
California Bilingual Education: From “Great Society” to “Save Our State”

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In 1969 Diana and her eight classmates were moved from their Soledad Unified School District classrooms down the hall to the Special Education classroom. The students had been issued the standard IQ test by the school psychologist because they had trouble learning. They were young Spanish-speaking children, and it was difficult for them to understand the questions the school psychologist had asked in English about things they had only seen on television. The test results had determined they were Educable Mental Retarded (EMR), and their focus on academic curricula changed to learning social and functional skills. These nine Spanish-speaking kids were emblematic of a generation of 1960s children placed in EMR classrooms based on the results of IQ testing. The IQ tests largely consisted of verbal responses to questions conducted in English with questions on cultural knowledge unfamiliar to many poor children. After parents complained and sued, the court ordered the children to be tested again in Spanish, and eight of the nine returned to the general population. The 1970 ruling in *Diana v. State Board of Education* resulted in all English Language Learner (ELL) students in California be retested in their primary language to avoid EMR misclassification.¹ This court case was one small chapter in thirty years of development of bilingual education across California. Began during an era of great optimism with the signing of the 1964 Civil Rights Act by President Lyndon Johnson and ended with the passage of the highly polarized Proposition 227 sponsored by California Governor Pete Wilson in 1998.

In the November 2016 election, 73% of the electorate overwhelmingly supported California Proposition 58.² This

¹ Jennifer Hurstfield, "The Educational Experiences of Mexican Americans: 'Cultural Pluralism' or 'Internal Colonialism?'" *Oxford Review of Education* 1, no. 2, (1975), 146. Also note, ELL students at the time were referred to as Limited English Proficiency (LEP) students.

² "2016 California Ballot Measures Election Results," Politico, <http://www.politico.com/2016-election/results/map/ballot-measures/california/>.

proposition restored bilingual education in California after a twenty-year hiatus since the passage of Proposition 227. The thirty-year struggle to establish bilingual programs spanned three decades: started in the 1960s with federal civil rights legislation, solidified during the 1970s and 1980s in a series of court cases and legislative remedies, and ended in the late 1980s and 1990s by a series of racially charged ballot initiatives. By 1998, the need for bilingual education to educate the large and growing population of Spanish-speaking students had become lost within other societal issues such as illegal immigration and forced assimilation into Anglo U.S. culture versus Latino cultural preservation. Decisions on bilingual education that should be made by educators based on sound rationale were instead overtly politicized in a pursuit of interest by various social groups.³ For school districts, these changes resulted in dramatic shifts in policies that had massive impact on a generation of teachers and students.

Based on numbers of ELL students, one of the school districts most in need of bilingual education was the Los Angeles Unified School District (LAUSD), which is the second-largest in the nation. Old demographic projections of Latino population growth have now been realized, with 73% of current LAUSD students now Latino. One in five LAUSD students is an ELL student, and the vast majority of LAUSD ELL students are Spanish-speaking (93%).⁴ This research will review the earliest period of bilingual education with a focus on LAUSD and the viewpoints of the various social groups who supported and opposed the changes in an instructional technique. It will include examining the changing historical context for bilingual education, the shifts in LAUSD ELL demographics, the important milestones, and the shifting boundaries between social groups.

³ Diane Ravitch, "Politicization and the Schools: The Case of Bilingual Education," *Proceedings of the American Philosophical Society* 129, no. 2 (1985), 121-28.

⁴ "Fingertip Facts 2019-2020," LAUSD, Accessed May 19, 2019, <https://achieve.lausd.net/facts>.

1964-1974: Era of Optimism

Bilingual education programs had their roots in an era of high-minded idealism during the civil rights movement of the 1960s. Events of the period dramatically played out in nightly television newscasts: daily updates of casualty figures from Vietnam, anti-war protests in the streets, civil rights violence, and the assassinations of John Kennedy, Martin Luther King, and Robert

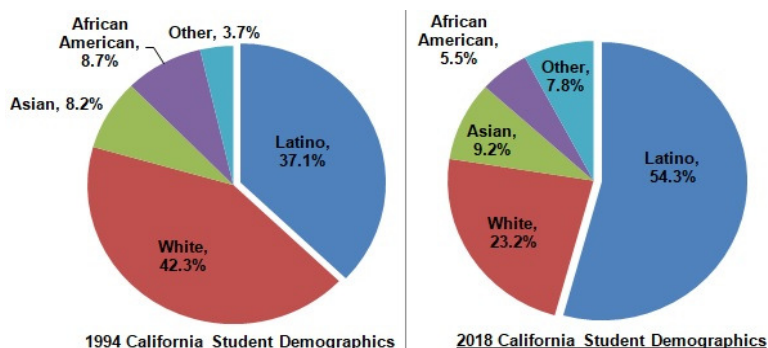


Figure 1. California Public School Demographic Change
 Data Source: As cited on kidsdata.org, Calif. Dept. of Education

Kennedy. It was a progressive era of politics that initially targeted social justice issues for blacks in the south, which soon branched off to include bilingual education. President Johnson proposed a suite of Great Society programs whose purpose was to address poverty and racial injustice. Bilingual education resulted from a push at the federal level down to the state level which directly manages education. There was slow but steady progress starting with Title VI of the Civil Rights Act of 1964, followed by the 1968 Title VII Bilingual Education Act, and eventually the passage of AB 2284 in 1972 to provide the first California state funding for ELL students. The interest groups in bilingual education at the time were limited to ELL students, their parents, education academics, and politicians. There was a recognized educational need at the bottom and good leadership at the top, but there was very little substance in the middle to provide meaningful funding that would put the necessary detailed policy changes for bilingual programs into place. It was during this time that legal advocacy groups formed, with the support of civil rights groups, to become the vanguard of efforts to push bilingual education forward in the early 1970s.

