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# *Some Legal and Research Considerations in Establishing Federal Policy in Bilingual Education*

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*The federal government has maintained a prominent place in the formation of policy for bilingual education. Iris Rotberg traces the historical development of this involvement and its impact upon legislation, court decisions, regulations, and guidelines for meeting the language needs of over 3.5 million children of school age. The author reviews various instructional models and such research-assessed outcomes as students' achievement, self-image, and integration. She also discusses the implications for federal policy of these legal and research issues and the problem of fiscal support for bilingual programs. Rotberg concludes by proposing areas of research to be explored in future studies of bilingual education in the United States.*

Approximately 3.6 million school-age children in the United States have limited ability in English. About 73 percent of these children are Hispanic.<sup>1</sup> Large numbers of children with similar language needs also come from Asian countries, and there are concentrations of American Indian, German, Italian, French, and middle-European children with limited ability in English in certain areas of the country.

Federal involvement in bilingual education began as a response to the educational problems faced by these children, to issues raised by the civil rights movement, and to the interest of ethnic groups in maintaining their language and culture. In general, the

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<sup>1</sup> Rochelle L. Stanfield, "Are Federal Bilingual Rules a Foot in the Schoolhouse Door?" *National Journal*, 18 Oct. 1980, pp. 1736-1740.

federal role grew out of the social programs of the 1960s.<sup>2</sup> Although much has changed in the last twenty years, one clear fact remains: many children whose native language is not English continue to have considerable difficulty in school. More than 30 percent of students from Spanish-speaking homes are two years behind their age group by the end of high school, and about 45 percent of the Spanish-speaking population between fourteen and twenty-five years has not completed high school.<sup>3</sup>

In view of the varied premises underlying federal intervention and the economic implications of federal policies relating to the process of instruction and the selection of teachers and administrators in areas with large numbers of language-minority students, it is not surprising that federal policy in this area is controversial. Federal decisions greatly affect the autonomy of local school districts, educational and funding priorities, and hiring practices. For example, in the case of hiring practices, districts must decide whether teachers are selected primarily from the language-minority community or from the community at large.

Controversy about education programs for language-minority children centers primarily on goals and appropriate strategies for achieving these goals. Some have argued that programs should focus on English language instruction so that children might compete more effectively for education and employment in an English-speaking society. Others believe that English instruction is academically ineffective and discourages the preservation of native language and culture. Still others believe that existing bilingual-bicultural programs in the United States are so poorly designed or funded that they have little impact on language maintenance or cultural identity—assuming these goals to be appropriate for federal policy.<sup>4</sup> Federal policy, therefore, reflects a compromise between a strong social assimilation policy and one that encourages the maintenance of children's native language and culture.

This paper considers the legal background of federal policy and the relevance of research findings to public policy in this highly politicized area. Although a number of political, social, and economic factors are relevant to an evaluation of bilingual education, this paper focuses on two issues: (1) whether bilingual education programs—that is, programs which provide instruction both in the child's native language and in English—are the only way to satisfy the Supreme Court decision in *Lau v. Nichols*;<sup>5</sup> and (2) whether research findings clearly indicate that the bilingual approach—as compared, for example, with the exclusive use of intensive English language instruction—is the best way to educate language-minority children.

## Legal Background

Federal involvement in bilingual education is based primarily on the Supreme Court *Lau* decision and on the 1978 Amendments to Title VII of the Elementary and Second-

<sup>2</sup> See Charles Harrington, "Bilingual Education in the United States: A View from 1980," *ERIC/CUE Urban Diversity Series*, No. 68 (New York: Teachers College, 1980) (ED 195408).

<sup>3</sup> Noel Epstein, with responses by Jose A. Cardenas and Gary Orfield, *Language, Ethnicity, and the Schools* (Washington, D.C.: Institute for Educational Leadership, 1977).

<sup>4</sup> See Joshua A. Fishman, "The Social Science Perspective," in *Bilingual Education: Current Perspectives/Social Science*, I, project coordinator, L. Leann Parker (Arlington, Va.: Center for Applied Linguistics, 1977).

<sup>5</sup> *Lau v. Nichols*, 414 U.S. 563 (1974).

ary Education Act (ESEA) of 1965.<sup>6</sup> Although other federal programs, such as ESEA Title I, allocate funds to bilingual education, the basic thrust of federal policy derives from the judicial and legislative mandates which focus specifically on bilingual education.

The *Lau* decision was based on Title VI of the Civil Rights Act of 1964, which states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."<sup>7</sup>

In 1970 the Office of Civil Rights (OCR) interpreted Title VI to encompass the denial of equal educational opportunity to language-minority children. A staff memorandum stated:

Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

The memorandum also noted:

School districts must not assign national origin-minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills. . . . Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.<sup>8</sup>

It also required school districts to file compliance plans with the OCR. The purpose of the memorandum was to ensure that school districts develop educational programs to meet "the special language skill needs of national origin-minority group children."<sup>9</sup> The memorandum did not, however, specify what types of instructional programs should be implemented.

In 1974 the position set forth by the OCR memorandum was upheld by the Supreme Court in *Lau v. Nichols*. The Court found that Chinese-American, non-English-speaking students were denied equal educational opportunity under Title VI of the Civil Rights Act when instructed in English, a language they did not understand. The Court ordered that schools must "rectify the language deficiency," but did not specify how that should be accomplished. Indeed, the Court recognized that there were several alternatives: "Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instructions to this group in Chinese is another. There may be others."<sup>10</sup>

Regardless of the remedy chosen, however, the Court made it clear that the federal government had a responsibility to ensure that school districts receiving federal funds

<sup>6</sup> U.S. Cong., Amendment to Title VII of the Elementary and Secondary Education Act of 1965, P.L. 95-561, 1 Nov. 1978.

<sup>7</sup> U.S. Cong., Title VI of the Civil Rights Acts of 1964, P.L. 88-352, 78 Stat. 252, 42 U.S.C. 2000d, 2 July 1964.

<sup>8</sup> J. Stanley Pottinger, "Identification of Discrimination and Denial of Services on the Basis of National Origin," Memorandum, Office of Civil Rights, U.S. Dept. of Health, Education and Welfare, 25 May 1970.

<sup>9</sup> Pottinger, p. 2.

