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Abstract   In this article we proffer a theoretical model for analyzing power in language policy processes and incorporate ethnographic data to illustrate the usefulness of the model. Grounded in an ethnographic project in the US state of Washington, we examine how nominally identical school district-level programs, which are funded under the same state-level language policy, end up being different in practice. While language policy is often portrayed as multiply layered, or taking place across multiple levels of policy activity, we argue that language policy arbiters wield a disproportionate amount of power relative to other individuals in a particular level or layer. Our analysis focuses on how beliefs about language, language education, and educational research impact the decision-making of individuals we identify as language policy arbiters. We argue that the proposed model usefully highlights how language policy arbiters open and close spaces for additive bilingual education.

Keywords   Bilingual education · Ethnography · Language policy · Dual language

Introduction

The distribution of power in language policy creation, interpretation, and appropriation is a major theoretical concern and an emerging focus of empirical

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investigation (e.g. Tollefson 2013b). Herein, we proffer a theoretical model for characterizing how imbalances of power emerge in language policy processes, and define *language policy arbiters* as individuals who have a disproportionate amount of impact on language policy and educational programs. Other language policy research has highlighted teachers as powerful agents in educational language policy processes (e.g. Menken and García 2010; Ricento and Hornberger 1996), but here we focus on administrators at the school district level. In turn, we reassess the popular conceptualization of language policy as "multi-leveled" or "multi-layered" and argue that not all individuals in all levels exhibit the same amount of power.

This work is situated in two medium-sized school districts in the US state of Washington, both of which offer bilingual education programs. In 1968, the United States Bilingual Education Act (Title VII of the Elementary and Secondary Education Act) became the first piece of US federal legislation to recognize the unique educational needs of language-minority students in public schools (Crawford 2004). Since then, bilingual education policies in the US have engendered controversial and sometimes contentious legal and social debates in education (Crawford 2004; Johnson 2009; Ovando 2003). In recent years, educational language policies have become increasingly restrictive—to such an extent that, in many states, languages other than English are considered "forbidden" in public schools (Gándara and Hopkins 2010). This trend reflects a steadily growing "language-as-problem" orientation (Ruiz 1984) in federal and state education policies that continues to marginalize language-minority students.

Although it is evident that in some states the pendulum has swung toward a deficit/problem policy orientation, here we examine a state that has ostensibly moved in the opposite direction but has received little attention in the literature. Washington's linguistic and immigration trends parallel US averages, with very similar numbers of individuals who speak a non-English language at home (United States Census 2014) and a growing population of Latino families in non-urban areas without longstanding Latino populations—a phenomenon known as the New Latino Diaspora (Wortham et al. 2002). This research is situated in eastern Washington where, in multiple counties, English is *not* the home language for over 40 % of the population. Therefore, in some ways Washington reflects linguistic patterns across the US as a whole—and certainly the communities of interest in this study are a part of the New Latino Diaspora—but state-wide language policy has *not* mirrored national trends. That said, how individual school districts ultimately implement such policies depends upon the unique interpretation and appropriation by educators at the local level. In our analysis, we consider how nominally identical district-level programs, which are funded under the same state-level language policy, end up being very different in practice.

Language policy as a multi-layered process

Educational policy in general (Ball 2006) and educational language policy in particular (Ricento and Hornberger 1996) are generally conceptualized and researched as multi-leveled phenomena and processes. Although researchers discuss these

"levels" in different ways—utilizing terms such as macro, meso, and micro; top-down and bottom-up; explicit and implicit; overt and covert; de jure and de facto (see discussion in Schiffman 1996)—there is general agreement that an understanding of the multiple levels is necessary to fully understand how policy works. In language policy and planning (LPP), many different conceptualizations have been put forth and one that has proven particularly resilient is Ricento and Hornberger's (1996) metaphorical LPP onion, which is meant to depict the multiple layers through which a particular policy moves. According to Hornberger and Johnson's (2007) re-examination and application of the onion metaphor, the goal is to slice through the onion to illuminate the connections across the various layers—which is, as Hult (2010) describes it, the "perennial challenge" for the field.

Johnson (2013a) portrays LP layers as processes of creation, interpretation, and appropriation. In this conceptualization policies are first *created* as a result of intertextual and interdiscursive links to past and present policy texts and discourses. Once a policy has been created and put into motion, it is open to diverse *interpretations*, both by those who created it, and by those who are expected to *appropriate* it in practice. The notion of appropriation is used here "as a form of creative interpretive practice necessarily engaged in by different people involved in the policy process" (Levinson et al. 2009: 768) and thus how a policy is appropriated may or may not reflect the macro-level intent. This view emphasizes how individuals exert agency to shape policy decisions to particular contextual demands. While these processes might line up with the different levels of educational language policy (federal/creation, state/interpretation, local/appropriation), in reality they can all occur at every level; that is, educational language policies are created, interpreted, and appropriated within and across multiple levels and institutional contexts.

Structure versus agency

Within LPP research, there is an inchoate tension between critical approaches that emphasize the inherent power of policies (e.g. Tollefson 1991) and other approaches that focus on the power of educators and other language policy actors (e.g. Menken and García 2010). Tollefson (2013b: 27) argues that within critical approaches "language policies are viewed as mechanisms for creating and sustaining systems of inequality that benefit wealthy and powerful individuals, groups, institutions, and nation-states." Furthermore, dominant-group language ideologies act as a template with which policymakers justify policies that restrict educational access and privilege particular ethnolinguistic groups (cf. Shohamy 2006; Wiley 1996). Social agents with access to institutional power tend to make policy decisions in line with dominant discourses that sustain and normalize linguistic, economic, and ethnic/social hierarchies (Ball 2006).

