

NCLR

NATIONAL COUNCIL OF LA RAZA

Raul Yzaguirre, President

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Talking Points for Meeting with Clinton Administration
The White House
November 21, 1997 @10:00 AM

Background

Ron Unz, a millionaire and former California gubernatorial candidate, introduced an initiative called *English for the Children*. The initiative essentially ends bilingual education by requiring that only English be used in classrooms.

A formal political action committee named *Citizens for an Educated America* has been established to oppose the initiative. Richard Ross has been hired as the campaign consultant and Kelly Hayes-Raitt as the media consultant. The PAC estimates that four million dollars are needed to mount an effective opposition campaign.

Talking Points

- While Unz is enjoying a seven-month lead, there is still time to run an effective opposition campaign. This campaign can be won and our opportunity lies in the following:
 - ◆ Unz is vulnerable. He can be cast as a wealthy, former gubernatorial candidate who is interested only in his future political aspirations and who is exploiting children to launch his political career (he is a politician not an educator).
 - ◆ A political action committee called *Citizens for an Educated America* has incorporated and is in the process of developing a message. Most importantly, there is an informal agreement among coalition members to remain silent until a single, unified message is developed. This will circumvent the risk of the kind of coalition-fracturing that was experienced in the 187 and 209 campaigns. The PAC has hired campaign and media consultants.
 - ◆ The campaign would not have to be cast in terms of bilingual education; preliminary polling has identified teachers' liability, mixed classroom settings (10- and five-year olds in the same class), and local control as issues that convince people to vote against the proposal.
 - ◆ There is a split among the Republican party. While some support the initiative, others believe that it may be viewed as yet another attack on Latinos by the Republican party.
- Specifically, we request the following:
 - ◆ a broad-based coalition meeting with California and Washington, D.C. representatives
 - ◆ a substantive legal analysis of the Unz initiative and its impact on federal funding
 - ◆ assistance in developing a campaign message and conducting polling operations
 - ◆ more money in the Administration's budget for English language programs



Program Offices: Phoenix, Arizona • San Antonio, Texas • Los Angeles, California • Chicago, Illinois

LA RAZA: The Hispanic People of the New World

Draft Unz Meeting Invitee's List

Washington, D.C. Organizations

NCLR

NABE

MALDEF

LULAC

ASPIRA

NALEO

TESOL

PRLDEF

NAPALC

NEA

AFT

Jim Crawford

California Organizations

Coalition for an Educated America

California Tomorrow

CABE

CTA

AFT's California Affiliate

MALDEF

Latino Network

META

Members of the California Legislature

Stephen Krashen

SF Collaborative on Bilingual Education

Representatives from the Asian Communities

VCLR

- ① agreement among groups not to fight among themselves
- ② Don't fight on bilingual ed
 - counterintuitive
 - not been implemented right
- ③ Fight on - language vs. teacher
 - 10- a 5-yr olds in same class
 - local control
- ④ They will make this the issue
- ⑤ - We need to capture the English issue
 - more than anybody else
- ⑥ Race initiative
 - language a divisive issue
 - but everybody says they are for English
 - adult EOP budget increase
 - Am Rds for adults
 - Title III - family literacy
 - Ameriscorp
- emphasize that ESL programs change fees

- ① Loyalty
- ② We are in English
- ③ They argue bad policy

Disputed doesn't work

~~Special Help~~ Special Help works

Point is to learn English

- ~~and~~ kids who need extra help should get it

What works
Principles } — from Dalia

Tolling

Leg. compromise?

ASSEMBLY EDUCATION COMMITTEE

ANALYSIS:

ENGLISH LANGUAGE EDUCATION FOR IMMIGRANT CHILDREN INITIATIVE

Hearing date: February 18, 1998. (Section 9034 of the Elections Code requires the appropriate policy committees of the Legislature to hold a joint hearing on the subject of each voter initiative that qualifies for the ballot, at least 30 days prior to the date of the election.)

SUMMARY OF THE INITIATIVE

This is a statutory ballot initiative that proposes to add a new section to the Education Code. It mandates a one-year, intensive English program for teaching English learners English, and establishes particular circumstances under which parents may make a request for a different instructional method for their children. It allows parents to sue school board members, teachers and administrators for not implementing the statute. It also mandates \$50 million in annual funding for local community-based English tutoring for children and adults.

One method. The initiative requires that schools place English learners in sheltered English immersion programs taught overwhelmingly in English, that English learners attend these programs for a "period not normally to exceed one year", and that after children have acquired "a good working knowledge of English," they are to be placed in mainstream classes taught entirely in English, with students who are native English speakers. The initiative allows schools to place children of different ages but similar levels of English proficiency in the same classes for the one-year sheltered English programs. It defines sheltered English immersion as an instructional method in which nearly all instruction is in English, but with curriculum specifically designed for children learning English.

Parental waivers. The initiative specifies that parents may apply for waivers for their children to attend programs other than the mandated one-year sheltered English programs, only under certain circumstances. In order to obtain a waiver, they must provide annual, written consent that their child be placed in another setting, and they must personally visit the school annually to apply for the waiver. During their visit to the school, they must be provided with information on the alternative programs available.

However, parents may only apply for a waiver under one of the following three circumstances:

- 1) Their child already knows English. The child must obtain a score on a standardized test of English that is at or above the state average for his grade level, or at or above the 5th grade level, whichever is lower.

- 2) Their child is ten years of age or older, and the school principal and educational staff approve the waiver because they believe that another program can help the child rapidly learn English.
- 3) Their child has been in an English language classroom for more than 30 days and has "special needs," and the school principal, educational staff, and local school superintendent approve the waiver because they believe that another type of program is better suited to the child's overall educational development. The child's "special needs" must be described in writing. The initiative requires that local superintendents use guidelines established and approved by the local board of education and the State Board of Education in considering whether to grant waivers under this "special needs" circumstance.

The initiative requires schools to allow students with waivers to transfer to schools with the desired programs. A school must provide a requested alternative program, if at least 20 students in one grade receive waivers.

Litigation provisions. The initiative establishes the right of all California school children to be provided with an English language public education. It states that a child's parent has legal standing to sue for enforcement if his or her child is denied the option of an English language instructional curriculum in a public school. It also establishes that any school board member, elected official, 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."

Funding provision. The initiative requires that current supplemental funding for English learners be maintained as much as possible.

Adult English programs. The initiative appropriates \$50 million a year for ten years from the state's General Fund to provide additional funding to free or subsidized adult English language programs, to serve adults who pledge to tutor English learner children in English. The initiative requires the Superintendent of Public Instruction to administer the funds, the State Board of Education to develop guidelines for this provision and local school boards to disburse the funds to schools or community organizations that provide such programs.

Statutory change. The initiative proposes a statutory change to the State Education Code, and not an amendment to the state constitution. It specifically states that the Legislature can amend the statute if such amendments further the purposes of the initiative, and that any amendments must be approved by a two-thirds vote of the Legislature. (As with any initiative, the electorate may also approve an amendment to this proposed statute.)

Operative date. The initiative is to become operative for all school terms that begin more than 60 days after its enactment.

FISCAL IMPACT: The Legislative Analyst Office estimates that there may be savings to local school districts as a result of this initiative. However, the initiative itself requires that supplemental funding for English learners be maintained as much as possible. There are no other known estimates of the fiscal effect of this initiative.

EXISTING LAW: The law governing bilingual education and services to English learners in California has been inoperative, or "sunsetted", since 1987. However, the law is still contained in the Education Code as the Chacon-Moscone Bilingual-Bicultural Education Act of 1976. School districts are required to provide services to English learners based on eight general principles of the sunsetted law. In addition, the State Board of Education has issued advisories regarding general principles for districts to follow in designing programs for English learners, and the State Department of Education allows districts six administrative options in designing programs for English learners.

ANALYSIS OF THE INITIATIVE

Is mandating one instructional method appropriate?

It is problematic for the state to mandate one instructional method for teaching English to English learners, for the following reasons:

- Mandating one method restricts local innovation that might lead to the discovery of better instructional methods.
- Children have different needs and learn in different ways. Dictating one method restricts the ability of schools and teachers to adapt to the needs of the child, and restricts their ability to tailor programs to obtain optimum success.
- Differing local community priorities and parents' preferences make it inappropriate to dictate one method. The initiative restricts the ability of elected school boards to respond to the changing needs of their constituents.
- The instructional method and the accompanying provisions mandated by the initiative do not appear to have been implemented or formally evaluated by any school district in California.

California's system of K-12 education is moving towards a standards-based accountability system, and soon all schools will annually test their students to measure progress in meeting statewide standards. All students will be expected to achieve at high levels and schools will be expected to provide services and programs to ensure that students meet statewide standards. This initiative prohibits schools from modifying instructional methods or programs to improve pupil performance.

What happens if children do not learn English in a year? Will they be placed in classes they don't understand?

The initiative states both that English learners are to be placed in sheltered English immersion programs for a period not normally intended to exceed one year, and that once English learners have acquired a good working knowledge of English they shall be transferred to mainstream classrooms. It is unclear which requirement is more important, and which should take precedent if the two fail to happen simultaneously. If English learners do not have a good working knowledge of English after attending the one-year immersion programs, what happens? Will schools be obliged to place these children in mainstream classrooms, despite their lagging English skills? What if a school's English immersion program normally exceeds one year?

The initiative only requires that English learners acquire a "good working knowledge of English" before being placed in mainstream classrooms. It does not define this further, nor does it require that schools and districts test for English proficiency. This lack of clarity could lead to situations where children of varying levels of proficiency in English would be placed in mainstream classrooms.

Unclear whether schools could provide more support services to English learners after the one-year immersion program.

If a school or teacher determines that their English learners still need more support services to help them improve their English after they have transitioned to the mainstream classroom, it is unclear whether they will be able to provide these additional services under the terms of the initiative. Furthermore, teachers may be reluctant to provide these services, for fear of being sued for providing something different than what is strictly dictated by the initiative.

What if the prescribed instructional method is ineffective? Legislature's ability to amend statute is restricted.

The initiative specifies that the Legislature may amend the initiative, but only if such amendments are approved by a two-thirds vote of the Legislature, and only if they "further the act's purpose". For minor amendments, a two-thirds vote may or may not be difficult to achieve, depending on the degree of controversy surrounding the initiative and the proposed amendments. However, it may be impossible for the Legislature to substantially amend the initiative to modify the prescribed instructional method, even if it proves disastrous, due to the requirement that any amendments

further the act's purpose. A substantial modification to the mandated instructional method may be interpreted as not furthering the act's purpose.

Will more English learners receive services under this initiative than under the current system?

Information provided by districts on their support services for English learners reveals that a significant proportion – approximately 20% – of English learners may not be receiving any special instructional services to help them transition to English. This initiative requires all English learners to participate in one-year immersion programs. If the initiative passes, and districts fully and successfully implement the requirements of the initiative, it is possible that a higher proportion of English learners would be receiving supplemental services to help them learn English than under the current system.

Initiative focuses on process, not outcomes. Lacks accountability and evaluation.

The initiative mandates a particular process for teaching English to English learners, but establishes no specific requirements regarding outcome expectations for these children, aside from the expectation that children acquire “a good working knowledge of English.” It requires no data reporting by schools/districts and does not provide for any mechanism to evaluate the effectiveness of the law. The lack of these specific provisions, combined with the suing provisions, could lead to local implementation that is more concerned about compliance with process details than about high achievement among English learners.

Parents' rights restricted?

This initiative denies parents of English learners the right to remove their child from any instructional program provided to their child—a right that parents currently have under state policy. Even the parental waivers are conditional upon the approval of the district (in the case of children at least 10 years old and children with “special needs”) or a child's standardized test results (in the case of children that already know English). That is, the initiative does not give parents the absolute right to remove their children from the English immersion programs. This is a substantial departure from one of the guiding principles established by the State Board of Education (SBE) for school programs serving English learners: “Parental involvement, including parental consent for placement of their children in programs for English learners.” If the statute proposed by this initiative overrides existing SBE

guidelines, its effect would be to restrict parental consent rights for placement of children in programs for English learners.

In addition, the initiative does not mention school and district parental advisory committees, which are required by the now-sunsetted state law. It is unclear whether the initiative's silence on the matter would eliminate this requirement. In addition, it is unclear why a child would have to be in a mainstream classroom for more than 30 days in order for the parents to request a waiver under the "special needs" circumstance.

Does the initiative allow for a non-academic focus to the English immersion programs?

Federal law requires that schools ensure that English learners do not fall behind academically as they learn English. However, the specific provisions that allow schools "to place in the same classroom English learners of different ages but whose degree of English proficiency is similar," allow a non-academic focus for the one-year transition programs, since schools would be hard-pressed to provide academic content to meet the needs of children of different ages.

Some provisions lack definition; may be defined by the courts.

The initiative lacks clarity in the areas highlighted below, which makes implementation difficult. In addition, the probability of litigation after passage, in the event the initiative passes, means that the areas below and many features of the initiative may be defined by the courts.

- Definition of "English learner" – The initiative does not provide anything other than a general description and does not require a formal assessment before children are labeled as such.
- No reference to current funding system – It is unclear how this bill would operate under the current funding system, where districts are provided funding based on the number of children designated as English learners. The initiative is unclear as to whether a district could place a child with a "good working knowledge of English" in a mainstream classroom, but still have the child designated as an English learner. In such a case, the district would be receiving state funding to pay for supplemental services, but would not be required to provide that child with such services, under the terms of the initiative.
- Unclear whether \$50 million is Prop. 98 – The initiative does not specify whether the \$50 million it appropriates for adult English language programs will count towards the Proposition 98 minimum funding guarantee for education. Either

way, the appropriation will have an impact on the budget, although the effect will differ.

