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A Return to the “Mexican Room”

The Segregation of Arizona’s English Learners

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Abstract

This paper reviews the research on the impact of segregation on Latino and English Language Learner (ELL) students, including new empirical research conducted in Arizona. It also reviews court decisions regarding students' rights to be integrated with their mainstream peers, and provides data on the increasing segregation of Arizona's Latino and English learner students. Given that the great majority (over 80%) of Arizona's English Language Learners are Spanish speakers, there is considerable overlap between ELL and Latino students.

This paper also reviews the extant literature on the impact of segregation at both the school and classroom levels and pays special attention to the particularly deleterious effects of linguistic isolation for English learners. The paper concludes that the excessive segregation of Arizona's Latino and EL students is most probably harmful to these students' achievement and social and emotional development and that there are alternative strategies that the state could use to ameliorate these harms and provide a more effective education for these students.

A Return to the "Mexican Room" The Segregation of Arizona's English Learners¹

School segregation exists on a variety of levels in Arizona and has highly negative consequences for English learners. With about 15 percent of students classified as English learners in Arizona, the disparities among districts and schools in the state are stark.

At Cartwright Elementary District, in a lower income urban area of Phoenix, two-thirds of the students in the 20,000 plus school district come from Spanish speaking homes. Almost all of the schools in Cartwright have populations of English learners that hover around 50 percent or higher. Not far away in Chandler Unified School District, serving a much more affluent area of Maricopa County, outside Phoenix, the 35,000 student district has about 18 percent English learners, but they are very unevenly distributed across the district. For example, Galveston Elementary School, which serves nearly 1000 students, has more than 50 percent English learners and is on the list of federal underperforming schools. A few miles away in a more affluent area of the same district, Jacobson Elementary School, another large school of 856 students, has just 3 percent English learners and is characterized as an "excelling" school.

Arizona is not unique in such disparities; across the U.S., English learners are more likely to attend large, failing urban schools in which they are segregated with other English learners.² Of course in Arizona, as in most other places in the country, the overwhelming majority (about 81%) of English learners are Latino students.

The 1951 *Gonzalez vs Sheely*,³ Arizona federal court decision outlawing segregation of Latino students in separate schools, concluded that segregation on the basis of language needs was harmful and could only be permitted under very limited circumstances because it had negative consequences for the acquisition of English. The court found that, "children are retarded in learning English by lack of exposure to its use because of segregation, and commingling of the entire student body instills and develops a common cultural attitude among the school children which is imperative for the perpetuation of American institutions and ideals. It is also clear that the methods of segregation prevalent in the respondent school district foster antagonisms in the children and suggest inferiority among them where none exists."

In this paper we will show that, in fact, more than 50 years later, research conducted in Arizona's schools finds the same problems.

The *Gonzalez* court additionally noted that in the Supreme Court's *McLaurin* decision, a higher education decision that was a key precursor of *Brown v. Board of Education*, "the very act of setting plaintiff apart from other students in the same room because of the racial origin of the plaintiff was held to deny plaintiff equal protection. A paramount requisite in the American

¹ In this paper, as in the field, English Learner (EL) and English Language Learner (ELL) are used interchangeably.

² See C. Cosentino de Cohen & B. Clewell, (2006), [Putting English Language Learners on the Educational Map. The No Child Left Behind Act Implemented](#); Washington DC: The Urban Institute; R. Rumberger, P. Gándara, & B. Merino, (2006), Where California's English learners attend school and Why it Matters, UC Linguistic Minority Research Institute Newsletter, 15:1-3. <http://www.lmri.ucsb.edu/publications/newsletters/v15n2.pdf>

³ *Gonzales v. Sheely*, 96 F.Supp.1004 (D.C. Ariz. 1951).

system of public education is social equality. It must be open to all children by unified school associations, regardless of lineage."⁴ Arizona still faces the problems highlighted by Gonzalez and Keyes as well as the mandate of the Supreme Court in the Lau decision to provide appropriate language instruction for EL students. These challenges are intertwined because Latino students account for the vast majority of EL students and are now the country's most segregated minority, with important consequences for unequal education.

In its 1973 *Keyes* decision, the U.S. Supreme Court clearly recognized the rights of Latino students (a great many of whom were English learners) to desegregation remedies. The Court concluded that "though of different origins, Negroes and Hispanos in Denver suffer identical discrimination in treatment when compared with the treatment afforded Anglo students." It found that Latinos experienced "economic and cultural deprivation and discrimination" that justified desegregation remedies.⁵ In implementing the *Keyes* decision, Denver's federal district court found it necessary to protect the rights of the district's Latino children to appropriate linguistic education and successfully encouraged a settlement between the plaintiffs and the district on this issue. The impacts of segregation on Arizona's Latino English learners are powerful both at the school and classroom levels.

This study will first document the high and increasing segregation among Arizona's schools and then examine the impact, particularly on EL students of the severe segregation at the classroom level, which is now mandated by state law. It will also briefly review the history of segregation of Latino and Spanish speaking students in Arizona into "Mexican schools" and the "Mexican rooms."

Research on the effects of segregation on students follows two lines: (1) segregation by school, such that certain students are channeled into schools that disproportionately serve racial, ethnic, and linguistic minorities and the effects of being assigned to such schools; and (2) segregation by classroom, in which students are separated from their peers for purposes of instruction that results in segregation along racial, ethnic, and linguistic dimensions, and the effects on the quality of curriculum and instruction to which they are exposed.

In both cases, those segregated students who are ethnic and linguistic minorities are usually also poor. In the case of English learners in Arizona, these students are typically *triply* segregated in the schools to which they are assigned: by ethnicity, by poverty, and by language. Linguistic segregation at the classroom level for much of the day intensifies all the negative impacts of school segregation. For this reason, it is especially crucial to organize instruction in ways that can mitigate, not exacerbate, this segregation for students who are learning English.

Arizona's Segregated Schools and Classrooms and their Impact

In spite of the Supreme Court's clear recognition of the desegregation rights of Latino students, their levels of school segregation have increased dramatically in the nation and in Arizona, with serious educational consequences. In 1970 the state's enrollment was 19.9 percent Latino. By 2007-8 the public schools were 41 percent Latino and 45 percent white. In 1970 Arizona's

⁴ *Ibid.*

⁵ *Keyes v. School District No. 1*, 413 U.S. 189 (1973).

