SOCIAL JUSTICE AND LINGUISTIC HUMAN RIGHTS
IN DUAL LANGUAGE PROGRAMS

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Abstract

This paper makes the case that education aimed at Hispanic or Latino children in the United States needs to recognize both their linguistic and cultural roots (raíces) as well as the educational wings (alas) (Flor & Murillo, 2001; Garcia, 2001b, McGregor & Mendoza, 2000). The reason dual language programs could benefit all is due to the fact that if done properly, it should promote bilingualism, respect and equity for all students in the school. Dual language (DL) programs are relatively new in the United States. These programs aim to create bilingual, bicultural students without sacrificing these students' success in school or beyond. The goals of DL are to provide high-quality instruction for language-minority students and to provide instruction in a second language for English-speaking students. Schools teach children through content, with teachers adapting their instruction to ensure children’s comprehension and using content lessons to convey vocabulary and language structure. Striving for a balance of half language minority students and half English speaking students in each classroom, DL programs also aim to teach cross-cultural awareness. Programs vary in terms of the amount of time they devote to each language, which grade levels they serve, how much structure they impose for the division of language and curriculum, and what populations they serve.

KEY WORDS: Dual Language, bilingualophobia, linguistic diversity, social justice, language-minority students

INTRODUCTION

The culture of the United States schools is reflected in many anti-constructivist policies. Banks and Banks (1995) indicated that a common practice is the systematic exclusion of the histories, languages, experiences and values of bilingual students from classroom curriculum and activities. On the other hand, Noguera (1999) and Oakes (1990) referred to tracking as another practice. They said that tracking limits access to academic courses and justifies learning environments that do not foster academic development and socialization or perception of the self as a competent learner and language user. Another anti-constructivist practice identified by Garcia (1999) and Ladson-Billings and Tate (1995) was related to the lack of opportunities to engage in developmentally and culturally appropriate learning in ways other than by teacher-led instruction.

The United States of America, a nation of immigrants, has extraordinarily low levels of skill in languages other than English compared to other advanced nations. The country has many non English speaking students, and they need instruction that is comprehensible to them, and genuine bilingualism among children of all backgrounds needs to be developed. The need is great given the reality that upon entering kindergarten a higher proportion of Latino children lack basic literacy or pe-literacy skills compared to non-Latino children their age (Ochshorn & Garcia, 2007). In a recent article in American
Educator, Professor Claude Goldburg discusses the major findings of two national reviews of research on the education of English Language Learners – one by the National Literacy Panel, or NLP, the other published by the Center for Research on Education, Diversity and Excellence, or CREDE. One of the key conclusions is that teaching students to read in their first, or home language promotes higher levels of reading achievement in English. These effects are reliable and “...have been found with secondary as well as elementary students, and special education as well as general education students” (p. 16). Also, the research reviews indicated that bilingual education helps ELLs become biliterate and bilingual, conferring many cultural, intellectual, cognitive, vocational, and economic advantages (Goldburg, 2008). Two rigorous reviews of the existing research by the National Research Council found that using children’s home languages in educational activities can have a positive impact on their English language development and school readiness and can help them learn the academic core curriculum as well (Garcia & Gonzalez, 2008). Learning another language is and should be seen as an adventure for all, not a remediation for one group. Garcia (2001b) points out that language is an integral part of culture and that students learn best when their culture as well as their language is respected, affirmed, and used in instruction when they are learning a second language. In March 2004, the Census revised its projections and predicted that by 2050 people of color and Whites would each make up 50% of the U.S. population (National Center for Education Statistics, 2004). Currently, there are more than 225 DL programs in the United States, and the number is growing rapidly (Christian, 1999, MacGregor & Mendoza, 2000). While the vast majority of programs offer instruction in English and Spanish, there are also programs that target Korean, Cantonese, Arabic, French, Japanese, Navajo, Portuguese, and Russian (Christian, 1997; Crawford, 1992; Flores & Murillo, 2001).

