

Chapter One:

INTRODUCTION



What is an advocate? In this book, advocates are people who work together to create schools that exclude no group of children from the very best education, people who envision wonderful, high-achieving classrooms that are equitable for all students. This book is a resource for such advocates and focuses specifically on the challenges of creating programs and schools appropriate for the millions of children in our nation's public schools whose home languages are not English.

- ☛ Are you a teacher struggling to teach across the barriers of language and culture to students newly arrived in these United States—and looking for ways to find those other teachers in the school who might share your challenges?
- ☛ Are you an administrator, searching for approaches to involve staff in assessing and strengthening the programs in your school for English Language Learners?
- ☛ Are you a member of a district or county office of education who is committed to supporting the hard work of school change at the sites? Are you

trying to balance being an “outside eye” and a support to those who advocate at the school site level for access and achievement for excluded groups of students?

- ☛ Are you a professor in a teacher credential program, trying to find new ways to help your students prepare for the realities they will face and the roles they will need to play upon entering schools with Limited English Proficient students?
- ☛ Are you a “support provider” or school-change “coach” seeking ways to help a school focus on the problems of access and exclusion of their language minority students?
- ☛ Are you just entering the profession of teaching, trying to imagine how you could contribute towards building schools that are just and inclusive for all students?

*If you care about equity in education, the strategies in this book can be adapted to meet your needs.*

Whatever your position in a school community, if you care about changing the ways schools go about their business so that they truly provide an education to all students, then this book is for you.

*Turning the Tides of Exclusion* was designed to be a toolkit of ideas, activities, strategies and resources to create schools that, once and for all, erase the gaps in access and achievement between children who are fluent in English and those who are not, between those with darker skin colors and those with lighter, between those whose families have the benefit of greater resources and those who do not.

While this book focuses on creating effective programs and inclusive schools for English Language Learners<sup>1</sup>, our strategies can be adapted and used to advocate on behalf of other historically excluded groups of students. The inquiry processes, the approaches to creating a strong group of advocates, the examination of data on student achievement and participation, the ways to invite and honor student voice—all support advocating for equity in schools. In addition, while our examples primarily illustrate situations in secondary schools, the strategies can work equally well in elementary schools. If you care about equity in education, the strategies in this book can be adapted to meet your needs.

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<sup>1</sup> It may be helpful to review a set of terms we use throughout the book, somewhat interchangeably, to refer to students whose first language is not English. “Limited English Proficient” is the official state-designated label and the more commonly recognized term in California. We also use the term “English Language Learners” because it focuses on what students are learning and not on what they cannot yet do. At times we speak of “language minority” students, especially when discussing language status and language relations issues. We also use the term “immigrant” in a broad way, particularly when speaking about adjusting to a new culture and nation.

## HOW TO USE THIS BOOK

We have designed this book around five major strategies that can help schools become more responsive to the needs of language minority and immigrant students:

- ☛ Creating a core of advocates to drive the school change process
- ☛ Using data and inquiry to focus and monitor your work
- ☛ Understanding more about immigrant students' experiences
- ☛ Inviting and supporting student voice
- ☛ Changing practice inside the classroom

Each chapter includes a description of how and why each strategy can spark and facilitate school change. To apply each strategy, we include many activities and tools for reflection. Throughout each chapter, we include brief stories that allow you to see what it looks like when people in real schools implement these strategies. For those working at the district or community level, in universities or nonprofit support organizations, we also discuss the kinds of supports, policies and preparation that facilitate the skillful and ongoing use of these strategies. At the end of each chapter, we've included a list of resources and an annotated bibliography.

The five chapters of this book offer different ways into what is, in fact, a set of interrelated strategies for changing a school. Using data-based inquiry is a form of professional development—and it almost always leads to needing to hear from students about their experiences. Trying to understand and change practice in a classroom requires using data and looking deeper at the needs and experiences of students. Using data, listening to students, making efforts to understand students' lives, and working to change classroom practices—all are strategies advocates use to focus on what's actually happening, and what should be happening, for students in schools.

The activities in this book can be used by an individual or a group of people seeking to expand their own thinking and repertoire of strategies for making changes in a school. Some of the activities work best in workshops and group settings where perspectives can be shared—others are designed more as private reflections. Endless adaptations are possible; there is no single path to developing skills in these strategies. We encourage you to mix and match, adapt and embellish. We have found, again and again, that regardless of which way you “enter” this work, each strategy opens the doors for the other strategies.

- ☛ improve access to and mastery of core academic content, and
- ☛ improve transitions through high school and to post-secondary options.

California Tomorrow was awarded one of these demonstration grants, and we decided to use this opportunity to define and test an equity-centered school change process model. We began by assuming that no single delivery model or program approach can work across the diverse schools and districts that serve immigrant students. Changing demographics affect regions differently. Schools have different capabilities and expertise to deliver programs. And the needs of particular configurations of immigrant students create very specific program demands. Furthermore, there is no single package of steps to take that will change all schools. We began, therefore, with this basic assertion:

*“The real challenge is not to reproduce static models or to seek to meet the letter of the law for basic compliance designed for the school population currently enrolled, but to create schools which are continually responsive to the mixes of cultures and languages that present themselves—and which bring accountability inside the school for producing high achievement.”*

It was not a static model we sought, but an approach that would result in responsive and accountable schools. Based on our knowledge of the challenges and our analysis of what worked and didn't work in whole-school reform efforts in the past, we articulated a set of five basic strategies that would drive our approach. This is the chain of logic behind our approach:

**IDENTIFY THE SPARKS AND ESTABLISH  
AN INSIDE-OUTSIDE PARTNERSHIP. THEN:**

**Use flexible strategies,  
such as:**

- ☛ Data
- ☛ Student voice
- ☛ Professional development
- ☛ Immersion in research
- ☛ Advocacy and reflective, strategic thinking about school change

**In order to build:**

- ☛ Capacity
- ☛ Visibility and awareness of English Language Learners' needs
- ☛ Positive attitudes, will, and ownership
- ☛ More responsive structures
- ☛ Accountability

**To produce:**

- ☛ Responsive program that result in full access and high achievement for English Language Learners

The five strategies described in this book formed the basis of a school change process that we implemented and evaluated in this four-year project, which was a partnership between California Tomorrow and two school districts in California between the years of 1994-1998. These strategies rest on the following understandings:

- ☛ Responsive schools need to have people who take responsibility and ownership for being sure that English Language Learners have access and are achieving. This requires strong advocates and **mechanisms of advocacy** to provide individual student advocacy, close one-to-one monitoring and placement and advising. It also requires legitimizing and creating the spaces and forums in which people concerned about changing schools to meet the needs of immigrants can come together and engage in systemic advocacy.
- ☛ To build accountability for inclusion and access for immigrant students, and deepened understandings of the needs of immigrant populations, schools need to develop **inquiry-based data systems and the habits and processes of analyzing data** about student achievement, participation and progress through school.
- ☛ To respond effectively to the needs of immigrant students, educators need to **understand the complexities of English Language Learners' lives**. They need to be able to see that they may be serving different groups of immigrant students with very different needs and to spend time understanding the linguistic, political, social and cultural factors that shape English Language Learners' lives and achievement patterns.
- ☛ Responsive schools need ways to learn about, learn from and listen to their English Language Learners and parents. Educators need strategies for **inviting and responding to the voices and concerns of immigrant students**, parents and communities—and strategies for developing the skills to build upon those voices to enhance the understanding of educators, to motivate educators to make change and to strengthen relationships within the school community.
- ☛ The challenges of teaching and schooling in this era of complex cultural and linguistic relations require immersion in inquiry and reflection, as educators seek to work with students across cultural, language and national experiences. In order to build that capacity, schools need to make an investment in **ongoing, sustained professional development** in collaborative and individual formats.

