

# Bilingual Education: The history and Struggle for Equity for United States Immigrants

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**Abstract** - This article examines the progression of bilingual education policy and practices for United States immigrants since the 17<sup>th</sup>-century. The author explores the controversial history of bilingual education for immigrant learners and discusses how bilingual education remains controversial within our 21<sup>st</sup>-century society. The textual resources supporting the findings of this paper review the ever-changing status of bilingual education that has been shaped by war, cultural bias, and the desire for the Americanization of immigrants. The author also presents the key curricular practices used in bilingual education during these eras to exemplify how bilingual education has evolved over time. The conclusion of this paper includes a discussion of the detrimental effect that No Child Left Behind (NCLB) has had on bilingual education as well as reflections on key research findings.

**Keywords** - *bilingual education; language policy; curriculum; English Language Learners*

## I. INTRODUCTION

Since the early years of the United States (U.S.), bilingual education for immigrant learners has been a controversial topic that has been influenced by war, cultural bias, and the desire for the Americanization of immigrants. Because bilingual education possesses an expansive history within the U.S., I have chosen to center this manuscript on American immigrants and to include the most significant historical events, court cases, and educational innovations from the 17<sup>th</sup>-century until today. The literature selected is based on the various educational trends across the extant literature. The implementation and support of bilingual education has historically caused much controversy across the educational landscape of the U.S. and has been shaped by the societal beliefs and needs of each era. Though the tenets of bilingual education remain under dispute, its inclusion across the history of education in the U.S. has allowed it to remain highly influential in educational policy today.

## II. 19<sup>TH</sup>-CENTURY AND PRIOR

### a. *Policy and Educational Landscape*

The roots of bilingual education in the U.S. stem from the 17<sup>th</sup>-century. At this time, Polish settlers established residence in the English settlement of Virginia. Due to the need for the Poles' manufacturing skills, the colonial government offered them 'the rights of Englishmen', thus allowing them to establish bilingual schools (Goldenberg & Wagner, 2015). Though the Polish were the first immigrants to begin bilingual schools in the U.S., the Germans monopolized bilingual education from the late 1600s until the early 1900s. As early as 1694, German-speaking

Americans began operating German-speaking or bilingual schools in Philadelphia (Crawford, 1989). These schools allowed bilingualism to flourish during the establishment of the U.S. The value that was placed on fostering bilingualism at the beginning of the U.S. is evident in the fact that "neither an official language, nor a government-sanctioned body [existed] to regulate speech" (Crawford, 1989, p. 20). By not mandating English as the official language, the founding fathers enabled immigrants and naturalized Americans to foster bilingualism in schools.

The German language continued to monopolize bilingual schooling during the 1800s. Because German immigrants often found American schools substandard in comparison to those in Germany, private and parochial German schools were established (Andersson, 1971). During the mid-1800s, German-English schools were operating in Baltimore, Cincinnati, Cleveland, Indianapolis, Milwaukee, St. Louis, Pennsylvania, and Oregon (Andersson, 1971; Crawford, 1989; Goldenberg & Wagner, 2015). In 1840, Ohio passed a law that made it the duty of common schools "to provide a number of German schools under some duly qualified teachers for the instruction of such youth as desire to learn the German language or the German and English language together" (Andersson, 1971). Through establishing this law, more provisions were made to support German bilingual schooling and to foster student learning.

While German was the most prominent immigrant language taught at this time, other nations began establishing bilingual schools as well. Bilingual schools for Scandinavian languages were established schools in the Dakotas, Illinois, Minnesota, and Wisconsin. Dutch bilingual schools were founded in Michigan. Czech bilingual schools were created in Nebraska and Texas. In Wisconsin, Italian and Polish bilingual schools were established. French bilingual schools became prevalent in Louisiana, Ohio, and throughout the northeast. Lastly, Spanish bilingual schools were established in the southwest, Florida, and the northeast (Goldenberg & Wagner, 2015). It is evident through the formation of a multitude of bilingual schools throughout the U.S. that prior to the 1900s, bilingual education was accepted and common. Contemporary estimates reveal that by 1900s, "more than 1 million elementary school students—more than 6 percent of the 16 million elementary grade students at the time—were receiving bilingual instruction in English and another language" (Goldenberg & Wagner, 2015, p. 28). Bilingual education was flourishing during this era, allowing many immigrants to maintain their home language, culture, and

customs while simultaneously revealing these cultural elements to naturalized Americans.

