh- and eighth-graders at Martin Luther King Junior High School, said parents who say they support the initiative may not yet fully understand the proposal, which he considers "extreme" in its approach.

Munoz, who said he was "shocked" that Escalante had endorsed the measure, said his own experience and research have shown him that students who speak, read and write their primary language well first are the ones who will learn English rapidly.

"I know his heart's in the right place, but he is really making a big mistake by endorsing that," he said. "The research shows if you take primary language away from kids, those kids that really need it are going to take longer to learn English."

Republican political consultant Sal Russo said that whether the battle on this measure is over before it really begins -- as the polls suggest -- depends on how the campaign is waged.

"The campaign has to be that we want that opportunity to realize the American dream extended to all children. If that's the purpose of the campaign, I think it'll do quite well."

Escalante downplayed any high-profile role he might play as honorary chairman by saying he's "really too old to learn the politics," and plans to stay in the classroom and out of any future television ads.

"First of all, to be a politician you have to lie. I don't think I'm going to be able to do that," Escalante said. "In the classroom, you can be honest with kids."

GRAPHIC: Jaime Escalante
His success teaching Latino students was dramatized in the film "Stand and Deliver."

LANGUAGE: ENGLISH

LOAD-DATE: October 17, 1997

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Sacramento Bee

October 16, 1997, METRO FINAL

SECTION: MAIN NEWS; Pg. A3

LENGTH: 632 words

HEADLINE: BILINGUAL POLL CHANGES TENOR

BYLINE: Dan Walters

BODY:

California's Latino civil rights leaders and politicians have portrayed efforts to overhaul bilingual education as an insidious, racist plot concocted by Anglo conservatives, a continuation of the polarizing crusades against illegal immigration and affirmative action.

But those who resist changes in the bilingual programs that affect more than a million California youngsters received a double jolt Wednesday.

The Los Angeles Times published a poll revealing that 84 percent of Latino voters endorse a pending ballot measure that would virtually dismantle bilingual education -- a higher support level than Anglos express. And Jaime Escalante, the Latino immigrant who taught calculus to inner-city youngsters and became the state's most famous teacher, endorsed the ballot measure and denounced bilingual education's effects on immigrant children.

The Times poll results were nothing short of stunning. In a state as diverse as California few public policy issues claim more than a bare majority of support and two-thirds backing is as rare as snow in El Centro. But the poll found that four-fifths of California voters back the anti-bilingual education measure, which is likely to qualify for the June 1998 ballot, with Latinos the strongest single support group.

"We're extremely pleased," Sheri Annis, a spokeswoman for the "English for the Children" campaign said, "to know what we've suspected, that a large percentage of the Latino community favors the initiative."

The measure's chief backer is high tech entrepreneur Ron Unz, who sought the Republican nomination for governor in 1984. Annis said the campaign has collected more than 450,000 voters' signatures and hopes to have 600,000 before petitions are submitted next month. It needs 433,269 valid names to qualify.

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Escalante gained national fame -- including portrayal in a major motion picture, "Stand and Deliver" -- as a teacher in Los Angeles. Escalante now teaches in Sacramento and recently rebuffed entreaties by conservative education reformers to run for superintendent of public instruction next year. In a letter to Unz, Escalante said his support for the measure is "based on personal experience" both as an immigrant lacking English language skills and as a teacher.

Sacramento Bee, October 16, 1997

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The political shock waves from the Times poll ripple beyond a high probability that the Unz measure will pass next June.

The poll indicates that Latino leaders are out of touch with the people they purport to represent and that Republican leaders have been unnecessarily timid on the issue. GOP leaders tried, and failed, to block delegates to a recent state party convention from endorsing the Unz drive. Party chairman Michael Schroeder said he was worried that an endorsement could alienate Latino voters and undercut outreach efforts.

The startling poll results also will rekindle an effort in the Legislature to reform bilingual education without killing it. A bipartisan reform measure cleared the Senate easily this year, but doctrinaire liberals blocked it in the Assembly at the behest of Latino political leaders.

Democrats who participated in that blockage, including those who voted against a Republican motion to pull the bill out of committee, could find themselves eating the issue when they seek re-election next year.

DAN WALTERS' column appears daily, except Saturday. E-mail: dwalters

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Los Angeles Times

October 16, 1997, Thursday, Home Edition

SECTION: Part A; Page 3; Metro Desk

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HEADLINE: NEWS ANALYSIS:

ANTI-BILINGUAL DRIVE'S TONE IS KEY FOR LATINOS;

EDUCATION: POLL FINDS MOST FAVOR TEACHING IN ENGLISH, BUT SENTIMENT MAY TURN
AGAINST THE INITIATIVE IF CAMPAIGN SEEMS TO BASH THE ETHNIC GROUP.

BYLINE: MARK Z. BARABAK, TIMES POLITICAL WRITER

BODY:

Californians may strongly oppose the state's system of bilingual education. But the consensus quickly unravels over how it should be fixed--and whether voters should even try.