During the four years of the demonstration project, this school change

Chapter Two:

WORKING FROM THE "SPARKS":  
EDUCATORS AS ADVOCATES FOR  
IMMIGRANT STUDENTS



*In reading the journals of her students, Ms. Anderson discovers that Guadalupe, a bright and hardworking young woman in her ESL 4 class, wants to become a nurse. She pulls Guadalupe aside after class one day and asks what she is studying now in the fall of her junior year of high school. Guadalupe says she is taking Art, two study halls, a Basic Math class and ESL. Aware that entrance to college requires higher-level coursework, and that the nursing profession requires a college education, Ms. Anderson sits down with Guadalupe and explains that she should be taking a Science class and that she should get out of Basic Math and into Algebra as soon as possible. She also suggests that Guadalupe may be ready to take a "regular" English class that counts for college preparation credit and promises to hook her up with a tutoring program. Together, they plot out the program Guadalupe needs this semester, next semester*

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and through her senior year. Over the next two years, Ms. Anderson meets regularly with Guadalupe—to find out how she is doing in her more intensive academic program, to update her with information about college requirements and nursing programs, and to help her fill out college and financial aid applications. She makes sure Guadalupe signs up to take the SAT test and helps her prepare with practice tests. At one point she meets with Guadalupe's father, using her own halting Spanish to explain the entire process for applying to college and for financial aid.

The faculty at Washington High is excited about instituting a new program, Career Academies, which they will pilot in the fall with a Health Professions Academy. The teachers who have led this reform effort will staff the first academy, and then spend the summer designing the curriculum and preparing everything to open on the first day of school. When Mr. Glover, an ESL teacher, hears about the plans, he, too, is excited, until he receives information about how to help students apply for the academy—no ESL students are to be considered. The faculty who are on the Academy Team don't have the training or credentials to offer ESL, nor is their curriculum designed with a sheltered approach. They propose that ESL students can enter an academy after they become proficient enough in English to participate in the curriculum. Concerned about this exclusion of ESL students, and aware of how greatly ESL students would benefit from an academy approach, Mr. Glover approaches the Academy Team. He says he believes the academy should be open to ESL students and suggests they add an ESL teacher to their team, shelter the curriculum, and get training themselves in how to provide sheltered instruction. It's too much to take on, the team members say. They are stretched enough just designing the program for "regular" kids. So, Mr. Glover gets on the phone and calls colleagues from the California Association for Bilingual Education, professors at a nearby Bilingual Cross-Cultural, Language and Academic Development (BCLAD) credential program and two bilingual teachers he knows at schools that have academy programs. He takes it upon himself to track down bilingual dictionaries with health-related terms, and the names of two schools that include ESL students in their health academies that the team might visit. Armed with these resources, he again approaches the Academy Team—this time including the principal in the meeting and using the words "discrimination" and "legal rights of access."

*A new school board member in the Tampa Unified School District is going to introduce a resolution to end bilingual programs in the district. When this news breaks, Eva Sandoval, the Bilingual Resource Teacher at Emerson Middle School, immediately gets on the phone and calls her counterparts in other schools. They hurriedly arrange a meeting after school where they sit down to strategize. Who knows anything about this new school board member? What are his concerns? Has anyone actually seen the resolution? Piecing together what they know, they divide up tasks. Eva will call the school board member and ask him if he has any questions or would like to see data about the effectiveness of their bilingual programs. Perhaps she can convince him not to proceed with the resolution at tonight's meeting; at least she can put him on notice that there are data about the program effectiveness and that there are people on to the fact that he is presenting his resolution that evening. Another teacher begins calling the principals she knows to be most supportive in schools that have strong bilingual programs and asks them to come to the meeting, and also alerts them that parents need to be mobilized to defend the program. A third teacher calls the Chairs of the district's Bilingual Advisory Committees, who in turn activate their phone trees to inform parents of the resolution. By the time the school board begins meeting at 7:30 that evening, there are 200 parents seated and prepared to speak—with signs announcing their support for the bilingual program. Large data displays show the achievement of students who have "graduated" from the bilingual program.*

All three of these educators are advocates for their immigrant students. Some would call them "change agents," and indeed much of the literature on school reform speaks of the importance of people with vision and purpose who can prompt and facilitate school change (Carrow-Moffett, 1993; Fullan, 1993; McAloon, 1995; Shachar, 1996). The model for change featured in this book centers on the need to identify, develop and support people like these—advocates who can bring about the changes that lead to access and high achievement for the groups of students often left behind. After all, change occurs in schools because people make change.

This book is about advocates working together to create schools where access and support for immigrant students are institutionalized. We examine how people like Ms. Anderson work individually to impact the lives of particular students, but we also explore the limits of what can be accomplished by only reaching certain students, who, after all, leave our classrooms and head down the hall to the rooms of other teachers who may not share our vision of access. To borrow the African proverb, "It takes a village" to make schools responsive to those students most often served poorly.

In this chapter, we begin by exploring definitions of advocacy and encourage you to examine your own views. Next, we discuss forms of advocacy on the part of individual educators that help particular students make it through the system. The bulk of the chapter, then, focuses on how to develop and work within a group of other advocates to make change in your school. The chapters that follow will go deeper into the many specific strategies and tools that advocates, such as yourself, can use to move schools toward equity-centered reforms.

### **WHAT DO WE MEAN BY ADVOCACY?**

The central concept at the heart of the California Tomorrow change model is advocacy: the need to identify advocates, create structures to support advocacy, to develop skills of advocacy and, then, to advocate for those students who need it most. But what do we mean by advocacy?

The word “advocacy” sometimes conjures up images of lawyers—and there are some legal aspects that we do wish to invoke. The law has been a crucial tool in defining and protecting the rights of language minority students to attend school and gain full access to an education. Advocates working in a tradition of civil rights continue to need to invoke the law to carry out their commitment to the education of students who have been consistently left out or left behind. But legal advocacy is only one part of what we mean by advocacy.

Another kind of advocacy takes place in a social service context, where advocates help a client make it through a bureaucracy, speak or argue on a client’s behalf, and use their knowledge to help others be served. Advocates step up to the plate when a client’s needs are not being addressed by an institution. Most educators committed to ensuring access to schooling for their students do some of this kind of advocacy as well.

Advocacy also takes place in political realms, as lobbyists and organizers push for policies in the interest of the groups they represent, or rally people around a cause. In schools, there are certainly times when a political push for policies that directly support the students we advocate for becomes necessary.

In the work of those people committed to creating a real education for excluded students, given that the system is often still unprepared or unwilling to flex to their needs, there is a bit of all of these forms of advocacy. There is a bit of the lawyer in a courtroom appealing to the law, the social worker negotiating an inflexible bureaucracy, the organizer mobilizing support or lobbying for new policies.

In schools, there is something else as well to being an advocate, something specific to being a teacher and educator who takes to heart the responsibility for opening up the world of academic knowledge and skills to our students. There is something specific about standing up for a group of students, with particular needs and historic challenges in schools. The kind of advocacy for immigrant students that we seek to nurture encompasses all of these meanings.

#### “ADDING VOICE TO A CRY”

In a California Tomorrow institute focused on improving schools for immigrant students, we asked a group of teachers to think about the word “advocate” in the context of their work and tell us what it meant. Some of the definitions discussed above were offered. But then one woman spoke out:

*“When I look at the word ‘advocacy,’ I visually see it come apart: ‘ad-vo-ca-cy.’ This makes me think of ‘Adding Voice to a Cry.’”*

That is what advocacy meant to this teacher, because, she said, so much of what she does is see and hear the cries of her students who are pushed aside, can’t understand what is being said to them, and find school so overwhelming. She is compelled to speak what she hears. And, she adds her own voice of indignation, of anger, of determination that things will change.

A reflective silence followed her words. Then a young teacher said, “Yes, and I believe that the Latin base is *advocare* — meaning, speaking justice. I would have to add, we don’t just speak justice, we act for justice.”

And so we use the term “advocacy” because it invokes those twin anchors—of speaking out for and acting on behalf of others. It invokes a history of civil rights law with its passion for justice. Speaking is itself a part of action—speaking for and with our immigrant students. All this is made more imperative because the students themselves do not yet have the language and position to bring about the kinds of changes that will allow them full access and participation in our English-dominant system.

In this advocacy task for immigrant students, we include the daily business of both individual and personal advocacy: helping students get into classes that are most appropriate for them, helping students fill out complicated applications for college, advising students and being their adult friends as they negotiate a new school system and a new homeland. We also see advocacy as the task of changing the system of schooling, designing the new programs and supports that must be institutionalized before schools truly address the needs of immigrant students, of fighting to

*Effective advocates must be able to challenge the status quo. They must be able to raise questions of equity in participation and achievement, diversity and access, without alienating their fellow staff members to the point that they will never join in the struggle.*

end exclusionary policies and pushing to put in place inclusive ones. Individual and systemic advocacy require skills, passion and time—and structures wherein advocates can come together, knowing they are not alone, to forge strategy and multiply their voices.

