

AN ABSTRACT OF THE THESIS OF

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This study helps to answer the broader question of why Latino students across the U.S. persistently drop out of school at the highest rates compared to students of other racial groups by focusing on the institutional workings of the various levels of the Oregon school system. Latino students have the highest drop out rates in Oregon. The higher drop out rates for Latino students in Oregon reflect the national trend, though the latest national rates report considerably higher drop out rates for Latino students compared to Oregon's drop out rates. Quantitative research verifies that race is a critical factor affecting national high school completion rates for Latino youth. The purpose of this study is to reveal the major, persistent problems within a school system that hinder learning for Latino students who are primarily English Language learners. Toward this purpose, this study examines significant state and federal education laws, examines rhetoric related to education equality and interviews educators at various levels of the Oregon education system. The research reveals three primary reasons for the failure of Oregon schools to graduate Latino students. First, these primarily Spanish-speaking students are not

provided the type of quality bilingual/bicultural education required to promote learning. Second, Latino students experience a discriminatory school environment. Third, available funding is not being used to help English language learners to succeed in learning the English language nor academic material. The research outcome is relevant because what was found in Oregon reflects patterns of educational practice and policy and laws that have been reported in other states, supporting the idea that educational racism is institutional at all levels of the education system. The research also reveals specific tactics used to repress the advancement of Latino students and finds that public rhetoric supporting education equality among the races does not reflect practice and procedures at all levels of the public school institution that determine outcomes for Latino students in their individual schools. Despite rhetoric to the contrary, educators are deciding not to make the necessary changes to improve education for Latinos. It is apparent that persistent inequality is the result of colonialist attitudes and policies that continue to restrict learning for the majority of the Latino population, limiting their opportunities for advancement beyond the poverty characteristic of their low-wage working class status in the U.S.

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Investigating the Structural Barriers to Equal Education in Oregon:

How Laws, Rhetoric & Values Translate into Practice

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Tracey L. Ludvik, Author

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Investigating the Structural Barriers to Equal Education in Oregon: How laws, rhetoric and values translate into practice

1. Introduction

Four years ago a coalition of Latino students and minority adult activists confronted my local school district's board members and administrators with a list of demands to improve the educational experience and outcomes for minority students. A 19-year old Latino student, Gabriel Buggs, tried to read the list of demands to the assembled educators but faltered and needed help. "I'm having trouble reading", he explained, "I'm a product of the school district," (Haynes 1999). Mr. Buggs' limited English language skills clearly reflected the quality of Latino education in the district. As a result of frustration among Buggs and other Latino students about their school experience they formed an activist group called Latinos Unidos Siempre (LUS). Translated this means Latinos United Always. This initial effort to demand social change in my district faces an uphill battle against drastic educational reforms instituted by two Bush administrations. Two decades of conservative political moves are derailing progressive attempts to improve the education of minority students.

Statewide, and in my local school district, Latino students continually show the highest dropout rates and consistently perform below all other racial and ethnic groups in reading scores and math scores. In addition to having the largest number of dropouts, Latino students also represent the largest group in the state who fail to complete required coursework necessary to acquire the credits needed to get a high school diploma. Nationally, Latino students in the U.S. consistently have had the

highest drop out rates for students of all races since 1971 when the National Center for Educational Statistics (NCES 1996) first reported drop out rates broken down by race. Latino students drop out at a rate of 38%, while drop out rates for White and Black students have improved over the years, reported at 8% and 17% respectively. Nationally, White students, have the lowest drop out rates and are graduating at a rate six times that of Latino students.

Oregon's dropout rate for Hispanic students enrolled in high school ranged from as high as 17.9% to 11% between the school years 1991/1992 to 2000/2001. During the same period the dropout rate for enrolled White high school students ranged between 5.2% and 4.5%. In addition to having the highest drop out rates, Latinos have the highest non-completion rates in the state. Statewide, 15.4% of Latinos did not graduate with a diploma (non-completers) due to lack of course credits in the 2000-2001 school year. That compares to 6.5% for White students. According to the *Executive Summary on Oregon Dropout Rates for 2001/2001*, the most cited reason students give for dropping out is being too far behind in school credits. Since the majority of dropouts are Latino, and the highest number of non-completers are Latino, it can be said that credit deficiency is likely the primary reason Latinos drop out of school.

Also, non-completion rates are just as important as drop out rates, but they are reported separately. Non-completers stay in school but are unable to get good enough grades to pass their classes, so do not graduate and receive a diploma. So, if you look at non-graduates and drop outs as one group it would present a more dire portrayal of Latino academic achievement. Then, if you add those Latinos that leave the school

system for a possibly better community college environment one would have a greater number of Latinos leaving public school. On the other hand, if those who leave school for community college obtain a General Educational Development Certificate or GED, then that would benefit the status of those Latino students. However, the significant numbers of Latino students leaving school to attend a community college suggests problems exist for Latino students in the public school environment.

Fifty years have passed since education equalization measures were outlined and mandated by U.S. Supreme Court justices for all public school districts to meet strict requirements to teach students of all races equally. Forty years have gone by since the Civil Rights Act of 1964 mandated equality in education. And, in 25 years of tracking of national high school graduation rates by race, the Latino drop out rate has not improved and continues to be the highest of all races nationally. Despite vast public verbal support for educational equality by politicians and educators at all levels of the political and education systems, equal educational outcomes do not exist for the great majority of Latino students in the U.S.

My basic research question is why the education system consistently fails to graduate Latino students in numbers comparable to White students. I argue that specific policies and practices are at work at all institutional levels of the education system affecting Latino students' willingness to stay in school. A history of unequal education in the U.S. based on race supports this idea.

The issue of educational inequality is important because it keeps the U.S. from attaining a democratic society where everyone has the opportunity to contribute to and participate in governing their communities. It means some people are oppressed and

do not have their basic needs met while others have much more than they need and too much power to determine the life course of other human beings. Such pronounced inequity undermines the democratic values of the populace by suppressing the ability of minority citizens to have a significant impact on political and economic affairs. It is also an issue of human rights because it directly affects people's ability to earn adequate money to meet their basic needs of housing, food, clothing and safe and sanitary living conditions. Of those lacking a high school diploma, nearly one out of four will live in poverty (United States Bureau of the Census 1997b as reported in Beeghley 2000). In a country where Latinos acquire the least education and 23% of the nation's Hispanics live in poverty (United States Bureau of the Census 1998/1999 as reported in Beeghley 2000), educational attainment is a direct factor determining future wages. Inadequate education was listed among the four main causes of increasing hunger among Oregonians of all races (Gentle et al. 2000). Other factors cited were economic change, high housing prices and lack of public transportation. In Oregon in 1998, more than 400,000 Oregonians, 13 %, earned incomes below the \$16,700 poverty line for a family of four (Risser and Houglum in Gentle et al. 2000).

Sociologist William Julius Wilson, states in his book *When Work Disappears* (1997), there exists a growing class of non-working young men who are either frequently unemployed, part time employed or temporarily employed. Wilson says these non-workers are concentrated among minorities, high school dropouts and poorly educated men. Wilson agrees with other sociologists that a student's educational attainment and future occupation is dictated by their family's socio-economic status (SES) and their public school experience.

Those young workers who lack a high school education will lose the opportunity for a college education and will be relegated to low pay work in the service sector since this type of work requires little formal education and minor training on the job site. Low pay refers to wages too low to move a worker out of poverty. According to the Bureau of Labor and Industry, the current federal minimum wage is only \$5.15 per hour. The federal minimum wage has not kept up with inflation to adjust for cost of living increases and therefore has not risen in real dollar terms since 1973 (Ehrenreich 2001). The minimum wage employers must pay workers in Oregon is only slightly better at \$6.90 per hour. This computes to an annual, full-time salary of \$18,547. According to the Economic Policy Institute, a living wage for a family of one adult and two children is \$30,000 - this salary allows for daycare, a telephone and health insurance and no other expenses (Ehrenreich 2001). This salary is achieved with an hourly wage rate of \$14 hour. For the majority of workers nationwide, with or without families, approximately 60% earn less than \$14 an hour.

In Oregon, Latino agriculture-related laborers often earn even less than the \$6.90 minimum wage and some never see a paycheck from a particular employer. Agricultural laborers traditionally are not provided the same labor rights and organization rights as other workers. Changes have been made in recent years to improve these legal rules and practices.

While middle and upper class students are starting computer skills training as preschoolers (Armstrong 1996), Latino drop outs who are English Language Learners (ELLs) do not have the basic academic and English language skills to compete for

higher education and better-paying job opportunities. Economist Robert H. Topel (1997) says there remains a need to create skilled workers in the nation, but the public schools are not adequately teaching the necessary skills. He adds that poverty, as a result of personal and social barriers in society, hinder the nation's ability to develop more high-skilled workers. He believes investing in human capital will reduce wage inequality and public policies must work to improve education and provide job training to help disadvantaged workers to attain better job skills. Corporations and government agencies, like those in Oregon where I've worked, have hired technically skilled workers from overseas to meet the demand for high skilled labor. This is a common practice that regularly gets approved by the U.S. Congress.

My preliminary research for this project was a quantitative study to weigh the relative effects of race and income on graduation rates for minority youth. Using the latest statistics from the Survey of Income and Program Participation (1996), I reproduced findings on high school completion published by the National Center for Education Statistics (NCES) using a more realistic poverty threshold. I expanded the number of White, Latino and Black minority families defined as poor per the federal poverty threshold by including families with incomes at 25% above the federal poverty threshold. Since the federal poverty threshold has not changed over the years to reflect regular rises in inflation, this strategy allowed me to determine if the outdated poverty threshold made it appear that race was the strongest factor when in fact the number of families defined as poor was unrealistically low. Based on my analyses, I concluded that race was still a key factor affecting minority high school completion rates despite an expanded definition of poverty. While high school

completion rates were found to be positively correlated to socio-economic status in general for Latino, African American and Euro American youth, there were consistently higher drop out rates for the minority students within each socio-economic level. Poverty or low class status, however, is highly correlated with race because higher poverty per capita exists within minority groups compared to the White population. Race and class are highly correlated and can be seen to affect graduation rates for Latinos.

My current study advances what is known about education inequality because I intend to explain specifically why equality laws, policies, and rhetoric do not lead to improvements for Latino students as they have for other racial groups. I rely on current research to identify the barriers to high school completion for Latino students. The barriers most cited in the research are language and cultural differences, discriminatory treatment, lack of lingual and culturally appropriate teaching methods/curriculums and funding discrimination. Once I identify the barriers to equal education, then I examine the educational laws and policies at all institutional levels of the educational system that affect one particular school district in order to find out at what level or levels the educational system fails to provide equality. Next, I examine the rhetoric on the topic of race equality in public education so that I can determine if the rhetoric is reflected in educational laws, policies and practice. Finally, I interview key people at four levels of the Oregon education system to learn how they explain the low graduation rates for Latino students based on their personal experiences.

Through my research of the issue of low educational achievement among Latino students, I intend to expand our knowledge of how education institution laws,

policies and practices affect the success of Latino students. This will involve examining education laws and policies and how they translate into practice at the school level. My research of the education institution will also involve examining current and historic public rhetoric about education equality and determine to what extent publicly stated goals and efforts toward equal education are realized at the individual school level. By examining the laws, rhetoric and interviews I will look for patterns that can explain the institutional reasons for Latinos' poor school performance in my particular district. What I learn can likely be extrapolated to explain inequality in other school districts. I will begin by looking to current research to help explain the poor educational outcomes for Latino students.

2. Literature Review

The goal of this study is to determine the causes of persistent high drop out rates for Latino students in the district of study. This can help identify ways to improve the school system's teaching environment in a way that will allow Latino students to graduate high school at rates similar to the majority population of students.

My personal interest in the topic of educational equality among students was initiated by stories told to me by my Latino husband who works as a school counselor for Latino, Spanish-speaking students. He told me how poorly the minority Latino students were being treated in a number of integrated schools where he has worked with Spanish-speaking students. He said the students experienced racist attitudes, discriminatory or insensitive treatment by school staff, teachers and administrators on a regular basis. He quickly learned that programs intended to teach Spanish-speaking Latino students were basically ineffective and demeaning - setting students up for failure. Often Latino students coming into a new school are given a placement test in English when they have limited or no knowledge of the English language. Based on this test of their language ability, students were often misplaced in special education programs. Those programs that aim to teach Latino students English skills and subject matter lack the necessary number of bilingual/bicultural staff capable of teaching Spanish-speaking students in their own language while they learn English. Students are forced to learn English quickly and lose their Spanish speaking skills.

Eventually students cannot even communicate in the same language as their parents. Students become disconnected from their extended family as well as from cultural information, knowledge and spiritual values that have informed their families

way of living for hundreds if not thousands of years. Many young Latinos become confused about their basic identity that is psychologically necessary to inform their development as a whole person.

Persistent low high school graduation and completion rates primarily concern Latino students, their families and their future children. The problem also concerns the legislators and educators responsible for teaching students. Others concerned are social activist groups who want to improve the school system and sociologists who can provide information and guidance to policymakers on ways to improve the education system.

A Latino's ability to obtain a high school diploma directly affects their ability to get a job that will provide for their basic life needs like food, housing and healthcare for themselves and their families. Education inequality is a civil rights issue for Latinos since the long-term trend of low graduation rates serves to block the majority of Latinos from improving their socio-economic status. Persistent poverty through generations contributes to what William Julius Wilson (1987) refers to as the growing "underclass" of society. This underclass of poor Latinos currently exists. Due to poverty and language barriers, they have no voice in the governing of our society, further undermining efforts to establish a democratic government in the U.S. that would treat all people equally and humanely. The educational inequities experienced among Latino students is a human rights issue when we consider that some Latino students' negative experiences compel them to leave school. Those education researchers whom I have studied on this topic identify the barriers to graduation that

exist within the school system and provide solutions for improving school conditions in order to improve graduation rates for Latino students in the U.S.

Researchers who have specifically studied the education of Latino and non-English-speaking youth are education researchers, sociologists and psychologists including John Ogbu, Antonia Darder, Jonathon Kozol, Jim Cummins, Virginia Collier, Thomas Carter, Roberto Segura and James Coleman. These education experts find that persistent lower graduation rates for Latino students are related to race and class oppression. One of the three major types of oppression cited is that teaching methods used for Spanish-speaking Latinos are wholly ineffective in teaching students to gain enough English skills or academic knowledge to meet high school graduation requirements. The second and related oppressive action is that of *Americanizing* students. This practice of re-socialization often alienates students from their school where the most persistent lesson they learn is that they are different and they are not expected to succeed. The third major oppressive act that undermines achievement among Latino students is discriminatory school funding practices that short-change Latinos' educational experience in segregated and desegregated schools. The literature that follows provides details of how these problems affect the achievement of Latino students and why solutions are discounted or ignored.

Throughout the literature review, I will refer to some of the older studies performed by Carter and Seguro in the 1970s, James Coleman's work in the 1960s, and the work of Gunnar Myrdal and W.E.B. DuBois in the 1950s. It is important to include the earlier studies since they provide a strong foundation of respected work that continues to inform current research. Additionally, the older work is still relevant

in understanding the public education system's treatment of Latino English language learners or ELL students because their work provided valuable results, insights and strategies for change that are still useful today. Since the earlier efforts to improve education for Latino students generally have not been implemented suggests school system have avoided attempts to improve the education of Latinos.

Teaching Methods

Historically, Latino youth, particularly Spanish-speakers, have been taught in ways that negate learning. Beginning in the 1930's Latino students were tracked into vocational and manual arts courses (Carter and Seguro 1979). Spanish-speaking Latinos were also routinely placed in classes for mentally challenged students or special education classes. Carter and Seguro (1979) report that during the 1960's an over-representation of Mexican-Americans in special-education classes was common to all five states in the Southwest. One reason given for the inappropriate placement was that Spanish-speaking students did not perform well on school entrance exams that were given in English. School entrance tests also were culturally biased toward Euro-American ideas. With no chance for scoring well on such tests, Mexican-American children were labeled academically inferior and held to lower expectations for school success. Feagin and Feagin (1993) found the same testing discrimination in California and New Mexico in the 1970s.

Carter and Seguro (1979) concluded in their book they found no evidence that the use of compensatory and remedial programs to teach ELL students had any positive effect on Latino students during the 1960's and 1970's. They add that most of

such programs focused on remodeling the student rather than making changes to school practices.

Antonia Darder (Darder et al.1997) finds that few useful bilingual education programs exist to provide an effective education to ELL students. She adds that Spanish- speaking Latino students are expected to learn subject matter and the English language without any instruction in their own language. A quality, bilingual education is necessary for Latino students to learn the English language or any subject matter taught in English. While this idea makes common sense, Darder explains that successful bilingual education is generally avoided because it is seen to threaten the status quo. In the current system Latino students who graduate with a quality bilingual education are seen by many people as getting an educational advantage over monolingual students of the dominant culture. Therefore, proof of the effectiveness of bilingual education is often dismissed by the dominant culture because it is seen as giving Latinos an educational advantage over Euro-American students. This may explain why an English-only teaching style with remedial coursework is still promoted for teaching minority ELL students.

The major teaching problem cited in the most recent report by the National Coalition of Advocates for Students (NCAS) was a lack of language assistance to help immigrant students to learn their subject material (Adamson 1988). The report stated that the average three-year maximum time allowed for students to participate in most bilingual programs made no sense. Existing language programs were found to be mediocre and structured too rigidly to help diverse groups of students.

Inappropriate teaching methods are used to oppress language minority students in other ways as well, according to education researcher Jim Cummins (1986). The requirement of the English -only teaching model vs. the bilingual teaching model has continued for many years despite massive evidence from education experts disputing its effectiveness. Such compensatory and remedial programs targeting Latino ELL students have had little impact on lowering Latino dropout rates.

The unfair education experience of Latino students in schools controlled by an extensive bureaucratic education system is an example of institutional discrimination. Sociologist Leonard Beeghley (2000:98) defines institutional discrimination as "the unequal treatment of individuals or groups based on their personal characteristics that is embedded in the social structure". An example of institutional discrimination in practice is the aforementioned practice of giving new Spanish-speaking students a placement test using the English language. Educational researcher Cummins (1986) agrees with Darder, Torres and Guitierrez (1997), that resistance by education policymakers to use known, effective bilingual teaching methods threaten the established pattern of colonialist treatment of minority groups in the U.S. If minority students were given a quality education it would confer status and power to them that could lead to better jobs, disrupting the current colonial system of domination and control.

The English-only teaching style that limits or eliminates bilingual teaching is promoted by conservatives to create a populace united behind one predominant ideology and culture, according to education specialist, Donald Macedo (1997). This explains constant attacks against diverse curriculums and multicultural education

styles by policymakers and education officials. Macedo says in light of our ever-changing multi-cultural and multi-lingual society, the English-only movement is a backward notion. A student's primary language should never be forfeited because it is the only way children placed in a new language environment can make sense of their own experience in the world.

Current education researchers find that a quality, comprehensive bilingual teaching model is necessary for ELL students to succeed. In order for a student to learn a second language and succeed academically, they must become literate in their first language at least through their elementary school years (Collier and Thomas 1999). In a quality bilingual teaching environment, non-English speakers will need to work harder. While typical English speakers achieve 12 months of academic gain for each 10-month school year, English language learners need considerably more time to learn the same information, according to Collier and Thomas. ELL students typically need to gain 15 months of academic achievement in each of several consecutive 10-month school years in order to begin to close the achievement gap when tested in English. Without a quality bilingual program ELL students take longer to learn English, fall way behind in understanding their coursework and never catch up to their English-speaking peers. In English-only programs like the popular English as a Second Language or ESL, English language learner students are taught English for the first two years of school. Then in their third year begin being tested on course material in the English language, though they have not yet been taught course material in their own language and would not understand English well enough to be tested in English.

A group of educators have identified a specific formula for a successful bilingual program. The formula combines language and content instruction, helping ELL students to learn English while keeping pace with the other students in learning the academic material (Christian, Spanos, Crandall, Simich-Dudgeon and Willetts 1995). First, teachers must incorporate content material into language classes to prepare students for the academic demands of their subject classes. Secondly, teachers must accommodate ELL students' limited English skills in content classes by adapting the language and materials to present the information in a way that can be understood by students. ELL students must get meaningful instruction in the content areas and a context for which to base their language skills. They need to develop more than conversational English in order to perform academic work successfully in English.

Collier and Thomas (1999) conducted a series of studies in 23 school districts in 15 states over a 14-year period. Between 1982 and 1999 they tracked 1 million language minority students with similar backgrounds in language proficiency and socio-economic status for as long as they attended their school district. The goal was to study their long-term academic performance measured by tests given in their schools at each grade level in math, science, social studies, reading and writing.

The outcome of the Collier and Thomas research was that ELL students required a minimum of six years of bilingual instruction in order finish high school with the same academic skills of English speaking students. This inclusion of bilingual instruction in the core academic curriculum would provide quality language instruction in both languages and promote positive interdependence among peers and between teachers, students and parents.

Based on their research, Collier and Thomas (1999) say teachers and politicians must understand that ELL's need significantly more than two years to become fluent in English. Cummins (1986) agrees that a quality, bilingual education is necessary to effectively teach ELL students English plus course content material. However, there is a serious lack of quality bilingual education programs for non-English speaking students in the nation's public schools. Cummins adds that English language learners are either disabled or empowered by their interactions with educators in the schools. Student empowerment, he states, is determined by how well a minority student's language and culture are incorporated into the learning program. Additional ways students are empowered include:

- how avidly the minority community is encouraged to participate in the students' education - as opposed to alienating a child from their own culture
- whether the pedagogy motivates students to use language actively toward developing their knowledge skills
- educators advocate for the child's success instead of blaming the students for lack of success.
- using bilingual programs that emphasize and use the student's first language in the learning program.

Cummins refers to extensive research supporting how well a child's first language and culture are incorporated into the curriculum is a good indicator of the student's overall academic success. Antonia Darder (Darder et al.1997) says in order to achieve change in the classroom, teachers must be properly prepared in their schooling to meet the needs of culturally diverse student bodies. Teachers need the

power to decide the curriculum that best meets their student's needs. To improve instruction for bicultural students, class sizes should not exceed 20 students per teacher and teacher contact with the parents is especially helpful. Darder finds that teachers are often powerless in the usual classroom environment that is at odds with the more complex teaching requirement for diverse students.

