

# The Political Spectacle of Arizona's Proposition 203

WAYNE E. WRIGHT

*Arizona's Proposition 203 places restrictions on bilingual and English-as-a-second-language programs and essentiality mandates English-only education for English language learners (ELLs). This article provides an analysis of this initiative and the wide variations in its interpretation and implementation. Data sources include official policy and related documents, media coverage, and observations of key policy events. The findings provide evidence that Proposition 203 and its implementation are political spectacle, rather than democratic rationale policy making with true concern for ELL students. The analysis focuses on the components of the political spectacle framework evident in the initiative, its campaign(s), and its implementation, including the use of symbolic language, the use of plots and story lines, the creation of leaders (heroes) and enemies, the evoking of symbols of rationality, and distinctions between on-stage and off-stage actions. The article concludes with a discussion of the implications for English language learners in Arizona.*

**Keywords:** *bilingual education; English language learners; language policy*

Children in Arizona public schools shall be taught English by being taught in English and all children shall be placed in English language classrooms.

—Arizona Revised Statutes §15-752

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So states Proposition 203, an initiative passed by 63% of the voters in Arizona on November 7, 2000.<sup>1</sup> Although billed by its proponents as allowing parents of English language learners (ELLs) more choice, Proposition 203 was widely recognized as the antibilingual education initiative. Its passage has severely limited schools in terms of the types of instructional programs they are able to offer their ELL students.

In this article, I describe and analyze the creation, interpretation, and implementation of Proposition 203. As is shown below, the implementation of this law has varied greatly as it has been interpreted by different policy actors at the state level. Traditional views of educational policy making describe a rationale and democratic process of creating solutions to specific problems in a sincere effort to improve schooling for students. In this article, I argue that the creation, interpretation, and implementation of Proposition 203 is better understood within the framework of the political spectacle model (Edelman, 1985, 1988; M. L. Smith, 2004), which rejects this traditional view.

Following a brief overview of the theoretical framework and description of the method, I describe the Arizona context and background of Proposition 203. Next, I critically analyze the text of Proposition 203 to provide an overview of the requirements and provisions of the new law, and also to reveal the ideological underpinnings of the policy. This will be followed by a discussion of the Proposition 203 campaign, the initial implementation of the law, its role in the race for the superintendent of public instruction, and changes in its interpretation and implementation under the new superintendent. Throughout this discussion the elements of political spectacle are identified.

#### THEORETICAL FRAMEWORK—POLITICAL SPECTACLE

Edleman's (1985, 1988) political spectacle model provides an alternative to traditional views of the public policy-making process. This article draws on his ideas as they have applied to education policy making by M. L. Smith (2004). Smith concurred with Edleman that "American politics have become detached from their democratic foundations" (p. 2), and she noted that "education policies reflect the politics of the times and illustrate, at any particular time and place, which groups have more power to influence the state in its allocations of values" (p. 8). Smith observed the following:

In times of political spectacle, policies for the promotion of equalitarian, compensatory, and communicative values are forsaken. Education policies in the political spectacle serve the special interests of the few (often policies that stratify and segregate) and hide behind a mask of common sense and the common good. (p. 37)

Edelman's theory of political spectacle holds that

contemporary politics resemble theater, with directors, stages, casts of actors, narrative plots, and (most importantly) a curtain that separates the action onstage—what the audience has access to—from the backstage, where real “allocation of values” takes place. (M. L. Smith, 2004, p. 11)

The following are descriptions of the elements of political spectacle.

- Symbolic language: M. L. Smith (2004) described ambiguous, metaphorical language as being at the heart of political spectacle. Although policy actors may evoke words and numbers in ways that appear precise and rational, their true meaning depends “entirely on context and interpretation” (p. 13). The use of metaphors by politicians

encourages the public to think of one thing as another—to generalize the traits of one thing to those of another. . . . Metaphorical language obscures the details and quiets the critical responses that might churn up if the public scrutinized the facts and gave the matter some thought. (p. 15)

Political language is banal and strategic and generates emotional responses rather than critical responses or concrete actions; as a result, “political language bemuses, obfuscates, befogs, mystifies, lulls, glosses” (p. 16).

- Casting political actors as leaders, enemies, and allies and plotting their actions: In the political spectacle, the roles of leaders, allies, and enemies are socially constructed by interest groups, and individuals take on these roles just as characters are cast in a play. Smith noted, “When people construct themselves as leaders they tried to build connections between themselves and innovative policies, emphasizing the apparent differences between their own qualities and programs versus those of their predecessors or competitors” (p. 17). Also similar to a stage production, there are plot lines. These stories, “like metaphors, appeal to intuition, emotion, and tacit assumptions rather than to reason” (p. 20).
- Political stages and props: Policy actors create policy events that are carefully crafted and planned for the purpose of media attention. Props used in these staged events are strategically selected and serve as symbolic objects that evoke important symbolic meanings.
- Democratic participation as illusion: In the political spectacle, most people are mere spectators, and Smith argued that “for most of the public, genuine and democratic participation amounts to illusion” (p. 24). Public meetings, forums, or other opportunities for the public to weigh in on policy issues

are established but really only create the impression that democracy has been served. These types of meetings are highly formalized and far removed from where the real decisions are made: “The broad visions and fine details of policies are worked out backstage” (p. 23).

- Illusion of rationality: Policy actors frequently “evoke symbols of rationality” (p. 27) through data and statistics from research that can be used by them to justify their policies and thus make the case that they are acting rationally. Along with the politicized misuse of research is the ignoring of research that would reveal the irrationality of a particular policy.
- Disconnection of means and ends: Smith stated that one way to detecting symbolic policies is “by judging whether their goals have credible relationship to the means provided or suggested to achieve them” (p. 29). She suggested asking about whether there is sufficient research to justify the policy, sufficient resources provided to adequately implement it, and provisions for monitoring and assessing its impact. If not, then there is disconnect and the policy is primarily symbolic. The policy may simply be a gesture and fails to deal with the real underlying issues.
- Disconnection between onstage and backstage action: Smith noted the big difference between “those values allocated to the general public and those values allocated to a favored few” (p. 31), arguing that “only a few members of society reap real benefits” (p. 31). These benefits are doled out backstage and may include material profits and opportunities for financial gain or political influence (which may lead to material benefits). The language which takes place backstage is “the informal language of barter” that differs greatly from the “stylized, formal, abstract, ambiguous language characteristic of the performance on stage” (p. 32).

## METHOD

Data collection and analysis for the current study are based on Yanow’s (2000) model for interpretive policy analysis. This model focuses on analyzing policy artifacts, acts, and events to determine the meanings policies have for policy actors and other stakeholders, which helps explain their interpretation and implementation of (or opposition to) these policies. Policy artifacts include official policy documents and texts related to the implementation of the policy (e.g., letters, memos, e-mails, reports, manuals, guidelines, etc.), media coverage, and the words and actions of policy actors. Policy acts and events include official actions taken with regard to policy and events organized by policy actors or other stakeholders related to a specific policy (press conferences, debates, speeches, workshops, etc.).

Data sources for the current study included media coverage, policy documents, and observations of policy events related to Proposition 203. Using Lexis-Nexis and NewsBank, and my own news clippings, I conducted systematic searches of the Arizona and national press between January 2000 and May 2004 for articles, editorials, and letters to the editor regarding Proposition 203. Official policy documents from the Arizona Department of Education were collected between 2000 and 2004. In addition to the official text of Proposition 203, these documents include guidelines, memos, press releases, letters, announcements, attorney general opinions, court decisions, legislation, and State Board of Education agendas and minutes. Observations were conducted of debates, speeches, rallies, Department of Education-sponsored seminars, State Board of Education meetings, and public hearings. Data analysis was facilitated by the use of QSR Nvivo, a qualitative data analysis program. Electronic copies of each news article and policy document were obtained or created (via scanning). The articles and documents, along with field notes kept and digital audio recordings made during observations, were imported into Nvivo.

#### THE ARIZONA CONTEXT AND BACKGROUND TO PROPOSITION 203

Arizona is home to 922,180 pre-K-12 students in 1,742 public schools; more than 48% of the students are minority, 16.1% are ELLs, and 19% live in poverty ("State Report Cards: Arizona," 2004). According to *Education Week*, Arizona is second to last in the nation in terms of education spending per student and also ranks second to last on an adequacy index that reveals only 13.4% of students in the state are in districts that spend at or above the national average ("State Report Cards: Arizona," 2004). There is wide variation in terms of per-pupil spending across school districts. Average class size in elementary schools is the highest in the nation, and Arizona ranks second to last in efforts to improve teacher quality. Arizona also scores poorly on *Education Week's* wealth neutrality scale (33rd) because the state "has not made up for inequalities in property wealth" (p. 127). ELLs typically attend schools in areas with the lowest property wealth and per-pupil spending.

