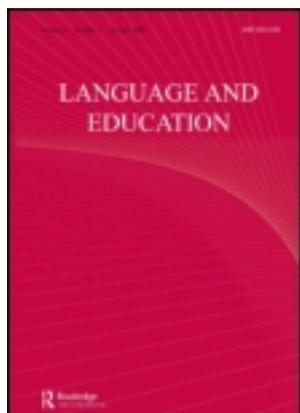


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Publisher: Routledge

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Language and Education

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rlae20>

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Available online: 31 Oct 2011

To cite this article: Eric J. Johnson (2012): Arbitrating repression: language policy and education in Arizona, *Language and Education*, 26:1, 53-76

To link to this article: <http://dx.doi.org/10.1080/09500782.2011.615936>

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Arbitrating repression: language policy and education in Arizona

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(Received 2 June 2011; final version received 16 August 2011)

In 2000, voters in the US state of Arizona passed Proposition 203 *English for the Children*, effectively abolishing bilingual education services in favor of a submersion approach termed Sheltered English Immersion. In this discussion, I use an ethnographic lens to highlight the logistical complexities involved in the negotiation of restrictive educational language policies between macro levels of development, meso levels of interpretation and micro levels of educational application. By looking at language policy as a sociocultural process, I reveal how Arizona's anti-bilingual education policy has unfolded across various levels of bureaucracy and been enacted in schools where the majority of students come from an immigrant background. Specifically, the current study explores how Proposition 203 has affected patterns of language use in predominantly language-minority classrooms by illustrating the influence of key policy arbiters within politically repressive environments.

Keywords: bilingual education; ethnography; language policy and planning; language-in-education; minority language; multicultural education

Introduction

In recent years, educational language policies across the United States 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-a-problem’ orientation in federal and state education policies that continues to marginalize language-minority students (Ruiz 1988). Understanding how linguistically repressive policies emerge and endure requires a critical look at the socially and historically embedded processes involved in their development across various political layers (Ricento and Hornberger 1996). Central to this stance is viewing language policy as a sociocultural process constituting various levels through which decisions are filtered by multiple individuals and agencies (Menken 2008; D. Johnson, forthcoming). Reflecting McCarty's (2011, 2) notion of language policy as ‘processual, dynamic, and in motion’, I employ an ethnographic lens to illustrate the logistical complexities involved in the negotiation of policy between macro levels of development, meso levels of interpretation and micro levels of educational application within a context fraught with sociopolitical tension: the US border state of Arizona.

While the history of language policies in the United States is steeped in social volatility and intercultural conflict (Tollefson 2002a; Del Valle 2003; Ovando 2003; McCarty 2004),

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nowhere are the effects of the current political atmosphere of xenophobia more apparent than in the state of Arizona. In 2000, Arizona voters passed Proposition 203 *English for the Children*, effectively abolishing bilingual education services in favor of a submersion approach termed Sheltered English Immersion – now called *Structured English Immersion* (SEI; see Arizona Department of Education 2000). Essentially, Proposition 203 claimed that bilingual education programs (encompassing transitional bilingual education, dual language and English as a second language) were impeding language-minority students from learning English – allegedly hindering both their academic and social development (Wright 2005b; Combs, González, and Moll 2011; E. Johnson 2005, 2009). As an alternative to bilingual education and ESL programs, Proposition 203 promoted one school year (not usually to exceed 180 days) of English immersion instruction to prepare non-English-speaking students for grade-level classes taught entirely in English. Within a few years after the implementation of Proposition 203, schools with high numbers of language-minority students began suffering severe academic consequences while struggling even harder than before to meet state and federal standards (E. Johnson 2008b; Wright and Choi 2006; Krashen, Rolstad, and MacSwan 2007).

While providing tangible guidelines for operating a language instruction program can help mitigate much of the confusion surrounding inconsistent definitions and implementations of bilingual education (see Crawford 2004, 32–50; Ovando, Combs, and Collier 2006, 47–83), imposing a one-size-fits-all mandate in states such as Arizona ignores the logistical difficulty of actually implementing such a program in schools with significant numbers of linguistically diverse students. To address this issue, I reveal how Arizona's anti-bilingual education policy has unfolded across different levels of bureaucracy and been enacted in schools where the majority of students come from a language-minority background. In addition to expanding on previous research on the educational and linguistic effects of Arizona's Proposition 203 (Mahoney, Thompson, and MacSwan 2004; Mahoney, MacSwan, and Thompson 2005; Wright 2005a; Wright and Pu 2005; Wright and Choi 2006; Krashen, Rolstad, and MacSwan 2007), the theoretical distinctions applied to describe the policy process in this context transcend specific time periods and have potential implications for the overall field of language policy and planning.

Theory

Critical language policy

According to Tollefson (2002b, 4), a critical stance to language policy research can be employed to emphasize, 'the relationships among language, power, and inequality, which are held to be central concepts for understanding language and society' (cf. Phillipson 1992; Moore 2002). This particular analytical lens allows us to view how norms of language use result in the formation of policies that govern patterns of communication and social interaction (Wright 2004). Drawing from Shore and Wright (1997, 6), I use the notion of governance: 'to refer to the more complex processes by which policies not only impose conditions, as if from "outside" or "above", but influence people's indigenous norms of conduct so that they themselves contribute, not necessarily consciously, to a government's model of social order'. The influence of dominant-group language practices on this general 'model of social order' can be seen as a platform from which policy-makers justify and garner support for policies that restrict language patterns in minority communities (Wiley 1996; Tollefson 2002a).

While individual and community practices significantly impact the formation of language use, it is important to acknowledge the influence of social institutions – such as education – in this process and call attention to their role in the widespread promotion of (language) policies that reflect dominant-class belief systems (Philips 1998; van Dijk 2000). Social agents with access to institutional power tend to make policy decisions filtered through dominant-class discourses established to sustain linguistic, economic and ethnic social hierarchies. Any discussion of policy lacking this notion of power ignores the fact that societies and cultures are based on relationships and networks that are mediated through language. In a Foucauldian sense, this type of social discourse is reaction to, and comprehension of, control (Foucault 1984, 2000). This perspective holds that those who control discursive relationships (e.g. through language policies) heavily influence access to power.

To better understand how these processes play out within micro-level contexts, Shore and Wright (1997, 3) suggest looking at how policies: ‘construct their subjects as objects of power, and what new kinds of subjectivity or identity are being created in the modern world’. This notion of policy underscores the role of distinct ideological forces within social contexts that reinforce and give rise to language policies such as Arizona’s Proposition 203. ‘As ideological constructs’, asserts McCarty (2004, 72), ‘language policies both reflect and (re)produce the distribution of power within the larger society’. One need not look very far to see manifestations of such ideology and power in social institutions such as education (Cummins 1986, 1989, 1996, 2000; Apple 1990; Crawford 1992, 2000, 2004; Errington 1998; Mertz 1998; Ricento 1998; Freire 2000; Giroux 2001; May 2004; Pérez 2004; Tollefson and Tsui 2004; McCarty 2005).