John Attinasi (1997) explains that a bilingual and bicultural education serves the important purpose of connecting learning to family and personal experience. Language skills are important for a student to develop meaning and produce knowledge (Darder et al.1997). A student must know the experiences of their own community through their primary language in order to develop a voice (Ruiz 1997). Empowerment for Latino students must come from having a voice that is developed through having efficacy in a language.

Research provides compelling evidence that workable solutions do exist to successfully educate ELLs. An example is a study that was performed in Carpinteria, California showing that language - appropriate pre-school is a very effective way to prepare Spanish-speaking students for education in the public schools (Cummins 1995). In Carpinteria, the study showed that Spanish-speaking pre-schoolers put into an English-only preschool program tested poorly compared to English-background students prior to kindergarten. However, Spanish-speaking children placed in a Spanish-only preschool tested at the same level as English-speaking students prior to kindergarten, when tested in their own language. This study confirms the obvious, but such studies are apparently necessary to change entrenched attitudes toward educating Spanish-speaking Latino students.

Research also reveals the ideal bilingual teaching program is actually the most cost-effective (Collier and Thomas 1999). Since the English teacher who teaches ELL students is often not bilingual, they require the help of other instructors, teaching assistants and/or tutors to help the students understand what is going on in the class. Therefore, ESL classes are more costly in the first years due to the additional staff required to help the teacher. Despite the evidence supporting bilingual education, inadequate funding for quality bilingual programs is widespread and is rarely an issue of finance, but rather an issue of discrimination.

Funding Discrimination

Funding discrimination is a major factor researchers claim undermines the education of Latino and other minority race students. While individual state legislatures are responsible for developing methods to fund public schools in their state (Drury and Ray 1967), the practice of spending less school funds on Latino and other minority students has historically been a problem nationwide. Funding disparity by race is found in racially segregated schools as well as desegregated schools and is seen to greatly affect the educational outcomes of minority students.

Early studies on public school funding focused on African-American children in public schools. In 1900 some school districts were spending ten times more to educate White students in the public schools than for Black students (Feagin and Feagin 1993). Another study of school funding equality was funded by the National Association for the Advancement of Colored People. Sociologist W.E.B DuBois conducted the study in the late 1930's. He found that in 10 states in the South the

average spending for each Black student in school was \$17.04 while spending on each White student averaged \$49.30.

Jonathon Kozol's reporting of race and class discrimination in schools began in the 1960's and has continued through the 1990's. In schools receiving insufficient funding, he finds the students display low-morale and subsequently high drop out rates. His first book, *Death at an Early Age* (1967), tells of his experience in the 1960's as a teacher in a segregated school in Boston with a majority population of African-American students. He describes a school in a poor neighborhood that is rundown, structurally unsafe, and noisy with overcrowded classrooms. A number of classes were taking place in the gymnasium where cold winter air flowed in through windows broken for some time. Additionally, Kozol reports that schoolbooks and other teaching resources were old and obsolete, and the teachers poorly qualified.

John Ogbu's (1978) research revealed that preventative and remedial *Title I* programs funded by the federal government, while intended to narrow the gap between poor, minority and white middle-class students were largely unsuccessful. Federal poverty programs for students first went into effect in 1965. Ogbu learned that the continued gap in student performance between White and Black students still existed "in every region, and within every socioeconomic level" (1978:93-95). Ogbu investigated the persistent gap in success rates among students. He says a reason often given for the program failures was that the *Title I* funds were misused in their community. Ogbu provided sample cases, first referring to a study by Hughs and Hughs in 1972 that found Mississippi schools in twelve districts were receiving federal *Title I* funds while the expenditures for predominantly White schools was 76

percent more than for Black schools. Discrimination in the use of *Title 1* funds was exposed in the Washington D.C. case, *Hobson vs. Hansen*. In that city's school district, expenses per pupil ranged from \$292 per pupil in predominantly Black schools and \$392 per student in predominately white schools.

Funding discrimination was consistent throughout the 20th Century. In his book, *Savage Inequalities* 1991, Kozol described a school in East St. Louis, Missouri, a predominately African-American community. This school was no improvement over the one he described in Boston in the 1960's. He reported large class sizes, an insufficient number of teachers and a large number of substitute teachers earning only \$10,000 annually. Teaching resources, including paper and chalk, were in short supply. The school structure was in bad shape and unsanitary due to regular sewage leaks. Situated in an industrial area atop an old industrial site, gaseous fumes often emanated from under the site to permeate the school.

Turning his attention to Oakland, California schools, Kozol described the Oakland school district, as "poor and troubled" (1991:220). The student population consisted mainly of racial minorities. Here, \$3,000 was spent per student annually, while in the surrounding excellent school districts \$7,000 was spent per student. This discrepancy existed years after the California Legislature passed a law to equalize school funding in 1977. The law addressed parent complaints about unequal funding between rich and poor school districts. However, wealthier parents learned easy ways to get around the equal funding rules by sending their children to private schools or pooling private money to improve funding for the public schools their children attended.

In Kozol's more recent book, *Amazing Grace* (1995), he described the school financing inequities in the New York City area. In one minority, segregated high school, he found the student population numbered 3,200, but nearly 1/3 were discharged each school year for a variety of reasons, including very poor school attendance and violent behavior. Only about 200 students were expected to graduate from the school that year. Kozol made the startling discovery that New York City spent 10 times more money per inmate in their prisons than they spent on students in the district he studied. In fact, a large number of young adults from this school district would either end up in prison or work as a prison guard - one job that does not require a high school diploma.

Poor, minority students and parents traditionally have not had the influence or power necessary to improve school funding for their children's schools. Their only recourse has been to try to enforce existing state, federal and constitutional laws that govern school administration. Therefore, school funding disputes or allegations of funding discrimination historically have been dealt with in the court system. In 1954, African-American school children in Kansas City made a formal complaint against their school district (Feagin and Feagin 1993). The case is now well known as *Brown v. Board of Education of Topeka, Kansas* (1954). African American public school students alleged their schools were not equal to those of Whites and requested an equal education. The U.S. Supreme Court ruled in favor of the children. Justice Warren stated in his majority opinion that education was in fact a right available to all children on equal terms. In the aftermath of this ruling, the Supreme Court developed specific mandates to school districts nationwide on the specific actions they were to

take to equalize education for children of all races. The great majority of school districts ignored the mandates or used stalling tactics to avoid implementing the changes including desegregation strategies. By 1970 the Supreme Court had changed members and no longer pushed districts to comply. According to education expert, Gary Orfield (Orfield et al. 1997), between 1970 and 1990, neither Congress nor the presidents pushed for compliance with the *Brown* ruling. During the Reagan administration federal funds were increased to support private schools while federal funds to help minority students were cut.

As early as 1934 the School Improvement League of San Antonio documented consistent funding inequality among schools in the local school district (Garcia in Darder et al. 1997). There were 48 students per classroom in the Mexican-American schools. As a result, students could only go to school for 1/2 days - 24 students had class in the morning and 24 students had class in the afternoon. Meanwhile, schools dominated by Euro-American students had 23 students per class. The League found that the school board was spending considerably less of state education funds per student in Mexican-American populated schools than in schools in Euro-American dominated neighborhoods.

Eventually, legal action was taken charging school funding discrimination affecting the schooling of Latino students in the often-cited case *Rodriguez v. San Antonio Independent School District* (1973). A father whose children attended the school district, Demetrio Rodriguez, initiated the case (Kozol 1991). In the early 1970's, Demetrio Rodriguez learned that the school district his children attended in San Antonio was poorly funded compared to surrounding school districts in

predominately White neighborhoods. In fact the schools populated by mainly White students in better neighborhoods were getting three times more funding per student than students living in the poorest districts like the Rodriguez's Edgewood district where 96% of the population consisted of racial minorities (Kozol 1991).

In the first stage of *Rodriguez v. San Antonio Independent School District* (1973), the district court ruled the state's funding scheme was unconstitutional (Kozol 1991). The school district appealed to the Texas High Court whose justices overruled the district court judgement in 1973. Rodriguez then appealed to the U.S. Supreme Court where the suit was turned down by the justices. But relentless parents kept the case alive and in 1989, the Texas Supreme Court cited extreme funding disparities among Texas school districts. In a 9-0 decision the justices ruled that the intent of the state constitution was to provide equal educational opportunities for all its citizens. Though the case finally won the support of the courts, Latino, San Antonio students were no better off seven years later in 1996. Twenty three years since the Rodriguez case was first heard, Texas schools remained separated by race and vastly unequal in terms of funding: the poorest districts getting as little as \$2,000 to spend per student and the rich districts were provided as much as \$19,000 per student.

In a recent ruling in New York, a state supreme court judge ruled that the distribution of education funding in that state was unequal and illegal, denying students “a sound, basic education” (Goodnough 2001:1-3). Judge Leland De Grasse found the state’s politically motivated method of school financing had violated the civil rights of children for decades in New York City, where more than 70% of the state’s Hispanic, Asian, Black and students lived. He added “the majority of the city’s

public school students leave high school unprepared for more than low-paying work, unprepared for college and unprepared for the duties placed upon them by a democratic society" (2001:2). The lawsuit was filed in 1993 by the Campaign for Fiscal Equity, a coalition of advocacy groups representing city schoolchildren. New York State is not alone in battling school funding inequality - at least 12 other states around the country are being sued for public school funding inequity.

Since the nationwide implementation of compulsory or mandated public education, communities are often unwilling to spend the same amount of money teaching minority students as students from the dominant culture. This pattern of spending less per minority student exists even in states where the constitution provides equal funding among schools and students. Even though federal and state laws exist to protect minority students from education funding inequity, policies at the community and school district level tend to ignore them. Local districts are often not held accountable for unequal spending practices due to the entrenched power imbalance between minorities and the dominant culture and the extent of the problem throughout the nation.

There is no doubt spending inequalities only exacerbate the problems of cultural and language differences and poverty issues affecting Latino students, making it nearly impossible for minority and/or bilingual students to get an equal education.

Socialization or Americanization

Another common reason researchers cite for minority students' lack of success in U.S. schools is that Latino ELL students are socialized to discount their primary language and culture and replace it with the English language and some notion of

American values and ideals that promote a non-existent democracy. The process of Americanization is achieved through school textbooks and lessons. It is also conveyed to students via racially superior and class superior attitudes of teachers, administrators and staff who see Latino students as inferior and deserving less than students of the dominant White race and Euro-American culture. A major factor that negatively affects a child's ability to acquire a second language is when the child is given the subordinate status of a minority group in school. In this respect they are forced to acculturate to the dominant culture and not allowed a bicultural school environment. When ELL students are forced to acculturate, they experience anxiety and low self-esteem in addition to the effects of prejudice and discrimination by the dominant culture students (Collier and Thomas 1999).

The history of re-socializing young people in general, and immigrants from other cultures, began on a widespread basis when the federal government encouraged states to establish mandatory public schooling for the general population in the early part of the 1900's (Empey, Stafford and Hay 1999). While the education of working class children was limited and sporadic, wealthy children had a history of private, formally structured schooling beginning as early as 1600 for the purpose of maintaining their family's position of power in society as well as upper class social connections.

At the beginning of the 20th century, during a time when large numbers of new immigrants were coming into the U.S. looking for work, schooling was seen by policymakers as a way to integrate "inferior" immigrants into the U.S. social culture (Bowles and Gintis 1976). A public remark from the influential 18th century

statesman, Alexander Hamilton, conveyed an example of such historical elitist sentiments when he described the "common people" as the "great beast" that must be controlled by requiring a certain type of education (Chomsky 1996:30).

In an attempt to resist elitist attempts to control the lives of the ordinary person, the Socialist Labor Party formed in 1877. The Socialist Manifesto states, "the children of the poor get scarcely a formal elementary training and this too is mainly directed to such branches as tend to producing prejudices, arrogance and servility; in short, a want of sense" (Zinn 1980:262).

Some politicians of the time argued that public schools would provide a more educated and united populace that would promote democratic ideals and ensure liberty (Nevens and Commager 1981). There was also an active group of moral entrepreneurs who believed schooling would nurture and protect children and allow them to learn to support themselves and secure for themselves a humane existence (Empey et al. 1999).

The impetus for Oregon's *Compulsory Education Act* appears to have been a desire by state politicians and community leaders to indoctrinate new immigrants to the culture and language of the dominant European-American residents. Oregon's public education law went into affect in 1926 (La Morte 1999). The law was an initiative passed by voters. The stated purpose of the law was to compel youth ages 8 to 16 to get an eighth grade education. Parents would be held responsible to send their children to school or suffer the consequences of a misdemeanor crime that could include jail time or a fine. At the time of its passage, the compulsory education law had the support of the governor of Oregon, the local Ku Klux Klan and the Scottish

Right Masons. The intent of these groups was to force immigrant children, Catholics, non-Europeans and non-English language speakers to be socialized to value the ideals of the English-speaking, Euro-American culture that had come to dominate the governance of the U.S.

Some sociologists find that the method of American-style socialization specifically supports the demands of the U.S. style capitalist economy (Bowles and Gintis 1976). Since its inception, public schools were a method of disciplining children to become obedient workers meeting the specific needs of local industries. Local school boards, traditionally populated by business leaders, have been the tool used to influence how youth are educated. Also influential in determining the style of administering public school and its outcomes has been the tradition of recruiting school administrators from business and political institutions rather than using professional educators. Teachers have traditionally had little control of schooling methods, according to Bowles and Gintis.

For more than 200 years, politicians, judges and business leaders have promoted a teaching style that has become standard U.S. policy, where public schools have the limited role of producing a labor force for a class stratified and hierarchical capitalist production system (Bowles and Gintis 1976). Virginia Governor, Thomas Jefferson, was the first to propose a policy of a two-class education system that would be implemented in his state. He proposed that public schools would prepare the low class or poor students for production jobs while preparing middle and upper class students from wealthier families to fill managerial or leadership positions in society.

In the present day, sociologists find that the tradition of socializing students to Euro-American values and ideals in public schools directly challenges the success of minorities in particular, by assigning them to lower class status in their school. Sociologists Bowles and Gintis (1976) write that public education has been successful in keeping society divided by class during the past century since mandatory public education was implemented nationwide. Their studies revealed that success in school is closely correlated with a student's family background in terms of socio-economic status. The number of years of schooling a child received was found to be commensurate with socio-economic status and not IQ. They also learned that while more students were getting the same number of years of schooling between 1950 and 1974, income distribution was shown to be relatively unchanged - increased years of schooling for the lower class students did not result in increased income equality. This supports their assertion that schools prepare lower class students for low status (low-paying) positions in the job market while preparing students with middle and upper class status to take management and leadership positions in the workforce.

Recent statistics supporting the work of Bowles and Gintis show how minority status still determines job and wage status into the 1990s (Bheegley 2000). Due to workforce discrimination, Latino families earn significantly lower incomes than Whites and still hold far fewer white-collar positions - though the gap is narrowing. In 1998, the U. S. Census Bureau reported that 27% of all Hispanic Americans were living in poverty while only 9% of White Americans were living in poverty.

Like Bowles and Gintis, sociologist Joseph Scimecca (1995) believes schools are designed to socialize all young people. He describes schools as behavior centers

where the lower classes as well as immigrants are socialized to be subordinate to the dominant forces in society. Such institutionalized learning ensures the public will learn societal values that benefit a group of individuals and families that consider themselves elite or at the top of the class/race hierarchical system. These *elite* hold the top positions in the country's economic, political and military systems. They are in a position of power to control the political order of society. In earlier writings, Sociologist C. Wright Mills claimed the locus of control in our country was held by a group of government leaders and military leaders whom he defined as the *power elite*. President Eisenhower expanded this group to include corporate leaders and referred to this group as the *military-industrial complex*. Education then can be seen as an institution that is controlled by powerful people at the top of a U.S. hierarchy of political and economic special interests. Public schools for the masses then have the role of socializing students to meet the needs or desires of the dominant institutions. The public school institution is also the means by which the dominant forces in society teach students that this social hierarchy in which they find themselves is a legitimate social order. Students are socialized to accept this system of economic and political stratification and not question the validity of this system. They learn that success means high-class status, wealth and power. Scimecca agrees with the earlier work of Bowles and Gintis supporting the idea that the public school system has become the basic means of stratifying the workforce. The more years spent toward acquiring an education is a crucial determinant in establishing success in the job market.

Scimecca (1995) explains that one way socialization of students is achieved is through the value systems internalized by their teachers and passed on to students.

That is, since teachers have made it successfully through the education system, they have internalized the values imposed upon them and subsequently pass these values on to their students. Lower class students (mostly minority students) are taught to have low expectations (Scimecca 1995). They experience discrimination and the schools do little to help them succeed. So, for lower class students to succeed they must work harder and be better than the middle and upper class students who are more likely to succeed because their family backgrounds and experience better prepare them to succeed in this educational system. But disadvantaged students do not necessarily understand how the students who are successful in school are supported by the resources and connections established by their wealthier families. Yet, Latino and other minority students are taught in school that they live in a country of equal opportunity. So, they often assume their own lack of success in school is due to personal failure and/or inherent inferiority. Most of these young people are unlikely to realize how external systemic forces are causing their inability to be successful in school-in the ways success is defined within the school. In regard to Latinos, Cummins (1995) adds that educators view their role as that of teaching them to learn the English language and the workings of the dominant culture.

Another way students are socialized to accept the values and pecking order of the American system is through public school textbooks. In general, school texts promote assumptions that reinforce racist, classist and sexist attitudes while written in a way that appears neutral and objective to the student (Darder in Darder et al. 1997). This has the effect of discounting the value and contributions of minority students in

this country, promoting the development of poor self-esteem and group alienation in the U.S.

In the book *Mexican Americans in School*, Carter and Seguro (1979) discuss how Latino students started to enter urban areas in higher numbers in the 1930's and 1940's. Educators focused on acculturating them the same way they acculturated other immigrants (1979). Such acculturation methods were intended to change Mexican-Americans to behave like Euro-Americans. In this atmosphere, Latino students were assigned to coursework teaching vocational and manual arts, the English language, health and hygiene. Core American values like timeliness, and cleanliness were included in their curriculum. During the 1960's Mexican-American students in the Southwest were found to be over-represented in special education courses or labeled as retarded twice as often as White students. This was because their entry tests upon enrollment were in English while their understanding of English varied. By the early 1970's this practice was recognized officially among educators as a barrier for Latino students.

The Americanization of minority students does not promote success in school. Latino students literally can not compete with their Anglo peers in the current system. Studies have shown for decades how students from the dominant culture score higher than minorities on standardized tests (Darder et al. 1997). The test discrepancy results in a majority of minority race students being placed in remedial classes that make them feel ashamed, stupid and stigmatized by their peers.

The research cited shows how schools systematically under-serve those students who require *more* service to get an equal education. Antonia Darder (Darder

et al. 1997) asserts that bilingual students with the greater need for school resources and educational opportunities are denied the necessary resources and opportunities to close the achievement gap while students who are already more privileged have many more resources in place for them in school. The school environment operates with the assumption that failure among minority, bilingual students to succeed in school are due to deficiencies among the students themselves, their parents and their cultural background "while ignoring the deficiencies of a larger social caste system that replicates itself in public schools" (1997:339). Darder uses the term *caste system* similarly to how Karl Marx used the concept of class to define a person's status in society by the type of work they perform, the amount of money and power associated with their job and the lack of upward mobility for low-status workers.

Sociologist John Ogbu (1978) also uses the term *caste-like minorities* to describe how Latino students are treated in the education system. The term caste has its origin in the structure of Indian society where the caste or class level in which a person is born determines their occupation for life. There is no upward mobility for lower caste people and this arrangement is legitimized by the society as a whole as part of their religious beliefs. Ogbu sees the motive of formal education as preparing students for different adult roles in life. They are provided the skills they will need to serve in higher and lower positions in society based on racial status with no upward social mobility for racial minorities. The failure of minorities to achieve equality with the dominant *caste* is exactly because schools are organized to train caste-like minorities to achieve less and that is why when we study historical changes in the education of minorities the results are never found to improve the status of minorities.

Ogbu describes how Latinos became caste-like minorities in the U.S. He explains how Mexican-Americans living in the Southwest and Mexico were conquered by Spaniards who controlled the Mexican people by force. Then when the U.S. invaded Mexico, they took control over Mexican people living in the present day U.S. Southwest. According to Ogbu, the local upper class Whites considered the Mexican/Latino people to be inferior to White people. They adopted the Spaniard's negative attitudes and discriminatory practices toward the Mexicans. Being defined as having lower caste status was the way local Whites rationalized giving Mexicans an inferior education and limited job opportunities. Carter and Seguro (1979:17) report evidence that Mexican-Americans in the Southwest have been considered caste minorities and that Americanization of Mexican students was recommended by educators to modify "...Mexican children from half-hearted Americans into law-abiding and useful American citizens."

Feagin and Feagin (1993) provide evidence of Americanization of Mexican-American students in more recent years. They say some schools with large Mexican student populations strictly prohibit Mexican-American students from displaying aspects of their culture in how they dress and how they style their hair. Additionally, teachers tend to change the names of Mexican American students from Spanish names to Anglo names, effectively discounting their basic identity as well as their heritage. Feagin and Feagin's study of teacher behavior in the classroom found the average teacher praised Euro-American students 35% more often, questioned them 20% more often and utilized their ideas 40% more often than for Latino students.

Darder (Darder et al. 1997) adds that Latinos who experience domination develop feelings of hostility and alienation, rejecting any social institution that treats them in this way. She adds that it's important for teachers to recognize that resistant attitudes of dominated students are rooted in very legitimate fears regarding their ability to survive in school.

A study by the National Coalition of Advocates for Students (NCAS) provides considerable evidence of inflexible school policies that cause emotional stress for immigrant students contributing to high dropout rates (Adamson 1988). The study found immigrant students across the country experience harassment, racial tension and fighting. Also reported was inhumane treatment of immigrant students by teachers that involved using disparaging words to address ELL students.