The events surrounding the 1963 civil rights campaign led by Martin Luther King in Birmingham, Alabama held the attention of the entire world with nightly images on television of police using fire hoses and attack dogs on nonviolent demonstrators. President Kennedy reacted to this with a nationwide television address that called on Congress to enact proposed legislation that eventually became the 1964 Civil Rights Act signed by Johnson.⁵ The concern for civil rights violations extended to ELL students based on Title VI language of the Civil Rights Act that prohibits discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.⁶ All fifty states receive Department of Education funding, and the Office for Civil Rights (OCR) had been created to enforce these Title VI requirements. The wide scope of the language in Title VI had seemed inconsequential during the congressional debate that focused on school desegregation in the south. Title VI did not generate funding, but when the Elementary and Secondary Education Act (ESEA) passed in 1965 as part of Johnson's "War on Poverty," it became more salient by raising the federal education budget for the southern and border states from \$176 million in 1964 to \$766 million in 1966.⁷ As a result, the broad Title VI language and backing of significant ESEA funding set the stage for bilingual education to become an important extension to the civil rights issues that had been the impetus of Johnson's Great Society programs.

While these legislative events were unfolding in Washington D.C., the controversy over IQ testing of children was occurring in California. During discussion of the federal legislation in 1967, Governor Ronald Reagan, to curry favor with Latino voters, signed Senate Bill 53 which overturned an 1872 State Education Board statute that required schools to carry out instruction in

⁵ "Radio and television address on civil rights, 11 June 1963," John F. Kennedy Presidential Library and Museum, <http://www.jfklibrary.org/Asset-Viewer/Archives/JFKPOF-045-005.aspx>.

⁶ "Education and Title VI," U.S. Department of Education, Office for Civil Rights, <https://www2.ed.gov/about/offices/list/ocr/docs/hq43e4.html>.

⁷ Erica Frankenburg and Kendra Taylor, "ESEA and the Civil Rights Act: An Interbranch Approach to Furthering Desegregation," *RSF: The Russell Sage Foundation Journal of the Social Sciences*, 1, no. 3, (December 2015), 32-36.

English. The following year a lawsuit filed in Santa Ana, California had the same features and arguments of the *Diana* controversy.⁸ The *L.A. Times* reported the lawsuit argued students with Spanish-surnames made up 23% of the Santa Ana School District population, but 53% of the EMR students. In addition, the suit contended the difference was the result “of tests that failed to take account of plaintiffs’ bilingual and bicultural ability.”⁹ The numbers provided in the article indicate Mexican-American students were five times more likely than Anglo students to be classified as EMR. Attorneys for the Mexican-American Legal Defense and Educational Fund (MALDEF) had filed the case, which was reported to be the first of its kind in the state.¹⁰ MALDEF was founded in 1967 with a \$2.2 million donation from the Ford Foundation to fight in the courts for the Latino community, and they soon became the most politically important Latino community advocacy group.¹¹ Other advocacy groups involved in this case included an affiliate of the NAACP Legal Defense and Educational Fund who financed the suit, legal assistance provided by the Western Center on Law and Poverty, and coordination with the Mexican American Political Association (MAPA) who was advocating for bilingual education across California. All of these advocacy groups were going to become instrumental in events of the legislative era. The *L.A. Times* article also mentions a lack of adequate bilingual resources, in this case an additional Spanish-speaking staff psychologist, a finding which would later become a major issue in the bilingual education debate. Two years after the Santa Ana district-level case, the often-cited 1970 *Diana v. State Board of Education* was decided at the state level that mandated testing be conducted in the student’s primary language.

⁸ Gareth Davies, “The Great Society after Johnson: The Case of Bilingual Education,” *The Journal of American History* 88, no. 4 (2002), 1421. Davies provides discussion of the *Diana v. State Board of Education* case and its importance within the context of the time period.

⁹ Herman Wong, “Latin parents charge student misplacement,” *Los Angeles Times*, June 8, 1968, C4.

¹⁰ Herman Wong, “Major Changes Loom for Bilingual Schooling,” *Los Angeles Times*, September 8, 1969, B1.

¹¹ Gareth Davies, “The Great Society after Johnson,” 1417-1418.

