

History of Language Minority Education in the United States

[To appear in A. Padilla, H. Fairchild, & C. Valadez (Eds.), *Advances in Language Education: Theory, Research, and Practice*. New York: Sage Publications.]

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Bilingual education as an object of attitude occupies a special place in the American soul. The person on the street might support it because it offers hope for connecting individuals to their heritage language. They might support it because it symbolizes a breaking away from the image of Americans as English-centered and failing to see itself in an international arena (Archie Bunker once said: "if God wanted me to learn another language, then why did He write the Bible in English?").

The opponent of bilingual education, on the other hand, sees it as an unnecessary coddling and spoiling of new immigrants, eroding away at the strength of the English language -- an important symbol of American unity. Bilingual education is seen as a political lobby that caters largely to the Spanish-speaking population. Opponents frequently comment that unlike previous immigrant groups, the current group of immigrants is failing to learn English, demanding services in Spanish and other foreign languages.

The degree of sentiment evoked by bilingual education is not matched by an equivalent degree of understanding about the history of language minority education in the United States, nor by knowledge about the state of bilingual education. For example, a nationally representative survey of attitudes towards bilingual education revealed general confusion about the nature of program despite its highly symbolic nature (Sears & Huddy 1987). The goal of this chapter is to briefly review the history of language minority education in the United States, and to discuss the role that research has played in the policy debate.

Immigration and Compulsory Schooling: the language issue is born.

In the United States, bilingual education was not uncommon in the 18th and 19th century. Linguistic pluralism and diversity was acknowledged and tolerated, if not always encouraged. In New Mexico and California, there were both English and Spanish schools; in the mid-west, German language schools served the large number of German immigrants. In New Mexico an 1884 law recognized public Spanish-language elementary schools, noting that the language of instruction would be left to the discretion of the director. French language public schools served the French speaking communities in Louisiana and northern New England (August & Garcia, 1988). In the Midwest and the East, several states allowed German language public schools in predominantly German communities. In the mid-19th century, the German-English public schools were established in Ohio (Laosa, 1984). Other languages (eg. Norwegian, Lithuanian, Czech, Dutch) were part of the curriculum in areas with large numbers of immigrants from these countries (Anderson & Boyer, 1970).

Until the end of 19th century, language of instruction was not an important or prominent issue in education policy. Education policy was primarily in the hands of the towns or districts, who taxed parents the necessary tuition to support a local school. The school was supported entirely by the community, teachers were often recruited from the community, and the language of instruction was frequently the language of the community. Federal and state legislation, where it existed, generally required only that schools be established, and said little more.

In the late 19th century, the movement for the Common School, or public school, and compulsory

Published
in 1990

and Catholic, created a strong xenophobic reaction amongst the "old immigrants" (Easterlin et al., 1982). City and town leaders, who largely controlled the local educational institutions became increasingly worried about changes in their community resulting from a swelling among the ranks of "children of foreign born".

Public policy turned to mandatory education in public schools as the means to ensure that the children of immigrants were assimilated into the "American" (read Anglo-Saxon/northern European protestant) culture (Glenn, 1988). At the same time, the work force and humanitarians hoped to use mandatory education to keep children out of the labor market, and these groups pointed to the need to teach literacy and American values to these children. Thus, public school came to be seen as the primary institution for socializing immigrant children and producing literate individuals who were assimilated to the democratic values of American society.

This task of assimilating foreign children, along with increased regulation of education by state and county legislature raised the issue of a common language of instruction that would represent American society, and provide a measure of assimilation. Simultaneously, loss of the national-origin language would represent abandonment of the foreign culture of origin. State legislatures began to pass laws regulating the language of instruction in public, and then private schools. By the end of the 19th century, California and New Mexico both had English-only instruction laws. In 1898, the U.S. government banned the use of Spanish in newly acquired Puerto Rico, undeterred by the fact that the entire population was Spanish-speaking.

The anti-foreign and, in particular, anti-German sentiment of World War I made bilingual education a moot topic. The remaining foreign language schools, most of which were German, were shut down, either by laws mandating English-only instruction, or by laws reserving public funds for English-only schools. In several states, laws were passed requiring compulsory education in public schools, where the district had greater control. Numerous states attempted to ban the teaching of a foreign language in both private and public schools under laws which carried criminal penalties. By the early 1920's, 34 states had English-only requirements in their schools. (McFadden, 1983).

