

California Association for Bilingual Education



The Proposed Unz Initiative: **What It Means For Children, Parents, and Our State**

California Association for Bilingual Education

Position of CAFE on the Proposed Unz Initiative

Our Mission

The mission of the California Association for Bilingual Education is to promote and support educational excellence for all children in California. CAFE advances this mission by having rigorous standards of excellence for all educational programs and by advocating for parents' rights in the education of their children.

There are more than 1.3 million students in California who are English learners and speak a language other than English. It is critical that they learn English. Schools need to make certain that students do not suffer educationally or academically because they are in the process of learning English. It is equally important that parents participate in the selection of the education for their children. These are the challenges that California faces.

The English-Only Initiative

The proposed English Language Education for Children in Public Schools Initiative purports to solve the English learner challenge by requiring that English learners be taught through "Structured English-immersion" only. Students will have an arbitrary one-year transition period to pick up whatever English they can, after which they will be placed in English language classrooms without any help. It creates such bureaucratic obstacles for parents in determining their children's educational needs that for all practical purposes those parents' right to choose are denied. This measure will result in children learning survival English and little more. At the same time, it will ensure that they fall seriously behind in their other academic subjects. For those reasons, CAFE opposes this initiative.

What is the Proposed Unz Initiative?

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

Why CAFE Opposes the Proposed Unz Initiative

The proposed initiative advocates a method that has a stunning record of failure.

Unz advocates a teaching method that is already in place for the majority of English learners in California — English-only — and which has been proven to be a failure. Unz uses grossly misleading statistics to justify his need for an initiative. The figures bear out that there is a 95-percent failure rate, a failure in the existing English-only programs that virtually all children are now participating in. English-only instruction works only for five percent of the children. The majority of English learners are not being taught through bilingual education.

California does have an urgent need to provide quality education for all language minority students in our schools. This cannot be twisted and distorted, however, into an indictment of primary language instruction or bilingual education programs. It is, rather, the result of the lack of enough bilingual programs for the students who need them, insufficient implementation among those programs that do exist, and the critical shortage of properly trained bilingual teachers.

The proposed initiative ignores these issues. Consequently, it will succeed only in cheating children out of access to high content standards, and a right to an education they need with a full range of courses such as math and science, to succeed in our growing high information and high technological society. The children will not be prepared to meet district, state and federal standards that are being proposed. The 1.3 million first-time English learners in our schools will be disenfranchised, and their multi-skilled teachers will be prevented from using effective teaching methods.

The proposed initiative will retard the education of children by warehousing students of different ages into one classroom, and educationally marginalizing them.

In the 1960's, schools administered English I.Q. tests. English learners predictably didn't score well. Their test results caused them to be placed into EMR (educable mentally retarded) classes in schools. It took enraged parents to bring litigation and legislation requiring students to be tested in their native language. This proposed initiative will return children to those days when children were punished for not speaking English and parents were not able to become full participants in their children's education. Indeed, the very kind of teaching this proposed initiative will impose on English learners — the sink or swim technique — is the one that parents charged was subjecting their children to unequal opportunity.

The proposed initiative will severely restrict parents' right to choose the kind of education they want for their children.

Unz places a new and unrealistic burden on parents by forcing them to maneuver through a confusing and time-consuming bureaucratic process. This is the first step toward the erosion of the rights of all parents to determine the kind of education their children will have. Ironically, even English-speaking children will be severely hampered from taking foreign language classes. Our system of education is based on the premise that parents have a say in their children's education. This proposed initiative will impose burdensome regulations that will effectively curtail parents' rights to choose what is best for their children. Indeed, this is not a choice. It is, in fact, an exclusionary tactic on the part of Unz through his proposed initiative.

Local rule, which must be the guiding principle behind education policy, will be seriously diminished for all.

We support local rule in matters pertaining to education. Let parents and teachers work out what is best for their community. We do not need a burdensome, inflexible statewide mandate taking away local rule. The Unz initiative will eliminate local rule for all.

