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SEeIng Through a Bilingual Lens: Structural and Ideological Contexts of Structured English Immersion in Three Massachusetts Districts

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Abstract
In 2002, Massachusetts voters passed Question 2, a law similar to its predecessors in California (Proposition 227) and Arizona (Proposition 203) to replace bilingual education with structured English immersion (SEI) programs. Using Ruiz's (1984) framework for language planning as an analytical lens, this study examined how three Massachusetts districts resisted the monolingual ideology that characterizes laws mandating the implementation of English-only programs and addresses how local policies and practices conceptualized the mandated SEI program differently according to the specific implementation context. Since each district had been ideologically opposed to English-only approaches prior to Question 2, the language as right and language as resource orientations continued to influence the interpretation of SEI. As a result, SEI was positioned differently ideologically in relation to the law (the value of bilingualism versus English-only education) as well as structurally within each district (as part of a bilingual program sequence, as part of a world language program, self-contained). As a language policy, "SEI" therefore does not have a fixed meaning but will necessarily be socially constructed within each context by the beliefs, experiences, and histories of the individuals involved.

Introduction

Post-modern critiques of policy analysis suggest the translation of policy-to-practice is nonlinear and subject to an array of influences. Top-down educational reforms are rarely implemented as intended because they go through various interpretations and re-interpretations of accompanying policies and guidelines for practice (Cohen & Ball, 1990; Ricento & Hornberger, 1996). Consequently, the impact of a policy on practice is context-bound and is negotiated in a process influenced by the experiences and views of those involved (Stritikus, 2002; Sutton & Levinson, 2001). Our goal in this study was to explore how the general policy context, and in particular districts' structural and ideological contexts, affected the conceptualization and implementation of structured English immersion (SEI) programs in three Massachusetts districts, as required by a new state law. We begin by describing the state's policy on the education of English-language learners (ELLs) and unpacking the ideological orientations underlying the policy writ large. We then examine how three focal districts resisted the monolingual ideology that characterizes laws mandating the implementation of SEI programs within Ruiz's (1984) framework of language planning.

A New Mandate: English-Only in Massachusetts

In 1971, Massachusetts became the first state in the nation to mandate bilingual education for English Language Learners (ELLs). Under the Transitional Bilingual Education (TBE) Act, or Chapter 71A, programs for ELLs were to use the students' native language (L1) for literacy development and content learning as students acquired English, and students were expected to exit the program within a period of three years. Thirty-one years later, Massachusetts reversed this legislation and became the third state in the nation to mandate an English-only program for ELLs when voters amended Chapter 71A with the "English for the Children" Act, or Question 2, in November of 2002. Like similar initiatives in Arizona (2000) and California (1997), Question 2 offers little choice in instructional programming for bilingual learners, particularly for young children in elementary schools. Under the new law, ELLs must be instructed in English in SEI or mainstream (i.e., standard curriculum, English-medium) classes with nearly complete prohibition of native language instruction "during a temporary transition period not normally intended to exceed one school year" (General Laws of Massachusetts Chapter

71A, 2003, Section 4). Structured English immersion, sometimes called sheltered English immersion, is an educational model typically promoted by English-only advocates in which subject-matter instruction is provided in English, along with direction in English grammar. As described in the literature, this model allows for some instruction in students' first language for clarification or explanation. Ideally, structured English immersion teachers have specialized training in instructional strategies designed to meet the linguistic and cultural needs of ELLs (Brisk, 2006; Ovando, Combs, & Collier, 2006).

Parents or legal guardians of ELLs have the right to request a waiver from their children's participation in SEI programs; however, obtaining a waiver is extraordinarily difficult under Question 2. There are only three circumstances in which a parent can request a waiver from SEI for an individual student: a) for children who already know English, as measured by state English proficiency tests; b) for children ten years and older whose teachers and principal believe that an alternate course of study would be better suited to the student's overall educational progress and rapid acquisition of English, or c) for children younger than ten who have special individual needs beyond lack of English proficiency (General Laws of Massachusetts Chapter 71A, 2003, Section 5, b).

In the last case, a child has to spend a minimum of 30 days in an English-medium (e.g., SEI, mainstream) classroom before applying for a waiver, the school principal and educational staff have to concur that the child has "special and individual physical or psychological needs, above and beyond … lack of English proficiency," and a written description documenting the child's special needs must be provided and permanently added to the child's official school records. The waiver application must be signed by the school principal and school superintendent, and must be renewed annually (Section 5, b.3).

In an interesting twist, a few months after the passage of Question 2, Massachusetts legislators passed an amendment to exempt Two-Way Immersion (TWI) programs from the new law.[1] TWI programs are maintenance/ enrichment bilingual programs that integrate non-native and native English speakers with the goals of developing high levels of bilingualism, biliteracy, academic achievement and positive cross-cultural understanding for both groups of students (Howard, Sugarman, & Christian, 2003).

