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Challenges in educating immigrant language minority students in the united states

Alfredo H. Benavides*^a, Eva Midobuche^a & Erin Kostina-Ritchey^a^a*Department of Curriculum and Instruction, Texas Tech University, Lubbock TX USA 79409*

Abstract

Many countries have historically faced issues of rapid and consistent patterns of immigration. One of the challenges created by immigration is educating the children of immigrants. Challenges that students face include interrupted schooling, language and cultural barriers, minority religious beliefs, levels of native education, socioeconomic resources, and the host country's level of acceptance or rejection of the immigrants. This paper will address the classification of English language learners, the types of programs available for acquiring English, and a discussion of the English language learners' educational and legal rights in the U.S.

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1. Introduction

The United States educational system operates under national standards and guidelines that are voluntary and involuntary by nature. For example, there are voluntary national education standards in major subject areas such as Social Studies, Language Arts, Mathematics, Science, etc. that an individual state or school district can choose to follow. Yet at the same time there are national standards for English Language Learners (ELLs) from Pre-kindergarten to senior level that each state must follow. While each state does have some leeway in the interpretation and procedures for identifying and educating ELLs, there is an outlined protocol for the identification and teaching of ELLs. Student identification begins with a Home Language Survey where information concerning the language(s) spoken in the home by family members is provided to the school. This step is followed by a language proficiency exam that may be administered in the student's native language or exclusively in English. A determination of English language proficiency is made based on the previous steps and possible other criteria, e.g. academic achievement, standardized test scores, and/or teacher reports. If a student is officially classified as an ELL the school will be held to a new level of accountability for the student's education. As a part of this accountability students will be placed in ELL programs that meet the state and local school district programming requirements. Types of services offered vary from state to state and also between school districts within a state.

* Corresponding author Alfredo H. Benavides
alfredo.benavides@ttu.edu

2. Program models of instruction

In the United States there are several language program models that school districts can provide for the instruction of English language learners. Three of these models include the ESL (English as a Second Language) pullout model, the transitional bilingual education model, and the dual language (enrichment) model.

2.1 *ESL pullout*

The ESL pullout model is the most widely implemented program. However, it is the least effective and the most expensive program of all program models. Extra resource teachers who are trained in second language acquisition need to be hired in order to teach the English language learners (Ovando & Combs, 2012; Crawford, 2004; Thomas & Collier, 1997; Chambers and Parish, 1992). Students are pulled out of their mainstream classrooms for 30 to 45 minutes per day or longer, for small group or individual tutoring with the ESL teacher. Students of many ages may come together at the same time while missing instruction in their mainstream classroom. The ESL teacher has limited time to meet and coordinate with the mainstream teacher and plan individual content lessons for each student (Ovando & Combs 2012, Crawford, 2004). The ESL instruction is rarely integrated with the regular classroom program and the English language learners are usually not instructed on lessons that they missed while they were pulled out for ESL instruction (Díaz-Rico, 2012). Thus the English language learner not only misses important academic assignments but also has no access to primary language support. Many ESL teachers have to travel to several schools and have very little time for students who are in great need of individual instruction (Ovando & Combs 2012, Crawford, 2004). The goals of this program are English language development and English literacy. The subject matter should be taught through content-based ESL. Minority language students are the target population in this program model (Brisk, 1998). If not careful the program sometimes carries a stigma that it is a remedial class and that those enrolled are seen as slow learners with low academic expectations (Ovando & Combs, 2012, Crawford, 2004). English language learners are encouraged to abandon their first languages in favor of instruction in English (Thomas & Collier, 2003).

2.1.1. *Transitional bilingual*

Transitional bilingual education has been the main model of bilingual schooling and was first implemented during the 1970's and 1980's. This model has been the most supported in the United States by federal and state funding. This is a program model for students who are not yet proficient in English. The students receive instruction in their heritage language in all subject areas as well as instruction in English as a second language with gradual transition to all English instruction. The goal is to mainstream the students into grade-level English classes as soon as possible, usually within 2 to 3 years. This timeframe is a misconception since two years is not sufficient time to learn a language for schooling purposes. Transitional bilingual education programs are mostly a legislative compromise that requires mainstreaming with adequate English language proficiency. The goal is English language development in order to mainstream English language learners. There is a lot of pressure to exit the students out of the program with a focus on English language acquisition at the expense of content-area learning and the de-emphasizing of their heritage language, and use English exclusively as their language of instruction (Ovando & Combs, 2012; Thomas & Collier, 2003). The program is for the minority language students and most of the subjects are taught in the heritage language first and then in English (Brisk, 1998). This program along with ESL pullout is also perceived as remedial, segregated and compensatory education (Ovando & Combs, 2012).

2.1.1.1. *Dual language*

Dual language instruction, two-way bilingual immersion or developmental bilingual education are all terms used for the same enrichment model. This model is very successful in promoting long-term academic achievement (Thomas & Collier, 1997). These programs are very unique since they are designed for both language minority and native English speakers. English language learners from the same language background are placed in the same classroom with an equal number of English native speakers. Grade level curriculum is provided in both languages. Speakers of each language develop proficiency in their native language and in the target language (Díaz-Rico, 2012). This approach allows English language learners to assist the native English speakers to acquire content using a second language, while the native English speakers help the English language learners acquire the curriculum

through English. Using this model schools can expect for one-fifth to one-sixth of the achievement gap among English language learners to close each program year. The English language learners and the native English speakers will be prepared for high-stakes tests required by the state. There is no extra cost incurred in providing dual language programs (Thomas & Collier, 2003). These programs vary in terms of the amount of time specified for each language and which grades, languages, and populations they serve.