Nowhere is that split more striking than within the state's growing Latino community, where much of the political establishment has lined up against an anti-bilingual education ballot proposal currently favored by 84% of Latino voters.

Is the political leadership out of step with the larger Latino community on an issue of enormous practical consequence? Or is the leadership several steps ahead, as suggested by the history of two other issues with strong emotional resonance--illegal immigration and affirmative action?

Partisans on both sides of the bilingual education issue professed little surprise at a new Times poll that found enormous support for a ballot proposal promoting English-only instruction that would have limited exceptions. Students could continue receiving bilingual instruction if their parents specifically requested it and could prove that their children would learn better that way. Under the current system, students not fluent in English may be taught for years in their native language.

The measure, currently in the signature-gathering phase, is aimed for the June ballot.

Approaching the bilingual education issue from vastly different directions, opposing sides converge on two key points: They agree that all children must become fluent in English. And they concur that the current system ill serves the needs of those children.

For now, that sentiment translates into overwhelming 80% support for the ballot measure, according to the Times poll.

Where the two sides sharply diverge--and where some Latino political leaders differ from their larger community--is over how to remedy the system and whether the blunt instrument of a ballot initiative is better than a legislative

Los Angeles Times, October 16, 1997

solution.

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As Rafael Gonzalez, an initiative opponent, put it, "If you ask Latino parents if they want their children to learn English, you'd probably have close to 100% saying 'yes.' But the initiative process opens a whole political Pandora's box of divisional politics."

Indeed, analysts suggest that the tone of the debate just now getting underway could go a considerable distance toward deciding whether instruction almost exclusively in English becomes state law with the broad support it currently enjoys.

The proposed June ballot measure would require English language instruction for the state's roughly 1.3 million children, or one in four, who are not fluent in English. About 77% of those students speak Spanish at home.

The measure's leading proponent, Silicon Valley businessman Ron Unz, frankly admits that the initiative's goal, for all intents and purposes, is to end bilingual education in California. To the measure's co-sponsor, Santa Ana schoolteacher Gloria Matta Tuchman, the bilingual education system has "failed a whole generation."

Opponents of the initiative don't necessarily challenge that. They just disagree--fiercely--over why it has happened.

"Bilingual education has never been implemented properly," said Art Torres, a former state senator and chairman of the California Democratic Party, who points to the state's huge shortage of bilingual teachers.

There are contradictory data to bolster both sides of the political argument.

Some studies have found that bilingual programs prepare children better academically. Others have found that such students never become fully fluent in English.

What those sorts of studies fail to reflect, of course, is the raw emotionalism that surrounds the issue, particularly for some older Latinos.

Harry Pachon, a Claremont Graduate University expert on Latino politics, recalls how decades ago children who lacked English skills were placed in classrooms set aside for the mentally retarded. Even so, forgetting that ugly history, Pachon said his surveys routinely find what the Times poll turned up, namely that Latino parents are even more enthusiastic about English instruction than white parents.

The pertinent question, he said, is whether Latino support for the ballot measure will hold up through the searing heat of a statewide campaign--particularly given the still-raw feelings over Proposition 187, the 1994 anti-illegal-immigration initiative, and last year's Proposition 209, banning racial and gender preferences in state and local governments.

Los Angeles Times, October 16, 1997

"The problem becomes when the usual cast of suspects starts showing up on behalf of the initiative," Pachon said, citing rabid anti-immigration foes. "It will be interesting to see how initiative backers finesse it so this doesn't become perceived as the 'third strike' against the Latino community."

The polling history of Propositions 187 and 209 offers a cautionary lesson for opponents of bilingual education.

A Times poll conducted in September 1994--only two months before the vote--found that Latinos supported Proposition 187 by a margin of 52% to 42%. By election day, after a harshly negative campaign, 77% of Latinos voters ended up opposing the measure.

Similarly, a July 1996 poll on Proposition 209--four months before the vote--found Latinos essentially split. On election day, though, 76% opposed the rollback in state affirmative action programs.

★

San Mateo County Supervisor Ruben Barrales said the views of Latino leaders are likely to gain importance as the campaign unfolds--and the debate becomes more polarized.

"Folks will begin looking at the different individuals and organizations to hear what they're saying," said Barrales, a Latino Republican who has held off endorsing the Unz initiative until he feels confident about the direction of the campaign.

Barrales cited Wednesday's endorsement of the measure by Jaime Escalante, the legendary former East Los Angeles calculus teacher, as one encouraging sign that the campaign may not turn into another round of Latino bashing.

Once voters start looking to their political leaders, Barrales suggested, it will become clear whether the Latino political establishment and the community it represents are in lock step or marching in different directions.

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Times education writer Richard Lee Colvin contributed to this story.

LANGUAGE: English

LOAD-DATE: October 16, 1997

defenders of affirmative action: Why should medical schools have standards at all? If low-scoring blacks go on to have identical medical careers to blacks and whites admitted with high scores, why insist upon high scores for anyone? Why don't we just choose our future doctors on the basis of their looks instead of their grades and scores?