This linguistic xenophobia was somewhat stemmed in 1923, when the Supreme Court declared, albeit rather apologetically, that a Nebraska state law prohibiting the teaching of a foreign language to elementary students was unconstitutional. Meyer v. Nebraska is illustrative of several cases of the time. A teacher in a parochial school was convicted for teaching reading in German to a ten-year old child. The Nebraska Supreme Court opinion, affirming the conviction, notes that:

To allow the children of foreigners who had emigrated here, to be taught from early childhood in the language of the country of their parents ... was to ... naturally inculcate in them the ideas and sentiments foreign to the best interest of this country (262 U.S. 390).

The Supreme Court, finding that proficiency in a foreign language was "not injurious to the health, morals, or understanding of the ordinary child", declared the Nebraska law unconstitutional under the Fourteenth Amendment. However, the Court underlined that the power of the state to "make reasonable regulations for all schools, including a requirement that they shall give instruction in english, is not questioned." The Court further notes that:

The desire of the legislature to foster a homogenous people with American ideals, prepared readily to understand current discussions of civic matters, is easy to appreciate.

Following the Meyer v Nebraska decision, the strict English-only instruction laws were generally either repealed or ignored. However, Laosa (1984) notes that in 1971, 35 states still had English-only instruction laws of some kind. Although Meyer v Nebraska limited the state's power to prohibit the teaching of foreign languages in private schools, it also clearly established that the United States is an English speaking country, and indicated that schools could require the use of English (Teitelbaum & Hiller, 1977).

The 1960's: Bilingual Education Returns.

The history of bilingual education in the United States is frequently divided into two periods: pre-World War I and post-1960 (August & Garcia, 1988; Hakuta, 1986; Laosa, 1984). From the 1920's until the 1960's, little attention was given to the language needs of non-English speaking students. Students were placed in regular classrooms where they "sank or swam". It was not until the 1960's that the failure of English classrooms to educate non-English speaking students began to receive national attention (McFadden, 1983).

In 1963, Dade County, Florida, initiated an experimental bilingual education program in the first three grades of the Coral Way School. The desire to meet the needs of the large number of Cuban refugees, many of whom were children, motivated the program (see Mackey & Beebe 1977 for a detailed review of the program). The experimental program, set up by the Ford Foundation, included children from both Cuban and English-speaking middle-class homes; the objective was to create functional Spanish-English bilinguals. The success of the program attracted local and then national attention. The program spread to other elementary schools and junior high schools in Dade County in the following years (Hakuta, 1986). By the late-sixties, several other cities had started locally supported bilingual education programs.

In 1968, bilingual education programs in public schools were legitimized at the federal level by the Bilingual Education Act. The return of bilingual education to public schools is closely tied to the Civil Rights movement of the 1960's. The Civil Rights movement and the pressure for cultural pluralism that accompanied it produced two avenues to bilingual education: 1) Title VI of the 1964 Civil Rights Act; and 2) the 1968 Bilingual Education Act. Title VI of the Civil Rights Act (Title VI) ultimately provided the enforcement mechanism through which the courts could order that LEP students be served (Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of "race, color, or national origin" in the operation of any federally assisted programs. [45 C.R.F. Sec. 80]). The Bilingual Education Act (BEA), on the other hand, established the federal role in bilingual education, and allocated funds for innovative projects and support programs such as graduate fellowships and program evaluation.

In addition to the Civil Rights movement, national attention was concerned with reducing poverty, improving education, and supporting ethnic identity. Until the Elementary and Secondary Education Act of 1965, the federal government had left educational policy to the state legislature. However, with the general wave of enthusiasm to mobilize education as a primary means of battling poverty, there was a move for greater federal intervention, especially in the allocation of funds. The assimilationist melting pot ideology was replaced by a move towards cultural pluralism and ethnic revival. Research on bilingual programs in Canada and Europe suggested that bilingual children not only did not suffer any cognitive deficiency, but outperformed monolingual children on a number of cognitive tasks (Peal and Lambert, 1962; Lerea & Kohut, 1961; Lewis & Lewis, 1965). The success of the Dade County programs had attracted national attention to the success of bilingual education. All these factors contributed to the creation of the first Bilingual Education Act in 1968.