There is plenty of evidence that socializing Latinos to fit into U.S. society has made school a hostile environment that does not motivate students to succeed or give them the confidence that they can succeed. This provides one explanation why Latino students drop out of school. Another related reason Latino students drop out of school is very practical. In some communities they become aware that their lower class or caste status automatically limits work opportunities no matter how much schooling one gets. Sociologist John Ogbu (1978) provides an example of this when he refers to a study of Mexican-Americans in Santa Clara County, California between 1971 and 1972. The incidence of wage discrimination against Mexican-Americans was so profound that the wages they could expect to earn actually decreased the more years of schooling they received. Yet, increased years of schooling benefited the wages their White peers could expect to earn. This discrepancy was due to a strict job and income

ceiling for Mexican-American workers. So the message to Latino youth was that more schooling did not pay off for them in terms of their job opportunities and wages. Therefore, the students realized school was useless for them and dropped out.

Ogbu adds that very recent Mexican immigrants often perform better in school than established Latino students, because they haven't yet learned their efforts will not lead to positive outcomes in the workforce. The new immigrants, despite the language barrier, have high expectations for success in this country where established Latinos have lost hope for success. It is a matter of what the students and parents expect to gain from school. The positive outcome comparison between established Latinos and new Latino immigrants is an example of how language and cultural barriers can be overcome when children feel supported by their school and community.

John Ogbu (1978) specifically explains minority school failure as the result of a caste-like system that functions in the U.S. where inequality is rationalized by defining certain groups as inferior based on race, ethnicity, religion, language and caste groups. Ogbu makes the distinction that the system of inequality is structural and not psychological. Moral sanctions and laws enforce the caste-like system. He says the education system in the U.S. can best be understood by studying its function in U.S. society. While education is a bridge to adult status and job status in all societies, in caste-like societies education prepares youth of different castes for their particular and different job status as adults. In regard to Latinos, Ogbu agrees with Thomas Carter in that the school system's failure to improve the group status of so many Mexican-Americans proves that it is not the intent of schools to successfully

educate Latinos. A subordinate and politically impotent ethnic caste benefits the upper caste.

School practices have unconsciously evolved to continue this original social and economic system into the present day by discouraging the minority kids from staying in school or from succeeding, according to Ogbu (1978). The poor attitude toward school fuels the Anglo belief that they are superior. In such a system minority students are less motivated to succeed when they know consciously or unconsciously that their job options are limited. Such action may appear as a lack of seriousness in school.

The points made by Ogbu and Darder on caste and internal colonialism provide good explanations of school inequality. The best explanation I found to explain race discrimination in schools was provided by researcher John Dollard [1957] (cited in Darder et al 1997). He said that prejudice was an intervening variable in the caste-class form of structural discrimination. Darder refers to his book *Caste and Class in a Southern Town* (1957) where Dollard explains the purpose of prejudice in the next statement. "The major consideration seems to be that it is a defensive attitude intended to preserve white prerogatives in the caste situation and aggressively resist any pressure from the Negro side to change his inferior position" [1957:441](cited in Darder et al.1997: 13-14).

Overall, the compelling research finds a class and caste-like system of discrimination working within the structure of our public education system that aims to disengage Latino students from their primary language, cultural identity, cultural values and socio-economic advancement.

Summary

The research literature reveals several critical factors that explain persistent higher drop out rates among Latino high school students: teaching methods, funding discrimination and racist socialization practices. These are shown to be relevant across the U.S. Education researchers define such system-wide policies and practices as institutional discrimination in the U.S. school system. Latino and minority students in general are given a lesser education by design in order to retain a society that is structured by class or a form of caste system that preserves a low-wage working class benefiting the U.S.-style capitalist economy.

In this study, I will focus on my local school district to assess the relevance of institutional discrimination on the performance of Latino ELL students in Oregon.

3. Research Methods

The community and school district on which this study is based is located in the Willamette Valley of Oregon. This valley resides in the Cascade Mountains between the Pacific Ocean and Central Oregon. The names of the school district, community and the specific names of interview subjects will not be revealed for reasons of confidentiality. The community has a population of 137,000 of which 83% are White, 15% are Latino and the remaining population consists of Blacks, Native Americans and Asians. (United States Bureau of the Census 2000). It is by far the largest community in the county with the largest school district. The primary, traditional industry of the area is agriculture. While new farm equipment has allowed growers to utilize fewer farm hands, many crops including orchards, hops and grapes are still picked by hand utilizing farm laborers who are largely Mexican immigrants who speak Spanish. Other major local industries that utilize Mexican farm labor are nurseries, Christmas tree farms, reforestation (tree planting) and food canneries. These jobs traditionally are labor intensive and pay low wages. There is still a wood products industry in the area, but operations have slowed. Attempts to diversify the industry in this community appear to be successful. Newer companies include technology companies like Hewlett Packard, frozen food factories, the major Japanese soy sauce factory, Shoyu, and Kettle Foods known mainly for their Kettle Chips product.

The methods I employed to explain lower high school graduation rates for Latino students in this Willamette Valley community involved investigating the possibility of institutional discrimination in the Oregon school system. My research

strategy to assess the existence of institutional discrimination began by analyzing the intent of laws pertaining to teaching methods, teaching materials and funding of schools. Next, I analyzed public rhetoric on the issue of education equality to determine equality goals versus reality. Finally, I interviewed key people serving at different levels of the education system to determine how laws and/or rhetoric may or may not be translated into practice in the classroom and within the schools.

Throughout the thesis, interview subjects were identified by their positions or titles in the state school system rather than their personal names for reasons of confidentiality previously mentioned.

I began my study by doing a content analysis of federal and state education legislation affecting Latino students in my district. By reading the laws and policies that govern how schools operate, I learned what structures are in place that organize schools in terms of what types of instructional materials are used or selected, how teaching methods are determined and how funding schemes are organized. I also determined how the school system is organized in terms of who are the decision-makers and at what levels of the system people can make decisions that affect equal education opportunities among students. In each area of study, I determined whether laws allow for or enforce discriminatory practices or whether they protect students against any or all forms of discrimination.

The second step was to collect, study and analyze the local and national public rhetoric of educators, policymakers, students, parents, civil rights activists, sociologists, researchers and politicians on the topic of educational equality in general and education goals for Latino and other minority students. Information and ideas

presented by and to the public represent another structure of society that may or may not reflect the intentions of written laws and policies on education equality. However, the rhetoric, true or false, greatly affects the public's understanding of the degree of equality in our education system. My goal was to hear what was being said in general about education equality as well as specific ideas being promoted in individual quotes, public statements and public opinion.

To collect public rhetoric on education equality I looked to a variety of news sources to get a broad view of the issue. I searched the *New York Times* education section headlines on the Web for stories. I also checked the headlines of newspaper articles in national level newspapers, the major Oregon papers like the *Oregonian*, *Register Guard* and *Statesman Journal* plus local community newspapers and the alternative press, including the *Oregon Peaceworker*, *Eugene Weekly* and *Willamette Weekly*. Since George W. Bush recently reformed the education system's entitlement programs etc., I looked to his education reform proposal, *No Child Left Behind*, for rhetoric revealing his goals and the changes he would make to the system. My search for information included national, state and local government education progress reports. I also looked to teacher organization and union newsletters to get educator input on the issue of student discrimination. Additionally, I looked to literature published by minority advocacy groups, like the *Minority Trends* newsletter and the newsletter and materials published by the local Coalition of Equality. Also, I utilized informational materials from my local school district in addition to the district newsletter for rhetoric on education equality. I became aware of some of these educational and minority news sources through my husband's work in the education

system. I went to community protests and rallies that were publicized to hear what was being said and collect informational materials. When searching for information or stories on education equality, I looked for books, news article or report titles that included words or phrases like education equality, education budget, bilingual education, English-only education, Latinos and education, minorities and education, discrimination or racism and education or any other phrase that indicated inequality in education related to race or language.

My third step involved personal interviews with key people at all levels of the Oregon education system. My interview questions were designed to be similar in terms of learning subjects' views about equality in general, whether they thought equality was being realized at the school level and who was responsible for unequal outcomes for Latino students. Asking these same questions of all the subjects would provide consistency in terms of getting statements related to the main issue of educational equality. Trying to keep the interviews similar helped to compare and contrast answers to the main questions among interview subjects to determine patterns or inconsistencies in practices regarding equality in the state school system. Whether they would answer the questions the same or differently could tell me a lot about consistency or inconsistencies in the state school system. Since each interview subject held a very different position in the state school system, it was also important to ask each of them questions based on their personal experience and expertise. These answers could reveal specific practices and policies affecting equality in the system as well as their specific ideas about problems and solutions. My intention in asking specific interview questions was to learn how education law relating to equality was or

was not being reflected in the classroom and in the schools. I also intended to learn whether stated goals regarding the education of Latinos/English language learners and minorities in general were reflected in the classroom and in teaching materials in the schools.

For better understanding of this study, the following terms that appear throughout this paper are defined as they relate to the particular purpose of the research. The *local school district* refers to the school district where I live in Oregon that served as a model for this research. *Latino* defines people who are indigenous to the Americas and speak primarily Spanish and who originate from Mexico, Central American and South America. *Bilingual/bicultural* defines people who are fluent in the English and Spanish languages and who possess cultural traits of Latino and U.S. culture. *English as a Second Language* (ESL) is a teaching method with the goal of helping non-English speaking students acquire English literacy in an entirely English-speaking teaching environment. *Remedial* and *compensatory* educational refers to the practice of providing the English learner extra coursework or tutoring to help them learn English. *Dropout rates* refer to an event drop out rate, meaning the rate is calculated by determining the number of students who drop out during one school year based on the number of students who enrolled in that school at the beginning of the school year.

Overall, in Oregon, the academic performance of Latinos is poor. In the past ten years only 20% to 23% of Latino students have met the 10th grade reading standard - the lowest of all racial groups in all but one year. Even worse performance is seen in math, only 8% to 15% of Latino students met the math standards required to pass 10th

grade. In Oregon, Latino students consistently perform below all other racial and ethnic groups in reading scores and math scores. The poor performance could be related to the lack of Spanish-speaking Latino teachers. The difference in the number of Latino students compared to the number of Latino teachers is the most pronounced in the state. While Latino students comprise 11.3% of the student population, Latino teachers comprise only 1.7% of the teacher population (Oregon Department of Education 2002).

The local school district that serves as the focus for this study has the highest number of Latino English language learners (ELLs) in Oregon and is one its largest school districts. The district's schools are racially integrated. Drop out rates for Latinos appear to have fallen in the local district and statewide in recent years, but these improved rates may not reflect real progress.

During the 1996/97 school year, when the school district started reporting dropout rates in a public annual report, the percent of Latino students enrolled in high school who dropped out was 22%. The drop out rate for Latino students continued to drop to 11.3%, by the 2000/2001 school year. Still, Latinos drop out three times more often than White students. The percent of White students enrolled who dropped out each year went from 8% in 1996/1997 to 4.7% in the 2000/2001 school year. In addition to higher drop out rates and poor academic success, suspension rates are also very high for Latino ELL students compared to the Anglo students in the local district. According to information provided to the local newspaper, in one recent school year approximately 41% of Latino students had been suspended from school compared to 16% of White students (Haynes 1999).

While drop out rates appear to be dropping dramatically statewide and locally, the positive statistics are spurious for a number of reasons. First, for the 1996/1997 school year, reporting methods changed so that those who dropped out to go to community college were no longer considered dropouts. That year, drop out rates reportedly decreased statewide and the local school district dropout rate for Latinos dropped 3.2%. At the same, the number of students statewide receiving a GED that year nearly tripled. This change certainly has the effect of playing down the number of students who leave school. Secondly, local school district and statewide drop out rates are much lower than national statistics reported by the National Center for Educational Statistics (NCES). This calls into question the consistency and honesty of drop out reports submitted to the NCES by individual states each year in order to track the education attainment of minority students nationwide.

The variability in district and state dropout rates could also be affected negatively by other variables. Some students are known to drop out due to the migratory nature of their parents' work. Older immigrant students may dislike being put into classes with younger children in order to learn beginning English skills.

The Coalition for Equality (the Coalition) based in the local school district states that 98% of ELL students in this district are Latino, Spanish-speakers. As told above, in recent years the number of Spanish-speaking, Latino students has risen dramatically in the local school district. This school district has a definite challenge to meet the needs of a fast growing population of ELL students. However, Spanish-speaking Latino families have lived, worked and migrated to this part of Oregon for at least the past century.

Overall in Oregon schools, Spanish is the second most common language spoken by students. The number of Oregonians with limited English skills has quadrupled in the past ten years to 44,000 (Rusch 2001), an increase of approximately 194% (Oregon Department of Education 2002). Most Spanish -speaking Latino students are from families who work in farm labor and related industries. Due to minimum and sub-minimum wages paid to these workers in addition to restricted labor rights, this group has a history of poverty.

Analysis of Relevant Education Legislation

The first phase of my research is to learn the causes of persistent high dropout rates among Latino students by studying those Oregon State Statutes relevant to the education of minority and ELL students. I looked for laws regulating teaching methods required for minority students and English language learners. I also looked at how the state provides educational equality for minority cultures and lingual minority students and how school funding is determined and distributed. The federal laws I studied that related to achieving educational equity were *Title 1* and *Title 7* of the *Elementary and Secondary Education Act* (ESEA) a result of the *Civil Rights Act of 1965*. This legislation has undergone considerable reform recently by acting President G. W. Bush. *Title 1* funding was originally developed to provide extra money to districts for programs to enhance the education of poor, migrant and bilingual students. *Title 7* funding was developed to provide money to assist bilingual/bicultural school staff to get a teaching degree also known as the *Grow Your Own Program*.

Relevant educational case law I studied included *Brown v. Board of Education of Topeka, Kansas* (1954) and the Court's subsequent orders to equalize schooling among race groups in all states. I studied the case *Lau vs. Nichols* (1974) case where the Supreme Court decision ordered that quality bilingual education be available to ELL students so they would get the same education as English-speaking students. I also studied case law and literature on the topic of funding disparities between minority populated schools and dominant race schools.

Public Rhetoric Analysis

The next phase of my research involved a content analysis of education rhetoric including studying historic public statements and current public statements made by educators, policymakers and politicians as well as students, parents and advocates of education reform for minority students. I looked for insight into the intent and attitudes toward equal education among the various players who are in a position to affect public opinion and education policy. I studied how well public rhetoric by policy makers reflect actual progress made toward the ideals of equality and whether the rhetoric reflects the stated goals and values of students, teachers and activists. An example of some of the words and phrases I coded for in examining the rhetorical language were those that expressed values, attitudes and descriptions of concepts like racial equality, educational equality, attitudes toward changing and /or improving the school system and goals for improving educational equality. I also coded text for language describing the concepts of discrimination, racism and opportunity in terms of higher education and career opportunities. I compared the rhetoric of grass roots civil

rights activists, students, parents and sympathetic teachers to that of the rhetoric of policymakers at all levels of the education system.

The sources I used to find rhetoric on education equality included national and local newspapers, teacher organization newsletters, education and minority advocacy newsletters, the George W. Bush administration's education reform proposal, books and radio and television news reports. Additional sources include legislative reports, fact sheets, minority-published newspapers and the local school district newsletter.

Subject Interviews and Analysis

The third phase of my research involved interviewing school system staff and policymakers to determine how well education equality rhetoric, stated goals and laws are reflected in practice and outcomes at the school level. I conducted interviews of four people who work at different levels of the Oregon education system to learn how they viewed the problems affecting Latino drop out rates in Oregon and the local school district. I also wanted to learn what was being done at the different levels of the education system to improve graduation rates for Latino students.

At the local school district level, interview subjects included the local superintendent and a bilingual/bicultural Latina teacher who has administered the district's migrant education program. At the state level, I interviewed a state legislator who has served on the state education committee. The fourth interviewee was a civil rights specialist from the Oregon Department of Education. Prior to the interviews, I obtained the most recent high school completion and drop out rates for Oregon students and district students broken down by race, so that the statistics could serve as the basis for discussion. Upon reviewing the interview responses I looked for those

problems identified by the respondents that were common among them to determine the main barriers to graduation among Latino students.

A specific set of questions was developed for the interview subjects. I focused on broader questions of how to achieve educational equality when talking to state level educators. I focused more on school and school district level questions for the educators who worked in the particular school district of study. Some questions were common to all subjects like "what is your philosophy concerning education equality". Other questions were more specific to subject's role in the education system. For instance, I asked the legislator how schools were funded in the state. The interview questions were written with the intent of learning why the system failed to graduate Latino ELL students at rates comparable to White students and also their ideas on how to improve graduation rates for Latinos. During the actual interviews, I took the opportunity to ask additional questions as the discussions progressed and as I learned more about the issues related to my topic.

In the Findings section of this paper, I report what I learn in each area of analysis separately. In the first section, I describe my findings in education law that are relevant to the topic and then analyzed the legislation in terms of its intended affect on minority and ELL students. In the next section, I describe the rhetoric related to the topic of education equality. Then I analyze the rhetoric in terms of how it reflects action toward education equality and stated goals for achieving equality. Finally, I discuss the outcomes of the subject interviews and analyze the respondent's answers in terms of identifying problem areas related to how education laws and goals are translated into practice.

In the discussion section, I discuss the common themes revealed by the research, in effect the main problems found in the education system that discourage Latino students from staying in school. Referencing the problem areas identified in the literature review, I determine how well the literature on education equality issues reflects what I have learned about equality issues in the Oregon school district. I concluded by discussing how current events can be expected to affect the education of Latino students in Oregon.

Based on what I have learned I will propose solutions that can be helpful in advancing educational equality for Latino students in this state. The results of the study will likely be beneficial to educators, administrators, education reformers and policymakers in the Oregon education system.

The main problem I encountered in this research project was how to determine the actual educational status of Latino students in Oregon. There is no long term data on drop out rates since the state began reporting statistics ten years ago and the local school district began reporting statistics six years ago. These reports are going to the National Center of Educational Statistics now, so in the future the information will be more valuable as there will be more years for which to track educational performance. However, the way information is reported produces a cloudy picture of what Latino students are doing. The event drop out rates just look at who drops out in a given year compared to the enrollment figures. Ideally, students would be tracked Kindergarten - 12th grade for actual drop out rates.

Another issue is that statistics on Latino graduation rates do not differentiate between students who are acculturated English-speakers and those who speak

primarily Spanish and are culturally disadvantaged in the U.S. There is a world of difference between these two groups. So, then one has to ask what information is used to determine who is Latino. Basically, reporting methods to track minority school status could be greatly improved to provide a more realistic picture of the Latino school experience and how well or how poorly these students are being educated. Since national statistics are based on the statistics school districts provide to their state education departments, the national figures are only as reliable as the information provided. The consistency and truthfulness of the information provided affects its reliability. While I believe we can see Latinos are worse off than other students in that they drop out three times more often, we can't really tell how bad the situation is as the statistics available are short term and unreliable.

4. Research Findings

Upon reviewing education legislation, education rhetoric and the opinions of interview subjects, the three key reasons revealed that best explain persistent high drop out rates for local Latino high school students are: 1) inadequate teaching methods; 2) funding discrimination; 3) re-socialization/race discrimination. Since these problems were also the main problems cited by education researchers, it appears the local school district I used as a model for this study is typical. In other words, Latino students here as elsewhere experience a school environment where they receive poor teaching that focuses on limiting their education and discounting their heritage in addition to funding discrimination that compromises programs necessary to teach them properly and keep them in school. An additional problem revealed by each of the interview subjects was a lack of available qualified bicultural/bilingual teachers who can teach Latino ELL students appropriately.

The key legal reasons for high drop out rates among Latinos begins with the *Oregon Education Statutes*. They require that teaching methods for ELL students must focus on replacing students' Spanish language and Mexican culture with the English language and U.S. culture. English-only teaching methods are required after the student's first few years in school as opposed to bilingual education throughout their school years. Oregon education law also spells out how to socialize youth to adopt Euro-American cultural superiority and instructs schools how to Americanize students through curriculum materials.

Laws concerning funding methods in Oregon do not ensure that English language learners will get the financial support needed to provide them an equal education. No law exists to ensure that available, additional funds to support ELL education are used for the education of ELL students. Nor is there any state oversight or enforcement regarding the use of these ELL-targeted funds. State education reform laws support increasing the number of bilingual/bicultural teachers and promote a shift to multicultural teaching methods. A definite federal financial obligation or a specified time frame to implement the reforms does not accompany the reforms.

New federal education legislation, the *No Child Left Behind Act*, also requires use of the English-only teaching method for ELL students in their first few years of schooling. This requirement appears to violate *Title VI of the 1964 Civil Rights Act* that requires schools to provide a quality education with equal educational outcomes for ELL students. While new federal education policy promises to provide more education money to equalize education among races, the federal laws are actually tied to unreasonable demands. The new federal law requires ELL students' bilingual education to be limited to their first few years in school after which they are expected to be proficient enough in the English language to learn and be tested on academic material in English.

The education rhetoric I have collected from news sources and government reports also reflect goals and statements from federal and local policymakers that support providing minorities a quality equal education while promising appropriate funding. However such rhetoric is not seen to materialize into any real substantial action to improve Latinos success in school in terms of appropriate use of targeted

"bilingual" funding, nor changes in teaching style nor culturally inclusive and relevant curriculum materials. These findings were collected from the rhetoric of students, parents, teachers, education-equality activists and education officials. The statements were found in newspaper accounts, materials distributed by minority education advocates and in subject interviews.

The results of my subject interviews of administrators and staff in the Oregon school system also point to inadequate teaching methods for ELLs as a cause of their poor progress, according to the majority of respondents. All respondents agreed there is a serious lack of bilingual/bicultural teachers in the school district and throughout the state. One respondent reported an increase in the number of bilingual/bicultural teachers recently hired in the local school, however their numbers are still very low compared to the number of ELL Latino students in the district, according to two respondents. Racially superior attitudes toward Latino students and school pressure to change their cultural ways alienate students from school. A major finding affecting funding of teaching programs for Latino and other ELL students in the school district is in how funding is distributed to schools. With the intent of equalizing education, state education law provides school districts extra money for each ELL student enrolled in their schools. However, there is no legal requirement that schools requesting the additional funds use the money for its stated purpose. One respondent said the money is being diverted to programs that benefit the majority population of students.