Latinos, on average, attended significantly integrated schools with an average white enrollment of 46 percent, but segregation increased sharply after 1980. In 2007-08, the typical Latino student attended a school in which only 27% of his or her peers were white. By 2007-08, 78 percent of the state’s Latino student were in schools with less than half white students and 38% were in schools that were intensely segregated, where zero to 10 percent of the students were white. Latino levels of segregation on all of these measures were substantially higher than those of the state’s blacks, who had experienced a very high level of segregation historically.⁶

This segregation was not only by ethnicity, but also by poverty. In the most recent federal data, the school of the typical Latino student has 50.4% children in poverty (eligible for subsidized lunches), twice as high as the white level (25.6%) and substantially higher than the black level, 35.5%. This is what we define as double segregation and is one of the root causes of the educational harm of segregation.⁷

Latino students in Arizona also typically attend schools that have *four times* as many students classified as ELL as do the schools attended by the state’s white students. In addition to its regular public schools, Arizona is a national leader in the creation of charter schools, with the nation’s highest proportion (9.2%) of its students in these publicly funded institutions. In 2007, the state’s 448 charters represented one-ninth of the U.S. total. Enrollment had more than doubled since 2000. Arizona’s charter schools significantly over-represent white students and under-represent Latino students in their total enrollment.⁸ A study of the 2005-6 statistics showed that the overall segregation levels in charters was about the same as in regular public schools although charters are not limited by neighborhood or school district boundaries. One third (33%) of the charter school Latino students were in intensely segregated schools with zero to ten percent white enrollment.⁹ Two years later the charters were 34% Latino and 38% of those students were intensely segregated.¹⁰ These schools also seriously under-enroll English learners, so that white, English speaking students are less likely to encounter English learners in charter schools than in the public schools.

The harmful effects of segregation at the school level

Segregation by school is an increasing problem for Latino students and English learners in Arizona and in the nation. Minority segregated schools are usually also segregated by poverty and are more likely to have inadequate facilities and materials,¹¹ less experienced¹² and less

⁶ 2007-8 statistics computed from the Common Core of Education Data of the U.S. National Center for Education Statistics by Dr. Jia Wang of the UCLA Civil Right Project; earlier statistics from E. Frankenberg, C. Lee, and G. Orfield, *A Multiracial Society with Segregated Schools*, Cambridge: Civil Rights Project, 2003.

⁷ G. Orfield and C. Lee, *Why Segregation Matters: Poverty and Educational Inequality*, Cambridge: Civil Rights Project, 2005.

⁸ Frankenberg, E., Siegel-Hawley, G., Wang, J. (2010). *Choice without Equity: Charter School Segregation and the Need for Civil Rights Standards*. Los Angeles, CA: The Civil Rights Project/Proyecto Derechos Civiles at UCLA; www.civilrightsproject.ucla.edu.

⁹ 2005-6 data computed from Common Core of Education Data of the U.S. National Center for Education Statistics by Chungmei Lee. (Erica Frankenberg and Genievue Siegel-Hawley, *The Forgotten Choice? Rethinking Magnet Schools in a Changing Landscape*, Los Angeles: Civil Rights Project/ Proyecto Derechos Civiles, 2008.

¹⁰ Frankenberg, E., Siegel-Hawley, G., Wang, J. (2010). *Choice without Equity*.

¹¹ Meredith Phillips and Tiffani Chin (2004), “School Inequality: What Do We Know?” in *Social Inequality*, ed. Kathryn Neckerman. New York: Russell Sage Foundation: 467-519.

¹² See, for example, Hamilton Lankford, Susanna Loeb, and James Wyckoff (2002) “Teacher Sorting and the Plight

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qualified teachers,¹³ and less successful peers.¹⁴ All of these things taken together tend to produce lower educational achievement for the students who are assigned to these schools.¹⁵ One reason that school segregation produces such negative outcomes is that it is highly correlated with poverty. Racial, ethnic, and linguistic minorities are also very likely to be poor,¹⁶ and studies demonstrate that concentrated poverty is associated with everything from less optimal physical development to families' inability to stay in the same neighborhood long enough for schools to have very powerful educational effects.¹⁷ Teachers in high-poverty schools are more likely to report problems of student misbehavior, absenteeism, and lack of parental involvement than teachers in low poverty schools; teachers' salaries and advanced training are also lower in high-poverty schools than in low-poverty schools.¹⁸ There is much higher turnover of both students and faculty in segregated schools, producing much more difficult conditions for student progress. Schools serving low income and segregated neighborhoods have been shown to provide fewer rigorous college preparatory and honors courses than schools in more affluent communities that largely serve populations of white and Asian students.¹⁹

of Urban Schools: A Descriptive Analysis," *Educational Evaluation and Policy Analysis* 24, no.1: 37-62; Susan Watson (2001), *Recruiting and Retaining Teachers: Keys to Improving the Philadelphia Public Schools* (Philadelphia: Consortium for Policy Research in Education; Linda Darling-Hammond found that in California schools, the share of unqualified teachers is 6.75 times higher in high-minority schools (more than 90 percent) than in low-minority schools (less than 30 percent minority). See Darling-Hammond, L. (2001). *Apartheid in American education: How opportunity is rationed to children of color in the United States*, In Tammy Johnson, Jennifer Emiko Boyden, and William J. Pitzz (eds.), *Racial Profiling and Punishment in U.S. Public Schools*, pp. 39-44. Oakland, CA: Applied Research Center, October 2001.

¹³ Charles Clotfelter, Helen Ladd, and Jacob Vigdor, "Who Teaches Whom? Race and the Distribution of Novice Teachers," *Economics of Education Review*, 24, no. 4 (August 2005): 377-92; Steven G. Rivkin, Eric A. Hanushek, and John F. Kain, "Teachers, Schools, and Academic Achievement," *Econometrica* 73, no. 2 (March 2005): 417-58.

¹⁴ Russell W. Rumberger and Gregory J. Palardy, "Does Segregation Still Matter? The Impact of Student Composition on Academic Achievement in High School," *Teacher's College Record* 107, no. 9 (2005): 1999-2045; Caroline M. Hoxby, "Peer Effects in the Classroom;" Janet W. Schofield, "Ability Grouping, Composition Effects, and the Achievement Gap," in *Migration Background, Minority-Group Membership and Academic Achievement Research Evidence from Social, Educational, and Development Psychology*, ed. Janet W. Schofield (Berlin: Social Science Research Center Berlin, 2006): 67-95.

¹⁵ Roslyn A. Mickelson, *Segregation and the SAT*, 67 Ohio St. L. J. 157 (2006); Mickelson, "Subverting Swann," 215-52.; Borman et al., "The Continuing Significance of Racial Segregation in Florida's Schools," 605-31; Christopher B. Swanson, *Who Graduates? Who Doesn't? A Statistical Portrait of Public High School Graduation, Class of 2001* (Washington, D.C.: The Urban Institute, 2004).

¹⁶ Almost nine-tenths of intensely segregated black and Latino schools also have student bodies where a majority of students come from families below the poverty line. Gary Orfield and Chungmei Lee, *Racial Transformation and the Changing Nature of Segregation* (Cambridge, Mass.: The Civil Rights Project, 2006). See also Salvatore Saporito and Deenesh Sohoni, "Mapping Educational Inequality: Concentrations of Poverty among Poor and Minority Students in Public Schools," *Social Forces*, 85, 3, 1227-1253

¹⁷ R. Ream. *Uprooting Children. Mobility, Social Capital, and Mexican American Underachievement* (New York: LBF Publishers, 2005); R. Rothstein. *Class and Schools. Using Social, Economic, and Educational Reform to Close the Black-White Achievement Gap* (New York, NY: Teachers College, 2004).