🍷 **Teachers, educators and elected officials will be held personally liable if they do not fully carry out the terms of the initiative.**

The proposed initiative carries its heavy-handed approach to teachers, administrators, school board members and other elected officials. If they do not fully carry out the terms of the initiative, they can be held personally liable for fees and damages.

🍷 **Bilingual Education has proven to be successful.**

The tragic irony is that bilingual education is being blamed for the failures of existing English-only instruction. In fact, bilingual education has proven to be successful in many schools. English learners in bilingual education programs make greater academic gains in content areas, like math, than students who received all instruction in English.

Numerous examples of successful bilingual education programs are available. They include Project SLICE (Systematic Linking and Integrating of Curricula) at Fremont Unified School District; Two-Way Immersion Program at San Jose Unified School District's River Glen Elementary School; and Project PEAKS (Program of Educational Access for Khmer Students) at Long Beach Unified School District.

Students in these programs learn math, science, and high-level academic English to prepare them for college.

🍷 **Conclusion: The Proposed Unz Initiative is a framework for failure. It is anti-children; it is anti-parental rights; and it is anti-local rule.**

Every child needs to learn English fluently enough to participate fully in school and society. Every child needs full access to a good education. Every parent should be able to be involved in their child's education. Every community should have the right of local rule, to be able to determine education policy at the local level.

The proposed Unz initiative denies Californians all these rights that students, parents and communities have in the United States.

The proposed Unz initiative will fail California's 1.3 million English learners. It will condemn them to conversational English phrases, low academic understanding and achievement, and woefully ill-prepared to enter the high technology job market. It will effectively curtail parent's rights to choose what is best for their children. And it will seriously erode the principle of local rule.

The only gain coming from this proposed initiative may be the fueling of the political ambitions of someone with political aspirations. But everyone else loses. The proposed Unz initiative offers no gains for education, no gains for parents, and no gains for the future of California. Sadly, the biggest losers are the children of this state.

For these reasons, the California Association for Bilingual Education strongly opposes the proposed Unz initiative.





California Association for Bilingual Education

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Dear Colleague:

Bilingual education is being threatened with elimination and the Latino Community is expected to help wipe it out.

Silicon Valley millionaire, Ron Unz, who has absolutely no experience in the area of bilingual education and who previously sought to become the Republican Governor of California, has filed an initiative with the Secretary of State. The initiative would outlaw the use of any language other than English in California classrooms. Building on the desire of Latino parents to assure that their children learn English, Mr. Unz and his friends have targeted the Latino community in their campaign to secure sufficient signatures to get the initiative on the ballot.

It should be made clear this is not an initiative which would improve English language learning. But it would end bilingual education programs. This is not an initiative which would give parents a choice of programs. No parent could choose an alternative to Mr. Unz' English language program without school district approval and under extremely limited conditions. This is not an initiative that improves access to education for children. Rather, it severely limits their access.

Latino support is essential to Mr. Unz' cynical strategy. If he can claim that Latinos support the initiative, it would deflect criticism of the initiative's English-only message and make it more acceptable to moderates of all races.

Every community-based Latino organization should be working now to inform their constituency not to sign the initiative which is being circulated. The Latino community cannot afford to be misled by Mr. Unz' empty promises. Parents have the right to choose the best instructional program and have that program available for their children. Resources for adults to learn English should not be at the expense of their children's schooling. Our future is at stake.

For further information about Ron Unz' anti-bilingual education initiative contact:

- **META** (415) 398-1977
- **MALDEF** (415) 543-5598
- **CALIFORNIA TOMORROW** (415) 441-7631
- **CABE** (213) 532-3850

CABE - Who We Are

The California Association for Bilingual Education (CABE) is a non-profit corporation addressing the education of numerous children in the state of California who are English learners. CABE's Mission is to promote and support educational excellence for all in California. The following overview provides a background regarding CABE, its focus and priorities. CABE was incorporated in California in 1976 in an effort to accomplish the following objectives:

- Promote and publicize excellence in Bilingual Education.
- Promote equal educational opportunities for all.
- Promote service to children, youth and adults, at all levels, both in the community and educational institutions throughout the state and the nation.
- Work toward recognition and understanding of the linguistic and cultural needs of language minority persons.
- Coordinate and promote the development of professional competence and professional standards in bilingual education.
- Promote workshops and conferences on bilingual issues.
- Encourage excellence of Bilingual Education by promoting research and development.