Critical language policy (CLP) (Tollefson 2006) has provided essential theoretical support for the field and empirical research has critically examined a diverse range of actors and activities across multiple levels of institutional authority (Tollefson 2013a). Other ethnographic and discourse analytic research has

illuminated the power of language policy agents within policy processes (Menken and García 2010a). For example, Cincotta-Segi (2009, 2011) combines a critical perspective with ethnographic fieldwork in her analysis of educational language policy in the Lao People's Democratic Republic (Lao PDR). She argues that in spite of the explicitly pro-monolingual Lao PDR educational language policy, teachers still incorporate multilingual practices in their classrooms: "while teachers do reproduce the official discourses through particular classroom language practices, this reproduction is never total and in some cases is eclipsed by strong adaptations and contestations" (Cincotta-Segi 2009: 321). Based on his ethnographic research in Mozambique, Chimbutane (2011: 7) similarly argues that "speakers can opt to collude, challenge, or transform the symbolic order … the line between legitimate and illegitimate language as well as between formal and informal linguistic markets is not always and in all contexts neat and/or static." Chimbutane finds that promoting the use and learning of African languages in schools, alongside the formal Colonial language (Portuguese), increases their linguistic capital, which is a welcome byproduct of multilingual education.

Hornberger and Johnson (2007, 2011) propose ethnography of language policy as a method that focuses on the multiple levels of policy activity and combines an emphasis on the power of language policies to marginalize and the power of educators to adapt and resist. Both Tollefson (2013b) and Johnson (2013a) discuss the tension and balance between structure and agency, and Tollefson points out that the distinction between the "historical–structural paradigm" and the "creative publish sphere paradigm" rests on the focus of the research and not on any essential theoretical division. We agree and would further argue that CLP offers an inclusive framework for a variety of research approaches and methods as exemplified in critical research that utilizes ethnography and discourse analysis to examine structure and agency (e.g. Chimbutane 2011; Cincotta-Segi 2009). Our goal is to combine ethnography of language policy, which is especially effective for highlighting language policy activity and agency within and across multiple levels, with a critical focus on how language policy power is unequally distributed.

Dual language education

One social institution of particular interest is school, which Ricento (2006: 21) characterizes as "sites where language policies determine or influence what language(s) we will speak, whether our language is 'good/acceptable' or 'bad/unacceptable' for particular purposes." Research on the impacts of US language policy has shown how it has restricted access to multilingual education (see, for example, the special issue of *Language Policy* on NCLB, Menken and Shohamy 2008), and, how educators still have agency within an ostensibly restrictive language policy environment (Freeman 2004; Johnson 2010; Stritikus 2002). Research outside the US has considered how language policies can *promote* multilingual education in, for example, South Africa (Chick 2001), Bolivia (Hornberger and Johnson 2007), New Zealand (May 2005), and Mozambique (Chimbutane 2011).

The linguistic, cultural, and academic benefits of multilingual education worldwide have been widely described in the literature (see review in Hornberger 2009). One such program in the US is known as dual language (DL) education, which involves instruction in two languages for a time period that usually spans 9–13 years, with each classroom comprising speakers with two different first languages. Because these programs are intended to draw on the multilingual resources of students, Hornberger (1991) and Freeman (2000) characterize them as having a language-as-resource orientation. Also referred to as "two-way immersion" or "two-way additive" programs (Palmer 2009), the structure of DL programs varies, especially in how the languages of instruction are divided up by grade level (cf. Lindholm-Leary 2001). For example, if a Spanish/English program promotes a 50/50 structure, students are supposed to be exposed to the same amount of English and Spanish in all grades (i.e., half the day in English and half in Spanish). Another common approach is the 80/20 model, which usually entails 80 % of the instruction in Spanish during Kindergarten, then 70 % in first grade, 60 % in second grade, and so on until English instruction is at 50 or 60 % by 5th grade. However, these numbers invariably represent ideals as it is a big challenge to stay true to the distributions (50/50, 80/20 etc.) with complete fidelity.

Presenting the theoretical model: the language policy arbiter

Levinson and Sutton (2001: 1) describe educational policy as "a complex social practice, an ongoing process of normative cultural production constituted by diverse actors across diverse social and institutional contexts." This conceptualization decenters the power of policies outside of official documents and underscores the agency of policy actors (cf. McCarty 2011b). Menken (2008: 5) points out that language policies in the US are negotiated and interpreted at every level of the educational system; however, teachers are "the final *arbiters* of language policy implementation" (emphasis ours). We expand on this and define a *language policy arbiter* as any language policy actor (potentially: teachers, administrators, policymakers, etc.) who wields a disproportionate amount of power in how a policy gets created, interpreted, or appropriated, relative to other individuals in the same level or context.

We contend that language policy power is divided between those who get positioned as *arbiters* and those who are positioned as mere *implementers* and the same language policy can be recontextualized (Wodak and Fairclough 2010) in different ways because of the unique sociolinguistic and sociocultural features (e.g. language attitudes and ideologies) within a particular context (Johnson 2013b). While some educators take advantage of the implementational and ideological spaces (Hornberger 2002) in language policies that allow for multilingual education, other educators appropriate dominant discourses that delimit bilingual educational options for students. Further, decisions made by educators that fall in line with dominant ideologies about language and language education will be privileged. This implies that while social structure is, in part, dictated by the state, it also relies on what Foucault (1991) refers to as "government of oneself". The theory of
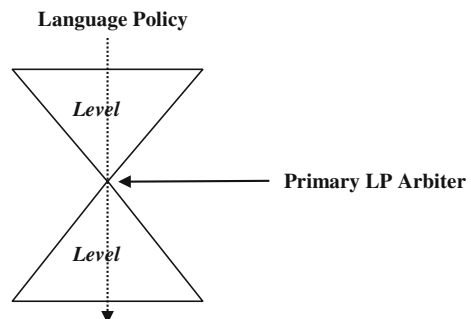
governmentality takes the focus off of state-driven hegemony, and instead emphasizes how power circulates within micro-level practices and discourses. When a state is run well or efficiently, as Foucault argues, individuals will "behave as they should" (Foucault 1991: 92; see also Pennycook 2002; Johnson 2013b).

Our goal here is to understand who the language policy arbiters are, how they exert their influence, and why they make the decisions they make. We propose a basic model intended to locate LP arbiters within policy processes. The image of a funnel is used to illustrate that while policy decisions are socially negotiated between multiple actors within and across levels, at some point, there is one language policy arbiter who has singular power with regard to how a policy is interpreted and appropriated and all subsequent decisions in the policy process must funnel through them (Figure 1).