According to the 2000 Census, 74.1% of Arizonans age 5 years and older speak only English at home (Language Policy Research Unit, 2002). Spanish is the second most common language, with 19.5% reporting they speak it at home, and other Indo-European and Asian and/or Pacific Islander languages are reported being spoken at home by 2.1% and 1.3%, respectively. Other languages were spoken at home by 2.9% of the population, which includes

many Native American languages (Language Policy Research Unit, 2002). Arizona is home to 21 Native American tribes, the largest being the Navajo Nation. Native American languages in Arizona are endangered, and many may be gone by the next century, if not sooner (Crawford, 2000b). Several tribes are struggling to provide educational programs that will ensure their language is passed on to at least some members of the next generation (see e.g., McCarty, 2002).

Prior to Proposition 203, schools had flexibility in terms of instructional programs for ELLs. As in other parts of the country, there was a shortage of bilingual teachers, and state reports indicate that less than 30% of ELLs were ever in bilingual programs (Keegan, 1999, 2000; Kossan, 2000; Mahoney, Thompson, & MacSwan, 2004). Thus, the majority of ELLs were already in English-only programs. Arizona has a long history of failing to provide adequate and equitable education for ELL students, as evidenced by the ruling issued by a federal judge in the case *Flores v. Arizona* (2000). The state has yet to fully comply with the judge's order, and the passage of Proposition 203 has only complicated the issue further (Mahoney et al., 2004).<sup>2</sup>

Proposition 203, English for the Children, is also known as the Unz initiative, named after Ron Unz, its original author and financial backer. Unz, a millionaire from California, is the chairman of a financial services software company and has strong political ambitions. He made an unsuccessful bid in the Republican primary for governor of California in 1994, receiving only 34% of the vote; he also made one unsuccessful bid for the Senate (Unz, 2004). Unz has never been married, has no children, and has no background, training, or experience in the fields of education or language. Nevertheless, after his political defeats he developed a great interest in educational language policy. His explanation (plot line) for this interest is discussed below.

Proposition 203 is nearly identical to Proposition 227 that Unz was successful in getting passed in California in 1998. Unz brought his initiatives to Arizona, and later to Colorado (Amendment 31) and Massachusetts (Question 2). While the initiative passed in Arizona and Massachusetts, it was soundly defeated in Colorado (see Escamilla, Shannon, Carlos, & Garcia, 2003). Unz has plans to "replace bilingual education with English immersion throughout the country" (Unz, 2004, p. 1). His efforts to abolish bilingual education have earned him name recognition in the political world. A profile of Unz in the *New Republic* states, "If Unz can stay on a roll, his initiatives could build a record of accomplishment useful in another gubernatorial or Senate race. Unz says he's likely to seek elected office again but has no specific timetable in mind" (Miller, 1999, p. 1).

## ANALYSIS OF PROPOSITION 203

The text of Proposition 203 is nearly identical to the text of Proposition 227; however, Unz attempted to close several loopholes resulting from ambiguous (symbolic) language that had allowed many districts in California to continue their programs (see Crawford, 2000c, for a side-by-side comparison). Authorship, however, is credited to local chairpersons Maria Mendoza and Hector Ayala, thus creating an illusion that Proposition 203 was a local grassroots effort supported by Arizona Latinos.

Proposition 203 begins with a series of findings and declarations, the first three of which stress the importance of the English language, note that immigrant parents want their children to learn English, and assert that the government and public schools have a moral obligation to teach it. On these points, there is little disagreement from immigrant parents and bilingual education advocates. Although English is not the official language of the United States, it is without question the dominant language and has been since the founding of the country and is under no threat of ever losing this position (Crawford, 1992a, 1992b, 2000a; Ricento, 1996, 1998, 2000; Wiley, 1996, 1998, 2000, 2004; Wiley & Wright, 2004). However learning English and maintaining one's native language does not have to be an either-or matter (Corson, 2001), and most minority language parents want their children to become bilingual as long as they have the opportunity to attain English and a quality education (Krashen, 1996).

The other opening declarations are more problematic. One declares that public schools in the state do an inadequate job of educating immigrant students—a charge few would disagree with; however, blame is placed on “costly experimental language programs” that have resulted in high dropout rates and low English literacy levels. Given the fact that more than 70% of ELL students in the state were in English-only programs, bilingual education could hardly be blamed for underachievement and high dropout rates. In reality, as a federal court found in *Flores v. Arizona* (2000), few minority language children were receiving the language and educational services to which they were legally entitled. The next declaration states that “young immigrant children can easily acquire full fluency in a new language” if they are “heavily exposed” to it at an early age. This oversimplification of language learning is not supported by research. It fails to acknowledge the social and educational contexts of second-language acquisition. Research shows that minority language children who do not have opportunities to develop initial literacy in their home language face greater obstacles in acquiring school literacy in a second language, especially when they have to compete with native speakers (August & Hakuta, 1997; Hakuta, Butler, & Witt, 1999).

Based on these declarations, Proposition 203 resolves that “all children in Arizona public schools shall be taught English as rapidly and effectively as possible.” This statement masks the fact that this is, in fact, the main goal of transitional bilingual programs. The purpose of bilingual education is further misrepresented in the Proposition’s definition of *bilingual education* as “a language acquisition process for students in which much or all instruction, textbooks, or teaching materials are in the child’s native language other than English” (Arizona Revised Statutes [A.R.S.], §15-751). This definition is convoluted on several levels and does not match any that would be found in the literature within the field itself. English instruction is a key part of bilingual education from the very beginning of the program, with English content and literacy instruction increasing to the point that students are typically transitioned to all-English instruction after just a few years, typically by Grade 3 (Krashen, 1996; Krashen & Biber, 1988; Peregoy & Boyle, 2000). The fact that the authors of Proposition 203 knew that most bilingual programs are limited to Grades K through 2 is evident in the waiver provisions that allow waivers for children age 10 years or older (see below). Thus, these initial declarations imply falsely that bilingual education programs in Arizona were failing to teach English to students and were responsible for academic failure and high dropout rates.

Based on these misrepresentations, Proposition 203 mandates that “all children shall be placed in English language classrooms” and that ELLs “shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year” (A.R.S. §15-752). The suggestion that 1 year (180 days) of sheltered English immersion (SEI) is adequate for students learning English has no basis in the research on second-language acquisition (August & Hakuta, 1997; Hakuta, 1986; Hakuta et al., 1999), and even the local chairpersons of the Unz campaigns in Arizona and Massachusetts acknowledged that 1 year is not sufficient (M. Garcia-Dugan and R. Porter, personal communication, May 31, 2003). Furthermore, federal policy requires that services be provided for ELLs until they are redesignated as fluent English proficient (FEP).

Further evidence that Proposition 203 is political spectacle can also be found in the ambiguous language used by the authors to define key terms. A *mainstream classroom* is defined as a classroom where students are native English speakers, or students who “have acquired reasonable fluency in English.” The definition of sheltered (or structured) English immersion (SEI) mislabels this program or approach as an “English language acquisition process for young children” and simply states that “nearly all classroom instruction is in English, but with the curriculum and presentation designed for



children who are learning the language.” No details are provided on what exactly the curriculum is or how it should be presented. Rather, the emphasis is only on the language of instruction. While teachers are told that they may “use a minimal amount of the child’s language,” the definition makes it clear that, in an SEI classroom,

Books and instructional materials are in English and all reading, writing, and subject matter are taught in English. . . . 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. (A.R.S. §15-751)

Because of ambiguity of these definitions, no clear distinction is made in terms of how SEI classrooms differ from mainstream classrooms.<sup>3</sup> An ELL is defined as a nonnative speaker who is “not able to perform ordinary classroom work in English.”

These definitions appear objective, thus creating an illusion of rationality. In reality, terms such as *good knowledge of the English language*, *reasonable fluency in English*, *nearly all instruction is in English*, *minimal amount of the child’s language*, and *ordinary classroom work* lack objective definitions. Thus, policy actors are free to enforce their own interpretation of them, as is shown below.

Further illusions of rationality are evident in the Proposition’s waiver provisions, which create the false impression that parents of students who are ELLs can choose bilingual programs for their children if they so desire. The law declares that parents must personally visit the school each year to request a waiver. This places an undue burden on parents and fails to recognize that good bilingual programs are not designed on a year-to-year basis. The school is required to provide a full description of the different educational programs the parents can choose from. The irony here is that schools are required to provide a description of a program they are most likely not going to be able to provide. Schools are required to provide “classes teaching English and other subjects through bilingual techniques” if 20 or more students at a grade level receive a waiver; otherwise students who receive a waiver “must be permitted to transfer to a public school in which such a class is offered” (A.R.S. §15-753). On the surface, this does appear to give parents real choice. However, the key phrase is *if a parental waiver is granted*.

The law outlines three circumstances in which a waiver may be granted: (a) children who already know English; (2) children age 10 years or older; and (c) children with special individual needs. To qualify for Waiver Provision 1, the law requires that

the child already possesses good English language skills, as measured by oral evaluation or standardized tests of English vocabulary comprehension, reading, and writing, in which the child scores approximately at or above the state average for his grade level or at or above the 5th grade average, whichever is lower. (A.R.S. §15-753, B, 1)

Waiver Provision 2 also requires that in addition to the student being age 10 years or older, the school principal and educational staff must have “the informed” belief that a bilingual program would be better suited for the child. In other words, the waiver can be denied.