At the federal level in 1967, Senator Ralph Yarborough of Texas, to gain Latino votes for his reelection bid, submitted a bilingual education bill that amended the 1965 ESEA to specifically address the educational needs of children of limited English-speaking ability. The initial version submitted was limited to Spanish-speaking students and made recommendations to teach Spanish as a primary language, and English as a secondary language to give students an appreciation of their culture. This bill resulted in thirty-seven additional bills that were all merged into one measure to become the landmark Title VII of the ESEA, better known as the 1968 Bilingual Education Act. This bill was the first to recognize that ELL students had special needs, and that bilingual programs needed to be federally funded.¹² The Bilingual Education Act directly addressed the “national origin” language in Title VI by providing funding for staff and materials to students with limited English skills. The text of the bill did not specify any particular instructional method to address this “unique and perplexing educational situation” but relied on school districts to “develop forward-looking approaches.”¹³ Witnesses for the bill at the Senate hearing were very supportive, little controversy emerged, and the bill passed easily.

Interestingly enough, President Johnson signed the bill but was not supportive due to budget concerns, and he only recommended allocating \$5 million for the 1969 fiscal year. Eventually, Congress allocated \$7.5 million for 1969 to address the more than three hundred proposals submitted that had totaled \$47 million, including one from LAUSD, who was one of the finalists in the competition for these initial federal funds.¹⁴ The Bilingual Education Act was one of President Johnson’s last Great Society programs, but its future was not clear under the incoming conservative administration of Richard Nixon.

With the 1968 Bilingual Education Act, the federal government began to slowly encourage school districts to teach ELL students in their primary language. Surprisingly, by the mid-1970s under both the Republican Nixon and Ford presidencies,

¹² Gloria Stewner-Manzanares, “The Bilingual Education Act: Twenty Years Later,” *National Clearinghouse for Bilingual Education* 6 (Fall 1988), 1.

¹³ Gareth Davies, “The Great Society after Johnson,” 1407.

¹⁴ “Overcoming the Language Barrier,” *Los Angeles Times*, May 20, 1969, A8.

the Department of Health, Education and Welfare (HEW) was now *requiring* instruction using bilingual methods. Support for Title VII was strong under HEW Secretary Robert Finch of California. It initially remained a small program with funding that grew slowly from the \$7.5 million provided in 1969, to \$35 million by 1974. Nixon wanted to assemble a more diverse “New Republican Majority,” which led to him supporting several liberal policies, including bilingual education. Nixon believed he could win over traditionally Democratic Latino voters by appealing to Latino conservatism, viewing them as Catholics, family-oriented, and law-abiding. Nixon was also wooing disaffected voters with a reform program dubbed “new federalism,” which provided generous grants to the states that included bilingual education. Republican Party sponsorship of Title VII funding was a show of support to claim representation of Latino concerns. This strategy paid off for Nixon in the 1972 presidential election when he had doubled his 1968 support and won a third of the Latino vote.¹⁵ Bilingual education at the federal level had survived the transition from the Democratic Great Society program to Republican administrations.

This era of optimistic legislation at the federal level continued its slow and steady march forward to the state level with California Assembly Bill 2284 in 1972. Similar to the initial limited federal funding, this first state funding provided only \$4 million, but it was a start and there was no real opposition to these new programs. Also similar to the federal legislation, the bill provided services to ELL students, but did not require school districts to implement bilingual education programs.¹⁶

During this initial era of optimistic civil rights legislation, there were four categories of concerned parties: the ELL students and parents, academics evaluating testing techniques and teaching methodology, politicians looking for votes but reluctant to fund new programs, and legal advocacy groups who were going to be instrumental in moving the agenda forward. When the 1968

¹⁵ Gareth Davies, “The Great Society after Johnson,” 1410-1414.

¹⁶ Oscar Jimenez-Castellanos, “School Finance and English Language Learners: A Legislative Perspective,” *Association of Mexican American Educators (AMAE) Journal* (2010), 14.

Bilingual Education Act was signed, Latinos were only 20% of the LAUSD student population, but demographic projections called for huge growth over the next thirty years.¹⁷

1974-1985: Era of Implementation

Bilingual education now moved into an era of implementation as the country transitioned to the post-Vietnam period. President Gerald Ford would continue the policies of Richard Nixon to gain Latino voters as part of the “New Republican Majority,” only to be rejected in 1976 by the voters who elected Democrat Jimmy Carter to restore morality in government. In California, a young Democrat Jerry Brown replaced Ronald Reagan as governor in 1974. The Democratic Party would now be in control of implementing bilingual education in classrooms. Efforts moved from federal level to state with California taking the lead. Shifting bilingual education from initially underfunded programs to become a reality for the ELL students in LAUSD would require a combination of judicial decisions and legislative remedies. Advocacy groups sought change through legal suits in court, and applied pressure on legislators to influence policy. As a result, this legislative era of bilingual education setup realistic programs to deliver on the promises of the civil rights movement. The key milestones were the 1974 *Lau v. Nichols* case, the 1976 Chacón-Moscone Bilingual-Bicultural Education Act, and AB 507 Bilingual Education Improvement and Reform Act.