Being an effective advocate for disenfranchised students is not easy. Effective advocates must be able to challenge the status quo. They must be able to raise questions of equity in participation and achievement, diversity and access, without alienating their fellow staff members to the point that they will never join in the struggle. They must be able to push past the silence and blindness about exclusion of some students and engage in a dialogue with others about what access means and looks like. They must be willing to teach and educate others about what they know. They must have a vision for expanding advocacy to include an increasing number of staff so that the burden is understood and shared. They need a sense for how and when to pass the torch, for when to go forward, for when to stop and reflect. Most of all, they must be willing to dig in and do the hard, daily work of opening the doors of educational opportunity for students who find those doors closed.

### DOING WHAT YOU CAN ON YOUR OWN— INDIVIDUAL ADVOCACY

Schools in our nation—particularly secondary schools—are not designed to meet the needs of students who are not yet fluent in English or whose home nations and cultures are from beyond the borders of the United States. These students are often unable to take courses in the language they understand best and, so, struggle through the barrier of language to learn Science, Math and Social Studies. They seldom have support in bridging the curriculum they studied in their home nation and the curriculum that is simply assumed as prior background in secondary schools. Information needed to find one's way through the maze of requirements and logistics in secondary schools is, in too many schools, unavailable in a language they can understand. Still too few teachers have the skills to teach across language barriers and help students comprehend a curriculum for which they don't yet have words in English. And there is a severe shortage of counselors and administrators with the training to support students in the process of adjusting to a new nation and culture.

The shifting landscape of a large secondary school often pits the needs of immigrant students against the forces of inertia, overwhelm and ignorance about the role of language and culture in education, incompetence

**ACTIVITY 2.1**  
**REFLECTING ON WHAT THE WORD**  
**"ADVOCACY" MEANS TO YOU**

Since advocacy has so many meanings, and it is such a central concept in this book, we invite you to reflect on what it means to you. If you are planning to work with several other advocates at your school, you can share your reflections with each other.

1. Begin by writing the word "advocacy" in the center of a piece of paper. Then draw lines out from that word, like spokes on a wheel, and write on each spoke whatever word associations you have with advocacy or components that give meaning to the word "advocacy." This is a brainstorming tool; all associations are valid and you can create as many spokes as you like. Here is an example:



2. You may also want to reflect on whether you feel the word "advocate" fits you and your role in schools. What aspects of advocacy do you feel reflect what you do or hope to do? Are there any aspects of what we've described above, or the word itself, that don't fit for you? Take a little time to write out your thoughts. If you're working with others, share your reflections and learn about the ways your colleagues would or would not define their work as advocacy.

and inflexibility. Their needs are often pitted against the more insidious forces of racism, xenophobia and discrimination. As the number of language minority students grows in our schools, we crucially need advocates who can represent them through the system. As schools increase graduation requirements, institute career academies and pathways, and experiment with structural and curricular reforms, students who have traditionally been left behind are the most at risk of being lost in this shuffle.

Systemic barriers and the chronic invisibility of immigrant students' needs mean that advocates often take on providing them services and information themselves. Motivated by the needs of the students we advocate for, knowing the system ourselves, we often work on our own to help students make it through secondary school. Such individual advocacy takes several forms:

■ ***Trying to ensure that students receive the instruction they need.***

Many advocates take on monitoring program placement for immigrant students, though this is often not part of their job. Here a teacher reviews the program a student is given and tries to figure out if it is appropriate—for their level of English fluency, for their academic level, for the student to get through high school in a timely manner, and for access to preparation for higher education.

Almost every school has at least one staff person who has come to be recognized as the one who “watches out for” immigrant students. He may be a teacher who takes an interest in these students' lives outside of his classroom, who advocates for the students on many different levels. She may be a counselor, an advisor, activities director or instructional aide.

*“I knew I had the wrong classes because they put me in a Math class I already had. I tried to talk to a counselor, but I couldn't get in to see him. So I showed my schedule to my ESL teacher, and he helped me change my schedule. He's helped a lot of my friends get the right classes.”*

—16-YEAR-OLD ESL 1 STUDENT

Educators like this student's teacher most often act as unofficial advocates for student needs, ranging from assisting with course placement to helping solve personal problems that get in the way of schooling. The work tends to be *ad hoc*, with the advocates doing what they can, but often feeling frustrated as they butt up against institutional walls.

*“My U.S. History teacher has helped us with our college applications. He even gave us advice about where we might go. I don't have him anymore this year, but he's one person that will always help the students (who*

*don't speak English well). I have a counselor, but she's always so busy and I feel like I can trust my teacher. If it weren't for him, I don't know what I would do."*

• **Being sure students get the information they need.**

In most secondary schools, counselors have huge student loads. It is difficult enough for a counselor to provide information and advising to large numbers of students. It becomes even harder when the counselor doesn't share a language or cultural background with many of the students, or when students need information explained in a depth that takes more time. In these cases, individual advocacy can be found in those counselors who devote extra time to one-on-one sessions with students, or create small-group forums where information can be provided to students in their primary language. This requires that the counselor get to know enough about the cultures and ways of the students to understand their information gaps and what kinds of supports might help.

Here, individual advocacy on behalf of English Language Learners includes translating materials to be sure that basic sources of information, such as student handbooks, letters home about the grading system, etc., are accessible to immigrant students.

**ACTIVITY 2.2**  
**WHAT MATERIALS DO WE HAVE**  
**AVAILABLE IN THE LANGUAGES OF OUR STUDENTS?**

This activity can be a useful way of getting a picture of the extent to which your school provides materials in the primary languages of your immigrant and language minority students. Select the key student information materials produced by your school (school orientation pamphlets, student handbooks, etc.). Then answer the following questions for each item:

<i>Key student information materials for our school:</i>	<i>Available in English only</i>	<i>Available in a sheltered form of English</i>	<i>Some languages other than English</i>	<i>All languages spoken in the homes of students</i>
Student handbook				
Student orientation materials				
Information on college planning				
Course planning materials				
Other:				

■ **Supplying support services: working in the “gray areas”**

Individual tutoring, help with scheduling and advice about school or college are student supports expected of schools. However, there are some supportive and mentoring roles educators play on behalf of immigrant students that fall into a gray area.

Students caught between two worlds — their home culture and language versus the very different world they find in their new land at large — struggle to find their way. Immigrant students often need a caring teacher friend to talk to about conflicts and decisions they face concerning, for example, dating, religious beliefs, following home traditions and parental expectations. Educators can find themselves in difficult and sensitive terrain when a young person comes to them wishing to talk about their struggle to adapt new ways and discard certain family cultural traditions. Whether and how an adult who is not from the student’s family or culture can or should play a role in supporting the student is a tough question. There is no escaping the fact that advocates often find themselves in murky waters.

**ACTIVITY 2.3**

**THINKING ABOUT THE “GRAY AREAS” OF ADVOCACY**

One way to reflect on the “gray areas” of advocacy is to read cases where others have faced such situations. The following case comes from *Made in America: Immigrant Students in Our Public Schools* by Laurie Olsen (1997). Read it and then reflect on your reactions. What are the guidelines, limits, concerns, dangers and urgencies of entering into a supportive role to a young person trying to break from home traditions? If you can, share your thoughts with a partner or group of advocates also facing “gray areas”—or discuss the situations you’ve encountered that brought you into similar dilemmas.

*It’s a Wednesday in June, and the school year is winding down. Linda O’Malley has lessened the pace of activities in her ESL 4 class, and has given students five to ten minutes at the end of the period to just sit and talk with friends. It is in that context that Armina, a Hindu Fijian/Indian student, told O’Malley of her suddenly arranged marriage, and that the next day (Thursday) she wouldn’t be in school because she was going to be engaged. She would meet her husband-to-be and his family, and they would exchange rings and matrimonial clothing. Several other girls overheard the conversation. “Aren’t you scared?” “What happens on your wedding night?”*

*Armina was extremely scared and nervous. She told them that if she doesn’t bleed on her wedding night, he can divorce her and she would be shamed. O’Malley decided the time*

### MOVING FROM INDIVIDUAL TO SYSTEMIC ADVOCACY

Many advocates work with immigrant students in the ways we've described—taking it upon themselves to stay after school, open their classrooms during lunch hour, and do what they can for the students who



find their way to them. It simply becomes part of these educators' individual commitment as a teacher, counselor or administrator. But there are limits to how many students any advocate can help in this way, and because these roles are based on interpersonal relationships, there are many students who don't get the help they need.