Waiver Provision 3 clarifies that a student’s special individual needs must be “above and beyond the child’s lack of English proficiency.”<sup>4</sup> Furthermore, a “written description of 250 words documenting these special needs” must be provided, and the waiver must be approved and signed by the school principal and the district superintendent. Oversight of these waivers is also given to the local and the state school board. Even if parents go through the trouble to complete all of these steps, the law states that “teachers and local school districts may reject waiver requests without explanation or legal consequence” (A.R.S. §15-753, B, 3).

These waiver provisions make it clear that although parents have the right to request waivers, the process to obtain them is difficult, and there is no guarantee that a waiver will be granted. Thus, the waiver provisions, as intended by their authors, create an illusion of options that may not actually exist.

Despite Unz’s attempts to make obtaining waivers nearly impossible, some school districts were able to offer waivers for children younger than age 10 years through Waiver Provision 1 because of the ambiguous language of this provision (see Combs, Evans, Fletcher, Parra, & Jiménez, 2005 [this issue]). This practice resulted in a major battle in the political spectacle after the election of new superintendent of public instruction, as is described below.

Two other provisions of Proposition 203 need to be highlighted. The first allows lawsuits against individual school board members or other elected officials or administrators who do not comply with the law (A.R.S. §15-754). In addition, the law requires that these individuals be removed from office and barred from any position of authority in Arizona schools for 5 years.<sup>5</sup> The other provision, which went unnoticed by the general public, and even to many advocates on both sides of the issue, requires all students in Grades 2 and higher to take an annual norm-referenced test in English. This includes ELLs, with no exemptions allowed, regardless of how long they have been in the United States. Thus, a newly arrived student who does not speak English, who begins school on the first day the norm-referenced test is given, is required to take the entire test in English, with no accommodations (Wright, 2004, 2005a, 2005b).

## THE PROPOSITION 203 CAMPAIGN

Symbolic political language was at the heart of the Proposition 203 campaign, as evidenced by the very title of the initiative itself—English for the Children. As M. L. Smith (2004) noted, this kind of symbolic language glosses over details and presents issues in a way that few could argue with. Referring to Unz's initiative, Smith asked, "Who could argue with a program called 'English for the Children'?" (p. 14). Crawford (2000d) described Unz's title for his initiatives as "a brilliant stroke of packaging" (p. 106). He explained,

Here was a goal that no one could dispute. Who wanted to "vote against" English—or against children? The label also established a false choice in voters' minds: *either* teach students the language of the country *or* give them bilingual education. (p. 106)

Stories or plot lines are important in the political spectacle. Unz crafted a compelling story to explain his motive (and the need) to dismantle bilingual education. He discovered this issue while reading a newspaper article about a group of immigrant parents who were having difficulty removing their children from bilingual education classes at Ninth Street Elementary in Los Angeles (see Pyle, 1996). Unz described how he was moved by these parents who had to begin a public boycott "after the school administration refused to allow their children to be taught English" and this is what inspired his initiative (English for the Children, 2000, p. 1). Although Unz was unable to craft a similar plot line specific to Arizona, the story was compelling and effective and helped Unz to turn the original intent of bilingual education on its head—bilingual education programs were a violation of immigrant children's right to learn English that they would need to succeed in this country. The incident at Ninth Street Elementary may have been a bit of political spectacle itself, as prior to boycott, not a single parent had requested that their children be transferred into an English-only program (see Crawford, 2000d, for details).

Symbolism was also key in terms of Unz's local chairs (Margaret Garcia-Dugan, Maria Mendoza, and Hector Ayala) of English for the Children in Arizona. As in Unz's campaigns in other states, these local chairpersons were assimilated Hispanic educators opposed to bilingual education. Their involvement bolstered Unz's claims that his initiatives were not anti-immigrant or anti-Latino and created the illusion that Proposition 203 was supported by immigrant and/or Latino communities.<sup>6</sup> Furthermore, these local chairpersons enabled Unz to counter claims that he was an outsider; instead, the claim was made that Unz came to Arizona only at the request of the local chairpersons (see, e.g., Samuelson, 1998).

Along with the casting of actors as leaders in the political spectacle is the casting or creation of enemies. In the English for the Children campaign(s), the enemy was identified by Unz and his colleagues as the “bilingual education establishment” and the “multi-billion-dollar bilingual education industry” (see, e.g., Stewart, 1998).

Unz and his colleagues frequently resorted to name calling in depicting their enemies (Ramos, 2002). Bilingual educators and researchers were called *loonies*, *kooks*, *nutcases*, *laughingstocks*, and *cultists*; bilingual teachers were described as having been “brainwashed” (Kossan, 2000, p. 2). Attacks were made against leading scholars and researchers. Unz called Kenji Hakuta a “very, very silly man” (Yettick, 2001). In a direct e-mail to author James Crawford, Unz charged “you and a few other academic loonies have done more damage to the education of more immigrant children than (possibly) any other bunch in the history of America” (Crawford, 1997, p. 4).<sup>7</sup>

One particularly vehement media attack was directed toward University of Southern California professor Stephen Krashen during the Proposition 227 campaign. The alternative newspaper *New Times L.A.* published an article titled “Krashenburn” (Stewart, 1998), featuring a cartoon depicting Krashen speaking into a microphone while sitting on a pile of money about to be lit afire by a young Latino boy buried underneath. In the background, another Latino child writes on a school blackboard, “La Educacion Bilingual Chupa!” (Bilingual Education Sucks!). The article accuses Krashen and others (including David Ramirez and Jim Cummins) of getting rich off of bilingual education. These attacks spilled over into the Arizona campaign and included local researchers opposed to Proposition 203. One supporter wrote several letters to the *Arizona Republic*, including one labeling Krashen, Jeff MacSwan, and other university professors as “bilingual education ministers of misinformation” (Haver, 2002b, 2003). Soon after the September 11, 2001, attacks, Unz called bilingual educators and researchers “educational terrorists,” likening them to terrorists who fly planes into buildings; Unz referred to himself as the “personal Bin Laden” of his opponents (Yettick, 2001). During the war in Iraq, an *Arizona Republic* columnist likened bilingual education supporters to “Saddam Hussein’s reality-denying minister of information” (O’Leary, 2003, p. 1).

Unz and his colleagues misused data and statistics to create two prominent symbols of rationality. The first was the claim that bilingual education in Arizona had a 97% failure rate, and the second was that Proposition 227 resulted in rising SAT-9 test scores in California. If these claims were true, then it would be rationale for voters to replace bilingual education with English-

only programs. However, on closer inspection, Unz's claims proved to be unfounded and misleading.

Unz constructed the 97% figure by looking at redesignation rates of ELLs in Arizona, that is, the number reclassified as FEP each year (Zehr, 2000).<sup>8</sup> By ignoring the progress ELLs make in learning English each year, Unz constructed a standard of success that is not used within the field—if ELL students do not achieve native-like fluency in English after 180 days of instruction, they failed, as did the program that served the student. While the 97% figure was misleading, attributing the failure to bilingual education programs was dishonest. Unz's figure included all ELL students, including the 70% already in English-only programs. Hence, the majority of ELLs were in the very types of programs Unz was advocating for.

Unz's claim of increased ELL test scores in California as a result of Proposition 227 was so compelling it made the front page of the *New York Times* (see Steinberg, 2000). From there it was picked up by major newspapers throughout the country, including the *Arizona Republic*, and was cited as an authority on the issue in 56 editorials and letters to the editor (Thompson, DiCerbo, Mahoney, & MacSwan, 2002). Despite this wide coverage, the attribution of higher ELL test scores to Proposition 227 is unfounded. Unz's claim has been examined by a number of researchers, all of whom found that the data cannot support his claim (Butler, Orr, Gutierrez, & Hakuta, 2000; Thompson et al., 2002). What the data did reveal is that test scores rose for all students; however, the gap between ELLs and non-ELLs had not decreased. More important, the SAT-9 was not designed for program evaluation and, thus, cannot be used to show the superiority of one approach to teaching ELLs over another.

Many other examples could be given; however, it is sufficient to state that the elements of political spectacle described above played a key role in the passing of Proposition 203.

#### INITIAL IMPLEMENTATION OF PROPOSITION 203

Proposition 203 passed in November of 2000. The Arizona Department of Education (ADE) postponed its implementation to the beginning of the 2001-2002 school year, and the legality of this decision was upheld by the attorney general (Napolitano, 2001a). However, when it took effect, the ambiguous language of Proposition 203 resulted in widespread confusion across the state (Arizona Education Association [AEA], 2001a; Gonzalez, 2000).