The Bilingual Education Act

The BEA was not an independent piece of legislation, but was added as Title VII of the Elementary and Secondary Education Act. It was four and half pages long and served primarily to legitimize Bilingual Education Programs, allocate funds for experimental programs, and foster research on bilingual education. While it legitimized bilingual education, it neither defined the programs nor mandated that bilingual programs should be created. According to a former General Counsel to the Department of Education, the Bilingual Education Act provides "funds to enlightened school districts that submitted a voluntary proposal for expenditure of those funds on special projects for a small number of limited-English proficient students." (Levin, 1983).

The Bilingual Education Act was the final product of S.428, which Senator Ralph Yarborough introduced in January 1967. In that same year, over 35 similar bills were introduced into the House. The original bill was intended to provide assistance to agencies in setting up bilingual programs for Spanish-speaking children for whom English was a foreign language. The final Senate bill, however, included all low-income, non-English

speaking groups within the scope of the bill's funding. Nonetheless, the legislative history of the law indicates that programs were intended to be primarily directed towards Spanish-speaking groups. A report issued by the Department of Housing, Education and Welfare (HEW) stated:

Let us make clear that in administering such a program benefits must go to those areas where the problem is most severe. Clearly the bulk of the assistance would be made available to assist persons of Spanish-speaking background (PL 90-247, Legislative History: 2780).

The final legislation recognized the "problems of those children who are educationally disadvantaged because of their inability to speak English" (PL 90-247, Legislative History 2779). Section 702 of the law defined bilingual education as a federal policy. The policy would be:

to provide financial assistance to local educational agencies to carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs (PL 90-247, Section 702).

As the intention was to encourage varied and innovative programs, rather than mandate a strict policy, the law neither defined nor prescribed types of programs needed. However, it recognized that bilingual programs need not be limited to only language arts, and noted that possible programs for grants included "programs to impart to students a knowledge of the history and culture associated with their languages." [PL 90-247; Title VII, Sec. 704,(a)(2)(e)].

The BEA was an important piece of legislation in that it defined bilingual education programs as falling within federal educational policy. In doing so, it marked a change of policy toward language minorities and undermined the English-only laws that were still on the books in many states (Laosa, 1984). More important, perhaps, it suggested that equal education was not the same as identical education, even when there was no difference in location or teacher.

Title VI and HEW interpretive guidelines.

Although the BEA had no power of prescription or enforcement, The HEW published Title VI regulations and guidelines regarding the schooling of language minority children. The guidelines stated that "school systems are responsible for assuring that students of a particular race, color, or national origin are not denied the opportunity to obtain education generally obtained by the students in the system" (33 Fed.Reg. 4956, 1968). In 1970, J. Stanley Pottinger, the director of the Office of Civil Rights, sent a memorandum to school districts that served language-minority students. The memorandum, published in the Federal Register as guidelines, specifically interpreted Title VI as it relates to language minority students. These interpretive guidelines became the basis for subsequent court action. The memorandum notes that a Title VI compliance review had found "a number of practices which have the effect of denying equality of educational opportunity to Spanish-surnamed pupils. . ." and that these practices "have the effect of discrimination on the basis of national origin." The 1970 guidelines specified that:

where inability to speak and understand English excludes national origin minority group children from effective participation in the educational program ... the district must take affirmative steps to rectify the language deficiency [35 Fed. Reg., 11595].

The memorandum further noted that schools could not assign national origin minority groups to special programs for the mentally retarded on the basis of English language skills. The new guidelines, however, did not specify what the "affirmative steps" should be, and said nothing about instructing LEP students in their native language (Levin, 1983).

Lau v. Nichols: The new federal policy is tested.

Although the guidelines were published in 1970, the legal obligation of school districts to provide bilingual education programs was not tested until the 1974 Supreme Court ruling in Lau v. Nichols. Lau v. Nichols established the legal obligation for public schools receiving federal funds to comply with the HEW regulations and the interpretive guidelines. In addition, it established the guidelines used for the past fifteen years to evaluate and guide compliance with the regulations. Finally, it contributed strongly to the Equal Education Opportunity Act of 1974.