<sup>10</sup> *Lau v. Nichols*, p. 2.

provided appropriate services to language-minority children. The decision quoted Senator Hubert Humphrey's statement made a decade earlier during the floor debate on the Civil Rights Act of 1964: "Simple justice requires that public funds to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination."<sup>11</sup>

In 1975 a task force appointed by the then-Commissioner of Education, Terrel H. Bell, now Secretary of Education, issued a report which specified procedures for eliminating the educational deficiencies ruled in violation of Title VI of the Civil Rights Act.<sup>12</sup> The task force recommendations, known as the *Lau* Remedies, went well beyond a requirement that school districts develop language programs to serve non-English-speaking students; they prescribed specific guidelines about the content of these programs, and how they should be designed and implemented. The remedies stated that students should be taught in their native language—only one of the possible alternatives noted by the Supreme Court. They also proposed that students should receive instruction about their native culture, an issue not addressed by the Court.

The OCR chose to apply the remedies to school districts which were found in violation of Title VI and had twenty or more non-English-speaking students in the same language group. The remedies provided direction on a number of issues, including the identification of students' primary or home language, curriculum design, teacher selection and training, and evaluation. For example, school districts

*must, at a minimum, determine the language most often spoken in the student's home, regardless of the language spoken by the student, the language most often spoken by the student in the home and the language spoken by the student in the social setting (by observation).*

These assessments must be made by persons who can speak and understand the necessary language(s). An example of the latter would be to determine, by observation, the language used by the student to communicate with peers between classes or in informal situations. These assessments must cross-validate one another. (Example: student speaks Spanish at home and Spanish with classmates at lunch). Observers must estimate the frequency of use of each language spoken by the student in these situations.

In the event that the language determinations conflict (Example: student speaks Spanish at home, but English with classmates at lunch), *an additional* method must be employed by the district to make such a determination (for example the district may wish to employ a test of language dominance as a third criterion). In other words, two of the three criteria will cross-validate or the majority of criteria will cross-validate (yield the same language).<sup>13</sup>

After students were identified, districts had to diagnose their needs and assess "the responsiveness of students to different types of cognitive learning styles and incentive motivational styles—e.g., competitive v. cooperative learning patterns."<sup>14</sup>

<sup>11</sup> *Lau v. Nichols*, p. 6.

<sup>12</sup> "Task Force Findings Specifying Remedies Available for Eliminating Past Educational Practices Ruled Unlawful under *Lau v. Nichols*," Office for Civil Rights, U.S. Dept. of Health, Education and Welfare, Summer 1975.

<sup>13</sup> "Task Force Findings," pp. 1-25-1-27.

<sup>14</sup> "Task Force Findings," p. 1-27.

The *Lau* Remedies stated that elementary- or intermediate-level students must receive one or a combination of the following programs: bilingual-bicultural, multilingual-multicultural, or transitional bilingual programs. The bilingual-bicultural program is defined as "a program which utilizes the student's native language (example: Navajo) and cultural factors in instruction, maintaining and further developing all the necessary skills in the student's native language and culture while introducing, maintaining and developing all the necessary skills in the second language and culture (example: English). *The end result is a student who can function, totally, in both languages and cultures*"<sup>15</sup> (emphasis added). A multilingual-multicultural program follows the same principles as the bilingual-bicultural program but uses more than two languages. The transitional bilingual education program also functions similarly "except that once the student is fully functional in the second language (English), further instruction in the native language is no longer required."<sup>16</sup>

The *Lau* Remedies did not permit the exclusive use at elementary or intermediate grade levels of an English-as-a-Second-Language (ESL) program, which gives language-minority students specific language instruction for part of the school day and regular classroom instruction for the rest of the day. It should be noted that the failure to provide supplemental instruction in English was the basis for the *Lau* decision. The Court stated that although "about 1,000 are given supplemental courses in the English language . . . 1,800 however do not receive that instruction."<sup>17</sup> Nonetheless, the *Lau* Remedies concluded that "since an ESL program does not consider the affective nor cognitive development of the students in this category and the time and maturation variables are different here than for students at the secondary level, an ESL program is not appropriate."<sup>18</sup>

In 1976 OCR reminded its regional offices that the *Lau* Remedies were only guidelines and that it could not prohibit ESL instruction and require school districts to provide bilingual-bicultural instruction.<sup>19</sup> However, school districts not providing bilingual-bicultural instruction would have to prove that their program was equally effective. The OCR currently has compliance agreements with more than 400 school districts. Very few have received approval to use ESL instruction for the entire district.<sup>20</sup> At the secondary level, school districts could use any of the programs permitted at the elementary or intermediate level, as well as ESL or High Intensive Language Training — an "immersion" program designed for language-minority students in which most of the instruction is given in the second language.

Finally, the *Lau* Remedies stated that all the program design features had to be accomplished without creating "racially/ethnically identifiable" schools or classes. In other words, the bilingual programs were not to result in segregated environments.

<sup>15</sup> "Task Force Findings," p. I-43.

<sup>16</sup> "Task Force Findings," p. I-44.

<sup>17</sup> *Lau v. Nichols*, p. 1.

<sup>18</sup> "Task Force Findings," p. I-32.

<sup>19</sup> Epstein.

<sup>20</sup> Telephone interview with James M. Littlejohn, Chief of Legal Standards and Policy Development Branch in the Elementary and Secondary Division, Office for Civil Rights, U.S. Dept. of Education, 1 Oct. 1981.

It is not surprising that many school districts considered these detailed observational, diagnostic, and programmatic requirements of the *Lau Remedies* unworkable. As an alternative, in 1980, The Secretary of Education, Shirley A. Hufstедler, proposed regulations intended to give more easily implemented guidance to educators.<sup>21</sup> The proposed regulations set forth procedures for assessing English proficiency and for providing services. As in the *Lau Remedies*, the regulations required that students be taught in both languages in required subjects while simultaneously learning English. School districts believed that the proposed regulations, if implemented, would be burdensome and very costly, although some argued that the regulations were considerably less intrusive than the *Lau Remedies*.<sup>22</sup> There was more opposition to the proposed 1980 regulations because, unlike the *Lau Remedies* which were guidelines only, the new regulations, if adopted, would have the force of law. In any case, both the *Lau Remedies* and the 1980 proposed regulations made program design requirements that went well beyond the Supreme Court ruling. The original decision stated that a school district receiving federal funds "must take affirmative steps to rectify the language deficiency in order to open its instructional program to [language-minority] students."<sup>23</sup>