Stemming from these views of ideology, this discussion illustrates how language policies are filtered through school systems to marginalize minority languages and their speakers (Tollefson 2006). Ruiz (1990, 14) points out that ‘while language planning is *at least* about language, it is rarely *only* about language’, and Baker (2000, 153) reminds us that language use, ‘is not only studied linguistically, psychologically, and sociologically; it is studied in relationship to power structures, political systems, and basic social philosophies’. These claims reflect Leibowitz’s (1974) cogent definition of language as ‘a means of social control’. In short, regulating the use of language is not just about controlling the way people speak a particular language – it is about controlling the people who speak that language (Bourdieu 1991).

Nowhere are the effects of rigid language policies more evident than in schools. According to Ricento (2006, 21), schools are: ‘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, including careers, marriage, and so on’. In addition to the direct (e.g. academic underachievement) and indirect (e.g. limited access to higher education) consequences of eliminating bilingual services, Leibowitz (1974, 7) stresses that, ‘official designation of language indicates to non-speakers that they no longer have control of society and are unlikely to play a significant role within it’. Language inequities, in this sense, are realized through what Cummins (2000) has described as ‘coercive relations of power’ in the classroom. Considering that the services provided to immigrant and minority students are intimately linked to broader social policies designed to shape language use in society (Spolsky 2004), it is imperative to draw attention to the effects of language policies – and those who wield them – on school districts with significant numbers of language-minority students.

Before sifting through the layers of dominant-group discourses and the ideological underpinnings that tend to shape language policies, Fishman reminds us that any effective discussion of language policy must first acknowledge that:

language is not the only important consideration in connection with the lives of peoples and nations, communities and regions. There are also demographic, economic, geographic, and yet other essentially co-occurring sociolinguistic factors that must be considered in the study of the determinants and consequences of the sociocultural priorities, values, and behaviors of human collectivities. (2001, 2)

Heeding Fishman's guidance on the manifold nature of sociolinguistic factors driving language policies, this study endeavors to illustrate how the agency of particular individuals is incorporated into the swirl of contextual forces embedded within the construction of language policies as they progress across multiple levels.

Language policy arbiters

Understanding how social norms influence policy decisions requires addressing the tension between viewing language policy as an 'official' (i.e. documented) set of rules versus patterns of contextualized language behaviors. Here, contextualized social interactions should be seen as products of socially negotiated practices in accordance with the schemes generated by history (Bourdieu 2004). Resonating Bourdieu's work, Levinson and Sutton (2001, 1) designate educational policy as: 'a complex social practice, an ongoing process of normative cultural production constituted by diverse actors across diverse social and institutional contexts'. Regardless of what is established in legal documents, social practices are constantly shaped by what is viewed as 'appropriate' versus that which is 'inappropriate'. This view of policy de-centers the locus of power outside of official documents and prioritizes the agency of individuals involved in any given policy decision. Thus, while a legal document may dictate a list of regulations, it is necessary to look at the way those rules are rationalized by social practices that are deemed as appropriate behavior. This point is of particular importance when examining how – and by *whom* – documented policies are developed, promoted and actually enforced.

Acknowledging that social practices drive policy decisions points to the importance of individual agents in the process of shaping, promoting and perpetuating policies perceived as appropriate. Whether this takes shape in the wording a legislator uses to write a bill, or the language a teacher uses in a classroom, the actual realization of language policies hinges upon how they are internalized and articulated by certain individuals. This perspective provides a platform for looking at the potential influence that different individuals can have on language policies across multiple levels, and how the trajectory of those policies can shift as they pass through pivotal agents with the power to manipulate policy decisions in a variety of ways.

Even though educational policies pass through multiple layers, they are often solely judged in terms of classroom performance. This tendency increases the accountability (and visibility) of teachers who must negotiate complex policies on a daily basis. Recognizing the significance of this position, Pérez and Nordlander (2004, 300) point out that, '[t]eachers make daily decisions about instruction that impact the lives of the children in their classrooms', and credit teachers as 'the "policy" decision-maker and implementer for any particular classroom'. Menken adds that:

language education policy in the United States is currently being negotiated, as the law is interpreted by people at every level of the educational system, from the federal government to classrooms, with teachers acting as the final arbiters of language policy implementation. (2008, 5)

Acknowledging the role of teachers as active decision-makers, Menken and García (2010b, 2) include that, 'there is typically space for policy negotiation in classroom practice,

as it is ultimately educators – particularly classroom teachers – who are the final arbiters of language policy implementation'. Of great relevance to this discussion is how Menken and García's notion of political 'space' is structured for teachers to negotiate language policies, including other individuals who contribute to the construction of the spaces within which classroom practices transpire.

Since teachers are actively involved in the process of shaping both ideological and implemental spaces that influence language policies and classroom practices (Hornberger 2002a, 2002b, 2005, 2006), it is necessary to examine the range of local factors that drive their decisions within such spaces. Menken and García (2010a) offer multiple examples of internal/individual forces (e.g. English and Varghese 2010; D. Johnson and Freeman 2010) and external/social forces (e.g. Galdames and Gaete 2010; Mohanty, Panda, and Pal 2010) to demonstrate the intricate nature of fleshing out factors driving the decision-making processes of educators across various contexts and levels of policy. Calling attention to the gravity of this situation, English (2009) portrays the act of decision-making by teachers who work with English Language Learner (ELL) students in terms of competing, yet mutually influencing, top-down, bottom-up and labeling discourses that perpetuate ideological assumptions about linguistic minorities and further entrench social inequalities.

Menken's (2008) and Menken and García's (2010b) notion of teachers as the final 'arbiters' of language policies not only reflects Pérez and Nordlander's (2004) view of teachers as important decision-makers, but it also underscores the impact that individual agents can have on the overall process – which can be extended to include educators at other levels of the policy-making process. As streams of policy continue to (re)shape local and national educational frameworks (e.g. standards-based curricula, teacher accountability guidelines and funding for special programs), we must pay closer attention to how policies transition between different agencies and contexts before they are enacted in a classroom. Stemming from the above descriptions of teachers as pivotal agents in policy implementation, D. Johnson (forthcoming) depicts how policy decisions flow among and between multiple individuals (across various contexts), and stresses the importance of identifying individuals who act as 'primary arbiters for interpreting and appropriating federal and state language policy'. Here, D. Johnson (forthcoming) perceives all individuals with particularly high levels of influence in the process as crucial 'arbiters' of language policy. Considering that such key arbiters serve as a fulcrum upon which the direction of further policy decisions balances, identifying these individuals as they emerge at different points in the language policy process is of vital importance.

While teachers are described above as the final arbiter in the language policy process, we must also seek out individuals who influence the ways in which teachers understand the policy – i.e. those who structure the environment for teachers to negotiate their policy decisions into classroom practices. Taking into account the various levels through which language policies are refined, the notion of primary arbiters allows us to focus on how and why certain features of policies are prioritized over others at different points in the process. Founded on this premise, D. Johnson's (forthcoming) emphasis on 'primary arbiters' encourages us to look closer at 'the creative ways that language policy agents put a policy into action'. In socially and legally complex environments (like we see in the US educational system), the underlying goal of any given language policy study should include recognizing influential policy arbiters to better understand how their professional contexts and background experiences contribute to the overall process.