¹⁸ R. Miller, 2010, *Comparable, Schomparable. Evidence of Inequity in the Allocation of Funds for Teacher Salary Within California's Public School Districts*. Washington DC: Center for American Progress; M. Roza, P. T. Hill, S. Sclafani and S. Speakman, 2004, *How Within-District Spending Inequities Help Some Schools to Fail*. Washington DC: Brookings Institution

¹⁹ G. Orfield, 1996, *Dismantling Desegregation*. New York: New Press.; G. Orfield & C. Lee, 2005, *Why Segregation Matters: Poverty and Educational Inequality*. Cambridge: Civil Rights Project. Harvard University.

Students who attend segregated and impoverished schools are significantly more likely to drop out of high school²⁰ and are less likely to be successful in college if they do graduate, even controlling for their test scores.²¹ They have poorer achievement, limiting their lifetime opportunities.²² Minority students in segregated schools are also less likely as adults to live and work in interracial settings. Segregation has strong and lasting impacts on students' success in school and later life.²³ The dramatic increase in segregation of Arizona's Latino students in the last generation is a serious cause for concern and reason to be especially cautious of exacerbating the situation through policies that create greater segregation. One recent study of mathematics achievement in the U.S., which reanalyzed all of the major federal longitudinal studies of student achievement over the last three decades, concluded that although the increase in average education and income of Latino families over this period should have produced significant closing of the nation's achievement gaps, those gains were basically cancelled out by the damage caused by increased segregation.²⁴

Underscoring the critical importance of segregation for the academic outcomes of English learners, a recent study comparing achievement outcomes between ELL students in New Mexico and Texas (states that offer bilingual education) versus those in Arizona, Massachusetts, and California (English-only states) on the National Assessment of Educational Progress (NAEP) found larger gaps in achievement between English learners and native English speakers in those states with English-only instructional policies. However, after assessing the impact on student outcomes of a variety of state and local level factors, the researchers noted an even more important factor that influenced achievement outcomes: segregation. Rumberger and Tran concluded that the variable that explained the greatest amount of variance between ELL and non-ELL students was the degree of segregation they experienced. Thus, they recommended that the most important policy lever that could be enacted by states to increase the achievement of ELL students would be to reduce the segregation they experienced in their schooling.²⁵

²⁰ Balfanz, R. and Legters, N. (2004). Locating the dropout crisis: Which high schools produce the nation's dropouts. In Gary Orfield, (Ed.), *Dropouts in America: Confronting the graduation rate crisis*, Cambridge, MA: Harvard Education Press, p. 63.

⁸ Swanson, C. (2004). Sketching a portrait of public high school graduation: Who graduates? Who doesn't? In Gary Orfield, (Ed.), *Dropouts in America: Confronting the graduation rate crisis*, Cambridge, MA: Harvard Education Press, p. 29.

²¹ E. Camburn, "College completion among students from high schools located in large metropolitan areas," *American Journal of Education*. 98(4), 551-569

²¹ J. Benson and G. Borman (2010) Family, Neighborhood, and School Settings Across Seasons: When Do Socioeconomic Context and Racial Composition Matter for the Reading Achievement Growth of Young Children? *Teacher College Record*, forthcoming issue; G. Borman & N.M. Dowling (2006). *Schools and Inequality: A Multilevel Analysis of Coleman's Equality of Educational Opportunity Data*. Paper presented at the meeting of the American educational Research Association, San Francisco, CA, April, 2006; R. Crosnoe (2005). The Diverse Experiences of Hispanic Students in the American Educational System. *Sociological Forum*, 20, 561-588

²³ Wells, A.S., and Crain, R.L. (1994). Perpetuation theory and the long-term effects of school desegregation. *Review of Educational Research*, 64, 531-555; Braddock, J.H. and McPartland, J. (1989). Social-psychological processes that perpetuate racial segregation: The relationship between school and employment segregation." *Journal of Black Studies*. 19(3): 267-289.

²⁴ Mark Berends, and Roberto Peñaloza, "Increasing Racial Isolation and Test Score Gaps in Mathematics: A 30-Year Perspective," *Teachers College Record* Volume 112, Number 4, April 2010, pp. 978-1007

²⁵ R. Rumberger and L. Tran, (2010). State language policies, school language practices, and the English learner achievement gap, in P. Gándara & M. Hopkins (eds) Forbidden Language. English Learners and Restrictive Language Policies. New York: Teachers College Press. Pp. 86-101.

The schools that serve *linguistically isolated* Latino students also tend to be much weaker in their ability to deliver a quality education than other schools. They are more likely to be in urban centers, with larger enrollments, larger class sizes, have higher incidences of student poverty and health problems, tardiness, and difficulty filling teacher vacancies.²⁶ They are also more likely to rely on unqualified teachers and have lower levels of parent involvement. As the concentration of ELL students increases in schools, the percentage of fully credentialed teachers, qualified to serve them, decreases.²⁷

Linguistic segregation coupled with poverty is also closely related to students’ and their parents’ diminished social capital (knowledge of how important institutions work and access to persons with the ability to advocate on one’s behalf within these institutions.) and cultural capital (habits, skills, and cultural practices that facilitate social mobility). Limited English communities are too frequently powerless to change the circumstances of their schools because of this lack of social and cultural capital that is generated and reinforced among middle class and English speaking students and their parents through being in equal status interaction with these more knowledgeable and assimilated members of the mainstream society.²⁸ Without this access to, and acceptance by, members of the mainstream society, it is difficult, if not impossible to gain the social skills and knowledge to advocate effectively for one’s children or community. Hence, members of minority communities are often accused of “not caring” about their children’s education, but in reality they have no idea how, or to whom, to express their caring, and often fear feeling foolish expressing an outsider’s uninformed opinion.²⁹

Mandatory Classroom Segregation and Barriers to English

There is no question that it is critical for English learners in American schools to learn English, and to learn it well. Understanding English is fundamental to success in school in the United States, and language skills are the best predictors of future academic achievement.³⁰ The only disagreement appears to be about *how* to accomplish this goal, and whether English learners should be allowed to build on the knowledge they already possess in their primary language in order to achieve that goal. It has been well documented that Mexican origin children were routinely segregated into Mexican schools and classrooms in Arizona and other parts of the Southwest in order to separate them from their Anglo, English-speaking peers during an earlier part of the century before *Brown v. Board of Education* (1954). As Powers describes it:

“In the mid-1940’s. . . . While districts argued that segregation was necessary because of students’ poor English skills, the segregation of Mexican American students in Arizona’s public schools was not an isolated practice but occurred in tandem with other discriminatory practices that restricted the social rights of Mexican Americans, many of whom were

²⁶ Cosentino de Cohen et al., 2005.

²⁷ ²⁷ IDEA, Latino Educational Opportunity Report, 2007. Los Angeles: Institute for Democracy, Education, and Access, University of California, Los Angeles.

