

Research Paper

History, implementation and effects of NCLB
policy on Bilingual Education Students.

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Introduction

A debate has always existed between the proponents and opponents of multilingual education. At the center of this debate lies one major educational policy: the NCLB act, signed into law by president George W. Bush in 2001. Many factors influence the maintenance, addition or subtraction of multilingualism within a family, a community, a state or a country. Bilingual education policies are some of those factors and the No Child Left Behind Act is the prime component.

Throughout the United States of America, a common national language is being taught at the expense of a person's native language. NCLB is pushing to create a monolingual American society in which one language is imposed as others seem, implicitly and at times even explicitly, encouraged to disappear. David C. Johnson (2009) informs us that "throughout US history, federal language policy development has been a forum for both eradicating and promoting multilingual education and multilingualism in the USA (p.61)." Today, different countries, various cultures and diverse languages are brought together under the umbrella of globalization where socio-economic needs create the necessity of having a world lingua franca. That lingua franca has become the English language. Arguments can be found on either side to support or fight that world decision. But it seems the English language has already become so pervasive that more and more ELL and ESL students, as well as children of bilingual families from around the country here in America, have been convinced (or maybe even brainwashed) into believing that there is one and only one true way to speak, communicate and survive : with English.

The situation grows more compelling when David Cassels Johnson (2008) states that "currently, restrictive language policies threaten bilingual education throughout the USA and there

is growing concern that bilingual education will be phased out, and English-only pedagogical approaches phased in (p.61)”. In addition, Phillipson (2008) details what the Annual Report of the British Council for 1960-61 proclaimed: “Teaching the world English may appear not unlike an extension of the task which America faced in establishing English as a common national language among its own immigrant population “(p. 255). The United States of America and the rest of the world seem united to impose English to everyone.

Today, the US is characterized with a diversity of cultures and languages, however some of the recent US educational policies, such as NCLB, have been largely subtractive in regards to language education. Under the disguise of patriotism and unity, “assimilation is a belief that cultural groups should give up their heritage cultures and take on the host society’s way of life” (Baker, 2010, 391). There is this belief based on ideology not facts that “ cultural unity and national solidarity are seen as achieved through assimilation” (Baker, 2010, 391). But assimilation leads to “ giving up the native tongue and not taking on a ‘hyphenated’ dual identity” (Baker, 2010, 391). The focus of this research paper, while giving a brief socio-politico and historical background of the United States of America in regards to bilingual education, is the analysis of the unaccommodating nature and (maybe intended ?) consequences of one particular education policy on students, teachers, the role of the native tongue in language learning and the bilingual education system itself. That policy is the No child Left Behind Act. In conclusion, this research will argue in favor of a multilingual/multicultural approach in the educational system by detailing previous research on the importance of bilingual education in today’s globalized world. But first, it is necessary to the understanding of the present language education situation to contextualize the when, how and why of previous education policies.

History of Bilingual Education in the United States of America

At a time when we should embrace our multiculturalism the most, there is a self defeating type of attitude being reinforced every minute of everyday of every month in classrooms all around the country. The gloomy view is due to one major policy affecting bilingualism education policies: NCLB. It is crucial to ask ourselves, as Baker (2011) did, how we would feel if we were the last speaker of our language (p.41). Despite the NCLB policy creating and even pushing for a situation where children forget their native language, it is important to remember and understand that it was not always this way.

In the mid 1960's, with the civil rights movement in full force, there was a growing awareness for the need of new types of education. The awareness was born out of the idea to create a better learning opportunity for all students through the creation and implementation of a fairer and more balanced new education system. In 1965, the Elementary and Secondary Education Act (the ancestor of the No Child Left Behind Act), a key component of President Lyndon Johnson's Great Society legislation in the 1960s, was born. A couple of years later, "in 1967 Congress recognized a special class of students – those with limited English proficiency – in addition to the children of poverty" (Bunch, 2011, 324). And so, in 1968, "the passage of the Bilingual Education Act was part of an effort to dissipate the growing anger in the nation about injustices and inequalities, specifically those surrounding the education of language-minority students" (Garcia, 2011, 134). However, this law did not yet include any type of accountability or obligation to establish bilingual programs. Until 1974, when "the U.S Supreme Court ruled that identical education does not constitute equal education under the Civil Rights Act of 1964" and that "school districts must take affirmative steps to overcome educational barriers faced by non-English speakers" (Bunch, 2011, 324). And with that ruling, the United States Supreme

Court made bilingual education a right, but not an obligation for the schools however, for ELL students, in order for them to benefit from public education.