The 1968 Bilingual Education Act had not been specific about implementation, and participation of school districts was voluntary, but this would change with the 1974 *Lau v. Nichols* U.S. Supreme Court decision. This class-action lawsuit was filed on behalf of Chinese students in San Francisco, and the court ruled that schools were not providing equal opportunity of education by instructing both ELL students and English-proficient students identically. The court ruled that school districts must take action to address the English language deficiencies of the ELL students, and that the Office of Civil Rights (OCR) had the responsibility to

¹⁷ Enrique Murillo, *Handbook of Latinos and Education: Theory, Research and Practice* (New York: Routledge, 2010), 464.

ensure compliance.¹⁸ This landmark decision spurred a series of actions that included amendments to the Bilingual Education Act in 1974, guidelines issued by the OCR known as Lau remedies in 1975, and California passing the Chacón-Moscone Bilingual-Bicultural Education Act in 1976. The 1974 amendments clearly stated the English as a Second Language (ESL) programs previously used were insufficient and defined bilingual education as teaching ELL students in both English and their primary language. The 1974 amendments also doubled the Title VII federal funding to \$68 million. Furthermore, in 1974, the OCR issued the Lau remedies as guidelines to provide specific criteria for bilingual programs, including the use of a student's primary language for instruction, and avoiding segregation of students by language.¹⁹ The impact of *Lau v. Nichols* transformed bilingual education from voluntary participation by school districts into a *requirement* that bilingual education techniques would be utilized for teaching ELL students. Along with the requirement of bilingual education, the federal government provided the carrot of additional funding for school districts, and the stick with OCR auditing of compliance.

The California State Legislature responded to *Lau v. Nichols* in 1976 with bill AB 1329, known as the Chácon-Moscone Bilingual Bicultural Education Act. This bill replaced AB 2284 and declared bilingual education as a right of ELL students, and established transitional bilingual education programs, following the federal guidelines of the Lau remedies.²⁰ Assemblyman Peter Chácon later wrote that AB 1329 "required instructional programs that build upon the skills and talents the pupil brings initially to

¹⁸ Rosa Castro Feinberg, *Bilingual Education: A Reference Handbook* (Santa Barbara, California: ABC Clio, 2003), 170. This book also provides details on the nuances of ESL versus Bilingual programs on pages 5-8 that are relevant to understanding the importance of the 1974 amendments to the Bilingual Education Act.

¹⁹ Gloria Stewner-Manzanares, "The Bilingual Education Act: Twenty Years Later," 3-5.

²⁰ Oscar Jimenez-Castellanos, "School Finance and English Language Learners," 14-15.

the classroom – including his or her culture and language.”²¹ In addition to bilingual education, this bill spoke of bicultural programs to preserve the student’s heritage and ensure “continued academic growth (through the pupil’s original language when needed), to foster a positive self-image for each student and to promote cross-cultural understanding.”²²

Four years later, Chácon began promoting bill AB 507 Bilingual Education Improvement and Reform Act to update and strengthen the 1976 act. This legislation required school districts to provide bilingual programs at schools with more than ten ELL students in the same grade, outlined teacher qualification requirements, and specified types of acceptable programs.²³ AB 1329 and AB 507 reified bilingual education in California, with detailed requirements to make bilingual programs a reality at LAUSD schools and expanded the scope to include cultural preservation. The goals of the Bilingual Education Act of 1968 had become a reality for California ELL students, but soon other issues began to influence the debate.

Along with the establishment of the bilingual programs, competing concerns arose that included school bussing, teacher certification, and opposition to governmental support of what some segments of the population felt was an alien culture. Although the battle over desegregation of Los Angeles schools began with the black community in the early 1960s, the implementation of bussing did not start until just after the Chácon-Moscone Act. The discourse over desegregation and bilingual education became linked as LAUSD attempted to address both issues at the same time. The Latino community was concerned with bussing, but this was of secondary importance relative to bilingual education. As one Latino father said, “I don’t like it, but if that’s the way it has to be in order for my children to get an

²¹ Peter Chácon, “The California Program Has Had Great Success and Should Be Continued,” *Los Angeles Times*, August 12, 1979, F3.

²² Chácon, “The California Program,” F3.

²³ Oscar Jimenez-Castellanos, “School Finance and English Language Learners,” 17.

education, then so be it.”²⁴ Many Latino parents did not support bussing, but they were united in their desire to continue the educational development of their children using Spanish and preserving their cultural roots.²⁵

The need for more bilingual teachers was another issue that surfaced. By 1979 LAUSD had identified the need for 13,000 bilingual teachers, but there were only 4,800 bilingual teachers certified, with another 4,300 non-teachers working under a waiver system as bilingual teacher aides.²⁶ A split in the teacher community arose when some teachers complained that bilingual education was being used to protect jobs for a select minority in a time of a competitive job market. From their perspective, this was a fight over jobs.²⁷ These heightened tensions within the teacher community, with some claiming this was an affirmative action program for Latino teachers.²⁸ Most teachers were not bilingual, and many were unhappy about being pressured to return to school to get certified. As one teacher complained, after “all my time and trouble,” all they received was a certificate and a twenty-dollar mandatory fee to be paid to the state.²⁹

As the era of implementing bilingual education began providing ELL students with primary language instruction, new problems arose having nothing to do with educating students. The need for bilingual education was clear as the LAUSD ELL population had now grown to almost 100,000 children, representing almost 18% of the district. With Latino students comprising 42% of LAUSD’s 540,000 students in 1980, the demographic projections were holding and indicated the ELL population would continue to rapidly rise.³⁰ Although both

²⁴ Marita Hernandez, “Language Key Concern: Split on Bussing, Latinos United on Bilingual Issue,” *Los Angeles Times*, September 20, 1980, A1.