Inevitably, the limits of what one person can do are reached and advocates must try to elicit support from others as well as push the system to become more responsive. You may see that a student needs to take a more advanced math class, but then find yourself faced with the fact that there aren't any teachers with the training to offer it using a sheltered approach. So, you talk to the counselor about creating a class, try to convince the Math Department Chair that someone should get the training, or talk a colleague into letting the student into her class. People who care about providing access and achievement usually end up recognizing that the school itself has to make some changes.

Working with a group of advocates can also help you feel less alone. At a California Tomorrow institute to increase access and achievement for English Language Learners, one teacher noted with relief:

*"When we're all here and we can all get together, we have a certain commonality. It's nice to listen and say, 'Yeah, I feel the same way.' We're all on the same page in more ways than I thought."*

An individual cannot change a school alone or begin to meet the needs of all the immigrant students. Simply put, you need more than yourself to pull off the task of creating responsive schools. One of the first major tasks is to find your group of advocates.

**ACTIVITY 2.4**  
**IDENTIFYING A CORE GROUP OF ADVOCATES**

Whether you are an administrator assembling a team of advocates or an individual seeking colleagues and soulmates in this endeavor, the process is the same. Your aim is to find the “sparks” in your school, the folks who, like you, realize that more needs to be done for immigrant students.

Pull out a piece of paper and brainstorm a list of who in your school community would really care about and contribute toward an effort to focus attention on LEP student needs and figure out how to move the school forward toward responding to those needs. This is not a regular list of stakeholders with power and position. Who in the school has real expertise? Who has deep connections to the immigrant communities in your school? Who really cares about LEP student access and achievement? You need all these qualities, and they don't have to all be found in the same people. You can use the following matrix to help in your brainstorm:

<i>List of names</i>	<i>People with training and expertise in serving LEP students</i>	<i>People with close connections to LEP students and to immigrant communities</i>	<i>People who really care about LEP student access and achievement</i>
1. Al Camarillo		X	X
2. Sandra Jones	X		
3.			
4.			
5.			
6.			

It would be great to have a working group of 10 to 12 folks, but even a few can begin the process. These are your “sparks”—the people whose energy, commitment, passion and knowledge can help move your school around the needs of LEP students. Sparks can be student leaders, instructional assistants, parents or counselors. Every school has its own constellation. The specific role of each person doesn't matter.

## INSTITUTIONALIZED ADVOCACY FOR LEP STUDENTS: ONE DISTRICT'S MODEL

A comprehensive educational system that truly responds to English Language Learners formally assigns responsibility to someone to examine and monitor the schedules of all LEP students to be sure they are in classes designed to meet their needs. When there is evidence of failing grades or problems, this person alerts the teachers and counselors to the problem and the need for either support or reassignment. In most schools, this role still falls to those individual advocates who see the need and take it on on behalf of one student at a time. The ability of such "informal advocates" to adjust a program or reassign a student depends on the strength of their relationships to others in the school.

But the Salinas Union High School District has instituted an alternative to individual and *ad hoc* advocacy for many years. This version of "institutionalized" advocacy arose out of a lawsuit and resulting consent decree, part of which required the assignment of at least one bilingual counselor to each school site. Faced with a shortage of the number of bilingual counselors needed, a creative solution was proposed to hire Bilingual Site Facilitators at each school. This approach to advocacy has continued to work effectively for more than fifteen years, in addition to the fact that many of the schools now have bilingual counselors on site.

Bilingual Site Facilitators (BSFs) are teachers, often recognized leaders and advocates, who come from school sites in the district. In fact, one of the qualifications for being a BSF is a "demonstrated commitment to advocacy for the instructional needs of LEP students." The district clearly recognizes the potential this position has to positively affect the education of language minority students. Administrative support does not just come as lip service—facilitators are paid a stipend to oversee the bilingual program at each site.

### ELEMENTS OF THE BILINGUAL SITE FACILITATOR MODEL

1. *Work collaboratively to ensure that LEP students receive a coordinated set of services.*

- ☛ Oversee the nuts-and-bolts of assessment and placement.
- ☛ Some BSFs review the schedules for each LEP student annually or bi-annually to prevent misplacement.

**2. Assist and consult with the site administrator in charge of the bilingual program around program evaluation, the master schedule and staff placement.**

- ☛ “Anchor” the bilingual program in the sea of shuffling administrators and shifting administrative duties.
- ☛ Ensure that program philosophy and continuity are maintained.
- ☛ Provide a crucial historical perspective on shifting demographics and master scheduling on a regular basis.

**3. Assist the site administrator in charge of the bilingual program in establishing and conducting monthly Parent Bilingual Advisory Committee meetings.**

- ☛ Often, the BSF job is split between two people: one handles the student and staff side of the job, and the other takes over the parent responsibilities.

**4. Attend monthly facilitator meetings, maintain monthly activity logs, provide a year-end summary of major accomplishments and make recommendations for the following year.**

- ☛ BSFs attend monthly meetings held by the Director of Bilingual Education, to discuss issues, such as new testing procedures, redesignation, funding, budgets and staffing in a safe atmosphere.
- ☛ BSFs maintain monthly activity logs which provide accountability.
- ☛ BSFs also write a year-end report, with major accomplishments and recommendations for the following year, which forces them to think about the “big picture” at their schools.

**Comments from a Bilingual Site Facilitator—Alma Saucedo**

Candy McCarthy (the Director of Bilingual and Migrant Education at the time) has made the Bilingual Site Facilitator a position of value, and the administrators know it. If it weren't, they wouldn't pay attention to us. There is some amount of prestige and status attached to the job, and that helps when you're advocating for students.

Having a specific job description helps—what I have to do is spelled out and also what I am responsible for, in terms of assisting the administrator in charge of the program. The district has done a good job of giving the position to people that the administrators respect, and there's power

attached to the respect. The teachers hired for the BSF job have a good handle on the type of classes that are needed, for example. The screening process for the newer site facilitators has been there, so even if someone may not have years and years of experience, he or she still is willing to learn and advocate. It is important for people like us to pass our knowledge on—and we need to pass it on to people that are teachable and don’t carry hidden agendas.

Time spent upfront in this job is real important. You have to constantly be on top of these things. It’s checking and checking and checking again—and even though it seems like we shouldn’t have to do that, in a big system there is just a lot of potential for things to get overlooked or glossed over or somehow messed up.

To be effective in a position like this, you just have to have a strong knowledge base, both theoretically and practically. You really have to understand why you are advocating a certain position. I am constantly restating our philosophy of bilingual education. I have to say it over and over, in different ways, and to different people. We also hold the memory, the history of our efforts, in our heads—reminding staff of where we are and how far we have come, and how valuable it is, and what we would be giving up if we let some of it go.

One thing that has made a real difference is that some of us BSFs became trainers in the district, so we were always going back and talking to teachers about the practical implications of the training, and it gave us some credibility. It’s an issue of the professionalism of the staff (BSFs) involved and, again, the administrators know that.

There have been several occasions when our advocacy has created some problems. It became “our” program, and not a district program. Of course, the animosity was based on the common misunderstanding that providing content for our students in Spanish is somehow “holding the kids back.” The victories that I’ve had have been because I have put in the time doing a history of enrollment trends, for example, so we could institute Spanish Basic Skills or add ESL sections that we didn’t have before. Having the numbers and the facts can help.

- ☛ How and when important events affected your attitudes and beliefs about the schooling of immigrant students.
- ☛ Key moments in your unfolding understanding of the kinds of barriers immigrant students face in school.
- ☛ Positive and negative influences in terms of people you have known and the work you do now to advocate for immigrant students.
- ☛ Key events, elements or relationships that opened your eyes, developed your commitment to another language or cultural group or to equity/access issues in education in general.



**In a group:** Find one or two other people with whom to share your journey map. Show your maps to each other and explain the history that you drew. Consider the following questions as you share:

- ☛ What role do your own languages, cultures and backgrounds play in where you are now in terms of your work with immigrant students?
- ☛ What are some events that changed you? What moved or propelled you towards today?
- ☛ Can you identify what started you on your path to advocacy? A particular event, series of events or an important person?
- ☛ How are your journeys similar or different? What are the commonalities in terms of your work with immigrant students now and your past journeys?
- ☛ What keeps you going? What sustains you as an advocate?