²⁸ See, for example, Annette Lareau, 2003. *Unequal Childhoods: Class, Race, and Family Life*. Berkeley, CA: University of California Press; Heather B. Johnson, 2006, *The American Dream and the Power of Wealth*. New York: Routledge.

²⁹ Ibid.

³⁰ A. Anastasi, 1988, Psychological Testing. New York: MacMillan.

American citizens.” (page 473).³¹

This segregation produced much lower academic achievement and much higher drop out rates for the Mexican origin students,³² facts that, in a chicken-egg argument, were used as a basis to continue segregating them. Some Anglo parents and school board members argued that the Mexican children should be separated from the white children because they did not learn as well and did not value education as highly, thus they needed “special attention” in special settings—this often resulted in these students being placed in the “Mexican room”, where they were segregated from their white peers and provided an inferior education.³³ Is the four-hour Structured English Immersion block that is being implemented today in Arizona a return to the “Mexican room?”

On September 13, 2007, the Arizona English Language Learner Task Force adopted a four-hour model of Structured English Immersion that had been largely developed by Kevin Clark, an obscure educational consultant, located in Clovis, California.³⁴ The Task Force’s job of coming up with a research-based program for instruction of English learners in the state had been constrained to some extent by the legislative language in HB 2064 (2006), the bill that created the Task Force. HB 2064 mandated that the program should include “a minimum of four hours per day of English language development” and be the most “cost-efficient models that meet all state and federal laws.”³⁵ It is notable that the law did not require that the Task Force adopt the most effective program available, just that it be the most “cost-efficient.” There was also some urgency in establishing the program as in 2005 the federal district court had begun fining Arizona \$500,000 a day for failing to respond to court orders to increase funding for EL education in a way that reflected the actual needs of the students. While HB 2064 carried about \$200 additional annual funding per EL student, ostensibly to cover the costs of the new ELD program that would be put into place, the district court had found this to be an “arbitrary and capricious” amount that was not necessarily related to students’ needs.

The instructional model advocated by Clark and adopted by the Task Force for full implementation in the 2008-09 school year includes five ELD components within the four hour daily time block: phonology, morphology, syntax, lexicon, and semantics.³⁶ This program has been referred to as the STAR English Language Acquisition program elsewhere, as Clark describes it using a pentagonal graphic with each point encasing one of the five discrete ELD components.³⁷ The STAR program is based on several principles that define the way it is

³¹ Jeanne Powers, 2008, *Forgotten History: Mexican American School Segregation in Arizona from 1900–1951*, *Equity & Excellence in Education*, 41(4), 467–481

³² U.S. Commission on Civil Rights, 1972. *The Excluded Student. Educational Practices Affecting Mexican Americans in the Southwest*. Washington DC: US Commission on Civil Rights.

³³ Powers, 2008; Gonzales, 1985.

³⁴ Mr. Clark’s consulting firm does not maintain a webpage and internet searches have not turned up any background information about his educational background or history of work or publications.

³⁵ Arizona Revised Statute §§ 15-756.01.

³⁶ Arizona English Language Learners Task Force. Minutes of 29 March 2007.
<http://www.ade.state.az.us/ELTaskForce/>

³⁷ Sonoma County Office of Education. September 2009. *Aiming high resource: Structuring language instruction to advance stalled ELs*. <http://www.scoe.org/pub/htdocs/aiming-high.html>

implemented, but most of which the research on second language acquisition does not necessarily support:

- Time-on-task.
- Allocating fixed periods of time to teaching certain elements of the English language.
- Explicit teaching of discrete English language skills: phonology, oral language skills, verb tenses, word order rules (syntax), and vocabulary out of context.
- Focus on English language skills unrelated to academic content instruction.

The research on these components of the program is discussed in Martinez-Wenzl, Pérez, and Gándara³⁸ so it will not be elaborated here. However, a critical aspect of the four-hour block is that it requires that English learners be separated from their English speaking peers for *at least* most of the school day, and in most cases for all of the day for a year and more. During this time, it is advised that students be grouped by language proficiency, so that the students with the least knowledge of English are all grouped together, across grade levels, to facilitate instruction.

Internal segregation, tracking and grouping

As devastating to the educational outcomes as segregated schools are for minority and English learner students, perhaps even more pernicious is the internal segregation that goes on *within* schools. Some schools that appear to be diverse in their student compositions actually house two different schools within a school: the school that the largely majority, college-bound students attend, and the one that the low-income, minority students attend. They are two different worlds. In elementary schools this can be seen in the fact that the children of more knowledgeable (and English speaking) parents are assigned to the widely acknowledged “best teachers,” while the children of parents who do not have this social capital, those who are not included in the “coffee klatches” of the parents who have the time to hang out at the school and gather opinions on teaching staff, are relegated to the classes with the least effective teachers.³⁹ Moreover, specialized educational opportunities that can set students onto a college preparatory track and that identify them as “smart,” such as classes for the gifted and talented, seldom enroll English learners. According the latest data from the Office for Civil Rights (2006), only 1.4% of Limited English Proficient (ELL) students were enrolled in programs for the Gifted and Talented compared to 8% of non-minority students.⁴⁰ In an analysis of federal data (National Educational Longitudinal Study-NELS), Rumberger found that those students who were afforded the opportunity to attend “gifted” classes were also significantly more likely to be assigned to algebra in the 8th grade, a major predictor of college readiness.⁴¹ Thus, the lack of opportunities early in students’ educational careers is linked to less positive later outcomes.

³⁸ See, Martinez-Wenzl, M & K. Pérez, 2010, Is Arizona’s Approach to Educating its ELs Superior to Other Forms of Instruction? Policy Brief. Los Angeles: Civil Rights Project, University of California, Los Angeles. PP. 4- 10.

³⁹ J. Oakes, 2005, Keeping Track. How Schools Structure Inequality. New Haven: Yale University Press.

⁴⁰ Office for Civil Rights, Data on Gifted and Special Education Placement in the 50 States. U.S. Department of Education, 2006.

⁴¹ Russell Rumberger, 2004, independent analyses.

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At the secondary level, internal segregation is obvious by the assignment to college preparatory and advanced placement classes versus vocational or general education classes. Many studies have found that low income, ethnic minority, and English learner students are much less likely to be assigned to these courses than middle class, white, and Asian students.