One major issue was how Proposition 203 would affect the efforts of Native Americans to preserve their dying languages through school programs. Native Americans strongly opposed Proposition 203 during the cam-

paign, despite Unz's offers to make a deal with tribal leaders. When his offers were rejected, Unz warned, "If the tribal leaders continue with this very negative attitude, the Proposition 203 leadership may feel less willing to work with them after the election, and I hope they realize this important fact" (Shaffer, 2000, p. 1). They ignored Unz's threats and subsequent insults and continued to campaign against the initiative. When the law passed, an attorney general (AG) opinion was issued declaring that reservation schools run by tribes and the federal government are not subject to Proposition 203. Furthermore, the opinion stated that "Proposition 203 cannot prohibit a State public school located on the Reservation or elsewhere from teaching students Native American language and culture" (Napolitano, 2001b, p. 1). Despite this victory, the symbolic nature of Proposition 203 still had a detrimental effect as many Native American parents became reluctant to have their children participate in bilingual programs. Other problems later developed for Native American language preservation efforts, as is explained below.

Other than the delay in implementation and the AG opinion on Native Americans, the state provided little to no guidance to districts on the implementation of Proposition 203. Superintendent Lisa Graham Keegan had shown little interest in Proposition 203 (Kossan, 2000, p. 2). Soon after its passage, Keegan told a group of educators, "Do what you want and make it work, and nobody is going to go ballistic" ("Bilingual Legal Muddle," 2001, p. 2). A spokeswoman from the ADE reinforced Keegan's comments by saying that the "onus is on the local governing boards to decide how to abide by this law" (Zehr, 2001, p. 2). The ambiguities of the law left districts bewildered, with many unanswered questions regarding waivers, or even if existing English as a second language (ESL) programs met the requirements for SEI (Zehr, 2001). The lack of ADE guidance resulted in widespread variations in interpretation and implementation in school districts across the state (AEA, 2001a, 2001b, 2001c; Melendez, 2001; Zehr, 2001). Many districts significantly reduced or eliminated their bilingual programs entirely while a few others continued or even expanded their programs (Proffitt, 2001; Ryman, 2001). Some districts made drastic changes to their ESL programs, such as eliminating newcomer centers and pull-out ESL, and placing students in mainstream English-only classrooms.

Keegan resigned suddenly just before the beginning of the 2001-2002 school year. The governor appointed Jaime Molera, a young staff member involved in several state education policy initiatives since 1994, as Keegan's replacement. Molera was aware of the ambiguities of Proposition 203. He stated, "You could put a group of six attorneys in a room and they will come out with 12 different opinions on how Prop. 203 is supposed to work" (G. Smith, 2001, p. 3). Unlike his predecessor, however, Molera (2001) issued an

extensive guidance document that answered many questions but still gave districts some flexibility. The guidelines explicitly stated that “bilingual education programs are allowed for English learners through the waiver process” (p. 10). Despite granting some flexibility, the ADE under Molera monitored districts to ensure they were complying with the guidelines and following the proper procedures in granting waivers.

Despite a significant decrease in bilingual education programs, Unz and his colleagues were upset that some school districts had continued their bilingual programs through the waiver process. Unz claimed that “school districts, including Tucson Unified and Sunnyside are ignoring the mandate of Arizona voters last year to dump most bilingual-education programs” and charged that these districts were “committing outrageous educational fraud” in interpreting the waiver provisions (Corella, 2001, p. 1). Unz and his colleagues threatened lawsuits; however, none were ever filed. However, two lawsuits were filed by parents of children who had been denied waivers (Ortiz, 2001).

#### PROPOSITION 203 AND THE RACE FOR SUPERINTENDENT OF PUBLIC INSTRUCTION

By the end of 2001, the overwhelming majority of ELLs were in English-only programs (Mahoney et al., 2004) and Proposition 203 was a dead issue. Bilingual programs only survived in a handful of districts that were committed to bilingual education and where parents were willing to go through the difficulty of obtaining waivers. Enter Tom Horne, who announced in March of 2002 that he would seek the Republican nomination for superintendent of public instruction. Horne, an attorney and former state legislator, served on the Board of Education for the Paradise Valley School District for 24 years and at the time was serving as board president. Paradise Valley is one of the larger and wealthiest districts in the state; however, it encompasses a large section of high-poverty areas of north Phoenix with high concentrations of Latino ELL students.

Incumbent Molera received the endorsement of all top GOP leaders in the state, and also that of the *Arizona Republic* (“If the Horne-Blowing Has Deafened You,” 2002). Horne’s initial campaign strategies included failed legal attempts to disqualify Molera as a candidate or at least denied public campaign funds (Davenport, 2002b, 2002c, 2002d). The campaign picked up dramatically, however, when Horne grabbed onto the issue of Proposition 203. Horne had given this issue little thought until a colleague introduced him to the leaders of English for the Children who encouraged him to take this position (Haver, 2002a). This introduction proved fruitful. On July 11, Unz

announced his endorsement of Horne and contributed to his campaign. Together they declared, "Now's the time for Arizona's elected officials to start obeying the law and enforcing it" (Davenport, 2002a, p. 1). Horne and Unz accused Molera of "ignoring Proposition 203" and failing to "crack down" on schools districts "teaching Hispanic students in Spanish instead of English" (p. 1).

Soon after his endorsement of Horne, Unz made headlines for remarks he had made criticizing then U.S. Education Secretary Rod Paige, which many deemed as racist (Guarino, 2002, p. 1). Horne quickly distanced himself from Unz and publicly announced that he was returning Unz's campaign contribution (Associated Press, 2002a). He did not, however, reject Unz's endorsement. A few days later, Horne held a press conference with the local leaders of English for the Children to announce their endorsement, and to continue their attacks claiming Molera was not enforcing Proposition 203. Following the press conference, Horne wrote in an editorial in *Arizona Republic* titled "Real Learning Means Learning English":

Molera opposed the initiative that replaces bilingual education with English immersion, and he now refuses to enforce it. I supported the initiative, and will enforce it so every child learns English. For this reason, Maria Mendoza, Margaret Garcia-Dugan and Hector Ayala, leaders of the English for the Children movement, have endorsed me. (Horne, 2002b, p. 1)

Horne quickly picked up the symbolic language and rhetoric of attacking "enemies" that proved successful in the Proposition 203 campaign. In the same editorial, Horne claimed that research proved bilingual education was inferior to English immersion and that all bilingual education does is "satisfy the misguided ideology of politically correct liberals who haven't done their education homework" (p. 1). Horne charged that "nothing has changed in the schools" since the passage of Proposition 203 (p. 2).

In addition to letters published in newspapers, Horne ran an aggressive (and expensive) media advertising campaign in which he directly attacked Molera. In one television commercial, Horne stated, "I'm Tom Horne, and I'll demand excellence in education and discipline in our classrooms. And, unlike Molera, I'll enforce the ban on bilingual education, so every student learns English" (Corella, 2002c, p. 1).

The *Arizona Republic* criticized Horne's attacks on Molera, calling them "false," "distortions," and tactics of campaign desperation ("Molera Enforcing Bilingual Ban," 2002). They also noted "as happened with the initiative that banned bilingual education two years ago, distortions and untruths have sullied this debate" (p. 1).



An interesting twist in the campaign provides further evidence of the political spectacle surrounding Horne's campaign. At the height of Horne's attack, Molera fought back with a revealing fact:

Contrary to the negative and deceitful attacks my opponent Tom Horne is levying against me, I am leading the fight to ensure ALL of Arizona's children learn English. The fact of the matter is Horne currently issues bilingual education waivers in his own school district at a rate higher than the statewide average. ("Superintendent: Bilingual Education," 2002, p. 1)

It was true. Paradise Valley had bilingual programs prior to Proposition 203, and these programs had continued through the use of waivers, all while Horne served as president of the school board. However, this quickly and suddenly came to an end after this fact was brought to light (Corella, 2002c). Paradise Valley announced that students "must be fluent in English to qualify for the dual-language program," and more than 100 ELL students at Palomino Elementary School were immediately moved into English-only classrooms (Go, 2002a, p. 1). While reporters and others speculated that Horne must have been influential in this decision, district leaders denied this and instead blamed low test scores, claimed that students were not learning English fast enough, and said the shift was ordered by the State. Horne also denied any involvement in the decision. Another editorial by Horne that appeared in the newspaper just a few days later made no mention of this incident but continued the attacks on Molera for refusing to stop "waiver abuse" (Horne, 2002a).

The paradox of the Paradise Valley spectacle was not lost on *Arizona Republic* columnist Richard Ruelas (2002b), who observed,

The district superintendent, Tom Krebbs, agrees that it was his own decision, going so far to say that he never talked to Horne about it. "Tom Horne wasn't even involved in it," he says. In fact, Krebbs says the shifting of students was ordered by the state. "Basically the state required it to be changed," he says. If that's true, that means Molera was enforcing the ban on bilingual education, especially in Horne's own district. (p. 1)

Democracy suffers in the political spectacle. More than 150 parents and teachers from Palomino attended two consecutive school board meetings to protest the change. They had been actively involved in the decisions to create the bilingual program and were deeply angered that they had no input in the changes. In a statement to the board, they stated, "We question not only the process in which this decision was made, but also whether this decision is

what is best for our kids" (Go, 2002b). The mistreatment of Latino parents and community members at these and subsequent board meetings, including initial refusals to provide translation, resulted in two separate federal civil rights complaints and investigations (Go, 2002c; Madrid, 2003; Rodriguez, 2003; Sorenson, 2002a, 2002b, 2002c, 2003b).