The formation of CABE was in recognition of the increasing number of children entering our schools in California and in the nation who do not speak English, but who speak other languages, and in recognition of our system's inability to make use of the skills and talents that they bring with them to our schools. Educators and administrators in the schools, as well as researchers and parents, have recognized that it is imperative that we teach these children the English language. They also recognize that academic skills and knowledge in content areas, taught through the child's native language, greatly enhanced the acquisition of English while preventing the students from falling behind in their studies.

At the present time these same conditions exist, supplemented by the increasing demand for multilingual/culturally literate citizens to enhance and secure our position in the global community.

Many of the teachers and administrators in our public school system have not been trained to adjust to the changing student population in their classes, nor effectively meet the linguistic and academic needs of these students to guarantee success in school and society. This fact, coupled with the decreasing majority population, has placed a strain on our school systems, especially in the inner cities of our large school district. This strain has often been displayed in the political arena to the detriment of the new young students eager to learn, but who find themselves frustrated because of the language barrier between themselves and their teachers, or the institutionalized roadblocks that society has historically placed in their way. CABE has attempted to address these issues by educating the students, the teachers, the administrators, the parents, the para-educators, the community and public policy makers.

CABE currently has over 60 chapters and affiliates throughout California and has a membership in excess of 5,000.

The CABE office is headquartered in Los Angeles, California. CABE has published several highly acclaimed books on bilingual education's success and the empowerment of minority students. CABE continues to host the following educational events:

- Nine Para-Educator/Parent Conferences.
- Comprehensive Reading and Literacy for English Learners Conference.
- Conference on Books in Spanish for Young Readers.
- Critical Pedagogy Institute.
- Educational Community Forums.
- The Annual Conference, where more than 12,000 administrators, teachers, superintendents, students, parents, publishers, etc., from all corners of the world, join together to empower one another for the future of Bilingual Education.



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STATEMENT OF THE CALIFORNIA ASSOCIATION FOR BILINGUAL EDUCATION REGARDING THE FILING OF SIGNATURES FOR THE PROPOSED UNZ INITIATIVE

Los Angeles, CA -- The proposed Unz initiative will hurt children, hurt parents and hurt teachers, according to the California Association for Bilingual Education. Reiterating some of the concerns raised by a number of scholars and policy experts around the state, CABE Executive Director, Silvina Rubinstein stated, "Mr. Unz' foolish proposal will only work to deprive students in our schools from getting a strong, well-rounded education. Rather than preparing California's children for the 21st century, Mr. Unz' proposal would force teachers to use an instructional system that has a stunning record of failure."

Responding to reports that supporters of the English-only initiative had submitted signatures to the Office of the Secretary of State to place the measure on the June 1998 ballot, Rubinstein outlined CABE's concerns regarding the proposed Unz initiative. According to Rubinstein, the Anti-Children initiative submitted by Ron Unz:

- Retards the education of California's children and marginalizes their academic development by warehousing students of different ages and grade levels into one classroom;
- Severely restricts every parent's right to choose the kind of education they desire for their children by erecting confusing and bureaucratic restraints on parental choice;
- Strips local school districts of their right to set local education policy in a manner that is beneficial to children's needs and is responsive to local concerns; and
- Subjects teachers, educators and elected officials to personal lawsuits. The proposed initiative will have the effect of criminalizing teachers for instructing students in a manner that is most beneficial for a child's academic development.

"The proposed Unz initiative is a framework for failure that our state cannot afford. We think it is wrong and unfair for Mr. Unz to impose his untested and unsound academic experiment on the parents and school children of California," Rubinstein added.

