California English Learner Roadmap and Proposition 58: Two Key Policy Opportunities for English Learner Students in California

Overview

The California English Learner Roadmap Policy: Educational Programs and Services for English Learners (CA EL Roadmap) and the California Education for a Global Economy Initiative, otherwise known as Proposition 58, are two important state policies that have been identified as a priority by the Consortium for English Learner (EL) Success because they implement an asset-focused vision for EL education where a student’s native language is valued, respected, and developed.

After two decades of deficit-based and anti-immigrant laws in California, the passage of Proposition 58\(^1\) and the adoption of the CA EL Roadmap represent a new day for California EL education policy and multilingual education. As the state copes with the residual and harmful effects of laws like Proposition 227 that outlawed bilingual education, California law, policy, and practice are shifting from a deficit to an asset-based approach to educating EL students.\(^2\)

Proposition 58 allows schools and parents to decide how to teach English Learner students and removed English-only immersion as the default language instructional program required by Proposition 227. Parents can request any language instructional program for their EL child under the new law, including programs that develop an EL student’s native language. The California EL Roadmap, adopted by the State Board of Education in 2017, is a guide for local education agencies to implement its vision for California’s EL students in which: “[e]nglish learners fully and meaningfully access and participate in a twenty-first century education from early childhood through grade twelve that results in their attaining high levels of English proficiency, mastery of grade level standards, and opportunities to develop proficiency in multiple languages.”\(^3\)

The state now has two blueprints, the CA EL Roadmap and Proposition 58, that view the identities, cultures, and home languages of EL students as an asset to the success of California’s educational, cultural, and economic future. However, the state has not yet provided specific resources to support the implementation of the CA EL Roadmap or to increase new bilingual or dual immersion programs under Proposition 58. Both policies face challenges in their implementation.

This memo highlights promising practices, challenges, and policy recommendations around the implementation of Proposition 58 and the CA EL Roadmap.

Promising Practices

English Learner Parents’ Bill of Rights - New York

\(^1\) Cal Ed Code Tit. 1, Div. 1, Pt. 1, Ch. 3 amended by Proposition 58 in 2016
\(^3\) California Department of Education, English Learner Roadmap, April 2019, https://www.cde.ca.gov/sp/el/rm/
Understanding that an informed, empowered community of parents, guardians and other persons in parental relation is critical to ensuring that EL students are well served, the New York State Education Department's Office of Bilingual Education and World Languages (OBEWL) created an English Language Learner Parents' Bill of Rights which summarizes critical rights concerning educational access and programming for ELLs and their parents. These key rights are summarized in an easy to reference one page format and have been translated into nine languages.

**English Learner Roadmap to College - New York**

In an effort to increase the number of EL students applying to, attending, and persisting in college, OBEWL also created an English Learner Roadmap to college, that provides information on specific steps an English Learner student must take to apply to, get accepted to, and succeed in college. It includes information on middle and high school course requirements, applying to the right college, and financing college, among other critical areas, all specific to EL students.

**State Seals of Biliteracy - 37 states nationwide**

In an effort to help students recognize the value of their academic success, see the tangible benefits of being bilingual, and be competitive for college admissions and future employment, nearly 40 states across the country have enacted the Seal of Biliteracy. The Seal of Biliteracy is an award given by a school, district, or state in recognition of students who have studied and attained proficiency in two or more languages by high school graduation. This means 60% of the nation recognizes and honors seniors for their linguistic talents and proficiency in English and one or more other languages. California was the first state to enact the State Seal of Biliteracy in 2011.

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**States with Seal of Biliteracy, including D.C.: 2011-2019**

- 37 states, including D.C., have approved/enacted the Seal of Biliteracy
- Legislators in VT are still considering to vote on Seal of Biliteracy bills
- 12 states (ID, WV, NE, OK, AL, KY, WV, MS, AK, VT and ND) have initiated the Seal of Biliteracy
- 2 states (MT and ND) have not yet initiated the Seal of Biliteracy

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**Proposition 58 & California English Learner Roadmap**

**Parent Right to Request New Language Acquisition Programs under Proposition 58**

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4 Seal of Biliteracy, California Seal of Biliteracy, https://sealofbiliteracy.org/state/ca/
5 Ibid.
6 Ibid.
The public demonstrated its support of biliteracy with the passage of Proposition 58 in 2016. In effect, the law repealed the English-only immersion requirement and waiver provisions required by Proposition 227 of 1998. It allows public schools to establish programs for English learners that promote proficiency in multiple languages and view students’ home language as an asset. Proposition 58 aims to “ensure that all children in California public schools receive the highest quality education, master the English language, and access high-quality, innovative, and research-based language programs that prepare them to fully participate in a global economy.”

Proposition 58 also requires school districts to solicit input from community members about their English learner programs as part of developing their local control accountability plans. The law removed the requirement of the parents of English Learners to complete waivers prior to enrolling in bilingual programs. Under the new law, parents can request any language instructional program for their EL child. If 20 or more parents in a single grade or 30 or more parents in a school request a specific EL language instructional program (like dual immersion or bilingual programs), that school must offer the program to the extent possible. This feasibility determination may make it more difficult for parents whose children are in districts or schools with a lack of resources to get a bilingual or dual immersion program.