4.1 Legal Analysis

In this section I will discuss my findings in regard to laws affecting minority and ELL students. The relevant laws seen to negatively affect the education of minority students regulate teaching requirements, socialization mandates and funding distribution rules. To understand how education law governs schools, what follows is a brief overview. The state has the legal responsibility to operate and oversee public schools in Oregon. The Oregon State Legislature is responsible to create education law as well as oversee the implementation of education programs, laws and policies. The Oregon Department of Education implements these laws, sets policy and provides guidance for schools in implementing the laws and policies. Funding for public schools is distributed from the state general fund that consists of state income taxes and federal grants. Local school boards are responsible for distributing funds to schools in their districts based on requests from principals and the district superintendent. Local school boards also develop local school policy and select textbooks that will be used in the district schools. Oregon's school governance model, like most, is based on a historic precedent made in Indiana that determined the state legislature would be responsible for governing and controlling education in their state (Drury and Ray 1967). Furthermore, the state would develop statutes to determine how to delegate power for administering schools via local governments and state boards of education including the method for funding public schools. This Indiana model of governing schools has been replicated throughout the U.S.

Federal law governing public schools is often tied to federal grants to support school programs for poor and disadvantaged students. The *Elementary and Secondary Education Act of 1965* (ESEA) is the primary federal law affecting education in the U.S. This law was originally developed to help equalize education by providing federal funding to states to support the extra needs of students whose families are poor, migratory and/or non-English speaking. ESEA funds also provide extra funds for learning disadvantaged children. In this study we are interested in equality as it pertains to equal opportunities for those students whose ethnicity, national origin and race are not that of the dominant culture and race. These laws include U.S. civil rights laws and U.S. Supreme Court case law and state or local case laws. State education laws must comply with these federal education laws. Civil rights laws provide minorities the right to legal recourse if their rights are abused. Case law concerning the civil rights of minority groups also provides a means to force compliance with equality laws via lawsuits.

In January 2002, President Bush signed into law education reform titled the *No Child Left Behind Act*, that made significant changes to the *Elementary and Secondary Education Act of 1965*. The Bush education reform law gives the federal government greater power to influence the administration of public schools, a major shift from past policy that endorsed a limited federal role and supported states rights in terms of education law and policy (Kirchoff 2001).

The Bush administration says the reforms seek to improve student's academic skills by establishing certain educational standards in reading and math that all students are expected to reach through standardized testing (Ross 2002). The federal

schooling laws I refer to in my research findings reflect the revisions made by the Bush administration who have changed the name of the *Elementary and Secondary Education Act* (ESEA) to the *No Child Left Behind Act of 2002*.

Laws Regulating Teaching Methods

The following laws are state and federal laws related to regulating instructional methods in public schools. In regard to Spanish-speaking Latino students, the Oregon Revised Statutes (ORS) allows for bilingual education only in the child's early school years, but does not require it. The focus in state law is for English language learners (ELLs) to be taught English language skills as soon as possible and to be taught academic coursework in English as soon as possible:

- ORS336.074, Reading in English Required. Instruction in all subjects in public, private and parochial schools shall be conducted primarily in English except instruction in foreign languages; instruction may be conducted in more than one language in order that pupils whose native language is other than English can develop bilingual skills to make an early and effective transition to English and benefit from increased educational opportunities.

The key phrase in this law is *instruction may be conducted in more than one language*. While instruction in English is required, instructors are only given the option to use bilingual education in order that ELL students can also learn academic material. While students can be taught bilingually, the law stresses that students are to make an early transition to English rather than be provided long-term bilingual instruction. While the term *early* is not defined in Oregon law, an early transition to English is not likely to allow students enough English language skills *to benefit from*

increased educational opportunities, as stated. The rule promotes English language usage and discourages future use of the student's primary language. Schools therefore are not required to ensure that ELL students learn anything but English in school.

- ORS336.079, Special English courses for certain children. Specific courses to teach speaking, reading and writing of the English language shall be provided at kindergarten and each grade level to those children who are unable to profit from classes taught in English. Such courses shall be taught to such a level in school as may be required until children are able to profit from classes conducted in English.

The meaning of the phrase *special courses* is not defined, so such courses could be bilingual or monolingual. However, the focus here is on the student wholly assimilating to the English language rather than a truly bilingual education where the child can learn academic material by profiting from the knowledge of both languages. This law states that ELL students must learn English and nothing else for as long as it takes before they will join the other students in academic courses taught in the English language. Meanwhile, the child is learning English and nothing of academic course material that will keep them at grade level with their peers.

Learning Assessments

The focus of the revised federal entitlement law is to improve the education for ELL students by increased standardized testing and monitoring of their educational achievement. The revised laws do not support the teaching methods researchers find necessary to improve educational outcomes for Latino ELL students. Additionally, the goals set for schools are unrealistic in terms of timelines for improvement as well

as high expectations for improvement while restricting the teaching methods that can be used.

The following passage states the purpose of *Title 1* of the revised *No Child Left Behind Act*:

- Section 1001: The purpose of this title is to ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments. This purpose can be accomplished by ...(2) meeting the educational needs of low achieving children in our Nation's highest poverty schools, limited English proficient children, migratory children... (3) *closing the achievement gap between high and low performing children, especially achievement gaps between minority and non-minority students and between disadvantaged children and their more advantaged peers...*(emphasis added (4) *holding schools, local educational agencies, and States accountable for improving the academic achievement of all students*, and identifying and turning around low-performing schools that have failed to provide a high-quality education to their students, while providing alternatives to students in such schools to enable the students to receive a high quality education (emphasis added)(20 U.S.C. 6301 et seq.).

So far, this law has a great purpose statement plus admission that ELL students are not getting an equal education. The law states it targets ELL students for improved schooling and will hold states accountable via annual progress reports. The statement is not specific as to how it will improve proficiency, but allows for alternative teaching methods for unsuccessful students.

This next section of the revised federal *Title I* law is more specific revealing an English-only focus in teaching ELL students. This is similar to current Oregon law. In light of the current research literature, this is not a progressive law.

- Section 1111: (3) Assessments shall provide for the inclusion of *limited English proficient students.... the academic assessment (using tests written in English) of reading or language arts of any student who has attended school in the U.S. for 3 or more consecutive school years ...the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years...*(Emphasis added) (7) educational agencies in the state will, beginning no later than school year 2002-2003, provide for an annual assessment of English proficiency of all students with limited English proficiency...

This section displays unreal expectations for ELL students. Non-English speaking children are set up to fail as no child will become proficient enough in English in the third grade unless they are limited to learning nothing but English skills using a bilingual method. Yet they are expected to know English well enough by this time to also be tested in academic coursework using English tests. However, they will be unlikely to perform well on any academic test provided in English as previous learning will have had to focus on learning English only. This mandate does not promote bilingual education that is the known successful method to teach ELLs as I will discuss. Students are forced to drop their primary language and replace it with the English language. It is apparent that success will be difficult to achieve for ELL students taught under the requirements of the new federal education act.

This passage from the Bush educational reform proposal states:

- "This law also will set *performance objectives to ensure LEP children achieve English fluency within three years* (Emphasis added). States would also ensure that LEP students meet standards in core content areas that are at least as rigorous as those in classes taught in English" (Bush 2001:16-17).

The following passage states the purpose of *Title 3* of the *No Child Left Behind Act*, formerly known as *Title 7* or the *Bilingual Education Act* (a section of the former ESEA). Part A reads:

- The purpose of this part is (1) to help ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet; (2) to assist all limited English proficient children, including immigrant children and youth, to achieve at high levels in the core academic subjects so that those children can meet the same challenging State academic content and student academic achievement standards as all children are expected to meet; (3) to develop high quality language instruction educational programs designed to assist State educational agencies, local educational agencies and schools in teaching limited English proficient children and serving immigrant children and youth; (4)...*to prepare limited English proficient children, including immigrant children and youth to enter all-English instruction settings*; (Emphasis added) (# 5 irrelevant to this section's focus)(6) *to promote parental and community participation in language instruction educational programs for the parents and communities of limited English proficient children*; (Emphasis added)

(8) to hold State educational agencies, local education agencies, and schools accountable for increases in English proficiency and core academic content knowledge of limited English proficient children by requiring demonstrated improvement in the English proficiency of limited English proficient children each fiscal year and adequate yearly progress for limited English proficient children (LEPs)...(U.S.C. 6801 et seq., section 3102)

Most English language learners are relatively recent immigrants to Oregon. Attaining English fluency in three years becomes more difficult the older the child is when entering U.S. schools. Students are unlikely to meet such rigorous objectives in such a short time frame without a quality bilingual education. While the teachers are to be held accountable, they are also set up to fail their students. The way the government will enforce these rules is by holding back or cutting federal funding to schools that do not meet these impossible objectives. The very students this law purports to help will be ultimately blamed for failing to succeed and their schools will receive even less funding to help them succeed. Formerly known as the *Bilingual Education Act, Title 3 of the ESEA* was renamed as part of the G.W. Bush revisions. The revised law is given the new name, *English Language Acquisition, Language Enhancement, and Academic Achievement Act*. I think it's a politically significant change since its earlier name the *Bilingual Education Act* implied it was beneficial to teach students in their native language as well as English. The revised education law now reads that one purpose of the act is "to prepare limited English proficient children, including immigrant children and youth, to enter all-English instruction settings" (20 U.S.C. 6801 et seq., section 3102). This phrase of the *Act* supports

English-only instruction settings. Further, the term "limited English proficient students" used throughout the text assumes either that Native Americans/Latinos or non-English-speaking immigrant children already have some knowledge of the English language which they certainly do not in many cases. Obviously there is a choice here to ignore reality in this case. The Act also states that tenets of the Act are only enforceable if the federal government appropriates at least \$650 million to support it in each of the next five fiscal years (20 U.S.C. 6801 et seq., Section 3001). So, if the federal government fails to provide states a minimum amount of funding for this school reform effort, schools will actually have more freedom to teach using bilingual methods.

The new education reform law does not meet the anti-discrimination intent of *Title VI of the Civil Rights Act of 1964*. *Title VI* bans discrimination based on the grounds of race, color, or national origin, in any program or activity receiving federal financial assistance. *Title VI* has been interpreted to prohibit denial of equal access to education because of a student's limited proficiency in English (Office of Civil Rights 1998). A 1970 memorandum on the *Title VI* law states:

- ...a school district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students". *Title VI* is violated if students are excluded from effective participation in school because of their inability to speak and understand the language of instruction; national-origin minority students are misplaced into classes for mentally retarded children because of their lack of English skills; programs for students whose English is less than proficient are not designed to teach them English as soon as possible; or if

these programs operate as a dead-end track; or parents whose English is limited do not receive school notices and other information in a language they can understand.

I argue that ELL students do not have effective participation in school if they are only learning English. Therefore, ELL students are provided federal support for an equal education in this Act, a legal tool to force compliance in Oregon. The federal civil rights laws provide stronger support for ELL students, recognizing the long-time practices of placing ELLs in special education classes or letting them languish for years trying to learn English from a teacher they does not understand. While the focus of this law is also to teach students English as soon as possible, the law allows students to be taught bilingually so they can keep up with academic studies. The key phrase is "excluded from effective participation in school because of their inability to speak and understand the language of instruction." The Oregon Statutes do not comply with the breadth of this law in that the Oregon law does not require ELLs to be kept at grade level in their academic studies.

When considering language discrimination in education, the most relevant Supreme Court case law is found in *Lau vs. Nichols*. This passage from Rosenbaum and Travis (1996) reads:

- Non-English speaking Chinese-American students claimed they were denied equal education due to language deficiency. The U.S. Supreme Court ruled on behalf of the students. Justice Douglas stated in the majority opinion that "...we know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful.

The justice's decision relied on the *Civil Rights Act of 1964* for guidance. This decision provides specific support for ELL students to get appropriate bilingual education. This is another legal tool families can use to demand equal education. It's clear that neither federal education reform nor Oregon law recognizes the *Lau* decision.

The Department of Health, Education and Welfare (HEW) also ties its federal funding for school programs to policies prohibiting discrimination. It makes recipient states responsible for assuring students of a particular race, color or national origin are not denied the opportunity to obtain the education generally obtained by other students in the system. In 1970, HEW made the guidelines more specific requiring school districts getting federal grants to correct the language deficiency so that instruction would be open to all students who had linguistic deficiencies (Rosenbaum and Travis 1996). Unfortunately, enforcement of this law is by threat of revoking federal funding for school programs, like the free lunch program. However, legal action to enforce this law is another option for parents.

Current teaching statutes in Oregon focus primarily on teaching English to ELL students and there is no such requirement to teach them course material at grade level. Bilingual instruction is an option, not a requirement for teaching ELL's as per state and federal law. However civil rights law requires that all students be taught subjects in a way they can understand the core academic material. The Bush administration school reform to improve the education of racial and lingual minorities is regressive. The Act states admirable goals but does not allow for effective action to meet the goals, nor does the reform law identify solid, continual funds to support the

effort. These weaknesses in the law allows schools the freedom to not comply with the language restrictions of the Bush reform law if they choose to offer a quality bilingual education.

In Oregon, recent education reform statutes promise a better quality education for racial and lingual minority students. This effort implies the state knows it can do better to educate minority students. Note that the reform law is goal-oriented rather than action-oriented. In the statutory text that follows, I have selected the particular goals listed in the reform laws that would affect minority and ELL students.

- ORS 329.025 Oregon Education Act for the 21st Century 1991 (school reform law): Goals include providing (1) equal and open access and educational opportunities for all students in the state regardless of their linguistic background, culture, race, gender...(2) assumes that all students can learn and establishes high, specific skill and knowledge expectations and recognizes individual differences at all instructional levels; (3) Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services; (12) provides opportunities for students to learn through a variety of teaching strategies; (13) emphasizes involvement of parents and the community in the total education of students; (16) ensures that local schools have adequate control of how funds are spent to best meet the needs of students in their community

These are commendable goals and prove that policymakers know how to do a better job of educating minority students. There is no timeline for implementing the reforms and it will cost money at a time when state and federal funding for Oregon schools is not secure. It's very possible this Act will not be enacted anytime soon.

There is no mention of oversight for how the money will be spent to improve education for minorities. The law assumes local school districts will use the money to benefit minority students.

The following portion of the Oregon State reform law provides a legal option to avoid having to implement school reforms benefiting cultural and lingual minority students:

- ORS 329.065: Statute reads that nothing in the chapter titled "Oregon Education Act for the 21st Century 1991 School Reform Measures" is intended to be mandated without adequate funding support. Therefore, those features of this chapter which require significant additional funds shall not be implemented statewide until funding is available.

Reform is tied to available funding so there is no certainty that reforms will ever take place to increase multiculturalism, diversify curriculums and provide a better education for English language learners.

Despite weak laws supporting Latino ELL students, Oregon's anti-discrimination statutes provide legal remedies for ELL students who experience poor schooling, high dropout rates, high suspension rates and hostile school environments. This is another legal tool for students and parents, but they must organize and be able to communicate with school staff and must be aware of the laws - this is difficult for people who are poor, who work a variety of jobs and who do not understand the school system. Oregon's Department of Education efforts are just beginning to make Oregon school teachers and administrators aware of the laws and policies concerning ELL students.

The following are Oregon anti-discrimination laws defined for public schools. These laws appear to support minority ELL students to get the same quality education as other children even if it means incorporating bilingual education to attain the same outcomes for all children.

- ORS326.051: The State Board of Education must adopt rules that provide that no public elementary or secondary school shall discriminate in determining participation in interscholastic activities.
- ORS659.850:
 1. Discrimination is defined as any act that unreasonably differentiates treatment, intended or unintended or any act that is fair in form but discriminatory in operation, either of which is based on age, disability, national origin, race marital status, religion or sex.
 2. The State Board of Education...shall establish rules necessary to insure compliance with subsection 2 of this section.
- ORS 659.855: ...non-compliance with provisions or ORS 659.850 and this section shall be subject to appropriate sanctions which may include withholding of all or part of state funding as established by rule of the State Board of Education.

The disparity in dropout rates, reading scores and math scores between Anglo students and Latino ELL students provides evidence that equal education is not being achieved neither statewide or in the school district under study. The previous list of anti-discrimination statutes appears to provide legal recourse for those not getting

equal education or equal treatment in school, but it is not clear whether the State Board of education has adopted the anti-discrimination rules.

Funding Methods

Oregon schools are financed primarily from the state general fund. The state general fund consists solely of personal income tax receipts - 85% of which is reserved for education. Income tax receipts from citizens has declined in recent years providing less money for Oregon's public schools. Each school is allowed a 1.0 unit of funding for each student attending their school based upon a calculation provided in the state statutes. Each ELL student enrolled in a school brings in 1.5 funding units to the school. The additional funds are to provide disadvantaged students extra services needed to give them the same education as other students. Additional federal funds are available to schools with a significant population of migrant students and non-English speaking students to help equalize their education. Since most ELL students live below the poverty level, federal *Title I* Program funds are also available to Latino ELL students. *Title I* is a program that was developed as part of the *Elementary and Secondary Education Act of 1965*. Section 1001 of the *Act* explains its purpose is to provide federal funds to schools to improve the educational outcomes or close the achievement gap for low-achieving children who are poor, minority, migratory and/or limited in their English language skills.

To equalize school funding among districts throughout the state, Oregon developed a public school funding equalization formula in 1991 (Cole 2002). This mandate requires school-funding allocations to be equal among school districts. This is good news. It means that wealthier districts can not get more funding for their

students because they have political connections or because they pay higher property taxes than citizens living in poorer school districts. Such unequal funding policies historically have created terrible schools for poor children across the country.

The following Oregon statute describes how funding for each school is determined based on the number of students and type of students expected to attend each school:

- ORS 327.013 State school funding computation: A computation determines the average daily membership (number of prospective students for school year) and based on available funding a per student unit amount is determined. The average student brings one unit of funding to their school. In addition a 0.5 unit is available for each student in average daily membership who is eligible for and enrolled in the English as a Second Language Program as provided in ORS 336.079.

As discussed earlier, the Coalition for Equality in the local school district, states 98% of all English language learners in the district are Latino. The Coalition reported that ELL students enrolled during the 2001/2002 school year brought nearly \$11 million in extra state funding to the district. In addition, Latino students who qualified for *Title I* federal poverty funds brought approximately \$5 million to the district. While these grants total nearly \$15 million earmarked for poor ELL students, the Coalition reported in an informational handout that the district used only \$5 million to educate these students and put the remaining \$10 million into the district's general fund to be used for any other purpose. Though the state provides extra funding for ELL students in order to equalize their education, there is no law requiring

districts or the school principals to spend the money to improve the education of Latino ELL students.

It is clear that if the available money were used to provide an appropriate, quality education to ELL students it would positively affect the numbers of ELL students graduating with a high school diploma. While school districts are applying for this money, they are choosing not to use it to benefit a group of students who are clearly failing to get an adequate education or diploma. This is clearly an act of discrimination.

In recent years, school funding in general has seen a decline and this just adds to the education discrepancy affecting a Latino's education. More recently, Oregon voters have passed laws that restrict school funding in general. One law passed in 1990, known as *Ballot Measure 5*, limits the amount of local property taxes that can be used to fund schools (National Education Association 2002). *Ballot Measure 47* passed in 1996 limits the expenses school districts can finance with bond measures solely to those budget items that would be required for a 20 year duration. Due to the enactment of these new laws, local revenues for education funding have fallen. Now the majority of state school funding comes from the state general fund, comprised mainly of resident income tax revenues. Schools now must compete with other important public programs for funding. According to a news report by Julia Silverman (2002), Oregon schools get 70% of their funding from the state. It's also important to note that Oregon has no sales tax that can be used for schools, but does get some funds from the state lottery business.

Income tax collections are below that required to continue funding schools at current levels at a time when the federal government is giving states less of the federal income taxes collected to be used for school funding. In response to the statewide school budget shortfall, the superintendent of the local school district under study announced that in order to keep within its 2003/2005 budget, the district would make the school year shorter, cut staff pay and drop several programs. The three programs to be dropped include one that helps struggling first-grade readers and another that works to get dropouts back into school--both will adversely affect Latino ELL students (Loew 2002). In the previous 2001/2002 school year a news report showed that the local school district decreased spending for the ESL program while greatly increasing spending on remedial programs (Loew 2003). Since researchers agree remedial instruction is ineffective and ESL is a step above remedial instruction, the district's goals for ELL students do not appear to be toward improving achievement.

The federal school reform law could be an answer to state funding woes, however it comes with restrictions on ELL teaching methods. *Title I* of the Bush school reform law, *No Child Left Behind* as discussed earlier promises adequate federal funds targeting disadvantaged students:

- No Child Left Behind Act of 2001, *Title I*, Section 1001:
 - (1) The purpose of this title is to ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments. This purpose can be accomplished by...

- (5) Distributing and targeting resources sufficiently to make a difference to local educational agencies and schools where needs are greatest...(20 U.S.C. 6301 *et seq.*)

Sufficient resources where needs are greatest are the key phrases of the *Act* called into question by one of Oregon's representatives to the U.S. Congress. In a recent editorial in the *Cottage Grove Sentinel*, U.S. Congressman Peter DeFazio (2003) said the recently approved House federal budget bill fails to fully fund federal mandates in education. He adds that this is a particular hardship for the state at a time when thousands of Oregonians are out of work and those taking new jobs are taking pay cuts and benefit cuts.

It is safe to assume that the federal government's increasing role in dictating to states how to educate their children does not mean that states will get any additional promised funding. There is no law requiring the federal government to provide states a specific amount of education subsidies each year. However, in the following section the federal government expects states to meet federal mandates with or without adequate funds:

- Section 1111 (4) If a state fails to meet the deadlines...for demonstrating that the state has in place challenging academic content standards and student achievement standards, and a system for measuring and monitoring adequate yearly progress, the Secretary shall withhold 25 percent of the funds that would otherwise be available to the state....

This law sets up states and their schools for failure since ELL and other disadvantaged students can not meet the impossible achievement goals set by the Bush

reforms. This is especially the case when state money for this purpose is not being spent to benefit these students at least in this particular district under study. So when the ELL students fail to meet the stringent federal academic testing standards, the federal government will penalize these kids even more by cutting their funding of programs earmarked for disadvantaged students.

Lack of stable federal and state education funding definitely threatens the goal of equalizing education for Latino ELL students. Additionally, the funding discrimination within district schools and within the district school by withholding available funds to properly educate this group erodes the chance for these students to succeed. Any long-term lasting change that successfully equalizes education for this group depends on continual, stable funding in the amount necessary to provide the best education. This will apparently require state legal mandate and public oversight for how funding for these students is used.