Shortly after his appointment by President Reagan in 1981, Secretary of Education Bell withdrew the proposed regulations issued by former secretary Hufstедler, and announced that they would be replaced by new regulations giving school districts more flexibility on how best to educate students.<sup>24</sup> While the new standards are being developed, the *Lau Remedies* are currently in effect. However, OCR's application of the remedies is quite different from what it was in the past. Now OCR reviews school districts' plans based on evidence that they are likely to work, rather than on their consistency with the specific educational methods described in the *Lau Remedies*.<sup>25</sup>

#### *Title VII of the Elementary and Secondary Act (1978 Amendments)*

The Title VII legislation, or the Bilingual Education Act, was first enacted by Congress in 1968. It was one of several major pieces of educational legislation passed by Congress during the 1960s and 1970s designed to serve students with special educational needs—students who are low-achieving, have physical or mental handicaps, come from low-income families, or have limited English proficiency. In contrast to the *Lau Remedies*, which did not provide funds for their implementation, Title VII provided discretionary grants to school districts to develop programs for language-minority students. These program funds have increased over the years—from \$7.5 million in fiscal year 1969 to \$157.5 million in fiscal year 1981.

The purpose of Title VII was to fund bilingual education programs. Its educational philosophy followed a transitional bilingual-bicultural approach, encouraging the use of "bilingual educational practices, techniques, and methods."<sup>26</sup> In order to avoid segregated classes, Title VII permitted the participation of children whose native language

<sup>21</sup> U.S. Dept. of Education, "Proposed Rules," *Federal Register*, 45, No. 152, 5 Aug. 1980.

<sup>22</sup> "The Deregulation That Wasn't," *Washington Post*, 19 July 1981, p. C2.

<sup>23</sup> *Lau v. Nichols*, p. 5.

<sup>24</sup> "Bell Withdraws Proposed Bilingual Ed. Regulations," *Education Times*, 9 Feb. 1981, pp. 1; 4.

<sup>25</sup> Littlejohn.

<sup>26</sup> U.S. Cong., Amendment to Title VII of the Elementary and Secondary Education Act of 1965, P.L. 95-561, 92 Stat. 2268, 20 U.S.C. 3222, 1 Nov. 1978.

is English — though their percentage could not exceed 40 percent. The Act stated: "The objective of the program shall be to assist children of limited English proficiency to improve their English language skills, and the participation of other children in the program must be for the principal purpose of contributing to the achievement of that objective."<sup>27</sup>

Secretary Bell has maintained the Title VII bilingual program as a distinct categorical program, separate from the administration's educational consolidation plan. The continuing resolution budget level for fiscal year 1982 is \$134.4 million — down from the 1981 appropriation of \$157.5 million.

### Research Findings

There is little controversy about the need to provide children of limited English proficiency with special services to enable them to participate in the regular school program or about the federal government's responsibility under the *Lau* decision to ensure that school districts provide appropriate services. There is disagreement, however, about how federal programs should be designed and the specific instructional approaches which should or should not be required.

The main point of contention is whether emphasis should be placed on English language instruction or on bilingual-bicultural education. The *Lau* Remedies and Title VII favored bilingual-bicultural education. They also suggested that ESL, when used outside of a bilingual program, either was not effective or, if it did increase English proficiency, could not help children understand their native language and culture and was therefore inadequate.

Deciding whether the goal of federal education programs should be to teach children their native language and culture or to encourage assimilation is a political and value judgment, not a research question. However, research can help to determine whether or not a bilingual-bicultural approach is the most effective way to teach children English and other academic skills. Studies have been conducted to assess the effects of various instructional models on student achievement as well as on other policy considerations such as student integration, cost and feasibility, and the extent to which needy children are served. This paper does not address other issues, some of which have evoked great controversy, for example, whether bilingual education programs will or should assist in the preservation of native languages or cultures.<sup>28</sup>

### *Student Achievement*

There is an extensive international literature which compares the effectiveness of various types of educational programs for language-minority children. One of the most comprehensive overviews is presented by Christina Bratt Paulston, who concludes that "at the world level, the field of research on bilingual education is characterized by disparate findings and inconclusive results."<sup>29</sup> The studies compare programs where instruc-

<sup>27</sup> U.S. Cong., Amendment to Title VII, 92 Stat. 2270, 20 U.S.C. 3223.

<sup>28</sup> Fishman.

<sup>29</sup> Christina Bratt Paulston, "Bilingual/Bicultural Education," in *Review of Research in Education*, ed. Lee S. Shulman (Itasca, Ill.: Peacock, 1978), p. 187.



tion is given in both the child's mother tongue and the second language, initially in the native language until the child is fully functional in the second language, and primarily in the second language. The studies evaluate the effect of the programs on language and reading skills, achievement in other subjects, such as, mathematics, science, and social studies, and general cognitive development. Paulston concludes that "a study can be found to support virtually every possible opinion."<sup>80</sup>

This conclusion is supported by a number of other researchers who have analyzed the results of international studies. Although these researchers, like Paulston, advocate bilingual education, they have concluded that it is not possible to select an optimum educational approach for all situations.<sup>81</sup> A World Bank review of selected international case studies found that "there is not one answer to the question of what language to use for primary school, but several answers, depending on the characteristics of the child, of the parents and the local community, and of the wider community."<sup>82</sup>

Similar inconclusive results were reported in 1978 in the American Institutes for Research (AIR) evaluation of Title VII programs for the 1975-76 academic year.<sup>83</sup> As of fall 1975 AIR evaluated all Title VII Spanish/English projects in either their fourth or fifth year of funding. The study compared students enrolled in Title VII projects with a control group of students not enrolled in these projects. In general, across grades, Title VII students performed slightly lower in English language arts than did non-Title VII students and at about the same level as the non-Title VII students in mathematics. Relative to national norms, Title VII Hispanic students scored at about the 20th percentile in English reading and at the 30th percentile in mathematics.