DEFINITION AND HISTORY OF BILINGUAPHOBIA

According to Faltis & Hudelson (1998) bilinguaphobia is the excessive fear of bilingualism, biliteracy, bilingual communities, and any educational approach for promoting the acquisition and use of non-dominant languages prior to or simultaneously with the learning of the dominant one. Bilinguaphobia as a discourse of fear has a long and lugubrious history in the United States (Flores and Murillo, 2001; MacGregor – Mendoza, 2000). Beginning with World War I, suspicions about the patriotism of German-speaking communities surfaced, prompting fearful political leaders to embrace the new political mantra of one nation, one language. President Theodore Roosevelt, elaborating on the mantra, revealed his bilinguaphobia in his 1917 speech to the nation:

We must have but one flag. We must also have but one language. That must be the language of the Declaration of Independence, of Washington’s farewell address, of Lincoln’s Gettysburg speech and second inaugural. We cannot tolerate any attempt to oppose or supplant the language and culture that has come down to us from the builders of this Republic (emphasis added, cited in Flores & Murillo, 2001, p. 194).

At that time, Roosevelt was referring specifically to German English bilinguals, but he also casted a wide net of suspicion over all bilingual communities nationwide. An effect of this early discourse of fear about bilingualism was to ban the use of German for teaching and learning in bilingual schools and to eliminate it as a foreign language in high schools. It was not until the late 1920’s that German was reintroduced as a modern foreign language (Molesky, 1988).

ENGLISH ONLY IN 90’S TO PRESENT

Post World War I saw the introduction of intelligence tests, ushering in a different, but nonetheless pernicious blow to bilingualism. In comparisons on intelligence tests between bilingual and monolingual English speakers, the bilinguals performed significantly lower, leading researchers to conclude that bilingualism negatively affected intelligence. Never mind that the tests were culturally biased toward white, middle-class monolingual English-speakers or that none of the working class bilinguals taking the tests were English-dominant, the alarm was sounded: “bilingualism is bad, ... a foreign home language is a handicap” (Sanchez, 1997, p. 127). The onset of World War II once again brought about the extirpation of the German language from all public schools.
Students who wished to study a modern foreign language were allowed only to learn how to read, but not speak or understand its spoken form, lest they be suspected of un-American activities (Chastain, 1976).

The English-only movement gained momentum with the rise of anti-immigration sentiments in the 1990’s, especially in the state of California, which in 1994 sought to eliminate health and educational services for undocumented immigrants through proposition 187. Congressional Republicans, seeing an opportunity to exploit the anti-immigrant mood, introduced H. R. 123, known as the “English Language Empowerment Act of 1996”. In the bill, they portrayed bilingualism as a hazard to national unity. English, they claimed, needed “legal protection” to preserve America’s “common bond” (Congressional Record 1996, cited in Crawford, 1997, p. 6).

Newt Gingrich, commenting on the need for such a policy, declared that English was “at the heart of our civilization.” Language diversity, he asserted, could lead to its eventual “decay” (Crawford, 1997, p. 6). What many seem to forget is that learning English is a main goal of bilingual education (Faltis & Hudelson, 1998). English for the Children, which is a state supported resolution, is spreading new fear among teachers and their students, fear that if they use a language other than English to make sense of school work, teachers could face legal sanctions or even lose their jobs (August, Carlo & Calderon, 2002). The sad fact is that teachers, as a result of English for the Children initiatives, are now forced to use pedagogy that contradicts their specialized preparation for teaching immigrant children who come to school speaking a language other than English.

NO CHILD LEFT BEHIND REGULATIONS AND ITS CONSEQUENCES

The No Child Left Behind Act is the most ominous, undemocratic intrusion into public education in American history. In 2006, only 26.2% of current ELL students graduated within four years. 49% of Latino fourth graders (9 year olds) in New York State scored below the most basic level for reading on the National Assessment of Educational Progress or NAEP (2007). In New York City, only half of Latino high school students graduate in four years, this is the lowest of any ethnic group in the city (New York City DOE, 2007). Nationally, Latino students comprise approximately 11% of all students enrolled in higher education (Santiago, 2007). Also, Latinos enroll at lower rates than their similar aged peers (Santiago, 2007). A Nation at Risk (1983) also chronicled the deficiencies present in the American public school system such as the lack of teachers equipped to teach language minority students, as well as the rate of functional illiteracy among minority youth aged 17 that was as high as 40%