As Hornberger (2006, 233) explains, even though: 'ideological spaces carve out implementational ones . . . it is also possible that implementational spaces carved out from the bottom up may reciprocally be a means for wedging open ideological spaces as they

are being closed by top-down policies'. Although ideological forces underlie intergroup patterns of interaction on a macro scale, examining how policies materialize on a local level – where different decisions based on the same policy may either reflect or challenge dominant discourses (Stritikus and Wiese 2006) – illuminates the potential influence of particular individuals within power-laden contexts and the potential they have to effect change. Thus, digging deeper into the local contexts and spaces where teachers negotiate policy decisions can provide us with a better understanding of what factors induce particular implementational choices over others, as well as how the practices of individual educators can influence future iterations of similar policy decision opportunities.

Ethnography and language policy

Conceptualizing language policy in terms of various layers – involving language planning agents, levels and processes – allows us to analytically 'peel' back the multiple layers to view the ways in which a variety of policy practices and decisions mutually influence each other (Ricento and Hornberger 1996). To accomplish this, Hornberger and Johnson (2007) endorse the ethnography of language policy as a methodological approach for examining language policies across the various layers of policy creation, interpretation and appropriation. Applying an ethnographic lens reveals an *emic* (i.e. insider's) perspective of how educators interpret and put policies into action. As Stritikus and Wiese (2006, 1109) assert, '[e]thnographic examinations of the policy-to-practice connection show the actual constraints and contradictions faced by ground-level practitioners and thus allow us to move beyond seeing practice in simplistic terms'. While language policies can be seen as a reflection of, and/or a reaction to, larger social issues necessitating a definition of the way language is (or should be) used, tracing out the beliefs of particular individuals illuminates the reasons why certain language patterns emerge, as well as the power dynamics involved in the process.

Once a policy has been created and put into motion, it is open to diverse interpretations as it moves through different levels before it is finally appropriated into practice. The notion of *appropriation* is applied here 'as a form of creative interpretive practice necessarily engaged in by different people involved in the policy process' (Levinson, Sutton, and Winstead 2009, 768). The appropriation of the policy is not relegated to the end result of the process, rather policies are interpreted and appropriated at different levels such that the interpretation and appropriation at lower levels may or may not directly reflect those from previous levels. This view illustrates how individuals exert agency to conform policy decisions around particular contextual demands. Menken and García (2010a) have provided ample evidence of the importance of educators as policy-makers in the process of appropriating language policies.

Although *appropriation* describes the way language policies are 'put into action' (i.e. defined and applied by agents across subsequent levels), it is also necessary to point out the significance of the way language policies are eventually *instantiated*. Instantiation, in this sense, occurs at the interface between the way a policy is enacted and the ways in which languages are used as a result. Regardless of what a policy states, the instantiation of that policy is apparent through the patterns of language use that emerge based on a broader set of social, political and cultural influences within a given context. In other words, the product of how language policies are appropriated on the ground level (e.g. in a classroom) can be determined through the actual instances of language use by individuals within a given policy context (e.g. amount of Spanish vs. English used by teachers and students).

Examining language policies ethnographically highlights the role of key individuals involved within and across multiple levels of policy creation, interpretation, appropriation and instantiation (D. Johnson 2009; E. Johnson 2008b; McCarty 2011). This is especially important when looking at a specific schooling context and describing the role of educators in the policy-making process (Menken 2008; Menken and García 2010a). On the basis of the literature reviewed in this section, the remainder of my discussion traces Arizona's Proposition 203 from creation, interpretation and appropriation to instantiation to illustrate the influence of key individuals in the language policy process. While previous ethnographic research on language policies has heightened our awareness of how contextual factors impact decisions across multiple levels, the current study contributes to the field by highlighting: (1) the influence of micro-level policy arbiters, especially within Arizona's politically repressive environment, and (2) how Proposition 203 has been instantiated within this context.

Method

Research context

This article stems from a three-year ethnographic project in the Milagros School District (pseudonym) in Phoenix, Arizona (E. Johnson 2008b). This area has a predominantly Mexican immigrant population – both documented and undocumented – and Spanish is the primary home and community language. The Milagros district comprises four kindergarten (K) through eighth-grade schools (approximately 3000 students) located in a highly industrial sector of Phoenix. While approximately 60% of the students are *officially* classified as ELLs, there are very few students for whom Spanish is not their first language (less than 5%). Economically, the high levels of poverty in this area qualify the Milagros district for federal Title I funding. Owing to this difficult socioeconomic environment, the Milagros district has a 100% participation in Arizona's Free and Reduced Price Lunch Program – an index that usually represents the percentage of students who come from economically impoverished households.

Academically, the Milagros district consistently struggles to meet both federal and state standards. As designated by the Arizona Department of Education (2011a), all four schools have been labeled as 'underperforming'. According to federal policy, Milagros had failed to meet *Adequate Yearly Progress* (Arizona Department of Education 2011b) as a district for each of the five (documented) years prior to the writing of this article (2005–2009). Even more disconcerting, approximately 40% of all students (and 50% of males) from the Milagros district do not finish high school. While implementing the guidelines of Proposition 203 within the Arizona Department of Education's assessment matrix might be feasible in some districts, the Milagros schools are faced with a dearth of resources to adequately service such a high language-minority population.

Data collection

The anthropological orientation of this discussion prioritizes the perspectives of students and educators to emphasize how everyday school routines and interactions are impacted by policies such as Proposition 203. Ethnographically, tracing out the interwoven themes of immigration, schooling and bilingual education helps illustrate the reality of classroom language policies that ultimately shape future opportunities for language-minority students. Within this complex context, an ethnographic approach was the most effective 'way of

seeing' (Wolcott 2008) how language policies and academic achievement were experienced in the classroom on a daily basis.

The data described in this article stem from participant observations and semistructured interviews with educators from all four schools. As a classroom participant observer, I was involved with the Milagros schools in a variety of different capacities. Since I entered the Milagros district with seven years of K–12 public education teaching experience, I was readily accepted by teachers and administrators as both a volunteer and a paid employee of the district. Officially, my roles in the classroom included the following:

- *classroom volunteer*: biweekly visits spanning three school years in sixth- to eighth-grade language arts and history classrooms;
- *instructional aide*: daily for one semester of eighth-grade math;
- *after-school program instructor*: biweekly for one school year;
- *adult ESL instructor*: biweekly classes for one school year;
- *substitute teacher*: periodic appointments over two school years working with K to eighth grade, all subjects;
- *summer school teacher*: two summer sessions (of six weeks each) teaching third-through eighth-grade science.

My involvement with the Milagros district in these capacities was essential for developing authentic relationships with students and educators. Linguistically, my bilingual language proficiencies (English and Spanish) were well received by the teachers considering the supplemental assistance that I was able to provide for students during instances of teacher–student miscommunication and/or confusion during lessons. While it is possible that some teachers might not have agreed with my instructional use of the students' L1 in the classroom (or the resulting rapport that I developed with the students as a result of speaking to them in Spanish), this was never brought to my attention.