Could the state reduce the amount of spending on supplemental services for English learners under the initiative?

The initiative requires that current supplemental funding for English learners be maintained, but it does not specify whether it refers to state funding, local funding, or whether it means funding on a per-pupil basis. Different interpretations lead to different conclusions regarding any possible savings to the state as a result of the initiative. For example, the Legislative Analyst's Office estimates that the initiative may result in savings due to the quicker transition to English and the subsequent reduction in the need for supplemental services. However, this scenario assumes that the state will only hold harmless the amount spent on English learners per-pupil, per-year. Under this scenario, the total amount of additional funding that a district receives during the course of an English learner's K-12 attendance will go down. An alternative interpretation of the initiative's hold harmless provision is that the state must hold the absolute amount it currently spends harmless. Under this scenario, the total amount of additional funding that a district receives to serve an English learner over the course of his or her K-12 attendance will not go down, but will only be concentrated over a shortened amount of time.

Analysis prepared by: Leonor Ehling / aed / (916) 445-9431

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



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July 3, 1997

E. Dotson Wilson
Chief Clerk of the Assembly
3196 State Capitol
Sacramento, CA 95814

Re: Initiative Title and Summary
Subject: EDUCATION. PUBLIC SCHOOLS. ENGLISH AS REQUIRED LANGUAGE OF INSTRUCTION.
INITIATIVE STATUTE.
File No: SA 97 RF 0009 (REVISED)

Dear Mr. Wilson:

Pursuant to Elections Code section 9007, a copy of the revised title and summary and the text of the above-identified proposed initiative are enclosed.

Sincerely,

DANIEL E. LUNGREN
Attorney General

A handwritten signature in cursive script, reading "Rosemary R. Calderon".

ROSEMARY R. CALDERON
Initiative Coordinator

RRC/glm
Enclosures

Date: July 3, 1997
File No.: SA97RF0009 [REVISED]

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

EDUCATION. PUBLIC SCHOOLS. ENGLISH AS REQUIRED LANGUAGE OF INSTRUCTION. INITIATIVE STATUTE. Requires all public school instruction be conducted in English. Requirement may be waived if parents or guardians show that child already knows English, or has special needs, or would learn English faster through alternate instructional technique. Provides initial short-term placement, not normally exceeding one year, in intensive sheltered English immersion programs for children not fluent in English. Appropriates \$50 million per year for ten years funding English instruction for individuals pledging to provide personal English tutoring to children in their community. Permits enforcement suits by parents and guardians. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Probably no change in total state spending on K-12 public education. Potential savings to local school districts on programs for students with limited English proficiency.

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May 6, 1997

Daniel E. Lungren
Attorney General, State of California
Attn: Rosemary Calderon
Office of the Attorney General
1300 I Street, Suite 1700
Sacramento, CA 95814

RECEIVED

MAY - 9 1997

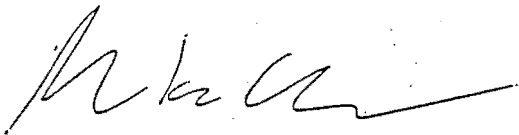
INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Mr. Lungren:

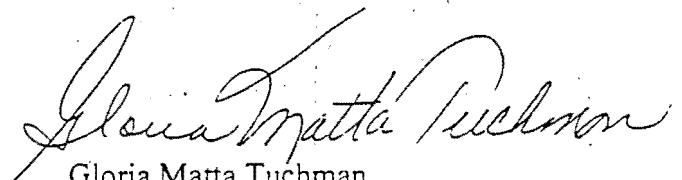
We, the undersigned, are filing the attached initiative, with the proposed title "English Language Education for Immigrant Children Initiative," and are requesting your office to prepare the appropriate title and summary for our signature-gathering efforts, in accordance with standard procedures.

Please feel free to have your office contact us if there are any questions.

Sincerely,



Ron K. Unz
Software Developer



Gloria Matta Tuchman
Public School Teacher

English Language Education for Immigrant Children initiative

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.

Joint Legislative Budget Committee

CHAIR

MIKE THOMPSON

VICE CHAIR

DENISE MORENO DUCHENY

SENATE

MAURICE K. JOHANNESSEN
PATRICK JOHNSTON
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JACK O'CONNELL
RICHARD G. POLANCO
JOHN VASCONCELLOS
CATHIE WRIGHT

GOVERNMENT CODE SECTIONS 9140-9143

CALIFORNIA LEGISLATURE

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ELIZABETH G. HILL

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TONY CARDENAS
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CHARLES S. POOCHIGIAN
RODERICK WRIGHT

June 16, 1997

Hon. Daniel E. Lungren
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Rosemary Calderon

Dear Attorney General Lungren:

Pursuant to Elections Code Section 3504, we have reviewed the proposed initiative (File No. SA 97 RF 0009) relating to English language education for students with Limited English Proficiency (LEP students) in California public schools.

DESCRIPTION OF THE MEASURE

This measure would make several changes to existing law governing instruction of LEP students. Specifically, it would:

- Require California public schools to teach English to LEP students in "sheltered English immersion during a temporary transition period not normally intended to exceed one year."
- Require schools to transfer LEP students to English language "mainstream" classrooms when students have acquired a good working knowledge of English.

- Allow any parent of an LEP student to obtain a waiver allowing their child to receive bilingual or other instruction instead of sheltered-English-immersion instruction, provided parents apply for a waiver at their child's school, and
 - (1) the child is at least ten years old and the school principal and faculty believe that another course of study would better serve the student, or
 - (2) the child has been in sheltered English immersion for at least 30 days and the principal, faculty, and district superintendent believe that another course of study would better serve the student, or
 - (3) the child scores at least average on English proficiency tests for his or her grade level, or at least at the fifth grade level, whichever is lower.
- Require schools to inform parents annually of their right under the initiative to seek a waiver from the sheltered-English-immersion requirement.
- Require schools in which at least 20 students in any one grade level receive a waiver to offer bilingual or other approved class to such students. If fewer than 20 students in a particular grade receive waivers, then the school must allow them to transfer to another school offering the bilingual or other approved class.
- Require that, to the extent possible, current supplemental funding for English learners shall be maintained.
- Appropriate \$50 million per year for nine years for adult English language instruction to persons agreeing to tutor LEP students.

FISCAL IMPACT

School District Fiscal Effects

The proposed initiative could alter school district costs by changing the total number of LEP students they serve each year, their instructional costs per LEP student, and their administrative costs.

Number of LEP Students Served Each Year. Currently, most LEP students receive special instruction for several years. The initiative states "Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year." If districts act to limit spe-

cial instruction to LEP students to this time range, there would be a significant reduction in LEP spending. We cannot estimate, though, how districts would respond to this provision.

Instructional Costs per LEP Student. This initiative could increase or decrease the costs to districts of an LEP class. Such changes would depend on the relative costs of instructing LEP students using a sheltered English immersion curriculum, compared to other strategies such as teaching in the primary language of LEP students. Anecdotal evidence suggests costs might vary among instructional models used to serve LEP students. Districts do not routinely report, however, on the actual costs of programs for LEP students. As a consequence, it is difficult to compare costs among different types of programs for LEP students. Given the lack of cost data from districts, there is not an adequate analytical basis on which to compare the costs among types of classes to assist LEP students.

District Administrative Costs. Administrative costs of districts under this initiative probably would be comparable to those for current programs. The initiative would require school districts to identify LEP students, assess their English competency, notify their parents, and confer with parents seeking waivers from the sheltered-English requirement. According to the California Department of Education, existing case law and state statutes require districts to perform similar functions. Consequently, the initiative would result in comparable administrative costs.

In sum, we do not know precisely how districts will change the way they teach LEP students. In general, however, the initiative probably would reduce the time LEP students spend in special classes. For this reason, we conclude this measure has the potential for reducing total expenditures on those students.

State Fiscal Effects

Each year, the state appropriates funds from the General Fund for "economic impact aid" to school districts, based in part on the number of LEP students each district serves. In 1995-96, the state appropriated \$331 million in such aid. As noted above, districts could provide fewer years of special instruction to LEP students. This could result in reduced state spending on this program.

The initiative also would appropriate an additional \$50 million annually for nine years from the General Fund to support adult English language instruction classes for persons agreeing to tutor LEP students.

June 16, 1997

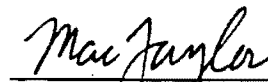
These impacts, however, would not necessarily change total state spending on K-12 education. This is because the California Constitution (Proposition 98) defines the minimum level of funds that must be provided to K-12 schools and community colleges. If the Legislature continues its practice of providing the minimum required funding level under Proposition 98, any changes would affect the amount of state General Funds available to school districts for other purposes by a like amount.

SUMMARY

If adopted, this initiative would result in:

- Probably no change in total state spending on K-12 education.
- Potential savings to local school districts on programs for limited-English proficient students.

Sincerely,



for Elizabeth G. Hill
Legislative Analyst

Craig L. Brown
Director of Finance

CALIFORNIA STATE BOARD OF EDUCATION

POLICY

ADOPTED:	January 10, 1986
AMENDED:	August 11, 1987
REVISED:	July 14, 1995

SUBJECT:	Policy Statement on Educational Programs and Services for Limited-English Proficient Students ¹
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After considerable deliberation and discussion, the California State Board of Education adopts the following policy statement on educational programs and services for limited-English proficient students (or "English learners").¹ This policy statement is intended to guide school districts and motivate them to implement high quality language and academic programs for English learners.

Intent. Whereas the state recognizes that the size and diversity of the population of English learners is constantly increasing, and these students require supplemental services, funding, and staffing, the State Board of Education strongly encourages districts to monitor closely the development of these students' English proficiency and academic achievement so they might be placed in mainstream English programs as quickly, efficiently, and effectively as possible.

Federal Law. The 1974 U.S. Supreme Court decision in *Lau v. Nichols* as codified in the *Equal Education Opportunities Act* and other federal laws require that each educational agency "take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs." A three part analysis is used to determine "appropriate action."

- ▶ Use sound theory. The educational theory upon which instruction is based must be sound.
- ▶ Provide adequate support. The school system must provide the procedures, resources, and personnel necessary to apply the theory in the classroom. The resulting program must be implemented effectively.
- ▶ Achieve results. After a reasonable period, application of the theory must actually overcome English language barriers confronting the students and must not leave them with substantive academic deficits.

¹"Limited-English proficient students" and "English learners" are synonymous and are used interchangeably in this policy statement. The State Board recognizes that "English learners" is becoming more widely used, because it does not imply that the identified students are in any way *limited* participants in the educational process.

Policy Statement on Educational Programs and Services for Limited-English Proficient Students

State Law. The specific programmatic provisions of California's "bilingual education" program "sunset" on June 30, 1987, in keeping with *Education Code* section 62000.2(d). However, funds for that program "continue for the general purposes of that program as specified in the provisions relating to the establishment and operation of the program," in keeping with *Education Code* section 62002. Moreover, parent advisory committees required by that program "continue as prescribed by the appropriate law or regulation in effect as of January 1, 1979," in keeping with *Education Code* section 62002.5.

The State Board finds and declares that the "bilingual education" program that sunset under *Education Code* section 62002.2(d) is the *Moscone-Chacon Bilingual-Bicultural Education Act of 1976*, Article 3 (commencing with section 52160) of Chapter 7 of Part 28 of the *Education Code*.

The State Board of Education finds and declares that the general purposes of the Act are eight in number and expressed as follows, based upon the language contained in *Education Code* section 52161. The general purposes are listed here in the same order as they appear in the statute.

1. "[T]he Legislature directs school districts to provide for in-service programs to qualify existing and future personnel in the bilingual and crosscultural skills necessary to serve the pupils of limited English proficiency of this state...[and] intends that the public institutions of higher education establish programs to qualify teachers and administrators in the bilingual and crosscultural skills necessary to serve these pupils."
2. "The Legislature finds and declares that the primary goal of all programs under this article is, as effectively and efficiently as possible, to develop in each child fluency in English."
3. "The programs shall also provide positive reinforcement of the self-image of participating pupils..."
4. "The programs shall also...promote crosscultural understanding..."
5. "The programs shall also...provide equal opportunity for academic achievement, including, when necessary, academic instruction using the primary language."

**Policy Statement on Educational Programs and Services for
Limited-English Proficient Students**

6. "It is the purpose of this article to require California school districts to offer bilingual learning opportunities to each pupil of limited English proficiency enrolled in the public schools..."
7. "It is the purpose of this article to require California school districts...to provide adequate supplemental financial support to achieve [the purpose set forth in 6]."
8. "Insofar as the individual pupil is concerned, participation in bilingual programs is voluntary on the part of the parent or guardian."

State Board of Education Guidance. Based upon the provisions of federal and state law, the State Board of Education hereby establishes two goals which the State Board urges all school districts to achieve through educational programs and services for English learners:

- Rapid development of English language proficiency (literacy), including speaking, reading, and writing.
- Opportunity to learn, including access to a challenging core curriculum and access to primary language development.

Principles for Educational Programs and Services for English Learners. The State Board of Education hereby establishes five principles relating to educational programs and services for English learners:

- Maximum local flexibility to determine which instructional programs and methodologies best achieve results.
- Instructional programs based on sound educational theory, emphasizing that local programs may include primary language instruction, English language development through "sheltered" content instruction, and/or other sound instructional methodologies.
- Adequate resources and personnel to implement local plans and programs.
- Parent involvement, including parental consent for placement of their children in programs for English learners and the providing of materials to parents to support their children's education actively.
- Due process in all compliance matters.