²⁵ Hernandez, “Language Key Concern,” A23.

²⁶ Claudia Luther, “Bilingual Education in State a Crossroads,” *Los Angeles Times*, December 24, 1979, A12.

²⁷ Gaynor Cohen, “The Politics of Bilingual Education,” *Oxford Review of Education* 10, no. 2 (1984), 231-32.

²⁸ Rachel F Moran, “Bilingual Education as a Status Conflict,” *California Law Review* 75, no. 1 (1987), 323-324.

²⁹ Luther, “Bilingual Education in State a Crossroads,” A12.

³⁰ Hernandez, A1, A23.

education academics and Latino community members believed bilingual education was important to achieving equality in education, many Anglo parents saw bilingual education as divisive and a “perceived threat that minorities are going to take over.”³¹ Many of these parents were especially concerned with government intentions for cultural preservation, mainly because they believed assimilation into the dominant Anglo culture was necessary for Spanish-speaking children to become good U.S. citizens.³² In 1979, Democratic state senator Albert Rodda expressed the position of many who had supported bilingual education legislation and were now experiencing buyer’s remorse when saying, “I told these Chicano legislators, I said ‘you know what’s happening? It’s a backlash. If you persist on what you’re doing without any willingness to achieve some compromise, you’re going to become counter-productive.’”³³ Bilingual education for California ELL students had been established and would continue to solidify during the 1980s, but severe backlash was about to ensue as conservative voices reasserted cultural hegemony.

1986-1992: Opposition Begins

By 1982, the mood of the country had shifted to the right with Ronald Reagan in the White House and George Deukmejian as Californian Governor. This change in the political atmosphere would usher in an era of nativist opposition to bilingual education. Within California, this was the start of sixteen years of Republican Deukmejian and Wilson governorships that were either unfriendly, or outright hostile to bilingual education. After the recession of 1981-1982, there was both a rise in unemployment and a rise in Latino and Asian immigration. This combination resulted in a predictable wave of anti-immigration sentiment that soon spilled over as opposition to bilingual education. Nativist sentiments began to coalesce across the nation with attempts to modify constitutions with “English Only” initiatives. The events that defined this period of rising opposition to bilingual education were the 1986 Proposition 63 “English is the Official Language of

³¹ Hernandez, A3.

³² Cohen, “The Politics of Bilingual Education,” 225.

³³ Luther, “Bilingual Education in State a Crossroads,” A12.

California” state constitution amendment, and the 1987 sunset of the Chácon-Moscone Bilingual-Bicultural Education Act. For the time being, bilingual education would continue as a reality for ELL learners. However, the events of the late 1980s would sow the seeds of racial division within California that would eventually spell the end of the programs for the next generation of ELL students.

Senator S.I Hayakawa was a Canadian-born English professor of Japanese ancestry that became the leader of a nativist cause in the U.S. Hayakawa became concerned that the supremacy of English in the country was under threat and was a key source of division in the nation. As a senator, he attempted in 1981 to amend the U.S. Constitution to declare English as the official language of the nation. After this effort failed, he created an organization titled U.S. English, whose members largely consisted of individuals working to curb immigration, English-only speaking school teachers, and first-generation immigrants who had successfully learned English as a second language.³⁴ U.S. English lobbied for legislation at the state and local level, with their only concrete complaint being the printing of ballots and other government forms in additional languages. In California, their efforts put Proposition 63 on the 1986 ballot. The symbolic measure added Section 6 to Article III of the state constitution to declare English as the official language of California and to prohibit the passage of state legislation that could “diminish or ignore the role of English as the common language of the State of California.”³⁵ Susannah MacKaye details how Proposition 63 was used to establish U.S. national identity via language to distinguish who belonged and who did not. She provided examples of Proposition 63 supporters describing their feelings as “I and scores like me am sick to death of immigrants, especially Latinos, who usurp our hospitality” and who “purposely neglect English because they have no intention of being integrated into the American

³⁴ Moran, “Bilingual Education as a Status Conflict,” 331-332.

³⁵ “California Proposition 63, English is the Official Language Amendment (1986),” Ballotpedia, [https://ballotpedia.org/California_Proposition_63,_English_is_the_Official_Language_Amendment_\(1986\)](https://ballotpedia.org/California_Proposition_63,_English_is_the_Official_Language_Amendment_(1986)).

mainstream.³⁶ Opponents responded that this attack on language was actually instead an attack on ethnicity, and consisted of thinly veiled racism.