Here is an example of what one group of advocates for language minority students discovered through doing their journey maps together. They shaped their maps around the prompt: What are the encounters, external circumstances, experiences that help shape people to care, act and keep acting to improve the access and achievement of ELLs? The following represents some of their responses:

- ☛ Experience being out of your country, culture—travel
- ☛ Being part of a group with the same vision
- ☛ Having to take a class as part of a credential program — but it was a great teacher who really opened my eyes
- ☛ Reading books about immigrants
- ☛ Experiences of discrimination in my own life

- ☛ Parental values that always supported learning and valuing cultures and languages
- ☛ The light that goes on in my students' eyes when I try really hard and find ways to communicate even without language—it made me want to keep finding ways to reach them.
- ☛ Experiences as an outsider!
- ☛ Went to a “newcomer” conference, just seeing all those ideas; I was “sent” somewhat unwillingly, but it turned out great!

Use this list to think about what might “spark” more educators in your school or district to join in your mission to make improvements for immigrant students. Perhaps you can create some experiences that lead colleagues to more closely connect their own background and interests to the education of immigrants through, for example, summer study tours, book clubs, focused discussions, etc.

### **ACTIVITY 2.6**

#### **WORKING WITH CASES TO DEVELOP A SYSTEMIC WAY OF THINKING**

Using cases is one way to reflect on schooling through the lens of an advocate. Everyday, things take place in classrooms that raise questions about culture clash, inclusion and exclusion, language and racism, posing dilemmas for educators about how to respond. These are often the moments teachers take it upon themselves to try to offer the support and advocacy students need to make it through school. These moments are rich material for discussions about what a responsive school system could be. The use of cases has the potential to inform a reform effort, build stronger relationships among teachers, and increase your capacity and expertise on issues connected to racism, language and culture. The following structure is one way to begin. You can reflect on cases individually or with a group, depending on your situation.

Group discussions, if you are able to have them, offer the opportunity for faculty to share expertise and hunches. They offer the impetus for examining the comprehensiveness of your programs. And best of all, teachers come to look forward to the chance to talk to each other about their “practice” and dilemmas.

First, read through the following three cases which describe moments in the life of individual teachers in a school. Then, for each case, discuss:

- ☛ What is going on here for the student(s)? What are their needs? What are the conflicts/issues they are grappling with?

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Chapter Two: Working from the "Sparks"

- ☛ What kind of supportive responses might be possible by an individual teacher or counselor or administrator? What feels appropriate?
- ☛ Now imagine what would need to be in place in a school (programs, supports, policies, etc.) to respond really comprehensively? To lessen the conflict or meet the need?

**Case #1:**

*One of your favorite students is a very bright young woman named Iris. She emigrated from Mexico just four years ago and is already fluent in English and near the top of her class academically. Iris loves Math and dreams of being a teacher someday. Last year, she missed almost three months of school when her family returned to their village in Mexico upon the death of her grandmother. She worked very hard to make up the work and has managed to catch up sufficiently over the summer to be placed in your Calculus class. Now, just three months into her senior year, you have noticed that she is, again, missing a great deal of school. You talk to her after class one day and ask what's happening. Iris breaks into tears and tells you that her mother has remained in Mexico to take care of her grandfather, and that Iris is largely in charge of her two younger siblings who returned with her to the U.S. to continue their schooling. The younger sister has been ill and Iris has had to stay home to take care of her. Iris' father is living with them but works double shifts and relies on Iris to care for the younger children. She informs you that she will be dropping out of school. She further begs you not to let anyone know, because her father is undocumented and she is fearful that they will call him in and he will be discovered, detained and deported.*

**Case #2:**

*You are a World Literature teacher, popular with many students of color because you have taken care to include literature from their own cultures and nations in your class, you hold high expectations for your students and they view you as someone who recognizes and respects who they are. You have been concerned over the past few years by increasing ethnic separation and hostilities among students on the school campus, including fights, taunts and increased gang affiliation. After school one day, a group of four Korean immigrant students approach you in your room. They ask if you are willing to sponsor them in starting a new Korean Club on campus. You are hesitant, wondering if this will just exacerbate problems. The students hand you a carefully worked-over statement in support of their proposal for the club. It begins with the following preamble:*

*"We left our native homeland and came to this mighty land with great ambitions and hopes that we might better our futures. What we expected and hoped for seems far distant. All are now being slowly tormented by the frustrations and hostility which this new land has to offer. Yes, discrimination, racism and insult, our most fierce enemy,*

*whom we battle every day in our lives. Our unexplainable and unexpressable thoughts and feelings are slowly building up until they are ready to explode any minute. If others only could, only would, understand us. Together we can support each other in building towards our dreams."*

*They look to you for support. What do you do?*

**Case #3:**

*You are a high-school American History teacher. You love your subject and have a packed, fast-paced curriculum. In the past few years, increasing numbers of immigrants have entered the school district. It seems to you that more and more students are being placed in your class without the English skills to really participate. Last year, you tried pairing the two Spanish-speaking girls who seemed to have trouble with English with another student who was fluent in both languages. This didn't work as well as you had hoped because the bilingual student seemed either reluctant to help or simply did not have the teaching skills to really explain and work with the two students with less English ability. You felt it was important to maintain the pace and standard of the class, but felt badly as the two girls fell further and further behind. You ended up giving one a D and the other an F. This has been weighing on you ever since.*

*At the beginning of this semester, you assessed the situation and with relief noted that only one student seemed to lack the English skills to keep up. This student, a Cambodian girl named Pao, sits quietly in class. Often you can't tell whether she understands what you're saying or even if she's listening. You have checked with her counselor who tells you that the student is correctly placed in your class, that she has finished the ESL sequence of courses. No one else in the class speaks her language and you have tried several times to converse with her informally but you have trouble understanding her and she seems very shy. You haven't wanted to put her on the spot so you haven't called on her in class. By the fourth week of class, it is apparent that she is not keeping up. You don't want to repeat what happened last semester when the class just left the LEP students behind, but you also don't want to slow things down. And frankly, you're not sure what to do to communicate with Pao.*

After you have discussed several cases using the introductory questions as a guide, you might want to start allocating some portion of your regular meetings to presenting and discussing cases from your own lives in the school. Notice cases that lead you to feel called upon to try to respond personally to some student beyond the instructional needs in your classroom. Notice when you feel torn, conflicted or unsure about what kind of response you can or should make. Use these moments as cases to share with your colleagues or to reflect upon on your own.

Based upon a set of cases, you can begin to assess whether your school has the comprehensive program you need. Below is a sample assessment around English Language Learners' needs.

SAMPLE ASSESSMENT OF PROGRAMS		
<i>Student Need</i>	<i>Programs We'd Ideally Have in Place</i>	<i>Do We Have This at Our School? (yes/no)</i>
Trauma from war experiences	<ul style="list-style-type: none"> <li>• Staff training in recognizing trauma</li> <li>• Referral sources for bilingual counseling</li> <li>• Curriculum to help students understand the wars</li> </ul>	
Much movement back and forth between Mexico and U.S.—gaps in schooling as a result	<ul style="list-style-type: none"> <li>• Independent study</li> <li>• Flexible and partial credit systems</li> <li>• Accelerated and catch-up options for missed curriculum</li> <li>• School-year calendar where semester ends prior to the holidays</li> </ul>	
Culture shock	<ul style="list-style-type: none"> <li>• Orientation materials in primary language</li> <li>• Buddy systems</li> <li>• Staff who can speak the languages of our students and families</li> <li>• A newcomer program</li> </ul>	
Hostility from peers	<ul style="list-style-type: none"> <li>• Bottom-line policies about non-harassment</li> <li>• Anti-prejudice curriculum for all students</li> <li>• Emphasis on the positives of bilingualism</li> <li>• Policies to facilitate involvement of immigrants in extracurricular and sports activities at school</li> </ul>	
Underschooled students	<ul style="list-style-type: none"> <li>• Mechanisms to accelerate and catch up</li> <li>• Assessment that focuses on prior schooling and primary language literacy</li> <li>• Special curriculum for underschooled students</li> </ul>	

(Developed by Laurie Olsen in collaboration with Catherine Minicucci of Minicucci Associates, 1992.)