**Policy Statement on Educational Programs and Services for
Limited-English Proficient Students**

Goals and Principles Not Binding on School Districts. In keeping with *Education Code* section 33308.5, the State Board of Education makes clear that the guidance provided above is advisory in nature and that only the requirements of federal and state law (and, where applicable, decisions of courts of law) are binding upon school districts, as they develop and implement educational programs and services for English learners.

Focus of Department of Education Support and Compliance Activity. The State Board of Education by policy directs that the California Department of Education focus all support and compliance activity toward the objective of conformity by school districts with the requirements of federal law and applicable requirements of state law as they pertain to educational programs and services for English learners. In particular, compliance efforts shall emphasize results, i.e., after a reasonable period, application of the locally selected educational theory actually overcomes English language barriers confronting the students and does not leave them with a substantive academic deficit.

Waivers. The State Board of Education recognizes that the general purposes provisions of the *Moscone-Chacon Bilingual-Bicultural Education Act of 1976* that remain after the 1987 sunset are subject to various statutory waiver authorities, including the general waiver authority set forth in *Education Code* section 33050, et seq. The State Board hereby expresses its intent to approve waiver requests relating to those general purposes requirements where results are being or will be achieved by the applying agency.

Compliance Monitoring and Due Process. The California Department of Education shall use the compliance monitoring and due process procedures for educational programs and services for English learners that it uses for other categorical programs and shall advise local educational agencies that they may avail themselves of due process in all compliance matters related to those programs.

A memorandum of understanding between the Superintendent of Public Instruction and the State Board shall be prepared regarding procedures to be followed to address any dispute between the California Department of Education and a local educational agency immediately prior to the presentation to the State Board of any recommendation for restricted approval of the agency's consolidated application or for interruption of funds.

Article Date:

FEB 10 1998

Voters Set to Dump Bilingual Education, Poll Shows

By Carla Marinucci
Chronicle Political Writer

With education shaping up as the top issue in the 1998 elections, California voters overwhelmingly want to end bilingual classes and would approve a measure to control the amount of money school districts can spend on administration, according to a new Field Poll.

They also express overwhelming support for another controversial initiative which could affect education by requiring unions to seek permission from their individual members before withhold-

ing dues for political contributions, the poll showed. One group specifically targeted by the measure: the powerful California Teachers' Association — which contributed \$2.7 million to political candidates in the 1996 election season.

ELECTION '98

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One group specifically targeted by the measure: the powerful California Teachers' Association — which contributed \$2.7 million to political candidates in the 1996 election season.

"There's no question education is the number one issue in California, and there's a widespread dissatisfaction with the way things are going," said pollster Mervyn

Field. With pressure increasing to reform the system, he said, "you find there's support for anything which promises something better for schools."

The latest Field Poll, a random statewide telephone survey of 729 registered and likely voters, was taken January 29 to February 2. The margin of error is plus or minus 3.8 percent in the overall registered voter sampling, and plus or minus 5 percentage points with the likely voter sampling.

The survey showed that California voters are still largely unaware of the three measures con-

sidered the most controversial on the June ballot. While none of the measures has yet been assigned a number by the Secretary of State's office, voters strongly favored all three when read a summary of the official ballot descriptions.

Among the findings of the poll:

■ Two-thirds of likely voters in California said they would approve the current ballot summary to end bilingual education in state schools, 27 percent were against, and 7 percent undecided. The initiative enjoyed bipartisan support, with 70 percent of Republicans in favor to 18 percent opposed, and 60

percent of Democrats approving to 34 percent opposed. Latinos also slightly favored the measure, though by a much closer margin: 46 percent in favor, 45 percent opposed, and 9 percent undecided. Asians were overwhelmingly in favor, by 79 to 10 percent, with 11 percent undecided.

"The people promoting this have struck a responsive chord with the public," said Field. The landslide support stems from "the desire to get kids to learn English as quickly as possible ... and the feeling that bilingual education is

not doing the job." Both Latino and Asian voters who favored the measure, while not wanting their kids to give up their native language and culture, expressed a strong desire for them "to make it in a society where English is spoken," he said.

■ On the ballot initiative aimed at controlling school district spending on administration costs, a majority (53 percent) of likely

"The public is saying they want teachers to teach, and too much money is spent on administration."

— Mervyn Field
Pollster

voters were in favor, with 27 percent opposed, and one in five still undecided.

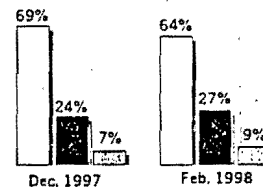
"The public is saying they want teachers to teach, and too much money is spent on administration," said Field. But he also noted that the slim margin of victory now enjoyed by the measure signals "this is going to be a battle, and you'll be hearing from both sides."

■ An overwhelming 71 percent of likely voters favored a ballot measure requiring unions to obtain permission from individual members before withholding union dues for political contributions. Just 22 percent opposed the measure, and 7 percent were undecided. "A lot of voters don't buy into the idea of putting money into a pot (for political contributions) in which the rank and file don't get a say," said Field.

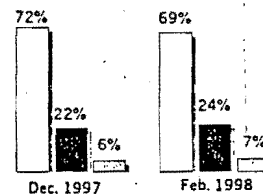
Union members "want their dues spent on things that will help them in organizing, wages and benefits," Field said. "And a lot of

FIELD POLL California initiatives

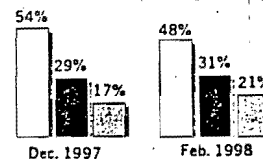
■ Trend of voter opinions about initiative that would eliminate bilingual education



■ Trend of voter opinions about initiative to restrict withholding of union dues



■ Trend of voter opinions about initiative to limit school administration spending



The poll was conducted January 29-February 2 by the Field Institute. Results are from a telephone survey of 729 registered voters in California who were read a summary of each official ballot description. The margin of error among registered voters is 3.8 percentage points.

Chronicle Graphic

rank and file union members aren't necessarily sure that supporting Democratic causes are the way (they want to go.)"



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Tuesday, February 10, 1998

Bilingual Classes Get Support in Poll

■ Education: Survey of Latino parents reports that 68% favor the programs. But 49% of respondents also approve of a ballot measure to outlaw them.

By CARLA RIVERA, Times Staff Writer

PREV STORY

NEXT STORY

Most Latino parents believe bilingual programs are good for their children and give generally high marks to the overall quality of education in the Los Angeles Unified School District, according to a new poll commissioned by the newspaper La Opinion and television station KVEA Channel 52.

Sixty-eight percent of the respondents said they favored bilingual education and 26% opposed it. Of those parents with children in bilingual programs, 88% said such education benefited their children, while only 10% said they thought such programs were bad.

But the survey, released Monday, yielded somewhat mixed views on a June ballot measure that seeks to dismantle California's system of bilingual education. While 49% of respondents said they would oppose the measure, 43% said they would favor it.

Pollster Sergio Bendixen said the responses tended to show that while most Latino parents support bilingual programs in the abstract, they remain confused about the ballot measure. Indeed, when the initiative was described to respondents, they were highly supportive of one component that would allow non-English-speaking children to attend a short-term intensive English course.

"There is no rule saying you can't be both for bilingual education and for an immersion course," Bendixen said. "There may be some confusion now on the part of parents about what the measure would do. I think once the campaigns for and against start . . . you will see less divided opinion."

The poll surveyed 503 Latino adults who have children attending Los Angeles district schools. The margin of error for the entire sample was plus or minus 4 percentage points. Two hundred of the respondents had children who attended bilingual programs. The margin of error for this group was plus or minus 7 percentage points. Sixty-five percent of parents chose to be surveyed in Spanish.

The anti-bilingual measure, sponsored by Silicon Valley businessman Ron Unz and Orange County teacher Gloria Matta Tuchman, would require that virtually all classroom instruction be conducted in English. Proponents argue that the current bilingual system is ineffective and that children are not learning English.

Alice Callaghan, executive director of Las Familias del Pueblo community center and an Unz supporter, questioned the methodology of the survey and the impartiality of the survey takers.

"The Spanish-language media have been hostile to the initiative from the day it was introduced," she said. "They have a lot at stake ensuring that immigrants continue to read and write Spanish. There is nothing bilingual about the system in Los Angeles. The district has monolingual programs and I'd be surprised if you sat down and explained to people what was actually happening here that you'd get the responses that they did."

Callaghan cited other public opinion polls, including one conducted by the Los Angeles Times in October that showed broad support for the Unz initiative. In the Times poll, Latino voters statewide supported the initiative by an 84% to 16% margin.

Rudy Bernal, a Los Angeles district specialist in bilingual education, agreed that La Opinion's survey results tended to confirm the opinion of many bilingual specialists that many parents are confused about the Unz measure and what bilingual education means.

"Parents at large don't understand that you don't acquire proficiency in academic English, the English they need to compete at high schools, universities and in the job market, in just a year," Bernal said. "We have to do a better job of educating parents about what bilingual education means."

Among other major poll findings:

- * Seventy-six percent of parents polled said the quality of education their children receive is excellent or good. Teachers and principals also received high marks.

- * A significant portion of Latino parents--41%--are concerned about school security and believe neighborhoods in which schools are located are dangerous and crime-ridden.

- * Many parents in the survey--54%--did not know who Supt. Ruben Zacarias was, and of those who did, 30% believed he has not kept his promise of substantially increasing the number of text books in classrooms.

Brad Sales, a spokesman for the superintendent, said it was not surprising that many parents did not recognize Zacarias' name because he has been on the job for only seven months. And Sales said that nonrecognition has probably contributed to perceptions on the textbook promise.

Sales said that the district has substantially increased its budget for purchasing books and is well on its way to ensuring that by the end of this school year, each student has the books that he or she needs.

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Los Angeles Times

POLITICS & GOVERNMENT

HELP?

Tuesday, January 27, 1998

Democrats Seek New Bilingual Education Plan

■ Reform: Facing drive to virtually ban such instruction, leaders back bill to give districts a freer hand in picking best way to teach pupils who aren't fluent in English. Initiative co-sponsor Unz assails effort.

By ERIC BAILEY, NICK ANDERSON, *Times Staff Writers*

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SACRAMENTO--Year in, year out, for a decade running, California legislators have tried to produce new standards for bilingual education in the state's classrooms.

They have always flunked. One bill was vetoed. A dozen others never even made it that far.

Now state legislators are at it again, taking a last stab at reform before the California electorate does the job for them. With an initiative to virtually dismantle bilingual education going before voters in June, a state senator is scrambling to push through a more moderate alternative designed to let local school districts decide how best to teach students not fluent in English.

The measure by Sen. Dede Alpert (D-Coronado) faces a stiff test in the Assembly, where it was bottled up in the final days of last year's legislative session. Even if it passes, the bill could be rendered moot if the ballot measure wins and survives legal challenge.

Republicans were bullish backers of Alpert's bill in 1997. But this is an election year, and they have abandoned Alpert and are moving in droves to support the anti-bilingual ballot measure, launched by Silicon Valley millionaire Ron Unz and Orange County teacher Gloria Matta Tuchman.

Democrats, including members of the powerful Latino Caucus, have long been squeamish about tinkering with bilingual education, which is woven through the fabric of California's public school system despite continuing debate and controversy over its effectiveness.

But now, facing the Unz initiative, Democratic reluctance is beginning to thaw. Many see Alpert's legislation as a good political weapon in the coming war against the ballot measure.

If her bill is approved and signed into law by Gov. Pete Wilson, who has yet to show his hand on either measure, Unz's foes will argue that the new regulations governing bilingual education are more flexible and preferable to the initiative, which they consider a "one-size-fits-all" approach.

"There's a sense of urgency," said Assemblyman Mike Honda (D-San Jose), an opponent of the Unz initiative who is active in efforts to craft a legislative compromise. "A lot of people want to point to something and say, 'See, we have something. We don't need Unz.'"

Democrats are also saying they now consider Alpert's bill worthwhile for California's 1.4 million schoolchildren not fluent in English. That group constitutes about a quarter of the state's students; the primary language of 4 out of 5 in the group is Spanish.

also would hold districts to account for producing positive results. Now, there are few penalties for districts that fail to move students quickly into English fluency and ensure progress in other subjects.

Advocates of bilingual education aren't exactly running to embrace the Alpert legislation, even with the Unz initiative on the horizon.

"There aren't going to be any winners in this," said Martha Zaragoza-Diaz, a lobbyist for the California Assn. for Bilingual Education. "If we're going to give districts flexibility, we need assurances that children are not only learning English, but also math, science and writing at their grade level."

The Unz initiative, in contrast, would require virtually all classroom instruction to be in English, with limited exceptions. Children who are not fluent would get about a year of special help in English and then move into mainstream classes.

Unz said his measure is filling the void left by Sacramento.

"Last year I expected the Legislature to finally do something, but they once again failed," he said. "That's 10 straight years! Now our initiative is going to a vote in four months. It's a very foolish thing for them to come in at the last moment and say they've agreed on something."

The California law governing bilingual education expired in 1987, but state education officials have continued to carry out its general intentions, prompted, in part, by rulings in federal civil rights lawsuits that prohibit putting children in classrooms where they cannot keep up because of language differences.

In California schools, that has translated into about 30% of non-English-speaking children taking traditional bilingual education classes, in which they are instructed in basic subjects in their native language while they learn English. The other 70% may receive help from bilingual teaching aides, specially crafted lessons in various academic subjects through so-called "sheltered English," classes in English as a second language, or perhaps just a bilingual dictionary. Many get virtually no extra help at all.