For example, a recent study of California schools found that schools that served high percentages of English learners were almost three times as likely to have teachers who were not fully qualified to teach as schools that served mostly non-minority students.⁴²

English learners, because of their perceived handicap of not speaking English fluently, are typically consigned to courses that are not only *not* college preparatory, but in fact often do not even yield credit for graduation. They may be assigned to shortened days, or non-academic "classes" such as office practice, weight lifting, or flower arranging⁴³ because of schools' inability to staff credit-bearing classes for them, or their perception that the students are going to drop out of school anyway. Perhaps the most ironic aspect of this is that English learners' achievement is more dependent on the courses they are offered in high school than on their English language proficiency. That is, students with lower levels of language proficiency who are offered access to more rigorous courses actually perform better in school than those with the same or better language proficiency, but who are not given this opportunity.⁴⁴

This internal segregation in schools affects not just the courses that students take, but their aspirations and identity as learners as well. Students who hang out with others with higher aspirations are more likely to have higher aspirations themselves.⁴⁵ Those students who are consigned to the remedial or non-college preparatory courses come to see themselves as less capable and not "college material" irrespective of their actual talents or abilities.⁴⁶

Several studies have shown that English learners segregated into separate classrooms for English instruction come to feel stigmatized and inferior.⁴⁷ In such settings the English learners become

⁴² IDEA, Latino Educational Opportunity Report, 2007. Los Angeles: Institute for Democracy, Education, and Access, University of California, Los Angeles.

⁴³ R. Callahan, (2005). Tracking and high school English learners: Limiting opportunity to learn. *American Educational Research Journal*, (42) 2, 305-328.; R. Callahan & P. Gándara (2004). On nobody's agenda, in M. Sadowski (ed), Teaching Immigrant and Second Language Students. Cambridge: Harvard Education Press. Pp.107-128.

⁴⁴ R. Callahan, 2005

⁴⁵ J. Epstein and N. Karweit (1983), Friends in School. Patterns of Selection and Influence in Secondary Schools. New York: Academic Press; Steinberg, 1996, Beyond the Classroom. New York: Simon & Shuster; Liu, G. and Carbonaro, W. J. (2008). Friendship Networks and Racial/Ethnic Differences in Academic Outcomes. *Paper presented at the annual meeting of the American Sociological Association Annual Meeting, Sheraton Boston and the Boston Marriott Copley Place, Boston, MA*.

⁴⁶ J. Oakes, 2005

⁴⁷ Among those studies in the published literature that specifically show that ELL students who are segregated into special classes are ridiculed, made fun of, and made to feel inferior are R. Callahan, L. Wilkinson, C. Muller & M. Frisco, 2009, ESL Placement and schools: Effects on immigrant achievement, *Educational Policy*, 23, 355-364; D. Dabach, 2010, *Teachers as a context for Immigrant Youth. Adaptations in Sheltered and Mainstream Classrooms*. Unpublished doctoral dissertation, University of California, Berkeley; L. Harklau, 1994, Tracking and linguistic minority students: Consequences of ability grouping for second language learners, *Linguistics and Education*, 6 (3) 217-244; S. Katz, 1999, Teaching in tensions: Latino immigrant youth, their teachers and the structure of schooling, *Teachers College Record*, 100 (4), 809-840; L. Olsen, 1997, *Made in America. Immigrant Student in Our Public*

known as "those kids" or "the ELL-ers" by others in the school, and develop a separate identity, separate and apart from the other students in the school.⁴⁸ One recent study from the University of California, Berkeley⁴⁹ interviewed 22 teachers instructing in specialized classes for English learners showed how these students internalized social stigma in ways that influenced their perceptions of their intelligence and worthiness, as well as their motivation in school. Teachers recounted common experiences in which ELL students doubted their ability, talked about their inferiority to other students in the school, and, in cases where they were reclassified as English proficient, mocked students who remained in ESL classes.

Surveys of 880 teachers of English learners in the 4 hour ELD block required by Arizona law found that 57% of these teachers felt that their English learners' self esteem was being damaged by being segregated into these classes away from their mainstream peers.⁵⁰

Linguistic Isolation

Linguistic isolation refers to more than just segregation. According to the U.S. Census, a household is linguistically isolated when no adult (person over 14 years of age) in the family speaks English very well, and the home therefore may lack access to basic services such as medical or disaster assistance. The 2000 census reported that close to 1.5 million Spanish-speaking children lived in such households and Arizona was one of the states most impacted by linguistic isolation.⁵¹ For students growing up in such environments, it is especially critical that schools provide them with opportunities to interact with native English speakers, both in the classroom and outside the classroom as these will be the lone circumstances in which such interaction is available. As Arias points out:

"Language learning is a socially embedded process occurring in a cultural and situational context. According to this view, interaction is at the heart of the learning process, and the classroom is the primary site for learning English. Learners are apprenticed into the broader understanding and language of the curriculum."⁵²

Isolation by language presents a particularly thorny problem: it is difficult to learn the language of the land if a student is exposed to few models of native English speakers and has few friends or neighbors who speak the language well. As Guifford and Valdés noted:

"Our analysis of the hyper-segregation of Hispanic students, and particularly Spanish-speaking ELLs, suggests that little or no attention has been given to the consequences of linguistic isolation for a population whose future depends on the acquisition of English...For ELLs, interaction with ordinary English-speaking

Schools, New York: New Press; A. Valenzuela, 1999, *Subtractive Education: U.S. Mexican Youth and the Politics of Caring*. Albany: State University of New York Press.

⁴⁸ Ibid.

⁴⁹ D. Dabach, 2010

⁵⁰ Rios-Aguilar, Gonzales-Canche & Moll, 2010

⁵¹ M. B. Arias, 2010, School desegregation, linguistic segregation and access to English for Latino students, *Journal of Educational Controversy*, 2., <http://www.wce.wvu.edu/Resources/CEP/eJournal/v002n001/a008.shtml>

⁵² Ibid.

peers is essential to their English language development and consequently to their acquisition of academic English.”⁵³

A recent study by Suárez-Orozco, Suárez-Orozco and Todorova found that the best predictor of an immigrant student gaining a firm mastery of English and doing well in school was if he or she had a good friend who was a native speaker of English. Without such natural language support, it can be very challenging to learn the language, especially at the level of academic English that is required to do well in school.⁵⁴

An ethnographic study of the implementation of the four-hour block program conducted in 18 elementary and secondary classrooms across 5 districts in Arizona found that students in the program were typically segregated in the school for the whole day because schedules were such that once separated for the four hour block, it was difficult to re-integrate students. For example, Lillie et al note:

“When elementary ELLs left their classroom for specials such as Art or Music, and in one case for math instruction, they remained grouped throughout the day with the students from their 4-hour block classroom. In short, ELLs in four-hour model classrooms were spending their entire day with their fellow ELL peers. They did not have contact with native English speaking students during academic or fine arts instruction. As teachers noted, this was an aspect of scheduling that meant there was a minimal amount of time in which these students could interact with English proficient peers. Lunch was the one exception where interaction could have been possible. Unfortunately, with the arrangement of the seats forcing classrooms to sit with one another, the segregation of ELL students from non-ELLs was complete. (page 18).”⁵⁵

Another recent study, which surveyed 880 teachers in 8 Arizona districts with significant percentages of English learners and that were implementing the four-hour ELD program found that 87 percent of the teachers expressed concern about the ELL students being separated from their peers for the four-hour block and 85 percent expressed the opinion that “separating ELL students from English speaking peers can be harmful to their learning”.⁵⁶

Many parents also appear to be concerned about the separation of their children from the mainstream. Megan Hopkins, a UCLA doctoral student, in conducting dissertation research,

⁵³ B. R. Gifford and G. Valdés. “The Linguistic Isolation of Hispanic Students in California’s Public Schools: The Challenge of Reintegration.” *The Annual Yearbook of the National Society for the Study of Education* 5 (2006): 147.