**ACTIVITY 2.7**  
**ASSESSING OUR SCHOOL—**  
**HOW SUPPORTIVE AND PREPARED IS OUR SCHOOL**  
**TO ADVOCATE FOR ACCESS AND INCLUSION?**

One thing advocates can do together is assess their school in light of the needs of immigrant students. The assessment below is one tool for examining how prepared and supportive your school structure and climate is for the kind of advocacy that needs to occur to bring about the inclusion and achievement of English Language Learners.

Consider each of these elements in terms of how close or far your school is from having the conditions that support systems of advocacy. Use the center column to describe what you actually see in your school and to note your assessment. Each person should do his or her own rating first—and then compare notes in a general discussion with the group. Based on this, consider what might be your highest priorities for building a more supportive climate and structure of advocacy.

**RESPONSIVE SCHOOLS CREATE AND EMBRACE SYSTEMS OF ADVOCACY**

<i>Not Supportive/Not Prepared</i>	<i>Comments/Evidence</i>	<i>Supportive and Prepared</i>
<ul style="list-style-type: none"> <li>• There is no written or articulated mission statement or policy that explicitly states the school's goal and commitment to access and achievement of LEP students.</li> </ul>		<ul style="list-style-type: none"> <li>• The school has a formal mission or goal statement articulating its commitment to providing access to LEP students and programs leading to high standards, and articulating its program philosophy.</li> </ul>
<ul style="list-style-type: none"> <li>• There is little recognition or acknowledgment throughout the school that access for LEP students is an issue to be addressed and monitored, or that special services might be needed in order to ensure that language is not a barrier to reaching high standards.</li> </ul>		<ul style="list-style-type: none"> <li>• There is overall recognition and acknowledgment in the school that access must be provided and that LEP students require special services to ensure they receive access and attain to high standards.</li> </ul>

<i>Not Supportive/Not Prepared</i>	<i>Comments/Evidence</i>	<i>Supportive and Prepared</i>
<ul style="list-style-type: none"> <li>• Leadership is silent on the issues of LEP student access and achievement; or leadership is openly resistant or hostile to building a program of services that explicitly addresses the needs of LEP students.</li> </ul>		<ul style="list-style-type: none"> <li>• The leadership of our school makes it known that addressing the needs of LEP students is a responsibility of the whole school, is important, and is key to our overall mission.</li> </ul>
<ul style="list-style-type: none"> <li>• There are no forums in which people who share a concern about LEP students come together regularly to share concerns, identify policy issues, etc.</li> </ul>		<ul style="list-style-type: none"> <li>• There are regular forums in which LEP advocates come together for purposes of sharing concerns, identifying policy issues, or reviewing data.</li> </ul>
<ul style="list-style-type: none"> <li>• No one takes primary responsibility for monitoring individual assessment and placement of LEP students, or for reviewing structural features that might impede access.</li> </ul>		<ul style="list-style-type: none"> <li>• The site has a designated person with responsibility for monitoring individual assessment and placement of all LEP students and for reviewing course assignments, class rosters, and master scheduling to ensure access to content.</li> </ul>
<ul style="list-style-type: none"> <li>• There are no designated, knowledgeable counselors or advisors who are available to advocate for students or monitor their progress.</li> </ul>		<ul style="list-style-type: none"> <li>• There are designated LEP counselors/advisors who follow LEP students through school, who have knowledge of LEP student issues and barriers to access, work to ensure smooth transitions through school, and monitor progress.</li> </ul>
<ul style="list-style-type: none"> <li>• Issues of LEP students are never or seldom mentioned, and the program is seldom discussed in the school.</li> </ul>		<ul style="list-style-type: none"> <li>• There is open dialogue and discussion about our school's program for and responses to improving the access and achievement of LEP students.</li> </ul>

*Turning the Tides of Exclusion*

<i>Not Supportive/Not Prepared</i>	<i>Comments/Evidence</i>	<i>Supportive and Prepared</i>
<ul style="list-style-type: none"> <li>• I feel very isolated and alone at my school as a person who cares about building a culture and society that is inclusive and welcoming of LEP and immigrant students.</li> </ul>		<ul style="list-style-type: none"> <li>• When there are hard times in the effort to build programs or ensure a welcoming and inclusive culture for LEP and immigrant students, there is a core of people at our school that I can turn to who I know share my concerns.</li> </ul>
<ul style="list-style-type: none"> <li>• It is totally haphazard whether and how LEP students get information about requirements, how the school works, and who to go to for what.</li> </ul>		<ul style="list-style-type: none"> <li>• Our school prints information about how the school works, requirements, who to go to for what, etc. in the home languages of our students, and we have bilingual staff with designated responsibility for providing this information to LEP students.</li> </ul>
<ul style="list-style-type: none"> <li>• It's just happenstance whether we find out about conferences or research about LEP student issues.</li> </ul>		<ul style="list-style-type: none"> <li>• There is a designated bulletin board and we receive regular announcements in our boxes about conferences and professional development opportunities related to addressing the needs of LEP students; there is a professional development library, including articles and materials on bilingual programs and LEP student issues at our school.</li> </ul>

**BUILDING A VISION**

What keeps people going? Often, it is our deeply held values, the things we care about and believe in strongly. It is important to be in touch with this passion—to give us energy in hard moments and to keep us focused. For advocates, the presence, support and partnership of others who share those values play an enormous role in keeping us going.

*It is the last afternoon of California Tomorrow's training institute "Creating Access: Building Immigrant Responsive Schools" for school*

teams and their outside change partners. Everyone is feeling the weight of the responsibility of returning to their schools to try to make their ambitious change plans real. We ask everyone to form one large circle around the room, and, in the final moments of our week together, to hold in their hearts the image of a student or young person for whom they yearn to change schools. We then ask each to simply speak the names out loud, one by one. It is a powerful recitation. “Pedro,” “Angie,” “Indira,” “Jose,” “Joshua,” “Sundance,” “Maria”...In the end, our eyes filled with tears and our minds firmly fixed on the young people who are the reason we do this work, we return to our schools.

**ACTIVITY 2.8**  
**GETTING IN TOUCH WITH AND**  
**SHARING THE REASONS YOU ARE AN ADVOCATE**

You can do this activity on your own, but it is more powerful as part of a group experience. Each person in the group should think about one student for whom the school experience was painful, exclusionary or inadequate. This young person should be someone you care about. If your group has more than five people, form trios to share your stories. If there are less than five people, take turns sharing the stories with the whole group. After this sharing, go around in a circle and speak the names of the young people out loud.

You may also wish to complete the following sentences, speaking out loud to each other.

- ☛ The value I care most about that pushes me to be an advocate for immigrant students is...
- ☛ The core reason I put my time and my heart into trying to change our school is that I care about...

Caring about making a change is not the same thing as understanding what it is you are trying to create. A shared vision develops over time—through working together and developing a concrete set of programs and approaches that speak to the concerns and values you hold. But reflections on vision also need to be part of the initial steps you take together. You need to try to articulate as best you can the vision of what it is you are striving to create. A group of people can all care about making a school a better place—but may hold very different values and visions of what that would ultimately look like.

## ADVOCATES NEED TO KNOW THE LAW

If you have a strong core group of advocates who support each other, if you are clear about your vision, and strategic in your approach to the school, if you use the strategies discussed in this resource book (student voice, data, etc.), you can make your school more accessible, open, inclusive and responsive to your LEP students. But sometimes in this effort, you will need to invoke or rely upon the law. Bottom-line civil rights laws have had to be instituted because there is not always a willingness to open doors to some groups. They exist because, without them, some people will resist fully serving language minority students and will refuse to do what is necessary to provide full access. Every advocate for language minority students should know what the law requires, how it works, how to access legal resources and how legal actions are initiated.

### THE LEGAL BASIS FOR LANGUAGE MINORITY RIGHTS TO AN EDUCATION

All children in the United States have the right to a free public school education. School districts are required by law to develop a special program for children who need English language help. At a minimum, that program must provide special help through a trained teacher to assist your child to learn English and must provide special assistance to help your child learn what other children are learning, even if he or she does not speak sufficient English. This help must continue until the child no longer has a barrier to learning the content due to his or her English language skills.

The legal basis for the provision of programs to Limited English Proficient students stems from the Constitution and a series of federal laws, statutes and court cases. These are the major ones.