Part of the problem is a dearth of trained bilingual teachers. By some estimates, the state needs as many as 26,900 new bilingual teachers to fill its needs. There now are about 15,000. Alpert's bill would not rectify that situation.

Meanwhile, the State Board of Education has adjusted the regulations, allowing districts to apply for waivers from the bilingual rules. Four districts in the state--all in Orange County--have received waivers, and the Santa Barbara district plans to seek one.

As state educators have tinkered with the rules, California legislators have repeatedly proved powerless to push through legislation.

Last year, Alpert's bill (SB 6) appeared headed for approval until it was waylaid in an Assembly fiscal committee at the behest of Speaker Cruz Bustamante (D-Fresno). Members of the Assembly Latino Caucus, several legislators who are former educators and advocates of bilingual education expressed concern that the bill did not have strong enough safeguards. They said some students would be left to sink academically in classes that did not

Bilingual Is a Damaging Myth



A system that ensures failure is kept alive by the flow of federal dollars. A 1998 initiative would bring change.

By RON K. UNZ

As each new microchip and fiber-optic cable shrinks the circumference of our world, more and more Americans recognize the practical importance of bilingualism. Even today, entrepreneurs or employees fluent in Chinese, Japanese or Spanish have a distinct edge over their English-only peers.

But if other languages such as Chinese or Spanish are of growing world importance, English ranks in a class by itself. Although English is not and never has been America's official national language, over the past 20 years it has rapidly become the entire world's unofficial language, utterly dominating the spheres of science, technology and international business. Fluency in Spanish may provide a significant advantage, but lack of literacy in English represents a crippling, almost fatal disadvantage in our global economy. For this reason, the better public and private schools in Europe, Asia and Latin America all provide as much English as early as possible to young children.

During this same period, many of America's own public schools have stopped teaching English to young children from non-English-speaking backgrounds. Influenced by avant-garde pedagogy and multiculturalist ideology, educational administrators have adopted a system of bilingual education that is usually "bilingual" in name only.

Too often, young immigrant children are taught little or no English—in Los Angeles, only 30 minutes a day, according to the school district's longstanding bilingual master plan. This is based on the ridiculous notion that too much English too early will damage a child's self-esteem and learning ability. Hundreds of thousands of these American schoolchildren spend years being taught grammar, reading, writing and all other academic subjects in their own "native" language—almost always Spanish—while receiving just tiny doses of instruction in English, taught as a foreign language.

As one might expect, the results of such an approach to English instruction are utterly dismal. Of the 1.3 million California schoolchildren—a quarter of our state's total public school enrollment—who begin each year classified as not knowing English, only about 5% learn English by year's end, implying an annual failure rate of 95% for existing programs.

Defenders of the status quo argue away these devastating statistics by claiming that 5-year-old children normally require about seven years to learn a new language and actually have much more difficulty learning second languages than teenagers or adults; these are academic dogmas with absolutely no basis in reality.

On the other hand, the dreadful flaws in the current classification methodology are kept well hidden. In California, children from immigrant or Latino backgrounds are categorized as not knowing English if they merely score below average on English tests, meaning that unknown numbers of children whose first and only language is English spend their elementary school years trapped in Spanish-only "bilingual" programs.

The real dynamic driving this bizarre system is special government funding. School districts are provided with extra dollars for each child who doesn't know English. This generates the worst sort of perverse incentive, in which administrators are financially rewarded for not teaching English to young children or pretending that they haven't learned the language; schools are annually penalized for each child who becomes fluent in English.

Under such a scheme, the widespread educational fiction that young children require seven years to learn English suddenly becomes understandable, as a necessary, enabling myth. And although no one has been able to properly document the total amount of supplemental spending on children limited in English, the annual total for California certainly exceeds \$400 million and may be as much as \$1 billion or more, sums that can buy a tremendous amount of silence or complicity.

Unfortunately for its profiteers, "bilingual education" is completely unworkable as well as unsuccessful. Even after 20 or 30 years of effort, California has had absolutely no luck in finding the enormous supply of properly

certified bilingual teachers to match the 140 languages spoken by California schoolchildren. All sides in the debate agree that the old-fashioned "sink or swim" method of learning English is the worst alternative, yet more California schoolchildren today are submerged into this approach than are in properly structured bilingual programs, although courts have ruled the former unconstitutional and the latter legally mandatory. "Bilingual or nothing" in practice often means "nothing."

These facts may only now be coming to the attention of California's affluent white elite, but they have long been well-known to the current system's primary victims, powerless Latino immigrants and their children. Over recent years, there have been a series of spontaneous protests against "bilingual education" by angry parents, most notably the 1996 Latino boycott at Los Angeles' 9th Street Elementary School, which directly inspired our "English for the Children" initiative campaign.

The initiative, targeted for next June's ballot, would end bilingual education in California by making it truly voluntary. Parents could still have their children placed or kept in a bilingual program, but only if they took the affirmative step of seeking a waiver. Since public opinion surveys, including a recent Los Angeles Times poll, have consistently shown 80% to 85% dislike for the current program among its supposed beneficiaries, voluntary bilingual programs will become very few and far between. And those programs that do survive our initiative by attracting genuine parental support are probably worth preserving. In a state as large and diverse as California, even the most unlikely program may occasionally succeed due to specific local conditions or unique individuals.

But either way, all of California's immigrant schoolchildren finally will be granted the right to be taught English, the universal language of advancement and opportunity, supplementing their own family languages. Only by ending our failed system of bilingual education can we foster the true growth of bilingualism and the unity and prosperity of our multiethnic society.

Ron K. Unz, a Silicon Valley software entrepreneur, is the chairman of the "English for the Children" initiative campaign. In 1994, he challenged incumbent Gov. Pete Wilson for the Republican nomination.

Fix, don't kill, bilingual ed

BY RUSSELL CONTRERAS

THE IGNOBLE crusade against bilingual education shows no sign of abating.

California is leading the charge once again, this time with a statewide initiative called English for the Children. The measure would eliminate bilingual education and force children with few or no English skills into classrooms conducted only in that language. Other states may follow California's example.

In almost every Texas legislative session, conservatives in both the Texas House and the Senate introduce English-only bills that target bilingual education in Texas. These bills also go after bilingual ballots and road signs. They argue that such programs are useless and costly.

Fortunately, Latino politicians have been able to stall or prevent such legislation from advancing. But the forces of anti-bilingualism remain strong.

In New York City, the media capital of the world, anti-bilingual-education sentiment takes on an intellectual persona as newspapers and magazines come out with pieces either discrediting the programs or citing instances in which Latino students have failed to learn English. When Hostos Community Col-

If we're going to eliminate education programs that aren't perfect, we should also cut math, science and civics classes. Student performance in those areas isn't stellar, either.

lege, a bilingual institute, eliminated the English proficiency exam because too many students were failing, the New York press took the opportunity to attack all bilingual programs.

While anti-bilingual education proposals like California's have yet to form in New York and Texas, anti-bilingualism is building.

That's unfortunate, because most people don't even understand what bilingual education does and what it attempts to accomplish. It is not education only in Spanish. The programs are an attempt to educate students in their native language while developing their skills in English.

Bilingual education isn't perfect. Many students coming out of bilingual-education programs still don't know English very well. But they're not the only ones getting a less-than-great ed-

ucation. According to a recent survey, 35 percent of students who study government come out of high school thinking that the Constitution designates English as the official language of the United States. No such clause exists.

If we're going to eliminate education programs that aren't perfect, we should also cut math, science and civics classes. Student performance in those areas isn't stellar, either.

Instead of eliminating bilingual education programs in California, Texas or New York because of a so-called high failure rate, we should improve them so all our students have an equal chance at a decent education.

Russell Contreras is a graduate fellow at the University of Houston Center for Mexican-American Studies.

Unz's initiative would hurt non-English-speaking kids

By Thomas A. Saenz

Special to The Bee

10-23-97 SB

IN ALL of the recent discussion about multimillionaire Ron Unz's proposed initiative to eliminate bilingual education, backers have repeatedly stated that immigrant parents will support the measure. These backers may be surprised at the reaction once the measure's true effects become known.

Regardless of background, all parents want the same thing from the public schools. They want their children to learn what it takes to succeed as adults in our society. Of course, for immigrant parents, learning English

is a paramount concern in preparing their children to succeed. That schools should teach all children - including children who enter school speaking another language - to speak and write English is not a matter of debate among those who care about kids.

The bilingual education programs the Unz initiative attacks are designed to teach kids English. But these programs are also designed to ensure that young children continue to learn all of the other important subjects taught in school - such as math, science, history and civics. These skills are also key to success in American society.

If learning English well is all it takes to succeed, then why do we teach any of our children anything else? Why shouldn't we simply eliminate all other subjects, leaving only reading and writing (only in English, of course) for study by children? The answer is that we recognize that children's opportunities depend not only on these keystone language skills, but also on mastering the other core subjects taught in school.

Non-English-speaking students deserve these same opportunities. Bilingual education, which takes many forms in California, is designed to teach children English while ensuring that they are not deprived of the opportunity to learn other essential academic

skills.

There is no doubt that the implementation of bilingual education has been far from perfect. Parents and educational leaders can and should demand greater accountability and success from these programs in both teaching English and in teaching other core subjects.

But recognizing imperfection and the need for reform in the current system is not the same as deciding that another system would

be better. The Unz initiative would not only eliminate the current system; it would also enact a substitute, whose contours the initiative proponents wisely choose not to discuss.

This substitute would give children only one

school year to learn English: after the year. It's sink-or-swim for all non-English speakers. In that one year, schools could only use one technique to teach English - an unproven technique that largely forbids teachers from speaking anything other than English to kids. Moreover, schools are encouraged to mix youngsters of different ages and of different primary languages in these classrooms. Thus, for many kids, it will be an intimidating sink-or-swim situation from Day 1. Meanwhile, no learning of other subjects is to take place.

Finally, the initiative permits schoolteachers to be hauled into court and face expensive liability if they fail to follow these rules. Thus, a teacher who uses words in a language other than English - even if the teacher thinks it will help the child to learn - could end up on the wrong end of a lawsuit. Teach a kid, go to court.

Before Californians vote to eliminate bilingual education, they can and should ask what the substitute is, and whether it really has kids' best futures in mind.

Thomas A. Saenz is Los Angeles Regional Counsel for the Mexican American Legal Defense and Educational Fund, a national Latino civil-rights organization with headquarters in Los Angeles.

Children also need to
learn history, civics

San Jose Mercury News

Article Date:

Latino support for Unz measure slips

FEB 10 1998

BY MICHAEL BAZELEY
Mercury News Staff Writer

SACRAMENTO — While academics, educators and political consultants debate the merits of bilingual education in Sacramento, a new statewide poll is showing that voters continue strongly to support a June ballot measure that would radically overhaul the way California teaches its non-English speaking students.

The state Board of Education found wide disagreement

during a special hearing Monday devoted entirely to bilingual education. But voters appear to have made up their minds on the issue, with 64 percent of poll respondents supporting an initiative that would scrap the state's bilingual education system and require nearly all instruction in English. According to the Field Poll released today, 27 percent oppose the measure and 9 percent are undecided.

The poll results reflect a

slight drop-off from the 69 percent of registered voters who supported the June ballot measure in an identical poll taken in December. The margin of error is plus or minus 3.8 percent.

"The support for the initiative remains strong, and we think it will remain strong through the end of the campaign," said initiative spokeswoman Sherri Annis.

But while overall support

was strong, the initiative's popularity appeared to be slipping in the Latino community.

Among registered Latino voters, 47 percent said they support the initiative, a sharp decline from the 66 percent who favored it in December. Field Poll director Mark DiCamillo cautioned that the Latino survey sample was small, but he said the change in support between the two polls was still statistically significant.

Annis was disturbed by that aspect of the new poll. "The Latino numbers are troubling in that I wish the sample has been large enough to get an idea of what the feeling was," she said.

Opponents of the initiative, co-sponsored by Silicon Valley businessman Ron Unz, said they expect more slippage of support as people begin to examine the ballot measure more closely.

"Most dramatic is the way the Latino support has fallen below 50 percent," said Kelly Hayes-Raitt, spokeswoman for the No on Unz campaign. "Since the last poll, we've picked up support from such disparate groups as the PTA and the California Hispanic Chambers of Commerce, and I believe this is an indication of how flawed the Unz initiative is."

If approved by the majority of voters in June, the initiative would bar most non-English classroom instruction. Students with little or no English skills would spend about a year in a "sheltered English immersion" class to learn English and then be moved into a regular classroom. Parents could still request that their children be taught in their home language, such as Spanish.

The ballot measure has become one of the most talked-about issues of the political season. The state education panel set aside an entire day to sift through the complex issue, inviting academics with widely different viewpoints and representatives from each side of the campaign to testify.

The hearing shed little new light on the often-confusing debate over how best to work with students who lack a good grasp of English.

But Christine Rossell, a professor at Boston University, said her research has concluded that teaching students in their home language first before moving them into English classes does not offer any advantages over regular English instruction.

"English As Required Language of Instruction Initiative"

CSBA Staff Analysis
November 6, 1997

Initiative Background

Sponsors of a ballot initiative entitled the "English As Required Language of Instruction Initiative" are now gathering signatures to qualify for inclusion on the June 1998 ballot. The initiative prescribes a single, statewide approach to teaching English-Language learners in California's public schools. Under the provisions of the initiative, primary language instruction is barred except under very limited circumstances and new liability is imposed on board members whose district programs fail to comply with the initiative's provisions.