During my participant observations, I was careful to take note of how Proposition 203 influenced the overall instructional environment (e.g. the way teachers structured lessons to accommodate non-English speakers, how teachers used available resources to communicate with students, how educators talk to and about Spanish-speaking students and instances of miscommunication or frustration based on issues surrounding language). Field notes were recorded while conducting my participant observations or during the most convenient/feasible break time (e.g. during the lunch hour, between class sessions or after school). Being bilingual helped when observing interactions between students in Spanish, as well as during teacher–student interactions where linguistic misunderstandings emerged as a point of contention. My observations on Proposition 203 in the classroom were grouped according to: (1) the teachers' enactment of the policy and (2) the resulting patterns of student activity and interaction.

After two years of working in the Milagros district, I was able to recruit 11 educator consultants for semistructured, individual interviews focused on language policy and classroom practices. When describing the Milagros district's faculty, there are some significant characteristics to consider. First, there is a high teacher turnover rate in the Milagros schools; many leave before their third year (approximately 46% of the teachers have three or less years of experience). Also, many of the Milagros teachers were recruited from the Midwest US (primarily due to a lack of teaching jobs in that region), and the vast majority (90% or more) of the educators in the Milagros schools are Anglo and monolingual English speakers.

Table 1. Participating educators.

Middle school teachers	Elementary school teachers	Administrators
<ul style="list-style-type: none"> • Seventh-grade language arts • Seventh-grade social studies • Sixth-grade math • Sixth-grade language arts 	<ul style="list-style-type: none"> • Third grade (all subjects) • Fifth grade (all subjects) • K–eighth physical education 	<ul style="list-style-type: none"> • K–eighth guidance counselor • K–eighth Principal • District Director of Multicultural Education

The educator consultants recruited for this project reflect these demographic and professional trends. While my overall research focused on the middle school level, I thought it would be appropriate to include educators and administrators from other levels as well to sketch a better picture of the overall policy context. When recruiting interview consultants, I approached educators with whom I had already established a professional relationship. This enabled me to discuss sensitive issues and receive candid commentaries without causing any undue stress on the interviewees. Table 1 displays the job descriptions of the educators who participated in the interviews.

All of the interviews took place after school in the teachers' classrooms. All of the interviews were recorded (except for one – see the section 'Interpretation of Proposition 203'), transcribed and analyzed for emerging themes surrounding Proposition 203, classroom resources and language-minority students. These data were then compared to official policy documents provided by the district's bilingual education coordinator (i.e. Director of Multicultural Education). The district's policy documents were also used to look for coherence with or gaps between the official state policy. Overall, the interviews with the Milagros educators sketched a detailed portrait of how language policies operate on a daily basis. Even though the views expressed by these individual educators do not represent the entire faculty, they are *representative* of the types of experiences and opinions that pervade the schools and individual classrooms in the Milagros district (as observed and documented in field notes over three years).

Analysis

Policy creation: Arizona's social ecology of intolerance

The current political environment in Arizona should be viewed within the larger social architecture of antipathy toward immigrants that has intensified in the United States over the last century (Takaki 1993; Ovando 2003; McCarty 2004). The area constituting Arizona used to belong to Mexico until it was forcibly acquired by the United States through treaties largely stemming from the Mexican and American War (1846–1848). As a result, '[t]he ensuing colonization of formerly Mexican lands featured a concerted effort of assimilation and subordination of the Mexican population, especially through coercive Americanization programs in schools and the imposition of the English language at all costs' (Combs, González, and Moll 2011, 185). Cultivated within this historical context of divisiveness is a deeply rooted ethos of social condemnation toward Mexican immigrants and Latinos in general. Regardless of the multiple ways Latinos enrich Arizona (Gans 2007), they are consistently defamed throughout the dominant public discourse, causing many voters to blame many of Arizona's social ills on immigrant communities (E. Johnson 2005). Fueled by the momentum of animosity surrounding undocumented immigration in the media, policy-makers have been particularly successful in ratcheting up laws aimed at curbing the

rights of immigrants and language-minority communities over the past two decades (Blum and Johnson, forthcoming).

In addition to being immersed within a social context that is saturated with antipathy toward immigrants, schools in Arizona are caught within an overbearing federal political environment that emphasizes standardization and accountability. In June 2009, the US Supreme Court delivered a crushing blow to proponents of bilingual education (www.law.cornell.edu/supct/html/08-289.ZS.html). The Supreme Court's decision to reverse previous rulings in the *Horne v. Flores* case decimated the momentum that had been built up since the original class action lawsuit was filed in 1992. This suit was initially filed to demonstrate that Arizona's bilingual education funding structure was not in compliance with the federal Equal Educational Opportunities Act, alleging that the Nogales School District had failed to teach the students English. While multiple lower courts had ruled in favor of the Flores camp, the Supreme Court ultimately decided – in a 5 to 4 decision – to support Arizona's claim that changing social and educational circumstances warranted relief from legal responsibility in this situation (US Supreme Court 2009). While this decision was passed many years after Proposition 203, it illustrates the long-standing nature of the debate surrounding bilingual education in Arizona.

Despite the fact that the architects of Proposition 203 were not educators, they were able to galvanize popular support based on the larger social atmosphere of intolerance toward immigrants while relying on widespread public misperceptions of language and education (E. Johnson 2008a). Without considering the negative effects of eradicating bilingual education programs – or the myriad of other social factors that affect second language acquisition and education in general (cf. Hakuta 1986; Krashen 1998; Crawford 2004) – *English for the Children* exalted SEI as the ultimate pathway to English acquisition and academic achievement for language-minority students.

Fomented within a sociohistorical environment of intercultural tension, Proposition 203 was created, promoted and passed as the answer to a deficient bilingual education system (E. Johnson 2005, 2009). In reality, though, only 30% of students eligible for language services in Arizona were involved in true bilingual education programs before the law passed, and the 'overwhelming majority' of failing programs was actually implementing a 'sheltered immersion' approach prior to Proposition 203 (MacSwan 2000). Once passed, the Arizona Department of Education was adamant that it wanted school districts to adhere to Proposition 203's fundamental tenet: 'Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally to exceed one year' (Proposition 203, Section 15-752). Furthermore, the rigidity of this law holds educators personally liable for not adhering to the guidelines. According to Proposition 203:

[a]ny school board member or other elected official or administrator who willfully and repeatedly refuses to implement the terms of this statute may be held personally liable for fees and actual and compensatory damages by the child's parents or legal guardian, and cannot be subsequently indemnified for such assessed damages by any public or private third party. Any individual found so liable shall be immediately removed from office, and shall be barred from holding any position of authority anywhere within the Arizona public school system for an additional period of five years. (Section 15-754)

Apart from concern over language-minority students and academic achievement, the potential litigious repercussions of Proposition 203 deterred native language support by imposing an overarching legal threat on educators across Arizona. This left school districts with high numbers of language-minority students in a particularly difficult predicament.