Re-Socialization Mandates/Americanization

A number of Oregon laws inform the teaching curriculums used in schools to force non Euro-American students to adopt the values of U.S. ideology and its version of history that focuses on the superiority of the dominant class and race. Textbooks used in schools are selected by members of the local school boards and school board members are elected by community voters. Members have traditionally represented local business leaders and employers. The following is the Oregon statute regarding textbook acquisition:

- ORS337.260 Textbooks on American History and Government:
 - Every district school board, the State Board of Education and every committee or officer responsible for the adoption of textbooks for use in the public school shall adopt textbooks on American history and government which adequately stress the services rendered by those who achieved our national independence, who established our form of constitutional government and who preserved our federal union.

Textbooks used in Oregon must promote U.S. nationalism and the importance of the independence of the ruling elite class from England, since the Native Americans/Mexicans and African Americans were not allowed independence after the ruling class won their revolution against England. The wording of this law excludes all of these groups including Mexican-Americans. The last phrase in this law regarding *preserving our federal union* only benefits those who control the economy and the government and does not reflect the preservation of the individual interests of U.S. residents.

The next state statute reflects more recent efforts by the state to appear to value multiculturalism in the schools. The law discusses honoring diversity by making history texts more inclusive of the experiences and contributions of non Euro-Americans, but there is no requirement that schools make such efforts.

- ORS336.113 Multicultural Advisory Committee:
 - (1) The superintendent of Public Instruction shall direct the Department of Education to increase efforts to:

(a) evaluate the distribution of ethnic, racial and cultural backgrounds of the public school students of Oregon and the use of demographic data by school districts for curricula and program planning as reflected in school districts' consolidated improvement plans;

(b) examine strategies to inform school district boards, school administrators, teachers, parents of students and the public about multicultural and diversity laws and policies;

(c) identify and review exemplary multicultural curricula for different grade levels based on the needs of Oregon's public school students;

(d) identify and review strategies to integrate a multicultural education program with other education programs of school districts; and

(e) evaluate how current laws on diversity and multicultural education are being implemented and applied at the state and school district levels.

(2) The superintendent shall

(a) seek federal and other funds to provide funding and technical support for school districts to develop and implement multicultural curricula and education programs...

This statute allows for positive change toward recognizing the values of all students. The statute also reveals that policymakers know multiculturalism is an

important issue for students. However the sincerity of this call for change is undermined by the fact that there are no timelines for enacting the activities promoted. Section b suggests that currently, administrators and educators are not yet aware of federal and state laws that govern their teaching of minority students--this sets up the children for poor treatment and sets the schools up for lawsuits. The state makes it clear funding for implementing multicultural teaching curricula will not come from the state and it's not certain there will be federal or other funds available for this weighty effort. The language used in the passage is very weak in regard to action to implement change toward multiculturalism. Words and phrases like "review," "examine" and "seek federal and other funds" (in order to support this effort) imply that a minimal effort toward this goal is expected.

In summary, there are several aspects of state education law that inhibit the learning and attendance of Latino students in public schools. The purpose of the teaching method required to teach English language learners is to replace their first language with English and to place them in an English-only teaching environment as soon as possible. Education law also reinforces the teaching of U.S. history, culture and values in a way that discounts the history, culture and language of non-Euro-Americans. Non-Euro-Americans have been taught to replace their ideas, culture and values with Euro-American ideology, culture and values. In regard to funding to assist the learning of Spanish-speaking students, extra dollars are budgeted for this purpose, but there is no law requiring that separate ELL funds are used for ELL students and there is no official oversight on how this money is spent.

4.2 Public Rhetoric Analysis

The major themes found in public discussion explaining the high drop out rates among Latino students also relate to teaching methods, school funding disparities adversely affecting Latino ELL students and Americanization of Latino students. An additional theme found with equanimity among the rhetoric was the goal of achieving equal education among all races of children. Public comments on teaching methods primarily discussed bilingual teaching versus the more commonly employed English-only method. In terms of socialization of Latino youth there is specific public discussion on how Latino youth are not welcome in local district schools. On the topic of appropriate funding to educate Latino ELL's, there was substantial discussion of funding discrimination at all levels of the school system.

For purposes of this paper, *public rhetoric* refers to public statements or quotes made by a speaker in a public location, in published literature or in the radio and television media. The public perception of education equality is determined by how information is presented to the public and what specifically is being said or discussed on the subject. Therefore, it is important to realize that statements made by people and their subsequently reported quotes may be incorrect or taken out of context by the writer or journalist. I have tried to be careful to put the rhetoric within the context I found it. The main point in examining public rhetoric for this study is to learn the conception of education equality occurring in the mainstream of public awareness and how this corresponds with the rhetoric of the various public interest groups, i.e. educators, public officials, politicians and minority groups. The importance of studying public rhetoric is to find out what is being said about the issue of education

equality by whom. This helps determine what the public or experts *know* about the issue or how well they understand the issue based on what is being published or said publicly on the subject. Studying the public rhetoric will reveal the salient themes that prevail among the general public and interested parties.

The sampling of public opinion and statements that follows includes that of educators, politicians, education activists, parents and students from the local level to the national level. The rhetorical statements collected were found in newspaper articles and editorials, books, school newsletters, materials published by local activist groups, government reports, teacher and education organization newsletters and those quotes provided in personal subject interviews.

Rhetoric on Teaching Methods

The comments in this section are of local and national scope and discuss the appropriate teaching methods for Latino Spanish-speaking students as well as the drop out problem among minority students, for Latino ELL students in particular. The majority of the comments are from people within Oregon or my local school district. Following the local comments is rhetoric that is national in scope.

The first statements are from the local school district's newsletter in regard to reorganizing the district's bilingual education department to meet new state academic standards instated in recent years as part of the George Bush reform measure requiring standardized student testing. What follows is the local school district's stated goal that appeared in the district's April 2001 newsletter titled *Education Issues*: "Teaching non-English-speaking students to become English literate is the district's primary goal. However, since we are accountable for students meeting the state standards, we must

also support students' core academic learning in their primary language until their English skills are strong enough to learn complex concepts in English." The same newsletter states, "Bilingual staff will also help identify the best use of bilingual resources at the school site." The first statement says the local school district's goal is to teach English to ELL students. This suggests the district's bilingual education department has a limited role and that a bilingual education or even an education beyond learning English skills for ELL students is not the goal. The district adds that due to the new rules they will begin to provide the necessary bilingual education for ELLs so they can learn core academic skills. Apparently this goal has not been the goal in the past and implies that once a certain level of English skills are acquired, the bilingual coursework will end. The district also discusses plans to reorganize the bilingual department to improve the teaching methods for ELL's. This statement sounds progressive in terms of asking the experts how to accomplish this improvement. However, I followed up on this second statement and learned that as of June 2002, bilingual teaching staff had not been included in any discussion on how to help ELL students meet these new academic standards. It is obvious that the bilingual department in the district is not named for the mission of bilingual teaching. Yet, in another section, the newsletter lists the same research findings presented in my literature review revealing that quality bilingual instruction methods are superior to the ESL method. The district newsletter reveals a conflict between stated goals as well as a conflict between goals and action.

The next passage shows how one school principal in the school district provides a limited bilingual education for her Latino ELL students. In an article that appeared in

the community's largest local newspaper this principal is lauded for her policy of teaching Latino ELL students Spanish skills first to help them develop a strong language base from which to learn better English skills. While the principal recognizes that a strong foundation in the primary language is necessary to learn another language, her goal is for all students to read, write and speak English fluently by the time they leave 5th grade (Hughes 1999). There is no mention of whether the students are being taught other academic material in the Spanish language or if they are only being taught English in a bilingual manner. Also, there is no indication whether ELL students will have the same English skills and academically on par with other middle school students once they enter the 6th grade.

The Oregon State senator interviewed for this thesis believes equal education outcomes for Latino ELL students can be achieved, but like the school principal, appears to support extra help for students only in their early school years. He says "All kids are capable to learn well if supported well in the early years of their education." The senator's statement supports the idea that a good education was necessary in the ELL student's early years. This suggests bilingual education is acceptable in the early years of learning if that is the best method. His statement is not clear how the ELL student should be taught beyond the early years.

The next two public statements target the high drop out rates for Latinos in Oregon. In the first piece of text, the state recognizes that high drop out rates are a problem among minority students that must be addressed. The text is a from a fact sheet developed for a statewide conference on high school dropouts held in December 2001 and sponsored by Oregon senator Gordon Smith. The fact sheet included a

statewide strategy proposed to then Governor John Kitzhaber, listing the specific actions necessary to improve Oregon education:

1. Target assistance to high school students at risk of dropping out of school
2. Target community and multicultural assistance to K-8 students, schools, communities
3. Enhance professional development for teachers, administrators and counselors
4. Engage the state in a public awareness campaign on drop out prevention
5. Ensure accountability through comprehensive program evaluation

Since this was written, budget cuts have been made to schools and I have found no evidence that supports any progress has been made toward these goals. The local school district has recently proposed to cut funding for such items. However, the list of proposals is evidence that legislators are aware of how school can better serve Latino Ells.

The following comment refers to the consistently higher drop out rates among Latino students as a civil rights abuse. This view of unequal educational outcomes for Latino students was expressed at a local school district meeting where a coalition of minority activists confronted the school district. They were calling for a plan of action to meet a list of demands that included improving the education of minority students and lowering the minority drop out rate. Yolanda Ojeda, a member of the school district's Equity Issues Committee said, "Equal education does not exist in the

district." Ojeda added, "We have failed to do that. You as the school board have failed. Your staff has failed. I'd hate us to be in a lawsuit situation. I'm sure a good lawyer could take this to the Supreme Court and win. We do not want that" (Haynes 1999:1C).

The above statement regarding the district's failure to give minority students a good education is strengthened by the fact that the speaker is on the district's equity issues committee and can be considered an expert witness on the issue of educational equality in the district. She makes an important point that the district is violating civil rights laws requiring equality in public service and that proof for the inequity is seen in the poor performance of minority students in the district as well as their high drop out rates and high suspension rates.

Moving to the national scope of public opinion, the G.W. Bush administration shows its support for an early transition to an English-only teaching method, supporting the rhetoric we heard from the state senator and the policy of the local school principal. The following statement by George W. Bush is from his original education reform proposal, *No Child Left Behind*. Here he highlights the increased federal government's role in schooling and strict rules about how to teach ELL students:

- "All parents want their children to graduate with the basic tools needed to work and succeed in today's global marketplace. For the more than 3 million Limited English Proficient students in America, this means learning English in school...In order for all students to meet high standards, limited English proficient students need to master English as quickly as possible. To

accomplish this goal, states and school districts will be held accountable for making annual increases in English proficiency from the previous year.

Moreover, they will be *required to teach children in English after three consecutive years of being in school...frees school districts to select a teaching approach that meets the needs of students" (Emphasis added)* (Bush 2001:16).

G. W. Bush requires students to master English in three years after which instruction and testing will be in English only. The research literature demonstrates that this is an unreasonable demand. The two statements I have emphasized contradict each other. His law does not allow teachers the freedom to teach bilingual education after fourth grade even though it may be the best way to improve learning outcomes for Spanish-speaking Latino students. In another contradiction, Bush suggests he wants all students to meet high standards and succeed in a global marketplace, while at the same time his goal is for ELL's to lose their primary language and learn English as soon as possible. In a global marketplace ELL's would do best to master both their primary language and a second language. The focus on learning English-only as soon as possible has proven unsuccessful in helping Latinos meet high testing standards or stay in school. This suggests his true intent is to prepare this group to meet industry needs for a low skilled labor force.

Responding to the Bush education reforms and rhetoric made by both Bush administrations regarding higher testing standards for ELL students, Antonia Darder quotes Jonathon Kozol's statement: "Higher standards in the absence of authentic educational opportunities in the early years function as a punitive attack on those cheated since infancy. We now ask more from those who we give less" (Kozol in

Darder et al. 1997:340). Kozol makes it clear ELL students are being set up to fail. The funding rhetoric section that follows shows that while the Bush administration will expect more from students and teachers, funding for education is dropping at every level of the education system.

Rhetoric on School Funding Issues

The following public opinion about education funding was found in recent federal government briefing materials, education periodicals and local newspapers. Much of the discourse on the topic of public education is related to funding public schools and school programs. The majority of relevant rhetoric found in my search of the media related to school funding in general and to financing the education of Latino English language learners. The local school district is accused of discriminatory funding distribution of state and federal money coming into the school district. Specifically, the school district is found to use state dollars allocated to benefit ELL students for other purposes while ELL students continue to get a poor education and drop out.

The next few quotes depict recent public accusations of funding discrimination and concerns about how the local school district is distributing funds. The first statement is a complaint from a parent concerning the district's lack of a detailed public budget and accountability for how local school funds are being spent. She spoke at a June 10, 2002 school district meeting that was reported in the newsletter of the local Coalition for Equality. Lucy Moore asks the district to "Promise and comply to provide a budget to the school board and to the public that show where all the funding available is proposed to be spent - all funding categories-not just the General

Fund. If the district can spend it we want to see it...Do not play shell games with funding for our kid's education" (Angulo 2003:2).

According to Eduardo Angulo, Chairman of the Board for the Coalition for Equality and editor of the Coalition newsletter, Ms. Moore has credibility to speak on the topic of school financing since she is a professional who manages a \$60 million program for the state.

Angulo said in the newsletter that the Coalition for Equality has been directing the same budget questions to the school district for four years with no honest response. According to Angulo, the closest he got to receiving a straight answer came during a meeting of the Coalition's leadership with school board directors Michael Parker, Bonnie Heitsch and chairman Steve Chambers. The following discourse regards local complaints that a significant amount of money targeting ELL students in the district is not being used to assist the education of local Latino ELL students. The discourse begins with local school board director Bonnie Heitsch responding to a question from Dovie Trevino, a member of the Oregon Commission on Hispanic Affairs. Trevino asked why less than half of the \$13 million in district funding designated to serve 5,484 ESL students was not being used for students in ESL programs. Ms. Heitsch responded, "Three years ago we tried to have the money follow the child and the community chewed us out," (Angulo 2003:2). In response, Eduardo Angulo asked, "What do you mean? Our (minority) community members have been coming to the board meetings for three years demanding that ESL funds follow the student as the Oregon Legislature intended in 1991," (2003:2). Ms. Heitsch answered, "Eduardo, you do not understand, this is a socio-economic issue" (2003:2).

In the *Coalition for Equality* newsletter, Mr. Angulo provided his interpretation of Ms. Heitsch's response:

- "Candidly, Ms. Heitsch expressed what we of the poor and minority community in (this community) have known for years, that our voices and concerns for the lack of proper education for our children do not count. That answer raises the moral validity of the mission statement of our school district: To educate all our children. The drop out rate for these ESL students is over 20% and the ones that are still in school are scoring below the 30th percentile in reading, writing and math. Similarly dismal numbers occur for most *Title 1* students. If these earmarked funds were spent on these students, where would they be right now?" (Angulo 2003:2).

The discourse above is somewhat vague, but suggests the local school board is pressured by more powerful members of the community to divert money targeted for ELL students to programs that benefit students of the majority Euro-American student population. Angulo's response reveals his feeling that minority students aren't important in the eyes of the school board who intentionally and immorally deprive minority students an equal education.

After the discussion outlined above, Mr. Angulo complained to two state legislators about the local school district's funding discrimination. Angulo included the legislators' correspondence in response to his concerns in an issue of *the Coalition for Equality* newsletter. The first quote is from a copy of a letter sent by the president of the Oregon Senate, Peter Courtney, to local school board director, Steve Chambers. Dated June 30, 2003, it reads:

- "I met with Eduardo Angulo, Chairman of the Coalition for Equality as part of a delegation that visited my office. He and others expressed concern about a request regarding the disclosure of budget and finances for the school district (in question). . .he made pointed comments about the school district maintaining two sets of books and sizable reserves. I am hopeful that this matter will be resolved in a satisfactory manner as soon as possible," - Peter Courtney" (Letter dated June 30, 2003).

The next letter is from the assistant house majority leader of the Oregon House of Representatives, Billy Dalto, to the local school district superintendent dated July 1, 2003. The letter states:

- "I do not believe the school district is doing everything possible to ensure that every dollar slated for ELL instruction and support is spent on ELL programs. My concerns have been further increased as I noted in the *Statesman Journal* article describing the latest school budget, that ESL instruction was being reduced by 10% despite growing numbers of students. I was further concerned by the lack of public disclosure of all funds, as asserted in the article...the public is lacking confidence in government, which has translated into a resistance towards new revenues. It will not be easy to restore the credibility necessary to turn things around"...Billy Dalto (Letter dated July 1, 2003).

The correspondence from the Oregon state legislators make clear they take the subject of funding discrimination very seriously and intend for the money targeting ELL students to be used for those students. It appears that in this school district the

majority of dollars earmarked in the state statutes to equalize the education of ELL students is not being used to benefit those students.

The call to adequately fund programs to equalize educational outcomes for Latino ELL students is not new. Several years before the above discussions, the issue surfaced during a school board meeting. Referring to inequitable treatment of minority students at a school board meeting, Yolanda Ojeda, a member of the school district's equity issues committee stated, "The only way we'll see solutions is for the (school) board to find funding for these problems. Funding is the key" (Haynes 1999:1-2).

Ms.Ojeda, an education activist in the school district under study, is right that increased funding for improving the education for ELL students is necessary. However, if the state's extra allotment of funding that targets ELL students was used by this district to equalize their education outcomes extra funding may not be needed. So, it may not be a matter of getting more money to address this issue, but using all the available state funds to benefit the intended students. Some sort of oversight or legal monitoring of the use of these funds is obviously necessary at the state level.

Next, I will examine the rhetoric concerning education funding at the national level. It is important to remember from the drop out rate reports that Latinos have had poor graduation rates through all federal government administrations. What is revealed in the Bush rhetoric is that his positive statements are inconsistent with his actual school reform that will likely have a negative affect on Latino educational outcomes and graduation rates. Bush states the problem with ELL progress is not due to lack of money but a lack of performance measures and lack of flexibility in how the

funds can be used. The next statement is from G.W. Bush's education reform policy concerning bilingual education:

- "...research has shown that English language learners, when compared with their English-fluent peers, tend to receive lower grades and often score below the average on standardized math and reading assessments. This is partly because federal funding for bilingual education currently has no performance measures attached to it. Our proposal will give districts more flexibility in using bilingual funds in exchange for effectively transitioning LEP (limited English proficiency) students into English fluency and improving their achievement" (Bush 2001:16).

Bush's statement that school districts will have more flexibility in how they educate ELL students does not reflect his school reform law that threatens federal education funding cuts to states if by third grade students do not perform to a certain level of academic standards through basically an English-only curriculum. Also, current Oregon law does allow school districts flexibility in how to instruct ELL students with funds earmarked for that purpose, but there is no monitoring or accountability for whether ELL funds are being used for this purpose.

Additionally, throughout the education reform law, non-English-speaking students are called Limited English Proficient students, (LEPs). This label assumes that these students have some English skills when they start school. However, this is a mistaken assumption or a manipulation of the truth about these students and their needs as local Latino students who are recent immigrants does not necessarily have any English skills when they enter school.

The next statement is from a news account of the federal money promised to poor students by the Bush administration as a result of the educational reforms. President G.W. Bush said he would propose, in his 2003 budget plan, a \$1 billion increase in funding for federal *Title I* programs for disadvantaged students ...(Ross 2002:3).

While the Bush promise raised hope for improvements in education equality, later that same year the Eugene-based *Register Guard* newspaper editorial board accused the Bush administration of creating budget problems for Oregon that included cuts to education financing. The editors expressed their frustration with federal school funding issues (2002:2B): "Indeed, the federal government's most prominent contribution to the states' budget crisis has been to make it worse. Congress has approved unfunded mandates in areas ranging from education to homeland security, while state links to the federal tax code meant that President Bush's federal tax cut also cut state revenues...And if enough states are experiencing budgetary misery, pressure may build for federal assistance. The federal government should help, at least to the extent that it has helped aggravate the states' widespread financial problems." The editors do not see the federal government improving funding for education, but rather causing cuts to education in Oregon where state legislators are reducing funding for programs that include public education. The federal government is seen as talking education "reform" without ensuring that states even have the necessary money to continue providing schooling at its current level of instruction.

The next quote is from U.S. Congress Representative from Oregon, Peter DeFazio, who also states his frustration with the president's federal budget bill and its affect on

Oregon education. This editorial recently appeared in the *Cottage Grove Sentinel* newspaper on April 23, 2003. DeFazio states:

- "...Oregon schools are under-funded to the point that some districts are chopping more than a month off of the school year...the federal budget plan...also provided little in the way of economic stimulus here at home... In order to preserve tax cuts for those at the top of the income ladder, the House Republican plan will...fail to fully fund federal mandates in education...Nearly 20,000 Oregonians have already exhausted their unemployment benefits and thousand more will do so soon...Thousands are out of work. Those who have found new jobs are often forced to accept pay and benefit cuts" (DeFazio 2003:4A).

The above quotes from Congressman DeFazio and the editorial board of the *Register Guard* undermine G.W. Bush's earlier rhetoric promising increased education spending to equalize the academic scores of minority and ELL students with those of the majority population students.

In response to the Oregon funding crisis, school districts were asked to come up with budget cuts to meet the shortfall in state tax revenues. The list that follows is my school district superintendent's proposal for how she will make cuts from her school district budget. The superintendent provided her proposed budget cuts to the *Statesman Journal* newspaper (Loew 2002). I categorized the budget cuts according to how they would affect the majority students and minority students in the district. Those budget cuts affecting all students are cuts to staff wages, a shortened school year and dropping the coordination of new graduation standards. While these cuts

affect both the majority English-speaking students as well as minority ELL students, the additional budget cuts proposed are for those programs intended to equalize or improve the education of Latino ELL students. These cuts include hiring fewer bilingual/bicultural Spanish-speaking teachers and assistants to serve this group, dropping the program to help struggling 1st grade readers and dropping the program to get dropouts back in school. Remember Latino students get the poorest reading scores and have the highest drop out rates in the local school district. The newspaper article also stated that parents and teachers who attended a hearing on the proposed school budget cuts expressed concern that the cuts would hurt a large number of Spanish-speaking students. Others requested among other things that a former bilingual program be restored.