Regardless of the TWI exemption, Question 2 reflects the English monolingual and monocultural ideology that has dominated the schooling of ELLs for the past two decades (Crawford, 2000; Macedo, Dendrinos,

& Gounari, 2003). The preamble of the law legitimizes English as "the common public language of the United States of America … [and] also the leading world language for science, technology, and international business, thereby being the language of economic opportunity" (General Laws of Massachusetts Chapter 71A, 2003, Section 1, a). While minimum use of the native language is permitted by law (Section 4), this practice is not promoted. In fact, by recommending that districts place students from different language backgrounds in the same classroom (Section 4), the law effectively prevents the use of the native language. The monolingual norm is also visible when considering that an English-only program placement (i.e., SEI) is the default placement for ELLs with limited use of the L1 (Section 4). Lastly, Question 2 requires annual assessment of academic subject matter and English proficiency progress through English-medium, standardized, nationally-normed written tests (Section 7).

Since the passage of Question 2, most districts have aligned themselves with the mandate for SEI. The great majority of ELLs is placed in a mainstream or SEI classroom (Pappano, 2006; Sacchetti & Jan, 2006) and only about 4% of districts report implementing a TBE or TWI program (Massachusetts Department of Education [MDOE], 2005). Following Question 2, the MDOE also shifted its requirements for teacher preparation: it no longer offers a separate bilingual education certificate but has initiated an elaborate effort to provide professional development in English language development for specialist and standard curriculum teachers (MDOE, 2006).

Initial studies suggest that the law has had limited or no impact on ELL academic achievement (Pappano, 2006; Sacchetti & Jan, 2006). The failure rate for ELLs in Massachusetts on the third grade reading test was 23% in 2002 and 23% in 2005, the last year that the reading test was given. In 2007, 30% of ELLs failed the English language arts test (as compared to 9% of all students). The achievement gap between ELLs and the rest of the students does not seem to have diminished under the new law (see also Abedi & Dietel, 2004).

Policy Orientations, Ideology, and Practices

The co-existence of English-only programs and maintenance/enrichment bilingual education through TWI programs, following a thirty-year history

of the implementation of a range of program models under pre-Question 2 Chapter 71A, makes Massachusetts an interesting context to explore how top-down policies and localized practices interact and intersect. The language orientations framework developed by Richard Ruiz (1984) is a useful starting point to describe language planning efforts. Ruiz distinguishes three orientations to describe such efforts, each taking a different view of the role of linguistic diversity.

The *language as problem* orientation treats linguistic diversity as a problem to be remedied. It views multilingualism as a negative force in need of streamlining in order to ensure social and political cohesion within the nation-state (Wiley & Lukes, 1996). English-only (e.g., English as a Second language [ESL], SEI) or remedial, short-term TBE models that only use students' native language temporarily as a bridge to English are representative of the programs implemented within this orientation. Although the *language as problem* orientation has dominated and continues to overshadow the debate on ELL schooling (Crawford, 2000, 2007), two other approaches can be distinguished.

The *language as right* orientation emerged in the United States in the 1960s and 1970s and continues in today's debate about linguistic human rights (Skutnabb-Kangas, 2000). Language planning conducted in this tradition has emphasized the right to not be discriminated against on the basis of language. Another dimension is the notion that linguistic rights should be seen as a human right, an argument that has been put forward particularly for the rights of indigenous peoples to use and maintain their native languages. In this orientation, language revitalization and maintenance programs for indigenous languages are implemented, as well as bilingual education programs with the intent of providing equal educational opportunities.

The third orientation, *language as resource*, reframes subordinate languages from being perceived as deficits (or problems) to being viewed as assets. Accordingly, language policies are grounded in the assumption that "language is a resource to be managed, developed and conserved" and it considers "language-minority communities as important sources of expertise" (Ruiz, 1984, p. 28). Multilingualism is seen as a resource that benefits homeland security, international diplomacy, the national economy, and the ethnic community [for a critique see Petrovic (2005); Ricento (2005)]. Heritage language programs for native speakers and TWI programs are considered examples of this orientation.

Ruiz (1984) emphasizes that the three orientations are "competing but not incompatible approaches" (p. 18). Which orientation dominates will depend on the values held by key policymakers (Fowler, 2004), and ideology plays a critical role in mediating policy interpretation and the ultimate positioning of these orientations within a particular context (Sabatier, 2000; Skilton-Sylvester, 2003; Stritikus, 2002; Sutton & Levinson, 2001). Thus, one orientation may be preferable over others, but its dominance does not preclude simultaneous consideration of other orientations. The ideologically contested nature of policy becomes particularly visible when policies target issues of equity, social justice, and/or equal educational opportunity.