In another bizarre twist during the campaign, the principal of P.T. Coe Elementary School in the Isaac School District, where 95% of students are Hispanic, shocked her staff with a request to "keep Spanish out of their playground, cafeteria, and hallways" (Associated Press, 2002b, p. 1; Galehouse, 2002). The principal and her superintendent stated they were following the spirit of Proposition 203. P.T. Coe's policy received sharp rebuke from Hispanic leaders and ELL student advocates. Horne remained silent in the controversy; however, Molera quickly expressed his support of the school's policy (Associated Press, 2002b). Molera's support drew accusations that he grabbed onto the issue in a desperate attempt to counter Horne's claims (Corella, 2002a; Melendez, 2002). Horne then joined in and charged that Molera's endorsement of P.T. Coe's policy was "politically motivated" (Corella, 2002a, p. 3).

Horne easily beat Molera in the September 2002 primary election. Post-election data revealed that Horne spent more than US\$600,000 of his own money on his campaign, all for a job paying only \$85,000 a year. Horne spent more than 5 times the amount spent by Molera who, unlike Horne, ran under the state's Clean Elections law (Corella, 2002b). Molera complained after the election that he did not have enough money to counter Horne's false claims: "He took to the airways and to TV and said I refused to enforce the law. . . . I had no way to refute it" (Billeaud, 2002, p. 1). Horne went on to defeat the democratic candidate in the general election a few months later. While Horne's aggressive but misleading tactics proved effective in getting him into office, they also "resurrected the strong emotions tied to the 2-year-old battle over bilingual education in the state" (Corella, 2002a, p. 1) and "ended up stirring up a lot of anti-immigrant sentiment" (Ruelas, 2002a, p. 2). This sentiment is evident in numerous letters to the editor, which are revealing in terms of how debates over the language of instruction are really tied to people's deeper feelings about immigrants and assimilation (Alger, 2002; Beattie, 2002; Glendale, 2002; Haver, 2002b; Husband, 2002; Johnson, 2002; Marsilio, 2002; Mcvickers, 2002; Tullos, 2002; Zamazanuk, 2002).

#### PROPOSITION 203 UNDER SUPERINTENDENT TOM HORNE

Horne kept his campaign promise. In the political spectacle, real benefits are allocated to a select few offstage, often to reward political favors. Soon

after taking office, Horne appointed Margaret Garcia-Dugan as the associate superintendent of academic support. A press release regarding her appointment leaves no doubt why Horne selected her:

She served as Co-Chair for English for the Children, the organization that sponsored the initiative requiring that English immersion replace bilingual. "Her appointment should erase any uncertainties as to whether I will fulfill my campaign promise to enforce that initiative," Horne said. (Horne, 2003d, p. 1)

Garcia-Dugan's appointment meant that Proposition 203's chief (local) proponent became its chief enforcer in the State. Garcia-Dugan has been given direct responsibility over English Acquisition Services and other divisions connected to programs for ELLs.

Horne had vowed to shut down bilingual education programs by the following school year (Kossan, 2003d). Soon after Garcia-Dugan's appointment, Horne and Garcia-Dugan (2003) issued a letter to school districts and charter schools to set forth "guidelines with respect to proper implementation of Arizona English immersion laws" (p. 1). The letter, just 3 pages long, addressed the issue of the waiver provisions of Proposition 203.<sup>9</sup> The most attention is given to Waiver Provision 1 (Children Who Already Know English). The letter cites the portion of the law that states that "good English skills" are determined by English language proficiency tests "in which the child scores approximately at or above the state average for his grade level or at or above the 5th grade average, whichever is lower" (p. 2). Having cited the law, Horne and Garcia-Dugan provide their own interpretation:

The first term to be defined is "good English language skills, as measured by oral evaluation." Some districts have included, as showing "good English language skills" scores that are defined by the publishers as "limited English language skills." This is a violation of the plain language of statute "Limited English language skills" cannot be considered "good English language skills" [sic]. A set of grades that would qualify as "good English language skills" is set forth on Exhibit A to this letter, which provides those scores for each of the relevant tests. (p. 2)

New interpretations were also given for Waiver Provision 2 (Children 10 Years or Older). Horne and Garcia-Dugan declared that schools must conduct an "individual analysis of the needs" for each student before granting a waiver and stated that schools may not use "a form that was repeated for more than one student" (p. 2).

Horne and Garcia-Dugan stated that compliance with the new guidelines would be anticipated "next semester, beginning August or September 2003,

in order to give time for transition, and to prepare students and programs for compliance with these guidelines” (p. 1). In an attempt to soften the language of the mandate, Horne and Garcia-Dugan wrote,

It is not enough to enforce the law. This department wants to make sure that every school is serious about teaching students English as quickly as possible, so that they become fluent, and they can then soar academically as individuals. . . . We want to do everything we can to *help* the schools do the best possible job academically for the students. To this end, the Department will be sponsoring a seminar this spring on Best Practices for Academically Successful English Immersion, and hopes all relevant schools will participate. (pp. 2-3)

Note the use of symbolic language and metaphors that spilled over from the Proposition 203 and Horne campaigns: *make sure every school is serious about teaching students English*, so ELLs can *soar academically as individuals*. As in the campaigns, the use of this language insinuates that school leaders in districts and schools were not interested in helping students learn English nor helping them “soar academically,” however that is defined. The political rhetoric that turned the original intent of bilingual education—help children learn English and succeed academically—on its head was now ensconced in state policy and fully embraced by the state’s top educational leaders.

Horne and Garcia-Dugan’s new guidelines proved to be very controversial, opening a new wave of debate and further spectacle (Kossan, 2003d; Zehr, 2003). Many questioned the legality of Horne and Garcia-Dugan’s interpretation. Two legal issues were at stake. The first pertained to the new stipulations added to the waiver provisions, and the second pertained to the applicability of Proposition 203 to charter schools. These questions resulted in two additional AG opinions, both of which found problems in Horne and Garcia-Dugan’s interpretations.

The first AG opinion (Goddard, 2003b) dealt with the waiver provisions. It was highly technical but essentially declared that (a) the State Board, not the superintendent, has the authority to establish the language proficiency testing requirements and (b) the minimum test scores for Waiver Provision 1 must be based on state average grade-level scores (not predetermined scores set by the commercial test publishers). Rather than end the spectacle, however, the AG opinion helped contribute to it (Kossan, 2003a). In the political spectacle, policy actors can take defeats and spin them as victories (M. L. Smith, 2004). The waiver issue is highly technical, and the legalese of the AG’s opinion left many bewildered. Horne took advantage of this confusion and immediately posted a press release linked to the front page of the ADE

Web site under the headline “Superintendent Tom Horne Vindicated on Bilingual Guidelines: 45 Monitors to Police Bilingual” (Horne, 2003e). However, an article in the *Arizona Republic* ran under a headline announcing the exact opposite: “Bilingual-ed rules still unclear: State attorney general’s opinion challenges Horne’s guidelines” (Kossan, 2003a). Nevertheless, Horne was unrelenting that the AG opinion was in his favor, leading to more confusion, even among State School Board members.

What happened next is unclear. Backstage action is not as visible as that which takes place on the stage. The ADE announced that “the state could withhold money if students were allowed to use waivers to receive bilingual education” (Associated Press, 2003, p. 1). Horne issued this threat to specific school districts, including Tucson. Soon after, a 2003 headline in the *Arizona Republic* declared, “Bilingual Classes Ending in Tucson” (p. 1).<sup>10</sup> Some exceptions were made for students who took language proficiency tests and received waivers prior to August 20; however, the majority of ELL students were moved and placed in English-only classrooms.

The second AG opinion (Goddard, 2003a) dealt with the issue of applicability of Horne and Garcia-Dugan’s guidelines to charter schools. The AG opinion stated simply that “Charter schools are not subject to the requirements of Proposition 203 unless a school’s charter provides otherwise” (p. 1). In discussing his decision, the AG pointed out the underlying purpose of charter schools is to provide alternatives and choice, and thus they are free from regular statutes governing schools. Furthermore, the AG noted that in publicity pamphlets for Proposition 203 no mention was made of charter schools, only school districts.

As with the other AG opinions, this defeat did not deter Horne. He expressed his doubt that charter schools would take advantage of the freedom afforded by the AG and warned that “charter schools that do not follow the English-only law are not eligible for the extra \$300 per pupil that the state pays to help children learn English” (Kossan, 2003b, p. 1). Horne also noted that ELLs in charter schools still have to take state tests in English and warned that “If scores don’t improve over three years, the state can put the charter out of business” (p. 1).