Educational language policy in the US provides an example of this process and is notable for how US federalism grants power to the states regarding educational policy decision-making, highlighting state administrators as likely candidates as language policy arbiters. Within the US Department of Education (US DOE), the "Assistant Deputy Secretary and Director, Office of English Language Acquisition, Language Enhancement and Academic Achievement for Limited English Proficient Student" oversees the distribution of Title III funding according to the federal No Child Left Behind (NCLB) education policy. In turn, in Washington State the Director of Migrant and Bilingual Education in the Office of Superintendent of Public Instruction (OSPI) oversees both how Title III monies are used and how state level language policy is created. If we posit that these two individuals are language policy arbiters, we might represent the way federal educational language policy is funneled to Washington (Figure 2).

Of course, the "diamonds" in the model—which represent the levels or institutional contexts—could be extended to include schools and classrooms. Our focus here, though, is how (1) state policy is interpreted and appropriated at the (2) district and (3) school level (thus, three 'diamonds' will be of interest). The remainder of our discussion traces the creation, interpretation, and appropriation of Washington State's educational language policy—the Transitional Bilingual Instructional Program—in two school districts to illustrate the influence of language policy arbiters and to examine the usefulness of the proposed model.

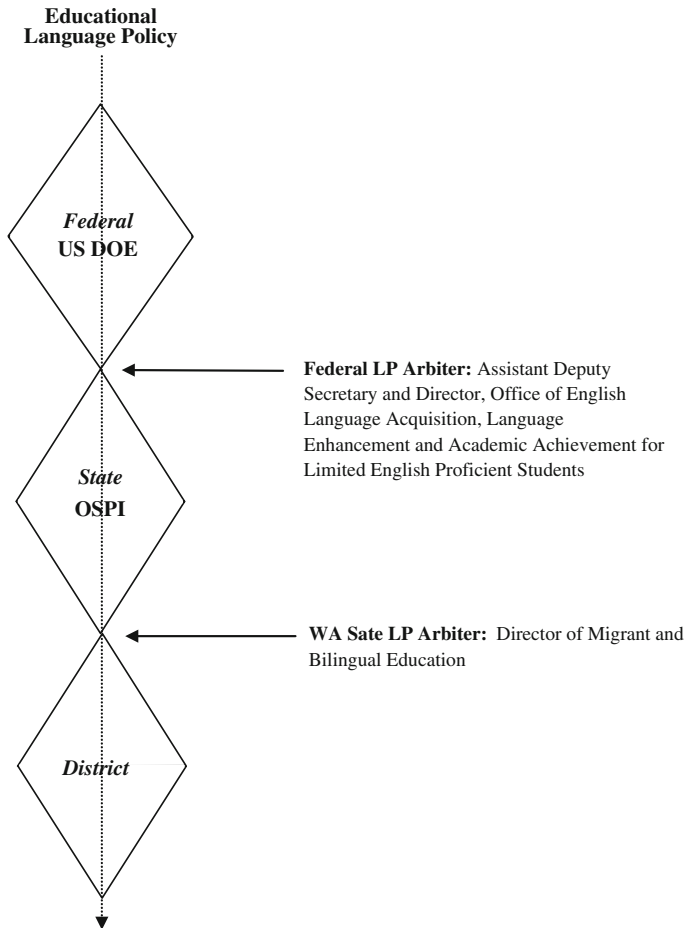**Figure 1.** The language policy funnel

Figure 2. Washington State language policy funnel

Within the figure:

Educational Language Policy

Federal US DOE

Federal LP Arbiter: Assistant Deputy Secretary and Director, Office of English Language Acquisition, Language Enhancement and Academic Achievement for Limited English Proficient Students

State OSPI

WA Sate LP Arbiter: Director of Migrant and Bilingual Education

District

Context: Esperanza and Riverview School Districts

We look at two school districts in south-central Washington State—the Esperanza School District[1] (ESD) and the Riverview School District (RSD). This area's vibrant agriculture industry has attracted a large number of Spanish speaking migrant workers, especially over the past 50 years—an immigration phenomenon sometimes referred to as the New Latino Diaspora (Wortham et al. 2002)—which has dramatically impacted the linguistic culture (Schiffman 1996) of the communities and the demography of the schools (Table 1).

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[1] Except for the name of the state department offices, all other names of districts and individuals are pseudonyms.

Table 1 Demographic contexts of the Esperanza and Riverview School Districts (OSPI 2012)

	Washington State	Esperanza School District (ESD)	Riverview School District (RSD)
Total students	1,043,905	15,667	16,603
Hispanic students	19.6 %	68.3 %	29.5 %
English language learners (ELL)	8.4 %	33.9 %	11.1 %
Receiving free and reduced priced lunch	45.5 %	72.6 %	51.6 %

Both schools exceed the state average in numbers of ELLs and while the ESD has a larger overall Latino student population and number of ELL students, certain schools in the RSD are over 65 % Hispanic and 50 % ELL.

Both districts offer DL education but the programs are structured differently. Both districts have two "strands" for their DL program, which means that two DL classes are offered at each grade level but both "strands" in the ESD are housed in the same school (Mayo Elementary) while the two strands in the RSD are spread across two elementary schools (with one strand in each). These two districts provide an interesting comparative juxtaposition because, while they operate under the same federal and state language policies, and are physically very close in proximity (connected, in fact), the resulting DL programs are quite different. Furthermore, as we demonstrate below, so are the institutional structures that determine who gets positioned as a language policy arbiter.

Ethnography of language policy

Ethnography of language policy captures policy processes across multiple levels of policy activity (Davis 1999; McCarty 2011a), provides a balance between a focus on policy power and educator agency (Hornberger and Johnson 2007), and reveals how macro level policies relate to educational practices (Johnson 2013c; Stritikus and Wiese 2006). Yet, ethnography of language policy is inspired by, and somewhat distinct from, ethnographic studies in the primary discipline from which it draws—sociolinguistics—and sociolinguistic research methods like ethnography of communication (Hymes 1964). First, the object of study is not a culture or a people (or a speech community), but policy (albeit broadly defined, and certainly not restricted to written texts), and the goal is to account for how human agents engage with LPP processes. Second, the foundation of ethnography is long-term participant-observation in a particular site or community but educational language policy often moves fast (making long-term anything problematic) and often there is not one "site" in which a language policy is created nor one "community" in which a language policy is penned. Levinson et al. (2009: 789) argue that because educational policy impacts groups and individuals in very different social spaces,

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[1] Except for the name of the state department offices, all other names of districts and individuals are pseudonyms.

the focus of ethnographic investigation should be "the constellation of social sites across which policy moves, gets appropriated, and so forth," which necessitates multi-sited data collection.