#### b. *Curriculum and Pedagogy*

In 1749, Benjamin Franklin presented “Proposals Relating to the Education of Youth in Pennsylvania” which offered suggestions for a less narrow curriculum. Part of his proposal addressed language learning and suggested that, students “intended for divinity should be taught in Latin and Greek; for physics, [...] Latin, Greek, and French; for law, [...] Latin and French; merchants, [...] French, German and Spanish” (Willis, Schubert, Bullough, Kridel, & Holton, 1994, p. 22). Though Franklin’s program does not exemplify bilingual education, it exposes that learning other languages besides English in schooling during this period was an asset for all learners.

In this era, the pedagogical trends of bilingual education were heavily rooted in written ability, as opposed to verbal skills. According to Blanton (2004), Since antiquity, the teaching of foreign language involved the heavy use of reading, translating, and transcribing academic languages into vernacular form and vice versa. Verbal ability was considered less important under these long held ideas than was written ability. Thus, bilingualism was implicit in the learning of new languages. (p. 75)

During this time, the dominant pedagogical theory in the U.S. for teaching a foreign language was known as the *grammar-translation* method (Blanton, 2004). It is evident from the curricular practices previously described, that acquiring a foreign language was a skill that was valued within the scope of the education system and in certain professions, but not necessarily for social purposes. Because of this, rote memorization of a foreign language through writing was deemed a more valuable skill than spoken proficiency.

### III. 1900-1919

#### a. *Policy and Educational Landscape*

While bilingual education and maintaining one’s home language was common and encouraged during the 19<sup>th</sup>-century, at the turn of the 20<sup>th</sup>-century, immigration policies began to inhibit the opportunities for immigrants to maintain their first language. In 1906, the Nationality Act was approved in Texas, officially making English the only language taught in schools. The Nationality Act “required all immigrants to speak English in order to be eligible to start their process of naturalization” (Nieto, 2009, p. 62). English was designated the official language due to its association with U.S. national identity and the belief that bilingualism was correlated with inferior intelligence (Nieto, 2009). In my opinion, this action instigated a downward spiral in the acceptance and the inclusion of bilingual education that continues to influence our educational practices today.

As previously discussed, bilingual individuals began to be viewed as possessing lesser intelligence during the 19<sup>th</sup>-century. Prejudice towards immigrants was further heightened after the events of World War I as American acceptance and views

towards immigrants was lowered due to this conflict. Upon the entrance of the U.S. in World War I in 1917, “several states passed laws and emergency decrees banning German speech in the classroom, on the street, in church, in public meetings, even on the telephone” (Crawford, 1989, p. 23). Because of this, German-American schools were shut down, German textbooks were burned, and German language teachers became required to teach ‘Americanism’ and ‘citizenship’ (Crawford, 1989). World War I dismantled bilingual education, and instigated a wave of schooling promoting Americanization.

#### b. *Curriculum and Pedagogy*

Analyzing the work of Addams (1908) sheds light on the views towards bilingual curriculum during this time period. In reference to immigrant students, Addams (1908) asserted, “public school too often separates [an] [immigrant] child from his parents” (p. 41) and “schools ought to do more to connect these children with the best things of the past, to make them realize the beauty and charm of the language, the history, and the traditions which their parents represent” (p. 42). It is evident in her work that during this era, schools placed little value on learning about the backgrounds and languages of students and were more focused on teaching immigrants English to assimilate them to the U.S. Through doing so, immigrant children were placed in a space of conflict—between assimilating to American culture or maintaining their home culture and language.