One means of detecting political spectacle is the disconnect between the ends and means. Horne and Garcia-Dugan defended and enforced their new guidelines with the claim that the English-only SEI approach was necessary for ELLs to soar academically as individuals. However, evidence emerged from Horne’s home school district that this approach was having the opposite effect. In January 2003, an audit was conducted by a consultant from the Association of Supervision and Curriculum at Palomino Elementary School where ELLs had been suddenly removed from bilingual education programs

at the height of Horne's campaign. District officials initially refused to release the audit report. The audit found "flaws in the school's language program that could be devastating for Spanish-speaking students" and warned that if not fixed "students will not be able to catch up with their English-proficient peers" (Sorenson, 2003a, p. 1). Regarding the SEI approach, the consultant stated "that strategy assumes English competence can be achieved immediately, a conspicuous contradiction to the academic literature on best practices" (p. 2). Nonetheless, Horne was undeterred in mandating that all schools follow this same approach.

Following through with their press release, Horne and Garcia-Dugan hired monitors to personally visit schools to ensure that they were complying with the new guidelines and other requirements for ELL students (Ruelas, 2003). Garcia-Dugan personally visited schools as part of the monitoring teams (M. Garcia-Dugan, personal communication, December 30, 2003). Garcia-Dugan explained that during classroom observations they are looking to see if the instruction, materials, bulletin boards, and so on, are in English. In addition, if the teacher teaches in English, but students respond in Spanish, the monitors take that as a sign that prior to their visit the teacher has probably been teaching mostly in Spanish. The monitoring protocol utilized by the monitors simply stresses that instruction is in English and appropriate for ELLs; however, nothing in the protocol document outlined what constitutes so-called appropriate instruction. Hence, monitors merely focus on the language of instruction, rather than the quality and appropriateness of instruction for ELL students.<sup>11</sup>

The audit of Palomino Elementary described above mentioned the contradictions of the SEI model with academic research. M. L. Smith (2004) described the unfortunate role academic research can play in the political spectacle in the creation of an illusion of rationality:

When the scientific research is equivocal and particularly when findings contradict each other, policy makers and their political allies exploit the debate by aligning with the faction that provides a rationale for what they were going to decide in any case. In most cases, the results favor the powerful and neglect the interests of the less advantaged parts of the public. (p. 178)

Early in his campaign, Horne obtained a copy of a study by Guzman (2002) that appeared in the magazine *Education Next*. Horne cited this single study on numerous occasions, in live speeches, debates, and letters published in newspapers, as unequivocal proof that bilingual education is inferior to English-only programs (see, e.g., Horne, 2003b, 2003c). Armed with a single study, Horne (2003b) charged that "members of the ideological bilingual

education machine at our state teachers' colleges show amazing ignorance of the most recent and comprehensive research in this area" (p. 1). Note the continued characterization of *enemies* to discredit any detractors to his policy. Horne emphasized that *Education Next* is affiliated with Stanford University in an attempt to give it greater credibility. However, the magazine, published by the Hoover Institution, is not a peer-reviewed publication. The Guzman study is highly flawed, and even Guzman himself noted its limitations. The study utilized the High School and Beyond (HSB) database that has tracked a cohort of students since the early 1970s. A critique of the Guzman study by Krashen (2002) found that the HSB database did not include a category for bilingual education, so Guzman attempted to construct a "coarse definition" by utilizing other variables. Furthermore, few bilingual programs were in existence in the early 1970s, thus it is questionable how many students in Guzman's sample really were in bilingual programs. These are just a few of flaws in the study.

As Horne continued to defend and enforce his policies, he wrote another letter to the *Arizona Republic* in May of 2003 proclaiming the superiority of English immersion (Horne, 2003c). Horne claimed that in a bilingual program "it takes seven years for a student to become proficient in English," and declared this to be "unacceptable" (p. 1). This claim is a distortion of the widely held view in the field that it takes from 5 to 7 years for students to acquire proficiency in a second language, regardless of program type (Hakuta et al., 1999). Indeed, recent analysis of English proficiency test data from California (where most ELLs are in English-only classrooms) supports this view (Hill, 2004). Horne then went on to claim, "I have been in a number of English immersion schools where at least 85 percent of the students become orally proficient in English in one year, and fully proficient in reading and writing within three years" (Horne, 2003c, p. 3). This is a bold claim; however, Horne neglected to mention the names of these schools. When pushed for names, Horne (2003a) provided only two—Walter Douglas Elementary in Tucson (Flowing Wells District), and Glendale High School, where Garcia-Dugan used to be principal (p. 2).<sup>12</sup>

These claims are difficult to verify given that, at the time, the ADE did not collect or report data from district-administered English language proficiency tests (school districts had a choice of four different tests). However, demographic and achievement data from these schools may be telling. Both schools had relatively low ELL populations, with less than 9% at Walter Douglas and less than 8% at Glendale High School.<sup>13</sup> In both schools, there were wide gaps in 2002 SAT-9 scores between students in the ELL<sup>14</sup> and ALL<sup>15</sup> students categories. In reading for example, at Walter Douglas average scores for second-grade ELLs were in the 25th percentile, compared to

the 53rd percentile for non-ELLs—a gap of 28 percentile points. In Grades 3, 4, and 5, ELLs were behind by 36, 46, and 38 percentile points, respectively, in reading. The gaps were smaller at Glendale High School because of the fact that students in the ALL category were (on average) below the 40th percentile. In reading, ninth-grade ELLs scored on average at the 18th percentile, compared to 34th percentile for students in the ALL category.<sup>16</sup>

These gaps may be misleading however, if it is true that 85% of the ELLs redesignate after a year. In that case, the trends in SAT-9 scores at Walter Douglas may also be telling. SAT-9 scores usually rise each year as the test has not changed and teachers and students have become more familiar with it. Reading and Language Arts Scores for second graders at Walter Douglas rose steadily between 2000 and 2002 but dropped suddenly in 2003; reading scores fell from 53 to 47, and Language Arts scores fell from 44 to 32. One possible explanation for this drop is that young ELL students in the primary grades are being redesignated and pushed into the mainstream classrooms much too early, thus lowering their school's aggregate test scores. These facts, however, were obscured as Horne transformed Walter Douglas Elementary and Glendale High Schools into symbolic objects within the political spectacle as proof of the effectiveness of English-only education for ELL students.

Another significant policy event and symbolic object was the Super Sheltered English Immersion Seminar sponsored by the ADE. The first seminar was held at a posh Phoenix hotel on May 31, 2003, and was attended by approximately 300 teachers and administrators. Horne and Garcia-Dugan gave opening remarks during the morning session, and Garcia-Dugan also delivered the lunch session address.<sup>17</sup> The seminar fulfilled several important symbolic functions: (a) establish the enforcement of Proposition 203 and the adoption of the SEI model as top priorities in the State, (b) afford Garcia-Dugan and Horne the opportunity to justify their policies, and (c) create the illusion that they were not just enforcing the law but also training teachers how to implement SEI effectively. The seminar as a whole functioned to further the illusion of rationality. It was carefully planned to convince participants that replacing bilingual education with SEI was the rational thing to do, and that the ADE was truly concerned about helping ELL students achieve.

Plot lines were evident at the seminar. Horne, for the first time, explained why he has “such a passion for ELL students.” He described how his (well-educated) parents emigrated from Poland just before the German invasion. Although Horne was born years later in the United States, he told the audience “so I identify very strongly with our English language learning students.” Garcia-Dugan's plot line was much less compelling, mainly relating Unz's story of the 9th Street Elementary School in Los Angeles. Horne also



used his opening remarks to justify his appointment of Garcia-Dugan. In contrast to the press release described above, Horne stressed that he selected Garcia-Dugan because of her 30 years of experience and her reputation as a highly successful principal at Glendale High School.

Another important symbolic object was the careful selection of the seminar's keynote speaker, Rosalie Porter, a long-time foe of bilingual education (see, e.g., Porter, 1990) who served as Unz's local chairperson of his successful campaign in Massachusetts. Porter proved to be an engaging speaker. She described her personal experience as a former bilingual teacher when the approach was first "invented" but then described how she became disillusioned with it and came to realize that English immersion is a better approach, and thus has been advocating for it ever since. Her message appeared to be carefully crafted to appeal to the former bilingual teachers in the audience still upset over the loss of their programs.

Along with handouts of Porter's presentation, each participant received an 8 × 11 full-color copy of Porter's publicity photograph. Porter expressed her embarrassment to the audience, noting she did not intend for everyone to receive a copy. In the political spectacle, however, this served as an effective means to remind the audience of who the real so-called heroes are. Garcia-Dugan's remarks throughout the seminar also focused on identifying these heroes, singing the praises of Porter, Unz, Horne, and the woman who led the 9th Street Elementary School boycott. She encouraged everyone in attendance to read Porter's antibilingual education book, *Forked Tongue* (Porter, 1990).