Language Support (Bilingual) (LS) will look like:

1. Language of instruction:
All instruction is in English and in Spanish.
2. Amount of time spent in a language other than English:
Students will spend no less than 50% of their instructional time in English with supplemental support in Spanish. Instruction will be standards based and include grade-level content.
3. Modification of curriculum:
Features specialized instructional approaches and materials that have as their goal the teaching of literacy in English with supplemental support in Spanish.
4. Student grouping:
English learners may be grouped together during the English literacy instructional time (listening, speaking, reading and writing). Students may also be mixed with native English speakers during the instructional day.
5. Staff/teachers:
Classes are taught by an accredited teacher who possesses, or is working toward the state-approved authorization or endorsement for ELLs (ESL, BLE or SEI).

All students will be placed in a Structured English Immersion Program unless a waiver is requested. Please look over the waiver request form provided. Talk with your child's teacher about your child's options.

All state testing is in English.

The purpose of both programs is to develop the speaking, reading and writing skills in English.

Structured English Immersion (SEI) will look like:

1. Language of instruction:
All instruction is in English.
2. 100% of the instructional time will be spent in English language development. Instruction will be standards based and will include grade-level content, which is modified based on students' linguistic needs.
3. Modification of curriculum:
All curriculum materials will be in English, which is modified based on students' linguistic needs.
4. Student grouping:
English learners may be grouped together during the English literacy instructional time (listening, speaking, reading and writing). Students may also be mixed with native English speakers during the instructional day.
5. Staff/teachers:
Classes are taught by an accredited teacher who possesses, or is working toward the state-approved authorization or endorsement for ELLs (ESL, BLE or SEI).

All students will be placed in a Structured English Immersion Program unless a waiver is requested. Please look over the waiver request form provided. Talk with your child's teacher about your child's options.

All state testing is in English.

The purpose of both programs is to develop the speaking, reading and writing skills in English.

Instructional materials used for:
Structured English Immersion/
Programs & Language Support
Programs (Bilingual)
Materiales de Instrucción del:
Programa de Inmersión (SEI)
Programa de Apoyo de Lenguaje
(Bilingual)

Literacy/Lectura
Kindergarten – 5th grade
Open Court
6th-8th
McDougal/Littell

Mathematics/Matemáticas
K- 5th – McDougal/Littell
6th-8th – Harcourt

Science/Ciencias
K-6th – Foss / Delta
7th-8th – Science Plus /
Hold - Reinhart Winston

Social Studies/Estudios Sociales
Kinder: Let's Find Out/Scholastic
1st -6th – Stories in Time/Harcourt
7th-8th – The World & Its People
American Journey/Glencoe
AZ Government & Its' Place
in the Nation /Gibbs-Smith
Español/Una Nación Gobierno y
Ciudad –AZ/Globe

ESL Language Program/ Programa de
Inglés Como Segunda Lengua (ESL)

K-5th - Into English/Hampton Brown
6th-8th - High Point/Hampton Brown

Revised 6/22/2005

Figure 1. Milagros School District's language education policy document.

Interpretation of Proposition 203

The unique social and educational demands facing the Milagros district infused significant complexity into the interpretation and appropriation of Proposition 203 at the district, school and classroom levels. Even though Proposition 203 sought to undermine bilingual education, the Milagros district still created space for native language instruction through the creative interpretation of the district's Director of Multicultural Education, Ms. Roca. The only interview that was not digitally recorded was with Ms. Roca. While she expressed reservation about being recorded, she was very open to having me take notes during our interview. When our interview concluded, we went over the notes together to make sure that I had captured the information accurately. During the interview with Ms. Roca, I was given a bright yellow document outlining the district's official policy on language-minority education – the same document that is provided to all parents in the district (see Figure 1). The document outlines the district's language policy in two adjacent columns labeled 'Language Support' and 'Structured English Immersion'. A third column lists the 'instructional materials' for each of these 'programs'. While the vast majority of the information is in English, there are a few instances of Spanish used to describe 'instructional materials'. The original document is provided in Figure 1.

While SEI is the program required by law under Proposition 203, the district's language policy explicitly stresses the use of Spanish in the first three points in the 'Language Support' column (emphasis added):

- (1) Language of instruction: All instruction is in English *and in Spanish*.

- (2) Amount of time spent in a language other than English: Students will spend no less than 50% of their instructional time in English *with supplemental support in Spanish*. Instruction will be standards based and include grade-level content.
- (3) Modification of curriculum: Features specialized instructional approaches and materials that have as their goal the teaching of literacy in English *with supplemental support in Spanish*.
- (4) Student groupings: English learners may be grouped together during the English literacy instructional time (listening, speaking, reading and writing). Students may also be mixed with native English speakers during the instructional day.
- (5) Staff/teachers: Classes are taught by an accredited teacher who possesses, or is working toward the state-approved authorization or endorsement for ELLs (ESL, BLE or SEI).

After listing the importance of both English and Spanish in the definition of language support, this section concludes with three additional points that solely prioritize the use of English:

All students will be placed in a Structured English Immersion Program unless a waiver is requested. Please look over the waiver request form provided. Talk with your child's teacher about your child's options.

All state testing is in English.

The purpose of both programs is to develop the speaking, reading and writing skills in English.

The first significant point to note is that the district actually has a policy on 'Language Support', which is paired with the term 'Bilingual'. Declaring that '[a]ll instruction is in English and in Spanish' and that '[s]tudents will spend no less than 50% of their instructional time in English with supplemental support in Spanish' explicitly contradicts Proposition 203's stipulation that: '[a]lthough teachers may use a minimal amount of the child's native language when necessary, no subject matter shall be taught in any language other than English' (Proposition 203, Section 15-751, paragraph 5).

When I asked Ms. Roca about this discrepancy, she reported that teachers are informed that English should be used 'a lot more' than the native language. As far as using Spanish is concerned, she told me during our interview that using Spanish in the classroom is allowed if:

- it makes the student more comfortable;
- it avoids problems between the student and the teacher;
- it boosts the confidence of the student; and/or
- it helps motivate the student to learn.

Ms. Roca explained that these points are not officially listed in the district's language policy document; instead, they are communicated to teachers and administrators during professional development trainings provided by the district. As the Director of Multicultural Education, Ms. Roca has been endowed with a high level of creativity in the way she interprets Proposition 203 and communicates it to other administrators and teachers, especially with regard to the 'minimal amount' of native language support stipulation mentioned in Proposition 203. As the district's primary arbiter, she has articulated the language policy such that there is room for educators at the school level to also assert a high level of creativity in their own interpretation of the policy. Legally, while this description apparently promotes the use of Spanish, Ms. Roca explained that it adheres to Proposition 203 because it is intended for the purpose of developing language and literacy skills in English and not in the native tongue.

Next, I asked Ms. Roca how they ensured the delivery of the state-required SEI courses with such a large number of language-minority students across all grade levels. She explained that the district's answer to their specific social and linguistic situation is to require that *all* teachers implement an SEI approach based on the *Sheltered Instruction Observation Protocol* (SIOP) model (see Echevarria, Vogt, and Short 2008). As listed in point number 5 under Language Support:

- (5) Staff/teachers: Classes are taught by an accredited teacher who possesses, or is working toward the state-approved authorization or endorsement for ELLs (ESL, BLE or SEI).