At the turn of the century, the dominant pedagogical beliefs of bilingual education shifted. While the 19<sup>th</sup>-century valued the rote memorization of language and prized the ability to write in a foreign language over being able to speak it, as education became more progressive, these values began to change. During this era, “progressive education’s belief in non-rote, creative curriculum stimulated educators to rebel against any translation in the learning of new languages. This newer scientific pedagogy regarded the bilingualism inherent in the grammar-translation method as a hindrance in teaching English to non-English speaking children” (Blanton, 2004, p. 75). This shift in pedagogical ideology presented a significant shift away from the methodologies of the previous era. According to Blanton (2004), this pedagogical change was heavily influenced by the practices adopted in France for teaching French by the French scholar François Gouin. Gouin developed the natural method, which was the strategy through which “adults could learn a second language the way a child would learn a primary language, orally and without any bilingual reference” (Blanton, 2004, p. 75). Upon learning about this method, American linguists brought this technique to the U.S. and changed its name to the *direct method* (Blanton, 2004). Gouin’s strategy was brought to the U.S. in the hopes of removing the current rote bilingual instructional practices, or the *indirect method* of bilingual instruction (Blanton, 2004). Making this shift away from the *indirect method* of bilingual instruction to the value of verbal bilingualism is reflective of the curricular and political climate of this era as more emphasis was placed on the acquisition of English for socialization purposes to Americanize immigrants as quickly as possible.

## IV. 1920-1963

*a. Policy and Educational Landscape*

Amidst the desire for Americanization and the assimilation of immigrants in the U.S., bilingual education became limited for immigrant students. Bilingual education “disappeared from the U.S. scene between 1920 and 1963. The 20s, 30s, and 40s were a low period for foreign languages [...], which almost disappeared from the elementary-school curriculum” (Andersson, 1971, p. 428). By removing bilingual education, English-only instruction was instituted with little acknowledgement for the needs of immigrant learners.

Though creating American citizens caused the removal of bilingual education, some academics continued to view immigrant learners as an asset to American society, much like Addams (1908). As asserted by the editor of the *Journal of Education* in 1930, “we need to learn of foreign nations through their representatives in our schools. It is a tragedy to assume that children of foreign-born parents need to be Americanized by us [...] Americans need to learn from other nations” (Brief Talks by the Editor, 1930, p. 41). From this quote, it is evident that there were mixed perceptions towards bilingual education during this era.

Amongst the varied views towards bilingual education, the political climate of the U.S. began to shift in the late 1950s, early 1960s. The Civil Rights movement instigated an increase in bilingual education rights. Prior to *Brown v. Board of Education*, Latinx and Black individuals were frequently segregated from White students and placed in unequal schools (Contreras & Valverde, 1994). *Brown v. Board of Education* significantly impacted not only Black individuals, but also immigrants. Under this notable court case, it was declared in 1954 that “segregating elementary and secondary students by race violates Black (and hence all racialized) children’s constitutional rights to equal protection” (Santa Ana, 2004, p. 98). Through this case, more attention began to be placed on immigrant learners and their rights to equitable schooling.

*b. Curriculum and Pedagogy*

During this era, “learning in languages other than English now seemed less than patriotic” and “European immigrant groups felt strong pressure to assimilate” (Crawford, 1989, p. 24). Because of this ideology, bilingual instruction was virtually eliminated throughout the U.S. Additionally, the interest to learn a foreign language dropped dramatically (Crawford, 1989). English-Only curricular and pedagogical practices dominated U.S. classrooms. With the onset of World War I, greater emphasis was placed on assimilating immigrant learners to the U.S. According to Blanton (2004), “English-Only pedagogy was not solely an ideological or racist subterfuge [...] The science behind the pedagogy was not hollow. Well-intentioned citizens and those of lesser motives accepted English-Only’s pedagogical background as incontrovertible and fundamentally Progressive” (p. 78). While there was a move to progress education and move away from rote learning, the curriculum in English-Only practices mirrored the pre-1900

practices that were once abhorred. As noted by Crawford (1989), “Americanization’s goal of transforming a polyglot society into a monolingual one was largely achieved” (p. 24) during this period. Through instilling these practices, it is evident that America no longer acknowledged the value of diverse cultures and languages, pressuring immigrants to assimilate to the American culture.