⁵⁴ M. Suárez-Orozco, C. Suárez-Orozco, and E. Todorova. *Learning a New Land. Immigrant Students in American Society* (Cambridge, MA: Harvard University Press, 2008).

⁵⁵ K. Lillie, A. Markos, A. Estrella, T. Nguyen, K. Peer, K. Perez, A. Trifiro, M. B. Arias, & T. Wiley, 2010, *Policy in Practice: The Implementation of Structured English Immersion in Arizona*. Los Angeles: Civil Rights Project/Proyecto Derechos Civiles, University of California, Los Angeles. Forthcoming

⁵⁶ C. Rios-Aguilar, M. Gonzalez-Canche, & L. Moll, 2010, *Implementing Structured English Immersion [SEI] in Arizona: Benefits, Costs, Challenges, and Opportunities*. Los Angeles: Civil Rights Project/Proyecto Derechos Civiles, University of California, Los Angeles, Forthcoming

asked teachers of English learners in six elementary schools in one large Arizona district how often the parents of their students requested that their children be removed from the 4 hour ELD block. Of 74 teachers responding to this question on the survey, almost half (46%) noted that parents chose to remove their children from the program either "often" or "sometimes". Only 27% said this occurred rarely or never. This is especially significant since it is uncommon for immigrant and non-English speaking parents to intervene in school decisions. When queried about why parents chose to do this, 35 teachers provided a specific reason. Of these, 34% of teachers offered that parents made this decision because of a lack of good English models and 14% made reference to segregation, lack of diversity, or students feeling deficient. Typical of teacher comments were the following:

"They *need to have some role models* in the classroom. We have not noticed any improvement in the students' language acquisition with the 4 hour block. When you teach kindergarten kids you develop vocabulary all day long. With the four hour block the big change was that *now the ELL kids do not have any English role models.*"

"They don't want their children segregated from the English speakers and they also want other kids who speak English for their child to practice with."⁵⁷

How Long In Segregated Settings?

HB 2064 specified that students would not normally spend more than one year in the four-hour SEI block, presumably because it was believed that they would quickly acquire fluency in English and be able to be reclassified and re-enter mainstream instruction. However, while the state of Arizona keeps no publicly available records of how many EL students are able to be reclassified as proficient in English after one year, recent studies have suggested that it is uncommon for students to acquire fluent English this quickly. In the ethnographic study by Lillie and her colleagues in 18 Arizona classrooms serving English learners in the four-hour ELD block, teachers and instructional coaches expressed disagreement with the premise that most students could become fluent in English in such a short period of time:

"Although the Arizona Department of Education (ADE) encourages Students to exit out of the SEI program in one year, our observations in first through twelfth grade indicated otherwise. After interviewing more than twenty education professionals in all five districts, the response to the question of whether students are passing as proficient in the one-year time frame was a resounding "No." Coaches and teachers noted that it takes students more than a year, and more likely three or four to pass out of the model. Teachers reported that the amount of time it takes a student to pass out of the program depends on the following factors: prior schooling experience, motivation, and grade level in school. . .Elementary school coaches and teachers reported that the few students that did pass out after only one year were kindergarteners. [However] many did not pass the AZELLA the following year during their monitor stage and were reclassified and placed back in the four-hour ELD classroom."⁵⁸

⁵⁷ Megan Hopkins, Sunnyside School District data, May 2010.

⁵⁸ Lillie et al, 2010

Similarly, in a survey of 880 teachers of English learners in 8 Arizona districts, 78% of teachers reported they believed it would take 3 or more years for their EL students to gain proficiency in English.⁵⁹ For those students who do manage to exit the program within one year, usually at lower grade levels, there is the problem for some of failing to thrive in the mainstream classroom where they receive no additional support. Rios-Aguilar and her colleagues, in telephone interviews with 26 English Language Learner Coordinators in as many Arizona school districts found that:

“Twenty-three percent of ELCs mentioned that, while reclassification rates are higher in some schools, some ELL students are also re-entering the 4-hour ELD model after being “English proficient” for some time. We specifically asked ELCs what percentage of students, who were re-classified as English Proficient, have had to re-enroll in the 4-hour ELD block. Forty two percent of ELCs did not know the exact percentage. One ELC mentioned that the percentage of students who re-enroll was between 20 percent and 25 percent. Eleven percent of ELCs mentioned that re-enrollment rates were between 5 and 10 percent. Another 42 percent stated that a very low percentage of students have had to re-enroll to the program. In these cases, ELC coordinators mentioned that when a student needs to be re-enrolled, the school has a conference with the parents, and they decide if their child re-enters the program or not. That is parents have the option of opting-out of the program.”⁶⁰

Clearly there is a great deal of variation from district to district in how the schools are handling the problem of students who do not qualify on the AZELLA to pass out of the four hour block program in one year, as well as those who are reclassified but are unable to survive without any support in an English only instructional environment. Inasmuch as many research studies⁶¹ have found that it takes more than one year, and generally between four and five years, for students to achieve a level of proficiency in English to pass most English Language Proficiency tests, it is not surprising that students that are not meeting this goal. However, it is extremely worrisome that students would be required to spend more than one year in the program. While two years in a linguistically segregated setting receiving a weaker curriculum than mainstream students receive might well condemn them to a perennial state of falling behind, it is virtually impossible for students at the high school to acquire the credits they need to graduate with their peers, ready for college, if they spend multiple years in such a setting. Administrators who were interviewed by Lillie and her associates confirmed this concern:

“A few administrators at the high school level stated that . . . ELLs were not exiting within one year (A, 2/17/2010; D, 3/10/2010). . . In another interview, it was noted that retention for high school students who have reached the intermediate level was a dangerous time for these students who cannot exit from the SEI Model because they find it more difficult to graduate. . . . Furthermore, a principal at the high school level

⁵⁹C. Rios-Aguilar, M. Gonzalez-Canche & L. Moll, 2010, *Implementing Structured English Immersion*

⁶⁰ Ibid.