This is in compliance with the state requirements that all teachers must at least have a provisional SEI endorsement consisting of 15 hours of professional development or one semester hour. Starting in 2009, all teachers were required by the state to have a full SEI endorsement, which requires 45 additional hours of professional development or four semester hours. The only exception is for educators who already hold a full ESL or BLE endorsement. To make this process more accessible to teachers, the Milagros district holds on-site SEI development training at the district office (which is contracted out to the lowest bidder).

After establishing that all teachers have or are receiving SEI training, Ms. Roca then pointed out the paragraph at the bottom of the Language Support section stating that '[a]ll students will be placed in a Structured English Immersion program'. While I initially read this to mean that all students classified as ELL must receive the prescribed one year of SEI, she candidly explained that the schools are so densely populated with language-minority students that *all* classrooms are considered as SEI classes. By designating all teachers as SEI-trained, the district is able to document that every classroom is an SEI class. When asked to expand on this point, Ms. Roca eagerly (re)directed me back to the second column of the district's language policy document. Officially, the district asserts that 'Structured English Immersion will look like' (emphasis added):

- (1) Language of instruction: All instruction is in English.
- (2) *100% of the instructional time will be spent in English* language development. Instruction will be standards based and will include grade-level content, which is modified based on students' linguistic needs.
- (3) Modification of curriculum: *All curriculum materials will be in English*, which is modified based on students' linguistic needs.
- (4) Student groupings: English learners may be grouped together during the English literacy instructional time (listening, speaking, reading and writing). Students may also be mixed with native English speakers during the instructional day.
- (5) Staff/teachers: Classes are taught by an accredited teacher who possesses, or is working toward the state-approved authorization or endorsement for ELLs (ESL, BLE or SEI).

Mirroring the layout of the 'Language Support' description in the first column, the SEI definition included the same three subsections listed below the original five characteristics:

All students will be placed in a Structured English Immersion Program unless a waiver is requested. Please look over the waiver request form provided. Talk with your child's teacher about your child's options.

All state testing is in English.

The purpose of both programs is to develop the speaking, reading and writing skills in English.

Interestingly, the first three points of the SEI column (requiring the use of English) directly contradict the first three sections of the district's description of Language Support – though numbers four and five for both sections are exactly the same. When I pointed out this apparent inconsistency, she explained that the 'language support' is meant to describe that teachers have special SEI/ESL materials to use with the ELLs. For example, middle school ELL students are supposed to receive supplemental English lessons through a program called *High Point* (see Hampton Brown Publishing: http://www.brownpubnet.com/ell_esl_efl6.html). *High Point* is a literacy program that contains materials for beginning-level readers and speakers of English. According to Ms. Roca, teachers are supposed to teach a *High Point* lesson to their ELL students every day. When asked how teachers do that and simultaneously teach their other students, she explained that instructional assistants (IAs) are provided to take over the regular class while the teacher works with ELL students in the back of the room on the *High Point* lessons.

On paper, this might appear to be an efficient strategy for providing supplemental language instruction, but the reality of the situation is very different. In three years of working as a classroom volunteer and/or an IA in the district, I never once observed a teacher using the *High Point* materials. Most of the teachers I talked to either did not know how to use the materials or were not even aware of what *High Point* was. In fact, one teacher even took her unopened box of *High Point* materials out of a cupboard and told me I could have it because she never uses the program. Multiple other teachers echoed similar sentiments. Moreover, when I mentioned what Ms. Roca had told me about taking time to deliver individual instruction to the ELLs while an assistant works with the rest of the students, the most common reaction was an indignant shaking of the head. The teachers described the unfeasibility of this push-in ESL method due to the absence of aides, the lack of training, difficulty preparing multiple lessons and the general demands and time constraints required to implement the current standards-based curriculum.

To concisely sum up the official language policy of the Milagros School District would be very difficult. While Ms. Roca's interpretation of Proposition 203 creates space for teachers to provide native language support, the district's official policy document is difficult to understand and laden with contradictions. Obviously, submitting the proper paperwork and keeping current with accreditation requirements is a priority, but how the 'official' policy translates into services is hard to describe. The multicultural education director openly professed that classifying all classes as SEI enables them to meet the state requirements and accommodate their large population of ELL students. This might be true at an administrative/district level, but very few teachers actually have a full SEI endorsement; even those who do have the full endorsement are not held accountable for structuring their classes around an established SEI model.

The discrepancies in the district's language policy have led to an increased population of students who require 'compensatory' instruction (e.g. summer school and after school tutorial programs). While the district might appear to be providing adequate resources for its situation, the potential effectiveness of these programs is limited when looking at the actual delivery of instruction, the training involved for the instructors and the quality of the different curricula adopted. This muddled characterization of the Milagros district's language policy epitomizes the overwhelming struggle involved in negotiating federal and state demands without the proper resources. This point becomes even clearer when looking at the district's language policy as it takes place at the classroom level.

Appropriation: SEI in the classroom

If every language-minority student should have at least one year of SEI instruction, then how are such services actually provided in a district in which over 60% are classified as ELL? Instead of providing sheltered content instruction exclusively for students designated for English language support, the Milagros district places all ELL students in mainstream classrooms, expecting teachers to support their language needs while simultaneously keeping up with grade-level content demands. This example of policy appropriation demonstrates how Proposition 203 sets the stage for academic underachievement by forcing districts to accommodate the needs of a document rather than those of students. While designating all classrooms as SEI might seem like an efficient strategy to reach multiple students at the same time, it presupposes that teachers actually have adequate training and are actively implementing SEI methods in their instruction. When asked about how Proposition 203 is appropriated in the Milagros district, one veteran classroom teacher reported:

Mr. Jiménez (sixth grade): They [district administrators] have to have their teachers trained in SEI. But as far as how good it is, I think provisional SEI is only six hours that are needed, or forty-five, I'm not sure. So the teachers may take it, but they're not really enforcing it or implementing it in the classroom.

Considering that every qualifying language-minority student is required to receive (at least) one year of SEI, Mr. Jiménez's comments illustrate that the reality of such an approach is extremely complicated. The district's official attempt to reconcile this disparity by allowing teachers to use native language support is equally obfuscated when it comes down to the appropriation of Proposition 203 in the classroom.

For the Milagros district, Proposition 203's statement that 'teachers may use a minimal amount of the child's native language when necessary' (Section 15-751, paragraph 5) has been interpreted to define a wide range of native language applications. While this statement is nebulous, it does wedge open ample ideological and instructional space for other strategies to be applied. Instead of using the native language 'when necessary', district and school administrators openly encourage it for instructional purposes – even though the law states that 'no subject matter shall be taught in any language other than English' (Proposition 203, Section 15-751, paragraph 5). This disregard for the strict guidelines of the law demonstrates the pressure that administrators feel when faced with educating such a large population of language-minority students.

When asked if the state just looks the other way due to the Milagros district's situation, Ms. Castillo (Principal) explained that: 'as long as we're educating them in English, we don't buy any more Spanish textbooks, everything's in English, so we're adhering to the law'. Here, she interprets 'educating' with regard to the instructional materials (e.g. textbooks, worksheets, etc.) used in the classroom. While the district's appropriation of Proposition 203 was rather vague, school administrators offered a more coherent set of guidelines: even though every class is considered SEI, teachers can reinforce and re-teach in the primary language as long as all of the materials are in English.

