



Bilingual Education in the United States: A Bumpy Road

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NYS Bilingual Education Association

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The Bumpy Road

Permissive

Restrictive

Opportunistic

Dismissive

Uncertainty



Periods in Bilingual Educational History

- **Permissive:** 1700 – 1800
- **Restrictive:** 1800 – 1945
- **Opportunistic:** 1946 – Early 1980's
- **Dismissive:** Early 1980's – 2016
- **Uncertainty:** 2016 and Beyond



1700 – 1880: Permissive

- English was not a pre-condition to be an American
- Multilingualism was valued
- Schools used native language for instruction
- 1840 – First bilingual school established in Cincinnati, Ohio (German-English)



1880-1945: Restrictive

- 1880's – Anti-Catholic immigration laws
- 1882 – Chinese Exclusion Act
- 1905-1924 – Laws restricting Japanese immigration
- 1906 – Nationality Act – requires all immigrants seeking naturalization to speak English



1880-1945: Restrictive

(continued)

- By 1923 – 34 states had laws mandating English-only instruction
- 1929 – President Hoover uses the Mexican people as scapegoats for the Great depression
- 1940's – expansion of English as a second language programs

1946-Early 1980's:

Opportunistic

- 1946 – school districts cannot segregate on the basis of national origin (*Mendez v. Westminster*)
- 1954 – schools cannot segregate on the basis of race (*Brown v. Board of Education*)
- 1958 – National Defense Education Act

1946-Early 1980's:

Opportunistic (continued)

- 1963 – first modern bilingual education program established at Coral Way Elementary School in Miami, Florida
- 1964 – Title VI of Civil Rights Act

1946-Early 1980's:

Opportunistic (continued)

- 1965 – Immigration and Nationality Act eliminates quotas placed on non-Western hemisphere countries
- 1968 – Bilingual Education Act
- 1971 – Massachusetts became first state to mandate bilingual education
- 1972 – *Aspira v. Board of Education* (New York City)

1946-Early 1980's:

Opportunistic (continued)

- 1974 – *Lau v. Nichols*
- 1974 – Equal Education Opportunity Act
- 1975 – OCR *Lau* Remedies - districts refusing to establish bilingual program were not eligible for federal funding

1946-Early 1980's:

Opportunistic (continued)

- 1981 – *Castaneda v. Pickard* - established a three-part assessment for determining how bilingual education programs would be held responsible for meeting the requirements of the Equal Educational Opportunities Act of 1974.



Early 1980's-2016: Dismissive

- 1981 – Constitutional amendment to make “English the sole official language” introduced by S. I. Hayakawa
- 1981 – *Lau* protections regarding eligibility to receive federal funds are withdrawn
- 1982 – *Plyer v. Doe*



Early 1980's-2016: Dismissive

(continued)

- 1998 – Proposition 227 passes in California to eliminate bilingual education
- 1998-2002 – multiple states pass anti-bilingual education laws (Arizona, Colorado, Massachusetts, etc.)



Early 1980's-2016: Dismissive

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- 2002 – No Child Left Behind Act (NCLB):
 - Replaces Office of Bilingual Education with Office of English Language Acquisition
 - Requires achievement accountability of ELLs – progress and proficiency



2016 and beyond: Uncertainty

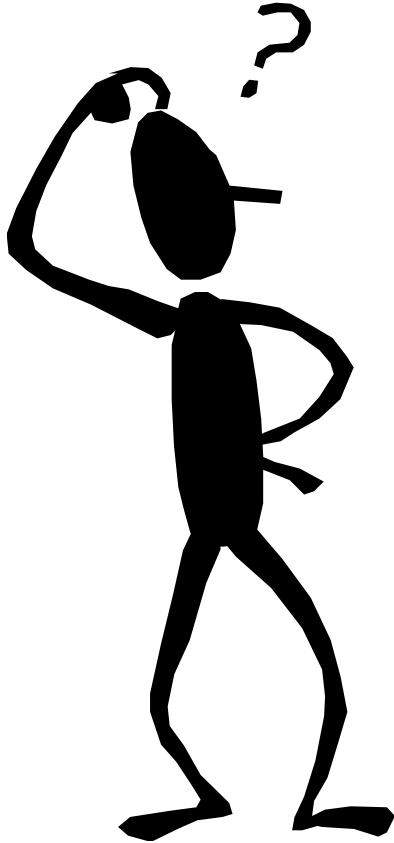
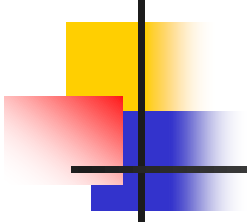
- 2016 – Proposition 58 passes in California – repeals English only instruction requirements of Proposition 227 allowing bilingual instruction in California again
- 2016 – Every Student Succeeds Act (ESSA) passes
 - ELL accountability left to the States



2016 and beyond: Uncertainty

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- 2016 – Donald Trump elected president
- 2017 – Betsy DeVos appointed Secretary of Education
 - ESSA regulations frozen pending review
 - US Education Department to be reorganized
 - Some USED offices to be eliminated



Reflections?
Questions?



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