Ron Unz and Gloria Matta Tuchman have joined forces to promote this statewide ballot initiative designed to ensure that all English-language learners in California are transitioned into regular English language classrooms within one year. Both Unz and Tuchman have experience in political campaigns and have run for statewide offices. Mr. Unz, a software developer, unsuccessfully ran in the California Republican gubernatorial primary in 1994. Ms. Tuchman, an ex-school board member from Tustin, was an unsuccessful candidate for state superintendent of public instruction in 1994. In the hopes of broadening support, Unz and Tuchman have formed the non-profit organization *One Nation/ One California* (www.onenation.org) to take the lead in financing and promoting this initiative.

The initiative was prompted by concern that bilingual education has failed and that children are not being taught English. Unz and Tuchman frequently cite the state's 5 percent annual transition rate for English-language learners as proof that current programs for English-learners are "dismal practical failures."

The Initiative was received by the Attorney General's office on May 6 and approval for circulation was granted at the end of May. The initiative requires 433,263 valid signatures to be included on the June 1998 ballot. As of October 1997 the proponents claim to have gathered 600,000 signatures. Unz is confident that they will have sufficient valid signatures by the December 1, 1997 deadline. The initiative will then be assigned a number in February or March of 1998 and appear on the June 2, 1998 ballot.

It is important to recognize that at the same time the initiative was being developed and introduced for signature gathering, the legislature was struggling with the same issue – reforming programs for English Language Learners. After some movement, the legislature failed to act on SB 6, which



was placed on the suspense file by the Assembly Appropriations Committee. The legislature appeared to reach an impasse on the passage of any bilingual education proposal prior to the end of the 1997 - 98 legislative session, however, Senator Alpert and a key representative of the Assembly are meeting to review areas of contention and options. Legislators, both Democrat and Republican, continue to discuss a compromise on this issue prior to the June primary election.

Initiative Content

Specifically, the initiative declares that: (1) immigrant parents are eager to have their children acquire English, (2) one of the most important obligations of the school is to teach children English, (3) schools are currently doing a poor job of educating immigrant children and are wasting financial resources on experimental language programs, and (4) young children can easily acquire full fluency in a new language if they are heavily exposed to it in the classroom.

Based on those declarations, the initiative requires that all children be taught in English. The initiative allows schools to place English-learners of different ages together in a classroom for one year of sheltered immersion instruction. All students would then transition to the regular classroom after a maximum of one year, except under limited circumstances.

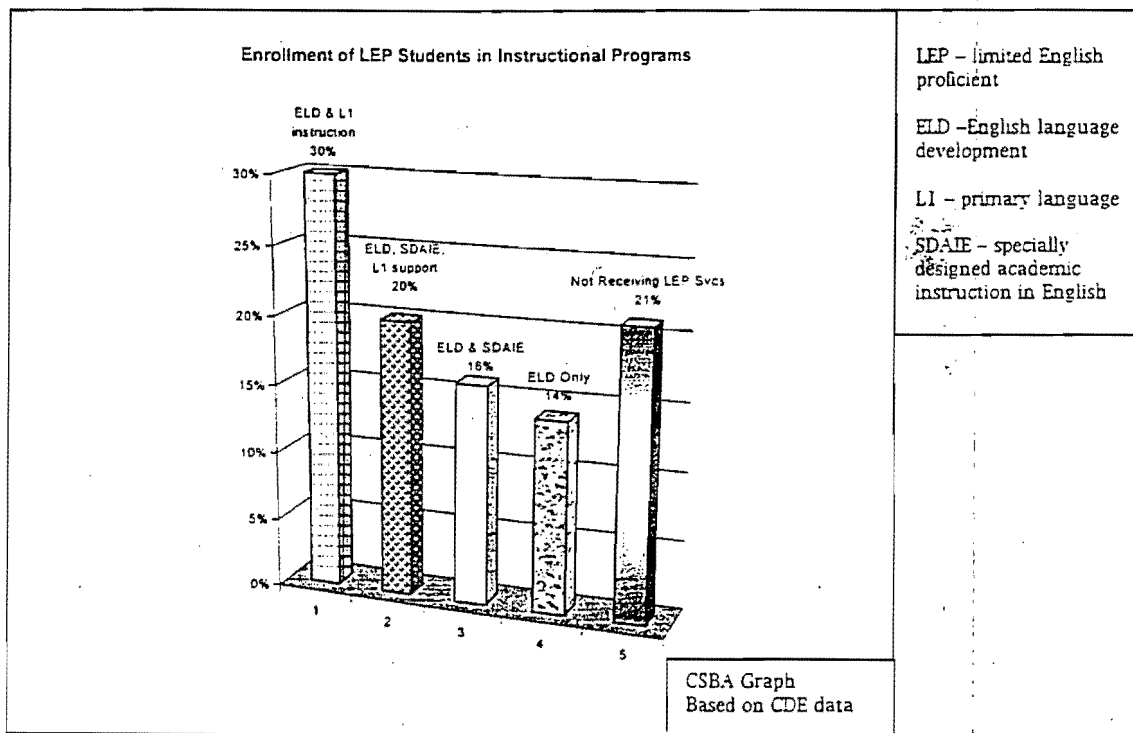
Parents may request a waiver to the immersion approach and request an alternative approach but only if the child meets one of the following specific criteria: (1) the child is already fluent in English, (2) the child is ten years or older and the principal and teachers have the "informed belief" that an alternative approach is better suited to the child's rapid acquisition of English, or (3) that after at least thirty days in an immersion classroom it is the "informed belief" of the school principal and the educational staff that the child has such special physical, emotional, psychological, or educational needs and that an alternative course of educational study would better suit the child's overall educational development. This individual written request must be submitted and approved by the local superintendent, the local Board of Education and the State Board of Education.

The initiative provides \$50 million per year (for ten years) for free or subsidized adult English language instruction to parents and other members of the community who pledge to provide personal English language tutoring to school children.

Finally, the initiative gives parents and guardians legal standing to sue districts and individual board members, other elected officials, teachers or administrators, if a child has been denied the option of an English language instructional curriculum in a public school (Article 5).

Current Programs for ELL Students

The 1996 California Department of Education language census counted over 1.3 million public school students who were not proficient in English. These students account for over 23 percent of the state's public school population. School districts throughout California are currently operating a myriad of programs to meet the needs of ELL's (English-Language Learners, also referred to as Limited English Proficient or LEP) due to the flexibility available in the state programs. Through a combination of waivers and the use of one of the four options described in the Department of Education's compliance materials, districts have provided programs that run the full range from English immersion to bilingual, based on local priorities and resources. Although it is often perceived that all of the 1.3 million students are receiving specialized instruction, this is not the case. More than half of all children who are not proficient in English are in programs in which their primary language is not used. The chart below highlights the local programs currently in operation.



It is estimated that approximately \$400 million is spent on the education of English-learners. This funding comes from a combination of state Economic Impact Aid, Federal Title VII dollars and immigrant assistance funds. The exact figures and the specific programs funded by these dollars are difficult to detail due to the flexible nature of the allocations.

Analysis of the Initiative

Board member liability

The initiative gives parents legal standing to sue individual board members, not just the board as a whole, for perceived weaknesses in the implementation of the educational program. It is unclear if this provision will open other avenues to create individual board member liability on other issues.

Flexibility and local control

Districts currently use a wide variety of approaches to teach English and the core curriculum to students whose primary language is one other than English. Districts choose the program for English-language learners based on student needs, community preferences, and available resources.

The Unz initiative mandates a single instructional strategy – one year in a sheltered English immersion classroom then transition to a regular classroom – for all English-language learners. There are no exemptions based on successful outcomes for ELL programs in operation that have documented positive student outcomes.

This mandate for a single strategy would simultaneously occur during the introduction of a standards-based system to hold districts accountable for student achievement. This shift toward a standards-based system emphasizes that all children will be required to have access to a standards-based curriculum and achieve at high levels in order for districts to avoid possible state-imposed sanctions. It is unclear how a district could ensure full access to the core curriculum to all students if they are not allowed the flexibility to tailor programs to meet the needs of their students.

Currently, schools use multiple approaches ranging from a dual-language, primary program to a rapid transition program similar to what the Unz initiative would mandate. Allowing districts to continue to tailor their education program, in a way that allows for maximum student achievement, seems essential to accomplishing the education goals the state and local districts have set.

Appeals

The initiative provides an appeal process and allows parents the option of choosing an alternative approach if their child is not succeeding within the mandated program.

In order for a parent to be eligible to request a waiver, the student must meet one of the following criteria:

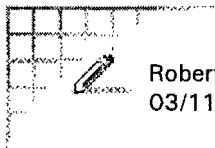
- (1) The student is proficient in English
- (2) The student is ten years or older and the principal and educational staff believe an alternative program would better suit the child's rapid acquisition of basic English language skills

- (3) The child has been in an English language classroom for at least thirty days of the current school year and the principal and educational staff believe 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."

Qualification for a waiver under this last criteria requires multiple steps. First, a written description of the child's special needs must be provided to the local school superintendent for his/her examination and approval. The superintendent's decision must be based on guidelines established by the local board. These local guidelines would be subject to review and approval by the State Board of Education. The initiative also states that "the existence of such special needs shall not compel issuance of a waiver". Therefore, even if this condition is met, there is no assurance that the child would receive an alternative program.

Parents must also provide "written informed consent" on an annual basis in order to request an alternative program be provided to the student. In order to provide this "informed consent," a parent or legal guardian must visit the school and be provided a full description of the educational materials to be used in each option and all the educational opportunities available to the child. Following the site visit, the parent may apply at the school site for the waiver. The mandatory parental site visit requirement is unprecedented and exceeds the parental requirements for placement in any other program, including special education. It is unclear in the initiative who would grant a waiver for a child who meets one of the first two criteria. However, since the State Board of Education is the only body with the authority to grant waivers under the requirements of the Education Code, one could infer that all waiver requests would need to be submitted to the State Board of Education (SBE).

If, in fact, the student's petition would need to be approved by the State Board of Education, it is unlikely they can be approved in a timely manner, given the size of the ELL population in California. The SBE meets for two days every month. As it now stands, the board's agendas are full and meetings are often extended. Requiring the SBE to look at and either approve or deny petitions would add a tremendous burden to the SBE workload. The role created within this initiative for the SBE is also a significant expansion of the board's responsibilities in current practice. The SBE has traditionally limited its scope to broad state education policy issues and district-level waivers of state law. The board has not been involved in determining appropriate education placements for individual students and probably lacks the staff to pursue such a role effectively. In addition, the SBE would likely be at a disadvantage in determining individual student placements because it is removed from the priorities of the community and resources of the district.



Robert M. Shireman
03/11/98 05:27:05 PM

Record Type: Record

To: Michael Cohen/OPD/EOP, Karen Tramontano/WHO/EOP, Mickey Ibarra/WHO/EOP, Maria Echaveste/WHO/EOP

cc: Brian A. Barreto/OPD/EOP, Russell W. Horwitz/OPD/EOP, Jake Siewert/OPD/EOP

Subject: Copley News Service on Administration & Unz Initiative

San Diego Union-Tribune

March 11, 1998 Category: National

Clinton ponders bilingual initiative

By Dana Wilkie

COPLEY NEWS SERVICE

WASHINGTON — President Clinton is inclined to oppose the anti-bilingual education initiative on California's ballot, California Assembly Speaker Antonio Villaraigosa said here yesterday.

But administration sources said the president has yet to make up his mind about the measure, which would do away with instruction in a child's native language and put California in the forefront of controversial social change.

"I think the president's viewpoint on (the measure) is similar to my own, and that is — mend it, don't end, it," said Villaraigosa, who was here Monday through today with other state lawmakers to discuss with Clinton and congressional leaders issues of concern to California.

Villaraigosa did not discuss the measure, Proposition 227 on California's June's ballot, with Clinton or Vice President Al Gore. But he said presidential advisers left him with the impression that "they do oppose the . . . initiative."

"They see it just as I said . . . it's a sledgehammer approach to public policy," said the speaker, a Democrat. "It eliminates bilingual education, gives you no flexibility."

An administration source said the president is still studying the initiative and has not made up his mind whether to support it, oppose it or remain neutral.

"We are certainly evaluating bilingual education and as part of that, we are looking at the California experiment," the source said.

California is home to 1.4 million schoolchildren who do not speak English as their native language. Debate has long raged over how best to teach these children — whether to put them in classes with others who already speak English, or to segregate them in special classes where they learn English as a second language and other subjects in their native tongue.

Villaraigosa said he is not sure whether Clinton's opposition to Proposition 227 would convince voters to reject it.

Compliance in Orange County

Giving LEP kids an opportunity to learn in academic areas

① Does state use Title I & to supplement state LEP?

② If 25% of LEP kids don't get any services -
what happens with the LEP by state?

Alt. Weigh in a ~~hard~~ nonpartisan way

- & →

- but careful/partial ch. 200

Reg. / Reg. at

- 1st dual - language immersion

2-way

Air Force requires 2nd language track for enrollment in

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S -
Please copy
ASAP to
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- Whaley

TO: Mickey OBAMA

FR: Richie ROSS

FAX NO. _____

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If transmission is not complete, please call Laura at (916) 441-1995.

Comments:

Joe SERNA says you need
OUR poll results. Keep in
mind we don't have Lungren,
we just tested him.

Richie

FINAL RESULTS**Interview Dates: February 24 - March 1, 1998****Sample Size=1,500; Margin of Error=2.5%**

1. First, next June there will be a primary election for Governor, United States Senator and other offices in California. How likely are you to vote in that election -- are you almost certain to vote, will you probably vote, are the chances 50-50, or will you probably not vote?

CERTAIN	85
PROBABLY	15

2. In general, do you think things in California are going in the right direction, or do you feel things are pretty seriously off on the wrong track?