Although unusually large achievement gains were reported in certain classrooms in the AIR evaluation, these gains were found in both Title VII and non-Title VII classrooms. There was also evidence that students in some bilingual classes did not do as well as language-minority students in more traditional courses. Critics of the AIR evaluation have argued that the research unfairly estimated the potential value of transitional bilingual education: Title VII and non-Title VII students and programs may not have been comparable; students may not have participated in bilingual programs for a long enough time to determine any positive effects; and there were problems with program implementation, teacher training, and the availability of appropriate curricula.<sup>84</sup> Certainly, these problems existed. The achievement results of Title VII programs which were evaluated in their fourth or fifth year of operation, however, do not show that tran-

<sup>80</sup> Paulston, "Bilingual/Bicultural Education," p. 188.

<sup>81</sup> See Wallace E. Lambert and G. Richard Tucker, *Bilingual Education of Children* (Rowley, Mass.: Newbury House, 1972), p. 216; and G. Richard Tucker, "The Linguistic Perspective," in *Bilingual Education: Current Perspectives/Linguistics*, II (Arlington, Va.: Center for Applied Linguistics, 1977), p. 40.

<sup>82</sup> Nadine Dutcher, "The Use of First and Second Languages in Primary Education: Selected Case Studies." Draft report prepared for the Education Department of the World Bank, June 1981, p. 25.

<sup>83</sup> Malcolm N. Danoff, *Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program* (Palo Alto, Calif.: American Institutes for Research, 1978).

<sup>84</sup> See Cardenas, "Response I," in Epstein, *Language, Ethnicity and the Schools*; Joan S. Bissell, *A Review of the Impact Study of ESEA Title VII Spanish/English Bilingual Education Programs*, Office of the Auditor General, California State Legislature, March 1979; and Center for Applied Linguistics, "Response to AIR Study 'Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program.'" Arlington, Va., Memorandum, 18 April 1977.

sitional bilingual education programs — as implemented by school districts — were better or appreciably worse than regular school programs.

These results are not surprising when one considers the large number of variables which affect comparisons of this type.<sup>35</sup> Several important societal factors — values with respect to assimilation and cultural diversity, the language of the surrounding community, and the status of language-minority groups in the country — affect the outcomes. Paulston argues that the instructional model selected is a result of these societal factors rather than the cause of children's academic achievement and that these factors are considerably more important in determining children's achievement than is the particular instructional approach used.<sup>36</sup>

In addition, a number of other variables affecting student achievement are difficult to control for in comparisons of different program models. Students' socioeconomic status, the length of time they have lived in this country, their general language skills, and their proficiency in various subjects clearly interact with the effects of alternative instructional models. Moreover, the models as actually implemented may be more alike than their labels imply. For instance, bilingual components are typically included in immersion programs, and almost every bilingual program uses some ESL techniques.

Finally, program characteristics generally associated with program quality, such as time on task, clear instructional objectives, strong leadership by the school principal, and well-trained teachers, clearly play a more important role in student achievement than does the initial language of instruction. As Paulston observes, "It should be reassuring to educators that children do better in good programs."<sup>37</sup>

These findings are consistent with results in other fields of education.<sup>38</sup> Few studies show one theoretical teaching technique to be clearly superior to another. Research on Follow Through, a federal demonstration program designed to compare different educational models for children in the primary grades, found more variability in outcomes from site to site for the same model than between models within sites.<sup>39</sup> Thus, a model's theoretical base had only a limited effect on the way the actual program was implemented in schools and on student achievement. Other studies comparing the phonics and whole-word approaches to teaching reading have had similar results.<sup>40</sup> All of this suggests that there is no educational basis for selecting an optimum instructional model for a country as large and diverse as the United States and that current findings do not indicate that the transitional bilingual-bicultural approach advocated by the *Lau Remedies* and Title VII is better on the average than other models. Analyses of different educational models, however, suggest that it may be possible to identify factors in certain

<sup>35</sup> See Fishman; William Francis Mackey, "The Evaluation of Bilingual Education," in *Frontiers of Bilingual Education*, ed. Bernard Spolsky and Robert L. Cooper (Rowley, Mass.: Newbury House, 1977); Barry McLaughlin, "Language Learning in Bilingual Instruction: Literature Review," Graduate School of Education, Univ. of California, Berkeley, June 1981; Paulston, "Bilingual/Bicultural Education"; and Bernard Spolsky, "The Establishment of Language Education Policy in Multilingual Societies," in *Frontiers*.

<sup>36</sup> Paulston, "Bilingual/Bicultural Education."

<sup>37</sup> Paulston, "Bilingual/Bicultural Education," p. 190.

<sup>38</sup> Iris C. Rotberg, "Federal Policy Issues in Elementary and Secondary Education," in *The Federal Role in Education: New Directions for the Eighties*, ed. Robert A. Miller (Washington, D.C.: Institute for Educational Leadership, 1981).

<sup>39</sup> Rotberg.

<sup>40</sup> Rotberg.

communities which would favor one educational approach over another. For example, researchers have compared international studies which have produced apparently contradictory results — some favoring learning initial reading in the native language, others in the second language.<sup>41</sup> From these and similar studies, they have noted characteristics associated with students, programs, and communities which may account for the success of one or another educational approach in particular situations.

Studies which found initial learning in the second language to be effective include the following:

*The St. Lambert Study in Canada*<sup>42</sup>

The research evaluated an immersion program for English-Canadian children who were taught exclusively in French in kindergarten and first grade, and primarily in French from grades two through four, except for one hour of English language-arts instruction each day. At the end of the fourth grade, the children read as well in English as the English control group. They also performed extremely well in French when compared with French-Canadian children in a regular French program.

*The Redwood City Study in California*<sup>43</sup>

The research examined a bilingual program for Mexican-American children in which reading and other subjects, such as mathematics, science, and social studies, were introduced in both Spanish and English. The children were compared with a control group taught exclusively in English, sometimes with ESL instruction. Results indicated that the bilingual group scored better in Spanish language skills while the control group scored better in English language skills. Results for mathematics were mixed.

*The Rizal Study in the Philippines*<sup>44</sup>

Children in Tagalog-speaking areas were instructed in the local vernacular in the early grades. The grades at which English reading and English subject matter instruction were introduced varied. Results indicated that the grade at which English reading was introduced and the sequencing of vernacular and English reading made no difference in English reading achievement. However, English proficiency was directly related to the number of years English had been used as the medium of instruction. The group taught exclusively in English did best in all content areas. The average level of literacy in Tagalog was not closely related to the number of years English had been used as a medium of instruction.