## V. 1964-1973

*a. Policy and Educational Landscape*

Amidst the Civil Rights movement, in 1964, the Civil Rights Act, or Title VI, was passed by the U.S. Congress. Under Title VI of the act, “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (Civil Rights Act, sec. 601, 1964). During this era, Title VI played an integral role in advocating for immigrant students by protecting their educational rights (García & Kleifigen, 2010). This landmark Act began a series of laws promoting equitable educational opportunities for linguistic minorities within the U.S. during this era.

In 1968, the Elementary and Secondary Education Act (ESEA) was reauthorized by the U.S. Congress. After World War II and the launching of Sputnik, the U.S. began to feel inferior to other nations due to its inability to communicate in languages other than English (Andersson, 1971). Because of this fear of falling behind other nations, the U.S. began to place value on bilingual education. Under Title VII, or the Bilingual Education Act, of ESEA, a federal goal was established to assist “limited-English speaking students in the quick acquisition of English” (García & Kleifigen, 2010, p. 29). Though Title VII advocated for assisting limited-English speakers acquire English, only students of a low socioeconomic status were eligible to partake in Title VII. Additionally, this Act did not require students to participate in bilingual education. Instead, Congress allocated money to school districts possessing a large number of language minority students and gave them the ability to choose to begin a bilingual education program or to create instructional material (García & Kleifigen, 2010). By initiating these laws, theoretically bilingual learners should have been provided with greater access to quality education. This, however, was not the case as linguistic minorities continued to be marginalized through the continuation of segregated schooling (Crawford, 1989).

*b. Curriculum and Pedagogy*

While the laws from this era did not fully progress the rights of immigrant learners, the bilingual education curriculum during this time worked to promote English language learning through student-centered measures. This period is acknowledged by researchers as the rebirth of bilingual education (Andersson, 1971; Crawford, 1989). As Cuban immigrants began to immigrate to Miami in 1959 after the Cuban Revolution, many professionals moved to the U.S., bringing with them their education and job skills from Cuba (Crawford, 1989). In 1963,

Coral Way Elementary School in Miami, Florida instituted a bilingual education program for Cuban and English-speaking students (Andersson, 1971; Crawford, 1989). In this program, first, second, and third graders “were grouped by language. Cuban children received their morning lesson in Spanish and their afternoon lessons in English; for English-speaking children, the schedule was reversed” (Crawford, 1989, p. 28). This program proved to be promising because both populations of students displayed academic growth in both languages (Crawford, 1989). By 1966, the district reported that the students participating in the program at Coral Way were becoming ‘culturally advantaged’ by being able to function in two languages and in two cultures (Crawford, 1989). Crawford (1989) notes that because of the success observed at Coral Way, other schools began to implement this program, which became known as the two-way bilingual education model.

The central purpose of the Bilingual Education Act was to “help children be comfortable in their own tongue plus English, while appreciating the two cultures represented” (Cannon, 1971). The primary pedagogy of bilingual education during this era was known as transitional bilingual education as the aim was to help immigrant learners successfully transition to American society while maintaining their home language (Garcia, 2014). As the political landscape shifted, marginalized groups began to attain more rights, allowing this pedagogy to emerge to support the learning of immigrants.

## VI. 1974-1997

### a. Policies and Educational Landscape

In 1974, significant changes began to occur in bilingual education. The first shift that occurred was the reauthorization of the Bilingual Education Act to expand services. Under this reauthorization, services were provided to “students of any socioeconomic status who had limited English-speaking ability (LESA)” (García & Kleifigen, 2010, p. 29). This Act was expanded to ensure that immigrant students were provided appropriate academic opportunities as such provisions were not guaranteed in the 1968 reauthorization of ESEA.