In an environment of high unemployment and rising immigration, it is not surprising that Proposition 63 passed by a wide margin beyond emboldened racial divisiveness. Legislative supporters said they would move next to target bilingual education to “preserve and enhance English” but did not follow up with any real effort to make changes.³⁷ The addition of Section 6 had no negative impact on existing federal or state legislation related to bilingual education. It did not prevent the state from printing ballot materials and forms in other languages, and nativists were satisfied to repeat these symbolic changes in several state and local constitutions with a similar lack of consequence.³⁸

Latinos had surprisingly voted for Proposition 63 by a large margin of 58%. An *L.A. Times* article describes a poll taken after the election to explain the puzzling results of Latino support for the measure.³⁹ The poll identified that one problematic segment of support of the proposition was a large group of uninformed Latino voters. In general, the poll respondents did not have much knowledge of the proposition, what effects it may have, and many believed English was already the official language of the U.S. The poll also revealed the same group of Latinos that supported the measure also supported bilingual education and printing ballots in other languages. The issue of assimilation versus cultural preservation had become oddly linked to opinions on bilingual education by both nativists and within the Latino community.⁴⁰ Many first-generation immigrants became vocal supporters of Proposition 63 because they strongly felt learning English provided access to the larger U.S. society. A bicultural specialist

³⁶ Susannah D. A. MacKaye, "California Proposition 63: Language Attitudes Reflected in the Public Debate," *The Annals of the American Academy of Political and Social Science* 508 (1990), 135-46.

³⁷ Carl Ingram, "Prop. 63 backers aim at bilingual education," *Los Angeles Times*, November 24, 1979, A12.

³⁸ Moran, "'Bilingual Education as a Status Conflict,'" 354-357.

³⁹ William Trombley, "Latino Backing of 'English-Only' a Puzzle," *Los Angeles Times*, October 25, 1986, A5.

⁴⁰ Trombley, "Latino Backing of 'English-Only' a Puzzle," A5.

explained that most first-generation Latinos “are just trying to survive ... even if it means giving up their culture and giving up their language.”⁴¹ This group was supplemented by Latinos who had assimilated and now had a solid foothold in the economy. Their attitude was, “My parents did [it], why can’t these kids do it?”⁴² Both of these groups wanted to differentiate themselves from other Spanish-speaking immigrants by being able to say, “I’m different than those newcomers.”⁴³

Less than two months after Proposition 63 passed, AB 2813 was passed by the legislature to extend the Chácon-Moscone Act scheduled to sunset on June 30, 1987. This bill was sent to Governor Deukmejian for signature along with 170 other measures to beat the annual deadline at the end of September.⁴⁴ The Governor vetoed the bill despite broad support from Democrats, some Republicans, school officials, League of Women voters, the California Board of Education, and MALDEF. The Governor did not make any comment on bilingual education directly in his veto message, but he did note that state spending was nearing a limit set by voters in 1979. To address this, he needed to eliminate state funding on special category programs such as those for gifted, handicapped, and ELL students.⁴⁵ Governor Deukmejian’s veto was a major setback in support of bilingual education by California and signaled a new direction for the state. Despite the veto, many local school districts attempted to continue programs per Chácon-Moscone even though they were not required to do so by the state legislature.⁴⁶ The veto of AB 2813 and nativist political support of Proposition 63 marked the end of state-level sponsorship of new bilingual education legislation in California.

The 1980s began with the establishment of concrete bilingual education programs, but by the end of the decade, there was

⁴¹ Trombley, A5.

⁴² Luther, “Bilingual Education in State a Crossroads,” A3.

⁴³ Trombley, “Latino Backing of ‘English-Only’ a Puzzle,” A5.

⁴⁴ Richard Paddock, “Deukmejian Vetoes Bill on Bilingual Education,” *Los Angeles Times*, October 1, 1986, 15.

⁴⁵ Paddock, “Deukmejian Vetoes Bill on Bilingual Education,” 15.

⁴⁶ Jimenez-Castellanos, “School Finance and English Language Learners,” 15.

growing uncertainty for ELL students who comprised almost 30% of the 660,000 LAUSD total student population.⁴⁷ Most of the district's bilingual teachers worked in South and East Los Angeles schools, which was the source of most students being bused. They were bused to schools in the Westside and San Fernando Valley, where there was a lack of bilingual teachers. Xenophobic concerns with rising immigration and high unemployment had coalesced in support of passage of the "English Is the Official Language of California Amendment." There were insufficient numbers of certified bilingual teachers and push back from many English-only speaking teachers despite a new \$5,000 pay bonus. Bilingual aides were being shifted from classroom to classroom, leaving ELL students without consistent support for much of the day. As one teacher expressed her frustration, "you know they're not getting anything. You feel so guilty, but your back is against the wall."⁴⁸ The era of rising opposition along with the Governor's veto began to reverse twenty years of developing bilingual education programs, and left school districts to fend for themselves to meet ELL student needs.