From 1968 till 1994, “Title VII (which was implemented in 1968) consistently made space for bilingual education in one form or another” (Evans, Hornberger, 2004, 88). Evans and Hornberger (2004) further state that Title VII “gave preference to programs that sought to develop students’ native-language skills while simultaneously fostering English language proficiency” (88). Title VII, created for LEP students, included programs such as “late-exit developmental bilingual programs” and “two-way bilingual programs,also known as dual language immersion programs” (Evans, Hornberger, 2004, 88). But in 2002, after years of attempts of including everyone’s L1 in the learning process, NCLB was signed into law, and the focus of education changed.

Today, “current policy implicitly repeals the Bilingual Education Act and emphasizes the need for schools to quickly develop students’ English language proficiency and move them to English-only classrooms” (Evans, Hornberger, 2004, 88). It is interesting to take note that this idea of a monolingual society in America is not new. It has been an ideological battle for close to a hundred years as this statement made in 1919 by president Theodore Roosevelt, detailed by Robert Phillipson in his 2008 article, makes clear:

“ ...There can be no divided allegiance here. Any man who says he is an American, but something else also, isn’t an American at all. We have room for but one flag, the American flag... We have room for but one language here, and that is the English language...” (p.255)

The political background was clear, and has come full circle with the signing of NCLB into law. Since 1968, and between 1994 and Title VII to 2002 and Title III (new act under NCLB), the focus in language education has shifted over the years. At first, it was meant “to provide equal education opportunity to poor children of limited English speaking ability”.(Garcia, 2011,134)

Today however, its focus is on creating an elitist situation in various around the country where the second language is a problem and English is the solution. It has become exactly the opposite of the previous act's intended goal.

More specifically, there are 5 areas, as defined by Evans and Hornberger (2004), in which NCLB has modified the attention given to language education. Those areas are: funding, the role of a learner's native language, the length of time necessary to develop English language proficiency, activities, and the accountability & sanctions domain. Among those various areas, it is important to remember that School funding is, for many areas of the educational system, the oil that drives the engine.

But my focus here will be on the following 3 issues influenced by the NCLB Act: the accountability issue for students and teachers alike, the consequences due to the shift in the approach of the use of L1 in language education policy, and the importance of the role of a learner's native language as a result. Before discussing those various problems related to NCLB, let me turn first my attention to the advantages of being bilingual, the bilingual education system and the use of a learner's L1 in learning English.

Advantages and strengths of bilingual education

Previous research such as Ramirez et al. (1991) have demonstrated the efficiency of the late-exit bilingual education program as well as the fact that "primary language instruction does not impede acquisition of English language and readings skills" (Lee, 2012). In other words, the learner's native language is a resource for learning English as well as math or science. It is interesting to know that by forcing directly or indirectly some native languages to disappear through academic settings, the NCLB act does not realize that " a child's second language

competence is partly dependent on the level of competence already achieved in the first language (Baker, 2011).” Recently, in an article published in the New York Times, Yudhijit Bhattacharjee (2012) states that “ speaking two languages rather than just one has obvious practical benefits in an increasingly globalized world”, and goes on to write that “the collective evidence from a number of such studies suggests that the bilingual experience improves the brain’s so-called executive function”. Other advantages of being bilingual include “ a heightened ability to monitor the environment, to be more adept than monolinguals at solving certain kinds of mental puzzles and even being more resistant than others to the onset of dementia and other symptoms of Alzheimer’s disease” (Bhattacharjee, 2012).