Our attempt to address these challenges involves multiple researchers collecting data across multiple sites in a study of the same language policy, an approach advocated by Levinson et al. (2007) and Johnson and Freeman (2010). We were not always together when collecting data yet we met regularly to compare what we had found and to identify intertextual and interdiscursive links and themes across the data. It should also be pointed out that during our research project, both of us (at different times) served on the state bilingual education advisory committee that advises Washington's department of education (OSPI) on matters related to bilingual education programs and policies. While we do not include these interactions as 'data', we also cannot ignore what was learned therein, which provided an inside look at state-level language policy decision-making. Finally, instead of hiding behind a gauzy façade of objectivity, we take note of our position as white male native English-speaking researchers and results should be interpreted accordingly. Furthermore, while we are committed to highlighting power imbalances in language policy processes, our intent is never to vilify educators, and we emphasize that the Washington educators with whom we have interacted are deeply committed to educational opportunity for their students.

The findings presented here are part of a 4-year (and ongoing) project spanning five Washington School Districts, which included observation in multiple classrooms and district offices, over fifty interviews with educators (teachers, principals, and administrators), and examination of official and unofficial policy documents (Johnson and Johnson 2014). The focus in this paper is on interviews with research participants we identified as potential arbiters in the interpretation and appropriation of language policy for dual language education in the RSD and the ESD including: Washington state department of education administrators, school district office administrators, school district dual language coordinators, and school principals of the dual language programs. We highlight themes that emerged in the process, which we think cast light on *who* the arbiters are and *why* they make the decisions they make: beliefs about language education, beliefs about research, and parental pressure. First, however, we look at the historical development of Washington State language policy and its impact on bilingual education.

Federal and state language policy

When Title III of the NCLB Act replaced Title VII (aka the Bilingual Education Act) in the 2001 incarnation of the US Elementary and Secondary Education Act, and the Office of Bilingual Education was re-named the Office of English Language Acquisition, questions and fears were raised about federal commitment to bilingual education. Entitled *Language Instruction for Limited English Proficient and Immigrant Students,* Title III seemed to narrow the focus of federal language policy to *English* language acquisition and diminish the opportunities for schools and

school districts to grow bilingual education programs (Wiley and Wright 2004). Indeed, research on the impact of NCLB—and the testing requirements in particular—has consistently found that it disenfranchises bilingual educators and weakens bilingual programs (Menken and Shohamy 2008).

Despite these findings, we have observed a different trend in Washington State. In fact, from the 2004–2005 school year to the 2011–2012 school years, the number of English Language Learners (ELLs) enrolled in bilingual education programs—including DL, late exit bilingual education, and early exit bilingual education—increased by 63 %. Growth in these programs has drastically outpaced enrollments in the English-focused Sheltered Instruction program promoted in Washington, which has grown by only 9.4 % (Table 2).

The greatest growth has occurred in the DL programs—almost tripling in student enrollment—and, while these enrollment numbers represent a small minority of ELLs in Washington, it is important to consider that the number of students indicated here only represents *half* of the students in DL programs since it only accounts for ELLs and *not* native English speakers.

In part, the growth of bilingual education can be attributed to Washington State language policy. The Washington Transitional Bilingual Instruction Act (TBIA) was passed in 1979 by the Washington legislature who, in turn, charged the OSPI with overseeing its implementation. Since then, OSPI has overseen the education program engendered by TBIA, the Transitional Bilingual Instructional Program (TBIP), which is the primary language policy (and source of funding) for all ELL education in the state. As stated in Washington law—the Revised Code of Washington (RCW)—the purpose of the policy is to:

> provide for the implementation of transitional bilingual education …Transitional bilingual instruction means a system of instruction which uses two languages…to enable a student to achieve competency in English (RCW 28A.180.030.1a).

Like the name of the policy implies, the proposed goal is to use the first language as a bridge to English. However, districts are not forced to incorporate students' mother tongues and if using two languages is not practicable a district can adopt:

> an alternative system of instruction which may include English as a second language and is designed to enable the pupil to achieve competency in English (RCW 28A.180.030.1b).

Table 2 ELL students in Washington TBIP programs

Program model	2004–2005	2011–2012	Increase (number)	Increase (%)
Sheltered instruction	76,182	83,370	7,188	9.4
Bilingual (late exit)	3,327	5,107	1,780	53.5
Bilingual (early exit)	2,521	2,994	473	18.8
Dual language	1,077	3,191	2,114	196.3

What is immediately apparent is the focus on English—nowhere in the policy is there support for *development* of first languages, which is a feature of TBIA that TBIP ignores (by promoting programs that *do*), suggesting OSPI administrators are taking advantage of implementational space for additive bilingual education programs. However, most school districts use TBIP monies for these "alternative systems of instruction," which focus on English language acquisition, not bilingualism.

Within OSPI, the Office of Migrant and Bilingual Education (OMBE) oversees the implementation of TBIP and OMBE administrators are responsible for funneling federal and state-generated dollars for ELL education. In an interview (8.06.08) with a former director of OMBE, Rowan Brown, we asked if there were any programs or bodies of educational research that his office supported or promoted over others. He responded that while the office prefers DL education, they do not promote or recommend any particular language education program model, or research that might support those models. OSPI does in fact include specific choices for school districts who receive TBIP money, which are listed in the following order:

1. Dual language or two-way immersion programs;
2. Developmental bilingual education (also called late-exit and transitional bilingual education);
3. Transitional bilingual education (or early-exit);
4. Sheltered Instruction (or content-based ESL); and
5. Newcomer programs (Malagon and Chacon 2009: 26).