The co-existence of multiple orientations was the typical case within and across Massachusetts districts prior to Question 2. Anecdotal evidence and a few available descriptive studies suggest that the mandate for TBE was interpreted differently according to district philosophy and available resources. Two-way immersion, late and early-exit TBE programs, as well as English-only programs (e.g., pull-out ESL classes) were implemented throughout the state (Barra, Raupp, & Zurman, 1992; Bilingual Education Commission, 1994; Brisk, 1990; Rossell & Baker, 1996). Different approaches were in fact formally approved as permissible models under the law in recognition of the need for flexibility, given varying numbers of ELLs, diversity in student backgrounds, and enrollment at particular grade levels (MDOE, 1988, 1992).

In contrast to this flexibility, Question 2 promotes one particular program model (i.e., SEI). The draconian language of the law and its strict waiver requirements are intended to limit rather than permit variation among districts, particularly when it comes to the use of the ELLs' native languages. It would be expected, therefore, that while the law would have a minimal impact in some districts, other districts had to contend with more significant changes in order to comply. We were interested in how districts that had exploited the variation allowed under the original Chapter 71A by implementing different types of bilingual programs responded to the English-only mandate of Question 2. In particular, we were interested in how each district defined and structured their SEI program within the new policy context.

The Study

Our approach represents a multiple site case study and included cross-case comparisons (Yin, 2003). The case study method is rooted in an interpretivist

paradigm and, as such, the meanings and experiences of participants are viewed within specific contexts (Rossman & Rallis, 2003). We were particularly interested in how SEI was interpreted, operationalized, and implemented post Question 2 in historically pro-bilingual districts.

The Setting

The study took place in three medium-sized districts in Massachusetts, referred to here as Ashville, Patterson, and Winterport.[2] All three districts offered a range of bilingual programs before and after the passage of Question 2. These districts were selected because of their pro-bilingual education policies prior to Question 2, their size, and long-standing bilingual programs for ELLs. Based on these criteria, we anticipated that these districts would have to explicitly negotiate the conflict between their bilingual philosophy and the English-only orientation of the new law.

Ashville is the largest of the three districts, enrolling over 15,000 students across grades K-12 at the time of the study. Located in the eastern part of the state, the district is ethnically diverse: over 60% of the school population is non-white. More than one-quarter of the students speak a language other than English at home, although a much smaller percentage (about 8%) is identified as limited English proficient. Over half (58%) of the student population is considered low income. The largest language group is Cape Verdean, followed by Spanish, and Haitian-Creole.

The Patterson school district is located on the fringe of a large urban city and is considerably diverse in terms of student race and ethnicity, socioeconomic status, and native language. Over 60% of the students belong to a racial/ethnic minority group, roughly 40% are eligible for free or reduced-price lunch, and about a third speak a first language other than English. The district has several long-standing bilingual programs for Spanish-, Portuguese-, and Haitian-Creole-speakers.

The third district, Winterport, is located within 20 miles of a major urban center and represents socioeconomic, racial, and ethnic diversity. It has a long tradition of providing bilingual education programs for ELLs since the late 1960s. More than 25% of its students speak a language other than English at home and over a quarter of the K-12 school population receives free or reduced-price lunch. The two largest language groups are Spanish and Brazilian Portuguese.

Data Collection and Analysis

In each district, we conducted semi-structured interviews with central office bilingual administrators, including directors ($n = 3$), program coordinators/specialists ($n = 3$), as well as with school principals ($n = 6$) in schools where SEI was being implemented for the first time. For the purpose of this study, we focused on elementary schools that offered transitional bilingual or SEI programs. Since SEI (and the waiver process) serves as a focal point of the legislation, we anticipated that elementary schools would be most directly affected by the new law if they had bilingual programs prior to Question 2. Interview data were collected within the first two years following Question 2. Each interview, lasting between 30 - 90 minutes, was audio-taped and transcribed.

Data analysis was initiated informally during the interviews and transcription, and then more systematically upon analysis of the interview text. Coding of data was informed by our analytic framework (i.e., Ruiz'ssorientations to language planning). Additional recurring themes within and across cases were identified through the constant-comparative method (Lincoln & Guba, 1985). In addition, several documents were reviewed, including identification and placement handbooks, districts' mission statements, program information materials, professional development plans, parent handbooks, waiver forms, and follow-up forms to identify themes related to participants' interpretation of SEI in the context of their district.

Our analysis concerned itself with how SEI was conceptualized and operationalized in the context of each district through the perspective of the administrative layer. That is, we focused on the perspectives of district-level bilingual administrators, specialists, and principals overseeing SEI programs, as well as policy documents. While the study excludes teacher-level interpretations and classroom realities, this institutional layer (Ricento & Hornberger, 1996) contributes significantly to shaping local practices and affecting teachers' responses (Coburn, 2005; de Jong, 2007a). After documenting pre-Question 2 program options, the findings below highlight how SEI was conceptualized and implemented in each district.