When the BEA did not provide the widespread solution its supporters had hoped for, parents of minority language students gradually turned toward the courts in hopes of finding a constitutional right to bilingual education (McFadden, 1983). Lau v Nichols was a class action suit brought by Chinese public school students against the San Francisco Unified School District in 1970. The district had identified 2856 limited-English proficient students, less than half of whom were receiving English as a Second Language (ESL) instruction. The district did not dispute the number of students involved, and it had made some attempt to address it. The issue, then, was whether non-English speaking children receive an equal educational opportunity in a mainstream classroom, and whether the school district was under a legal obligation to provide special services. The federal District Court and the Ninth Circuit Court of Appeals found that since all students were receiving the same curriculum in the same classes, the non-English speaking children were being treated no differently and were not being discriminated against. The school district was, therefore, under no legal obligation to provide special services to these students. The court reasoned that:

Every student brings to the starting line of his educational career different advantages and disadvantages caused in part by social, economic and cultural background, created and continued completely apart from any contribution by the school system (487 F.2d 797).

The same constitutional issue, however, was answered differently by a federal District Court for New Mexico in 1972. In Serna v Portales Municipal Schools, the court held that Mexican-American children were being treated differently when they received the same curriculum given to English-proficient students, and that their constitutional right to equal protection had been violated. The District Court ordered bilingual education as a remedy.

The 1974 Supreme Court ruling in Lau v Nichols avoided the constitutional question altogether. The Court's opinion relied entirely on legislative grounds, citing violations of both Title VI and the 1970 HEW guidelines. The Court held that the HEW interpretive guidelines "clearly indicate that affirmative efforts to give special training for non-english speaking pupils are required by Title VI as a condition to federal aid to public schools" (414 U.S. 569). The Supreme Court found that the requirement to know English that is implied in the California educational system is such that students who do not understand English are "effectively foreclosed from any meaningful education" (414 U.S. 566). The Court found that Title VI was violated when there was the effect of discrimination, although there was no intent.

As the plaintiffs had not requested any specific remedy, the Court stayed clear of prescribing one. In a concurring opinion, Justice Blackmun stated that numbers were "at the heart of this case", suggesting that his decision would have been different had fewer children been involved. Although Title VI and the HEW guidelines protect the rights of the "individual", and do not specify that a certain number is required, this opinion set the precedent for regarding numbers involved in future cases.

In the aftermath of Lau, courts followed the guidelines established by the Supreme Court. They tended to avoid the constitutional issue; rely on "discriminatory effect" application of Title VI; choose a remedy case-by-case; and take into account the number of children involved. Shortly after the Lau decision, the Tenth Circuit Court ruled in the appeal in the Serna case. The court followed the formula set down by the Supreme Court, stating that "In light of ... Lau ... we need not decide the equal protection issue" (McFadden, 1983).

Regulation and Enforcement of Federal Policy.

The Equal Education Act: Section 1703f

Several months after the Lau decision was handed down, Congress codified the Supreme Court ruling into the Equal Educational Opportunity Act (EEOA) of 1974. This new piece of legislation extended the Lau decision to all public school districts, and not just those receiving federal funding. The EEOA requires school districts to "take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs" [20 U.S.C. Sec. 1703f]. In 1975, a federal Court of Appeals ruled that simply the failure to take "appropriate action" in the absence of discriminatory intent was a violation of Sec. 1703f (Morales v. Shannon, 516 F.2d 411, 415, 5th Circuit, 1975). However, the EEOA did not specify what constituted an "appropriate action" and courts varied in their interpretation, in line with the case-by-case remedy approach.

In 1981, the Fifth Circuit court finally interpreted section 1703(f) of the EEOA in the case of Castaneda v. Pickard. In essence, the court took on the task of deciding what Congress had in mind in passing section 1703(f). The federal court rejected the policy of the courts deferring to local school boards in evaluating whether an appropriate remedy had been implemented, stating that Congress had "... deliberately placed on federal courts the difficult responsibility of determining whether that obligation had been met." (648 F.2d 989). The court established three criteria the implemented remedial program had to meet to be considered appropriate:

- 1) It should be considered legitimate by experts in the field;
- 2) the program should be implemented in a reasonable manner;
- 3) the program must produce results indicating that "the language barrier is being overcome".

