

# The Civil Rights Project



*Proyecto Derechos Civiles*

For Immediate Release

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## **English-Only Policies in Public Schools Found to Fail Legal Experts and Scholars Examine English Language Education in CA, AZ, and MA**

Even as the language minority population in U.S. public schools grows at unprecedented proportions, more states and regions nationwide have moved toward English-only instructional policies. However, these policies may be more related to immigration politics than to best practices for educating English learners, according to a recent analysis by prominent legal experts and scholars. Conservative rhetoric has contributed to a belief that English-only instruction is superior to bilingual education, but the facts do not bear this out.

Drawing from the most current data and featuring contributions from educators and scholars in law, education, and second language acquisition, [Forbidden Language: English Learners and Restrictive Language Policies](#), edited by Patricia Gándara and Megan Hopkins (Teachers College Press, 2010), examines the outcomes of English-only policies in three states – California, Arizona, and Massachusetts – and offers a history of the policies that have guided English learners’ instruction.

“It’s been 12 years since the passage of Proposition 227 in California, which severely restricted bilingual instruction in the state’s public schools, 10 years in Arizona, and 8 in Massachusetts, where similar initiatives were passed. This is now enough time to judge these policies on their merits, with longitudinal data on students who have been the recipients of the instruction they legislated. The jury is now in and the verdict is that these policies have failed to deliver on their promise,” stated Patricia Gándara, co-editor of the book and co-director of the Civil Rights Project/Proyecto Derechos Civiles at the University of California, Los Angeles.

[Forbidden Language](#) asserts that the promise that restrictive language policies made – that English learners would close the achievement gaps with English speaking students and more rapidly acquire English – have not been realized. Moreover, the studies suggest that such policies may violate English learners’ right to an education equivalent to that of their English-speaking peers as mandated by the Equal Educational Opportunity Act (EEOA).

Several [Forbidden Language](#) researchers, including Daniel Losen, a senior education law and policy associate with the Civil Rights Project at UCLA, assert that there may now be a legal basis to overturn these policies.

“The third prong of the *Castañeda* Decision of 1982, which interpreted EL students’ rights as embodied in the EEOA, asks whether the programs have actually been successful in overcoming language barriers for ELs. We believe there may be enough evidence to show that restrictive language programs have failed to meet this standard,” noted Losen.

“Data revealing large and persistent gaps in academic performance of EL students, along with major shifts in the policy landscape toward higher standards and greater accountability for their academic performance, suggest a growing potential for overturning restrictive English-only language policies in courts or eliminating them through new educational policy,” offered Losen. “Ending restrictive language policies is critically important, but just one of several needed steps to improve educational outcomes for English learners.”

UCLA Professor Gary Orfield, co-director of the Civil Rights Project and a contributor to Forbidden Language stated, “The book ends not with a call to return to the good ole’ days but challenges policy makers to adopt a new, more expansive and more enriching vision that builds on the resources that these children of immigrants bring. It is time that the U.S. join the rest of the developed world in viewing bilingualism as an asset, not a deficit.”

Other key contributors to Forbidden Language include:

- Alfredo J. Artiles, professor of special education at Arizona State University
- Diane August, senior research scientist at the Center for Applied Linguistics
- Kenji Hakuta, professor of education at Stanford University
- Janette K. Klingner, professor of education specializing in bilingual multicultural special education at the University of Colorado at Boulder
- Robert Rueda, professor of psychology in education at the University of Southern California.

For a review copy, please contact Beverly Rivero, Teachers College Press, at 212-678-3963 or email [rivero@exchange.tc.columbia.edu](mailto:rivero@exchange.tc.columbia.edu)

Patricia Gándara is a professor of education at UCLA, and co-editor Megan Hopkins is a former bilingual teacher and a Ph.D. candidate at the Graduate School of Education and Information Studies at UCLA.

For more information please visit: [www.civilrightsproject.ucla.edu](http://www.civilrightsproject.ucla.edu)

### **About The Civil Rights Project at UCLA**

Founded in 1996 by former Harvard professors Gary Orfield and Christopher Edley, Jr., the Civil Rights Project/Proyecto Derechos Civiles is now co-directed by Orfield and Patricia Gándara, professors at UCLA. Its mission is to create a new generation of research in social science and law, on the critical issues of civil rights and equal opportunity for racial and ethnic groups in the United States. It has commissioned more than 400 studies, published 14 books and issued numerous reports from authors at universities and research centers across the country. The U.S. Supreme Court, in its 2003 *Grutter v. Bollinger* decision upholding affirmative action and Justice

Breyer's dissent in its 2007 *Parents Involved in Community Schools*, cited the Civil Rights Project's research.

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