

TESTIMONY OF ALBERT SHANKER, PRESIDENT  
AMERICAN FEDERATION OF TEACHERS, AFL-CIO  
BEFORE THE SUBCOMMITTEE ON ELEMENTARY, SECONDARY & VOCATIONAL EDUCATION  
U.S. HOUSE OF REPRESENTATIVES  
ON H.R.2682, THE BILINGUAL EDUCATION IMPROVEMENTS ACT OF 1983  
June 7, 1983

Mr. Chairman and Members of the Subcommittee:

The American Federation of Teachers has a compelling interest in our national bilingual education policies as reflected in Title VII of the Elementary and Secondary Education Act of 1965. The AFT has taken an active interest each time this program has been reauthorized not only because we represent teachers in many school districts where the greatest concentration of children of limited English proficiency are found, but also because Title VII has profound implications for our nation and its' future. Over the years we have sought a federal bilingual education act designed to help children learn English and function in the regular English-speaking classroom.

In 1978, I testified before this Subcommittee and asked for changes in Title VII because studies indicated that up to 3/4 of the children in bilingual programs were there because of their surname and ethnic background. For many of these children their difficulty in speaking or reading the English language was exacerbated by the type of bilingual education programs available to them. Many were not in situations where their native language was the dominant tongue in their life. Attempts to require education in their native language only served to make transition to English more difficult to achieve. Because of this fact, I suggested at that time, and the Congress later agreed, that a time limit should be placed on the length of time a child stays in a bilingual program. I believed then and it is even clearer now, that unless there is a time limit in a bilingual program there will continue to be pressure upon parents to keep their children in bilingual programs in order to preserve existing political and personnel arrangements. But a stricly enforced policy of evaluation of continuing need will not by itself solve the problems faced by non-English speaking children.

What is needed now is a more thorough reform of Title VII and a more

carefully thoughtout plan for the federal government's role of educating children whose native language is not English. H.R.2682 has much to recommend it. It is a big step in the right direction toward resolving our bilingual education problems. These problems have been building for many years especially since the 1975 Lau decision and the subsequent issuing by the Department of Education of its' so-called Lau Regulations in 1980.

These regulations would have required that almost every school district with non-English speaking children implement a program of bilingual education to meet the needs of all of its non-English speaking students. The Lau regulations would have required that classes in all academic subjects be conducted in the child's native language and that English be taught as a subject almost as an afterthought. Further, because of the demonstrated shortage of trained bilingual teachers the Lau regulations would have mandated that non-teaching personnel be hired to conduct courses in the child's native language. The only requirement for these people would be the ability to speak the child's native language. If these regulations had been approved, the educational opportunities of millions of children would have been limited and our nation would have suffered under the gradual creation of a school system for children who can speak English and one for those who cannot.

The AFT supported proposals in the Congress to block the Lau regulations and they were stopped. But since that time nothing of any importance has occurred to change the federal policies that were reflected in the Lau regulations.

We welcome this opportunity to start the process of needed changes in ESEA Title VII and we hope in the so-called Lau remedies, as well. The time is long passed for a law that provides federal support only for instruction in a child's native language. The federal government has an opportunity now to change that anachronistic direction and to support the building of

capacities in local school districts that will permit a variety of approaches to be used for teaching non-English speaking children and for the training of the existing teaching staff to help make sure that non-English speaking children receive the best instructional talent available.

There are several features of H.R.2682 that I would like to single out as especially important and strongly supported by the AFT. The first is the broadening of instructional options for non-English speaking children. Currently, Title VII only supports programs that utilize the child's native language as the principal means of instruction. H.R.2682 would allow school districts to select the approach that they consider most appropriate for the children they are trying to serve. The bill would require that they provide evidence that the method selected is the most desirable but would at the same time greatly increase the role of education decision-making over the role of political accommodation. This change in current policy should serve children well.

Research on bilingual education and its effectiveness indicates that no single approach to serving children of limited English proficiency is best. Different approaches such as a structured English immersion or English as a second language appear to work better for some children than instruction in the native language. Having this option available should stimulate the best educational opportunities possible. Children with limited English speaking ability often are no more proficient in their native language than they are in English. Requiring instruction in the native language for many children serves to reinforce multiple language difficulties rather than presenting a method for educational improvement. The flexibility in H.R.2682 should alleviate this problem.

The second major feature of H.R.2682 supported by the AFT is the targeting

of funds towards the building or permanent capabilities to serve children of limited English-speaking ability. We believe that by providing funds and allowing their use for teacher training and the acquisition of permanent capabilities rather than limiting funds to instructional purposes only will provide the best opportunity for a long-range solution for the children who need such help. While we do not support the five year limitation on projects under this Act, we do believe capacity building is one of the most important goals to be achieved with federal bilingual education aid. The five year limitation does not take into account that some school districts will have continuing needs and will experience changes in the language of the children to be served. In Dade County, Florida, e.g., for many years capability was needed primarily in the Spanish language. This need continues with the recent massive influx of Cuban refugees but even if a sufficient number of teachers had been adequately trained for teaching in Spanish, the recent waive of Haitian refugees need teachers with capability for teaching in French. In addition, Indochinese refugees have needs for teachers who can function in the language of that region of the world. While instruction in the native language may not be best for all children, capabilities in native languages is important.

A five year limitation would not serve Dade County nor would it be helpful in other big cities with similar problems.

A third feature of H.R.2682 supported by the AFT is the attempt to target funds on behalf of those children whose usual language is not English. Current estimates about the number of children of limited English proficiency between the ages of four through eighteen is 3.6 million; but only about 1.6 million of these children usually speak a language other than English. We believe that children who usually speak English have needs, but that those who do not speak English at all ought to have first priority for services under the Federal Bilingual program. Children who usually speak English will probably be better

served by a program that has different features than programs for children who speak no English. It is important that language difficulties not be reinforced by insisting that instruction occur in a language other than English even if a child does not usually use that language himself.

A fourth feature the AFT supports is the inclusion of vocational projects for out-of-school students and adults of limited English proficiency under the Bilingual Education Act. The program is currently authorized under the Vocational Education Act but administered by the Office of Bilingual Education and Minority Affairs and appropriated under the Bilingual Education Authorization. This bit of administrative streamlining should help the program work better. I would like to point out something else of great importance to our union and that is Section 3B which provides that teachers who participate in the program be proficient in English as well as the child's native language, should that language be used as a medium of instruction. Current law requires personnel to be "proficient in the language of instruction and in English to the extent possible." Section 3B would reorder this priority and would help move Title VII in the direction of making sure that programs funded by the federal government result in children learning English by making certain that their teachers are competent in English. 3B would have similar but less rigorous standards for non-instructional personnel. This is a critical issue to the education prospects of non-English speaking children. There is no possibility for improvements in the ability of children to function in English if their teacher cannot function in English.

I also wish to point out that the AFT does not support the reduction in authorized program levels contained in H.R.2682. We believe that more dollars are needed to adequately serve the educational needs of the 1.6 million children targeted by the bill. We believe an authorization of at least

\$200 million is needed to accomplish the goals of this legislation.

H.R.2682 represents an opportunity to change a federal program in need of reform for the better. This reform is needed by our school districts but most of all by our children. H.R.2682 will refocus bilingual programs on the need to teach in English. This is a bill whose time is now, I ask swift favorable action on H.R.2682.

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