

POLICY BRIEF

The Effects of Educational Policy on Dual Language Programs

Charlotte R. Hancock
University of North Carolina at Charlotte

Introduction

Creating and maintaining a citizenry that is bilingual and biliterate has sparked a national debate (Hartman, 2003). While research has shown the positive outcomes of bilingualism on cognitive ability (Barac, Bialystok, Castro, & Sanchez, 2014), the debate revolving around the topic of bilingualism persists in the present day United States. This national debate is fueled by the English Only movement that has infused itself in the policies of U.S. education and led to the elimination of bilingual programs (Borden, 2014). This policy brief will specifically discuss the effects of federal and state policies on Dual Language (DL) programming, and policies and initiatives from a variety of states that have endorsed DL programs will be highlighted. While the federal policies aimed to support all learners, the academic achievement gap of ELs still exists and is increasing as ELs move through the educational system (National Center of Education Statistics [NCES], 2018a, 2018b). Basing educational policy on research-driven decisions and not politically driven motives is a must to rectify the dire situation in schools across the nation.

Background

A substantial amount of research has shown DL programs to have much success academically, cognitively, linguistically, and socially and emotionally on all types of student learners, especially on that of ELs (Block, 2012; Marian, Shook, & Schroeder, 2013; Thomas & Collier, 2017). Implementation of dual language

programs however depends largely on what policies exist at the state level that either encourage or discourage such program models. Policies for bilingual language education have changed with the tides of politics over the years. In the 1700s and 1800s, there was an openness to other languages but a time period of restrictiveness began in the late 1800s that lasted through the end of World War II (Thomas & Collier, 2012). During this time period, “restrictive language policy targeted immigrants, especially during the periods of large waves of immigration” (Pac, 2012, p. 194). After the end of World War II, bilingual education reemerged (Thomas & Collier, 2012). DL programs in the U.S. were few in the 1970s and 1980s but then more than doubled in the 1990s from 119 to 278 (Watzinger-Tharp et al., 2018). As the promise of DL seemed to be on the horizon, the English-only movement simultaneously picked up momentum, encouraging state policies that negatively impacted DL programs.

Policies and Subsequent Issues

To completely understand the present day situation in regards to DL programs, it is important to understand the intertwining of DL policy within federal and state policies relating to language as there is an intersection that occurs between ELs, DL, bilingual, and second language programs (U.S. Department of Education [ED], 2015). In 1965, the federal government enacted the Elementary and Secondary Education Act (ESEA) that was later amended to include the Bilingual Education Act of 1968, also known as Title VII of ESEA (Stewner-Manzanares, 1988). The Bilingual

Education Act was the first recognition given federally to ELs. ESEA was reauthorized in 1994 under the title Improving America’s School Act when standardized tests began to be used for accountability measures, thus becoming high-stakes (Menken, 2006).

Subsequent Issues from Federal Policies

High-stake testing that came with federal policy had a direct impact on bilingual education (Menken & Solorza, 2014). ESEA was later to be reauthorized in 2001, under the title of No Child Left Behind (NCLB, 2002). With the passing of NCLB, ELs were required to make measurable yearly academic progress if the schools did not want to have sanctions placed on their federal funding, and with this came ELs taking standardized tests that were designed for Native English speakers (Menken, 2006). Additionally, NCLB “discouraged bilingual programs by subjecting students not proficient in English to English-only education” (Pac, 2012, p. 196). Even with the reauthorization of ESEA, titled the Every Student Succeeds Act of 2015 (ESSA), states were still required to show yearly academic progress through state-wide assessment. The replacement of bilingual educational programs with English-only have come as a result of federal policies such as NCLB that utilized high-stakes testing developed for non-ELs to measure EL yearly progress (Menken & Solorza, 2014).



Subsequent Issues from Restrictive State Policies

While policies such as NCLB and ESSA impact DL programs from the federal level, state policies additionally restrict or promote DL programs. In regards to state policy, English-only movements have misinformed state policy makers that placing ELs in mainstream English classrooms is the best way to help ELs learn English quickly and efficiently (Hartman, 2003). Stemming from such efforts, states enacted policies such as Proposition 227 in California in 1998, Proposition 203 in Arizona in 2000, and Question 2 in Massachusetts in 2002 (Borden, 2014). Proposition 227, Proposition 203, and Question 2 limited or completely banned bilingual programs in the states of California, Arizona, and Massachusetts and instead mandated English-only instruction in the EL services provided (de Jong, Gort, & Cobb, 2005; Johnson, 2005; Yamagami, 2012). Thus, these state policies directly impacted the instruction that ELs received by limiting or completely eliminating bilingual education.

Research has shown that this course of action led to a negative impact on EL student success. ELs receiving English as a Second Language (ESL) services under Proposition 227 in California had the same effect on student achievement as if students had received no special services at all while ELs from California on the other hand who “received some type of special services, either transitional bilingual education or content ESL and/or dual language” were having better outcomes over time and closing the achievement gap (Collier & Thomas, 2004, p. 16). The approach of more English instruction that the English-only movement promoted did not lead to the outcome intended. Although English mainstream may appear at first to speed up the acquisition of English, it does not lead to long term academic success (Collier & Thomas, 2004). Thus, disseminating the results of the longitudinal research that show DL programs have the most success on English learners (Thomas & Collier, 2012) to policy

makers is of utmost importance to ensure state policies give ELs the opportunity to be placed in programs conducive to long-term success.