Or perhaps a more revolutionary idea: How about doing everything possible to raise the scores of more black applicants?

There are, of course, some black applicants to colleges and professional schools who would be admitted to the finest schools in the absence of racial

quotas. But for the great majority of black high school graduates, that is not the case. As Stephan and Abigail Thernstrom relate in their comprehensive book on race relations, "Black and White in America," the gap in black/white school performance is now growing (after shrinking for many years).

There are many causes for this decline in black literacy and numeration, but money isn't one of them. As the Thernstroms note, despite widespread belief to the contrary, there is little difference in per-pupil spending between inner-city and suburban schools. But in the past decade, black student

performance has gotten worse. No one is sure why, but certainly, low standards, Afrocentrism, and increasing disorder, fear and crime must be playing a role.

According to a recent survey by Stanford political scientist Terry Moe, school choice is favored by 79 percent of the inner-city poor. And in those cities where school choice, either publicly or privately funded, has been tried, the results have been impressive. Scores and teacher satisfaction rates are up; dropout rates are down. Doesn't it make more sense to try school choice than to ditch the SATs?■

57. Sacramento Bee

October 16, 1997

Bilingual poll changes tenor

By Dan Walters

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58. Los Angeles Times

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Riordan Storms an Educational Bastille

By BILL BOYARSKY

It's making the education insiders furious, but Mayor Richard Riordan is intensifying his unprecedented efforts to shake up the creaking old L.A. school district.

The depth of the opposition to the mayor was clear when I talked to school board member Victoria Castro. "I think the mayor should stay within the scope of the city," she said. "There's a lot to be done there." Castro even suggested a job for the mayor. "I think he should get us a football team," she said.

Given the anti-L.A. bias of the fatheads who run the National Football League, getting a team is no easy job. Still, it's simpler than the task the mayor has chosen for himself—trying to turn around a district that has fought change for decades.

The effort is not part of the L.A. mayor's job description. In fact, the mayor has no statutory authority over the Los Angeles Unified School District, which is run by an elected five-member board.

Past mayors have relentlessly avoided the school district quagmire even though public education is always among their constituents' top concerns. The most famous example of this was in the late '70s when Mayor Tom Bradley, citing school board independence, refused to take a stand on a school busing dispute that was traumatizing the city.

This mayor has a different vision of his responsibility, as was evident Tuesday when he came over to the paper to have coffee with several staff members who cover politics and government.

Before getting into the nitty-gritty of our conversation, I have to explain something about Mayor Riordan. He does not like to be quoted as saying anything controversial. But he can't seem

to stop himself from being a troublemaker when he starts talking.

His way around this is to employ several journalistic conventions that sources rely on to conceal their identity: off the record, background, deep background or not for attribution.

He shifted from on the record to off the record so frequently that I left the session unclear as to just what I could quote, except to know Riordan was mad as hell at the school district. Or, as he put it, (on the record, I believe), we "need a revolution."

Specifically, he wants Supt. Ruben Zacarias to fire incompetent school principals. And he wants Zacarias to give the school district's new business czar authority to bring in his own staff, and fire subordinates who can't perform.

What Riordan wants is to make officials accountable—principals responsible for bad test scores in their schools and individual bureaucrats accountable for multimillion-dollar decisions.

This would be a revolution for the Los Angeles school district. It is an immense bureaucracy where an incompetent is, on occasion, punished by a shift to another, possibly better, job and where decision-making by committee shields individuals from blame.

Some may wonder how can the mayor start a revolution in such an organization, given the fact that he has no power over the school district.

The fact is, he could do plenty.

For starters, Riordan is focusing the sharp light of critical publicity on the district. This gives us another view of the vast bureaucracy, one at odds with the picture painted by defenders of the status quo.

Riordan is the best known public official in the region and, judging from his easy reelection and his showing in

public opinion polls, a popular one. School board members, on the other hand, are pretty well unknown, elected by small turnouts in their own districts. In a fight for public opinion, the mayor holds all the cards.

Riordan has a second weapon. The city, through an amendment to its charter, can expand the school board, increasing the chances of new ideas infiltrating school headquarters. It can also require at-large elections, bad news for current board members who would have to leave their comfortable districts and run citywide.

These ideas could presumably be part of a reform of the City Charter now being considered by two commissions. While perhaps short of revolutionary, they certainly would shake up the status quo.

As school board member Castro's comments indicate, many in the school district crowd think the mayor is engaged in a power grab or acting like a playground bully.

That's not to say he's without any support in school district headquarters.

"I think it's good," said school board member David Tokofsky, who thinks Riordan's school activism is part of his job as mayor. "The tax base of the city depends on people staying in the city and people staying in the city depends on schools, as well as parks and libraries," he said.

There will be a lot of rhetoric directed against Riordan as he pursues his campaign. Even school officials who don't publicly oppose the mayor may just give lip service to his suggestions, and then stab him in the back.

But the mayor is on a worthwhile crusade. And while his arsenal of weapons is small, it, along with his ability to attract public attention, may be enough to do the job. ■