CABE is also proud that the following organizations have joined in opposing the Unz Anti-Children initiative: Alameda County Board of Education; American Coalition of School Administrators (ACSA); Association of Mexican American Educators (AMAE); California Teachers of English to Speakers of Other Languages (CATESOL); California Federation of Teachers (CFT); California Teachers Association (CTA); California Tomorrow; Mexican American Legal Defense and Education Fund (MALDEF); National Association for Bilingual Education (NABE); Oxnard Unified School District; Service Employees International Union (SEIU); and the United Farm Workers (UFW).

"We believe that California's voters will see the folly of Mr. Unz' false promises as they learn the truth about his proposal. As the people of California come to realize that this proposed initiative is anti-children, anti-parental rights and anti-teacher, they will turn out on election day to soundly defeat this faulty measure," concluded Rubinstein.

SPOTLIGHT

The newsletter for LAUSD employees

Employees reminded of legal responsibilities regarding dissemination of information on ballot measures

Because the upcoming state elections have ballot measures which, if successful, could have an impact on the district, employees are reminded of their responsibilities regarding providing information relative to such measures.

Published below are the legal guidelines which spell out the limitations on public em-

ployees in disseminating information on ballot measures.

Generally, employees should keep in mind that public resources cannot be used to advocate for or against a ballot measure.

For more information, call Howard Friedman, Office of Legal Services, (213) 625-6606.

ACTIVITIES NOT PERMITTED

1. Do not sponsor any activity, disseminate any written information or otherwise expend public funds relating to a ballot measure without it first being submitted for approval to the district's legal counsel.
2. Do not use district personnel, equipment, stationery, stamps or public funds or resources to distribute material which advocates a particular position. **Education Code section 7054(a)** (A criminal penalty can be imposed for the violation of this section of the Education Code.)
3. Do not use cartoons or pictures which can be interpreted as advocating a particular position.
4. Do not use imprecise emotional terms such as "disastrous," "devastating," etc.
5. Do not permit any person to make speeches in public classrooms to students advocating that the pupils or their parents vote a certain way.

PERMITTED ACTIVITIES

1. The Board of Education may conduct studies through research and investigation as determined by it to be required in connection with the present and future management, conditions, needs and financial support of the schools. **Education Code section 35172(a)**
2. School district funds, services or equipment can be used to provide information to the public about the possible effects of a ballot measure if both prongs of a two-part test are met:
 - "the informational activities are otherwise authorized by the Constitution or laws of this state" and
 - "the information provided constitutes a fair and impartial presentation of the relevant facts to aid the electorate in reaching an informed judgement regarding the bond issue or ballot measure." **Education Code section 7054(b)**

■ **A fair presentation includes both the good and bad consequences of the ballot measure. Note that the Education Code imposes a criminal penalty for the violation of section 7054(b).**
3. An administrative officer or school board member is not prohibited from appearing at any time before a citizen's group that requests such a person "... for the purposes of discussing the reasons why the governing board of the school district called for an election to submit to district voters a proposition for bond issuance, and for the purposes of

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PERMITTED ACTIVITIES

(Continued)

- responding to inquiries from the citizen's group." **Education Code section 7054.1**
4. Employee organizations are not prohibited from soliciting or receiving political funds or contributions from employee members to promote the support or defeat of any ballot measure on school district property during "nonworking time." Nonworking time is defined as time outside an employee's working hours whether before or after school or during the employee's luncheon period. **Education Code section 7056(b)**
 5. A forum under the control of the governing board of the school district can be used to provide information to the public about the possible effects of any ballot measure ". . . if the forum is made available to all sides on an equitable basis." **Education Code section 7058.**
 6. Officers or employees may discuss or advocate a position on an issue when such activity is not on district time or in any other way funded from district sources. **Education Code sections 7056(a), (b) and 7054(a).**
 7. nated, if in compliance with the above guidelines, may be obtained from documents prepared by non-district sources. However, a school district should not act as distributor of leaflets, brochures or other publications prepared by non-district organizations.

Factual information to be dissemi-

Criminal Penalty: "A violation of Education Code section 7074(a) or 7054(b) shall be a misdemeanor or felony punishable by imprisonment in the county jail not exceeding one year or by a fine not exceeding \$1000, or by both, or imprisonment in state prison for 16 months, or two or three years." Education Code section 7054(c).