Pre-Question 2 Language Planning Orientations and Programs

For the most part, the administrators in the three districts led programs that reflected their own ideological orientations to language and bilingual education prior to Question 2 (for details, see de Jong, Gort, & Cobb, 2005). The bilingual directors were united in their philosophical orientations toward language and emphasized both the right of ELLs to equal educational opportunity (Crawford, 2000) as well as the value of developing and maintaining students' native languages. As such, they represented a *language as resource* and/or a *language as right* orientation prior to Question 2 and avoided a *language as problem* approach to the schooling of ELLs. The influence of the bilingual administrators in these three districts, in particular, was significant. They were strong leaders in their own right but also by virtue of their positions presiding over specialized programs which few others in the district, including curriculum coordinators, had the expertise to lead (Johnson & Short, 1998).

Prior to the new legislation, Ashville implemented TBE for its largest language groups, provided ESL pull-out services for low-incidence languages, and began a TWI program in the fall of 2002. Its primary orientation was that of *language as right* to ensure equal access to the curriculum and prepare students to do well in a mainstream English-medium classroom setting. According to the Bilingual Director, TBE in Ashville included:

> … a strong focus on developing language through lots of rich print, reading, writing, listening, speaking activities. [This meant] structuring classrooms to meet the needs of ELLs and their specific L2 acquisition needs. The best way [to do this] is to focus on developing the native language and transferring those skills over to English so that students develop oral language, increasing their literacy, and the literacy demands throughout the content areas. (BD2, p. 1)

Without a strong emphasis on native language maintenance or a strategic attempt to promote minority languages as resources for learning beyond the transition-to-English period, Ashville's pre-Question 2 programs did not represent a *language as resource* orientation.

Under the original Chapter 71A, Patterson's district philosophy focused on two key principles: *language as a resource* and the full integration of ELLs with native English speakers. Two of its programs clearly reflected these values – the TWI program and an innovative world languages (IWL) program that

integrated native English speakers and native Chinese or Korean speakers (depending on the school) and taught Chinese or Korean to all children through secondary school. Patterson's TBE program was also aligned with a *language as right* orientation. Consistent with the importance of integration, the district had begun discussing modifying the program to ensure more student integration within a bilingual approach. The Bilingual Director explained:

> That's why we've been moving toward [IWL and TWI] because it gives the children more time to develop their language, their native language. It gives them the integrated experience of being mixed in with their monolingual peers while they're also being supported so they don't lose any content. They don't have anything watered down at any point. And we never give them the message that what we want them to do is cleanse themselves of their native language or native culture, which often is the unintended message in a transitional program. Because by nature, transition means you're in and you're out. (BD3, p. 6a)

Winterport demonstrated a combination of *language as right* and *language as resource* perspectives. Its late-exit developmental bilingual education program had elements of both: while not leading to language maintenance, the program built on and provided continued access to the students' L1, even after they had acquired proficiency in English, and ensured integration with mainstream students in the upper elementary grades (de Jong, 2006). According to the district's Bilingual Director, Winterport's programs were thoughtfully designed to meet the needs of students at different levels of English language development "…because we know what the research says, we have very successful programs, we know what to do for English language learners. I could not fathom running an English-only program for beginners. I just think that that is educational malpractice" (BD1, p. 3). Additionally, Winterport's TWI program was a good example of the *language as resource* orientation. There also existed a self-contained ESL program for low-incidence populations. Whenever feasible, native language tutors were hired to facilitate students' academic learning.

We underscore the importance of understanding the perspectives among these particular bilingual directors. They are strong leaders in their districts with clear visions of appropriate and effective programming for ELLs. As a result, the programs implemented in the districts were closely aligned with the

orientations of bilingual directors in two of the three districts and was moving to more congruency in the third district. When considering the type of programs implemented, each district reflected a mix of language planning orientations with an emphasis on regarding students' native languages as a valuable tool for learning and as a way to provide equal access to the curriculum (*language as right*) as well as on developing bilingualism and biliteracy (*language as resource*). Further, in Patterson and Winterport, the *language as resource* orientation, particularly as reflected in the TWI and IWL programs, was interpreted within a framework that included a strong emphasis on student integration for linguistic and cultural development for all students.

Interpreting and Implementing SEI in the Local Context

The *language as resource* and *language as right* orientations conflict with the emphasis on English acquisition through English-only methods reflected in Question 2. Indicative of the *language as problem* orientation, Question 2 focuses on streamlining ELLs' learning as quickly as possible within the English-medium classroom "through sheltered English immersion during a temporary transition period not normally intended to exceed one school year" (General Laws of Massachusetts Chapter 71A, 2003, Section 4). SEI, as defined by the law, represents an approach where all instruction and materials are in English. Supporters of the law mistakenly assume that English-only programming is the most effective way for children to learn English (see Rolstad, this volume). A minimal amount of the native language is allowed for clarification, but is prohibited for content area and literacy instruction.

The districts' general orientations to language planning continued to serve as guides in their interpretation, conceptualization, and implementation of Question 2.[3] Interviews with district administrators and principals indicate that they had to negotiate their personal beliefs and the districts' past language planning orientations within the parameters and ideology of the new law. In order to continue to provide what they believed to be pedagogically sound programs for ELLs, the positioning of SEI within each district occurred within this intersection of the language orientations as reflected by the law, district past policy, and individual beliefs. Our analysis yielded three categories that describe the conceptualization and implementation of SEI in the focal districts: (a) identifying SEI as continued practice, (b) weaving SEI into a bilingual program sequence, and (c) envisioning SEI through a bilingual perspective.