A second significant shift in bilingual education that occurred in 1974 was *Lau v. Nichols*. In this court case, “the U.S. Supreme Court rule[d] that when children arrive in school with little or no knowledge of English, the use of English-only instruction in their education is a violation of their civil rights” (Santa Ana, 2004, p. 102). This controversial case possessed three significant concerns: “(a) how learning (of English and other subjects) should occur, (b) what place a student’s heritage language should have in the process, and (c) whether or not efforts should be made to preserve aspects of native culture” (Moses, 2000, p. 324). To ensure that the educational needs of bilingual learners were being met, following the court decision, the Office of Civil Rights instigated a task force to create guidelines for schools and districts to meet the needs of limited-English students. The guidelines created from *Lau v. Nichols* became known as the Lau Remedies (1975) (García & Kleifigen, 2010). The Lau Remedies addressed how to identify

and serve immigrant students by requiring “bilingual education at the elementary level and permit[ing] the introduction of English as a second language (ESL) programs at the secondary level” (García & Kleifigen, 2010, p. 30). While the Lau Remedies offered a promising future for bilingual education, unfortunately they were withdrawn in 1981 (García & Kleifigen, 2010). The removal of the Lau Remedies marks one of many instances in which the progress of bilingual education was once again stifled for political and economic reasons.

Considered the second most influential court decision impacting English language education, the *Castañeda v. Pickard* case occurred in 1981. In this case, the district of Raymodville, Texas was charged for violating the civil rights of English Language Learners (ELLs) according to the Equal Education Opportunities Act of 1974 (Ovando, 2003). The outcome of this court case “gave the public more specific guidelines by which to determine whether a particular school district was meeting the spirit of *Lau*” (Ovando, 2003, p. 10). After this case, the Fifth Circuit Court of Appeals established a three-step test that could be used to determine whether a district is properly serving language-minority students. The three-step test called for the following: “the school program must be anchored in sound educational theory, adequate resources and personnel must be evident in the school program, and the school program must reflect sound practices and results, not only in language but also in such content areas as math, science, social studies, and language arts” (Ovando, 2003, p. 10). Through developing these parameters, schools were held more accountable for effectively serving their immigrant learners in all content areas.

### b. Curriculum and Pedagogy

The pedagogy of transitional bilingual practices was prominent in areas with high immigrant populations during the 1970s (Garcia, 2014). To enhance the understanding of bilingual practices, in Lambert (1974) developed the prominent ideology about bilingualism in education—*additive bilingualism* and *subtractive bilingualism* (Garcia, 2014). *Additive bilingualism* is when a second language is added to a first language, allowing both languages to be maintained. On the contrary, *subtractive bilingualism* is when the first language of a student is subtracted as the second language is learned. From Lambert’s work, it became evident that the transitional approach to bilingual education was flawed as it reflected *subtractive bilingualism* (Garcia, 2014). As bilingual educators became aware of the flawed practice of the transitional approach, many began to advocate for additive programs (Garcia, 2014).

*Lau v. Nichols* (1974) and *Castañeda v. Pickard* (1981) both impacted the pedagogical and curricular practices of bilingual education during this time. Ovando (2003) notes that these court rulings enriched bilingual education initiatives and paved the way for an influx of bilingual programming options that vary in effectiveness and duration (Ovando, 2003). These programs fall under one of the two following educational ideologies: Linguistic Assimilation or Bilingualism/ Bilitery (García & Kleifigen, 2010).