However, the court stopped short of prescribing an "appropriate action", and, in particular, between choosing between an ESL and a transitional program. This decision, the court held, Congress "intended to leave [in the hands of] state and local education authorities..." who "were free to determine" how they wished to discharge their obligation.

In the late 1970's and early 1980's, lawyers pressing the interests of language minority students relied increasingly on the EEOA, rather than the Lau decision, which had been threatened by subsequent discrimination cases. The issue lay with whether a "discriminatory effect" in the absence of deliberate intent was enough to violate Title VI (McFadden, 1983). In the U.S. v. Texas (1981) decision, the district court found that the Texas Educational Agency (TEA) had violated section 1703 (f), although it was not in violation of Title VI. The court, citing earlier cases, found that a substantiation of "discriminatory intent" was necessary to violate Title VI (McFadden, 1983). However, because the state and the TEA had failed to take "appropriate action" they had violated section 1703(f). Two other decisions make this case notable. First, the district court spoke to the type of program that should be implemented by the state and the TEA. The court recognized that bilingual education was not required by any law, and the TEA could have implemented another "appropriate action." However, the evidence demonstrated that a violation of section 1703(f) had occurred. Summarizing the court's argument, August and Garcia (1988) note:

The evidence also demonstrated that bilingual instruction is uniquely suited to meet the needs of the state Spanish-speaking students. Therefore, the defendants would be required to take further steps, including additional bilingual instruction, if needed, to satisfy their affirmative obligations.

In the course of the trial, Texas had passed new minority language education legislation that addressed many of the issues in the court's decision. In 1982, Fifth Circuit Court of Appeals overturned the verdict on several grounds. The most compelling ground was that the new Texas legislation had made the previous case moot (McFadden, 1983). However, more damaging was the finding that "no local district may be subjected to remedial orders" without first having the opportunity to be heard individually. Thus each district would have to be sued in individual actions before a court could order a remedial action in that district (McFadden, 1983).

The Lau Remedies and the NPRM

After the Lau decision, HEW appointed a task force to establish guidelines in implementing the Lau decision. The guidelines, known as the "Lau Remedies" were issued in 1975. These guidelines directed school districts to identify and evaluate non-English proficient students and to provide a transitional bilingual-bicultural program. As the guidelines were remedies applied to districts found to be out of compliance with Title VI or the EEOA, they were applied piecemeal across the nation.

Although the Lau Remedies were never formally established as regulations, HEW began to treat them as such. Between 1975 and 1980, over 500 cases were negotiated on the Lau Remedies (Levin, 1983). In 1980, the Department of Education eventually issued a Notice of Proposed Rulemaking (NPRM) in the Federal Register. This publication followed a 1978 suit filed by the State of Alaska and several of its school districts in an attempt to prevent enforcement of the Lau Remedies (Levin, 1983). The plaintiffs claimed that HEW was in violation of the Administrative Procedures Act for not publishing the "regulations" for public comment. The court approved a consent decree in which HEW would publish the Lau Remedies as regulations.

The NPRM received a very political and divided reception. (See Levin, 1983, for a detailed analysis). At the hearings, the majority of the testimony was in favor of the rules, or opposed them because they did not go far enough. However, the written testimony was largely opposed to the rules because they went too far. The major education organizations attacked both the rules and the Department of Education (Levin, 1983). In general, the NPRM was far less stringent than the Lau Remedies. Most notably, the NPRM weakened the bicultural requirement, introduced a panoply of possible waivers, and increased the number of students required before full services had to be provided from 20 LEP students in a district to 25 within two grades in a school. In addition, the NPRM provided that the exit criterion from the program (30th percentile) would be lower than the entrance cut-off criterion (40th percentile). That is, students scoring below the 40th percentile would be eligible for services, but students scoring above the 30th percentile would be exited from the program. The NPRM also provided for a diminished requirement for bilingual education in high school.

The NPRM was short-lived. Congress made several attempts to limit the NPRM prior to its publication. In late 1980, Congress passed a resolution prohibiting the Department of Education from publishing the final regulations until June 1981. One of the Reagan Administration's first acts was to withdraw the NPRM, thus there was no final regulation of the rights of language minority students. However, the irony is that in eliminating NPRM, the Reagan Administration left the old enforcement system, the Lau Remedies, in place. Thus school districts are under greater constraint than had the NPRM become final (Levin, 1983).