Ken Noonan, another well-known antibilingual education "hero," was selected as the keynote speaker for the SEI Seminar the following year. Noonan is the superintendent of Oceanside School District in California and was a former director of the California Association of Bilingual Education. He fully embraced Proposition 227 and abolished his district's bilingual programs, and Oceanside made headlines when its rise in test scores were attributed to Noonan's decision (MacEachern, 2000; Noonan, 2000). Reanalysis of district data, comparisons with neighboring schools that did not eliminate their bilingual programs, and subsequent student performance in Oceanside provide evidence that this claim has little merit (Butler et al., 2000; Hakuta, 2001). Furthermore, Oceanside became the subject of a federal civil rights complaint and investigation for refusing to inform and offer parents their legal right to request waivers (Escobedo, Rice, Aviles, & Ochoa, 2000). Nonetheless, these facts were obfuscated during the SEI seminar, and Oceanside and Noonan have become symbolic objects of the illusion of the success of Proposition 227 and SEI.

A disconnect between the ends and the means was also evident at the SEI Seminar. Horne and Garcia-Dugan stated that the purpose of the seminar was to help “students become wholly proficient in English as quick, and rapid, and accelerated a manner as conceivably possible” so they can “compete with their (English-speaking) peers on an equal basis” and “soar academically as individuals,” and to diffuse to *all* of the teachers in the state the “knowledge and skills needed to achieve that” (Field Notes, May 31, 2003). Horne declared that “any program that does not emphasize the speed with which these students are to master English, is a crime against these students.” Horne then provided a telling example:

There was a school in my own district that was trying, but was not doing well academically. They had a lot of English language learners. And what we discovered was that they weren’t teaching academic English . . . and kids need to learn Academic English in order to do well in school. And so, it was just a matter of letting them know what they needed to do. They had all the motivation they needed, but they needed the skills. (Field Notes, May 31, 2003)

Horne was clearly referring to Palomino Elementary School—the school that had its bilingual program shut down by the district at the heart of Horne’s campaign (see above). Horne was now holding it up as a symbolic object of success. Evidence has emerged that the warnings of the audit of Palomino (see above) regarding the inadequacy of the SEI program were warranted. Reading and Language Arts test scores on the 2003 SAT-9 for students in Grades 3 through 6 are below the 25th percentile and have actually declined substantially from 2000. As at Walter Douglas Elementary (see above), this stands in stark contrast to the usual trend of rising scores each year on an unchanging norm-referenced test. Under Horne’s own school accountability program, Palomino was designated as an underperforming school the same year he held the school up as a model (ADE, 2003). Nonetheless, in the political spectacle, these details are glossed over.

No comprehensive definition or description of SEI was provided at the SEI Seminar. The general session speakers focused on the language of instruction (English), rather than the content. In the sessions I attended, none of the presenters claimed to have all of the “knowledge and skills” necessary but simply related the challenges they faced with ELLs and shared some strategies they were finding useful. These sessions, presented by experienced ELL educators from across the state, were very similar to sessions I have attended at bilingual education conferences. Those in attendance likely benefited from these sessions; however, it is unlikely that the 300 in attendance would be able to take all these knowledge and skills and diffuse them to the

thousands of other teachers in the state, as suggested by Horne and Garcia-Dugan.

On January 6, 2004, Superintendent Horne delivered Arizona's first State of Education speech (Horne, 2004b). This was a carefully planned theatrical staged political event, catering to the media, in an effort to elevate the importance of his position in the state (Kossan, 2004, p. 1). The theatrics were well orchestrated.

The location was carefully selected—a highly performing Title I elementary school. More than 300 were in attendance. On the stage was a large podium, filled with microphones from local television and radio stations. Behind the podium, a backdrop had been created. It looked a bit awkward—flimsy and out-of-place on a big empty stage—however it was just large enough to be fully captured by a television camera or a photographer's lens. The backdrop contained a colorful pattern repeating the theme of Horne's speech—Promises Made, Promises Kept. The theatrics began with a full military-style presentation of the colors and leading of the Pledge of Allegiance by a local high school Reserve Officers' Training Corps (ROTC), after which the entire audience stood and sang the *National Anthem*. Brief welcoming remarks were made by the local superintendent and school principal. Then, as a prelude to Horne's remarks, the school's fourth-grade students stood and performed a heart-warming rendition of *Proud to be an American*. A conservative columnist for the *Arizona Republic* commented on the theatrics of this event, "Despite the immaculate staging, however, there was a forced, contrived feel to the thing, beyond the usual artificiality of such occasions" (Robb, 2004, p. 1).

Although this was deemed the State of Education address, it could more accurately be described as "state of Horne's campaign promises." The focus was less on education, and more on Horne, as the theme of his speech makes clear—Promises Made, Promises Kept. Thus, the true focus of the speech was "I am a good politician because I make and keep my campaign promises." The speech was indicative of Horne's ambition for a higher political office. The very first promise Horne described making and keeping was enforcing Proposition 203. He briefly described his waiver guidelines, claiming they were "approved" by the AG. He described how he had to threaten to withhold funds from some school districts where ELLs were "languishing" in bilingual programs, to force compliance. He then described the SEI Seminar, describing it as a "superconference" to "help schools do the best possible job to teach English effectively."<sup>18</sup> Horne then declared triumphantly, "All of the students who do not know English are now learning English so that they will be able to soar academically as individuals. That's a promise made and a promise kept!"

### RECENT DEVELOPMENTS

The political spectacle surrounding Proposition 203 continues. In February of 2004, Garcia-Dugan began efforts to shut down Navajo Immersion programs on the Navajo Reservation, claiming the AG opinion issued in 2001 did, in fact, state that public schools on the reservation are subject to Proposition 203 (Donovan, 2004; Mahoney et al., 2004).<sup>19</sup> Despite evidence that students in the Navajo Immersion program are doing better academically than students in the English-only program, the ADE has nonetheless threatened to withhold ELL funding if these reservation schools continue to offer the Navajo Immersion program (Hortsman & Jackson-Dennison, 2005). Native American educators and tribal leaders are currently challenging the ADE's position.

In July 2004, the ADE released a report (coauthored by Garcia-Dugan) claiming that students in SEI were outperforming students in bilingual education (Horne, 2003c; Judson & Garcia-Dugan, 2004; Villalobos, 2004). As with the Guzman (2002) study, researchers have found numerous flaws with the ADE's SEI study (Krashen, 2004; MacSwan, 2004a, 2004b) and found that the ADE's claims cannot be substantiated. Nevertheless, Horne has vigorously defended the study and simply dismissed his critics by arguing that "highly ideological pro-bilingual professors don't like to face up to scientific results" (Horne, 2004a, p. 1).

Finally, efforts are under way in Arizona to substantially decrease the amount of training required by teachers of ELL students. The state created a new SEI endorsement and is requiring all teachers (and administrators) in the state to obtain it (see [www.ade.state.az.us/asd/lep/](http://www.ade.state.az.us/asd/lep/)). The SEI endorsement only requires 15 clock hours of training, followed by 45 clock hours several years later. This stands in stark contrast to the State's ESL Endorsement that requires six college courses (three units each) and some foreign language study. While the idea of training all teachers to work with ELLs is laudable, the amount of training is widely viewed as inadequate.<sup>20</sup> Nonetheless, all mainstream teachers will, by default, become SEI teachers despite the fact that they have received so little training in how to teach English as a second language and how to help ELLs learn academic content in a language they are still learning.

### CONCLUSION

Proposition 203 has had a major impact on the education of ELLs in the state of Arizona. The initiative was brought to Arizona by an outside policy actor who used his personal fortunes to finance it and campaign for it. As a

policy, its meaning has been interpreted in vastly different ways by a series of different policy actors. These ranged from complete indifference (Keegan), to strict enforcement (Horne).

Proposition 203 has all the characteristics of political spectacle, and the spectacle went well beyond the initial political debate and election, affecting also the race for superintendent of public instruction. Within the spectacle, policy actors, leaders, heroes, and enemies were named. Ambiguous symbolic language made rationale debate about issues of educating ELLs impossible. Illusions of rationality were created through the use of misleading statistics and other numbers and sound bites. Flawed academic research was used to justify decisions already made. Staged events were held. Real benefits in the form of political favors were allocated offstage. Finally, there is disconnection between the means and the end. Had actual state data and research evidence been utilized in rational, democratic debate, Proposition 203 never would have become an issue.

There is also collateral damage as the result of the political spectacle surrounding Proposition 203. The issue was promoted as proimmigrant and supposedly only dealt with the narrow issue of the language of classroom instruction. However, it sparked widespread debate about immigration and immigrant communities as a whole, stirring up strong emotions about illegal immigrants and directed attacks on the Hispanic community in particular (see Wright, 2004). Evidence for this can be found in the letters written to newspapers, the mistreatment of parents and community leaders at Paradise Valley school board meetings, and the attempt to ban Spanish from all areas of the school at P.T. Coe Elementary; are all testament to that. Following in this sentiment, Arizona voters approved a new initiative in 2004 (Proposition 200) to deny State services to illegal immigrants, and an English-only bill is currently being considered by the State legislature.<sup>21</sup> Other incidents have occurred, and new ones are developing. One of the most troubling is the recent firing of a middle-school teacher in Scottsdale who was using physical force to punish ELLs for speaking Spanish in class. According to news reports, the teacher "said she was enforcing the district's English immersion program" (Ryman, 2004b; Ryman & Madrid, 2004, p. 1). Yet another federal civil rights complaint with direct connection to Proposition 203 has been filed (Ryman, 2004a).