When the central aim of a program was Linguistic Assimilation, the following programs were implemented: structured immersion, partial immersion, and transitional bilingual education programs. In structured immersion programs, “there is no use of the native language, but students are given specialized ESL instruction tailored to levels of English proficiency” (Ovando, 2003). Partial immersion programs provide learners with “ESL instruction, and a small amount of time (e.g., 1 hour each day) may be set aside temporarily for instruction in the native language, but the goal is to move to English as quickly as possible” (Ovando, 2003). In transitional bilingual programs, students are provided extensive instruction in their native language and in English. Once a student attains a certain level of English proficiency, however, the student is moved to a monolingual English classroom (Ovando, 2003). Under this program, there are two routes schools can take depending on their pedagogical beliefs. In early-exit programs, students are placed in mainstream classrooms after two years or by the end of second grade. In late-exit programming, students are not exited until fifth or sixth grade (Ovando, 2003).

To promote Bilingualism/ Biliteracy, the following programs are implemented with immigrant learners: maintenance or developmental bilingual education and two-way immersion. According to maintenance or developmental bilingual education programming, “extensive instruction in provided in the native language as well as in English” and “[students] continue to receive part of their instruction in the native language even after they become proficient in English” (Ovando, 2003). Two-way immersion programs place speakers of two languages together in a bilingual classroom. In this classroom, students learn each other’s language as well as work academically in both languages. In this program, “the language-majority children become bilingual and biliterate alongside the language minority children” (Ovando, 2003).

This era is known as the opportunist period as more bilingual programming options became available (Ovando, 2003). Through this influx in programmatic options, districts could implement programs that best matched their pedagogical ideologies. The insufficient curricular trends at the beginning of this era instigated the reform of bilingual education. Through these court cases, the pedagogical trends shifted as well, allowing for an increase in methodologies for working with bilingual learners.

## VII. 1998-PRESENT

### *a. Policies and Educational Landscape*

At the end of the 20<sup>th</sup>-century and the beginning of the 21<sup>st</sup>-century there have been mixed perspectives and policies implemented in relation to bilingual education. Several states have gone to the extent of outlawing bilingual education by instigating English-only practices. Additionally, through the implementation of No Child Left Behind (NCLB), bilingual education practices have been further complicated to comply with the parameters of this law.

The first of several state laws to outlaw bilingual education is Proposition 227, or the English for the Children Initiative, in California. In 1998, this proposition prohibited “the use of home language instruction in teaching emergent bilinguals and [mandated] the use of sheltered English immersion programs, where English only is used for a period not to exceed a year, after which students are put into mainstream classrooms” (García & Kleifigen, 2010, p. 31). Under this proposition, parents may request waivers from the one-year immersion program if their child is above 10 years old, has special needs, or is fluent in English. In 1998, sixty-one percent of California citizens passed the proposition (García & Kleifigen, 2010). While Proposition 227 remained in effect at the beginning of the 21<sup>st</sup>-century, in 2016, the state legislature in California added Proposition 58 to the November ballot. This bill would repeal most of Proposition 227, allowing for bilingual education to return to California. Proposition 58 was overwhelmingly supported, thus overturning Proposition 227.

Arizona joined the English-only initiative with California through Proposition 203. Proposition 203 banned bilingual education in Arizona in 2000. This proposition limited “school services for emergent bilinguals to a 1-year English-only structured immersion program that includes ESL and content-based instruction exclusively in English” (García & Kleifigen, 2010, p. 32). This proposition proved to be more restrictive than California’s and was further obstructive as waivers are extremely difficult to attain. Unlike California, Proposition 203 remains in effect today, despite the high Spanish speaking population in Arizona.

The third state to enact an English-only curriculum is Massachusetts. In 2002, Massachusetts passed Question 2 to replace a “30-year-old mandate for transitional bilingual education (TBE) with language calling for the implementation of structured English immersion (SEI) programs for English language learners” (de Jong, Gort, & Cobb, 2005, p. 595). While the two laws in California and Arizona served as the backbone for the policy in Massachusetts, Massachusetts’s law possesses a central difference. Question 2 “permits student participation in dual language bilingual education programs, in which students are a combination of emergent bilinguals and English monolinguals, and where instruction is in both English and another language” (Menken, 2013, p. 162). Through this element of Question 2, bilingual education is not completely removed from the state. While the ELL population in Massachusetts is rather small in comparison to Arizona and California, this law still has had a significant impact on the educational landscape of Massachusetts and the access to an equitable education for immigrant learners.