Other studies favored initial learning in the native language:

*The Chiapas Study in Mexico*<sup>45</sup>

Indian children who learned to read in the vernacular and then in Spanish scored higher

<sup>41</sup> See Dutcher; Christina Bratt Paulston, "Ethnic Relations and Bilingual Education: Accounting for Contradictory Data," *Working Papers in Bilingualism*, No. 6 (Toronto: Ontario Institute for Studies in Education, 1975); James Cummins, "The Role of Primary Language Development in Promoting Educational Success for Language-Minority Students," in *Schooling and Language Minority Students: A Theoretical Framework, Evaluation, Dissemination and Assessment Center*, California State Univ., Los Angeles, 1981; Fishman; Lambert and Tucker; and Tucker.

<sup>42</sup> Lambert and Tucker.

<sup>43</sup> Tucker.

<sup>44</sup> Tucker.

<sup>45</sup> Dutcher.

on tests of Spanish reading comprehension after third grade than those who had been taught in Spanish only.

*The Rock Point Indian School in Arizona*<sup>46</sup>

Indian children who received bilingual instruction with English reading introduced in grade two were compared with children given ESL instruction and then taught in English for all subjects. The children in the bilingual school did better than the controls in both English reading and in mathematics.

*Studies of Finnish Migrant Children in Sweden*<sup>47</sup>

Two studies compared the effects of programs which taught only in Swedish with programs taught in both Finnish and Swedish. Finnish achievement was best for students who had some instruction in Finnish, whereas Swedish achievement was lowest for those who had no instruction in Finnish. The results of the second study also favored bilingual instruction. Children who were taught primarily in Finnish in grades one through three and in Swedish in grades four through six achieved well in both Finnish and Swedish.

Based on a review of these and similar studies, researchers have hypothesized that certain conditions may be related to the success of particular program models. Programs that teach initially in the second language may be more likely to succeed when:

- children come from middle- or upper-class homes
- children's linguistic development in the native language is high
- the home language has high status in the community
- there is a strong incentive for the children to learn a second language
- there are positive expectations for student success
- there is strong community and parent support for the program
- children remain in school past the first few grades
- program quality is high and is specifically designed for children who are learning a second language

Conversely, some observers suggest that initial learning in the native language might be more desirable, both academically and psychologically, for children who come from low-income families and who are not proficient in their native language; in communities where the home language has low status; for students likely to leave school in the early grades; and where teachers are not members of the same ethnic group as the students and may be insensitive to their values and traditions.<sup>48</sup>

Typically cited as evidence for these hypotheses are the Canadian immersion programs, which teach using the second language, and programs like those for Indian and for Finnish immigrant children which favor initial native-language instruction. The Canadian immersion programs are considered effective for children from high socioeconomic backgrounds, and the programs for Indian and Finnish children thought to be more appropriate for children from low socioeconomic backgrounds and with initially low levels of language development.

<sup>46</sup> Dutcher.

<sup>47</sup> Dutcher.

<sup>48</sup> See Dutcher, Paulston, and Tucker, fn. 41.

But the distinction is not always clear. For instance, the Canadian immersion programs were successfully replicated for low-ability children and for children from working-class families. Similarly, in the Redwood City, California study, low-income Mexican-American children, taught exclusively in English, performed better in English-language skills than children in bilingual programs. Neither finding would have been predicted from the generalizations drawn above. However, these generalizations, if not taken too literally, can be helpful to communities considering alternative educational programs for language-minority children. They certainly do not support one particular approach for the entire nation.

Even at the school district level, where information about social factors and students' special needs is available, one particular instructional approach may not be best for all students. The policy statement adopted in 1980 by the Montgomery County, Maryland, Board of Education is relevant here. The statement concludes that "there is no single instructional approach which meets the needs of all limited English proficient students."<sup>49</sup> It encourages a variety of programs, including ESL, modified immersion, transitional bilingual, and tutorial.

### Nonacademic Outcomes

Given that research results are ambiguous, it may be useful to determine whether particular educational models produce results other than achievement, such as increased self-concept or decreased absenteeism and dropout rates, student integration, and greater economy and feasibility.

### *Attitudinal and Behavioral Results*

Discussions about the educational benefits of different instructional approaches often refer to measures other than achievement scores—such as attitudes toward school, self-concept, retention in grade, absenteeism, and dropout rates—as important reasons for advocating bilingual-bicultural programs. Jose Cardenas, for example, noted:

Though few studies document the success of bilingual education, there is an abundance of studies which adequately evaluate the effect of past immersion programs [that is, regular classroom programs]. In such programs, anywhere from 50 percent to 100 percent of the language minorities dropped out of school prior to the completion of the 12th grade. . . . In Texas, the result of immersion programs produced such a high level of [grade] retentions that 86 percent of all Mexican American children in that state had repeated at least one grade prior to the completion of the third grade.<sup>50</sup>

Cardenas also feared that such programs might adversely affect children's psychological adjustment:

In my opinion, and not contradicted by research findings, such immersion programs, although adequate for adults and for higher grade levels, produce too much of a psycho-

<sup>49</sup> Montgomery County [Maryland] Public Schools, Board of Education, "A Policy Statement on Education of Limited English Proficient Students," 21 Jan. 1980, p. 1.

<sup>50</sup> Cardenas, pp. 78-79.

logical trauma in young children. Placement in a language immersion program today would constitute for me a fun activity, though I can still remember the horror of this experience when I was six years old.<sup>51</sup>

It is one thing to note real and distressing educational problems; it is quite another to trace their cause to a particular instructional model and to introduce as a solution an alternative model such as bilingual education. Studies in attitudinal and behavioral effects encounter the same problems as research on student achievement. Not unexpectedly, societal factors appear to be more important in determining students' attitudes and adjustment than does choice of instructional approach.<sup>52</sup> According to Norman Segalowitz, "Many factors determine what the language chosen as medium of instruction will mean to the student—personality, home attitudes, community sentiments, political environment."<sup>53</sup>

Moreover, very few attitudinal studies have adequate control groups, and there are added difficulties in measuring outcomes such as students' psychological well-being.<sup>54</sup> No clear pattern emerges from the research. Some researchers have reported positive findings for students in bilingual programs, where others have found little difference in students' attitudes or behavior.