Researchers agree that early childhood assessments need to be culturally and linguistically appropriate, given that a child’s home language is a crucial foundation for cognitive development, learning about the world, and emerging literacy. Buysee et al., (2004) recommend assessing children in both languages and suggest guidelines that include considering cultural aspects that affect how children learn and relate, understanding each child’s linguistic background, and using a variety of procedures to gather information about a child’s language. There is a growing concern that the graduates of American schools are not prepared to meet the challenges posed by global economic competition (Augustine, Lupberger & Orr, 1997). Professional teachers do not need to follow tightly scripted lessons, which are the focus of direct instruction materials provided by publishers. Regrettably, these textbooks now comprise the only acceptable programs for adoption according to federal law. Where is the package inserts in the boxes of commercial phonics programs listing warnings about their inappropriate use, and that they should not be thought of as a substitute for a minimum daily dose of real reading? Loss of the home language has potential negative long term consequences for the ELL child’s academic, social, and emotional development, as well as for the family dynamics (Espinoza, 2008).

THE ASSESSMENT OF BILINGUAL/DUAL LANGUAGE PROGRAMS:

Foulger and Jimenez-Silva (2007) reviewed research on the development of ELL writing skills. They uncovered seven instructional practices that would increase the risk taking behavior ELLs need to become good writers: “time and opportunity to write, a real reason for writing, a genuine audience, access to role models, a safe environment, useful feedback, and a sense of community” (p. 11). Effective pedagogy as defined by Nieto and Bode (2008) does not include teaching subject areas in another language, but “instead finding ways to use the language, culture, and experiences of students
meaningfully in their education” (p. 247). Competent students are seen as those who have mastered physical, intellectual, and emotional skills required to have effective interactions in the environments that they will face upon graduation from school. “Can any society afford universal excellence or must all societies make most people incompetent so that a few can be competent?” (Block, 1979, p. 117). Black and William (1998) defined a need to cultivate a culture of success where the belief that all students attained success prevails. They stated that the use of feedback provided to students should involve specific qualities of the students’ work coupled with how the work could be improved. Black and William indicated that effective and purposeful formative assessments were crucial to guide the instructional practice and raise student achievement.

**CHALLENGES: POVERTY AND DEMOCRACY**

**POVERTY CHALLENGE, AND DEMOCRATIC CHALLENGE**

The above items need to be considered before the implementation of the program. Did we forget that many students are poorly housed, undernourished, subject to the effects of others’ abuse of drugs, provided with few adult role models, and linguistically and culturally diverse? (Laturneau, 2001). European American students in the classroom are projected to decrease by 10 to 11 percent between 2000 and 2020, Latinos are expected to grow by 54 percent (Gonzalez, 2000; NCES, 1997). In 1996, Latinos represented 11 percent of the nation’s population but will increase to 25 percent in 2050 (Osterling, 1998).

Language is one of the fundamental signs of our humanity. It is the palette from which people color their lives and culture (Allman, 1990). Although linguistic diversity is a fact of life in American schools and society, many languages are not accorded the respect and visibility they deserve. But given recent trends in immigration, the shrinking of our world, and the subsequent necessity to learn to communicate with larger numbers of people, a reconceptualization of the roles of languages other than English in our schools and society is in order. Given this kind of reconceptualization, current school policies need to be reexamined. Those that build on students’ diversity need to be strengthened, while those that focus on differences and deficits must be eliminated. This means, at the very least, that bilingual and multicultural programs for all students have to be comprehensively defined, adequately funded, and strongly supported.

The issue of what to do about language minority students goes much deeper than simple language diversity. Above all, it is an issue of educational equity. Whether bilingual education, ESL or other approaches and support services are offered, they need to be developed with an eye towards promoting, rather than limiting educational opportunities for all students. Given the increasing number of students who enter school speaking a language other than English, it is clear that attending to the unique condition of language minority students is the responsibility of all educators. For students with limited English proficiency, suitable approaches geared to their particular situation are not frills, but basic education. For English monolingual students, too, learning to appreciate and communicate in other languages is a gift to be cherished. When we approach language diversity as a resource that is respected and fostered, all students benefit.

The purpose of this paper is to shed some light on the myths and misconceptions of dual language programs. The constructs of bilingualism and dual language programs will be used indistinctively and interchangeably. Senge (2000) described the active responsibility that schools systems had in taking into account current staff knowledge prior to undertaking any staff development he stated that staff development should be a purposeful process that is built upon what is already known to the specific challenges that would be faced in educating students.