While these propositions have complicated bilingual education in our current society, NCLB is the policy that has had the most significant impact on bilingual education in the recent history of the U.S. Its English-Only values have greatly influenced the nation’s bilingual education practices and the treatment of immigrant learners. NCLB was signed into law in 2002 and

mandated that “by the 2013-2014 school year, all students must achieve the level of ‘proficient’ in state assessment systems [...] NCLB requires schools and districts to ensure that all their students meet specific state-developed annual targets of Adequate Yearly Progress (AYP) for reading, math, and science” (García & Kleifigen, 2010, pp. 32-33). Additionally, schools must show that subgroups of students are meeting AYP goals. The following subgroups are examined under NCLB: race, ethnicity, socioeconomic groups, gender, and limited English proficient students (García & Kleifigen, 2010). By instituting these subgroups, ELLs have been placed under a microscope, forcing states and school districts to acknowledge the academic achievement of bilingual learners—but not for the educational benefit of students.

The increased focus on the academic performance of these subgroups under NCLB has placed more accountability on schools to ensure that ELLs are attaining English proficiency. Under this law, assessments are required for bilingual students through Title I and Title III. Through Title I, “if English language learners or other subgroups do not meet their test score targets, their schools can be designated ‘schools in need of improvement’ and can be subject to intervention [...] if schools continue to fail to meet the performance targets, they must eventually be restructured or closed” (García & Kleifigen, 2010, p. 33). By holding schools more accountable for the academic performance of subgroups, it is assumed that schools will provide these learners with a strong education. Similarly, Title III, or Language Instruction for Limited English Proficient and Immigrant Students, works to “ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency” (NCLB, 2001, sec. 3102). Under NCLB, Title III subgrantees are accountable for meeting the following annual measurable achievement objectives (AMAOs) for bilingual learners: meet AYP; meet the AYP requirements set by the state and measured through state standardized assessments; all students achieve English proficiency (García & Kleifigen, 2010). Through taking these measures, it was assumed that states would be more accountable for providing the subgroups of students with an appropriate education, however, due to the unrealistic demands of NCLB, states began to identify loopholes for working with these provisions.

To address the unrealistic expectations placed on ELLs through NCLB, states avoided designating subgroups or limiting subgroups to be representative of a small percentage of the population (García & Kleifigen, 2010). Additionally, states could exempt recent immigrant learners from participating in the state’s reading and/or language arts assessment—which is a practice that has been used within the Chicago Public School System (García & Kleifigen, 2010 & Chicago Public Schools, 2015). Through this action, states can omit scores from new immigrants when calculating AYP data (García & Kleifigen, 2010), thus making schools appear to be more successful than they actually are.

The academic growth of immigrant learners is further complicated by the fact that bilingual learners eventually move out of the subgroup as they attain English proficiency. Because of this, it is difficult to determine the growth of limited English proficiency learners as this population is continually developing (García & Kleifigen, 2010). The ambiguity and lack of proper growth tracking causes the data of new bilinguals to be consistently low and difficult to measure, further placing this group in a disadvantaged position.

#### *b. Curriculum and Pedagogy*

The curricular trends from the onset of NCLB and the educational laws of this era have significantly impacted the pedagogical practices of bilingual education. Within this recent decade, three overarching pedagogical trends have occurred: English-Only, linguistic assimilation, and bilingualism/biliteracy (García & Kleifigen, 2010). While English-Only practices have been heavily used in California, Arizona, and Massachusetts, other states continue to provide bilingual services to immigrant learners under the pedagogical goals of linguistic assimilation and bilingualism/biliteracy. Though several of the programs described below were first instituted in other eras, they continue to play a role in bilingual education services today.