The long-term historical context of the problem of school funding and unequal funding patterns is apparent in an early statement on school funding inequality. Sociologist W.E.B. DuBois reported his research that appeared in the journal *Crisis* published by the National Association for the Advancement of Colored People (NAACP) during the 1950's. DuBois writes, "In open defiance of the constitution ... of their own state laws, the funds dedicated to education...are systematically spent so as to discriminate against colored children and keep them in ignorance...there must be a way to bring their cases before both state and federal courts (Tushnet 1987:6). This passage shows how, historically in the U.S., the problem of funding inequality has been allowed to continue despite the long term concerns of minority citizens.

In summary, the rhetoric shows that funding discrepancies affecting the education of poor Latino ELL students does exist in Oregon due to local and national funding

practices. The ideal of equal education is not being realized in Oregon despite government and official support and stated goals toward equal education for all children. The new federal education reforms require English-only instruction after a few years. So, in order to give these kids the education that has been shown to work for them means that they will not qualify for federal education funds. However, if all the state money provided for this purpose is used for ELL instruction in my school district, it may be enough money to equalize education for ELL's. At this point it is difficult to know if the state fund of ELL dollars is enough to provide an adequate bilingual education for this group. The money has never been used appropriately, so there is no way to learn if current targeted dollars to correct inequality are adequate and whether particular ELL teaching methods are more cost effective.

The federal government's school reform law promised increased funding to improve education for disadvantaged students, but the misleading rhetoric is not met with corresponding action. Public opinion points to the lack of action and frustration with unfunded education mandates and threats to the state education budget. The current problems related to financing education are seen to permeate throughout the education system. At the state level there are unfunded goals to add multicultural education to curriculums and while extra money exists for ELL students there is no law requiring districts to use it for the stated purpose. At the local level, the school district has chosen not to provide the appropriate funding or employ successful teaching methods to ensure that Latino/ELL students get the education needed to graduate high school.

Rhetoric Regarding Re-socializing Latino Students

This section reveals rhetoric that reflects how Latino cultural ways are discounted and not respected in school. Discussion points focus on whether or not Latino students should be expected to change important aspects of themselves in terms of their culture and related language.

The public opinion piece that follows is from a Texas law professor. His statement appeared in a national news report seen on the *Caller-Times Interactive* web site. The piece is important because it reflects the racist beliefs of those educators and legal policy makers at high levels of society that have surfaced in response to affirmative action policies that had become commonplace in universities across the country in order to promote racial balance in college admissions. Here, law professor Lino Graglia at the University of Texas provides his opinion of why more Latino students miss school. "It seems to be the case that, various studies seem to show, that blacks and Mexican-Americans spend much less time in school. They have a culture that seems not to encourage achievement. Failure is not looked upon with disgrace" (Averyt 1997:1-4).

This statement assumes Euro-American cultural superiority and blames the student for their poor education that is often an easy way for educators to avoid taking responsibility for the reasons why Latinos avoid school. This is a blatantly racist statement and made by someone with considerable power in the education system. Yet it belies ignorance of the minority education experience and issues. My experience working with Latino families as well as my husband's experience is that Latino parents are very supportive of school and want their children to succeed - they

hold teachers in high esteem. However, parents of ELL students in the U.S. are usually not provided language appropriate outreach and relevant information so they can participate in their child's schooling and are often intimidated by educators and the school.

While Professor Gaglia is obviously not well studied on the culture, issues and needs of Latino students in the U.S., many people assume that Latinos in high places will take care of the needs of the poor among their racial group. However, civil rights activists and those who work closely with Latino youth commonly complain that those Latino(a)s promoted to higher positions in the education system, do so because they do not threaten the actions and beliefs of the majority Euro-American administrators and politicians in the system. They can be counted on to support the current unequal system rather than work to improve or change the education system. Such minority appointments are useful in maintaining the status quo by serving as token minorities in a high position that can make an organization appear open-minded and sensitive to minority issues. While this phenomenon can be seen in many structures of society, here it is only relevant to focus on the education system.

The following statements and public opinion reported in the Eugene newspaper, *The Register Guard*, focused on the recent election of state legislator Susan Castillo to the position of Oregon state superintendent of public education - the first Latino(a) ever elected to this post. The article also discussed how politicians rather than educators have been elected to fill this position in the past few elections. Here, the reporter printed a brief comment from Castillo responding to her election win: "this really is a land of opportunity" (Steves 2003:1c and 3c).

The statement attributed to Castillo, that the U.S. is a land of opportunity, implies that equality exists for all Latinos like herself. Her statement can be interpreted as an example of a minority achieving the necessary support to win a high position in the education system because she will not challenge the status quo. To suggest that her personal experience is indicative of the Latino educational experience in Oregon does not reflect knowledge of the reality Latinos experience in Oregon schools. Her statement is cause for concern since the Latino educational experience continues to keep Latinos from improved job and life opportunities in general. Her statement reflects idealist political rhetoric and a lack of awareness about the reality of the Latino experience in Oregon schools in general. Her rise to this position is the exception not the norm. Spanish-speaking Latino people have lived and worked in Oregon for hundreds of years and the great majority still can't provide their children an education that will lead them out of poverty.

Castillo's brief statement that appeared in the paper gives little indication of her politics or her goals as an administrator. However, I have seen her speak in support of equal education at a rally I attended in the school district of study. Her obvious awareness of educational inequality via her speech at the rally is not consistent with her brief statement in the paper and makes it difficult to understand her position on education.

In the same news article, Senator Verne Duncan said. "I do not know that you're going to see an educator in the (state superintendent) position again." (Steves 2003:1c and 3c). The school system is already highly political with elected legislators and a legislator-appointed school board running the state system and local elected

school boards running their school districts. It is a step in the wrong direction to also have a politician running the State Department of Education as well. The politicians need experts to inform them in their decisions regarding schooling and the state superintendent position is the one high level position that could bring experience, expertise and knowledge of educational issues to the position. Possibly this is just what the state's power elite want to avoid.

Like her recent predecessors, Castillo does not have an education background, but a background in politics and media. Someone who does not have a steep knowledge of teaching methods, child development and issues concerning disadvantaged students can not be very effective in this powerful position. It allows for potential manipulation by other politicians and influential business people who are unlikely to care about poor ELL students getting the same education as their own children. Her recent predecessors were also politicians. The superintendent she replaced, Stan Bunn, was a career politician and is accused of mismanagement of state education funds, fraud and corruption.

Meanwhile, at regularly held rallies, education activists have protested the equity problems experienced by minority students in the local school district. During one rally in July of 1999 at the state capital, students, activists, educators and parents spoke to the group and a number of comments were made to reporters. A letter meant to educate the public and legislators circulated at the rally and segments of the letter were reported in the statewide Oregon newspaper *El Hispanic News*. The letter stated, "Some people lay the blame on social and economic levels, parents and homes, even the children themselves, but these are smoke-screens" (Hellpers 1999:1). The letter

also cited "ineffective and punitive communications between schools, students and parents" and failure to recruit, support and retain diverse employees to provide positive role models and cultural understanding to a diverse student body and severe lack of cultural understanding in school policies of all kinds."

During the same year, local civil rights activists publicized how schools in my district harbored a hostile environment for minority students. Speaking for the activist group 100 Good People, local Latino activist, Eduardo Angulo admonished the local school district for its high suspension rates for minority students: 41% for Hispanic students, 48% for African American students and 38% for Native American students compared to only 16% for White students. The following quote was reported in the local newspaper. It reads, "The numbers are clear. Our kids just do not feel like they're welcome in their own school" (Haynes 1999:1C). Mr. Angulo's statement reflects what the research literature revealed, that Latino students are excluded and discounted culturally and lingually in U.S. schools and this leads to their alienation from school.

The last comments and example combined with the other comments in this section show to what extent ideas and prejudices are played out in the schools. There is evidence of sincere community concern regarding a real problem of treating Latino students and other minorities with discrimination and racist attitudes in the schools. It's easy to see how this treatment would lead to alienation and high dropout rates in these schools

Fortunately, I'm able to end this section on a somewhat positive note. In its latest annual report, *Drop Out Rates in Oregon* (Oregon Department of Education

2001/2002) recognizes that strategy to improve the education of minority students should not be about changing the student to conform, but rather to support the student by confirming and respecting their cultures. The report cites the department's own research revealing what is important to students in terms of feeling supported in their school environment. Specifically the report states, "The general findings of the research, gathered from conversations with students in regular and alternative high schools was 'respect me for who I am, require me to do my best, give me the help I need to achieve it'." "The research points to the need for dropout prevention to become *less a matter of changing students, and more a matter of changing opportunities* for students to succeed" (Emphasis added) (Oregon Department of Education 2001/2002:2).

The statement "respect me for who I am" reflects what all students want, but in an environment where Latinos are dominated by people who are trying to change their language and culture, it is especially significant in terms of respecting their culture and primary language. Since Latinos have the highest dropout rates in the state and must have been interviewed for the state's research report, I can assume the request for respect has come partly from this group.

The state report points out plainly how students want to succeed and need the education system to teach them in a manner in which they can succeed. It is a hopeful sign for Latino students and suggests that the education system in Oregon is changing their focus from re-socialization of Latino students (since they have the highest dropout rates according to the report) and toward giving Latino ELL students the tools to succeed. However, the phrase I emphasized, *less a matter of changing students and*

more a matter of changing opportunities, suggests that changing the way the state education system provides schooling to ELLs will not be expedient and comprehensive. By using the terms *less* and *more* suggests if changes result from this study they will proceed cautiously, over time. Rather the use of definitive terms in the sentence such as *not* and *but* makes the sentence much more action oriented-*not a matter of changing students, but a matter of changing opportunities*.

The state and national level of goals rhetoric regarding equal education attainment seems enough to satisfy the general public without realizing successful action toward change. Education rhetoric by powerful people and educational institutions continues to give mainstream America the illusion that education equality is a reality or at least a problem that is almost solved. Unfortunately, the equality rhetoric combined with inaction will not move education from its present state of paralysis. The rhetoric explaining school failure is polarized on one end by grassroots activists, students, teachers and families who blame the slow changing and neglectful school system and the opposing end where influential policy makers blame students, parents and their culture for any failure to learn. While those at the grass roots level of the system are action oriented, the high level administrators and politicians are still talking about goals and how to solve the problem of education inequities.

4.3 Subject Interview Responses

The four interview subjects for this study were selected to represent the different levels of the education system in Oregon. This allowed me to discern whether attitudes about schooling Latino students would be consistent throughout the system or different based on the social locations of interview subjects. At the local school district level, the respondents interviewed were a Latina bilingual/bicultural teacher and the superintendent of the school district. At the state level I interviewed a civil rights specialist with the Oregon Department of Education. Finally, at the legislative level I interviewed an Oregon State legislator who served on the legislature's education committee. Among respondent's answers, there was general agreement about the problems that push Latino students out of school, but no definite plan or commitment to change for improving graduation rates for Latino students.

Teaching Methods

Recall in my introduction to the Findings Section that 98% of all Latino students in the school district are English language learners. When questioned about the high dropout rates and academic outcomes for Latino ELL students, all respondents agreed that teaching method related problems at the national, state and district level are barriers to graduating Latino ELL students. The bilingual/bicultural school teacher, senator and civil rights specialist agreed that the English as a Second Language Program, (ESL), (the English-only teaching method) does not work. In the local school district ELL students are dispersed throughout the district, attending their neighborhood schools. Many of my district's schools use ESL teaching methods while some schools incorporate some aspects of bilingual education. ESL programs

characteristically use an English-speaking teacher to teach English reading, writing and speaking skills to students who only know Spanish or may have varying degrees of English skills. In some cases a Spanish-speaking teaching assistant of varying competency can translate information to the class. In some cases, skilled bilingual Spanish/English teachers may teach the class alone, utilizing their bilingual language skills to help the ELL students learn English. There is no consistency in how the ESL program is taught or in the quality of the teaching. In any case, the focus of ESL is to teach English skills primarily and students may get no academic instruction in their primary language of Spanish.

The teacher and the senator said quality bilingual instruction programs are an effective way to teach Latino ELL students only if the teachers are bilingual and bicultural. A quality bilingual instruction program teaches students the skills of their native language first so they can build a strong foundation in their primary language while at the same time getting academic instruction. With this method, English skills are taught increasingly over time. Eventually students are taught half of their lessons in English and half in Spanish. The basic argument for bilingual instruction is that students can only learn a second language well if they have good speaking, writing and reading skills in their primary language. Bilingual instruction also includes grade level academic learning so students do not fall behind the majority language students and will develop skills to acquire the credits necessary to graduate.

The teacher, senator and civil rights specialist agreed that attempts to teach ELL students in English frustrates students or does not benefit students and the negative experience leads Latino students to drop out of school. The senator believed

the failure of ESL and some bilingual programs was that students weren't learning English fast enough. He believed ELL students should be able to learn English by first grade. The teacher said the source of the frustration for students was that they are expected to learn English too fast and too early to benefit from learning a curriculum taught in English. The bilingual/bicultural teacher explained that students are stuck in ESL class for many years, fall behind in learning curriculum material compared to the majority students. As a result, students experience boredom and feel stupid compared to the other students in school. Subsequently, students do not develop the confidence to learn nor are they able to make progress toward developing critical thinking skills. The district bilingual teacher stated that bilingual staff and parents of ELL students have not been included in the process for determining the best teaching method for these students--the teacher advocates that a bilingual magnet or charter school would provide the best education for this population. The bilingual teacher said a model bilingual school had been attempted in the school district and it was successful - however it was discontinued after a short time as school district administrators decided to disperse ELL students back into their neighborhood schools.

An additional problem related by respondents' was the lack of Spanish/English bilingual teachers and assistants. The district superintendent, teacher and civil rights specialist said there are not enough ESL or bilingual teachers in the district or throughout the state available to teach all the ELL students in ESL or bilingual programs. There exists federal funding to assist school districts to pay for bilingual/bicultural people in the community to get their teaching credentials in order to increase the number of these teachers. The local district superintendent is utilizing

this program referred to as the *Grow Your Own Program*. While this is a positive step it will likely have limited success due to the high drop out rates among Latinos locally and nationally. The high drop out rates among Latino students severely limits the number of bilingual/bicultural Spanish-speaking teachers who can be recruited for such a program. Further limiting future recruits of bilingual/bicultural Spanish-speaking teachers is the local and national policy of teaching Spanish speaking students to replace their Spanish skills and Latino culture with English language skills and Euro-American culture. According to the *Oregon Report Card* (Oregon Department of Education 2002), the gap between the percent of minority teachers and minority students in the school system has widened over the years due to the increase in Spanish-speaking ELL students. Currently 20.4% of students in the state are classified as minority while only 4.2% of the teachers in the schools are from minority groups.

A related teaching issue cited as a problem by the local district superintendent was a lack of pre-school positions for ELL students. Better-preparing ELL students to enter school in a different culture and language is a solution. However, as learned in the Carpinteria study, the pre-school child must be taught in the student's primary language to effectively prepare them to be at the same grade level as the other kindergartners (Cummins 1995). A Spanish-language bilingual teaching program would then need to continue into primary school in order to keep the ELL students at grade level.

Another issue, according to the legislator is the low expectations schools have for Latino ELL students because in addition to the language and cultural differences, they also often live in poverty. He adds that high expectations are only relevant in a learning environment in which they have the opportunity and tools to succeed.

School Funding

Decisions on how to finance school programs serving minority and ELL students in the local school district are determined by the superintendent and district cabinet members. The district cabinet is made up of school principals and district program managers. They plan specifically how state and federal funds earmarked for ELL students are distributed among the schools based on requests by school principals. The district school board votes whether to approve the plan. Up to this point no one from the district's migrant education program or bilingual program has served on the cabinet.

The district bilingual/bicultural teacher says that available federal *Title IA* funds targeting poor students are not used by this school district to benefit poor Latino ELL or migrant students even though most qualify for these funds. Instead, the teacher says these funds are only used to benefit poor Euro-American children. She explains that while the numbers of poor Latino ELL students help schools to qualify for *Title IA* funds, the money is never used to improve the academic scores of these children, for instance by hiring bilingual staff to improve their English reading skills or math skills. Instead the federal funds are always used to benefit the poor English-speaking students. The civil rights specialist agrees that in his experience federal funds meant to equalize schooling are not always used to benefit minority students.

The teacher says another funding problem is that there is no state system of monitoring how districts use funds that are earmarked to improve educational outcomes for minority and ELL students--so districts apply for the extra money, but use it for other purposes. The teacher believes it is the state's responsibility to monitor how the targeted ELL funds are used. While the new Bush education policy requires annual monitoring of school, state and student progress toward academic benchmarks based on standardized testing, I have not discovered any federal monitoring of how entitlement funds are used.

At the time of the interview, the district superintendent was faced with projected budget cuts by the state and said she expected that it would lead to bilingual/bicultural teachers being spread more thinly throughout the district. The superintendent said the district is required to serve migrant students (who are usually ELL's) with little or no funds, so must cut money from the general fund in order to comply with federal mandates to serve this group.

The superintendent states that serving migrant students (mainly Latinos) is a burden on the district as there is a federal mandate to provide necessary services to this group to keep them at grade level. She says in order to comply with the mandate, money must be taken from the district's general fund to comply with requirements to serve this group. Since extra federal grants targeting migrant students are utilized by the district, I'm not sure why money to serve this group must come out of the district general fund unless the amount of federal dollars are not enough to serve the migrant students as mandated. The superintendent implies that local school district money should not have to be used to improve instruction for these children.

If the district's priority was to provide equal educational outcomes for all students, applying all the available funds to a group of students with the highest drop out rates and poorest reading and writing scores would make sense. The only way it can be seen as a problem is if the funding priorities are for continuing to provide better services to the dominant culture or Euro-American students. Reluctance to make cuts affecting the education of the students represented by the dominant Anglo culture shows that bringing down the education of the dominant culture is not an option when considering equalizing education among all students. Since available dollars are not being used to bring ELL education up to the level of majority students in the district and Latino ELLs are the first to have services cut when the budget is threatened, oversight by the state or a multicultural commission is required. Additional efforts to equalize the funding distribution process would be to include bilingual program administrators and staff on the cabinet and involve parents of migrant and ELL students in the education of their children.

An example of district funding priorities was expressed by the superintendent was related to me by the bilingual/bicultural teacher. The teacher said that when she approached the superintendent about an idea to improve educational outcomes for Latino ELLs, she was asked how her idea would benefit the majority population students. Again there is the implication that attitudes reflect the idea that achieving equal outcomes for all students, including minorities is not a funding priority. Funding discrimination concerning the use of state education funds is a problem in this school district. While this practice is within the parameters of state law, it is not necessarily in compliance with federal civil rights laws and U.S. Constitutional law. It

is important to monitor funds targeted for minority ELL students if the district and the state are serious about equalizing education for Latino ELL students.

The state civil rights specialist cites large class sizes as another problem for ELLs. Class sizes are not likely to be reduced if rhetoric about funding cuts for schools continues on its current course. According to the civil rights specialist, current statewide education budget cuts will clearly affect ELL students in all areas of their education. He states that class sizes are already too large, 30-40 students, and does not give ELL students the attention they need to transcend race, language and economic barriers. A state assessment finds the decreasing state education budget has led to an increase in the number of students not getting their needs met. The district superintendent agrees. The civil rights specialist adds that bilingual/bicultural teaching staff are the first to be laid-off when school budgets are cut. He explains that this is due to the system of hiring seniority and the fact that these teachers were the last to be hired as efforts to recruit bilingual/bicultural Spanish-speaking teachers has been very recent. Apparently, there is no special effort to keep these teachers that everyone agrees are in short supply and necessary to teach ELL students.

The civil rights specialist agrees with the district bilingual teacher in regard to fact there is no state monitoring or oversight to hold school districts and schools accountable for how they are spending the extra bilingual education dollars earmarked for ELL students and provided by the state. According to the civil rights specialist, school principals ultimately decide how ELL targeted funds are spent in their schools. However, principals tend not to see or possibly choose not to see the race-related problems and challenges for minority and ELL students in their schools and spend the

bilingual dollars for more general purposes or to benefit the majority school population.

The state statute providing extra money for the teaching of ELL students does not require the targeted money only be spent on these students, therefore it creates a considerable legal loophole and one has to question the intent of the law. It has the appearance of doing something significant to equalize education in the state, but no district is required to use the money to equalize education for ELL students.

The civil rights specialist says some education funding problems are due to unfunded state and federal education mandates that require districts to perform certain tasks they are bound to by law or get penalized via funding cuts. This puts school districts in a no-win situation; to heed certain laws they are encouraged to shortchange other services in order to stay within budget. He says another serious school funding problem is that taxpayers throughout the country are not committed to providing youth a good education by continually voting down tax increases that would benefit education.

In opposition to what the other interviewees had to say about the decline in education funding, the state legislator says that recent budget cuts do not pose a problem for Oregon's ELL students. The legislator says the issue is how the money is spent to serve this group. The programs serving these students should concentrate spending more dollars on Latino ELL students in the first years of their education so they can become proficient in language skills and be better prepared to learn the academic material. The legislator says that because this is not done in schools a lot more money is spent on remedial programs for the ELL population as they become

older and have fallen well behind grade level. He said this education style is very costly and inefficient. The legislator believes school principals should be held accountable for how they spend the ELL targeted money they request for their schools.

The legislator adds that too much money is spent on middle managers in the education system who do nothing but produce reports to the federal government in order to comply with federal rules related to obtaining and using federal funds for schooling. He adds that education is a state's right and the federal government is not to dictate how states educate children as per the U.S. constitution. In addition, the legislator adds that school administrator's salaries are too high.

It is very possible budget cuts to administrators and management could be made in the system that wouldn't adversely affect the education of ELL students. Interestingly, I've never seen this option proposed in the news articles or editorials I've collected on this topic. It appears that this is a taboo subject to consider, possibly because the state's education system is a large bureaucracy providing many jobs. The legislator favors more local control of schools and less federal involvement since federal involvement has led to unfunded federal mandates and extensive reporting requirements. However, as seen in the previous funding rhetoric section, my local school district was willing to reduce the hiring of bilingual and bicultural teachers and lower the pay of existing teachers rather than cut administrative positions.