Title III

But, according to Evans and Hornberger (2004), “ Title III contains no statement concerning the value of multilingualism to the nation or to a child’s English language development and academic achievement” (p.92). That point of difference is crucial in relation to language learning. NCLB reinforces the idea of a monolingual society. English for all and all for English seems to be its main focus. The linguistic part of NCLB confirms that sentiment as “the discourse of Title III reflects a language as problem orientation and certainly provides little or no evidence of either a language as a resource or language as a right orientation” (Evans, Hornberger, 2004, p.92). Any other language but English is a problem, and ELL/ESL students should learn English as soon as possible. A unified country requires a unified language is what NCLB seems to teach us. The name “Bilingual Education Act has been changed to the English Language Acquisition, Language Enhancement, and Academic Achievement Act” (Evans, Hornberger, 2004, p.92). Bilingualism and multilingualism versus monolingualism is the situation the education system faces today. Baker (2011) informs us that “politicians, policy-

makers and the public have varying agendas about languages. Some wish to assimilate different language groups to a homogeneous society of monolinguals, others are keen to retain linguistic diversity and pluralism” (p.390). The shift away from the bilingual type of education is indicated by the change in the wording of the act: the term bilingual from Title VII has been replaced by the term language in Title III. There are two opposing ideologies at war which underline the passage of the NCLB Act: assimilation versus pluralism. NCLB’s agenda leans towards the former.

The next sections will cover other issues stemming from the No Child Left Behind Act.

Culture and NCLB Act

Mr Khuwaileh (2000) from the Jordan University of Technology and Science writes that “it is very difficult to separate culture from language. In most cases, the cultural elements are not itemized in English language curricula though inevitably they emerge later. Not surprisingly, they can make the classroom’s channels of communication smooth or hard” (P.282). The NCLB Act does not seem to care about that particular aspect. That policy seems, under once again the disguise of unity and caring for all children’s future, to imply that in order to become productive members of society, rapidly learning English is the only way. For example, in Hawaii, the cultural factor everyone must deal with when teaching/learning the english language is Pidgin English which is one of the vernacular languages used among different social classes. In New York and Texas, the language to contend with is Spanish, and the culture is the Latino one.

Mr Khuwaileh (2000) further states that “whether we accept it or not, the cultural element seems to be an important side that needs to be associated with english language teaching in particular” (p. 283). The ELL students bring with them their cultural package when learning

english. But “ political and economic decisions usually govern language decisions” (Baker, 2011, 54). The lack of interest by the political world in maintaining native languages creates issues of subtractive bilingualism where students start losing their native language in favor of English. NCLB by changing its focus from language as resource or language as a right to language as a problem created the issue of accountability and sanctions based on standardized assessments. “As the 2014 deadline draws closer, more schools are failing to meet federal standards, with nearly half not doing so last year, according to the Center on Education Policy. Center officials said that’s because some states today have harder tests or have high numbers of immigrant and low income children” (Hefling, 2012).

As an example, in Texas , based on the research by Wright and Li from 2007 there were about 590 students enrolled at Rodgers Middle School for the school year 2004/2005 from grades 5 through 6. The ethnicities, according to that same research, of the different students consisted of White (58 %), Hispanics (29 %), African American (10 %) and Asia & Pacific Islanders (2 %). But the number of “ELL students was less than one percent of the school population” (Wright, Li, 2007, 241). Despite low numbers of ELL students, the research went on to show the invalidity of the state standardized test in Math due to linguistic discrepancies between the textbooks used in class and the level of the language used for the testing. Furthermore, two recently (less than a year) transferred young Cambodian sisters, both non English speakers, were forced to take the test, under the NCLB law. Despite different methods of assistance, they both failed it. And yet, they were both proficient in Math back in Cambodia. Which leads us once again to the problem of assessment of ELL students, the issue of true accountability for their test results as well as the forced approach of the teaching methods by NCLB and finally the potential and real consequences of it all.