The authors of TBIP make an intertextual connection to the Thomas and Collier (1997) study—listing the programs in this order mirrors the ranking of the programs' relative effectiveness as found by Thomas and Coller (1997: 53). Thus, it could be interpreted that the numbers are not arbitrary and that TBIP promotes dual language *first*, developmental bilingual education *second*, etc.

While TBIP covers transitional bilingual programs (# 2 and 3), it also covers additive bilingual programs (#1) *and* non-bilingual English-only programs (#4 and 5). Brown claims that this is because according to Washington state law, "anything for second language was called 'bilingual'—and the name has hung on" (8.06.08), which also helps to explain the name of the office (the Office of Migrant and *Bilingual* Education). He agreed that the goal of the law is eventual transition to all-English instructional settings but because, "the state does not prescribe how you do that," districts have choices when choosing how to implement TBIP.

While the former and current directors of OMBE (who are also members of the aforementioned bilingual education advisory committee) openly support bilingual education programs in general, and dual language programs in particular, and official state language policy reflects this support, most school districts do *not* use TBIP money for bilingual education. In OSPI's 2011 report to the legislature, it is noted that only around 11 % of ELL students in the state receive instruction in two languages and only 3.5 % of Washington ELLs are enrolled in dual language programs. This creates the odd result that a vast majority of programs that are funded under the Transitional *Bilingual* Instructional Program are *not* bilingual, transitional or otherwise. Still, TBIP creates ideological space for different types of bilingual programs, and many school districts have taken advantage of it.

The structure of the school districts

While both the ESD and RSD have similar administrative structures comprising various language policy arbiters who influence the dual language programs, the way these roles are organized differs. As in all school districts in Washington, the superintendent and school board hold the top administrative responsibilities. To aid the districts in language policy decision making for bilingual education, both districts developed bilingual "task forces" (2003–2004 for the ESD, and 2004–2005 for the RSD) comprising district and school level educators to advise in the development of their dual language programs. After the dual language programs in the ESD and RSD were approved through the school board, the task forces were in charge of creating an administrative structure for governing the shape and operation of the programs.

Since the program models, administrative structure, and physical sites are different in the two districts, one goal in data collection became understanding who was responsible for language policy decisions. We started by interviewing the directors of bilingual education—Lisa Falco in the ESD and Mary Hanson in the RSD. In a description of her influence on the structure and operation of the dual language program, Falco explains that the upper administration supports her as a decision-maker for the dual language programs:

> *Johnson*: So, do you ever have challenges working with the upper administration, like superintendents or board members?
> *Falco*: Never.
> *Johnson*: They're 100 % into it?
> *Falco*: Absolutely.

Not only does Falco manage the bilingual programs in the ESD, she also oversees Title I grant programs, which is a major responsibility in a high poverty district. Yet, Falco attributes the efficiency of the ESD program to the DL coordinator, Donna White, who also serves as the vice principal for Mayo Elementary School where the dual language program is housed. Falco is quick to point out that she completely supports White when it comes to managing the DL program, and White's position within Mayo Elementary is a major benefit for the teachers.

While Falco and White make the majority of decisions regarding DL programs and policy in the ESD, decision-making in the RSD is more widely dispersed. For example, Falco's ostensive counterpart in the RSD—the director of bilingual education (Mary Hanson)—operates under the authority of the director of federal Title I programs (John Atkins) and the assistant superintendent of Elementary Education (Scott Finder). Additionally, the RSD dual language coordinator, Ann Cochran, oversees the program at both school sites and must work closely with both building principals when making decisions. Hanson and Cochran both asserted that major decisions involving the RSD dual language program are supposed to be made by the district bilingual task force, which comprises the bilingual education director, the dual language coordinator, principals, bilingual education teachers, and Finder (Cochran interview, 2/16/11; Hanson interview, 5/10/11); however, Cochran reported that Finder is the one who ultimately makes decisions regarding the DL program (interview, 2/16/11).

Table 3 School district dual language program LP arbiters

	Esperanza School District	Riverview School District
District level LP arbiters	Director of Title I *and* Bilingual Education (Lisa Falco)	Asst. Superintendent of Elementary Education (Scott Finder)
		Director of Title I Programs (John Atkins)
		Director of Bilingual Education (Mary Hanson)
		Dual Language Coordinator (Ann Cochran)
		Hawkins Elementary School Principal (Cliff Mathis)
School level LP Arbiters	Mayo Elementary School Vice Principal *and* Dual Language Coordinator (Donna White)	Ellison Elementary School Principal (Brad Conner)
	Dual language teachers	Dual language teachers

Based on these preliminary findings we created Table 3, which is intended to illustrate the hierarchical layers of policy involved in the dual language programs in both districts.

This table not only displays Falco as the district level LP arbiter in the ESD and Finder in the RSD, it also shows that the ESD has fewer levels of administration, in part because of the combined roles and responsibilities for Falco and White. This administrative structure made it easy to identify the school level LP arbiter in the ESD (i.e. Donna White). Moreover, this leaves only one level between the dual language teachers and the bilingual education director, resulting in potentially more direct lines of communication between the classroom and the district office (Falco interview, 5.5.11).

In the RSD, on the other hand, there are a number of levels between the teachers and the ostensive primary arbiter (Finder). Thus, the power of the director of bilingual education (Hanson) is mitigated both by the director of Title I programs and the assistant superintendent of elementary education. Furthermore, the power of the dual language coordinator (Cochran) is attenuated by working across two schools and having to negotiate school level decisions with the principals. In fact, Cochran reported that she "can't evaluate the teachers or require any modification in their classrooms," and she can "only observe and make recommendations" (interview, 3.16.08). This is in stark contrast to the authority of the ESD dual language coordinator (Donna White) who *can* evaluate and make recommendations.