### FEDERAL LAW AND STATUTES

The Equal Protection Clause of the Fourteenth Amendment to the Constitution reads:  
*"No state shall...deny to any person within its jurisdiction the equal protection of the laws."*

Title VI of the Civil Rights Act of 1964 says:

*"No person in the United States shall, on the grounds 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."*

The "May 25 Memorandum of 1970," issued by the Office of Civil Rights, interprets Title VI of the Civil Rights Act as follows:

*"Where inability to speak and understand the English language excludes national origin-*

*minority group children from effective participation in the educational programs offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional programs to these students."*

#### KEY COURT DECISIONS

In 1974, the Supreme Court decided in the case of a lawsuit brought by Chinese parents in San Francisco who argued that their children were being denied an education because they could not speak English. The landmark *Lau v. Nichols* decision states:

*"There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education...Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful..."*

In *Lau v. Nichols*, the court ordered "appropriate relief," although it did not specify a particular method. A later case sought to define a way of knowing whether or not "appropriate relief" was being provided. The Equal Educational Opportunities Act (EEOA) of 1974 states:

*"No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex or national origin by...the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs." (Section 1703{f})*

In *Castenada v. Pickard* (1981), the court established a three-prong test to determine if the education services being provided constitute "appropriate relief." The three measures are:

- ☛ Is the program informed by sound educational theory?
- ☛ Is the program implemented effectively with sufficient resources?
- ☛ After a reasonable period of time, can the program be evaluated as being able to overcome the students' language barrier to education?

It also states that there is a "duty to provide limited-English-speaking-ability students with assistance in other areas of the curriculum where their equal participation may be impaired because of deficits incurred during participation in an agency's language remediation program." In other words, schools must do something to compensate for the fact that children tend to fall behind in other subjects until they learn English.

One other key court case governs the education of language minority students. This one speaks specifically to the requirement that these protections apply to all children, regardless of legal immigration or citizenship status. In the *Plyler v. Doe* (1982) Supreme Court Decision, it was determined that "All children in the United States have the right to a free public school education in the school district in which they live." The court noted that immigrant children do not need a green card, visa, passport, alien registration number, social security number nor any other proof of citizenship or immigration status in order to register for school.

A list of legal resources appears at the end of this chapter.

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## ADVOCACY ANNOTATED BIBLIOGRAPHY

Carrow-Moffett, Patricia. (1993). *Change Agent Skills: Creating Leadership for School Renewal*. *NASSP Bulletin*, 77(552), 57-62.

In this brief article, the author outlines the abilities and skills needed for school leaders involved in a change process. Carrow-Moffett argues that change agents not only need vision and purpose, but also need to set direction and facilitate cooperation of those involved in overcoming the challenges of a diverse world. Moreover, part of this process involves developing procedures that allow advocates to be effective change agents. These include, but are not limited to: identifying a vision; developing a logical outline for how a plan should work, but keeping in mind that things don't always go as planned; examining and understanding what advocates bring to the process; knowing your values and identifying the nature of the change; and recognizing that change requires learning new attitudes and behaviors.

Fullan, Michael. (1993). *Why Teachers Must Become Change Agents*. *Educational Leadership*, 50(6), 12-17.

This insightful and concise article explores the reciprocal relationship between moral purpose and change agency. Fullan stresses that building greater capacity for meaningful change, caring and commitment must be accompanied by four core elements: personal vision; inquiry; mastery (of concepts); and collaboration. He also introduces a new paradigm emphasizing the direct relationship between real improvements in the classroom and changes in teacher learning and professional culture.

Fullan, Michael. (1996). *Turning System Thinking on Its Head*. *Phi Delta Kappan*, 77(6), 420-423.

An informative and dynamic model for "reculturing" and restructuring system reform, this article also advocates for an unequivocal change in the nature of existing school cultures and structures. Fullan suggests five strategies necessary for change: multiple ways of sharing information; integration of school and district priorities; commitment to inquiry and assessment of progress; a critical mass of school staff with the capacity to manage change on a continuous basis; and linkages between schools to serve as support networks.

**Margolis, Howard. (1991). Understanding, Facing Resistance to Change. *NASSP Bulletin*, 75(537), 1-8.**

This article addresses teacher resistance to instituting change. Margolis examines the potential benefits of resistance and offers a framework for reducing it. Reducing resistance to change requires that the process be inclusive; focus on what stakeholders find most critical; have clarity of the goals; encourage innovation and experimentation; and generate ideas based on school-based norms, resources, and district responsibilities.

**McAloon, Noreen. (1995). Advocacy in Schools. *Journal of Reading*, 38(4), 318-320.**

This article outlines various manifestations of "advocacy" within schools and from the community. Examples are advocacy from teacher to teacher, from teacher to community and from teacher to parents for students. The author concludes that the common goal for all forms of advocacy is ensuring that students receive quality instruction.

**McDonald, Joseph. (1989). When Outsiders Try to Change Schools from the Inside. *Phi Beta Kappan*, 71(3), 206-212.**

This engaging guide is geared towards outside change agents involved in the school reform process. It reminds outsiders to always be cognizant that although they might help find solutions, they cannot provide them, and though they may help shape outcomes, they cannot determine them. It defines the attitude and methodology needed by change agents to create a "constructive space" between them and the school culture.

**Olsen, L., Jaramillo, A., McCall-Perez, Z., White, J. and Minicucci, C. (1999). *Igniting Change for Immigrant Students: Portraits of Three High Schools*. Oakland, CA: California Tomorrow.**

This book describes how advocates working with California Tomorrow created change in three high schools. Educators in Hayward worked district-wide to improve access and placement for immigrant students, while teachers in Salinas restructured their comprehensive high school and crafted an accelerated literacy approach. The book presents a partnership model for reform that is flexible and driven by powerful strategies. It details California Tomorrow's principles for equity in any school, lessons for their application, and an evaluation of the impact of the effort.

Shachar, Hanna. (1996). Developing New Traditions in Secondary Schools: A Working Model for Organizational and Instructional Change. *Teachers College Record*, 97(4), 549-568.

The article presents an international model of implementing cooperative learning for teachers and changing patterns of organizational behavior in secondary schools. The four-stage process incorporates a combination of strategies (a teamwork approach, ongoing inservice training, and use of outside consultants) to acquire new methods. The process also requires that leadership groups be developed, teachers and administrators learn and implement new traditions, and school staff "buy in" to the change process.

Tewel, Kenneth J. (1991). Promoting Change in Secondary Schools. *NASSP Bulletin*, 75(537), 10-17.

This brief article offers strategies advocates can use to make their schools more responsive to the change process. Tewel argues that successful change leaders set up systemic structures that nurture the change process. Building organizational capacity to respond to change includes: an opportunity for teachers to plan together and work collaboratively; the decentralization of decision-making; a redefinition of job descriptions; the establishment of a flexible management system; and the development of achievable goals.

Thurston, Paul, Cliff, Renee and Schacht, Marshall. (1993). Preparing Leaders for Change-Oriented Schools (Training for School Administrators). *Phi Delta Kappan*, 75(3), 259-265.

This insightful article reviews case studies involving change-oriented leadership. The case studies serve as examples for how administrator preparation is a key element of school reform. The authors argue in favor of training that prepares advocates to become the collaborative, visionary leaders needed to better serve the needs of school-age children.

Whitaker, Todd. (1995). Accomplishing Change in Schools: The Importance of Teacher Leaders. *Clearing House*, 68(3), 356-357.

Whitaker's article establishes "teacher leaders" as the essential link between site-based management and school collaboration. He emphasizes the degree to which informal faculty relationships and beliefs can affect school programs and curricular development during the change process. Whitaker also presents several techniques for identifying "influential" teachers and examines how they influence effective administrative leadership and subsequently affect change in schools.

## **ADVOCACY RESOURCES**

### **California Association for Bilingual Education (CABE)**

CABE advocates for positive bilingual education legislation by way of its Political Action Committee. Educators, parents and interested community members are welcome to join local chapters to participate in lobbying efforts. CABE hosts an annual conference (usually in February) focusing on all aspects of the bilingual education field. Their website offers news flashes, legislative updates and related publications. Membership includes a subscription to their newsletter and discounts on publications and conferences.