Fillmore and Snow (2000) described that in order for the United States teaching force to meet the challenges of a growing number of children from immigrant families that speak little or no English, teachers need access to a variety of information to function effectively in the classroom. The requirement of effectively instructing ELLs becomes the responsibility of school districts that have to make a more concerted effort to allocate resources to assist students in acquiring proficiency in English and academic subjects while maintaining their native tongues.
BILINGUAL AND DUAL LANGUAGE PROGRAMS

SOURCE OF BILINGUALISM

School leaders must be cognizant of the implementation of a strategic instructional plan that addresses the diverse needs of all students. The changing demographics in American schools poses a challenge for teachers to effectively teach students for whom English is not their primary language (de Jong & Harper, 2005). Orosco and Klinger (2010) estimated that by the year 2030, approximately 40% of the school population will speak English as a second language, while currently 20% of people older than five years of age speak a language other than English at home. The growing language diversity of the American school age child poses a challenge to school leaders to become more expert in dealing with cultural and linguistic diversity in the school community.

Embedded in the constructivist approach is the understanding that language and culture, and the values that accompany them, are constructed in both home and community environments (Cummins, 1986; Goldman & Trueba, 1987; Heath, 1983). This approach acknowledges that children come to school with some constructed knowledge about many things (Goodman, 1980; Hall, 1987; Smith, 1971) and points out that children’s development and learning are best understood as the interaction of past and present linguistic, sociocultural, and cognitive constructions (Cole & Cole, 2001). A more appropriate perspective of development and learning, then, is one that recognizes that development and learning are enhanced when they occur in contexts that are socioculturally, linguistically, and cognitively meaningful for the learner. These meaningful contexts bridge previous “constructions” to present “constructions” (Cole & Cole, 2001; Diaz, Moll & Mehan, 1986; Heath, 1986; Scribner & Cole, 1981; Wertsch, 1985).

Higher Order Culturally Responsive Teaching Practices (HOCRTP) describe the importance of providing meaningful learning opportunities for ELLs by allowing them to use English or their first language (Moll, 1992). Gay (2002) notes that the knowledge that teachers need to have about cultural diversity goes beyond awareness, respect and recognition of different ethnic groups, and leads to a culturally responsive community in which teachers help students to understand that knowledge has political and moral elements and consequences.

THE GOALS OF DUAL LANGUAGE PROGRAMS

Teachers need to be trained to have high academic expectations for all students and to teach the importance and respect for diversity, languages, ethnicity, religions, and social class background. Instruction should be conducted in only one language at a time. Translation methods and preview-review (preview in the native language, teach in the second language, and review in the native language) have not proven to be effective for second language learning. The second language learners wait for the explanations in their language and tune out the lesson in the second language. The goals of the dual language program are to produce students that are bilingual, bicultural and biliterate. These are assets for being a global citizen in the 21st century, not to mention the fact that these students will also be more marketable.

The Bilingual Education Act of 1968 passed without dissension. In the years since its passing, the goal of the law has been debated regarding whether it was meant to assimilate ELLs more effectively, teach them English as quickly as possible, encourage bilingualism, remedy academic underperformance and increasing dropout rates, raise ELLs self-esteem or promote social equity (Crawford, 2000).

THE BENEFITS OF BILINGUALISM

Listed below are the benefits of a dual language program:

- Educational: These programs benefit all students, whether they are minority or majority, rich or poor, young or old. Students can acquire high levels of proficiency in their L1 and in their L2.
- Cognitive: bilingual students achieve cognitive and linguistic benefits on academic tasks that call for creativity and problem solving. They also know about the structural properties of the language, including its sounds, words, and grammar. This knowledge is beneficial in reading development because it facilitates decoding academic language.
• Sociocultural: bilingual people are able to understand and communicate with members of other cultural groups and to expand their world. They are able to respect the values, social customs, and ways of viewing the world of speakers of other languages and their communities.

• Economic: There are jobs that call for bilingual or multilingual proficiency. Students who come to school speaking important languages, such as Spanish, Korean, Navajo, and Albanian, are valuable resources that can contribute to the nation’s economic relations with other countries because they already know another world language.