Paulston concluded from a survey of several American studies that "all of the researchers reported that bilingually-taught children showed self-concepts as positive as—and, more often, *more* positive than—monolingually-instructed pupils. This was true of minority group children as well as of Anglo children."<sup>55</sup> Paulston noted that American Indian students attending a bilingual-bicultural school in Chicago had considerably lower dropout rates than Indian students in Chicago public schools.<sup>56</sup> Joshua Fishman found positive results in school attendance, attitudes, and self-concept for students in bilingual programs in several studies conducted in the United States and Canada.<sup>57</sup>

The AIR study, however, found no difference in attitudes toward school and school-related activities between students in Title VII and non-Title VII classes.<sup>58</sup> Similarly, a study of a comprehensive bilingual-bicultural program for Mexican-American students in Texas, specifically designed to increase students' psychological as well as cognitive development, found no difference between experimental and comparison students on a range of measures including attitudes, self-concept, motivation, social values, absenteeism, grade retention, and dropout rates.<sup>59</sup> Ricardo Chapa also found no difference in self-concept between children in a bilingual program and a control group; and Wendy Oxman found that students from bilingual schools scored significantly higher on tests of alienation than did those in a limited bilingual or a nonbilingual school.<sup>60</sup>

<sup>51</sup> Cardenas, p. 79.

<sup>52</sup> McLaughlin, "Language Learning."

<sup>53</sup> Norman Segalowitz, "Psychological Perspectives on Bilingual Education," in *Frontiers*, p. 157.

<sup>54</sup> McLaughlin.

<sup>55</sup> Christina Bratt Paulston, "Research," in *Bilingual Education*, II, p. 123.

<sup>56</sup> McLaughlin.

<sup>57</sup> Fishman.

<sup>58</sup> Danoff.

<sup>59</sup> Earl Jones and Peter B. Davis, eds., *Final Summary Report on the Experimental Schools Project, Edgewood Independent School District* (San Antonio, Tex.: Development Associates, 1977).

<sup>60</sup> Paulston, "Research."

The important point is that in most studies the ambiguities in research design, outcome measures, and in the results themselves, do not support generalizations from the research that has been conducted. In her review of attitudinal studies, cited above, Paulston noted:

Two important factors must be considered in evaluating these conclusions. First of all, each researcher has a particular bias which influences his research design (e.g., in terms of his choice of experimental and control groups, independent and dependent variables, testing instruments and procedures, etc.). Whether it is due to faulty research design or merely an inadvertent omission in the dissertation, important background information (e.g., children's previous educational experience, parents' education, children's degree of bilingualism and sociolinguistic factors) frequently is not included. Secondly, the authors themselves admit that the favorable results of innovative educational programs, such as bilingual ones, may be nothing more than manifestations of the "halo" or Hawthorne effect.<sup>61</sup>

### *Student Integration*

The 1970 OCR memorandum previously noted specifically advised school districts to avoid programs that resulted in a "permanent track" for language-minority students. Recent work by Peter Rossi has suggested that, for some school systems, Title VII may become another segregated track for Hispanic students. Districts may prefer to place students in these programs instead of in regular classrooms.<sup>62</sup> The AIR Title VII evaluation reported that, although 75 percent of the students enrolled in the Title VII Spanish-English classes were Hispanic, fewer than a third of the students were there because of limited proficiency in English as judged by the classroom teacher.<sup>63</sup> Students appear to have been assigned to classes based on their home language or ethnic background rather than on their proficiency in English.

Some support for this hypothesis is also provided by Gary Orfield, who cites HEW statistics showing that by 1974 Hispanic children were more likely to attend predominantly minority schools than were blacks.<sup>64</sup> Although segregation of blacks has declined significantly during the 1970s, segregation of Hispanics has been increasing.<sup>65</sup> In a study of federal programs, Jackie Kimbrough and Paul Hill also found that segregation was particularly pronounced in schools with large enrollments of Hispanic children.<sup>66</sup> Although the causal relationship between bilingual programs and Hispanic segregation has not yet been fully researched, the 1978 Title VII Amendments recognized a potential problem: "In order to prevent the segregation of children on the basis of national origin in programs assisted under this title, and in order to broaden the understanding of children about languages and cultural heritages other than their own, a program of bilin-

<sup>61</sup> Paulston, "Research," p. 125.

<sup>62</sup> Peter H. Rossi, "Comments on Title VII Evaluation." Memorandum, Social and Demographic Research Institute, Univ. of Massachusetts, Amherst, 10 April 1979.

<sup>63</sup> Danoff.

<sup>64</sup> Orfield, "Response II," in Epstein, *Language, Ethnicity and the Schools*.

<sup>65</sup> Orfield.

<sup>66</sup> Jackie Kimbrough and Paul T. Hill, *The Aggregate Effects of Federal Education Programs* (Santa Monica, Calif.: The Rand Corp., 1981).

gual instruction may include the participation of children whose language is English, but in no event shall the percentage of such children exceed 40 per centum."<sup>67</sup>

Advocates for bilingual-bicultural education, however, say that bilingual programs have been more successful than traditional approaches for language-minority students. They refer to historical patterns of discrimination and harassment against language-minority children in which children received little or no help in the regular school program, were punished for speaking Spanish, or were assigned to classes for the mentally retarded. They believe that a trend away from bilingual education to ESL would simply revive these old patterns. Cardenas put it this way: "Perhaps Hispanic minorities are so overwhelmingly in favor of bilingual education regardless of lack of evidence of its success because the experiences with past programs have been so negative that any alternative is a step in the right direction. If, as documented by the Texas Education Agency, the dropout rate of Mexican American children in a South Texas school system is 90 percent, the parents cannot be blamed for strongly recommending an untested alternative."<sup>68</sup> Further, he suggested that certain school districts have highly segregated bilingual education programs because the districts themselves are highly segregated.

Nonetheless, the objectives of bilingual education and school desegregation may be inconsistent in certain circumstances; in many school districts Spanish-speaking students must choose between segregated bilingual education or integration without bilingual education.<sup>69</sup> From a legal point of view, there currently is no clear Supreme Court statement on what approaches are permissible, and federal courts have handed down inconsistent decisions.<sup>70</sup> Clearly, further research is needed to assess the effects of different types of programs for language-minority children on student integration and to identify programmatic options for educating language-minority children in desegregated settings.