Identifying SEI as Continued Practice

In each district, it became important to bilingual directors and administrators to position SEI as a continuation of existing practices. This took a different form in each setting. In Ashville, SEI was seen as a more appropriate label for the instructional model that had been implemented under the pre-Question 2 Cape Verdean, Haitian-Creole and Portuguese "TBE" programs. Although these programs had been staffed by native speaking teachers who used significant amounts of students' native language for instruction at the beginning of the year and added more English as the year went on, the district ran into difficulty finding quality native language materials for these programs. The Bilingual Director explained:

> The Portuguese [program] attempted to do some native language as well but still ran into the issue of having a lack of native language materials… To do a real quality TBE you have to have a lot of literacy rich environments, [but] with poor materials… there's a limit to what can be done. (BD2, p. 3)

Teachers were using English materials, for the most part, and providing native language support for the new arrivals and less English proficient students in the programs. But according to the district's Bilingual Director, these TBE programs "were really SEI programs." Directors, school administrators, and teachers alike realized that existing programming and resources for Cape Verdean-, Haitian-Creole-, and Portuguese-speaking students more closely resembled SEI instructional models. The Bilingual Director noted:

> [W]hat is the difference between offering a TBE Cape Verdean program and an SEI Cape Verdean program in [Ashville]? There really wasn't any. We could not provide native language instruction for Cape Verdean students to the extent that it was any different than SEI. (BD2, p. 6)

As a result, district directors "told teachers to continue [doing] what they had" and to "continue the status quo… the theme here in [Ashville] is that we kept things the same. What is post [Question 2] is pretty much the same as prior [Question 2]" (BD2, p. 7). SEI, thus, was positioned by the leadership as the more accurate label for their programs for Haitian-Creole, Cape Verdean, and Portuguese-speaking ELLs. Implementing SEI as part of Question 2 was merely a matter of continuing existing practices.

Similarly, Winterport took Question 2 as an opportunity to address a past problem with the late-exit bilingual program. District leadership decided to enroll intermediate English fluent students in the SEI and keep a bilingual option for beginning ELLs. Grouping students by language proficiency addressed the challenge of balancing the needs of newcomers and more proficient students in the same classroom. Question 2 was seen as a chance to deal with this issue, be it in a more accelerated manner. The Bilingual Director described the process of revising the existing bilingual program to better meet students' diverse language needs:

> Well, we looked at it as an opportunity. We figured, okay, this is causing us to look at our program anyway. That *can* be a good thing. We already knew we had some concerns about the program design of our general bilingual program because we already knew that we were facing issues of trying to juggle multiple proficiency levels within one classroom and trying to do that within one model. … And that's where we really started looking at the differences between the needs of the beginners and the needs of the intermediate/advanced English language learners. From there it was a logical progression to say, okay so we need a sheltered English environment for the intermediate to advanced learners and we clearly need a bilingual environment for the beginners. (BD1, p. 3)

In other words, unlike the previous program where all students enrolled at an age-appropriate grade level regardless of language proficiency, Spanish and Portuguese-speaking students are now grouped by English language proficiency (beginners in the bilingual program and intermediate students in the SEI program). One elementary principal also acknowledge the benefits of this new arrangement:

> I think what the law did for us on a positive note is that it accelerated positive changes that would have taken place in [Winterport] anyway but it put it on a much faster track than it had been before... [T]he teachers were constantly trying to manage how fast to push the kids in English and, what do you do with the children who show up in November or December and have no English? Do you stop the train and back up and leave the kids half way down the track, or do you keep the train moving and try to have the other kids keep up? … I think what bilingual or sheltered has done is at least eliminate that particular struggle. (EP1, p. 1)

In Winterport, like Ashville, SEI became a logical continuation of practices rather than a contradiction of past practices. Bilingual education continued (see more below) and clustering students by proficiency level addressed a major issue that demanded a solution even prior to Question 2.

Weaving SEI into a Bilingual Sequence

The *language as right* and *language as resource* orientations shaped efforts in each district to ensure continued access to the native language after the passage of Question 2. Facilitated by the legislature's exemption, TWI options were maintained in each district, and in the case of Ashville, expanded to new grades. Moreover, in Winterport, and to a lesser extent in Patterson, SEI was positioned in relationship to a bilingual program option. In Winterport, district leadership replaced the late-exit Spanish and Portuguese TBE program with a bilingual and an SEI program sequence. Newcomers and beginning English language learners are enrolled in the bilingual program; after students have developed intermediate English fluency, they are transitioned into an SEI classroom in the same school. The SEI classroom is designed to enroll intermediate English proficient students from the same ethnicity and language background as the bilingual program students and is taught by a bilingual teacher. Thus, Spanish bilingual program students transition into an SEI classroom with students who are more English proficient and who speak Spanish at home and they are taught by a Spanish-English bilingual teacher.[4] After the SEI program, students exit into a mainstream classroom when they have reached sufficient proficiency in English to benefit from full-time participation in such a classroom. As one elementary principal noted:

> …maintain[ing] a bilingual sheltered English sort of track absolutely makes the most sense…. If [newcomers] were to be placed in an English-only classroom with no support, or limited ESL support, many of them would have a difficult time getting the curriculum that they're getting right now in the bilingual classes. They're able to maintain the level of curriculum at or above their grade level in literacy and math, in science and social studies, as we at the same time try to increase their English proficiency. (EP2, pp. 1-2)

Thus, SEI became an intermediary step between the bilingual program and the standard, English medium classroom.

A different connection with a bilingual education component was made in Patterson, at least for the IWL program. The district decided to continue this program with one important difference to accommodate the law. Whereas prior to Question 2, L1 Chinese or Korean ELLs could enroll in this program and thus maintain their native language while learning English, the program can now only enroll fluent English speakers. Thus, the district's Bilingual Program Coordinator noted, "new and recent immigrants couldn't enroll in our existing programs. They have to go to SEI for a year…or less…or more, depending on their exiting [assessments] before they can join our programs" (PC3, p. 2).

In other words, ELLs now first attend an SEI program and only after they are reclassified as a fluent English speaker can their parents choose to enroll them in the IWL program. As the bilingual director explained, ELLs now have to "make their stop over in SEI" and then their parents have to choose to enroll their child into the IWL program (BD3, p. 3b). In Patterson, SEI is therefore positioned as a temporary prelude to a bilingual/language maintenance option in the form of the IWL program. In reality, not all students exiting SEI transition to the IWL program, partially due to the fact that the two programs are located in different schools. Consequently, the bilingual benefits of this option have been limited.

Envisioning SEI Through a Bilingual Lens

While clearly focused on English language learning, the new law leaves the precise role of the native language and the amount of time spent in the native language open to some interpretation. Specifically, the law defines SEI as

> …an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instruction materials are in English and all reading, writing, and subject matter are taught in English. Although 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, and children in this program learn to read and write solely in English (General Laws of Massachusetts Chapter 71A, 2003, Section 2, e).

The law's interpretive 'space' with regard to native language use was employed creatively in the three districts to more closely align their SEI design and implementation with the districts' *language as right* and *language as resource* orientations.

Two of the three districts implemented SEI as a stand alone program without a bilingual pre- or post option. In Ashville, the Haitian-Creole, Cape Verdean, and the Portuguese TBE programs became SEI programs with L1 grouping. Patterson initiated SEI programs in its former TBE schools for multilingual populations, though generally organized with a larger representation of one language group. Across the districts, to different degrees, there is an emphasis on bilingual practices within each of the SEI programs (including both stand-alone and bilingual/SEI sequence models).

In Ashville, SEI was conceptualized as an instructional program for ELLs where the native language is used "to help brand new students acclimate to classroom instruction [and] classroom routine, to introduce new concepts and clarify concepts, [and] to help in description of vocabulary" (BD2, p. 4). District administrators assured teachers that "native language clarification was needed throughout the school day" and that they should continue to "use more native language to support the kids who've just arrived, to help transition… and [to provide] explanation of academic concepts and content" (BD2, p. 4). Teachers and administrators initially struggled with

> …[t]his idea that we can mix languages and just organize the kids by where they live and create these SEI multilingual classes. But we continually fall back on Title VI and the law that says that native language clarification is required or necessary, and you can't do that if you have kids all over the place … And we keep having to argue that native language clarification is necessary and I keep also adding the piece, 'how does this school communicate with all of these different languages and all of these parents if you don't have the teacher resource there?' You need the teachers to be that link with the families and you can't do that if … you're a Cape Verdean speaker now teaching five different language groups, you can't do that and that's unfair. (BD2, p. 6)

Ashville administrators enabled the use of the native language by appointing pre-Question 2 TBE teachers as the district's initial cadre of SEI teachers and grouping students by native language. Although the new law

encourages multilingual SEI classrooms, district administrators maintain their conceptualization of the role of the native language in an effective SEI program and argue for SEI classrooms staffed by "teachers and paraprofessionals who speak the students' language and who are trained to meet the needs of those students" (BD2, p. 6). Because finding new bilingual SEI teachers continues to be a challenge, the district has begun to recruit

> ... native English speakers that have learned Spanish. They have enough Spanish to be able to help [students] when they get stuck in a lesson, when they are not comprehending a concept - especially with the newer [students]... they use Spanish as they need it. (EP3, p. 1)

Still, administrators lament the subtractive nature of the new law. As one elementary principal noted:

> [T]his law bothers me because the rest of the world is multilingual and yet this is the most powerful country in the world and we are limiting kids to English only. That's very narrow-minded and it's going to close a lot of doors for them... And with the transitional bilingual program the way it was before, at least the kids had the opportunity of maintaining their native language… I think we've done a great disservice to the kids by eliminating their native language... They're already coming with it, why are you taking that away from them? That's a crime for me. (EP3, p. 9)

Although it has not been possible to organize SEI classrooms by language group in Patterson, certain language groups are more represented than others in each school with an SEI program. For instance, one K-8 SEI school serves a large contingent of Haitian-Creole speakers, even though other languages are also represented. Like Ashville, Patterson attempts to staff these SEI classrooms with Haitian-Creole speaking teachers and encourages the use of L1. In addition, some support in Korean and Chinese language and culture has been extended to other SEI programs serving students from those backgrounds. However, the shift from TBE classrooms populated with students who speak the same native language to multiple-language SEI classrooms has been difficult. The Bilingual Program Coordinator explained:

> [With SEI] you can facilitate but it's very challenging to teach native language when you have a multilingual class and that's the

> difference… [Prior to Question 2] if a school system had more than 20 students in one language you could have a program. And the teachers in the program were all Haitian-Creole, they could facilitate instruction in Haitian-Creole…content was done in Haitian-Creole… [W]e don't separate them by native language anymore…because of the logistics of SEI. (PC3, pp. 2-3)

Besides the bilingual component, Winterport, like Ashville, actively promotes the use of the native languages as it is permitted under the law. Like the other districts, the first step was to create SEI classrooms that were homogeneous in terms of student language background and taught by bilingual teachers who are proficient in that language as well as English. These programmatic choices support the potential use of the students' native language.[5] From a district perspective, a maximum interpretation of the law's phrasing is encouraged. "Children are allowed to use the native language whenever they want. They can talk to each other; they can talk to the teacher ... The message absolutely is that the native language can be used, that the native language *should* be used in any way that would support the students" (BD1, p. 3). At the school level, principals similarly value the role of the native language in the SEI classroom. "My message to [teachers] is that if [students] get the 'deer in the headlight look' then they should probably go to Spanish. If a child is looking at them like they absolutely don't have a clue about what they're saying then they should go to Spanish" (EP2, p. 4).

In Winterport, discussions about what can and cannot be done in the native language in SEI classrooms have ensued. According to the Bilingual Director:

> [W]e've had to do a lot of discussion around what does the use of the native language look like. Does it mean that there can't be anything in the room that is written in the native language? No. But does it means that you have to use core textbooks in English? Yes. Does it mean that you can't have any supporting materials in the native language in the classroom library? No. Because those are support materials. … And we've clearly defined it that anything in the native language materials can go home because the law does not address what happens at home. (BD1, p. 3)

In other words, the district attempts to counter the monolingual and assimilationist nature of the SEI program as defined through the law and to make the SEI classrooms "bilingualism-friendly" environments. Teachers use the native language as a resource for teaching and learning, and for home-school communication. As in Patterson, the loss of the native language is much regretted in Winterport. One key difference with past practices, as noted by the district's Bilingual Director, is the treatment of the students' native language as a resource for learning: "the piece … we're not happy with is the amount of actual native language instruction that can be implemented in the sheltered English classroom" (BD1, p. 3). The new bilingual/SEI model no longer supports strong native language development due to passage of the law, although a few Spanish-speaking students move into the Spanish-English TWI program after having attended the bilingual program, if parents so desire (Bilingual Director, personal communication, February 15, 2007). Thus, "there isn't a maintenance component to … this model … once they get into sheltered English – before they might have stayed in the bilingual program to give them some continued access to their Spanish. That isn't happening anymore" (BD1, p. 16).

Conceptualizing SEI Under Question 2: Policy as Social Practice

Sutton and Levinson (2001) emphasize the importance of considering policy as social practice. The way policies connect to and translate into practices is a socially and culturally constructed process where participants negotiate and interpret policies, their meaning, and the implications for practice. Our data illustrate that SEI is not a monolithic concept but is constructed in ways specific to its structural and ideological contexts. Even though the text of the Massachusetts law represented significantly stricter language than its predecessors in California and Arizona, the definition of SEI was ambiguous from the outset. According to a Patterson elementary principal:

> …from the very beginning there were lots of questions of what it is that needed to happen. The only problem was there were state guidelines about regular classrooms, there were state guidelines about special ed[ucation] classrooms, but there were no state guidelines about sheltered-immersion classrooms. So all of those things had to be devised and they had to be imparted to our

administrators including our education to the teachers who were going to teach in those classrooms. (EP5, p. 3)

The MDOE makes sure that districts adhere to the language of the law itself rather than prescribing one specific interpretation. For instance, unlike Arizona's Superintendent of Schools (Wright, 2005), the MDOE has not interpreted the one-year provision in the law to only mean 180 days in a specific type of SEI program. Rather, the MDOE affirms Title VI and the responsibility of districts to provide services as long as students are classified as ELL. While flexibility is extraordinarily limited, this approach supports some level of autonomy at the local level, which is consistent with the tradition of local control in the state. Our findings suggest that even within restrictive policy contexts, districts and schools can find room in these interpretative spaces to develop programs that are more pedagogically and linguistically enriching for all students (Freeman, 2004; Hornberger, 2006).