• Global: Due to the recent terrorist attacks to the United States and the threat of long term war, our nation can benefit from bilingualism and biculturalism as strategies and initiatives to bring peace that are put in place in different parts of the world with non English speaking communities. It follows that our country would benefit if negotiations, protocols, and deliberations were conducted using local languages to defend democracy and protect the general welfare of the citizens of the world.

THE COGNITIVE BENEFITS OF DUAL LANGUAGE PROGRAMS

According to Greenfield (1995), dual language program planning, implementation, and coordination in a multifaceted and integrated approach enable planners to better instruction, curriculum assessment, staff development, and other school organizational strategies. There have been reported academic and cognitive benefits associated with bilingualism (Hakuta, 1986). These findings are not surprising when we consider that bilinguals have been exposed to more training in interpreting and analyzing language than monolinguals. As students develop high-level bilingual skills, they become “linguists” and are able to compare the grammars and vocabularies of their two languages (Bialystok & Hakuta, 1994; Lambert, 1984).

THE ADMINISTRATION IS FEARFUL

One teacher that was interviewed put it this way: “You can go in there ... and read the script, like you’re ‘supposed to’, but if you don’t know where the kids are coming from, and you can’t relate to them, none of that matters.” Another teacher spoke privately with a few of his colleagues who shared his concerns, but these conversations came to an abrupt end. The school’s assistant principal had somehow found out about their private forum. All of them received disciplinary action for “unprofessional behavior.”

In a third scenario, when a teacher complained about how Reading First and Open Court were not helping the ELL population, the principal told him: “Don’t ruin your career; because that’s exactly what you’re doing.” The teacher couldn’t believe his ears. The principal then continued with: “You’ve got to play the game. You need a pay check just like I do. Don’t ruin your career”. For the first time in his career of working as a tenured ESL teacher, he thought seriously about throwing in his towel!

TEACHING AND LEARNING IN A BILINGUAL PROGRAM

According to Shepard (2000), the process of mastery learning involves three components: what students are to learn, how they are to learn, and the level of expectation. Sheperd believed that assessment should occur in the middle of teaching and learning processes instead of at the end (which is what is usually found in many classrooms). Furthermore, a continual support system is a vital factor to develop a student’s innate belief that she or he can learn. Hattie (2003) conducted a synthesis of over 500,000 studies on student achievement and found that the greatest influence on student achievement is the teacher. Expert teachers provide timely feedback and anticipate and correct misunderstandings. Furthermore, Hattie (2003) observed that expert teachers engage students in their own learning, assist them in developing self regulatory practices and enhance their self-efficacy. Other researchers identified culturally sensitive instruction as important to ELLs (Stigler & Hiebert, 1999).
ADJUSTING LANGUAGE INSTRUCTION

Most current studies (Elmore, Peterson, & McCarthy, 1996; Pressley, Rankin, & Yokoi, 2000; Turner & Paris, 1995) show that in the typical classroom, the tasks assigned as “reading” overwhelmingly emphasize copying, remembering, and reciting a few low-level items on what the students read individually. The situation for struggling readers seems dire (Allington, 2001; Johnston & Allington, 1991). Researchers consistently report that lower achieving readers spend little of their instructional time on comprehension tasks of any sort. Struggling readers simply read less often in their classrooms, with limited tasks on comprehension. Instead, for these students, the lesson focus is often on words, letters, and sounds through phonics, drills, or recall questions on worksheets. The typical pattern of interaction during the reading of texts has been the IRE pattern of instruction: initiate, respond, and evaluate. That is, the teacher initiates interaction with a question, one or two students respond to the question, and the teacher evaluates that response by usually saying “good” or “that’s right”. This type of instruction rarely generates rich discussion, language acquisition, and equal turns for all students.

As part of culturally responsive instruction, teachers may explore with their classes the ways in which students and their families use literacy at home and in the community (Au, 1993) or in their former schooling experiences. For instance, well-educated Mexican students will start a narrative with long sentences filled with flowery language. To them, it is an insult to start with a succinct topic sentence. The topic is not typically approached until the elaborate introduction is complete. Korean students tend to use more inductive logical structures, putting details first and working up to a conclusion. Their style may appear indirect and unconvincing in their arguments to teachers unfamiliar with such a rhetorical approach. Arabic students, who also love long descriptions, may be seen as digressing. The Vietnamese students also focus more on setting the scene than on developing the plot (Trumbull & Sasser, 2000). These cultural mismatches might raise false impressions about the students’ writing abilities. Thus, teachers who are unfamiliar with cultural variations such as these might want to begin the class activities to discover the variations in the class. An ample variety of multicultural literature will motivate students to write and can serve as templates for writing.