Language ideologies and beliefs about research

When reflecting on the origins of the DL program in the ESD, Falco recounted the initiation of the transitional bilingual education program in the 1980s, which was "just based on stuff I was reading" (interview, 5.5.11). As an elementary teacher

during that time period and then as an administrator, Falco has been integral in establishing the current range and scope of language educational programs. As the district director of bilingual education, she invested a significant amount of time researching dual language programs and collaborating with consultants she had met through her involvement with the National Association of Bilingual Education (NABE). When asked about the structure of the DL program, she is quick to reference the "framework that Kathryn Lindholm-Leary has laid out" (see Lindholm-Leary 2001). In a description of the impact on educational research on programs and policies in her district, Falco says:

> I'm very lucky because all of our principals can talk to that [research] as well, so…our superintendent expects them to know the research where our instructional framework is based on research, and if we don't follow that framework, then we are not following a research based approach. (interview, 5.5.11)

Falco's comments illustrate the ESD's overall commitment to emphasizing research as well as understanding the importance of knowing the research behind instructional approaches. As a language policy arbiter, her faith in the research supporting dual language education and her commitment to the program (which she helped create) sets the tone for the district. This gives the program a sense of stability, and it is widely respected and known around the state of Washington. Indeed, in conversations with educators across the state, it is often mentioned as a model worthy of replication.

This same sense of stability is not present in the RSD. During fieldwork, we learned that the assistant superintendent (Finder) was considering dismantling the program at one school, and he did this without conferring with others on the bilingual education task force. Consequently, disagreement emerged about the effectiveness of dual language education and there were debates about whether or not to continue the programs. Cochran reflects on these debates:

> Well, part of it is during that time…we'd gotten our annual results from the [English proficiency test], and we knew that we had fallen in AYP [Adequate Yearly Progress—a federal measurement imposed by NCLB]. And so he [Finder] was very concerned about that because that also affects his English test scores if kids aren't progressing in English…and the conversation got a little scary towards English only, like 'what is the point of the bilingual program? (Cochran interview, 7.26.11)

Cochran was fearful about the possibility of shifting the dual language programs towards English-focused programs and she characterizes this shift as being based on a concern about English test scores. This impact of standardized testing as a consideration in language policy decisions emerged as a consistent theme throughout data collection, reflecting similar findings in language policy studies of NCLB in other contexts (Menken 2008; Menken and Shohamy 2008).

Yet, beliefs about research outweighed testing concerns. In spite of the testing pressure on school administrators, the principals of both RSD schools expressed support for their dual language programs, which was based in part on their beliefs

about research. For example, despite lagging scores at the third grade level, Cliff Mathis, the principal of Hawkins Elementary School, claimed that the test scores did not bother him because "dual language is the gold standard of bilingual education" (interview, 10.7.11). At Ellison Elementary, Principal Brad Conner emphasized that "the research is pretty good that kids can learn both [languages] and it can benefit them to build on both languages at the same time" (interview, 10.6.11). Both principals reported that they trusted the research on dual language programs, feeling certain that the students' advanced bilingual and biliteracy skills would become apparent in later grades. Similarly, Hanson (the Director of Bilingual Education) explained the need to look at dual language programs from a longitudinal perspective:

> So I think for the district, I think if we're patient, and we let the model work like it's supposed to work, we'll see the benefits. You know, because I trust the research. (Mary Hanson, interview, 10.16.11)

Because Hanson "trusts the research" she is provided with some solace about any potential lags in student tests scores. She is therefore patient about letting "the model work like it's supposed to work."

This trust and patience stands in stark contrast to Finder's skepticism and anxiety about the programs. When asked about the role of research in language policy decisions, Finder describes his views in the following way:

> *Johnson*: When you're deciding which kind of curriculum you want to do, do you look to research to make that kind of decision?

> *Finder*: That's a good question—I just make stuff up (laughter)… I just don't see a … most of the studies I read, and I'm not going to tell you I read them all, but the ones that I've looked at, they always end with *more research is needed* in this area (laughter). (interview, 9.15.11).

Although the laughter here indicates that Finder is joking, he *does* repeatedly express skepticism about a body of research he does not feel is conclusive. This skepticism might, in part, help explain why Finder is not as committed to bilingual education as the other educators. As well, Finder feels like there is a lack of guidance at the state level, revealing an implementational space for district administrators that he in fact *laments*. Finder reflects on this frustration:

> Part of my issue is, they have a lot of turnover in the bilingual department of [OSPI] so the rules are constantly changing, depending on who's leading the department, and who's interpreting the rules…But the other thing is, there doesn't seem to me to be a clear path to help kids build their language skills. You know, some folks are died in the wool dual language people, it's got to be dual language, and then there's another side, on the other extreme where folks are saying, you know what, we need to start to teach kids English right away…And for those of us out in the field, it's really tough to decide, ok, how do you decide, what's the right way to go because there doesn't seem to be a clear path where somebody can say this is more effective.

While he does not commit himself one way or the other, it is clear that Finder does not identify himself as a 'died in the wool' dual language person and, in fact, he expresses concern that bilingual education programs do not adequately prepare Spanish-speaking students for tests in English perhaps because they do not provide a "clear path to help kids build their language skills". Furthermore, the dual language programs are not for every Spanish speaker:

> So, if a kid comes to us and they're just a low language kid, low level of Spanish vocabulary, low level of English vocabulary, they're going into all English instruction. Because there's no point in, they don't have a Spanish, a strong Spanish language to take advantage of.

The idea that there are native Spanish speakers who "don't have a strong Spanish language to take advantage of" is an attitude we have encountered frequently, even among proponents of bilingual education. This discourse of *semilingualism*—which includes the belief that there are bilingual individuals who lack real proficiency in any language—has been persistently intractable, both in and outside the US (see Martin-Jones and Romaine 1986; Shin 2013). Students who are portrayed as semilingual or, in Finder's words "low language kids", are often, not coincidentally, students who speak a non-standard variety of their native language and/or students who are from an economically poor background. Therefore, this deficit orientation dovetails with another—that is, students from low SES backgrounds are linguistically impoverished when compared to their middle class counterparts (see Hart and Risley 1995) a linguistic deprivation theory that has long been refuted by linguists (e.g. Labov 1972).

Finder's belief about who is a good candidate for DL education aligns with his portrayal of it as an enrichment model. However, this 'enrichment' goes only one way; that is, while he identifies DL as a *resource* for English speakers who want to learn Spanish, for the Spanish speakers, dual language education is an education model intended to transition them into all English instruction. While both Hornberger (1991) and Freeman (2000) have suggested that DL education programs can be characterized by a language as resource orientation, Finder's comments suggest that he views them as potentially alleviating the *problem* of lacking English (even if he has doubts about the effectiveness to do this) because, as he asserts, "Our job is to get kids to English".