1993-98: Race Politics Ends Bilingual Education in California

The era of race politics that would dismantle bilingual education would begin after Deukmejian completed his second term. The California governorship would stay in Republican hands with the election of Pete Wilson in 1990. Ron Unz, a fellow Republican who ran against Pete Wilson in 1994, noted Pete Wilson ran in 1990 as a moderate candidate with pro-Latino themes. Wilson had carried 47% of the Latino vote, which was typical of Republican support over the past 20 years.⁴⁹ In the next decade, Pete Wilson would cost the Republican Party future Latino support with his use of Proposition 187 "Save Our State" in his 1994 reelection bid, followed by support of Proposition 227 "English Language in Public Schools Statute" in 1998. By 1994, Latinos clearly understood they were the target of these initiatives.

⁴⁷ Sandy Banks, "L.A. Schools Are Frustrated by Big Bilingual Woes," *Los Angeles Times*, November 21, 1989, A25.

⁴⁸ Banks, "L.A. Schools Are Frustrated by Big Bilingual Woes," A25.

⁴⁹ Ron Unz, "How the Republicans Lost California," *Wall Street Journal*, August 28, 2000, A18.

They became unified in their opposition to both propositions, but it was too late to stop the nativist sentiments in the majority-white electorate of the state. Race politics had gained increasing support in the mid-1980s and would result in ELL students losing access to bilingual education by the end of the 1990s. Xenophobic efforts met frustration when the courts nullified the 1994 "Save Our State" initiative. Four years later, they would redirect their efforts and end bilingual education in a misdirected, bigoted campaign whose intended target was immigration.

Pete Wilson's first term in office was during a time of economic recession, and he had a tough reelection campaign ahead of him in 1994. He had originally tried to stop the "Save Our State" initiative from getting on the ballot. The bill had called for extreme measures, such as police reports to the INS anyone they arrested *suspected* of being here illegally, health care providers verifying citizenship before providing care, and requirements for schools to verify that children were citizens. In a bid to win reelection with the 85% white electorate, Wilson decided to play the race card and made Proposition 187 the centerpiece of his campaign. The campaign included nightly television commercials showing "gritty images of Mexicans dashing across the border, provoking the crudest stereotypes of dark-skinned hordes swarming into California for welfare and crime."⁵⁰ Unlike the Proposition 63 voter confusion of eight years earlier, Latino citizens clearly understood *all* Latinos were the target of this vote. A survey conducted by *La Opinión* in 1996 found Latinos across the spectrum felt Proposition 187 had increased racism whether they were undocumented (84%), legal residents (69%), or citizens (62%).⁵¹ Proposition 187 passed with 59% of the overall electorate and approximately 70% of the white vote, with about the same percentage of Latinos voting against it. It was challenged one day later by MALDEF in court, who quickly ruled the measure unconstitutional.⁵² Those who voted in favor

⁵⁰ Unz, "How the Republicans Lost California," A18.

⁵¹ Mary Ballesteros-Coronel, "Latinos Sienten Aumento En La Discriminacion: Senalan La Prop. 187 Como Causa. Proponen Accion Politica Para Combatar Ambiente Anti-Latino," *La Opinión*, May 21, 1996.

⁵² Andrea Louise Campbell, Cara Wong, and Jack Citrin, "'Racial Threat,' Partisan Climate, and Direct Democracy: Contextual Effects in Three California Initiatives," *Political Behavior* 28, no. 2 (2006), 133-135.

had become incensed the courts were in their way and left unsatisfied; they would vent their frustration on ELL children with Proposition 227 four years later.

When nothing came of the “Save Our State” proposition, many supporters in 1998 backed Ron Unz’s sponsorship of Proposition 227, the “English Language in Public Schools Statute.” The bill proposed a halt of state bilingual education funding and provided a one-year window to transition ELL students back to the English-Only programs of thirty years earlier. For frustrated Proposition 187 supporters, it did not matter what the issue was, as long as it was going to satisfy nativist sentiments.

By 1998, a quarter of the total California student population spoke a language other than English, with 30% of these representing over 400,000 ELL students across the state receiving some bilingual education.⁵³

Wilson said Proposition 227 was a remedy that would eliminate a bilingual education system that kept ELL students “dependent upon their primary language for far too long, shortchanging their opportunity for the [American] Dream.”⁵⁴ Despite the obvious

need by nearly half a million California ELL students and all data from educators pointing to the need of four to eight years to transition to English proficiency, the proposition would provide ELL students one year to transition.⁵⁵ The crescendo of rising nativist rhetoric in the twelve



Figure 2. Students Protesting Proposition 187
Evening Outlook, 11/04/1994
(Santa Monica History Museum)

⁵³ Carl Ingram, “Wilson Backs Ballot Measure to Ban Bilingual Education,” *Los Angeles Times*, May 19, 1998, 1.

⁵⁴ Ingram, “Wilson Backs Ballot Measure to Ban Bilingual Education,” 1.

⁵⁵ U.S. Government Accountability Office, “Public Education: Meeting the Needs of Students With Limited English Proficiency,” GAO-01-2266 (2001), 16-17.

years since “English is the Official Language of California Amendment” along with the court rejection of “Save Our State” four years earlier resulted in the majority-white electorate passing Proposition 227 with an overwhelming 63% of the total vote, with same percentage of Latinos voting against it.