The balance between feeling successful and meeting standards in writing hinges on the instructional process and the classroom climate. Vocabulary and oral language development are an integral part of writing and it flourishes in a safe community of learners and with culturally responsive instruction.

STRATEGIES THAT WORK IN A BILINGUAL CLASSROOM

- English learners (ELLs) and Spanish Learners (SLs) (or other languages) need to be immersed in text.
- ELLs and SLs (or other language learners) need to receive many demonstrations of how texts are constructed and used.
- Larger blocks of uninterrupted teaching and learning time are needed.
- Instead of individual tasks or long tables, the classrooms should be furnished with tables or teams of four.
- Instead of multiple copies of a single text, have four copies of multiple texts from a variety of genres.
- Each teacher owns an extensive repertoire of reading strategies (from decoding to comprehension).
- Teacher mediation and per support are used in the development of reading for meaning, especially the problem-solving strategies that under gird independent reading.
- Literacy development, including the learning of strategies, should occur during functional, meaningful, and relevant language use.
- Risk taking is an essential part of language learning. Learners should be encouraged to predict, share prior knowledge, argue a point, make mistakes, and self-correct.
- Careful placement of students must ensure they have the appropriate reading material that challenges but does not frustrate them.
- Opportunities to practice and apply skills learned as they read extended text should follow and text reading.
COMPREHENSION STRATEGIES IN DUAL LANGUAGE PROGRAMS

The teacher's delivery of information or instructions can either be a hurdle or a clear path to student success. Teachers can facilitate comprehension, regardless of the difficulty of the text or subject matter. Teachers can use a combination of the following strategies to help second language learners comprehend without having to resort to translations:

- Slower but natural rate of speech and clear enunciation, being careful not to raise volumes.
- Simpler and shorter sentences to explain a process or a concept.
- Frequent communication strategies such as rephrasing, repetition, and clarification when presenting new material, explaining tasks, or conducting interactive reading of literature books.
- Verbal emphasis or writing new vocabulary, idioms, or abstract concepts on the board to facilitate comprehension during interactive reading or provide explanations to students who are at the beginning stages of comprehension in L2.

Although there are many popular children's literature trade books and basal selections, not all lend themselves to second language reading. Some are just too difficult (i.e., too many idioms, background too different) and take too much time to explain. Others are too simplistic and do not elicit rich conversations or have good story elements.

EXPANDED USE OF VOCABULARY INSTRUCTION THROUGH LEARNING LOGS

One of the main reasons second language learners do not progress quickly is that not enough time is spent on vocabulary development even when they are reading and writing in the second language. Learning logs are recommended for this. They can be used as personalized concept organizers, vocabulary dictionaries and learning tools for recording the following:

- Words and definitions
- Assignments
- Personal goals and objectives
- Words students hear or read and want to learn
- Summaries of what they read or hear
- Records of errors they want to work on
- The reasons they think they are making those errors
- Strategies that are helping them learn the content

THE ASSESSMENT OF BILINGUAL PROGRAMS

AUTHENTIC ASSESSMENT AND PORTFOLIO CONTENTS

Authentic assessment shows growth over a period of time. Authentic means that the assessment is based on activities that represent ongoing classroom instruction and real life settings. It involves teachers and students developing ways to measure language and academic progress. A key feature is the involvement of students in selecting samples of their own work to show growth and learning over time in developing ownership and assessing their own products. Second language learners would use their knowledge of two languages to have portfolios of the following:

- Writing samples in their L1 and L2.
- Reading logs to account for their proficiency in two languages.
- Drawings representing their learning and proficiencies.
- Audiotapes and/or videotapes of their linguistic input in L1 and L2.
- Teacher and student comments on progress made by the student related to his or her content and language learning.
- Show, model, or demonstrate samples of exemplary benchmarks, of what good work looks like, and of work that is not exemplary so that students and their parents, teachers and administrators have a clear idea of how their work will be evaluated (e.g. samples of student performance from previous years).
In a state mandated study of exemplary schools serving the state’s linguistically and culturally diverse students, several key attributes were common (Berman, 1992). These features included:

1) Flexibility – adapting to the diversity of languages, mobility, and special non-school needs of these students and their families.