RIGHT DIRECTION	49
WRONG TRACK	31
DON'T KNOW	20

3. One initiative on next June's statewide ballot will be Proposition 227. It requires that all public school instruction be conducted in English. It says the requirement may be waived if parents or guardians show that the child already knows English, has special needs or would learn English faster through an alternate instructional technique. It provides initial short-term placement, not normally exceeding one year, in intensive sheltered English immersion programs for children not fluent in English. It appropriates \$50 million dollars per year for ten years to fund English instruction for individuals pledging to provide personal English tutoring to children in their community. It permits enforcement suits by parents and guardians. The Legislative Analyst says that the fiscal impact of the initiative could vary significantly by school district; that it requires state spending of \$50 million dollars per year for ten years to teach tutors of limited English proficient students, and that total state spending on education will probably not change.

If the election were held today, would you vote yes or no on Proposition 227? (IF "YES," OR "NO," FOLLOW-UP: Is that a strong yes/no or might you still change your mind? IF UNDECIDED, FOLLOW-UP: Do you lean more toward yes or more toward no?)

YES, STRONG	35	
YES, MIGHT CHANGE	14	
UNDECIDED, LEAN YES	6	→ 55
UNDECIDED	14	
UNDECIDED, LEAN NO	3	+25
NO, MIGHT CHANGE	8	
NO, STRONG	19	→ 30

Prop 227 Voter Survey, final

February 1998, page 2

Now I am going to list the specific provisions of the initiative. For each item I read, please tell me if you support or oppose the provision. (IF SUPPORT OR OPPOSE, FOLLOW-UP: Is that strongly support/oppose or just somewhat?) (DO NOT ROTATE)

	<u>Strong Support</u>	<u>Some Support</u>	<u>Some Oppose</u>	<u>Strong Oppose</u>	<u>Don't Know</u>
4. Requires all public school instruction be conducted in English	66	12	7	13	2
.....		78		20	
5. The requirement may be waived if parents or guardians show that the child already knows English, or has special needs, or would learn English faster through an alternate instructional technique	31	26	11	18	14
.....		57		29	
6. Provides initial short-term placement, not normally exceeding one year, in intensive sheltered English immersion programs for children not fluent in English	40	25	11	16	8
.....		65		27	
7. Appropriates \$50 million per year for ten years funding English instruction for individuals pledging to provide personal English tutoring to children in their community	24	20	14	30	12
.....		44		44	
8. Permits enforcement suits by parents and guardians	19	13	10	31	27
.....		32		41	
9. The Legislative Analyst says that the fiscal impact could vary significantly by school district, that it requires state spending of \$50 million per year for ten years to teach tutors of limited English proficient students, and that total state spending on education probably would not change	24	19	13	30	14
.....		43		43	
10. Now that you have heard more about Proposition 227, if the election were held today, would you vote yes or no? (IF "YES," OR "NO," FOLLOW-UP: Is that a strong yes/no or might you still change your mind? IF UNDECIDED, FOLLOW-UP: Do you lean more toward yes or more toward no?)					

YES, STRONG 35
 YES, MIGHT CHANGE 13
 UNDECIDED, LEAN YES 6
 UNDECIDED 14
 UNDECIDED, LEAN NO 3
 NO, MIGHT CHANGE 8
 NO, STRONG 21

→ 54

+22

→ 32

Now I am going to read you some things supporters and opponents say about Proposition 227.
[ROTATE STATEMENTS]

___ Supporters of Proposition 227 say that bilingual education in California has been a failure, and the politicians have been afraid to deal with the issue. Proposition 227 is necessary because the education bureaucrats and the Sacramento politicians will never fix the situation. The voters must force the issue by passing Proposition 227.

___ Opponents of Proposition 227 say that recently, the 1970s law mandating bilingual education in California expired. Since then, individual school districts, teachers, and parents have devised their own local programs to teach English to non-English speaking children. Prop 227 would outlaw all of these local programs and impose a single untested program of sheltered English immersion on every school district in California at a cost of \$50 million dollars per year. We must oppose another unnecessary state mandate and vote no on Proposition 227.

11. Hearing this, if the election were today, would you vote yes or no on Proposition 227? (IF "YES," OR "NO," FOLLOW-UP: Is that a strong yes/no or might you still change your mind? IF UNDECIDED, FOLLOW-UP: Do you lean more toward yes or more toward no?)

YES, STRONG	32	
YES, MIGHT CHANGE	11	
UNDECIDED, LEAN YES	5	→48
UNDECIDED	13	
UNDECIDED, LEAN NO	5	+9
NO, MIGHT CHANGE	9	
NO, STRONG	25	→39

[SPLIT SAMPLE A]

Now I would like to read you some other things that supporters and opponents say about Proposition 227. [ROTATE STATEMENTS]

___ Supporters of Proposition 227 say that bilingual education in California began with good intentions, but has failed to teach children to read and write English. Last year only 7% of limited-English students in California learned enough English to be moved into mainstream classes. Proposition 227 will require non-English speaking children to learn English as soon as they start school and will provide sheltered English immersion classes that research has shown to be the most effective teaching method. Prop 227 is needed to end the hundreds of millions of dollars wasted in bilingual education programs that are failing our children.

___ Opponents of Proposition 227 say that if passed, it would force children of different ages and different language groups to sit in the same classroom for one year. Also, teachers would be prohibited, under the threat of a lawsuit, from speaking to the children in their own language. Think of the picture: five-year-old children in the same room as thirteen-year-olds, none of whom speak nor understand English, trying to learn from a teacher who is prohibited by law from communicating to any of them in their own language. It just won't work.

12. Hearing this, if the election were held today, would you vote yes or no on Proposition 227? (IF YES OR NO, ASK: Is that a strong yes/no, or might you still change your mind as you get more information?) (IF UNDECIDED, ASK: Do you lean more toward yes or more toward no?)

YES, STRONG	34	
YES, MIGHT CHANGE	10	
UNDECIDED, LEAN YES	5	->49
UNDECIDED	13	
UNDECIDED, LEAN NO	4	+11
NO, MIGHT CHANGE	9	
NO, STRONG	25	->38

[SPLIT SAMPLE B]

Now I am going to read you some other things supporters and opponents say about Proposition 227.
[ROTATE STATEMENTS]

____ Supporters of Proposition 227 say that bilingual education in California began with good intentions, but has failed to teach children to read and write English. Last year only 7% of limited-English students in California learned enough English to be moved into mainstream classes. Proposition 227 will require non-English speaking children to learn English as soon as they start school and will provide sheltered English immersion classes that research has shown to be the most effective teaching method. Prop 227 is needed to end the hundreds of millions of dollars wasted in bilingual education programs that are failing our children.

____ Opponents of Proposition 227 say that this initiative mandates one specific educational program to every school district in the state of California, regardless of the make-up and individual needs of the particular community. In an era in which government is granting more and more responsibility and authority to local communities to devise programs that best meet their needs, this initiative is doing the opposite. Prop 227 would outlaw all local programs that have been implemented by local school boards with support from community PTAs, and would, in its place, mandate one untested program. Proposition 227 should be rejected, and parents should have the right to choose what's best for their children.

13. Hearing this, if the election were held today, would you vote yes or no on Proposition 227? (IF YES OR NO, ASK: Is that a strong yes/no, or might you still change your mind as you get more information?) (IF UNDECIDED, ASK: Do you lean more toward yes or more toward no?)

YES, STRONG	31	
YES, MIGHT CHANGE	12	
UNDECIDED, LEAN YES	8	→51
UNDECIDED	10	
UNDECIDED, LEAN NO	6	+12
NO, MIGHT CHANGE	7	
NO, STRONG	26	→39

[SPLIT SAMPLE C]

Now I am going to read you some other things supporters and opponents say about Proposition 227.

[ROTATE STATEMENTS]

Supporters of Proposition 227 say that bilingual education in California began with good intentions, but has failed to teach children to read and write English. Last year only 7% of limited-English students in California learned enough English to be moved into mainstream classes. Proposition 227 will require non-English speaking children to learn English as soon as they start school and will provide sheltered English immersion classes that research has shown to be the most effective teaching method. Prop 227 is needed to end the hundreds of millions of dollars wasted in bilingual education programs that are failing our children.

Opponents of Proposition 227 say that Proposition 227 is so poorly written that it is opposed by all the major candidates for Governor, including Dan Lungren, Al Checchi ("CHECK-ee"), Gray Davis, and Jane Harman, as well as State School Superintendent Delaine (de-LANE) Eastin. Other opponents include the chairman of the state Republican Party, Senator Barbara Boxer, the California PTA, the California Federation of Teachers, the California School Boards Association, the California School Employees Association, the California Teachers Association, and the Association of California School Administrators. Candidates from across the political spectrum as well as parents, teachers, local school boards and the head of California's public schools all oppose Proposition 227 because they know that it is bad policy and will not teach English to our public school children.

14. Hearing this, if the election were held today, would you vote yes or no on Proposition 227? (IF YES OR NO, ASK: Is that a strong yes/no, or might you still change your mind as you get more information?) (IF UNDECIDED, ASK: Do you lean more toward yes or more toward no?)

YES, STRONG	30	
YES, MIGHT CHANGE	13	
UNDECIDED, LEAN YES	6	→49
UNDECIDED	10	
UNDECIDED, LEAN NO	7	+ 8
NO, MIGHT CHANGE	10	
NO, STRONG	24	→41

[SPLIT SAMPLE D]

Now I am going to read you some other things supporters and opponents say about Proposition 227.
[ROTATE STATEMENTS]

____ Supporters of Proposition 227 say that bilingual education in California began with good intentions, but has failed to teach children to read and write English. Last year only 7% of limited-English students in California learned enough English to be moved into mainstream classes. Proposition 227 will require non-English speaking children to learn English as soon as they start school and will provide sheltered English immersion classes that research has shown to be the most effective teaching method. Prop 227 is needed to end the hundreds of millions of dollars wasted in bilingual education programs that are failing our children.

____ Opponents of Proposition 227 note that the initiative gives children only one school year -- 180 days -- to learn enough English to succeed academically, and after that they must be placed in regular classrooms whether they know English or not. They say it is unfair that in the state of California people on welfare get five years to get a job, and criminals get three strikes before they are "out," but our children will only get one year -- and one chance -- to learn English. What happens to the children who might need two years? Teachers who help children learn English should get as many chances as criminals who hurt children.

15. If the election were held today, would you vote yes or no on Proposition 227? (IF YES OR NO, ASK: Is that a strong yes/no, or might you still change your mind as you get more information?) (IF UNDECIDED, ASK: Do you lean more toward yes or more toward no?)

YES, STRONG	34	
YES, MIGHT CHANGE	10	
UNDECIDED, LEAN YES	9	->53
UNDECIDED	13	
UNDECIDED, LEAN NO	5	+19
NO, MIGHT CHANGE	7	
NO, STRONG	22	->34

ASK QUESTIONS 16-35 ONLY TO SPLIT SAMPLES a1, b1, c1, and d1

Now I would like to list some things that could happen if Proposition 227 passes. After each, please tell me how likely each is to happen if it passes – is it almost certain to happen, very likely, somewhat likely, not too likely, or not at all likely? (ROTATE)

	<u>Almost Certain</u>	<u>Very Likely</u>	<u>Somewh. Likely</u>	<u>Not too Likely</u>	<u>Not at all</u>	<u>Don't Know</u>
16. Children of different ages and language groups will be taught in the same classroom	15	21	16	21	15	12
.....		36				
17. Teachers will be sued if they do not follow the requirements of the initiative	12	17	15	28	19	9
.....		29				
18. The initiative will end up in court	42	28	14	6	5	5
.....		70				
19. Local programs that teach English to non-English speaking children will be eliminated	12	17	16	29	15	11
.....		29				
20. * Non-English speaking children will learn English faster	29	25	12	16	9	9
.....		44				
21. Exceptions will be made for individual children whose parents want some instruction in their native language	11	16	22	21	17	13
.....		27				
22. After one year in an English immersion program, many students who have not learned enough English to compete academically will be forced into regular classrooms	18	24	24	13	8	12
.....		42				
23. * A higher proportion of non-English speaking children will learn English	32	27	16	10	6	9
.....		59				
24. One way or another, this initiative will end up costing taxpayers money	46	24	11	8	6	5
.....		70				
25. Parents will be denied the right to choose what is best for their child	15	15	18	20	22	10
.....		30				

(CONTINUE ONLY WITH SPLIT SAMPLES a1, b1, c1, and d1)

Now I would like to read the list one more time, and this time please tell me how good or bad it would be if that particular thing did happen. Use a scale of zero to ten where zero means it would be one of the worst things that could happen and 10 means it would be one of the best things that could happen.

[CODE ACTUAL NUMBER 0-10, DK=99) (ROTATE)

			%	%
	Mean Rating	"Good"	"BAD"	
26.	Children of different ages and language groups will be taught in the same classroom	4.58	27	35
27.	Teachers will be sued if they do not follow the requirements of the initiative	2.73	14	65
28.	The initiative will end up in court	4.34	30	45
29.	Effective local programs that teach English to non-English speaking children will be eliminated	3.86	20	47
30.	Non-English speaking children will learn English faster	7.61	70	12
31.	Exceptions will be made for individual children whose parents want some instruction in their native language	4.51	27	36
32.	After one year in an English immersion program, many students who have not learned enough English to compete academically will be forced into regular classrooms	4.12	25	43
33.	A higher proportion of non-English speaking children will learn English	7.84	73	8
34.	One way or another, this initiative will end up costing taxpayers money	4.30	28	43
35.	Parents will be denied the right to choose what is best for their child	3.36	17	52

ASK QUESTIONS 36 TO 55 ONLY TO SPLIT SAMPLES a2, b2, c2, and d2

Now I am going to read you the names of some groups and individuals who may take a position on this initiative. For each I read, please tell me if you have a favorable or unfavorable opinion of the group or individual. If you have not heard of the name, just say so and we will move on. (ROTATE. FOLLOW-UP: Is that strongly or just somewhat?)