New federal grant funding rules are also problematic as they are tied to unreasonable expectations for ELL students to improve their academic test scores using limited bilingual methods followed too soon by an English-only teaching

environment. It's an unreasonable expectation for students to meet, yet schools and states will take funding penalties if ELL and minority academic scores does not improve. Pulling funding from schools where students are not achieving will only exacerbate the poor educational achievement of Latino ELLs. Oregon students are set up for failure especially since it's unlikely that Spanish speaking children will learn English and subject matter well enough in 3-5 years to perform adequately on tests written in English - particularly the district continues the current English as a Second Language method to instruct this population.

Re-Socializing Latino Students

The large number of Latino Students who are English language learners in the local school district indicates that the great majority of Latino students are new or relatively new immigrants to this area. They enter a school environment that is lingually and culturally foreign to them.

At the time of my interviews I hadn't completed my study of the Americanization issue for Latino ELL students, so did not ask many questions specific to this topic. However, as a result of my questions on teaching methods and educational equity issues, respondents discussed issues related to how this cultural dissonance impedes Latino student's ability to succeed. The civil rights specialist said learning styles common to the public school approach do not always benefit minority students who often find a better environment in the community college where they get their General Educational Development Certificate (GED) instead of graduating from high school. He adds that principals tend not to see race problems that challenge the success of the minority students in their schools. The senator believes educators in

general tend to have lower expectations for poor students and most ELL students are poor.

According to the teacher, the language, life experiences and culture of ELL students is not currently part of the curriculum, but is the way students learn the best. However, most of their teachers do not have experience with the language, culture or life experiences of this group. So, in addition to not getting the benefit of a good education that includes their life experience, students are forced to adapt themselves culturally and/or lingually at school in order to attempt to connect with teachers and other students on some level.

The bilingual teacher stated that school principals in the local district deny the existence of race problems or special challenges to the minority students in their schools. She says it is difficult to make school environments less hostile for Latino students when there is a blanket denial of a problem by those who have the power to change the situation. According to the teacher, more can be done to improve the college education of teachers so they can learn about cultural and language differences of minority students and how it affects their education and ability to learn. Another simple solution she cited is hiring teachers from Mexico who are bilingual in English/Spanish and can relate to the Latino students' culture. The teacher adds that Mexican teachers are hired for the summer education programs for migrant ELL students, but Mexican teachers have never been hired to work during the regular school year.

In summary, all respondents support a more effective teaching method for ELL students and a need for more bilingual/bicultural teachers who can improve the

education for Latino and ELL students. However, acquiring enough quality bilingual/bicultural teachers appears nearly impossible when they are the first to be laid off during budget reductions and when the education system is not graduating a great number of Latino students who can continue on to college for teacher training. Those who do graduate are likely to have lost their Spanish skills and Latino culture due to policies and practices that promote English-only teaching methods and re-socialization to the Euro-American culture.

Interview Subject Views on Education Equality

Since this thesis is about educational equality, I asked all respondents the obvious question about what their philosophies were on the topic educational equality. As we have seen in the rhetoric section there is no lack of public rhetoric at all levels of society expressing support for educational equality among the races. Likewise the respondents were all in favor of equal education despite society's inability to attain such a goal. The Oregon State senator said, "All children should have the same opportunity for the same kind of education." The school district superintendent expressed "What we want for our own kids should be what we want for all kids irregardless of socio-economic status, race and parental involvement." According to the civil rights specialist, "Success for all students" - the motto of the Oregon State Department of Education, adequately expresses his view of equal education. The bilingual/bicultural teacher said the local school district's stated goal provides a very good mission statement, "All students will achieve and be educated so they can graduate." While these statements support a good education for all students, the rhetoric does not match the reality in terms of action toward achieving equality in Latino educational achievement. The equality goals expressed above are contradicted by the public opinion of those parents, teachers, students and activists frustrated with the actual results that translate into poor educational outcomes and higher drop out rates among minority students.

While the rhetoric in this section suggests agreement that all kids *should* get an equal education, there is plenty of rhetorical evidence to the contrary. Those with the power to achieve positive change toward education equality support laws and

practices that result in poor teaching methods, forced re-socialization of Latino students funding discrimination.

In summary, while all respondents support equal education for all students, there is a lack of action toward this effort by administrators in the local school district in terms of improving teaching methods and equalizing funding. Most respondents agreed that oversight was needed to ensure that ELL target funds benefit those students.

Social Location of Respondents

The social location of the respondents questioned had bearing on the views expressed in my interviews and is worth noting. All agreed that the state government in general is responsible for instituting equality, but they differ on who else is specifically responsible. The school district superintendent looks to the Oregon Department of Education for guidance on achieving equality. The superintendent and the senator spread the responsibility for student's success among a broad group of people including parents, teachers, and the different levels of state government. Since they hold very important positions in the education system hierarchy and must appease the public it makes sense they would be more likely to spread the responsibility or blame among a large group of people.

Specific to teaching methods, the school district superintendent did not question the districts teaching methods as part of the drop out problem for Latino students, however the other respondents agreed that ESL and limited or poor bilingual programs were part of the problem.

Specific to funding issues, the teacher believed it was the state's responsibility to monitor how funds targeting disadvantaged students are spent in the schools. The civil rights specialist said that responsibility for education has shifted to the local level in recent years and school principals are directly responsible for spending ELL and federal entitlement dollars on the intended students. The superintendent did not cite local problems with school funding policy but blamed limited federal funding and state budget cuts for her district's funding problems. She said that federal education policy requires schools to serve migrant students and Spanish-speaking students and does not provide enough funds for this resulting in a funding burden on the state education funds. The superintendent's district does qualify and does receive federal state and federal money to serve migrant and ELL students. The remainder of the respondents saw wasteful use of education funds in the state and poor accountability of school districts in how they use their education funds.

Views were consistent with respondent's positions and job status. The superintendent who is responsible for the district's performance, focused on what good things the district was doing and not how the district could do better. Certainly, she has pressure to succeed from a variety of sources including the school board, the district's equity committee and her superiors at the state department of education, state legislators and the state superintendent of schools as well as parents and students.

The school teacher was very sensitive to the student's issues and experiences in the local school district and was uninhibited in her responses, allowing me to learn much more of the problems in her district and possible solutions. As one of the few

experienced bilingual/bicultural teachers in the school district who advocates for the Latino ELL students, she knows the students issues on a very deep and personal level.

The state senator saw issues on a broader scale. He discussed programs in other states that are improving the achievement of minority and ELL students that might work in Oregon. He was very candid and knowledgeable about bilingual education strategies based on his tracking of other programs around the country. From his position at the top of the state education system, he blamed school equity problems with federal involvement in state education issues and the subsequent unfunded federal mandates as well as poor use of school funds by state school administrators.

The civil rights specialist has the job of being aware of equity issues and is informed about the experiences of minority students and related politics. He was able to provide very useful information in a broad context of the minority education experience locally, nationally and historically.

5. Discussion

Throughout each of the research strategies employed in this study, three key issues were found to explain why Latino students choose to leave high school in Oregon. They are poor teaching methods for Latino ELL students, funding discrimination within the school district of study and the discriminatory practice of re-socializing Latino students. Support for these three explanations were found in state and legal mandates, public discourse on the topic of education equality and in the personal interviews of people holding key positions at all levels of the Oregon education system. What ultimately is found is that compulsory education laws force Latino ELL student's to attend school in the U.S. where they receive a poor education and discriminatory treatment in a school environment where they are expected to fail. This situation creates a psychologically abusive environment for the students that is inhumane and seriously questions the intentions and legality of compulsory education. Little in the way of positive results can be expected except, for those students who are spiritually strong and work much harder than the majority language students in order to overcome the many different barriers.

Those barriers I found that contribute to high drop out rates for Latino students are corroborated by the studies of the education research included in the Literature Review. Researchers Ogbu, Du Bois and Kozol discuss federal, state and local funding discrimination resulting in less money being spent on minority students compared to majority culture students nationwide and historically. In regard to teaching methods for ELL students, Darder et al., Cummins and Collier found that Latino ELL students only succeed when provided long-term, quality bilingual

education that provides bilingual instruction of the English language and core academics simultaneously. In terms of Americanization, Carter and Seguro, Ogbu and Darder et al. discuss the alienation, low self-esteem, identity confusion and embarrassment experienced by Latino students who are taught to conform to the language and ideals of the Euro-American culture. Additionally, the researchers, including Feagin and Feagin discussed how school curriculum and materials provide a skewed version of history that elevates Euro-American's ideals and contributions while ignoring or downplaying the existence and roles and contributions of other races.

Why does the practice of limiting the progress of Latinos continue despite anti-discrimination laws? Why does the rhetoric of those in power promote equality while action at local, state and federal government levels discourage equality? To begin with, the rhetoric leads the general public to believe we live in a democratic culture. They are satisfied and proud of this and the education system appears to work for the majority of the population who do not personally experience discrimination. For the leadership within the education system, the equality goal rhetoric is a convenient facade of democratic ideals behind which they can hide their true actions and goals. Typically, minority families and their children are blamed for the child's poor achievement in school, because their failure contradicts the public rhetoric. This conveniently upholds the illusion of democracy and allows educators to throw their hands up and explain that lack of educational success is due to the child's own personal, familial or cultural failings - Latino youth can't succeed in school because they are inherently inferior somehow.

In conclusion, there is a serious disconnect between the poor education of Latino ELL students and the goals of equal education espoused in the public sphere by politicians, educators and the general public and written laws. This may have the result of brainwashing much of the public into assuming that education is equal. As found in many other states, the education system in Oregon does not provide equal outcomes for all students, though state education law verbally supports equal education, state law does little to back this up. Since discriminatory laws, funding practices and poor teaching practices are found to exist throughout the country, at all levels of government, the Oregon school district of study is not an aberration, but an example of institutionalized racism in the U.S. education system.

Latino students represent the largest racial group choosing to drop out of school. This is not surprising since, as a group, they have the poorest academic record in the local school district, statewide and nationally due to language barriers, Americanization and funding discrimination.

Education practices and policies promote unsuccessful teaching methods for Latino ELL students and do not require qualified bilingual/bicultural teachers who can teach ELL students in a language they can understand. The teaching methods for Latino ELL students used in the local school district are a mix of the English as a Second Language teaching method and some limited bilingual programs for the youngest students. As per the local school district newsletter, the focus of these programs has been to teach students English language skills, not academic skills. The quality of these programs is largely determined by the availability of bilingual and bicultural teachers of which there are few. It appears the majority of Latino ELL

students are stalled in English classes for many years while learning no academic material. This causes them to get behind the majority students in credits and makes them feel inadequate in the school environment. They also become bored with the limited curriculum. This can be seen to directly affect Latino ELL's poor progress in reading and math scores, high suspension rates as well as high drop out rates and low high school completions rates.

Federal Civil Rights law and federal judicial law require effective bilingual education for ELLs that will give them an equal education compared to their dominant culture peers. Oregon State law does not support comprehensive bilingual education. State law only allows bilingual education to be used until a student is proficient enough in English, (however this is determined) the transfer to coursework instruction and testing in English only. The quick transfer to English forces the use of and the proficiency in their primary language to be lost at a time when it is needed to allow them to understand the academic material and course instruction. It is ironic that bilingual skills are valued in the job market, but ELLs are usually forced or at least encouraged to lose this skill. It's important to note here that bilingual magnet schools are available in another nearby school district to students of the dominant culture whose parents want their children to have the extra benefit of bilingual language skills.

The research suggests that state education law may not comply with the *1964 Civil Rights Act* and *Lau vs. Nichols* in terms of achieving equal educational outcomes for non-English-speaking students. New federal education law does not support bilingual education, minimizing the number of years a student can get bilingual education and forcing all students to be tested in English after a limited number of

years. The new federal education law tied to funding programs for ELL students does not appear to comply with civil rights law, judicial case law and constitutional law in terms of its restricting the teaching methods available to ELL students.

The most profound disconnect between equality ideals and reality for student was the finding that in Oregon, funding discrimination can occur in the local district and it is perfectly legal within Oregon statutory law. This was the most overt finding for race discrimination, yet it is put into operation very subtly. While state law provides extra funding to schools for each ELL student enrolled, the local district is found not to spend the money on programs to benefit this group and the state does not monitor use of ELL funds. Again there is the appearance of equality in the law, but no action or enforcement to back it up.

Another obvious dissonance between rhetoric and reality is the school district's newsletter language that supports the move to bilingual education. Yet, the local school district superintendent recently proposed budget cuts that take more from services benefiting Latino ELL students than from the majority students, despite the poor performance and high drop out rates for ELL students. One of the programs the superintendent proposed to cut is assistance to students at risk of dropping out--mainly Latino students.

School funding discrimination has been a consistent barrier to equal schooling among the races historically. Since public education was implemented in the U.S., funding discrimination among races was and remains common practice. Funding disparities were well documented for the first time by the NAACP and sociologist W.E.B. DuBois in the 1930's. As discussed previously, the New York State Supreme

Court found the state school funding distribution method in New York discriminated against minority schools and demanded the state devise a new funding distribution (Goodnough 2001). A number of other states have experience similar law suits in recent years.

Funding inequity, the use of poor teaching methods and alienation by way of re-socialization causes Latino and other minority students to persistently graduate at lower rates than the majority Euro-American students. The goal of public education, therefore, appears to be to advance the education of Euro-American children at the expense of minority children. The federal funding and state special needs funding is spent on Euro-American students first, either to improve the performance of poor and working class Whites or ensure that middle class and upper class White students keep the educational edge that will ensure higher education opportunities and better job opportunities. Re-socialization policies and tactics demoralize the Latino student affecting their willingness to stay in school - a social setting that is established through state law, school district policy and school practice. This setting includes processes to make Latino students conform to an *American* standard.

Euro-Americans and those promoters who work to elevate the dominant culture above that of other cultures and who control all levels of the educational system can easily impose their own prejudicial attitudes and discriminatory practices into the school environment. Members at all levels of the education system are influenced by powerful business people who serve in the legislature, serve on local school boards and others who can influence school boards. Influential wealthy people, the power elite, share class status with education officials and political policymakers.

Looking at the education institution from this point of view, one can see how the school system would evolve to assume policies and practices that will suppress the advancement of minority students and benefit their own children and the children of influential business people.

In the prevailing U.S. capitalist economic system, work opportunities aren't available for everyone and are generally determined by class status. Yet the capitalist economy functions within a country whose leaders claim to practice democratic values. Therefore what evolves is a very competitive workforce where privileged classes and races fear their children will not succeed in a system of equal opportunity. It's a legitimate fear, despite great and seemingly insurmountable odds, minorities can be found to advance through the education system due to working twice as hard, being twice as smart and occasionally obtaining unique opportunities to advance scholastically. Still, the successful ones do not reflect the great majority of minority students and graduates.

Rational theoretical explanations of why Latino and other minority youth experience institutional racism in school include John Ogbu's (1978) theory of a caste-like system operating in the U.S., Antonia Darder's (1997) internal colonialism theory and Marx's explanation of the demands of a capitalist economic system (Farganis 2000). While I find aspects of all three theories to be useful in explaining unequal education outcomes among groups, I would add that the psychological effects oppression places on school children is of great importance and difficult to overcome.

Ogbu explains that inequality in education supports a caste-like system of class stratification that operates in the U.S. where minorities experience discrimination in

education and job opportunities in order to keep them from moving up the socio-economic scale. This way they are available for less desirable low-wage jobs requiring minimal skills. But unlike true caste societies, as in India, upward mobility is not impossible for minorities in the U.S., but it is difficult. Since 1940, only minimal upward mobility has occurred for minorities in the U.S. (Beeghley 2000).

Beeghley (2000) agrees with Ogbu that minority groups at every class level have fewer and less effective choices than do whites. He adds that racial and ethnic stratification reflects the reproduction of the class structure and institutionalized discrimination. It can be seen how the education institution prepares minorities for class stratification that is determined by their human capital. Where human capital is defined as job skills or education that can be converted into skills that produce income, widespread poverty can be explained by a lack of human capital among minorities. Poverty, then, is well-defined as the minimum income level below which people or families find it difficult to subsist.

Marx's theories of oppression related to capitalism are appropriate to include in the discussion of U.S. colonialism that came as a result of capitalist needs. Marx discusses how workers in a capitalist system are alienated from the other workers because capitalists force them to compete for the available jobs that pay low wages (Farganis 2000). The poor wages are an incentive to fear they will lose what work they can get and be unable to survive. Certainly this is what the parents of Latino ELL students experience primarily in the agriculture, nursery and cannery businesses.

Leonard Beeghley (2000) argues that Marx wrote in 1843 that alienation was widespread in a capitalist society. In this situation, people feel powerless and unable

to control their lives. Furthermore, they do not understand that they are being exploited and by what means they are being exploited. However they are taught by schools, media, government and their religions to accept the situation as right or normal. Marx says that exploitation of people is often "hidden behind an ideological veil" and that those in power will generally use it to further their own interests (Marx [1843] in Bheegley 2000:7). I assert that in the U.S. the obvious ideological veil is the concept of democracy which ill prepares poor, Latino immigrants for what they will really experience in the U.S. and in school.

Beyond alienation from a sociological point of view, psychological alienation applies as well to the Latino ELL student's school experience. In Erik Erikson's theory on the stages of a child's psychosocial development, children ages 6 to 11 years get a "sense of being industrious" from having the "freedom to make things and organize them (Zunker 2002:432). If the child persistently fails to "produce or perform valued activities" they experience feelings of inferiority. It's easy to see that being stuck at the same grade level having to be taught the same courses over and over in an unfamiliar language would lead Latino students to feel inferior and psychologically alienated from Euro-American peers, teachers and administrators. Such an environment can easily be seen to result in poor school performance and loss of initiative.

It seems obvious that students socialized in school to feel like the outsider would feel alienated by the school and from the school. If they have a strong sense of themselves they may be aware of the oppression and unfairness they are experiencing and rather than turn it inward, some become angry and rebel. Like the organized

student activist group, LUS, in the school district studied, they are taking social action to demand an equal education.

In the U.S., money buys power and influence and a good education makes you money. Latino students who perform poorly and do not graduate or simply drop out will unlikely have the money and power needed to be heard in terms of social change or demands of equality. This effectively decreases their threat to the capitalist economic and political system. Latino ELL students are getting the worst education and will unlikely learn enough critical thinking skills to utilize a sociological imagination and connect their inability to improve their life of poverty with institutional racism and classist actions to keep them from improving their opportunities. Rather they may blame themselves or give up hope for a better life and give up on school that is already a very challenging experience in many ways. Without the perspective of a sociological imagination to understand that the true source of their problems are those who control the political and economic systems many will accept their fate without struggle and others may struggle in vain, while some will succeed despite the barriers.

While Latino ELL student drop out rates have lowered in my school district in the past six years from 22% to 11.3%, there are factors that challenge the reliability of the local statistics. First, the sheer numbers of Latino ELL students who have entered the district between 1991 and 2001 have increased 427%. So In 1991 fewer students would need to drop out in order to achieve a high drop out rate, while a much larger number of Latino students would need to drop out in 2001 in order to keep the drop out rate at 22%. The second reliability factor is that the definition of what

constitutes a *drop out* has changed the way drop out statistics are reported in recent years locally and statewide. Starting with the 1996/1997 school year, the definition of *drop out* no longer included those students leaving high school that went on to community college to work toward a GED. That year the number of GEDs awarded to students tripled statewide. According to the *Drop Out Report* (Oregon Department of Education 2001/2002), the 1996/1997 school year reflected a new baseline for comparing annual drop out rates, excluding those students who left high school to attend community college. The reader must also remember that drop out numbers show only part of the problem for Latinos. Statewide, an additional 15.4 % of Latino students didn't complete school and receive a diploma due to lack of credits/poor grades as per the latest state report.

What Next?

According to the Oregon School Board Association, "dropouts earn 30% less in wages, are twice as likely to be unemployed and are four times more likely to need state health insurance" (Pittman 2003:15). Additionally, according to the *2001 State Summary Report* describing drop out rates in Oregon schools, Oregon dropouts also comprise at least 79% of the Oregon adult prison population at the time of incarceration. Oregon now leads the nation in having the highest rate of unemployment. Simultaneously, according to Oregon Governor Ted Kulongowski, Oregon also leads the nation in having the most residents living with hunger (Wilson 2003). High school dropouts will find an extremely competitive work environment and hostile living environment in Oregon.

Latino students who do not do well academically are given an alternative - military service. The Bush *No Child Left Behind Act*, section 9528, gives military recruiters access to the personal contact information of all U.S. school children. Ironically, the first radio news I heard on this subject aired on the radio program "Latino USA", a program of *National Public Radio*. The program aired on April 13, 2003. The reporter interviewed a Texas school teacher about this topic. The teacher said a military recruitment office was set up on her high school campus - a school with a population that is mainly poor and Latino with a high dropout rate. Schools that haven't complied with aggressive demands by military recruiters that the school provide personal student information have had their federal funding eliminated (Taylor :2003:23). According to a recent article in *Mother Jones* magazine, approximately 40% of those who graduate from Junior ROTC eventually join the military (Goodman 2002). It is well known among the minority civil rights activists and military communities that minorities (even illegal Latino residents) are the target of military recruiters because minorities have few work options. It is also well known among human rights activists and peace activists that minority youth are the first sent to the front lines of any battle and suffer high mortality rates in war action. It appears the value this administration sees in Latino students is to serve as low wage and expendable soldiers to serve military and business interests.

Evidence supporting a conservative backlash against the equal schooling of ELLs can be seen in the G.W. Bush educational reforms, school budget cuts in Oregon and decreases in federal funds promised for programs serving disadvantaged students. All schools in Oregon are experiencing budget cuts to education from state and federal

sources. Oregon schools continue to lose the support of taxpayers strapped with high federal income taxes that do not get reimbursed back to the state in the amounts needed to provide services like education. The state reported that decreased income tax revenues resulted in a \$178 million cut to schools throughout the state in the 2002 (Silverman 2002:4C). Reduced state tax revenues have also resulted in school funding declines for the upcoming 2003/2005 budget years. As discussed, the local school superintendent proposed cuts that would directly worsen the education of Latino and ELL students. In the last school year 2001-02 the district actually decreased spending for ESL programs and greatly increased spending on remedial programs shown to be costly and ineffective (Loew June 4, 2003). At the same time the school board and principals received significant pay increases. There is no action-oriented evidence that increasing the graduation rates of Latino students is a goal.