2) Coordination – utilizing sometimes scarce and diverse resources, such as federal and state monies and local community organizations, in highly coordinated ways to achieve academic goals.

3) Cultural validation – schools validate their student’s cultures by incorporating materials and discussions that build on the linguistic and cultural aspects of the community.

4) A shared vision – a coherent sense of who the students are and what they hope to accomplish led by a school’s principal, staff, instructional aides, parents and community (Berman, 1992).

The three more recent “effective-exemplary” analyses of schools that serve high percentages of linguistically and culturally diverse students nationally are worthy of mention (Thomas and Collier, 1995). Three key factors are reported as significant in producing academic success for students in studies of five urban and suburban school districts in various regions of the United States. The studies focus on the length of time needed to be academically successful in English and consider factors influencing academic success, such as the student, program, and instructional variables. These studies include 42,000 student records per school year from 8 to 12 years of data from each school district.

1) Cognitively complex academic instruction through students’ home language for as long as possible and through second language for part of the school day.

2) Use of current approaches to teaching academic curriculum using both students’ home language and English through active, discovery, and cognitively complex learning.

3) Changes in the sociocultural context of schooling, such as integrating English speakers, implementation of additive bilingual instructional goals, and transformation of minority/majority relations to a positive plane (Thomas and Collier, 1995).

COMMON ERRORS IN ASSESSING ENGLISH LANGUAGE LEARNERS

An issue of inequity has been a concern spoken about in many schools when English language learners are assessed too soon in their academic English development. Research has demonstrated that it takes at least five years for an individual to develop the academic language skills in English (Collier & Thomas, 2001). If second language learners are tested in their L2 before they are ready, standardized tests are doing a disservice and underestimating the students’ potential. Dual language programs need assessment procedures that account for the development and use of two languages for instruction when teaching second language learners. Multiple choice tests are not adequate to assess the full range of higher order thinking skills considered important in today’s curriculum (Solomon, 2002). These tests do not account for the linguistic abilities present in a dual language setting. Standardized tests do not represent what and how students learn. They have emphasized the assessment of discrete skills, have been detrimental to the holistic understanding of how the student performs in a dual language setting, and do not contain authentic representations of classroom activities (Arter & McTighe, 2001; Oller, 1997).

Wheelock, Bebell and Harvey’s (2002) interpretations of children’s drawings about their experiences with high stakes testing suggests significant problems with anxiety, anger, hostility, boredom, sadness, and loss of motivation. If this were the documented outcome in a specific case of parenting, we would have no problem calling it child abuse and emotional maltreatment.

NEED TO IDENTIFY LEVEL OF LITERACY IN L1 AND ADJUST INSTRUCTION APPROPRIATELY

As mentioned before, the higher threshold of literacy in another language, the easier it is to transfer those skills into English (August & Hakuta, 1997; Cummins, 1981). In many cases, it is more beneficial for the student to receive instruction in the primary language (L1); in other cases, the student might be ready to be instructed in the second language (L2). If the student is assessed and found to have a high threshold level of literacy in the primary language, that student will be able to develop literacy in L2 in a much shorter timeframe than a student who tested at a low level in L1. This is possible because skills
taught first in L1 transfer into the second language (L2) and facilitate faster learning of L2 (August et al, 2002). When second language learners are integrated, a different approach must be taken to ensure that it is not a sink-or-swim situation for any of them.

Dual language programs cannot be superimposed on existing structures or mind sets (Calderon, 2001a, 2001b). Since they are not remedial programs or compensatory or subtractive ones, they need a whole school reform setting. Dual language programs need a new structure, schools and/or districts need to start all over.