SEI was positioned in relationship to past practice, existing services for ELLs, and the parameters of the new law. Continuing existing programmatic structures prior to the law was important. TWI was maintained in each district and SEI program implementation was represented as minimal change. Thus, in the case of Ashville, SEI was no more than a more accurate label for existing practices. In Patterson, SEI became a prefix to ELL placements that existed prior to Question 2 (e.g., mainstream classroom with ESL support, innovative world languages program). For Winterport, SEI was a logical next step in a process of program change that had already been set in motion prior to Question 2.

Furthermore, district ideology guided the implementation of SEI in distinct ways as the monolingual, *language as problem* ideology of the law intersected with the bilingual *language as right* and *language as resource* orientations of the three districts. The three districts have attempted to set up conditions within and around the SEI programs that allow continued validation of students' native language. Minority language instruction through a bilingual component (Winterport) or a foreign language program (Patterson) position SEI as part of a bilingual approach. Bilingual practices also found their way into the SEI program, despite its clear monolingual bias, through policies that cluster students in the SEI program by L1 and the assignment and active recruitment of bilingual SEI teachers. This enables the use of both English and the native language among students as well as between teachers

and students. Moreover, in each district, administrators and teachers have had explicit conversations about what use of the L1 is allowed and not allowed under the law and have brainstormed ways to respect the students' languages and cultures in the context of the SEI classroom.

In other words, while instruction in the SEI classrooms is 'overwhelmingly in English' as required by law, SEI is not being implemented with the intent to eradicate the bilingual and bicultural identity of the students and the students' native languages play a positive role in these programs. Admittedly, SEI has had a negative effect on the districts' ability to provide instructional programming designed around the (long-term) preservation/development of bilingual students' native language and the ultimate impact of this is still to be seen. Yet, teachers continue to use instructional strategies that have been found to be effective in good SEI programs, including the systematic use of the native language (Baker, 2006; Gersten & Baker, 2000). We anticipate that further changes in the definition, meaning, and implementation of SEI will emerge when we move to the classroom level and ask teachers to talk about their experiences with SEI. [6] Classroom observations will be needed to explore this dimension further.

Conclusion

Ricento and Hornberger (1996) use an onion metaphor to emphasize the many interacting layers surrounding educational and language policies and stress that each layer must be considered to contextualize the making and implementation of policies. While we have only presented two layers (district and school level) with a particular focus on one concept (SEI), the three Massachusetts districts in our study tell an important story. Despite the fact that they were operating under the same restrictive English-only law that mandated SEI for all ELLs, leaders in these districts conceptualized SEI in unique ways that reflected the structural and ideological context of the district prior to the implementation of Question 2. Rather than simply implement a top-down state law, district- and school-level administrators in the three focal districts actively constructed educational policy as they negotiated reform efforts and policy directives within their own context, personal experiences, and knowledge base (Cohen & Ball, 1990; Darling-Hammond, 1990). As a language policy, "SEI" therefore does not have a fixed meaning but will

necessarily be socially constructed within each local context and anchored in the beliefs, experiences, and histories of the individuals involved.

The cases of Ashville, Patterson, and Winterport illustrate the importance of considering the historical and local context in policy implementation. Rather than complacent acceptance of a seemingly English-only directive, the districts' responses to Question 2 were based on administrators' knowledge and beliefs about *quality* education and reflect a strong commitment to bilingual and multicultural education for English-learners and English-speakers alike. In addition to their different approaches, these districts demonstrate that SEI can be done responsibly and envisioned through a bilingual rather than a monolingual lens.

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Endnotes

1. This was possible because Question 2 is an amendment to a law, rather than a constitutional amendment. In this case, amendments can be made through the regular legislative process.

2. All names are pseudonyms.

3. Elsewhere we have outlined the process of initial decision-making after the passage of Question 2 (de Jong, Gort, & Cobb, 2005).

4. Besides transitioned bilingual program students, the SEI classroom also enrolls ELLs who have minimal native language (e.g., Spanish or Portuguese) proficiency but whose English proficiency is not sufficient to benefit from a standard curriculum, English-medium classroom setting.

    5. Interviews with teachers and classroom observations indicate that the native language is used for a variety of purposes in the SEI classroom, although English clearly dominates. For extended analyses of the effects of English-only legislation at the classroom level and the role of L1 in SEI classrooms, see Alamillo & Viramontes (2000); de Jong (2007a; 2007b); Gándara et al. (2000); Paredes (2000); Sanchez (2006); Valdez (2001).

    6. See, for example, de Jong's (2008) study of teachers' reactions to Question 2 and its impact on their classroom practices.