2.1.1.1.1 Self-contained ESL teachers

While these three models represent those that many schools are implementing, other schools have begun hiring ESL certified teachers to be in mainstream classrooms. These are teachers who are self-contained and who have English language learners and English native speakers in the same classroom. While this may work in areas where there are few English language learners in each grade, one has to look closely at how the teacher was prepared and certified since in many states a certified teacher may take add an additional certification merely by passing an exam. In many schools you may find an ESL teacher certified by exam who has never received any formal preparation on how to modify instruction to address the different levels of English proficiency. Thus, the instruction remains the same as in a mainstream classroom. And of course, we make the great assumption that all of these teachers possess the proper dispositions to work with these students (Midobuche, 2011).

3. Educational and legal rights of language minority children

Educating immigrant or non-English-speaking students in the United States has been a problem in American education for many years. The fact that many languages have often been represented in the American classroom has always been considered a problem by American educators. Historically there have been many attempts to legalize the exclusive use of English in American schools, government, and the workplace (Crawford, 2004). American education was historically based on children acquiring English as quickly as possible in order to succeed in American society. The emphasis was on the assimilation of immigrant students as quickly as possible. The results of these policies produced many school dropouts who were often also limited in their English-speaking ability.

However, with the strengthening of the Civil Rights Movement in the United States in the 1960's, the parents of children who came from backgrounds other than English began to assert that it was the responsibility of the educational system to educate their children. Beginning in the late 1960's and continuing through the 1980's, the American judicial system was engaged in a number of court cases directly affecting the education of English language learners. The most famous of these court cases was that of *Lau vs. Nichols*.

3.1. *Lau vs. Nichols*

Lau vs. Nichols involved Chinese American students in the San Francisco (California) Unified School District. A class-action lawsuit was filed on behalf of over 1800 children whose parents contended that the all-English curriculum was preventing them from receiving an equal education. The case was first heard in federal district court and the court ruled in favor of the schools. The appeals court also ruled in favor of the school system. The case eventually was heard by the U.S. Supreme Court and in a 1974 ruling, the court declared that non-English speaking children were entitled to special assistance to enable them to participate equally in the school program. The court ruled that “merely providing students with the same facilities, textbooks, teachers, and curriculum”, did not necessarily constitute equal access to learning (*Lau v. Nichols, 1974*).

3.1.1. *Establishing student rights*

This historic ruling began the establishment of “rights” for children who up to that point had never enjoyed any rights to special schooling or to learning English. Other court decisions soon followed: *Serna vs. Portales Municipal Schools 1972 and 1974*; *Aspira v. New York City, 1974*; and *Rios v. Read, 1977* (Crawford, 2004). These decisions all favored English language learners and established their right to an education that was “meaningful”.

3.1.1.1. *Castañeda v. Pickard*

Another important ruling for students who are English language learners was the 1981 *Castañeda v. Pickard* case that required schools to use a three-pronged approach to assure that they met their language obligations to students who did not speak English. Instead of providing meaningless programs for English language learners, schools were directed by the court to establish programs that were 1) grounded in sound educational theory; 2) implemented and given the resources needed to succeed; and 3) were evaluated regularly to assure that the program was working properly and as intended.

3.1.1.1.1. *Undocumented student rights*

Throughout the 1970's American courts seemed to rule against school districts that were not meeting the needs of English language learners. Losing the legal battle over the right of students to receive understandable instruction gave some opponents of bilingual education the idea to change strategies and attempt to deny educational services to many of these students on the basis that they were not citizens of the United States. Many school districts attempted to deny admission and education to students who did not have proper documentation as to their citizenship. In 1982, the U. S. Supreme Court ruled in *Plyler v. Doe*, that public schools were prohibited from denying immigrant students access to a public education. The Court stated that undocumented students have the same right to a free public education as U.S. citizens and permanent residents. Undocumented immigrant students are obligated, as are all other students, to attend school until they reach the age mandated by state law. Specifically, schools are barred from: 1) denying access to a student on the basis of legal status or alleged legal status; 2) treating students disparately for residency determination purposes on the basis of their undocumented status; 3) inquiring about a student's immigration status, including requiring documentation of a student's legal status at initial registration or at any other time; and making inquiries from a student or his/her parents that may expose their legal status.

4. Conclusions

The history of non-English speaking students in American schools has been long and often troubled. Reasons for this include student's low levels of English proficiency upon entering school, and their parents' inability to advocate for a meaningful education for them. Knowledge of English has often been viewed in the United States as a sign of strong patriotism as well as American citizenship. Programs for English language learners exist today because of the advocacy demonstrated by concerned parties interested in the education and development of a more educated populace. Although the judicial processes have aided in the establishment of these programs the legislative branches of government at both state and federal levels have often stymied the development of strong research-based programs.

Recent legislative backlashes against immigrant workers and their children are documented by the passage of laws such as Proposition 227 in California (1998), Proposition 203 in Arizona (2000), and Question 2 in Massachusetts (2002), (Crawford, 2004). These laws prohibit the use of any language other than English in teaching students in the public schools.

This begs the simple question of *why*? Why does a society feel that it must deny a proper education to many of its children (undocumented or native-born)? Having an educated population enriches every nation. We are all enriched linguistically, socially, educationally, economically, and ethically by allowing individuals to feel competent to face the challenges presented them by the world as a whole.

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