Yet, Finder's beliefs about the research and language education are an anomaly in the school districts and are not consistent with those expressed within OSPI. In fact, Finder is up against both district-wide and state-wide discourses that *promote* dual language education and the research that supports it. Furthermore, one must consider that he is held accountable for the tests scores within his district and because he has not been convinced by the research on the effectiveness of bilingual education, he worries that ineffective instruction will damage his school district.

Parental pressure

During our interviews, educators from both districts consistently referred to the influence of parents. As Finder reported, the motivation for starting the RSD dual language program was initiated by parents, and they continue to exert this influence:

> The start came from parents…from English speaking parents…As a matter of fact we get pressured to add more dual language programs. (interview, 9.15.11)

All of our interviewees discussed the pressure applied on the districts by *English*-speaking parents As Falco explains,

> [The dual language program] came from the community. They really felt that we were providing bilingual education for our Spanish speaking kids and our Russian kids, and the English families wanted it for their children as well, so it really came from the community. (interview, 5.5.11)

By "community" Falco here means the *English*-speaking families since they were the part of the community that fought for the programs. In the RSD, Cochran mentioned an underlying sentiment of entitlement among the parents with students in the DL program:

> …because the demand is from English speaking parents…Because they're not scared – yeah – I mean this is their world, they know how to run it. (interview, 7.26.11)

The power of English-speaking parents is a recurring theme in the interviews. Not only were they responsible for the development of the first dual language programs, but their constant pressure helps keeps the programs going. This power is strengthened by their feeling comfortable with engaging with educational policy ("This is their world, they know how to run it") but it is also related to their position as *English* speakers.

The power of parents became salient during fieldwork when the RSD bilingual education task force, led by Finder, began discussions focused on "restructuring" or even dissolving the DL program. When this was communicated publically, there was a backlash—the DL coordinator (Cochran) announced her resignation and English-speaking parents began to put pressure on the district at school board meetings. The result was that all discussions of restructuring and dissolving the program ceased and the programs have so far remained intact. Thus, while Finder expressed uncertainty about the reliability of the research that supports dual language education, and a commitment to transitioning Spanish-speaking students to all English instruction, his power as language policy arbiter was mitigated by the English-speaking parents. This is not only a finding about who has language policy power but also, who does *not* and, notably, Spanish-speaking parents are never portrayed as having the same type of power.

Discussion: returning to the model

At this point, we would like to revisit the proposed model. As Washington State educational language policy is filtered to the school level, we argue that language policy arbiters wield a disproportionate amount of power in how it's interpreted and appropriated. We contend that language policy power is divided between those who

get positioned as *arbiters* and those who are positioned as *implementers* and the same language policy can be recontextualized (Wodak and Fairclough 2010) in different ways because of the unique sociolinguistic and sociocultural features (e.g. language beliefs and practices) within a particular context. We identify Falco (in the ESD) and Finder (in the RSD) as the primary LP arbiters at the school district level and White (in the ESD) and the building principals (in the RSD) as the primary LP arbiters at the school level. How they shape the recontextualization of TBIP depends on their beliefs about research, language, language education, and language learners. Further, their actions and the policy activity in the school districts are susceptible to (and a part of) wider circulating discourses, which are themselves multiply layered. Finally, the power of the arbiters is mitigated by English-speaking parents who place demands on the dual language program and the educators therein. While it could be argued that parents are arbiters because they exert so much influence, in the end they have no real policy-making authority. However, they certainly leverage their own cultural and linguistic capital, as predominately White English-speakers, to promote dual language education in both school districts.

Findings reveal that beliefs about research tend to align with beliefs about language education. For example, the participants in our study who support the value of dual language education also trust the research regarding its effectiveness, while those (i.e. Finder) who are suspicious of its value are also suspicious of the credibility of the research. A similar finding is found in Davies and Nutley (2008), who argue that instead of weighing the evidence in a balanced manner, politicians and policy-makers often utilize research in "tactical" ways by incorporating research to support pre-existing positions for political purposes.

Figure 3 is not intended to be all encompassing—the levels could certainly extend up or down, and notably absent in this diagram are federal and classroom levels (because we did not cover those in this paper). Furthermore, we don't claim that this model captures *all* language policy activity but a particular *type* of activity—the interpretation and appropriation of official educational language policies at the district and school level. However, we hope the model provides a useful heuristic going forward with studies of educational language policy.