Types of Programs

Although the first bilingual program at the Coral Way School was a two-way enrichment program, this model for bilingual education spread to very few public schools. Following the passage of the BEA, a number of states passed legislation either mandating or permitting bilingual education programs. Massachusetts was the first state to pass a mandatory bilingual education law with the Transitional Bilingual Education Act of 1968 (Laosa, 1984). Where legislation exists, it generally follows the Lau Remedies: transitional bilingual programs when there are more than 20 students in a district. In the absence of this critical mass, pullout ESL is provided.

Different types of programs, however, have evolved over the years. August and Garcia (1988) distinguish six models for bilingual education, which are best seen as prototypes within which considerable variation and combination can occur:

1. transitional bilingual education
2. maintenance bilingual education
3. submersion model
4. English as a Second Language
5. U.S. immersion or Sheltered English
6. immersion model.

The transitional bilingual education models are the most common in U.S. public schools. These programs are intended to provide both English language instruction and grade-appropriate subject content prior to mainstreaming into a regular English-speaking class. During the period of English acquisition, the native language is used to cover other subjects. Native language arts may or may not be taught; the teacher may or may not be fluent in both languages.

The original Dade County bilingual education program, on the other hand, followed the maintenance model. The program targeted students from two distinct groups, and the goal was for all students to achieve proficiency in both languages. Instruction is provided in both languages. Frequently the school day is divided into two language periods, that is, subjects taught in the morning will be in one language and those taught in the afternoon will be in the other. There are few public school maintenance bilingual programs in the U.S.

The submersion model is, in fact, the absence of any special program: it is the "sink or swim" method. Students are placed in regular classrooms and are offered no special help or English language instruction. The ESL model provides special English instructional activities on a pullout basis, and the remainder of school day is similar to a submersion model. That is, LEP students are pulled out of the regular classroom on a regular schedule and given special instruction in English language arts. This model is frequently used when there are LEP students from different language backgrounds in the same school. In New York City, the majority of non-Spanish speaking LEP students are in ESL programs (NYC Board of Education, 1988).

The Canadian immersion programs were first developed to produce French-English bilinguals amongst the English-speaking community in and around Montreal. These programs emphasize the second language in the first few grades, that is the children are "immersed" in French, and English language arts are introduced in second or third grade. By sixth grade, the day is divided equally between the two languages. This model has been extended to three-way immersion, adding a third ethnic group language to French and English. It is important to note that this model, while successful, was largely implemented with majority language, middle-class children who faced no pressure to abandon their native language.

U.S. immersion, or Sheltered English, is a variant on the Canadian model with a major difference: it is designed to develop proficiency in English only. LEP students are grouped together in special classrooms staffed by bilingual teachers. Instruction is carried out in English, and the native language is used only to enhance communication. However, no knowledge of English is assumed and the vocabulary and instructional materials are modified to suit the students' English language ability.

Of these six types of programs, the majority are designed to transition students from one language to another; that is, they take monolinguals and produce monolinguals. In this sense, they are considered "subtractive". Immersion programs and maintenance bilingual education, on the other hand, are "additive" in that they develop and maintain proficiency in two languages.

In 1988, twelve states and Guam had legislation mandating bilingual education and twelve states had legislation permitting it. West Virginia is the only state still prohibiting special services (August & Garcia, 1988). The remaining twenty-six states have no legislation. The legislation in each state covers different aspects. Twenty-two states allow or require instruction in another language, that is, transitional bilingual programs; this includes the twelve states mandating bilingual education. Twenty-eight states require special certification for bilingual education teachers, and fifteen states require parental consent for enrollment in bilingual programs.

In 1984, Development Associates carried out a nation-wide study of language minority instruction for the Department of Education. They sampled programs in kindergarten through fifth grade in 335 schools, covering 191 public school districts and 19 states. The study relied on local school district definitions of LEP students and data reported by these districts. The authors suggest that their estimates may be conservative because of the tendency for some districts to underestimate their language minority LEP populations. The study found that schools reported three to four times as many LEP students in Grade 1 as in Grade 5. On average, the schools mainstreamed 20 percent of the students each year, and schools with smaller percentages of LEP

students mainstreamed a greater percentage. Only half of the teachers responsible for teaching language minority students reported being able to speak a second language (besides English), and only 28 percent had received bilingual education certification. In general, use of the native language was de-emphasized in favor of English: 93 percent reported that English was the key ingredient in the program, while only seven percent reported that the native language was emphasized. Sixty percent, however, reported that both languages were used to some extent.