#### *Cost and Feasibility*

Bilingual programs have practical implications for school districts beyond their effects on student achievement, attitudes, and integration. The *Lau Remedies*, like many other federal and state requirements, must be financed from local revenues rather than from categorical federal or state funds. The combination of requirements unsupported by funding, decreased local fiscal capacity, and decreased federal funds often creates financial difficulties for school districts.<sup>71</sup>

In addition to fiscal considerations, there are practical problems in selecting and training teachers and designing appropriate curricula.<sup>72</sup> Districts with multiple language groups have more problems. The *Lau Remedies* require that districts with twenty or more students of the same language group provide bilingual-bicultural programs for

<sup>67</sup> U.S. Cong., Amendment to Title VII, 92 Stat. 2270, 20 U.S.C. 3223.

<sup>68</sup> Cardenas, p. 79.

<sup>69</sup> Betsy Levin, Salvador Casteneda, and Mary von Euler, "Legal Issues Related to School Desegregation and the Educational Concerns of the Hispanic Community," in *Desegregation and Education Concerns of the Hispanic Community*, Conference Report (Washington, D.C.: National Institute of Education, 1977).

<sup>70</sup> Levin, Casteneda, and von Euler.

<sup>71</sup> Rotberg.

<sup>72</sup> Spolaky.



each group. This means that the district must establish separate programs, hire and train bilingual staff in each language, and integrate the students' curriculum with the regular school program. Chicago, for example, must provide instruction not only in Spanish but in seventeen languages, including Assyrian, Gujarti, Indic, and Serbo-Croatian.<sup>73</sup> The difficulty of staffing these programs is illustrated by a study conducted in New Mexico in 1976.<sup>74</sup> A random sample of 136 bilingual education teachers and aides, many of whom had done university work in bilingual education, was tested on a standard third grade curriculum from Mexico. Only 13 of the 136 teachers could read and write Spanish at the third grade level.

Moreover, school districts face difficult problems in establishing criteria for selecting and retaining students in programs. Existing tests of language proficiency are of questionable value and reliability,<sup>75</sup> and the detailed observational criteria described in the *Lau Remedies* are generally considered unworkable.

There is at present no nationally representative information which describes the cost and practical implications of implementing different types of programs for language-minority children, although there are studies of selected programs. The AIR Title VII classrooms, for example, received an average of \$376 more per student when compared to classrooms in the control groups.<sup>76</sup> However, this figure reflects the comparison between students in bilingual and regular programs and does not indicate the comparative costs of different types of special services for language-minority children. A recently completed study of six school districts conducted by the Rand Corporation estimated that the added cost of special programs for language-minority children ranged from \$200 to \$700 per student.<sup>77</sup> These estimates include instructional, administrative, and staff development costs. The added costs depend on average teacher salary, the extent to which "pull-out" programs are used, and the extent to which aides are added to bilingual, self-contained classrooms. The study found no clear relationship between instructional methods—ESL or bilingual instruction—and cost.

### Implications for Federal Policy and Research

The preceding review of legal and research issues has rather direct implications for federal policy. It points to several important findings indicating: that there is no requirement under the *Lau* decision, nor is there research evidence, to support a federal requirement that school districts use a particular instructional approach; that the federal government does have a clear responsibility under the *Lau* decision to ensure that language-minority children receive some type of assistance to enable them to participate in the regular school program; and that nationally representative research is needed on the experience of different kinds of programs for language-minority children to provide a

<sup>73</sup> "The Deregulation That Wasn't," *Washington Post*.

<sup>74</sup> Epstein.

<sup>75</sup> Ellen J. Rosansky, "A Review of the Bilingual Syntax Measure," in *Papers in Applied Linguistics—Advances in Language Testing Series: 1*, ed. Bernard Spolsky (Arlington, Va.: Center for Applied Linguistics, 1979).

<sup>76</sup> Danoff.

<sup>77</sup> Polly Carpenter-Huffman and Marta Samulon, "Case Studies of Delivery and Cost of Bilingual Education," Monograph (Santa Monica, Calif.: The Rand Corp., 1981).

resource base for Congress, for those who draft regulations, for state and local administrators, and for teachers to assist in the decision-making process.

### *Flexibility in the Choice of Instructional Approach*

This review has shown that an analysis of federal policy as represented by the *Lau Remedies* and Title VII program shows a strong preference for bilingual-bicultural programs over alternative approaches which rely primarily on English language instruction. In the case of the *Lau Remedies*, this policy considerably extends the 1970 OCR memorandum and the 1974 Supreme Court decision on which the remedies are based. Neither OCR nor the Supreme Court specified the instructional remedy.

Reviews of research findings comparing the effects of alternative instructional approaches on student achievement have shown that bilingual programs are neither better nor worse than other instructional methods. Similarly, the few studies which have examined other implications of the approach used—such as effects on student integration, costs, or student attitudes toward school—do not provide clear evidence to support one model over another.

There is, therefore, no legal necessity or research basis for the federal government to advocate or require a specific educational approach. Moreover, past research on a range of federal education programs has suggested that regardless of the merits of a particular approach, it is not productive for the federal government to intervene in local decisions about instructional models.<sup>78</sup> The evidence comes from a number of studies. For example, Arthur Wise's research has shown that federal attempts to require specific instructional approaches do not result in positive programmatic changes but simply increase the complexity of running an educational system.<sup>79</sup> The National Institute of Education study of compensatory education concluded: "Although local districts have many pressures to use funds more generally than the funds allocation regulations allow, they have little incentive to deliver inferior or ineffective services. Moreover, even if LEAs follow the procedures established in the program development regulations, there is no guarantee that they will produce high-quality services."<sup>80</sup> Similarly, the NIE Vocational Education study found that the complex planning requirements did "not significantly influence local program decisions."<sup>81</sup> Finally the Rand Corporation's change agent study and the education voucher study in Alum Rock, California indicated a wide gap between federal expectations and local education programs as actually carried out.<sup>82</sup>

In general, there is little evidence that program regulations have had a significant impact on the quality of instruction at the local level. Further, federal involvement in local

<sup>78</sup> Rotberg.

<sup>79</sup> Arthur E. Wise, *Legislated Learning: The Bureaucratization of the American Classroom* (Berkeley: Univ. of California Press, 1979).

<sup>80</sup> Paul Hill and Iris Rotberg, eds., *Administration of Compensatory Education. Report of the NIE Compensatory Education Study* (Washington, D.C.: National Institute of Education, 1977), p. 14.