Accountability, pedagogies and consequences on bilingual education under NCLB

Students must reach high levels of testing results in science, math, English reading and writing, for the schools to remain open and funded. The name expressing that situation is called: accountability. Evans and Hornberger (2004) tell us that “if the required percentage of students in one of the subgroups fails to attain the standards set for all students by the No Child Behind Act, the whole school becomes classified as ‘in need of improvement’. If the school is classified as in need of improvement more than two consecutive years, it is sanctioned” (p. 94). This situation brings into question the type, the quality and the validity of the tests themselves. There are many factors at play such as age of arrival of the students, their prior education, their current level of proficiency in English and the quality of the teacher as well as the type of program the ELL students are enrolled in. The irony and paradox of the NCLB Act concerns the schizophrenic approach to an otherwise somewhat decent goal which is to elevate the educational level of our children across the nation for a chance at a better future. But the paradox results from the manner in which it is implemented and checked.

Today, 10 years after being signed into law, Title III of the NCLB Act has created a loss of trust and a growing incomprehension from many in the teaching community. NCLB has the power to take freedom of classroom creativity. NCLB has the power to create fear. NCLB has the power to punish teachers, students and parents. There is a necessity to restore trust between the department of education within the government and the teaching community.

According to R. Barker Bausell in the New York Times, “Studies show that over time, test scores do not provide a consistent means of separating good from bad instructors.”(April 30, 2011)

In that same article, he perseveres by declaring that

[T]est scores are an inadequate proxy for quality because too many factors outside of the teacher’s control can influence student performance from year to year – or even from classroom to classroom during the same year.

One example of a factor influencing student achievement given by Mr Bausell is:

[from] one famous study, by the psychologists Todd Risley and Betty Hart, found that children of professional families had 8 million more words directed at them per year from ages 1 to 3 ½ than children from poorer families. (April 30th, 2011)

Which brings me back to the importance and influence of the socio economic background of all students attending Elementary, Middle and High Schools all across the United States of America.

Ofelia Garcia’s 2011 article on the education of New York’s bilingual children paints a clear picture of the importance of the relation between context, community, immigration and language education laws. The focus of her research dealt with the Puerto Ricain and Latino community of New York city, how bilingual education dealt with the issue of Spanish only speaking students and what are the needs and approaches necessary for the maintenance and future of bilingual education. The NCLB Act corrupts, distorts and misuses the various types of bilingual education. This leads me to the next issue of NCLB’s impact on teacher quality and engagement in the classroom, and as a result, the effects on bilingual education programs.

Teacher quality

According to Hill and Barth (2004), “over 24 % of core courses (math, science, social studies, English) in middle/high schools are taught by teachers lacking a college minor in those subjects” (p. 176). Furthermore, Hill and Barth (2004) go on to explain that “teachers leaving the profession cite low teacher morale, enhanced by school and district pressure for high student achievement on standardized tests as rational (p.384)” (p. 176). However, once again, many details seem lost in the process of creating that policy. “In California, Hakuta et al. (2000) found that English oral proficiency takes three to five years to develop, while academic English proficiency can take four to seven years (Baker, 2011).” The HSA (Hawaii State Assessment) results are not always truly reflective of the level of engagement shown from the teacher. Nevertheless, benchmarks remain the prevailing factor intimately associated with teacher engagement, and as an extension, of students’ English proficiency level. But, “while there is a definite need to show the public what students are learning in schools and to hold schools accountable for the education of students, the use of the same standardized content assessments with all groups of students is problematic and may not be the best approach to accountability” (Butler, Stevens, 2001, 410). Butler and Stevens (2001) further explain that “for students whose English proficiency is still developing, the tests often pose significant reading challenges that interfere with the assessment of the content they have learned, making their test scores invalid as indicators of content knowledge or achievement” (411). But “yet test results are being used for high stakes decisions about school programs despite their potential inappropriateness” (Butler, Stevens, 2001, 411). But accountability is linked, once again, to economic factors such as school funding and grants.

Consequences on Bilingual Education

The when, the why and the how the NCLB Act was implemented and its social and economic consequences on potential bilingual speakers still are the root for the future of languages here and abroad. Any policy preventing anyone from keeping their native language, or forcefully encouraging them to replace it to have a chance to survive seems inadequate, unacceptable and outdated in this globalized world. People should never have to forget a language to learn another. There are moral issues to be taken into account when deciding to become an ESL teacher such as the awareness of the potential social consequences of instructing a language. The NCLB Act continues to seemingly be a valiant adversary of the bilingual education system. However, as further research seems to indicate, and despite the previous findings and statements in this current research paper, it is also relevant to present the full spectrum of the NCLB Act as it relates to the bilingual education program.