⁶¹ K. Hakuta, G. Butler, & D. Witt (2000), *How Long Does it Take English Learners to Attain Proficiency?*. Policy Report. Santa Barbara: Linguistic Minority Research Institute. University of California, Santa Barbara; V. Collier and W.P. Thomas (1989). *How quickly can immigrants become proficient in English?* *Journal of Educational Issues of Language Minority Students*, 5, 26-38; *ELL Working Group Recommendations for the Reauthorization of ESEA*. Available at: <http://ellpolicy.org/wp-content/uploads/ESEAFinal.pdf>

mentioned that ELLs were taking at least up to three years to exit out of the 4-hour block. One coordinator commented that only those ELLs who came to the school with a strong schooling background and literacy in their L1 [primary language] were able to pass out in under a two-year time frame (page 40).”⁶²

At least one school district in Arizona has requested to be waived from the 4 hour block for high school students “on track to graduate.” Glendale District has asked to modify its ELD program to between 2 and 2 ½ hours of ELD so that their students can meet graduation requirements. This appears to be an overt admission that it is not possible for the students to graduate, no matter how well they are performing, if they are held to the requirement of 4 hours of daily English language instruction.⁶³

The Structured English Immersion (SEI) program that is currently being implemented in Arizona is based on the belief that intensive exposure to the study of English over many hours at a time, in linguistically segregated settings, will result in more rapid acquisition of English and hence better school performance.⁶⁴ The research, however, suggests otherwise. In well-implemented programs, students in bilingual programs have been found to acquire English at the same level as students in English only programs by 5th grade, while also having the opportunity to develop competency in a second language.⁶⁵ The solution to educating English learners requires consistent, high quality instruction focused on the development of academic English, exposure to good English models in naturalistic settings *and* instruction in other subjects that both meets high standards and that is intelligible to the students. The model of instruction for English learners being implemented in Arizona does not include these characteristics.

Are There Better Ways to Educate English Learners?

Although the preponderance of the research suggests that it is advantageous to build on the linguistic knowledge that students bring to school, and that reading is most efficiently taught in the primary language (at least for Spanish speakers on whom most of the research has been conducted), some all-English or mostly-English approaches to instruction of ELL students do meet with success when well implemented and where the goal is strictly English acquisition. Sheltered Instruction, in combination with ELD, integrates language and content while infusing socio-cultural awareness. The SIOP (Sheltered Instruction, Observation Protocol) model,⁶⁶ which is also research-based and provides an “umbrella” of approaches for teaching English while also teaching academic content is one approach in wide use. QTEL (Quality Teaching for English Learners) is another approach, based on 10 years of research and development in school districts across the U.S., by Aida Walqui and her colleagues in the Teacher Professional Development Program at WestEd⁶⁷, draws from sociocultural theory, systemic functional linguistics, and knowledge on the development of teacher expertise to

⁶² Lillie et al, 2010.

⁶³ See ADE website for the Glendale School District appeal

⁶⁴ Martinez-Wenzl, Perez, & Gándara, 2010

⁶⁵ Slavin et al, 2010; Lindholm-Leary & Borsato, 2004; August et al, 2010

⁶⁶ J. Echavarría, M.E. Vogt, & D. Short, 2007, *Making Content Comprehensible for English Learners: The SIOP® Model*, New York: Allyn & Bacon.

⁶⁷ A. Walqui & L. Van Lier, 2010, *Scaffolding the Academic Success of Adolescent English Language Learners: A Pedagogy of Promise*. San Francisco: WestEd.

propose a pedagogy in which students are intellectually challenged and supported. In QTEL classrooms students -sometimes grouped in heterogeneous and at other times grouped in more homogeneous groups- engage in grade-appropriate subject matter discussions characterized by academic rigor. Carefully designed pedagogical scaffolding enables students to develop the skills, language and knowledge they did not have as they entered these interactions.

Research from the Internationals Schools Network has shown exceptional results, with English learners in New York City Internationals Schools far outpacing their peers in comparison schools with respect to high school graduation and college attendance.⁶⁸ The philosophy and practice of the Internationals Schools include that every teacher is a language teacher as well as a teacher of academic content and skills. Classes are mixed according to age, grade, academic ability, prior schooling, native language, and linguistic proficiency. They are interdisciplinary and rigorous, and the curriculum includes literature, social studies, math, science, the arts, technology, and physical education. Successful English-based programs tend to share a respect for the native language, its use as appropriate and possible, and attention to socio-cultural issues such that students are able to feel culturally comfortable and link their own cultural knowledge to the lessons of the classroom.⁶⁹

Where possible, programs which actually develop students' native language while also teaching English and academic content provide particular benefits for ELL students, and potentially other students as well. In addition to being a more efficient way to teach reading, these programs can allow students to more rapidly access complex academic instruction, and provide the long-term social, cognitive, and economic benefits of being a multilingual individual. From a cognitive perspective, children who develop healthy degrees of bilingualism tend to exhibit greater ability to focus on and use language productively.⁷⁰ This skill, called "metalinguistic awareness," has been associated with improved comprehension outcomes. They also may develop what is termed "cognitive flexibility" that lead to more creative or innovative ways of approaching learning.

For these reasons, there is a rapidly growing movement toward creating dual language programs throughout the United States. Ostensibly the reason for this growth is because the achievement outcomes for such programs, when they are well implemented, appear to be higher than for any other language instructional model, and they yield students who are both bilingual and biliterate. In an extensive meta-analysis of 13 studies of dual language programs, Genesee and his colleagues found that, overall, they produced better academic outcomes than either English only or transitional bilingual educational programs.⁷¹

⁶⁸ See <http://www.internationalsnps.org/our-outcomes/our-outcomes-student-results.html>

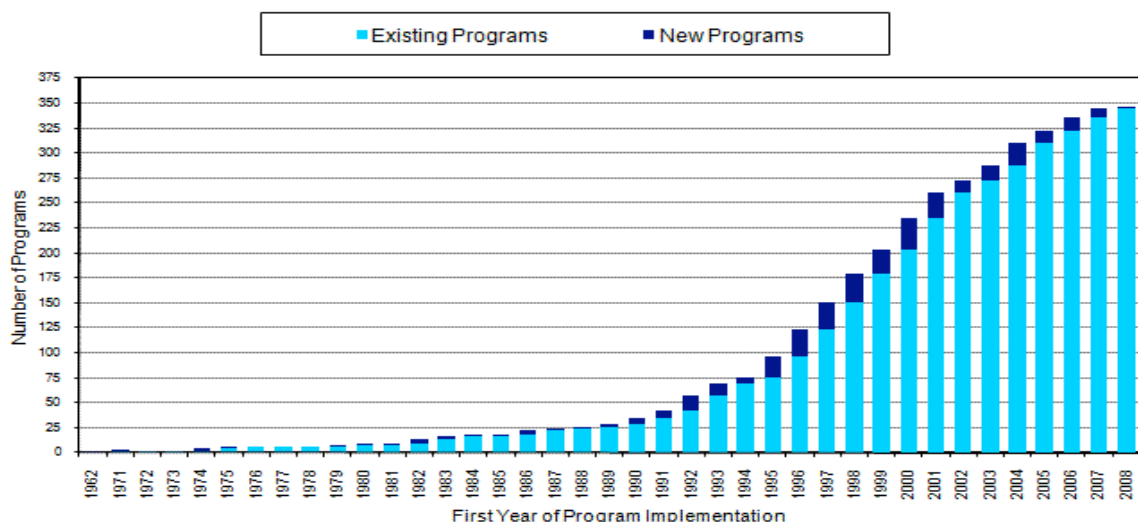
⁶⁹ N. González, L. Moll, & C. Amanti, 2005. *Funds of Knowledge. Theorizing Practices in Households, Communities, and Classrooms.* Mahwah, NJ: Laurence Erlbaum.