		—FAVOR—		—UNFAVOR—		Neither/ DK	Never Heard of
		Strong	Some	Strong	Some		
36.	State Schools Superintendent Delaine Eastin	6	17	5	6	27	39
			23		11		66
37.	Businessman Ron Unz	3	9	5	3	24	56
			12		8		80
38.	Governor Pete Wilson	19	29	27	16	7	2
			48		43		9
39.	Former Congressman Robert Dornan	8	11	19	12	22	28
			19		31		50
40.	House Speaker Newt Gingrich	16	25	27	18	10	4
			41		45		14
41.	Gubernatorial candidate Al Checchi	8	23	8	8	33	20
			31		16		53
42.	The Parent-Teacher Association or PTA	33	38	4	7	12	6
			71		11		18
43.	Lieutenant Governor Gray Davis	11	28	10	10	26	15
			39		20		41
44.	Citizens for an Educated America	8	9	4	3	19	59
			15		7		78
45.	The California Teachers Association	22	33	11	11	14	9
			65		22		23
46.	English Teachers Against 227	8	11	9	10	20	42
			19		19		62
47.	U.S. Senator Barbara Boxer	17	26	24	13	13	7
			43		37		20
48.	Attorney General Dan Lungren	13	29	11	11	24	12
			42		22		36
49.	Congresswoman Jane Harman	5	11	5	5	31	43
			16		10		74
50.	The Catholic Conference of Bishops	8	16	6	9	30	31
			24		15		61

Pow
v Botas
PWA

(CONTINUE ONLY WITH SPLIT SAMPLES a2, b2, c2, and d2)

Do you agree or disagree with the following statements? (FOLLOW-UP: Is that strongly dis/agree or just somewhat?)

		—AGREE—		—DISAGREE—		Don't Know
		Strong	Some	Strong	Some	
51.	Children should be given more than one year if needed to learn English as long as they are trying the best they can	56	23	9	7	5
	.....	79		16		
52.	Some non-English speaking children can learn English in one year, but others will need longer than one year to learn enough English to compete academically	52	25	10	6	7
	.....	77		16		
53.	It is not appropriate for people from out-of-state to be contributing large sums of money to pass California ballot initiatives	55	17	10	9	9
	.....	72		19		
54.	Educational programs designed by local schools and teachers are generally better than those programs mandated by the state	37	28	7	10	18
	.....	65		17		
55.	If you were required to learn a new foreign language in one year in a classroom where the teacher always spoke to you in the foreign language and never spoke to you in English, would you be able to do it, or not?					
	YES	44				
	NO	43				
	DON'T KNOW	13				

56. **RECORD Split:****Splits a1, b1, c1, and d1 READ QUESTIONS IN ORDER****Splits a2, b2, c2, and d2 READ Q65-75 FIRST, THEN Q57-Q64)**

Now I would like to read you some reasons people have given to vote yes on Proposition 227. For each I read, please tell me if you find the statement a very convincing reason to vote YES on the initiative, or somewhat convincing, or not very convincing or not at all convincing as a reason to vote YES on Prop 227.

	<u>Very</u>	<u>Some</u> <u>what</u>	<u>Not</u> <u>Very</u>	<u>Not</u> <u>at All</u>	<u>Don't</u> <u>Know</u>
57. The sheltered English immersion required by Prop 227 is a one-year transition program which focuses solely on learning English. It will move students quickly into regular classes.	35	31	12	17	5
.....	66			29	
58. The current program of immigrant education is a failure. Each year only 7% are found to have gained proficiency in English -- that's a 93% failure rate.	42	20	12	19	7
.....	62			31	
59. For most of California's non-English speaking children, bilingual education means monolingual, Spanish-only education for the first four to seven years of school 24 ...	21	14	29	12	
.....	45		43		
60. Prop 227 will designate \$50 million dollars per year to teach English to adults so they can help their children learn English as well.	25	24	14	32	5
.....	49		46		
61. We are currently spending hundreds of millions of dollars on a failed program. This is a huge waste of our tax dollars	44	20	11	19	6
.....	64		30		
62. The only people who oppose Prop 227 are people who profit from bilingual education, like bilingual teachers, coordinators and administrators	21	18	16	36	9
.....	39		52		
63. Prop 227 allows parents to request a special waiver for children with individual educational needs who would benefit from another method	21	29	15	23	12
.....	60		38		
64. Prop 227 is for the own good of the children who don't speak English. If we don't get these kids speaking English as soon as possible, all of California society will suffer	40	21	10	24	5
.....	61		34		

Now I would like to read you some reasons people have given to vote AGAINST Proposition 227. For each I read, please tell me if you find the statement a very convincing reason to vote NO on the initiative, or somewhat convincing, or not very convincing or not at all convincing as a reason to vote NO on the initiative. (ROTATE.)

		Very	Some what	Not Very	Not at All	Don't Know
65.	We do not pass laws telling firefighters how to fight fires. We do not pass laws telling pediatricians how to treat sick children. We should not pass a new state law that tells teachers how to teach English.	21	18	16	39	6
	.....		39		55	
66.	Criminals in California get three strikes. But Prop 227 gives children only one chance to learn English. . .	16	17	17	44	6
	.....		33		61	
67.	A major contributor to Prop 227 is a millionaire from Florida named George Dunn. He is part of a fringe group called 'Separation of Schools and State'. They believe government has no role in financing public education. He is so extreme that he included a provision in Prop 227 that says any teacher teaching a child in the child's own language should be taken to court	23	15	15	39	8
	.....		38		54	
68.	Proposition 227 is opposed by the Catholic Conference of Bishops	9	14	14	45	18
	.....		23		59	
69.	The sponsor of Prop 227, Ron Unz, has no experience in education, and is using this initiative to promote his political career. He is so hungry for attention that four years ago when he ran for Governor against Pete Wilson, he said that Wilson was responsible for the Los Angeles riots. We should not trust our educational policies to this man	17	17	14	40	12
	.....		34		54	
70.	In the 1970s the legislature mandated bilingual education. It did not work for everyone. That law has now expired. In thousands of classrooms all over the state, individual teachers, parents and school boards are trying hundreds of methods for teaching English. Prop 227 outlaws all of these local programs, even the best ones, and says one way is the only way. We should oppose anyone who says, 'One way is the only way'	30	22	13	27	8
	.....		52		40	
71.	One of the major contributors to Proposition 227 is a multi-millionaire from New York who is the third largest contributor in the country to Newt Gingrich's political action committee	16	13	15	41	15
	.....		29		56	
72.	All over the country, businesses and governments have been successful by emphasizing personal responsibility over big government decisions. Prop 227 moves us in the opposite direction, imposing a big government mandate on every local school district in the state. We must defeat Proposition 227 and allow local parents and teachers to decide what is best for their children . .	28	22	14	28	8
	.....		50		42	

Prop 227 Voter Survey, final

February 1998, page 14

		<u>Very</u>	<u>Some what</u>	<u>Not Very</u>	<u>Not at All</u>	<u>Don't Know</u>
73.	Proposition 227 will cost taxpayers \$50 million dollars every year	28	18	16	30	8
			46		46	
74.	Attorney General Dan Lungren opposes Prop 227	12	16	15	41	16
			28		56	
75.	Prop 227 calls for a classroom in which children of different age groups, speaking different languages, are trying to learn from a teacher who is prohibited from using their own language to teach them English. It's a bad idea that just won't work	27	22	14	29	8
			49		43	
76.	Now that you have heard more about Proposition 227, I would like to ask you again, if the election were held today, would you vote yes or no on Proposition 227? (IF "YES," OR "NO," FOLLOW-UP: Is that a strong yes/no or might you still change your mind? IF UNDECIDED, FOLLOW-UP: Do you lean more toward yes or more toward no?					
	YES, STRONG	31				
	YES, MIGHT CHANGE	9				
	UNDECIDED, LEAN YES	5	->45			
	UNDECIDED	14				
	UNDECIDED, LEAN NO	5		+ 4		
	NO, MIGHT CHANGE	8				
	NO, STRONG	28	->41			
77.	Supporters of Proposition 227 include businessman Ron Unz, a Floridian named George Dunn who is part of a group called, 'Separation of Schools and State,' an Orange County teacher named Gloria Matta-Tuchman ("maht-tuh TUCK-man") who is a candidate for state superintendent of schools; and Newt Gingrich.					
	Opponents include School Superintendent Delaine ("de-LANE") Eastin, Senator Barbara Boxer, Gubernatorial candidates Al Checchi ("CHECK-ee"), Gray Davis and Jane Harman; the California PTA, the California Teachers Association, the California School Board Association, the Catholic Conference of Bishops and most major newspapers in California.					
	Hearing this, if the election were held today, would you vote yes or no on Proposition 227? (IF "YES," OR "NO," FOLLOW-UP: Is that a strong yes/no or might you still change your mind? IF UNDECIDED, FOLLOW-UP: Do you lean more toward yes or more toward no?					
	YES, STRONG	31				
	YES, MIGHT CHANGE	9				
	UNDECIDED, LEAN YES	5	->45			
	UNDECIDED	12				
	UNDECIDED, LEAN NO	6		+ 2		
	NO, MIGHT CHANGE	8				
	NO, STRONG	29	->43			

78. If you were designing a television ad to defeat Proposition 227, which of the following images would you use? (READ CHOICES. ROTATE ORDER.)

A classroom full of children with different ages and different language backgrounds with a teacher who can not teach them in their own language	24
Sacramento politicians imposing their will on local teachers and parents	10
Out-of-state extremists donating large sums of money to pass this initiative	10
Children who do not learn English in one year being forced into regular English classrooms when they can not understand the teachers or the other students	19
OTHER	2
NONE OF THESE	22
DON'T KNOW	13

79. And now some questions about yourself for statistical purposes. First, what is your age?

Under 30=8%, 30s=15%, 40s=22%, 50-64=27%, 65+=27%

80. Are you Hispanic or of Spanish descent? (IF YES, FOLLOW-UP: Is that ... (READ CHOICES.)

Mexican	9	
Spanish	3	
Puerto Rican	<1	
Central American	<1	
South American	<1	
Other	1	
Hispanic, no further info	3	
NOT HISPANIC	82	→ to q81
REFUSE	1	

(SKIP TO Q82)

[IF "NOT HISPANIC" ASK:]

81. Which of the following ethnic groups describes you? (READ LIST.)

CAUCASIAN/WHITE/EUROPEAN-AMERICAN	70
BLACK/AFRICAN-AMERICAN	4
CHINESE/ASIAN/PACIFIC-ISLANDER	3
NATIVE AMERICAN (INDIAN)	1
OTHER (_____)	2
REFUSED	2
(Latino	18)

82. On most issues, do you consider yourself liberal, moderate, or conservative? (IF "LIBERAL" OR "CONSERVATIVE," Is that very liberal/conservative, or somewhat?) (IF "MODERATE," Do you lean more toward liberal or more toward conservative?)

LIBERAL, VERY	10	
LIBERAL, SOMEWHAT	13	→23
MODERATE, LEAN LIBERAL	5	
MODERATE	29	
MODERATE, LEAN CONSERVATIVE	8	→42
CONSERVATIVE, SOMEWHAT	17	
CONSERVATIVE, VERY	15	→ 32
OTHER (_____)	1	
REFUSED	2	

83. Do you currently have any children under 18 living at home?

YES	31
NO	69
DON'T KNOW	<1

(IF YES:)

84. Are any of these children enrolled in public schools?

YES	21
NO	8
REFUSE	1
(No children	69)

85. What is the highest level of education that you have achieved?

Not graduated high school	6
Graduated from high school, but not attended any college	16
Attended some college or trade school, but not a college graduate	31
Graduated college	28
Have done some graduate or post-college education	18
REFUSED	1

86. Are you Protestant, Catholic, Jewish, or something else?

PROTESTANT	43
CATHOLIC	27
JEWISH	3
OTHER	22
REFUSED	5

[IF PROTESTANT, OTHER, REFUSED, ASK:]

87. Do you consider yourself to be a Fundamentalist Christian?

YES	16
NO	23
DK/REFUSED	4
(Not Christian	57)

88. Are you or is any member of your household a member of a labor union? [IF YES:] Is that you personally or someone in your household?

YES, SELF	12
YES, HOUSEHOLD	11
NO	76
NO ANSWER	1

89. Do you have access to the Internet or World Wide Web either at home or at work? (IF YES: Is that at home, at work, or both?)

YES, BOTH AT HOME AND AT WORK	24
YES, AT HOME ONLY	20
YES, AT WORK ONLY	11
NO	45
NO ANSWER	<1

90. Now we want to get a rough idea about your income. Please stop me when I read the category that includes your total HOUSEHOLD income before taxes in 1997.

Under \$20,000	11
Between \$20,000 to just under \$40,000	18
Between \$40,000 to just under \$60,000	21
Between \$60,000 to just under \$80,000	13
Between \$80,000 to just under \$100,000	9
\$100,000 or more	8
DON'T KNOW	3
REFUSE	17

That's all the questions I have. Thank you for your time. Good-bye.