<sup>81</sup> Henry David and Gerry Hendrickson, eds., *The Vocational Education Study: The Final Report. Report of the NIE Vocational Education Study* (Washington, D.C.: National Institute of Education, 1981), p. xxxiii.

<sup>82</sup> Paul Berman, Peter W. Greenwood, Milbrey Wallin McLaughlin, and John Pincus, *Federal Programs Supporting Educational Change. V, Executive Summary* (Santa Monica, Calif.: The Rand Corp., 1975); Eleanor Farrar, John E. DeSanctis, and David K. Cohen, "The Lawn Party: The Evolution of Federal Programs in Local Settings," *Phi Delta Kappan*, 62, 1980, 167-171.

planning or instructional methods may detract from more appropriate federal objectives of ensuring that intended beneficiaries receive supplemental educational services. It may also weaken the political support of even carefully designed programs.<sup>83</sup>

#### *Provision of Appropriate Services*

Although the Supreme Court's *Lau* decision did not require a specific instructional approach, the federal government does have a responsibility under that decision to ensure that school districts provide appropriate services for language-minority children. However, emphasis on specific program requirements may have detracted from this basic objective. There has been extended debate about the relative merits of ESL versus bilingual-bicultural approaches and about the perceived federal intrusion into local school policy. However, the essential requirement of the *Lau* decision that language-minority children receive some type of special assistance to enable them to participate in the regular school program has received considerably less attention.

We know from experience with other education programs that the federal government can ensure that specific population groups receive services without extensive directives on how subject matter is taught.<sup>84</sup> However, we need a clear delineation of the federal role in particular educational matters, specific regulations to implement federal objectives, and careful management. Collecting data in connection with compliance agreements with school districts is not enough; we need systematic research information which describes how the needs of language-minority children are served in the context of the *Lau* decision.

#### *Research Issues*

In addition to providing data on the extent to which language-minority children are currently being served, such research should examine the effects of alternative federal policies. Currently, we do not know the implications of allowing school districts more flexibility in the way they serve limited-English-speaking students because we do not know what school districts in fact are now doing or who is being served. We do not know what changes in programs, staffing patterns, or fiscal constraints would result from less federal intervention in program design. Nor do we know how demographic and political factors in different communities would affect those changes. The actions at the local level are also affected by court decisions and state laws limiting freedom of action which might otherwise result from more relaxed federal standards. Moreover, the unavailability of research data makes it difficult for state and local authorities to identify their options and to use this information to implement appropriate programs. Much can be done to remedy these problems by describing the experiences of other school districts in a logical and comprehensive manner.

An analysis of previous evaluations of major education programs suggests certain research strategies that are likely to produce information useful to policymakers.<sup>85</sup> Al-

<sup>83</sup> Rotberg.

<sup>84</sup> Rotberg.

<sup>85</sup> Sue E. Berryman and Thomas K. Glennan, Jr., "An Improved Strategy for Evaluating Federal Programs in Education," in *Educational Evaluation in the Public Policy Setting*, ed. John Pincus (Santa Monica, Calif.: The Rand Corp., 1980); and Paul T. Hill, "Evaluating Education Programs for Federal Policymakers: Lessons from the NIE Compensatory Education Study," in *Educational Evaluation*, ed. John Pincus.

though this paper is not designed to describe in detail the characteristics and methodology of a well-designed piece of policy research, it is useful to set out the basic parameters of such a study. In particular, evaluations of large programs should include a broad range of interrelated studies on all aspects of the program (resource distribution, program management, and educational services) as well as on student outcomes; specify how the program operates in practice and how it might change if alternatives were adopted; conduct studies that are designed to meet the needs of the intended audiences and describe how the results might be interpreted for use in educational practice and policy formulation; and present the implications of various policy alternatives, rather than making recommendations based on political and value judgments.

Although numerous individual studies of bilingual education have been conducted and some have produced useful information, there has not been a comprehensive evaluation of the type suggested here. Existing studies (such as the AIR Title VII evaluation<sup>66</sup> and an evaluation of the classroom component of the Title VII programs, currently being conducted by the Department of Education<sup>67</sup>) focus on Title VII programs and do not provide a national overview of the services received from all funding sources by language-minority children. Generally, descriptive information has not been available for most federal programs. For example, in 1974, almost ten years after Title I was initiated, the NIE evaluation of the program found no systematic information about who was served and what services were provided.<sup>68</sup> The information subsequently collected was essential to an understanding of the Title I program and recommendations for possible improvements.

There is a need for national studies of school districts describing the actual operation of bilingual programs and how they can be improved. Future research areas might include:

- the extent to which language-minority children are served—characteristics of children receiving services, criteria used to place children in programs, percentage of eligible children served
- the characteristics of services provided—type of instructional approaches used, instructional time in native language and in English, time spent on various subjects, grouping practices
- the language skills and training of teachers
- the distribution of resources to target populations
- the expected consequences of alternative federal policies, such as giving school districts more flexibility in instructional approaches
- the effects on student achievement of well-implemented programs, and the characteristics of programs that are effective for particular students and communities
- the effects on outcomes not directly related to student achievement, such as integration, cost, and feasibility

<sup>66</sup> Danoff.

<sup>67</sup> Rene F. Cardenas and Elizabeth C. Proper. *Evaluation of the Classroom Instruction Component of the ESEA Title VII Bilingual Education Program*. Study in progress by Development Associates, Arlington, Va. and Abt Associates, Cambridge, Mass.

<sup>68</sup> Paul Hill and Iris Rotberg, eds., *Compensatory Education Services. Report of the NIE Compensatory Education Study* (Washington, D. C.: National Institute of Education, 1977).

- the description of effective programs for language-minority children in integrated settings
- the identification of exemplary foreign-language instructional techniques in the United States and other countries, both in elementary and secondary schools and in selected foreign-language institutes and universities

These studies would assist legislators, administrators, and teachers in decision making. Congress and state legislators would have descriptions of current programs as they consider future legislation for funding bilingual education programs. The executive branch would have data on the extent to which language-minority children are served, in order to assist in developing procedures for implementing the *Lau* decision. And, most important, research findings would be available to state and local educators about instructional alternatives and their implications for student achievement, integration, and program costs. This type of information will be essential to any reexamination of bilingual education policy during the next decade.