⁷⁰ E. Bialystock. *Bilingualism in Development: Language, Literacy, and Cognition* (New York: Cambridge University Press, 2001); R.M. Diaz and C. Klinger. "Towards an Explanatory Model of the Interaction Between Bilingualism and Cognitive Development," in *Language Processing in Bilingual Children*, ed. E. Bialystock (New York: Cambridge University Press, 1991), 140-185; S.J. Galambos and K. Hakuta, "Subject-specific and task-specific characteristics of metalinguistic awareness in bilingual children." *Applied Psycholinguistics*, 9 (1988): 141-162.

⁷¹ F. Genesee and K. Lindholm-Leary, W. Saunders, & D. Christian (eds) (2006). *Educating English Language Learners. A synthesis of Research Evidence.* Cambridge, UK: Cambridge University Press.

Sometimes these programs are found within schools and sometimes they are free-standing schools to provide both English learners and English only speakers the opportunity to learn together and to become competent in more than one language. The Center for Applied Linguistics (CAL) maintains an online directory of such programs. Chart 1 shows the growth in these programs nationally from 1962 to 2008. It is notable that there is a particularly steep increase beginning in the 1990s in spite of a simultaneous decline in the use of primary language for instructional purposes with English learners reported nationwide.⁷² This would appear to be paradoxical, but below we discuss the unique context and impulse behind these programs. The number reported by CAL, however, underestimates the actual number of such programs nationwide, as the directory is a voluntary effort that only lists programs that happen to register themselves. For example, while CAL listed 110 programs for California in 2007, the California Department of Education reported more than 200 programs in that state. It is probable, however, that the *growth* in programs reported by CAL is an approximately reliable reflection of program growth, as similar increases are reported in California and other states.⁷³

Chart 1. Two-Way bilingual programs, 1962-2008



Source: Directory of Two-Way Immersion Programs in the United States. Available at <http://www.cal.org/twi/directory>.

Dual immersion, dual language, or two-way dual immersion programs (all terms used to describe the programs) educate monolingual English speakers and another non-English-speaking group simultaneously in both target languages with the goal of producing strong bilingual and biliterate individuals. The programs are built on the premise that classroom environments can be created in which both minority and majority students enjoy equal social status. The fact that both languages and cultures are valued equally and play critical roles in the curriculum tends to yield

⁷² A. Zehler, H. Fleischman, P. Hopstock, T. Stephenson, M. Pendzick, and S. Sapru. *Descriptive study of services to LEP students and LEP students with disabilities, Volume I* (Washington, DC: U.S. Department of Education, Office of English Language Acquisition, Language Enhancement, and Academic Achievement of Limited English Proficient Students (OELA), 2003).

⁷³ J. Lambert. *Two-Way Bilingual Immersion Programs- State Perspective Administrators Workshop* (Sacramento: California Department of Education. PowerPoint available from author, 2007).

positive student attitudes toward the culture and language of the “other, reducing the problem of stigma associated with segregated programs for English learners only.”⁷⁴

The classic work of Gordon Allport and Elizabeth Cohen on successful integration underlies the assumptions of the model—that children will learn from each other and learn to respect each other if they are exposed to learning situations in which they have sustained contact of a basically positive nature and their social status is equalized.⁷⁵ Gordon Allport famously found that racial integration yielded the best results when Blacks and Whites were in sustained contact, had similar economic status, and social interactions occurred as a function of daily living.⁷⁶ His theory of conditions under which successful integration occurs has now been tested in more than 500 studies across the world, many of them in school settings.⁷⁷ Cohen (with Lotan) has been able to demonstrate that academically heterogeneous groups of students can learn effectively together when status is equalized in the classroom, obviating the perceived need to group students by ability levels.⁷⁸ Thus, dual language programs ideally incorporate many of the conditions considered requisite for positive inter-group and academic outcomes: language status is equalized and minority students have a trait that is valued by others (knowledge of a second language) and they are grouped together for instruction with consistent, naturally occurring contact.

The very nature of dual language programs tends to produce, if not always equal status, at least greater ethnic and linguistic integration than English Language Development (ELD), English as Second Language (ESL), or SEI programs that group students for instruction according to their language deficits as opposed to their language assets.

Conclusion: Toward a more racially and linguistically balanced society

Arizona has long suffered from segregation of its Latino population, and as result, from segregation of English learners in its schools. From the Mexican Rooms of the last century to the increasing segregation of ELL students in this century, the situation has become increasingly critical for Spanish speaking students. The stakes are much higher now both because Latinos are such a large and growing percentage of Arizona’s school age population and because good jobs for people without high school degrees and some post-secondary education are rapidly disappearing.⁷⁹

⁷⁴ F. Genesee and P. Gándara, “Bilingual education programs: A cross-national perspective,” *Journal of Social Issues*, 55 (1999): 665-685.

⁷⁵ G. Allport. *The Nature of Prejudice* (New York: Anchor Books, 1958); E. Cohen and R. Lotan. “Producing Equal-Status Interaction in the Heterogeneous Classroom.” *American Educational Research Journal* 32 (1995): 99-120.

⁷⁶ Supra note 24.

⁷⁷ T. Pettigrew and L. Tropp (2006), A meta-analytic test of intergroup contact theory, *Journal of Personality and Social Psychology*, 90, 751-783.

⁷⁸ E. Cohen and R. Lotan (1995). Producing Equal-Status Interaction in the Heterogeneous Classroom, *American Educational Research Journal*, 32, 99-120

⁷⁹ A. Carnevale, N. Smith, J. Strohl (2010). *Help Wanted: Projections of Job and Education Requirements Through 2018*. Washington DC: Center on Education and the Workforce, Georgetown University.

A RETURN TO THE “MEXICAN ROOM”
THE SEGREGATION OF ARIZONA’S ENGLISH LEARNERS

Both for legal and for pedagogical reasons it is incumbent on the state of Arizona to do all in its power to reduce the level of segregation experienced by these students. As Rumberger and Tran have argued, this is the single most powerful policy lever state policymakers have with respect to raising the achievement of their English language learners. However, the segregated 4 hour ELD block imposed on English learners in Arizona does just the opposite. It exacerbates the existing segregation of these students, not just by school, but by classroom as well, and as other studies recently conducted in Arizona have shown,⁸⁰ it is stigmatizing, marginalizing, and putting these students at high risk for school failure and drop out. Moreover, unlike what the Arizona Department of Education has contended, it is *not* moving the great majority of these students toward full English proficiency within one year, thus potentially exposing them to years of this unnecessary segregation. There are more humane and successful ways to educate these students and we have noted some that have reasonably strong research bases. It is now time for Arizona to move from the Mexican Room to an equitable education for Arizona’s English language learners.

⁸⁰ For access to the full list of these studies see www.civilrightsproject.ucla.edu/Arizona Educational Equity Project