Recent Shifts

While certain state and federal policies have restricted implementation of bilingual education over the years, other states have created policies that encourage dual language programming. Considering that the “development, implementation, and sustainability of dual language programs depend heavily on the policy environment in which they function” (ED, 2015, p. 85), it is of importance to highlight the different state policies that have fostered the development of such dual language programs. As of recent, the pendulum has shifted in a different direction in California. On November 8, 2016, California passed Proposition 58 with a 73.5% majority approval implementing the California Multilingual Act that allows for schools to have more flexibility in placing students in DL programs (Hopkinson 2017). As of 2015, Connecticut, Illinois, New Jersey, New York, and Texas have laws in place that require districts to provide bilingual education programs when there exists a minimum of 20 ELs who have the same home language and are in the same grade level (ED, 2015). Additionally, as of 2015, Delaware, Georgia, New Mexico, North Carolina, Rhode Island, Utah, and Washington explicitly had goals or value statements that promoted bilingualism and DL programming (ED, 2015). Specifically in Rhode Island there is a state strategic plan that has goals to enroll ELs in DL and increase students that receive the Seal of Biliteracy (ED, 2015). Utah created funding for dual language programs in 2008 with Senate Bill 41, continuing its efforts in 2010 when the state governor and superintendent encouraged 100 DL programs in the state by 2015 (ED, 2015). As of 2018, Utah offered 195 immersion schools (Utah State Board of Education, 2018). Thus, state policy can positively impact DL programs through goal-setting, specific state initiatives, and funding.

Recommendations

DL programs have consistently shown to have positive outcomes on all

learners, especially ELs. This policy brief highlights the policies and initiatives that have enabled DL programs to flourish as a guide for states wanting to increase DL programming. Recent shifts in policies can be models for other states wanting to follow in the same path. Creating goals at the state level for increasing the amount of ELs in dual language programs and the amount of students that receive the Seal of Biliteracy would be a great consideration to motivate and ensure follow through at the county level. Goals and value statements at the state level specifically promoting dual language programs also can have a very positive impact, encouraging counties to increase their own initiatives in DL programming. Initiatives at the state level are important to increase hiring of bilingual teachers. State Board of Education policies that emphasize the importance of learning a second language and that require more high school credits in languages other than English could alleviate the current shortages of bilingual teachers. State policies that provide funding is essential. Thus, state policies have the potential to positively impact dual language programming at the county and subsequently local level. The different measures that states have taken in policy can be a guide for those seeking to create, expand, or further nurture DL programs within their own state.

References

- Barac, R., Bialystok, E., Castro, D., & Sanchez, M. (2014). The cognitive development of young dual language learners: A critical review. *Early Childhood Research Quarterly*, 29(4), 699–714. doi:10.1016/j.ecresq.2014.02.003
- Block, N.C. (2012). Perceived impact of two-way dual immersion programs on Latino students' relationships in their families and communities. *International Journal of Bilingual Education and Bilingualism*, 15(2), 235–257. Retrieved from <https://doi.org/10.1080/13670050.2011.620079>
- Borden, R. (2014). The English only movement: Revisiting cultural hegemony. *Multicultural Perspectives*, 16(4), 229–233. Retrieved from <https://doi.org/10.1080/15210960.2014.956607>
- Collier, V.P., & Thomas, W.P. (2004). The astounding effectiveness of dual language education for all. *NABE Journal of Research and Practice*, 2(1), 1–20.
- de Jong, E., Gort, M., & Cobb, C. (2005). Bilingual education within the context of English-only policies: Three districts' responses to Question 2 in Massachusetts. *Educational Policy: An Interdisciplinary Journal of Policy and Practice*, 19(4), 595–620. Retrieved from <https://doi.org/10.1177/0895904805278065>
- Elementary and Secondary Education Act. Pub. L. No. 89–10, 79 Stat. 27 (1965).
- Every Student Succeeds Act. Pub. L. No. 114–95, 129 Stat. 1802 (2015).
- Hartman, A. (2003). Language as oppression: The English-only movement in the United States. *Socialism and Democracy*, 17(1), 187–208. Retrieved from <https://doi.org/10.1080/08854300308428349>
- Hopkinson, A. (2017, January 6) A new era for bilingual education: explaining California's Proposition 58. *EdSource*. Retrieved from <https://edsources.org/2017/a-new-era-for-bilingual-education-explaining-californias-proposition-58/574852>
- Johnson, E. (2005). Proposition 203: A critical metaphor analysis. *Bilingual Research Journal*, 29(1), 69–84. <https://doi.org/10.1080/15235882.2005.10162824>
- Marian, V., Shook, A., & Schroeder, S. (2013). Bilingual two-way immersion programs benefit academic achievement. *Bilingual Research Journal*, 36(2), 167–186. Retrieved from <https://doi.org/10.1080/15235882.2013.818075>
- Menken, K. (2006). Teaching to the test: How No Child Left Behind impacts language policy, curriculum, and instruction for English language learners. *Bilingual Research Journal*, 30(2), 521–546. Retrieved from <https://doi.org/10.1080/15235882.2006.10162888>
- Menken, K., & Solorza, C. (2014). No child left bilingual: Accountability and the elimination of bilingual education programs in New York City schools.