The Latino community was devastated. They understood many of their children were soon to be left behind academically, and there was little they could do about it. Victoria Castro was an LAUSD school board member during the Proposition 227 battle. She later painfully remembered Propositions 187 and 227 saying, “One was to deny all extra services to immigrants, and the other one, Ron Unz, was the bilingual end. That was really hard.”⁵⁶ According to a MALDEF official, only 17% of the voters that supported the elimination of bilingual education had children in school. His opinion was that the rights of the majority had subjugated the rights of the minority. The day after the election, a *La Opinión* article summed up the situation as “Parents, teachers, administrators, and students will have to deal with the problems of transitioning from a defective system, but coherent, to no-man's land of restrictive legislation, inflexible, disconnected with the reality of the problem that it must be applied.”⁵⁷ Soon after the initial voices of dismay, “Latino immigrant parents gradually began to shift from indignant cries over the elimination of bilingual education to ambivalence and silence.”⁵⁸ The nativists had a victory to savor, and both they and the Latino community understood “schools are one of the major institutions where the dominant society achieves the consensual process for the subordination of minority groups ... By converting a skill into a deficit and further stigmatizing it as a learning disability, the hegemonic power of the English-speaking State is extended and preserved.”⁵⁹ The elimination of bilingual education was an

⁵⁶ UCLA Oral History Collection, “La Batalla Está Aquí”: The Chicana/o Movement in Los Angeles, Interview of Victoria Castro, Session 6 (4/4/2013). <http://oralhistory.library.ucla.edu/viewItem.do?ark=21198/zz002hkcwp&title=Castro, Victoria>.

⁵⁷ “El Voto Latino y La 227,” *La Opinión*, Jun 05, 1998. Translation by the author.

⁵⁸ Marta, P. Baltodano, “Latino Immigrant Parents and the Hegemony of Proposition 227,” *Latino Studies* 2, no. 2 (July 2004), 249.

⁵⁹ Baltodano, “Latino Immigrant Parents,” 250.

expression of power by the dominant culture and it would remain the case for another two decades. The 2016 repeal of Proposition 227 would once again restart the support of ELL students achieving the “American Dream” that Pete Wilson, despite his rhetoric, had worked to deny an entire generation of children.

Conclusion

It is difficult to fully assess the impact on a generation of children in California whose education was decided by a xenophobic electorate rather than an informed education policy. Education researchers who interviewed parents and children in 1999 to gain an emic view of bilingualism for those most affected concluded, “Proposition 227’s message to immigrants is ‘learn English if you want your children to succeed in the US’ Proposition 187’s earlier message (and one that resonates through the current climate in Southern California) is ‘just go home.’”⁶⁰ The parents interviewed wanted their children to be fluent in their primary language to maintain their ties with their families and culture; in addition, there was the hope that learning English would provide increased opportunities. The motives of these parents are easy to understand but the impact on children is more nuanced and enduring.

These researchers reported that children generally mirrored their parents’ outlook, except they viewed language as a social tool and a marker of identity. The voices of these children are painful to hear when they described their negative self-image as someone who had the skill of speaking Spanish. One of these children named Andy told the researcher he did not want to speak Spanish because he felt people would think he was from México, and he was not; he was “from here.” Another Afro-Honduran student named Robert also said he did not like to speak Spanish because “Everyone says, ‘You’re black, how come you speak Spanish?’”, and he was tired of explaining. When the researcher spoke to him in Spanish, he responded he “hates the Spanish culture.” Widespread negative social messages had affected the self-esteem

⁶⁰ Marjorie Faulstich Orellana, Lucila Ek and Arcelia Hernandez, “Bilingual Education in an Immigrant Community: Proposition 227 in California,” *International Journal of Bilingual Education and Bilingualism* 2, no. 2 (1999), 114-130.

of these children who, like any children, were just trying to find their way in the world and fit in socially. Several of these Spanish-speaking students said they attended schools in their parents' home countries while visiting on vacation. They found the academic level for their grade was too advanced for them, they couldn't keep up, and a comment from one student was "I got all Fs." This Spanish-speaking student's experience in a principally Spanish-speaking classroom goes to the root of the argument in support of bilingual education.⁶¹

A generation of children had an unnecessary obstacle put in their developmental path instead of keeping up with the academic curriculum in their primary language while transitioning to English. "Save Our State" doomed the efforts of thirty years in developing bilingual education in California to address the need to educate a large population of Spanish-speaking children. The work to establish bilingual education programs had started in the optimism of the civil rights years, achieved implementation of real programs in the post-Vietnam era, began to see opposition arise in the late 1980s, and was halted by race politics in 1998. The programs developed to provide meaningful and effective instruction to English Learner students were stopped by many who felt these children did not belong if they did not speak English. The boundary of education equality shifted back towards the social climate that had created problems for Diana and her classmates. California has now restarted once again down an optimistic path of restoring bilingual education and will see what the future brings.

⁶¹ Orellana, "Bilingual Education," 124-125.