While the school administrators' approach to Proposition 203 might seem practical, appropriating it becomes problematic at the level of the classroom teacher. First, encouraging teachers to use the students' native language to reinforce the material assumes that the teachers can actually speak Spanish. Of the approximately 45 middle school teachers in the Milagros schools, only five reported being able to speak Spanish. While monolingual English-speaking teachers are revered by students for attempting to use

(and/or learn) Spanish, the majority of teachers do not have the oral fluency to communicate effectively in Spanish. To compensate for this, the district employs bilingual IAs to help out in the classroom. However, as described by most educators, IAs are rarely used due to other obligations in the lower grades and/or lack of experience. Commenting on this situation, Mr. Powers (sixth grade) admitted, ‘I think I literally saw her [the IA] three times all year, and she’s supposed to be in my class every day, I’m not even exaggerating’. Considering the teachers’ lack of Spanish abilities and the inconsistent presence of IAs, it is fair to claim that language-minority students do not receive a significant amount of native language reinforcement from educators.

Next, designating every classroom as an SEI class assumes that every teacher: (1) is qualified to implement the appropriate methodology and (2) actually implements the methods. On the contrary, even veteran teachers struggled with this responsibility. As reported by Ms. McDonald (K-8 P.E.), ‘the only thing I’ve received from the district is my fifteen hours of SEI. I don’t feel that I’ve had any staff development in dealing with, or how to teach to the ELL students’. Ms. Atwell (sixth grade) echoed these sentiments, ‘I don’t think that, in order to meet the needs of my students that come from, you know speaking a whole nother language, I don’t think I’m qualified’.

Even though many teachers feel unprepared to meet the needs of their language-minority students, the classroom delivery of SEI is not regulated. Mr. Jiménez’s (sixth grade) account that ‘the teacher may take it [SEI training], but they’re not really enforcing it or implementing it in the classroom’, reflects the reality of the teachers’ (and students’) educational experiences. This comment contributes to our understanding of how Proposition 203 is appropriated and ultimately instantiated at the classroom level. Without the financial resources and overall educational infrastructure (e.g. additional classrooms, more teachers and administrative guidance), it is seemingly impossible to adequately implement an effective SEI program in the Milagros district.

Diachronic appropriations

Another way to view how Proposition 203 has affected the everyday responsibilities of classroom teachers is to examine changes in educational patterns since the law was passed in 2000. Ms. Castillo (Principal) described that ‘really, for us, not a whole lot has changed, because we still teach in Spanish’. Ms. Castillo’s reference to ‘still’ teaching in Spanish brings up the question of how much Spanish was actually used prior to Proposition 203 (i.e. since Spanish is sparsely used currently). Inconsistent applications of BLE like this contributed to the widespread view of its ineffectiveness during the Proposition 203 campaign (E. Johnson 2005, 2008a; MacSwan 2000). On a more philosophical level, Ms. Sandoval (school counselor) characterized the effects of Proposition 203:

There used to be an emphasis on the value of being biliterate and bilingual, being a true biliterate. The focus now is on let’s get these kids, you know, able to read English and function in English and take a test in English.

Ultimately, Ms. Sandoval’s remarks speak to the true effects of Proposition 203 in the Milagros district. Even though the district permits the use of Spanish in the classroom, it is not for the development of the students’ native language abilities. Although Spanish instruction is openly allowed, the Milagros district’s approach to language-minority education is not frowned upon because it still fits within the subtractive nature of Proposition 203 (i.e. adding English at the expense of losing Spanish). Regardless of how lenient the district appeared to be, eight years after Proposition 203 was passed, the emphasis on English in the

classroom was so ingrained that most educators did not even consider Spanish as having an instructional function in a school context.

Years of compensating for academic underachievement have produced an underlying ‘language-as-a-problem’ orientation (Ruiz 1988) throughout the district. According to one administrator, the Milagros educators are placed in such a difficult situation due to their students’ inherent lack of language abilities. Ms. Castillo (Principal) openly professed, ‘When you don’t have a language, which many of our kids that are coming to us, they don’t have a language, there is nothing to build on. So you have to go to square one and start with square one.’ Beyond positioning English as superior, this viewpoint completely negates the value of Spanish – either as a resource to help develop second language academic literacy skills or even as a basic source of knowledge. Even more disturbing is the fact that these types of perceptions are so readily described by administrators – who are extremely influential in the development of school-wide values and perceptions. This view becomes particularly contentious considering the role that Spanish-speaking students play in the actual classroom manifestations of Proposition 203 in the Milagros district.

Instantiation: classroom language patterns

Even though English is outwardly prioritized and used by teachers in the Milagros schools, Spanish pervades among students as an essential instructional resource. Deeply nested within the convoluted layers of official policies, social perceptions and lack of instructional resources exists the most commonly utilized linguistic resource in the Milagros district: the use of bilingual peers to translate and teach classroom material to Spanish-speaking students. While having students help each other is commonplace in classrooms across the United States, the educational language policy in the Milagros district is ultimately instantiated through the widespread practice of *peerlingual education* to compensate for the lack of official language-based resources (E. Johnson and Brandt 2009; E. Johnson 2011). In this context, peerlingual education refers to all instances where language-minority students rely on bilingual peers to translate and/or teach classroom material – either at the request of an educator or as an individual call for assistance.

As depicted in point number four in both the Language Support and SEI sections of the district’s language policy document, student groupings are openly promoted:

- (4) Student groupings: English learners may be grouped together during the English literacy instructional time (listening, speaking, reading and writing). Students may also be mixed with native English speakers during the instructional day.

In reality, peerlingual education is much more than grouping ELL students during the English literacy instructional time and mixing them with native English speakers during the instructional day. In the Milagros schools, peerlingual groups act as the main vehicle for teaching all content areas and place an inordinate amount of instructional responsibility on bilingual students. Considering the extensive use of peerlingual education, it is unfortunate that none of the teachers interviewed could offer a strategy for training students on how to work with others in this capacity – especially since the district openly encourages ‘student groupings’. Ms. King’s system for assigning peer assistants demonstrates the arbitrariness involved:

Ms. King (fifth grade): We have, we call them, like, buddies who will translate for us if we need it, or students are partnered up in class. The kiddos who are predominantly Spanish speakers

are . . . they sit next to someone who is seen as almost as a peer leader and who won't enable them but will do it in English and Spanish for them.

Eric: And have they been trained or have you taught them how to do that, interpret or teach?

Ms. King: Not official training. They're the kids, the students who stand out as, like who you would see as a teacher or not see as a teacher but . . . and who are proficient in both languages. Even the kids who are coming out, who are emerging in their English, they make great translators too because it only helps them.