660 S. Figueroa, Suite 1040  
Los Angeles, CA 90017  
(213)532-3850  
(213)532-3860 fax  
WWW: [www.cabe.org](http://www.cabe.org)

### **California Latino Civil Rights Network**

The Latino Network is a statewide network of Latino service agencies, individuals, professionals and religious and labor organizations. They serve as a clearinghouse for information gathering and dissemination, research, advocacy and policy development, and as a resource center for local organizations or individuals who want to promote civil and human rights for Latinos. The Latino Network's current projects include increasing civic participation, job creation in rural communities and creating a rapid response system that informs and mobilizes the Latino communities against potentially harmful political measures.

1605 W. Olympic Boulevard, Suite 9102  
Los Angeles, CA 90015  
(213)228-0220  
(213)252-0560 fax  
WWW: [www.latinonetwork.org](http://www.latinonetwork.org)

1212 Broadway, Suite 1400  
Oakland, CA 94612  
(510)663-2020  
(510)663-2028 fax

2115 Kern Street, Suite 103  
Fresno, CA 93721  
(209)498-7000  
(209)498-7005 fax

**National Association for Bilingual Education (NABE)**

NABE is the national advocacy and professional organization for bilingual education whose members include educators, parents, community members and government and business people. NABE holds an annual conference and offers professional development in the field of bilingual education. Their website features legislative and policy links, as well as articles on bilingual education at the local and national levels.

1220 L Street  
Washington, D.C. 20005  
(202)898-1829  
(202)789-2866 fax  
E-mail: [nabe@nabe.org](mailto:nabe@nabe.org)  
WWW: [www.nabe.org](http://www.nabe.org)

**National Coalition of Advocates for Students (NCAS)**

NCAS is a national advocacy organization focusing on school change to meet the needs of students who are not well served by public schools. Their effort to achieve equal access to a quality public education for all children includes advocacy work at the local, state and national levels to inform and mobilize citizens and help policymakers resolve critical education issues. Current projects include Mobilization For Equity (MFE), which trains and supports parents to participate effectively in local school improvement efforts; the Clearinghouse for Immigrant Education (CHIME), which provides research literature, referrals and other supports on issues regarding education services for immigrant children; and School Counseling in Today's Real World, which helps school counselors develop the capacity to work effectively with minority students and their families.

100 Boylston Street, Suite 737  
Boston, MA 02116  
(617)357-8507  
(617)357-4703  
E-mail: [ncasmfe@aol.com](mailto:ncasmfe@aol.com)  
WWW: [www.ncas1.org](http://www.ncas1.org)

**National Coalition for Education Activists (NCEA)**

NCEA is a membership network of families, school staff, community and union activists, and others involved in public school issues. NCEA members share a commitment to social justice, the elimination of bias, and creating quality public schools that serve all children well. NCEA supports local activists with a resource bank, newsletter and opportunities to discuss key issues and develop knowledge and advocacy skills.

P.O. Box 679  
Rhinebeck, NY 12572  
(914)876-4580  
E-mail: RFBS@aol.com  
WWW: <http://members.aol.com/nceaweb>

**National Council of La Raza (NCLR)**

NCLR, the largest constituency-based national Hispanic organization, focuses its advocacy efforts in two areas: 1) capacity-building to support and strengthen Hispanic community-based organizations; and 2) applying research and policy analysis with a Hispanic perspective to issues such as education, immigration and civil rights enforcement. The organization participates in innovative programs, catalytic efforts and coalitions. NCLR publishes a quarterly newsletter, as well as other issue-specific newsletters on education, poverty and HIV/AIDS and hosts an annual national conference.

<i>(national headquarters)</i>	<i>(Los Angeles office)</i>
810 First Street, NE, 3rd Floor	900 Wilshire Blvd., Suite 1520
Washington, D.C. 20002	Los Angeles, CA 90017
(202)289-1380	(213)489-3428
WWW: <a href="http://www.nclr.org">www.nclr.org</a>	

### Rethinking Schools

Begun as a grassroots effort by teachers who wanted to improve education in their own classrooms, this organization has grown to become a national distributor of educational materials. Their goals have remained the same, with a vision that public education is central to the creation of a humane, caring, multiracial democracy. Resources, such as their quarterly journal and special publications on hot education topics, can be requested by fax, phone or E-mail. Their website offers a valuable list of related education links.

1001 E. Keefe Avenue  
Milwaukee, WI 53212  
(800)669-4192  
(414)964-7220 fax  
E-mail: [webrs@execpc.com](mailto:webrs@execpc.com)  
WWW: [www.rethinkingschools.org](http://www.rethinkingschools.org)

## **LEGAL RESOURCES FOR LANGUAGE ACCESS**

### **Multicultural Education, Training and Advocacy (META), Inc.**

META, Inc. is a nonprofit national advocacy organization specializing in the educational rights of low income, minority and immigrant children. They work with public interest group, pro bono attorneys, as well as parents and community advocates, to advocate for the rights of these students at the local and statewide levels. META staff provide training, materials, advice and co-council on issues, including access to language programs for Limited English Proficient (LEP) students, so-called "zero tolerance" discipline policies, school uniform programs, and education reform practices, such as school-to-work.

785 Market Street, Suite 420  
San Francisco, CA 94103  
(415)546-6382  
(415)546-6363 fax

### **Mexican American Legal Defense and Education Fund (MALDEF)**

MALDEF is a national nonprofit organization dedicated to the protection and promotion of the civil rights of Latinos in the United States. MALDEF pursues its mission through community education, advocacy and, when necessary, litigation. MALDEF focuses on civil rights in the areas of education, employment, immigration, political access and public resource equity. MALDEF is particularly dedicated to protecting the rights of LEP students, including securing access to quality programs, and fair and accurate assessment.

182 Second Street  
San Francisco, CA 94105  
(415)543-5598  
(415)543-8235 fax

634 South Spring Street, 11th Floor  
Los Angeles, CA 90014  
(213)629-2512  
(213)629-0830 fax

### **California Rural Legal Assistance (CRLA)**

CRLA is a statewide, rural legal services assistance organization with 16 field offices in California, from Marysville to El Centro. CRLA offers legal assistance in the areas of education, labor/employment, housing, health welfare and civil rights.

631 Howard Street, Suite 300  
San Francisco, CA 94105  
(415)777-2752  
(415)543-2752 fax

### **Office of Civil Rights**

The Office of Civil Rights investigates and records complaints by parents, community members, students and others for whom school districts are not providing equal educational access.

50 United Nations Plaza, Room 239  
San Francisco, CA 94102  
(415)437-7700  
(415)437-7783 fax

### **Language Proficiency and Academic Accountability Unit**

The Language Proficiency and Academic Accountability Unit is responsible for statewide monitoring of implementation of federal and state requirements for services for English Language Learners. In-house staff are available to answer questions regarding the rights and responsibilities of schools in providing students access to their curriculum.

California Department of Education  
721 Capitol Mall  
Sacramento, CA 94244-2720  
(916)657-4674  
(916)657-3112 fax

### **Categorical Programs Complaints Management Unit**

Any complaints filed at the local school district level about language access problems should also be filed with this office. The Complaints Management Unit conducts an investigation or mediates when the local school district (where the first complaint was filed) has failed to act within 60 days, when an appeals has been filed, or when the Department of Education determines that direct intervention is necessary. This office also offers technical assistance on correct compliance and resource materials to parents and advocates.

California Department of Education  
721 Capitol Mall  
Sacramento, CA 94244-2720  
(916)657-3630  
(916)657-3443 fax

### **Immigrant Assistance Lines**

The Immigrant Assistance Lines are available to answer questions concerning parent and student rights, immigration law and other accessible services. All calls are confidential, with multilingual operators who speak Spanish, Vietnamese, Mandarin, Cantonese and English.

c/o Northern California Coalition for Immigrant Rights  
995 Market Street, 11th Floor  
San Francisco, CA 94103  
(415)543-6767 Spanish/English  
(415)543-6797 Vietnamese/English  
(415)543-6769 Mandarin/Cantonese/English

### **Lawyer Referral Hotline**

With local offices in most California cities, this hotline offers free referral to attorneys. Referrals are also available for free or low-payment lawyers. Below is a partial list of telephone numbers. If your city is not listed, please call any listed office and ask for your city's Lawyer Referral Hotline number.

Sacramento: (916)444-2333  
Fresno: (209)264-0137  
San Francisco: (415)989-1616  
Los Angeles: (213)243-1525  
San Diego: (619)231-8585