When the central goal for bilingual learners is linguistic assimilation, the following programs are commonly implemented in schools: submersion, ESL pull-out, ESL push-in, structured immersion (reference definition in Curriculum and Pedagogy section of 1974-1997), and transitional bilingual education (reference definition in Curriculum and Pedagogy section of 1974-1997) (García & Kleifigen, 2010). Under a submersion program, only English is used and no special accommodations are provided to students, forcing students to either sink or swim academically (García & Kleifigen, 2010). According to García and Kleifigen (2010), in ESL pull-out and push-in programs, the language of instruction is 90-100% English, with some or limited home language support. In these programs, students participate in mainstream education with daily ESL support (García & Kleifigen, 2010). By working towards linguistic assimilation, these programs last a shorter duration of time than those working towards bilingualism as these programs are less complex to implement and strive for the rapid acquisition of English.

To develop bilingualism/biliteracy in immigrant learners, the following programs are frequently implemented: developmental bilingual education (reference definition in Curriculum and Pedagogy section of 1974-1997), two-way bilingual education (reference definition in Curriculum and Pedagogy section of 1974-1997), and dynamic bi/plurilingual education (García & Kleifigen, 2010). Dynamic bi/plurilingual education typically spans four-six years and commonly occurs at the high school level for newcomers. In this program, English and home languages are at the center of the learning process, allowing for collaborative learning and dynamic language practice (García & Kleifigen, 2010). Because these programs

incorporate vigorous language opportunities for students and occur over the course of several years, immigrant learners are provided a greater opportunity to acquire English and succeed within the education system of the U.S.

It is evident that the learning needs of ELL students are not consistently met on a regular basis across U.S. schools. Through the implementation of these three pedagogical trends, ELL students are receiving vastly different educations that are highly reliant on the values and resources of their given school district. Because of this ELL students are placed at a disadvantage as they are commonly given inequitable access to language-learning services.

#### VIII. REFLECTION ON FINDINGS AND CONCLUSION

Under the current educational landscape, bilingual education, oftentimes, remains viewed in a negative manner. According to NCLB, limited English proficient individuals are defined as those whose “difficulties speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the State’s proficient level of achievement on State assessments” (NCLB, 2001, sec. 9101 [37]). García and Kleifigan (2010) propose that this tenet reveals a change in the ideological beliefs towards bilingual education from previous eras as it marks a shift from offering greater access to educational opportunities for bilingual families to a period focused on testing and English immersion. I believe that within our current society, bilingual educational practices are typically insufficient in meeting the needs of immigrant learners. Though there has been an influx of immigrant learners, the U.S. continues to marginalize this population. Hopefully, educational policy will begin to ensure that all students within the U.S. are being provided an appropriate and effective education.

Based on the literature presented, it is evident that bilingual education has possessed a complicated history within the U.S. As seen in each era, bilingual education has never been consistently implemented nor has it possessed steady policy practices. Unfortunately, this continues to be true in our present era. The U.S. still does not possess a consensus on the best practices for bilingual education nor are practices implemented effectively or completely in many districts. To ensure that immigrant learners are receiving a proper education, educators and researchers must continue to work towards creating programmatic options and learning environments that promote rigorous learning opportunities for immigrant learners.

#### IX. FUTURE CONSIDERATIONS

From synthesizing the research and historical accounts about the progression of bilingual education in the U.S., the following is a list of future avenues to consider:

1. Though this paper did not focus on Native Americans, why were these individuals not included in landmark laws like the Bilingual Education Act?

2. In states like Arizona and Massachusetts, how are bilingual students performing in comparison to states with robust bilingual programs?
3. What impact does outlawing bilingual education have on student social, linguistic, and academic development?
4. Why do politics and the economy continue to limit the educational opportunities of linguistic minorities in 2017?
5. Throughout U.S. history, bilingual education has never been consistently implemented. How can we ensure that immigrant learners receive access to strong bilingual educational opportunities in the future?

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