Research on Program Effectiveness

In part due to the complex legislative, judicial, and regulatory activities, a vast array of programs to meet the language needs of minority students have emerged. The task of evaluating whether any particular approach is effective or not is a truly difficult endeavor. Summative evaluations of Title VII transitional bilingual education programs with control groups are difficult due to a variety of reasons. For example, Baker and de Kanter (1983) in attempting such a comparison across a large number of evaluations found numerous problems with inappropriate controls, inadequate dependent measures, and other methodological flaws. Indeed, from an initial pool of "several hundred studies" (they do not cite the exact number), they were able to use the results of only thirty-nine. Willig (1985) used the same pool of evaluations as Baker and de Kanter and arrived at similar conclusions with respect to methodology (although her conclusions about the effectiveness of bilingual education were quite different):

The overwhelming message of these findings reflects on the quality of research and evaluation in bilingual education. The unacceptable quality of the major portion of this research is substantiated not only by the information contained in the studies, but also by that not contained in the studies. Information crucial to understanding the research very often was not included in the reports. Documentation of the nature and characteristics of the programs being studied was frequently missing as well as information on the characteristics of the students, teachers, and contexts of the programs. Even the kinds of information most basic for any reputable research report were frequently missing. This is exemplified by the number [of studies that fail to report even] means, standard deviations, and/or sample sizes. These study characteristics...add up to one glaring message: It is imperative that the quality of research and evaluation in bilingual education be upgraded. (P. 311).

An alternative approach to a summative evaluation would be to identify effective schools and to describe their characteristics (Tikunoff 1983, Garcia 1987, Carter & Chatfield 1986). In reviewing these studies, August and Garcia (1988) note that an important instructional variable in "effective" programs is the cultural appropriateness of the teaching practices used by the teacher, that is, the extent to which there is overlap between the classroom and the home culture. In general, studies have found that the quality of the teacher-student interaction and peer interaction play an important role in the development of English proficiency. Such identification and description of success stories can be quite useful as role models for other programs, as well as for boosting the morale of a stressed educational system.

Citing the highly political and volatile nature of evaluation studies in addition to their empirical inadequacies, Hakuta and Snow (1986) propose the use of information from basic research on bilingualism and second language acquisition in assessing the theoretical soundness of bilingual education programs. They propose the following principles that are supported by basic research:

- * bilingualism is a good thing for children of all backgrounds -- when bilingual children are compared with monolingual children on different kinds of skills, bilingual children are superior.
- * to be "proficient", "to be fluent", "to know" a language means many different things: you can have good conversational skills, but that is different from being able to use it in other settings, such as in school. Bilingual children are often informally evaluated in their conversational skills, but not in how they can use English in school.

- * the two languages of the bilingual child are interdependent -- they do not compete for limited space and resources.
- * the stronger the native language of the children, the more efficiently they will learn English.
- * knowledge and skills learned in one language transfer to the other language -- they do not have to be re-learned.
- * it is a myth that children are like linguistic sponges; they may take anywhere from 2-7 years to acquire a second language, especially to master the academic uses of English.
- * it is a myth that the younger children are, the faster they learn a second language. For example, 10-year olds are faster than 5-year olds.

They urge policy makers to pay more attention to what basic research says is possible to develop in bilingual children, rather than be limited to programmatic comparisons. One limitation of this model of the "ideal" bilingual is that practical limitations such as teacher availability and the general issue of program implementation are not considered.

Another useful type of research from the practitioner and policy-maker's perspective, perhaps, are studies of learning conducted in the context of actual programs. Chamot (1988) provides an excellent summary of recent works that fit this description, including those conducted under the auspices of CLEAR. These studies would be particularly useful to the extent that the original research questions are addressed from the research consumer's perspective, and preferably in a collaborative setting. As we attempt to rescue bilingual education research from its fatefully political predicament, while paying attention to its legacy of divisiveness, it would be most constructive to design research programs that avoided the drawing of battle lines and attempted to truly design a pragmatic model of bilingual functioning in the school setting.

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