In observations conducted throughout New York City Schools, teachers have said the following: “I’m afraid to elicit higher order discussions in Spanish because I don’t know enough vocabulary.” Or, “If it’s not in the manual, I’m afraid of asking questions in Spanish”. Or “We don’t have enough math books in Spanish, so we use key terms in English and I let the students explain it to the other students.” Observations in quite a few classrooms overwhelmingly revealed a gamut of spelling and grammatical errors in the teachers’ and students’ work that were posted, as well as in the teachers’ instructional delivery. Simple phrases on the board or charts with instructions for the students contained spelling errors and lacked accents for the most part.

SOCIAL JUSTICE AND LINGUISTIC HUMAN RIGHTS IN DUAL LANGUAGE PROGRAM CURRICULUM PROPOSAL

It is important to understand that dual language programs should do justice to both languages and cultures based on a strong program design and implementation (Calderon, 2001a, 2001b). The curriculum involves thematic units that stress issues important in the students’ lives. Skutnabb-Kangas (2000, 2002) and Crawford (2002) remind us that the United States is only one of many nations that must deal with issues of students coming to public schools not speaking the schooling language. In particular, the United Nations has spoken directly to the rights of a minority group to its language:

Prohibiting the use of the language of a group in daily discourse or in schools or the printing and circulation of publications in the language of the group falls within the agreed upon constraints regarding linguistic genocide (United Nations, Convention on the Prevention and Punishment of the Crime of Genocide, e794, 19848)

Consequently, dual language programs are

• NOT subtractive. These programs promote native language literacy skills and balanced bilingualism.
• NOT remedial programs. These programs are quality programs designed for standards based education while promoting proficiency in two languages.
• NOT compensatory programs. These programs educate first class students who are able to achieve at the highest levels and who are bilingual. These programs need to be at the core of school and/or district efforts.
• NOT superimposed on traditional school or district structures or on an infrastructure that was set up for an existing bilingual program. The structures need to be re-orchestrated, redesigned, and integrated to make time for and do justice to the two languages.
• NOT superimposed on existing mind sets of an “enrichment” versus a “remedial” model.

TWO DUAL LANGUAGE PROGRAM MODELS AND THEIR EFFECTS

Thus far, there are two types of models being used: 90-10 (in which 90% of the academic content is given in the student’s native tongue and 10% in the other language). For the purposes of this paper, the native tongue will be designated as Spanish and the other language as English. As time goes by, the percentages fluctuate, with the following year giving 80% of the time dedicated to academic knowledge given in the student’s native tongue and 20% in the other language and so on and so forth. There is another type of program where the academic content is given in the student’s language for 50% of the time and the other 50% of the time it is done in the other language. This remains constant from kindergarten and up. The most popular one at the moment is 70-30. Formal instruction in reading in English is conducted at the third grade level. By fourth, fifth and sixth grades, time of instruction in both languages becomes 50-50. Lindholm-Leary (2001) found differences in some components as follows:
• Students in the 90-10 program models developed higher levels of bilingual proficiency than students in the 50-50 program
• Students in the 90-10 model developed higher proficiency in Spanish than those in the 50-50 model

THE SIZE OF TRAINING POOL CHALLENGE

Many practitioners still do not understand that if bilingual students attain only a very low level of proficiency in one or both of their languages, their interaction with the environment through these languages in terms of input and output is likely to be impoverished (Buttaro, 2004, 2005; Cummins, 1981, 1984). Even if the plan was to implement only one grade level per year, it was and still is important to include all mainstream and bilingual teachers, librarians, and staff from the onset. Everyone must be given an opportunity to study the features, voice concerns, and assist in the overall design.

Teachers feel more professional when their schools provide structured time to work together on professional matters such as planning instruction, observing each other’s classroom, and providing/receiving feedback about their teaching (Darling-Hammond, 1996) and in constructing their own professional development activities (Calderon, 1991).

Evidence strongly suggests that in dual language programs, bilinguals exit at a critical point that does not allow them to develop more fully their native language literacy and higher cognitive skills that could translate into higher achievement in English only classes (Slavin & Calderon, 2001; Spener, 1988). Forcing newcomers to make personal choices of language and culture often affects their self esteem, motivation and ability to learn English and the academic curriculum (Echevarria, Vogt, & Short, 2000). Bilinguals also report a tendency to switch to the more comfortable language when talking about a specific topic (Zentella, 1997); for some this might be L1 (the first language), but not necessarily, since some bilinguals become dominant in L2 (the second language).

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