CODE FROM SAMPLE SHEET:

91. RECORD SEX:

FEMALE	53
MALE	47

CODE ELECTION HISTORY:

92. 6/92	63
93. 11/82	73
94. 11/93	56
95. 6/94	63
96. 11/94	76
97. 3/96	83
98. 11/96	89

99. VOTE BY MAIL

38

100. ASSEMBLY DISTRICT

101. STATE SENATE DISTRICT

102. CONGRESSIONAL DISTRICT

103. COUNTY CODE:

104. CITY CODE:

105. ZIP CODE:

106. RECORD PARTY:

Democrat	45
Republican	40
Decline to State	11
Other	4

107. CODE HOUSEHOLD PARTY TYPE:

108. LANGUAGE OF INTERVIEW:

English	98
Spanish	2

109. ENTER ID NUMBER

SAMPLE SIZE by COUNTY OF RESIDENCE:

Alameda	73	Lassen	2	San Bernardino	63
Alpine	2	Los Angeles	342	San Diego	143
Amador	2	Madera	6	San Francisco	36
Butte	14	Marin	16	San Joaquin	21
Calaveras	2	Mariposa	4	San Luis Obispo	17
Colusa	2	Mendocino	8	San Mateo	31
Contra Costa	53	Merced	9	Santa Barbara	23
Del Norte	4	Modoc	1	Santa Clara	75
El Dorado	11	Mono	0	Santa Cruz	12
Fresno	35	Monterey	17	Shasta	10
Glenn	6	Napa	8	Sierra	0
Humboldt	9	Nevada	10	Siskiyou	6
Imperial	7	Orange	112	Solano	18
Inyo	4	Placer	16	Sonoma	27
Kern	28	Plumas	2	Stanislaus	18
Kings	5	Riverside	62	Sutter	2
Lake	3	Sacramento	71	Tehama	3
		San Benito	1	Trinity	1
				Tulare	11
				Tuolumne	6
				Ventura	27
				Yolo	0
				Yuba	0

California Outreach / February 13, 1998
Research 1pm-2pm

O/R		Name	Phone	Agency
both	y	Eugene Garcia	510-643-6644 510-643-8904fax 510-848-0659	Graduate School of Education University of California.
research	m	Leo Estrada	310-410-1981 310-568-0130fax	School of Public Policy University of California, Los Angeles
research	y	Ruben Zacarias / will send a representative	213-625-6251 213-485-0321fax	Superintendent San Francisco Unified School District
research	m	Maria S. Quezada CABE President (Dean)	562-985-5811 562-985-5793 or 4528fax	California State University
research	y	Kenji Hakuta / his assistant will be attending	650-725-7454 650-723-7578fax	School of Education Stanford University
research	y	Lily Wong Fillmore	510-642-0746 510-642-5547/ 935-9845fax	Professor Univ. Of California Language and Literacy Division

California Outreach / February 13, 1998
Research 1pm-2pm

O/R		Name	Phone	Agency
reaserch	m	Laurie Olson	415-441-7631	California Tomorrow

California Outreach Mtg / February 13, 1998
Outreach 2:30pm-3:30pm

<i>outreach</i>	m	Peter Roos	415-398-1977	Attorney/META
<i>outreach</i>	y	Caroline Labat	650-363-4570	Office of Ruben Barrales
<i>outreach</i>	y	Carmen Cortez	209-782-7190 209-787-7196fax	Former Pres. of AMA
<i>outreach</i>	m	Jorge Gonzales	408-441-5291	Santa Clara Board of Education
<i>outreach</i>	n	Arturo Vargas	213-720-1932	NALEO
<i>outreach</i>	m	Phyllis J. Hart	213-487-3194 213-487-0879fax	Executive Director The Achievement Council
<i>both</i>	y	Eugene Garcia	510-643-6644 510-643-8904fax 510-848-0659	Graduate School of Education University of California.
<i>outreach</i>	y	Beatriz Leyva-Cutler	510-525-1463	Bay Area Hispanic Institute for Advancement
<i>outreach</i>	y	Dolorez G. Terrazas	415-882-0234	"El Comienzo" California Child Care Initiative Project
<i>outreach</i>	y	Mario Salgado	415-487-7820 415-487-7828fax	California Latino Civil Rights Network
<i>outreach</i>	y	Larry Perales	805-937-4675-w 805-922-3689-H	State Pres. Association of Mexican American Educators.
<i>outreach</i>	Y	Benjamin M. Lopez	916-446-7904 916-446-3057fax	California Rural Legal Assistance Foundation
<i>outreach</i>	y	Ed Chen two people from his office will attend	415-621-2493 415-255-8437fax	American Civil Liberties Union
<i>outreach</i>	m	Ruben Barrales / -will be sending representitive	650-363-4570 650-363-1916fax	(Republican) Member, Board of Supervisors County of San Mateo
<i>outreach</i>	m	David Sanchez	805-922-5707 805-347-0014	California Teachers Association. Member Board of Directors

<i>outreach</i>	m	Bill Rojas	415-241-6121	Superintendent San Francisco Unified School District / No answer
<i>outreach</i>	y	Deborah Escobedo	415-546-6382 415-546-6364fax	META, Inc
<i>outreach</i>	m	Rosalia Salinas	619-296-5768 (h)	Former President, CABA
<i>outreach</i>	m	Richard Ross	916-441-1995	Ross Communications
<i>outreach</i>		Mary Hernandez	415-543-5598 / she is not at this number	San Francisco MALDEF Board
		Art Torres	617-666-1979	

CALIFORNIA EDUCATION MEETING**ELECTEDS**

Delaine Eastin - Superintendent, Public Instr.	916/ 657-5485	
Senator John Burton - President Pro Tem	916/ 445-1412	
Senator Richard Polanco - Majority Leader	916/ 445-3456	
— Senator Dee Dee Alpert - Education Committee	916/ 445-3952	
— Senator Hilda Solis - Chair of Task Force	916/ 445-1418	
— Senator John Vasconcellos - Education Committee	916/ 445-9740	
Assemb. Cruz Bustamante - Speaker	916/ 445-8514	
Assemb. Antonio Villaraigosa - Majority Leader & Speaker-elect	916/ 445-0703	
Assemb. Kerry Mazzoni - Chair, Education Committee	916/ 445-7783	
— Assemb. Mike Honda - Education Committee	916/ 445-8243	
Assemb. Debra Ortiz - Sacramento Representative	916/ 445-1611	
Joe Serna - Mayor of Sacramento	916/ 264-5300	
Manny Hernandez - Sacramento School Board Member	916/ 327-3444	
Gloria Molina - Los Angeles County Supervisor	213/ 974-4111	
Arturo Vargas - NALEO Executive Director	213/ 720-1932	

Maritza Rivera

03/10/98 10:25:25 AM

Record Type: Record

To: Maria Echaveste/WHO/EOP, Michael Cohen/OPD/EOP
cc: Marjorie Tarmey/WHO/EOP
Subject: Bilingual Education

Today's meeting with the Hispanic Education Coalition is at 1:30 p.m. at the White House Conference Center in the Jackson Room.

Groups in attendance:

✓ Charles Kamasaki	National Council of La Raza
✓ Hilda Crespo	ASPIRA
Ileann Jimenez	Mexican American Women's National Association
Victor De La Paz	National Association of Latino Elected Officials
✓ Jim Lyons	National Association on Bilingual Education
✓ Jennie Torres	National Puerto Rican Coalition
✓ Carmen Feliciano	Puerto Rico Federal Affairs Administration
Hector Garza	American Council on Education
Georgina Verdugo	Mexican American Legal Defense and Education Fund
Maira Lenehan	National Assn of College Counseling and Admissions
Maryln McAdam	National HEP-CAMP Assn
✓ Roger Campos	Hispanic Association of Colleges and Universities
✓ Cuauhtemoc Figueroa	League of United Latin American Citizens
Gabriela Uro	Council of Great City Schools
Susana Gomez	Cuban American National Council
Maria Arnesto	American Federation of Teachers
Delia Pompa	
✓ Sarita Brown	

* The Hispanic Education Coalition asked to have a briefing on bilingual education and the Unz initiative.

* Since there is no official position as of yet, the purpose of this briefing is to let the groups know what the White House has been hearing on bilingual education such as during your meetings with the groups in CA and also with the CA Congressional delegation and to get feedback from the groups as to this issue.

* You will be meeting at 1 p.m. in Maria's office with Delia Pompa and Sarita Brown to brief them on what you have been hearing.

Definitions of Approaches Used in Bilingual Education¹

English as a second language (ESL) - Students receive specified periods of instruction aimed at the development of English-language skills, with a primary focus on grammar, vocabulary, and communication rather than academic content areas. This approach is usually embedded in the approaches described below.

Content-based ESL - Students receive specified periods of ESL instruction that is structured around academic content rather than generic English language skills. This approach may be in contrast to traditional ESL or combined with it. This approach is also usually embedded in the approaches described below.

Sheltered instruction - Students receive subject matter instruction, modified so that it is accessible to them at their levels of English proficiency.

Sheltered immersion - All students in the program are English language learners, usually though not always from different language backgrounds. They receive instruction in English, with an attempt made to adjust the level of English so subject matter is comprehensible. Typically, there is no native language support.

Transitional bilingual education - Most students in the program are English language learners. They receive some degree of instruction through the native language; however, the goal of the program is to transition to English as rapidly as possible, so that even within the program, there is a rapid shift toward using primarily English. This approach is sometimes referred to as early exit bilingual education.

Maintenance bilingual education - Most students in the program are English language learners and from the same language background. They receive significant amounts of their instruction in their native language. Unlike transitional programs, these programs aim to develop English proficiency, but also to develop academic proficiency in the native language. This approach is sometimes referred to as *late exit bilingual education*.

Two-way bilingual programs - About half of the students in these programs are native speakers of English, and the other half are English language learners from the same language group. The goal of this program is to develop proficiency in both languages for both groups of students.

¹National Research Council (1997) *Improving Schooling for Language-Minority Children: A Research Agenda*.



Mike_Smith @ ed.gov (Mike Smith)
02/25/98 06:48:47 AM

Record Type: Record

To: Michael Cohen/OPD/EOP

cc: David_Stevenson @ ed.gov (David Stevenson) , Pauline_Abernathy @ ed.gov (Pauline Abernathy) ,
Delia_Pompa @ ed.gov (Delia Pompa)

Subject: Re: UNZ and other important stuff

Mike: 1. I think Delia is entirely consistent with my take on the so-called "bilingual" issue -- I could imagine some very radical changes to Title VII. I don't actually know where the Secretary is -- the three years sounds good to Kevin. I think we can have something that we can work off of by Wed of next week. I will not be here on Thursday and Friday of next week.

2. On Unz -- I agree we should vigorously oppose. There are many grounds not least among them that it offers no choice and that is specifies a single curriculum approach that has no basis in evidence. It is appallingly bad and we should say so. I think a strong VP statement of opposition followed by a hard-hitting more elaborate position released by the Secretary would position us where we want to be.

3. On class size -- I have not seen the charge that POTUS (mc) gave us for the white paper. My vision of a reasonable white paper is that it would include a lit review of the evidence, an analysis of what we know about the differences in instruction that are possible in smaller classes and what we know about preparing teachers to teach in smaller classes, and an analysis of some of the problems and what to do about them in implementing smaller classes. Joe's piece did not cover all of this. This issue is complicated by the fact that we owe someone in the Congress a piece on class size. What do you all expect from us on this?

4. Releasing the seven year numbers would be great!!

Mike

Reply Separator

Subject: UNZ and other important stuff

Author: Michael_Cohen@opd.eop.gov at Internet

Date: 2/24/98 12:38 PM

1. Unz: There's a growing consensus here that we have to come out against Unz, and do it soon--probably over the course of the next month or sooner.

We are still not certain about who should first announce our position--Riley, the VP, or the President. Some of this will revolve around scheduling--The VP is in California a few times, including a speech to the Dem. state convention at the end of March, which will focus on

education. So that may be an outside limit on when we address the issue.

There is also a strong consensus that, on political grounds, our opposition to Unz needs to be coupled with some kind of "mend it but don't end it" stance with respect to bilingual education overall--and an expectation that ED should take the lead in defining whatever policy change may be appropriate.

Based on my recent conversations with RWR, yourself, and Dalia, my sense is that the three of you are not yet in the same place.

As I told you last week, RWR was in a 3-years-and-out mode, You were talking about qualified teachers and accountability--though it wasn't clear what policy change or action if any that would lead to (e.g., -tougher accountability provisions in current legislation; visible "enforcement" of what we've already got; more \$ for bilingual teacher ed, etc.).

Dalia thinks we've got the right policy and don't need to change anything

Bottom line: We need either a policy recommendation or a brief options paper from ED ASAP, so we can determine our position and develop our strategy quickly. I'd like to be able to call a meeting with people here (Bruce/Elena, Maria Echaveste, the California political people, etc. and you and Dalia). I know Dalia is out at NABE this week, and I don't know the timing of the evaluation reports that are supposed to be coming in soon, so I don't know what is feasible.

Any chance you can have an ED position sketched out by mid next week? I don't think we can delay much longer.

2. Class Size: Have you had a chance to look at the draft Joe Conaty put together on class size? Someone sent it to me last week, and I looked at it quickly over the weekend. It looked pretty promising and reasonably complete as the basis for the white paper we talked about. Anything you can do to keep things moving along on that front is important.

If we are going to get class size as part of the tobacco legislation, we are going to need 2 things: (1) tobacco legislation, and (2) a lot of public pressure around class size. I think we can get the President to do class size events if we can figure out how to make news. I think the white paper would be a great hook for an event, and we should do one soon. Transmitting the legislation would also be another, and we're pushing to get that done. Releasing 7-year state by state figures is another possibility.