At this time, Oregon legislators are discussing new options for school funding like a sales tax (never popular among Oregon taxpayer), a property tax increase (unpopular also), and increased local control of schools and their funding vs. the heavy reliance on the state's general fund. On this last point, it's obvious that in my district, the local school principals and school board are not using their local control of funding in prudent ways that benefit Latino ELL students, rather independent monitoring of ELL and related funds is required.

Recent education reform sponsored by G.W. Bush will not allow ELL students the opportunity to obtain a quality bilingual education. Rather English immersion is the rule in order for schools to received federal funding to assist in *equalizing* their education. Therefore, achievement scores for this group are not likely to improve,

particularly since students are required to take tests on academic subjects in English after only three years. These requirements set up students to fail, reduce their self-esteem and increase feelings of alienation in school likely resulting in continued high dropout status. Bush reforms will also penalize schools who do not meet the achievement standards he has set by reducing their funding - a further depletion of resources for the ELL student who is not likely to meet the standards with the poor instruction provided them. However, if Congress does not approve the minimum amount of education funding required to enact the Bush reforms, schools will not be penalized for using bilingual education--but at the same time less federal funding will come to schools. According to Congressman DeFazio and news sources, Bush has already reduced the amount of federal funding promised to states for education to help them meet these "new" standards and republicans are supporting the reduced budget. While we can expect the status quo to prevail, a loophole in the reform law allows schools to ignore the new rules unless the related federal funding is provided, allowing schools to practice bilingual education, if they choose, without threat of penalty.

My reading and research of current events suggests that the educational experience and outcomes for Latino students will not change soon, particularly for those who enter the public school system primarily speaking Spanish. According to Joel Spring, author of *Deculturalization and the Struggle for Equality*, Arthur Schlesinger, Jr. (author of history books) and other "protectors of Anglo-American culture" are pushing for all students to be educated around the core values of Anglo-American Protestant traditions (Spring 1997:114-115). Schlesinger argues that since the culture of the U.S. is primarily the product of English and European values these

cultural values and language, political ideas, laws, literature should be the unifying force for the nation. This attitude supports the regressive educational reform passed by Congress. In the context of recent history, this regression in supporting the funding of education can be seen to begin after the student uprisings and civil rights gains of the 1960's and '70s that threatened traditional government and corporate practices.

Between the years 2000 and 2010, the increase in the Spanish-speaking Latino population is expected to nearly double that of Whites, nearly triple that of African American and Asian Americans and increase more than 30 times that of the northern Native Americans (Washington and Andrews 1999). Unless the local school district starts recruiting teachers from Mexico, the ratio of bilingual/bicultural teachers will become dismal compared to the need. More likely a greater number of students will be taught English by an English teacher they will not understand and will be lucky to have a Spanish translator let alone a qualified bilingual assistant who can provide even limited teaching assistance.

What is next in terms of researching this topic includes interviewing Latino ELL students about their experiences in school in terms of instruction, social atmosphere. Another direction for study is to closely examine the structure of the education system in the U.S. It is currently a very huge hierarchical system with many branches from the local school to the federal government. Such an unwieldy system will make change slow and difficult to achieve. This system is also a bureaucracy structured like a military hierarchy of order. In my own experience working for a school district, I learned that teachers and school level staff take orders from those above them in the hierarchy. It would be important to examine how the school system

is a bureaucracy and if change can indeed happen in the system organized in this way or if more drastic measures external to the system are needed to improve the education of minority students.

Opportunities for Social Change

Legal recourse through civil rights laws and Supreme Court case law (state and federal level) has been the one successful tool used to demand equalization of education. However, low-income parents rarely have the time and money to pursue a major lawsuit. A positive force in the school district of study is the relatively recent development of an activist coalition of students (LUS), parents (Parents with Voices), teachers, grass roots organizations (Coalition for Equality and 1000 Good Friends) and human rights activists (Mano a Mano and PCUN, the farm labor union). These groups, some newly formed and some with history, are working jointly to demand change in education outcomes for Latino, ELL students and other minority students. The Coalition for Equality also tracks acts of discriminatory treatment against students and advocates for them. Increased public awareness of these issues reported in the local news has forced the local school district to at least hear their complaints and may result in changes. The Coalition has already sponsored successful legislation that will lead to more state oversight of how money is spent on ELL students.

Solutions I have identified as a result of this research that would have the greatest impact on Latino student's academic success:

- Spending all the ELL targeted state and federal money to provide a quality bilingual education for these students so they can graduate.

- Develop a bilingual/bicultural charter school for Latino ELL students K-12.

Here they must be taught using the best bilingual education methods incorporating their own culture in order to learn English and achieve academically at grade level. Curriculum will be historically correct and inclusive of their race, teaching the true cultural diversity and reality of our country and reflect democratic values vs. nationalistic values that promote control by the power elite and corporate elite. Teachers and staff will be hired who demonstrate respect for Latino children and value their culture and their language. Graduating with bilingual skills will give them a work skill that's in demand. State and federal funding is currently available for charter schools and can be combined with the extra ELL dollars earmarked to teach this group. Since bilingual teaching programs are the most cost-efficient, a charter school may be accomplished within a constrained budget. Students will be in an inclusive environment where they can actually learn challenging material and make progress--here they will feel empowered to succeed. Here, they will finally have more opportunity for higher education and an ability to move into out of poverty. This concentration of Latino ELL's in one location would make accountability of student progress and use of funds much easier as well. The "grow your own teacher" program would then have a large pool of bilingual bicultural students that could get teaching degrees. The bilingual and bicultural skills will greatly increase the job opportunities for the students.

The school would be located in the northern section of town where the majority of Spanish-speaking families live. Free bussing would be available to other students in the district.

- Another solution is to pass legislation mandating the use of ELL funds solely the targeted ELL students only. In addition, there must be multicultural state and community oversight on how the ELL-targeted dollars are being spent by the schools and the district in each community.
- Local activism - In the district I'm studying, a local social service agency for Latino residents has been the catalyst for the recent development of a Latino student activist group LUS as well as supporting the development of the Coalition for Equality. The Coalition is composed of minority parents, activists and students. The Coalition has been successful in informing parents and ELL students of their rights and act as an advocacy group for families having problems with the schools. These activist groups are informing the public of the discrimination problem and applying pressure on the school district to abide by laws and policies that protect Latino and other minority students from discriminatory acts and racist attitudes. This model of activism by organized students, parents and activists could easily be replicated in other communities to enforce change by developing a national web network of education activist coalitions. This would allow communities to share successful tactics for change and broaden the impact of change.
- Outlaw compulsory education since many schools have negative environments that are harmful to minority and ELL students. Certainly this will be seen as

radical by the establishment, but it is certainly cruel and not in the interest of democratic ideals to force children to attend school, particularly if it is a schooling not of their choice or interest. Especially when the school experience is abusive and non-beneficial to many minority and ELL children. Compulsory education does not serve society well in general when the intentions of schooling are seen to brainwash youth to accept an oppressive undemocratic and capitalist culture that benefits only a few at the expense of the poor. The poor minority students whether they graduate or not spend their entire life struggling to get enough money to support themselves while not breaking the myriad of laws and regulations that control how they can earn a living.

- Compulsory education would need to be replaced with a private education system where working class and low-income parents get stipends to spend wherever they want their child to go to school. This was an idea of James Coleman's (Coleman 1990) that was never realized. He believed that schools and teachers should be in a situation to compete for students and therefore be interested in offering quality programs. While the Bush administration and other conservatives support a version of a school voucher system, so far the amount of stipends they are offering low-income families are not the least bit adequate to provide a quality education at a quality school and reinforces classism based on education quality and attainment.

- A related development in this direction is that the Rosebud Sioux Nation has developed their own education code to increase their authority over public schools located on their reservations.
- Teacher training can be augmented so that teachers understand the particular issues, barriers, and problems faced by lingual and racial minority students so that teachers can be sensitive and be made aware of what the best teaching methods and curriculums exist to best serve this group. If teacher education is greatly improved and they truly become experts in this area, I think teachers should have more control of the classroom to make decisions that will be best for their students learning experience. Based on the experiences of the teacher I interviewed, higher education must do a better job training teachers and school counselors to be culturally competent to teach students of diverse cultures. Those in teacher training programs should be required to learn another language as well, particularly if there is language diversity in the area where they plan to work or if there is an identified need for certain cultural or language expertise elsewhere in the country.
- An additional solution is to raise education dollars through corporate taxes. Corporate and business interests have always been an influence in educating children and were involved in the making of the Bush school reforms and such business interests/employers directly benefit from the type of workforce turned out by schools. Therefore corporations should pay toward the development of the workforce. However, I does not believe corporations should have more than a share of input on what schools should teach except for some input on

skill-building related to obtaining satisfying, decent paying work in safe and positive work environments. Ideally, children will be taught to reach their full potential and learn what interests them so they can push society toward democratic ideals rather than be pushed to conform to a capitalist economic system that never allows the profits to "trickle down" to those in need.

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Table 1.1 Interview Questions**Oregon Senator**

1. Based on your opinion or experience, why are fewer minority students graduating high school?
2. How important is it that all youth get the same education?
3. Who do you think is/are responsible for seeing that minority students get an equal education?
4. How are current laws adequate or inadequate to address the problem?
5. How is the distribution of school funding decided in Oregon-is it a fair process?
6. How are low completion rates problematic for minority students?
7. How could the state and federal government do better to educate minority youth?
8. How are state budget cuts going to affect funding to programs that benefit minority and poor students?
9. Where do you stand on the English only vs. bilingual education debate?
10. Are school counselors important to support ELL students?
11. Is the Head Start Program important support for ELL students?
12. What have you learned about educating ELL students while participating on the Senate Education Committee?
13. What are the various levels of the education system in Oregon in terms of responsibility and decision-making?
14. How is school funding distributed in Oregon?
15. How are funds for migrant and bilingual education distributed in Oregon?

Table 1.2 Interview Questions**Civil Rights Specialist, Oregon Dept. of Education:**

1. Based on your opinion or experience, why are fewer minority students graduating high school?
2. How does the distribution of school funding in OR impact equality-is it a fair process?
3. What impact will minority students experience due to current state budget cuts to the education fund?
4. How important is it that all youth get the same education?
5. Who do you think is/are responsible for seeing minority students get an equal education?
6. How are current laws adequate or inadequate to address the problem?
7. How does the distribution of school funding in Oregon impact equality-is it a fair?
8. Where do you stand on the English only vs. Bilingual Education debate?
9. What do you think are the best solutions for achieving educational equality for ELL students in Oregon?
10. Why do ELL students often choose to enter the community college setting in order to complete high school credits?
11. Who decides what textbooks to buy in regard to efforts to be culturally appropriate?
12. What is the Oregon Department of Education (Dept.) doing to improve graduation rates for minority students?
13. How is success determined for students?
14. What training does the Dept. provide to educate teachers and staff of lingual and cultural differences and about the needs of these students?
15. What is the Dept. doing to ensure that minority staff, bilingual/bicultural, are being recruited and retained?
16. How are funds for migrant and bilingual education distributed in Oregon?

Table 1.3 Interview Questions**School District Superintendent:**

1. Based on your opinion or experience, why are fewer minority students graduating high school?
2. How important is it that all youth get the same education?
3. Who is/are responsible for seeing that minority students get an equal education?
4. How are current laws adequate or inadequate to address the problem?
5. Do current efforts to cut state funding of education pose a problem?
6. Is state and federal funding distributed equally among Oregon schools?
7. How does your school district address discrimination against minority youth?
8. What efforts does your district make to address unequal graduation rates?
9. Are efforts are made to support non-English-speaking youth adequate?
10. How does your district use funds designated for bilingual ed. Who decides?
11. Will districts account for how the bilingual funds are being used as per the new state budget note that requires accounting for how these funds are used?
12. Students who are poor generally do not do as well in school--how does your school district seek to improved the learning outcomes of poorer children?
13. What different learning strands exists for students?
14. How well is the minority experience in the U.S. taken into account when selecting history texts-who decides?
15. What attempts are made to include the daily experiences, history and culture of minority youth in the curriculum?
16. What is your district doing to improve graduation rates for minority youth?
17. What programs do you have to teach non-English speaking students?

18. Does your district apply for bilingual funds; if so how used?
19. What programs do you have that help migratory students succeed (children of migrant workers)?
20. How is success determined for students?
21. What are the goals in terms of success for all students?
22. Where do you stand on the English only vs. bilingual ed. debate?
23. Can your district account for how successful your Title 1 Program benefits disadvantaged students?
24. What training does the district provide to educate teachers and staff of lingual and cultural differences and needs of students?
25. What is the district doing to ensure that minority staff (bilingual and/or bicultural) are being recruited and retained?

Table 1.4 Interview Questions**School district Spanish-English bilingual teacher, program administrator (bicultural Latino):**

1. Why are fewer minority students graduating in this district?
2. How important is it that all youth get an equal education, a good education?
3. Does discrimination against minority youth exist in district schools?
4. Are efforts are made to support non-English-speaking youth adequate?
5. How does your district use funds designated for bilingual ed. Who decides?
6. Students who are poor generally do not do as well in school--how does your school district seek to improved the learning outcomes of poorer children?
7. What different learning strands exist for students?
8. How well is the minority experience in the U.S. taken into account when selecting history texts?
9. What attempts are made to include the daily experiences, history and culture of minority youth in the curriculum?
10. What is your district doing to improve graduation rates for minority youth?
11. What programs do you have to teach non-English speaking students - program goals and purpose?
12. Does your district apply for bilingual funds? If so, how used?
13. What programs do you have that help migratory students succeed (children of migrant workers)?
14. How is success determined for students?
15. Where do you stand on the English only vs. bilingual ed. debate?
16. Does the district educate teachers and staff of the varying lingual and cultural differences and needs of w diverse student population?

17. Does the district adequately ensure that minority staff, bilingual and/or bicultural, are being recruited, retained?

Do current efforts to cut state funding of education pose a problem?

Table 2.1 Interview Response Summary Chart - Teaching methods

Respondent	Problems related to teaching methods
District superintendent	<ul style="list-style-type: none"> ➤ Lack of pre-school preparation. ➤ Low #'s bilingual teachers and good ESL teachers at most schools.
District bilingual educator	<ul style="list-style-type: none"> ➤ ESL** teaching method is ineffective - Students taught in English with a bilingual translator. ➤ Students often stuck at ESL level of instruction for a long time. ➤ Bilingual and ESL teachers spread very thin among all district schools--not nearly the number needed. ➤ Students have inconsistent access to a bilingual or ESL teacher from year to year - Quality of education for Latinos is inconsistent and ➤ Ineffective. ➤ ELL* teaching model used in district, it does not cognitively challenge students--students get behind in learning content material compared to other students comprehension - get bored, feel stupid in class and playground, get frustrated and drop out. ➤ Improper education of ELL, therefore students don't develop confidence, critical thinking skills. ➤ No effort to get input of ELL students, parents or bilingual experts regarding selecting the best teaching method for ELL's - would a bilingual magnet school be better than assimilating ELLs throughout the district schools. ➤ ELL students are only evaluated for how well they are learning English, not how well they are learning subject content. ➤ ELL students language, culture and life experiences are not part of the curriculum which is the way students learn best--most teachers don't have experience with the language or culture of life experiences of Latino ELL students.

Oregon State legislator	<ul style="list-style-type: none">➤ Most ESL and bilingual teaching programs implemented around the nation have been colossal failure as students don't learn English fast enough. They are trapped too long speaking in their native language.➤ English speech and writing isn't being learned by the first grade, so since English is the main language used to teach. Students fail to learn any subject content and fall behind their English speaking classmates.➤ Bilingual teaching methods don't work unless teachers are bilingual and bicultural.➤ There exists a myth among educators that poor kids have greater needs and can't learn at grade level, so teachers have low expectations for them.
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<p>Civil rights specialist Or. Dept. Of Ed.</p>	<ul style="list-style-type: none"> ➤ Large class sizes of 30-40 students don't allow for the kind of individual attention needed to transcend the barriers of race, gender and socio - economic status. ➤ Lack of civil rights is the biggest problem for ELL students as they represent the most disadvantaged group in society. ➤ English immersion doesn't work, i.e. one teaching style doesn't work for all children. ➤ Learning styles common to the public school approach don't always benefit many minority students who often drop out and go to a community college to get their high school diploma or a GED***. In fact, the community college in a nearby county provides more high school diplomas and GEDs than any high school in the county. ➤ Respondent says I'm correct in my observation that principals see no race problems or challenges to minorities in their schools. ➤ There exists a shortage of bilingual/bicultural teachers for this population - there is high demand for them and they are difficult to retain.
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ELL:** English Language Learners **GED:** General educational development certificate ****ESL:** English as a Second Language is a teaching method where a Spanish -speaking ESL teacher of varying competency, assists the English teacher in a dual language classroom by translating for the ELL students

Table 2.2 Interview Response Summary Chart - Funding issues

Respondent	Problems related to school funding
District superintendent	<ul style="list-style-type: none"> ➤ Recent budget cuts for the next biennium, 2003-2005, possibly as much as 27 million requires budget cuts to infrastructure and a possible indirect affect on ELL students, bilingual/bicultural teachers and assistants will be spread even more thinly throughout schools. ➤ District is required by federal mandate to serve migrant children (usually Spanish-speaking) with little or no funding, so this money is cut out of the state general fund in order to comply with the law.
District bilingual educator	<ul style="list-style-type: none"> ➤ Federal Title 1 funds targeting poor children are not used on poor Latino or any other poor minority group. ➤ Use of additional state funds targeting ELL education is not monitored by the state. ➤ Title 1 federal funding is only being used to benefit poor white students. It should be helping poor ELL and migrant students as well. ➤ The state has a responsibility to monitor how state bilingual education dollars are being used and they don't do this.
Oregon State legislator	<ul style="list-style-type: none"> ➤ Previous and current statewide funding cuts to school budgets is <u>not</u> a problem. The State spends twice as much today on education as it did 50 years ago including adjustments for inflation. The problem is how the dollars are being spent. Not enough is spent on students in the very early years of their education to as to prepare them well for learning. Therefore, districts end up spending a greater amount on older students who aren't succeeding due to poor early educational strategies. ➤ Remedial programs for older students are very costly and ineffective.

	<ul style="list-style-type: none">➤ Considerable money is spent on middle managers in the school system who must do the paperwork that satisfies funding requirements - there are too many of these mandates on how schools should be administered.➤ School administrators earn higher salaries than necessary.
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<p>Civil rights specialist Or. Dept. of Ed.</p>	<ul style="list-style-type: none"> ➤ Statewide education budget cuts will clearly affect minority and ELL students in all areas of their schooling. Educators must do more with less money as an increase in student assessments shows that a greater number of students are not getting their scholastic needs met. ➤ Budget cuts to schools usually mean that due to hiring seniority the bilingual, bicultural teachers are cut first because they were the last hired due to more recent efforts to diversify faculties. These laid off teachers will then need to move out of the area to find work. Citizen taxpayers nationwide are not committed to prioritizing school funding. ➤ Federal and state mandated education activities are not accompanied by the necessary funding to implement them. ➤ In regard to researchers observation, the respondent says I'm correct in my observation that principals see no race problems or challenges to minorities in their schools and therefore <u>do not</u> spend specific state and federal dollars targeted to equalized their education. Rather the money is requested and used for the majority school population, English speakers. Principals are allowed to request this extra funding based on the number of disadvantaged (poor, ELL) students in their school, but use the money as they wish with no monitoring or oversight. <p>Poor accountability among school districts for how they are using the bilingual funds they've requested and received. In a recent state hearing, only one school district (the district researched in this article) was able to provide information as to the amount of state-provided bilingual funds used and how they were used.</p>
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Table 2.3 Interview Response Summary Chart - Philosophies on educational equality

Interview Subject	Ideas on Equality	Goals	Who's Responsible for Instituting Equality
District superintendent	<p>➤ "What we want for our own kids <u>should</u> be what we want for all kids irregardless of SES, Race and parental involvement."</p>	<p>District Goals:</p> <ul style="list-style-type: none"> ➤ by 2012 all 3rd graders will read @ grade level--improving chances for graduating. ➤ Identify potential dropouts and work to keep them in school. ➤ Hire more teachers of diverse ethnicity. ➤ Have high expectations for all students. ➤ Improve learning for all kids. 	<ul style="list-style-type: none"> ➤ Everyone is responsible, beginning with the U.S. president, all levels of school staff and parents. ➤ The state legislature mandates accountability for use of funds toward promoting equality, but provides no guidance on how to report this information--currently look to Oregon Dept. of Ed. for direction.

District bilingual educator		➤ Agrees with school district goals that all students will achieve and be educated so they can graduate.	The state is responsible to monitor how funds are being spent in schools, how well ELL students learn English and how well they learn course content.
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Civil rights specialist, OR Dept. of Ed.		<ul style="list-style-type: none"> ➤ The State's goal is success for all students: Students graduate high school, achieve necessary testing completion and scores, Have good health, have the ability to pursue a vocation beyond high school and contribute to their culture and the community. 	<ul style="list-style-type: none"> ➤ The Dept of Ed. is responsible to carry out education laws enacted by the state legislature. ➤ District school boards choose text books. ➤ The school principal decides how to spend money given to his school, including ELL \$ and other available \$ to help disadvantaged students. (Since 1991 school districts have been given a greater ability to self-govern).
Oregon State legislator	<ul style="list-style-type: none"> ➤ "All kids are capable to learn well if supported well in the early years of their education." 	<ul style="list-style-type: none"> ➤ All children should have the same opportunity for the same kind of education. 	<ul style="list-style-type: none"> ➤ Principals should be held accountable for how ELL \$ spent ➤ Parents are ultimately responsible for supporting homework completion and help with reading. ➤ Public schools are often seen as responsible. ➤ The federal government should have no role in education as per U.S. Constitution. ➤ State governments are responsible for educating children in the public schools as per the U.S. Constitution. ➤ Teachers must provide direct instruction via curriculum and textbooks .

Table 3 Oregon education system organizational chart