CA EL Roadmap Implementation

The CA EL Roadmap was passed by the State Board of Education in 2017 and “provid[es] guidance to [school districts] in order to welcome, understand, and educate the diverse population of students who are English learners attending California public schools.” The vision and mission of the policy affirm the strengths of an EL student, and emphasize meaningful access to an education that results in their attaining high levels of English proficiency, mastery of grade level standards, and opportunities to develop proficiency in multiple languages starting in early childhood. It is a dynamic guidance document that consists of four interrelated principles, corresponding elements to enact each principle, and examples of promising practices. The principles include:

1. Assets-Oriented and Needs-Responsive Schools;
2. Intellectual Quality of Instruction and Meaningful Access;
3. System Conditions that Support Effectiveness; and

The CA EL Roadmap is also intended to provide information on EL education and research-based practices to students, parents, and communities. It can help districts align their local control accountability plans and Title III plans to support English Learner students. The roadmap policy exists purely as unfunded guidance to districts and therefore will have varying levels of adoption and implementation.

Despite these promising policy changes to an asset-focused vision for the education of EL students, there are issues that have made it difficult to turn these policies into a reality for all EL students across California. The following recommendations seek to address barriers and bolster the implementation of both Proposition 58 and the CA EL Roadmap.

Policy Recommendations

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1) The state should provide information about the enrollment of EL students disaggregated by language instructional program in its summary of reports available to the public through DataQuest. EL students are enrolled in various language instructional programs, including Structured English Immersion, bilingual programs, and dual immersion programs. They are also on biliteracy pathways and receive Seals of Biliteracy. However, there is not enough data available to the public, community, and parents about the number and percentage of EL students who are accessing language instructional programs that develop their native language, including bilingual and dual immersion programs. The state should add a report to the publicly accessible DataQuest that shows the number and percentage of EL students by language instructional program (dual immersion, etc) and the percentage of EL students that receive a Seal of Biliteracy annually.

2) Target school districts with high shares of EL students to implement EL Roadmap. Because the roadmap is a new and unfunded policy, districts will adopt and utilize the guidance at varying degrees. It will take a comprehensive focus by the California Department of Education (CDE) and State Superintendent of Instruction to ensure awareness, ownership, and comprehensive implementation of the CA EL Roadmap is robust across the state. The CDE should provide funding or sponsor additional legislation that would enable districts with high shares of EL students to pilot implementation.

3) Increase curriculum, books, and other materials in languages other than English, particularly languages that have the highest share of English Learners. Prop 227 led to the decimation of books, materials, and curriculum produced in languages other than English. In California, over 80% of EL students speak Spanish at home, followed by six additional languages spoken by over 100,000 EL students in California. Materials in Spanish are particularly needed and the development of materials in other prominent languages should be explored and addressed.

<table>
<thead>
<tr>
<th>Language</th>
<th>Number of ELs</th>
<th>Share of ELs with a Home Language Other Than English (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spanish</td>
<td>1,044,793</td>
<td>82.2</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>27,573</td>
<td>2.2</td>
</tr>
<tr>
<td>Mandarin Chinese</td>
<td>22,961</td>
<td>1.8</td>
</tr>
<tr>
<td>Arabic</td>
<td>19,008</td>
<td>1.5</td>
</tr>
<tr>
<td>Filipino/Tagalog</td>
<td>16,124</td>
<td>1.3</td>
</tr>
<tr>
<td>Cantonese</td>
<td>15,085</td>
<td>1.3</td>
</tr>
<tr>
<td>Korean</td>
<td>15,280</td>
<td>1.2</td>
</tr>
<tr>
<td>Other (not specified)</td>
<td>10,035</td>
<td>0.8</td>
</tr>
<tr>
<td>Other (59 languages)</td>
<td>99,691</td>
<td>7.9</td>
</tr>
</tbody>
</table>


4) Create an English Learner Parent Bill of Rights to ensure EL parents are informed about their right to request a language instructional program under Proposition 58. Parents of EL students may be unaware of their right to request a new bilingual or dual immersion program under Proposition 58. The state should also issue guidance or provide exemplary cases of

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9 California Department of Education, Data Reporting Office, “English Learner Students by Language by Grade: State of California 2017-18”.
district-school-community partnerships that have successfully lead to the creation of parent-requested dual immersion or bilingual programs under Proposition 58.

5) **Provide access to state grants to districts and schools with a lack of resources to implement dual immersion and bilingual programs.** Proposition 58 requires schools and districts to respond to parent requests for new language instructional programs, but it does not require the school to provide the program. The law states that the school “must offer the program to the extent possible.” Schools and districts can deny the creation of a new bilingual or dual immersion program based on costs and the resources necessary to implement the program. There should be some recourse for parents who are denied the opportunity for their school to establish a bilingual or dual immersion program. For example, schools with at least 40% EL enrollment that do not have sufficient resources to establish the program could be invited to apply for state grants that fund dual immersion programs, such as those under AB 2514.

10 Cal. Ed. Code § 300 et seq.