Superintendent Horne, when asked about the incident, stated "it is wrong to hit students" but nonetheless declared that "it is correct for a teacher to insist that students speak only English in class" (Ryman & Madrid, 2004, p. 1). The outcry from the Hispanic community over this incident has been great. The education chairman of League of United Latino American Citizens (LULAC) commented sadly, "This is like back in the '50s when they

used to hit the students for speaking Spanish. It sounds like we've gone around the block, but we really haven't gone anywhere really" (p. 2). Some community leaders and educators warned that Proposition 203 would result in such things. Apparently, they were right.

As this article demonstrates, Proposition 203 is political spectacle and, thus, is not the result of true democratic policy making with real concern for ELL students. Arizona is currently the most restrictive state in terms of language education programs for ELL students. Although state policy actors are finding ways to minimize the impact of low academic achievement of ELL students in state and federal school accountability formulas (Wright, 2005a, 2005b), it is doubtful that the harmful effects Proposition 203 (and other policies) are having on ELL students can be hidden for long. As widespread academic failure of ELLs becomes more apparent, policy makers may be reminded that bilingual education programs were created in the first place to address this very issue.

Despite the efforts of some state policy actors to completely eradicate bilingual education in Arizona, some programs have survived in schools where parents and educators are knowledgeable of their rights and are committed to quality programs.<sup>22</sup> Some schools have been able to continue to offer bilingual programs for ELL students who are older through Waiver Provision Number 2 (students ages 10 years and older). In addition, some schools continue to offer dual-immersion programs in Grades K through 3, but only for English-only students and bilingual students who are already proficient in English. Some charter schools have been willing to forgo state ELL funding to exercise their right to offer bilingual programs as stipulated by the AG. In fact, new charter schools have been started, and others are currently being proposed, including several schools with connection to Arizona State University, which will provide dual-language programs. Student achievement data emerging from these schools may provide further evidence that Proposition 203 is nothing more than a political spectacle. Hopefully, this will force future policy makers to question restrictive state laws that prevent ELLs from soaring academically.

#### NOTES

1. The text of Proposition 203 has been incorporated into the Arizona Revised Statutes (A.R.S.) Section 15-751-755.

2. The convergence of Proposition 203 and *Flores v. Arizona* (1999) is a complicated matter and beyond the scope of this article.

3. Rolstad, Mahoney, and Glass (2005) noted that Arizona's use of SEI (sheltered English immersion) is inconsistent with the definition offered in the reports by Baker and de Kanter (1981) and Rossell and Baker (1996) that stated that SEI programs permit considerable use of the home language.

4. This specification, which did not appear in Proposition 227, was added to Proposition 203.

5. California's Proposition 227 only allows lawsuits against teachers.

6. Postelection data from California and Massachusetts reveal that voting districts with large Latino populations voted against Unz's initiatives (Crawford, 2000d; Rice, 2003).

7. Crawford's response to Unz calling him an "academic loony" is worth noting. In an e-mail to Unz, Crawford retorted: "I take exception to that—I am not now and have never been an academic" (see [www.humnet.ucla.edu/humnet/linguistics/people/grads/macswan/unzmail.htm](http://www.humnet.ucla.edu/humnet/linguistics/people/grads/macswan/unzmail.htm) for Crawford's full response and the text of their e-mail exchanges).

8. According to the Arizona Department of Education, the redesignation rate was actually 5.5% (Zehr, 2000).

9. Horne and Garcia-Dugan's letter (Implementation of Arizona English Immersion Laws) did not replace Molera's extensive guidance document on Proposition 203 (Guidance Regarding the Implementation of A.R.S. 15-751-755). Both currently appear on the ADE Web site (see [www.ade.state.az.us/asd/lep/](http://www.ade.state.az.us/asd/lep/)). Hence, while Horne accused Molera of failing to enforce Proposition 203, the ADE under Horne continues to use Molera's guidelines.

10. This misleading headline suggests that all bilingual education programs in Tucson were shut down. However, this is not the case. Although Tucson had to remove the majority of ELL students in Grades K through 2 from bilingual programs, the district continues to provide some bilingual and dual-immersion programs for students who are English proficient in Grades K through 3 and for ELLs older than age 10 years.

11. The irony here is that the monitoring of schools is dictated by the outcome of the *Flores v. Arizona* (1999, 2000) lawsuit, which was designed to ensure that schools were providing adequate resources and instruction for ELLs.

12. Garcia-Dugan also provided the names of these two schools when asked about Horne's claim. She also made a telling comment. She noted that given the lack of single state-wide English language proficiency exam, the ADE really does not know which schools have been effective in helping ELLs learn English and which have not (M. Garcia-Dugan, personal communication, May 31, 2003). Given this fact, how could Horne, Garcia-Dugan, and their colleagues in the English for the Children movement have known that schools with bilingual programs were failing to teach ELLs English? ADE's lack of data to make proper policy decisions was documented by Mahoney et al. (2004).

13. These percentages were determined though the 2000 state ELL report (Keegan, 2000) on program participation for the 1998-1999 school year (see [www.ade.state.az.us/asd/lep/EADownloads/EA2000/6ProgramParticipation.pdf](http://www.ade.state.az.us/asd/lep/EADownloads/EA2000/6ProgramParticipation.pdf)) and state school report cards for the 1998-1999 academic year (see [www.ade.az.gov/srcs/ReportCards/35038.pdf](http://www.ade.az.gov/srcs/ReportCards/35038.pdf) for Walter Douglas and [www.ade.az.gov/srcs/ReportCards/35477.pdf](http://www.ade.az.gov/srcs/ReportCards/35477.pdf) for Glendale High School). Walter Douglas had 55 ELLs in Grades K through 6 of 654 students, and Glendale High School had 99 ELLs in Grades 9 through 12 of 1,330 students.

14. The actual number of ELLs taking the SAT-9 is not reported; however, at Flowing Wells elementary, it may have only been 8 students. This is the number reported as taking the State criterion-referenced test.

15. ADE does not provide a mutually exclusive category for "non-ELL." However, the All Student category excludes ELLs with fewer than 3 years of enrollment.

16. Test score data downloaded from the Arizona Department of Education Web site. See [www.ade.az.gov/ResearchPolicy/SAT9Results/](http://www.ade.az.gov/ResearchPolicy/SAT9Results/)). In using these data, I do not make any claim regarding the reliability and validity of test scores for ELL students. They are used here merely to illustrate that the data do not support the claims of policy makers who mandate tests and cite test scores results when making claims of improved academic achievement.

17. Horne had previously announced that Reuben Beltran, the consul general of Mexico in Phoenix, would be a keynote speaker at the SEI Seminar. Beltran was also scheduled to appear at a press conference with Horne. Horne, knowing what a symbolic victory it would be to have a Mexican official giving his policies and seminar a stamp of approval, had bragged to reporters, "This is quite a coup, isn't it?" (Kossan, 2003c). However, as one reporter noted, "coups can end in disaster" (p. 1). Soon after Horne's announcement, Beltran backed out of both events.

18. In the official written version of State of Education Speech, Horne also described the 35 monitors being used to monitor compliance (Horne, 2004b). This was left out of his first live speech (the speech was repeated in other locations throughout the state).

19. Garcia-Dugan's position is that public schools on the reservations must comply with Proposition 203 by teaching all subjects in English, but that these schools may provide foreign-language-type classes to teach Navajo as allowed by the AG opinion. Given the dramatic language loss of Navajo among children, tribal leaders and educators recognize that merely teaching Navajo as a subject for a few hours a week is not sufficient to reverse language shift and the ultimate death of the Navajo language.

20. It is ironic to note, the impetus for the creation of the SEI endorsement also came from the *Flores* (1999, 2000) lawsuit, which was supposed to ensure higher quality education for ELLs. A legal challenge to the state's proposed SEI endorsement was denied (Horne, 2005). The issues surrounding the SEI Endorsement are too complex to go into detail here.

21. This is despite the fact that a previous English-only measure (Proposition 106) was deemed as unconstitutional in 1998 (Reese, 1999).

22. These schools, despite the fact that they have followed the letter of the law in terms of granting waivers, have nonetheless come under increasing scrutiny and pressure from the ADE Proposition 203 monitors. (Anonymous personal communications, January 28, 2005)

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*Wayne E. Wright, Ph.D., is an assistant professor of bicultural-bilingual studies at the University of Texas, San Antonio. He is the codirector (with Dr. T. G. Wiley) of the Language Policy Research Unit ([www.language-policy.org](http://www.language-policy.org)) of the Education Policy Studies Laboratory at Arizona State University. He is the 2005 recipient of the Outstanding Dissertation Award from the National Association for Bilingual Education. His research interests focus on equitable educational programs for language minority students and policies related to high-stakes testing and English language learners. He is a coeditor of the book *Ebonics: The Urban Education Debate* (2005). Other recent publications include a policy brief published by the Education Policy Studies Laboratory titled *Evolution of Federal Policy and Implications of No Child Left Behind for Language Minority Students*.*