David C. Johnson (2010) writes that “while Title III is clearly focused on English education, there is still implementational space within the policy text for different types of bilingual education” (p.66). Furthermore, according to the OELA (Office of English Language Acquisition) website, Title IIIs’ guidelines excludes any mandates “about language pedagogy in school districts” (Johnson, 2010, 66). As a result, there are educators who, as David C. Johnson (2010) tells us, interpret and “appropriate language policy while engaging in their own language policy creation” (61). One such example is the language policy in the School District of Philadelphia as covered by David C. Johnson (2010).

Ultimately, the empowerment of bilingual teachers leads to an empowerment of bilingual education. And as we covered in class, additive or subtractive bilingualism are a potential consequence of certain implemented policies and whether or not we are helping to create ascendant bilingualists or involuntarily furthering an agenda of recessive bilingualism and

creating a monolingual society is a responsibility still worth exploring and discovering.

Nonetheless, some negative ideas about NCLB might be informed by or based on prejudice.

Teachers are at the forefront of the decisions being made and implemented. Tensions between those on the ground and those at the top of the decision making process often run high.

Conclusion

Pedagogies of ESL or ELL teachers are crucial. As we covered in class, there are differences between BICS and CALP which can lead to dire and sad results. But policies are also personal decisions parents and families make concerning their children's education. Schwartz, Moin, Leikin and Breitkopf (2010) conducted a study which "investigated how immigrant parents describe and explain their family language policy concerning their child's preschool bilingual development" (p. 107). Everyone is concerned, everyone is crucial and everyone must be involved in the well being of a language. The reverse pyramid in figure 1, expresses clearly the battle faced today by all in the education system, where the responsibilities lie and who is the ultimate victim. It is a battle between a top down and bottom up approach. However, as the pyramid indicates, the student is the person supporting the weight of the system being implemented by the government at the top.

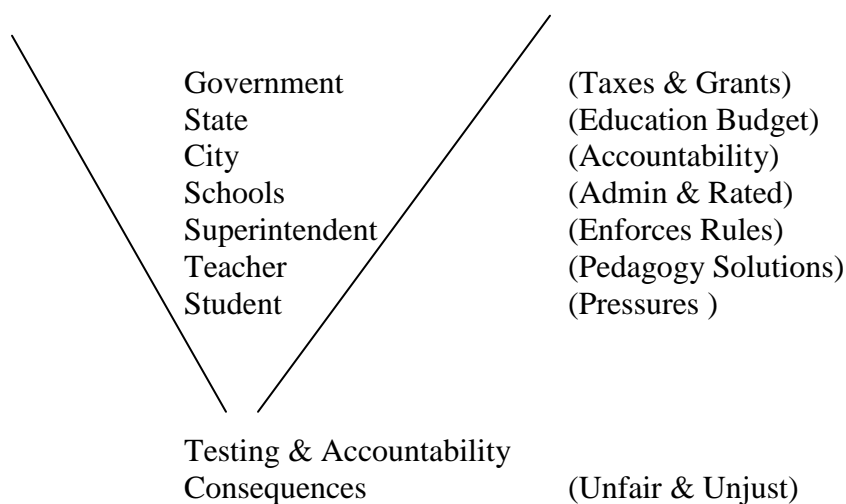


Figure 1. Reverse pyramid of pressure, obligations and consequences.

In conclusion, I hope this brief research paper will lead to an awareness of bilingual policies (political and personal) here in the United States, as well as some of their consequences on bilingual education. And as Ofelia Garcia (2011) states, “to construct a future from our past experiences, while recognizing the increased linguistic diversity and greater language fluidity of the 21st century, we must not cede all the educational spaces to the types of English-only or bilingual programs that keep the students ‘other language (or languages) apart’” (149).

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