This model has advantages and disadvantages and we recognize that, unlike the LPP Onion, it portrays LP processes hierarchically (as *levels* instead of *layers*) even though, as we know, policies can move upward as well as downward and are generated at macro, meso, and micro levels (see Warhol 2011 for an example). In fact, it introduces a *structure* to LPP processes even when we want to highlight *agency*. For example, it appears to delimit the power of teachers (who are at the center of the LPP onion but towards the bottom of our model). Both Chimbutane (2011) and Cincotta-Segi (2011), for example, clearly demonstrate the power of teachers to interpret and appropriate macro-level language policy to suit the needs of their classrooms. However, we argue that the nature of the language policy arbiter is such that they tend to *make* the process more hierarchical and structured by exerting their power. It may be that teachers are the final arbiters, especially in the RSD where Cochran admitted that she "can't evaluate the teachers or require any modification in their classrooms." However, the stability of the program in the ESD seems to be based, in part, on there being a clear *structure* for language policy
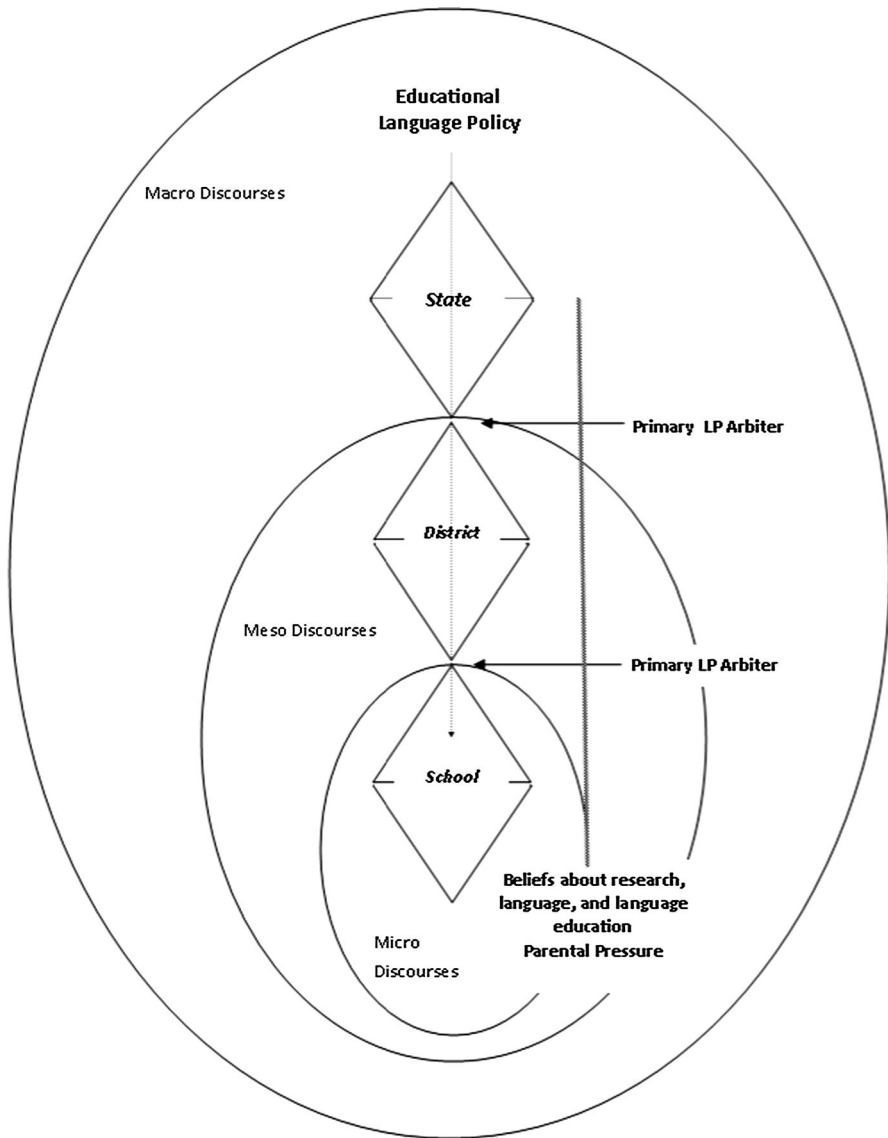
Figure 3. Language policy arbiters

activity. Thus, while teachers may exert less agency in the ESD, the DL programs are more stable. Finally, we would add that positions as arbiter and implementer are not necessarily static—educators may move in and out of these roles as positions and personnel in the institutional structure shift.

The depiction of the levels is somewhat simpler than the LPP onion's layers, but we argue that the levels are more clearly explicated and, furthermore, we argue that not every individual in each layer is equally powerful since some are positioned as arbiters while others are positioned as implementers of language policy. Thus, while

identifying connections between the various layers of LP activity may be the perennial challenge for the field, instead of trying to consider all of the beliefs and practices in each layer, we highlight the benefit of focusing on language policy arbiters.

Finally, we wonder about the uniqueness of these findings. Most of the research in the field focuses on national and supra-national levels of language policy and/or classroom-level appropriation. Outside the US, findings suggest that intermediary agencies, like Ministries of Education, have a big impact on educational language policy (e.g. Cincotta-Segi 2011; Pan 2011) but less attention has been paid to the multiple intermediary levels between macro-level policy enactment (by nations and other large polities) and micro-level policy and practice—i.e. interactions in communities and classrooms. While the macro/meso/micro distinction is a handy description, there are so many intermediary levels between macro and micro that it renders the "meso" descriptor (and perhaps even macro and micro) vague at best. More research is needed to fully understand the diverse range of meso-level agencies, how they impact language policy processes, and how language policy arbiters operate therein.

We end with some reflection on our positionality with respect to the participants in this study and we are especially cognizant of Madison's (2012: 153) entreaty that when participants are placed in a questionable or negative light, "[Y]ou must consider the context of their lives in relation to structures of power that constitute their actions." There is no doubt that the ubiquitous and ceaseless obsession with test scores in the US is a result of educational policies that punish school districts for low scores, and the actions of educators must be interpreted in this light. While Finder's beliefs about language educational research conflicts with the consensus within the field, his doubts about the research and the consequences of low test scores reveal the rationality of his actions. The structure of US educational language policy is such that, at least in some respects, it forces Finder's hand (or at least he interprets it as such). While we attempt to illuminate agency in educational language policy processes, the power of policy as discourse (Ball 2006) is formidable and should not be underestimated. Furthermore, this also highlights a failing on the part of researchers like us whose findings have not necessarily reached the people they need to reach, nor impacted educational processes in ways that ensure equal educational opportunities for everyone.

Conclusions

In spite of the emphasis of NCLB's Title III on transitioning to English as rapidly as possible, Washington State language policy has provided ideological space, which educators have taken advantage of and implemented significantly increasing numbers of developmental bilingual education programs. Still, contention exists at the local level, and we argue that while it is important to make connections across policy levels and processes, there are particular individuals within those contexts that wield a disproportionate amount of power. We present a model which portrays how the interpretation and appropriation of educational language policies is

influenced by language policy arbiters and the impact of language ideologies and beliefs about research on their decision-making.

While our findings suggest that language ideologies and beliefs about language education lead arbiters to utilize research in tactical ways—i.e. to support their pre-existing positions on the value of linguistic diversity and bilingual education—their power is also influenced by parents. However, an imbalance of power exists there as well since English-speaking parents have more influence than Spanish-speaking parents. We encourage further ethnographic investigation into the way policies are processed between and within different levels to further our understanding of how the various arbiters involved in this process exert their agency to impact language minority students, families, and communities.

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