Ms. King's description represents the commonly described instantiation of Proposition 203 in the Milagros schools: if students are assumed to be bilingually competent, they are obligated to work with the monolingual Spanish-speaking students. While this does represent an overall 'language-as-a-resource' orientation (Ruiz 1988), the way language is actually used as a resource here is problematic (Ruiz 2010). Even the 'emerging' (i.e. not fully proficient in English) students, as Ms. King called them, are placed in this demanding situation.

The current application of peerlingual education is generally seen as something outside of – or supplemental to – intentionally planned cooperative methodologies (i.e. instead of constituting the rationale for implementing them). Teachers plan classroom activities – both individual and cooperative – as part of their regular instruction, but peerlingual strategies are not explicitly incorporated into the preparation of lessons. Instead, peerlingual expectations are applied as an adjustment to the dynamics of regular classroom contexts.

From an administrator's perspective, Ms. Castillo (Principal) acknowledged that she expects students to learn how to provide peer support by observing their teachers:

Eric: Is there any type of training for students, like here's how you tutor or mentor your classmates?

Ms. Castillo: No . . . we basically, as teachers, I think we all learn and we all adjust with what it is that we're doing with our kids . . . and I think now that they're using a lot more visuals, graphic organizers, teachers are using more SIOP [Sheltered Instruction Observation Protocol] strategies and whatnot, so it's allowing them to be more successful in the classroom. Because by doing it in that mannerism, you're teaching all the different modes of working with kids. So by doing SIOP methodologies, you hit more kids in more areas and by doing that you're also training your kids that are actually getting it on how to develop more modes of working with other kids.

Eric: Some of them do a great job.

Ms. Castillo: Yeah, sometimes they do a better job than the teachers.

Proposition 203 is enforced by the district by encouraging the use of SIOP methods, which administrators apparently see as sufficient training for peerlingual tutors to accommodate the needs of ELL students. Even though this imposes an unfair amount of accountability on all students, the immense responsibility placed on peerlingual tutors is justified by assuming that they will learn how to tutor other students by observing their instructors' teaching methods. Thus, students are expected to simultaneously learn the material and effectively teach what they have learned based on teaching methods they have internalized during their short student careers.

Seeing students as linguistic resources is common throughout the Milagros schools, but only when they are: (1) academically proficient in both English and Spanish and (2) able to use their bilingual skills to simultaneously understand classroom material, translate that information and 'teach' their peers. While the instantiation of peerlingual education is vital to the academic survival of hundreds of students in the Milagros district, it is

woefully undeveloped and lacks a consistent framework for ensuring effective instruction (E. Johnson 2011).

Discussion

In this discussion, I have traced the path of Proposition 203 from creation to instantiation to demonstrate the complexities involved in heeding the unrealistic regulations of such a repressive language policy in linguistically diverse contexts. In addition to supporting Pérez and Nordlander's (2004), Menken's (2008) and Menken and García's (2010b) view of teachers as crucial policy decision-makers and implementers, I have also illustrated how key policy arbiters at other levels structure the environment for making classroom policy decisions (D. Johnson, forthcoming). As the primary language policy arbiter in the Milagros district, Ms. Roca was forced to interpret Proposition 203 to: (1) meet the 'official' requirements established by the state and (2) satisfy the needs of the district's high number of Spanish-speaking students. In spite of her concerted efforts to blur the boundaries of Proposition 203's native language support regulation, the appropriation of the policy at the district level did not reflect the reality of the classroom context. That said, her interpretation of Proposition 203 did create an environment where instructional support in the students' native language was possible.

Here, we see how the disconnect between the state policy and classroom context resulted in a micro-level appropriation of innovation. A lack of tangible resources fueled the teachers' desperation and caused them to rely heavily – or *solely* in most cases – on their bilingual students for native language support. By encouraging native language support and student groupings, the district's interpretation of Proposition 203 acted as a catalyst to institutionalize peerlingual practices as the norm. However, while the instantiation of peerlingual strategies is based on using the students' bilingual skills as a resource, it was not an intended outcome of Proposition 203; instead, peerlingual education should be viewed as an epiphenomenal reaction to a larger policy designed to supplant minority languages in the classroom.

Rather than developing native language competencies and providing bilingual students with adequate training to assist their classmates, the ad hoc nature of peerlingual education continues to perpetuate inequitable access to a sound education for language-minority students. That said, even though neither the teachers nor the students were provided with adequate resources to maximize the effectiveness of peerlingual strategies, the mere fact that Spanish language instructional support surfaced so widely illustrates *how*: 'implementational spaces carved out from the bottom up may reciprocally be a means for wedging open ideological spaces as they are being closed by top-down policies' (Hornberger 2006, 233).

My intention here is not to highlight the unstructured nature of the peerlingual education phenomenon to place blame on teachers for their appropriation of Proposition 203. On the contrary, I have drawn attention to the interpretations made by Ms. Roca – as the primary arbiter of the district's language policy – to demonstrate why the instantiation of peerlingual education has emerged on such a large scale. The way Proposition 203 was interpreted at the district level generated ample 'space for policy negotiation in classroom practice' (Menken and García 2010b, 2). Regardless of the educators' social views toward Spanish, this political context ultimately encouraged them to integrate their students' linguistic 'funds of knowledge' as an invaluable educational resource (González, Moll, and Amanti 2005), thus inadvertently subverting the original intent of Proposition 203 (i.e. to eliminate non-English instruction) and justifying the fundamental necessity of bilingual education approaches.

Conclusion

Ideologically engineered policies such as Proposition 203 are designed to control habits of social interaction. While promoted as a benevolent attempt to give language-minority students the ‘gift’ of English (E. Johnson 2005), the underlying premise of Proposition 203 views minority languages as a deficit. Commenting on the position of those in favor of BLE, the Chairperson of Arizona’s branch of *English for the Children* asked, ‘Why do they want to keep them [language-minority students] as prisoners in their culture and their heritage?’ (quoted in D. Gonzalez 2000, B1). Not only does the statement demonstrate an inherently egregious ideological orientation toward minority cultures, it also accentuates *English for the Children*’s underlying goal of deculturating linguistic-minority groups through language policy.

Unfortunately, the overall philosophy of cultural superiority espoused by Proposition 203 translates into an intricate smear of complications for educators in school districts with large numbers of language-minority students. Proposition 203 is not the lone cause of the academic challenges facing the Milagros district; it is merely symptomatic of broader social issues involving immigration, language and education – demonstrating that ‘local meanings cannot be divorced from the larger network of power relations in which they reside’ (McCarty 2002, xvii). Gaining a better understanding of why – and how – policies are instantiated in specific ways, as well as the role that key arbiters play in this process, requires sifting through these networks of power and peeling back the densely imbricated layers of policy.

Language policies aimed at cultural assimilation not only counter efforts to promote educational access but also accelerate the eradication of minority languages and, therefore, should be considered a mechanism of cultural genocide (Schmidt 2000; Skutnabb-Kangas 2000; Adegbija 2001; Tollefson and Tsui 2004). While drawing on peerlingual strategies to support ELL students ultimately situated Spanish within a ‘language-as-a-resource’ orientation, until language-minority students are viewed within a broader paradigm of equity and respect, groups like *English for the Children* will continue to marshal supporters to cultivate social oppression through policies such as Proposition 203.

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