

Bilingual Education for Asian Americans  
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**Abstract**

Since the 1960s, Asian American children often face unequal access to American schools as a result of their lack in English proficiency. Despite this recurring phenomenon, American schools continue to push for a primarily English education system. In my research, I searched the archives for information on race, language, and education in the United States, the experience of Asian Americans in an English based education system, and the emergence of limited English proficiency and bilingual education programs. Through my analysis, I argue that an English based education privileges English speaking Americans over non-English speaking minorities, and that American education should offer limited English proficiency and bilingual education programs for all non-English speaking children to level the educational playing field.

**Introduction**

一一得一，一二得二，一三得三 or the Chinese version of one times one equals one, one times two equals two, one times three equals three. Although many praised me for my excellence in memorizing my multiplication times tables at just five years old, math was simply the common language between my educators, peers, and me. As a young Chinese speaking kindergartener in America, the language of numbers had always been my refuge when English could not provide me the same feeling of comfort and acceptance. However, the language of math was merely a temporary refuge. In the context of real languages like English, Chinese, and other Asian languages, language barriers or lack of communication due to language difference had been an issue that troubled many immigrant children like myself in school. A language barrier like being unable to speak, read, or write English is a factor that often segregates certain groups of children apart from others in the educational setting. This lack of English proficiency for immigrant children significantly contributes toward the unequal opportunity of access to education in American schools. Despite this ongoing problem, American schools continue to force their children to learn the “American” language. However, America fails to thoroughly consider the question: What exactly is the “American” language? Upon reading the question, many may assert without a doubt that the “American” language is English. However, upon further consideration and examination of this question, I would like to contend this answer. In this research paper, I argue that the idea of English as the “American” language is merely a socially and legally constructed notion made throughout history. Furthermore, the institutional establishment of English as the official language and the primary language used in the American education system privileges English speaking Americans. American education should be improved upon by making both limited English proficiency and bilingual education programs accessible to all children to level the playing field for non-English speaking children of Asian American descent in the United States. To prove this statement, I look first at race, language, and education in the United States, then at the role Asian Americans play in the trio of race, language, and education, before finally at the current debate on the need of limited English proficiency and bilingual education programs for non-English speaking children in the US.

**I. Formation of Race:** In section one, I analyze the social and legal formation of race in the United States by looking into Michael Omi and Howard Winant’s racial formation theory of how social and political determines race, Ariela Gross’s functionalist theory of how race affects the law, and Ian Haney Lopez’s constructivist theory on how law plays a role in forming race.

**II. Formation of the Official Language:** In the second section, I parallel the formation of race to the formation of language in the United States by looking into the history behind the emergence of the English language in the United States, how nativist sentiments suppressed the use of languages other than English, and how past legislation and court decisions deemed English as the official language.

**III. Yellow as a Racial Identity:** In the third section, I investigate the emergence of the Asian American race by looking into the original position of Asian Americans in the general category of “other”, the formation of the Asian American races through discriminatory measures and court cases, and Frank Wu’s theory of Asian Americans as “the perpetual foreigner”.

**IV. Asian Americans in Education:** In the fourth section, I examine the problems that first arose when Asian Americans appeared in the American education system by looking into racial segregation during the Jim Crow era, the separation of black and white in education, the position of Asian Americans in this black-white dichotomy in *Gong Lum v. Rice*, and how racial segregation was overturned in *Brown v. Board of Education of Topeka II*.

**V. Asian Americans and the English Language:** In the fifth section, I analyze the relationship between race and language by looking into the history of Asian American immigration in the late 1900s, the English-only problems that arose in Monterey Park, Angelo Ancheta’s theory of the pluralism and assimilation dichotomy, and the relevance of this theory to English-only.

**VI. Asian Americans and the English Language in Education:** In the sixth section, I explore the more contemporary issues about Asian Americans, language, and education by looking into the facts of non-English speaking students in the United States, *Lau v. Nichols*, and current debate on language instruction versus bilingual education.

**VII. Analysis:** In the seventh section, I review all the information from the previous sections to prove how the predominant language is socially and legally constructed, how English should not be the only language in American education, and how both English language instruction programs and bilingual education should be accessible to all children.

### **I. Formation of Race**

The formation of race in the United States parallels that of the official language. Thus, it is essential to analyze the formation of race in the United States. Michael Omi and Howard Winant’s racial formation theory describes the beginning of race in the United States. According to their book, *Racial Formation in the United States: From the 1960s to the 1980s*, race is defined as different types of human bodies which signify and symbolize social conflicts and interests (Omi and Winant 55). Omi and Winant further that these racial categories have not always existed in society but were rather “created, inhabited, transformed, and destroyed” (Omi and Winant 55). In the context of the United States, the important characteristic, race, came into being through the history of the system of the enslavement of African Americans or “blacks” in the 17<sup>th</sup> century when the definition of white and black was socially and legally determined. The racial differences in the system of slavery were the central idea as to why many believed African Americans were naturally inferior to their European American counterparts. Throughout the following span of American history, many historical occurrences and social factors issued in the grouping of characteristics, both physical and behavioral, and naming of those characteristics for certain races. This social ideology along with scientific research and a consensus in society evolved into what is the “common sense” paradigm of race or different types of people in the United States. Omi and Winant state that the idea of race has been constructed and perpetuated throughout the generations where “Race becomes ‘common sense’ – a way of comprehending,

explaining, and acting in the world” (Omi and Winant 106). They argue that society’s current understanding and common sense of race came from the perceptions of black versus white, and gradually evolved to include other races such as yellow, brown, and red.

Along with the historical and social factors, law is another factor that scholars argue to affect the formation of race. The relationship of race and law is interpreted in two ways that can be described by the chicken or egg dilemma, a dilemma of whether the chicken or the egg came first. The chicken or egg dilemma of this relationship poses the question of which came first: race or law. Arguing that race came first, Ariela Gross’s functionalist theory in her article, “White as a Property”, asserts that “law changes in response to the needs or interests of a society” (Gross 1). Looking at the different pieces of legislation passed throughout the ages, it is logical to assert that “the legislative branch of government [...] susceptible to the pressures of public opinion and ‘interest groups’” (Gross 1). She argues that the definition of race according to the public opinion, interest, or “common sense” shapes law and its jurisdiction. In contestation to this opinion, Ian Haney Lopez argues that “law constructs race” (Lopez 14) in his book *White by Law: The Legal Construction of Race*. Lopez’s constructivist theory on how “law constructs race” (Lopez 14) or the legal construction of race states that “the legal system influences what we look like, the meanings ascribed to our looks, and the material reality that confirms the meanings of our appearances” (Lopez 14). According to his theory, the law draws the lines between certain races through the legislation passed and court decisions made by the different branches of American government. The formation of race can be closely traced through the legal history of the United States.

The historical, social, and legal components all play a significant role in the formation of race in the United States. These theories will be applied in the next section as a parallel to the formation of English as the official language in the United States.

## **II. Formation of the Official Language**

The formation of the official language in the United States, spoken, read, and written, directly reflect Omi and Winant’s racial formation theory and Lopez’s theory on the legal construction of race. Like their theory, the official language was fluid as it developed off of social, political, and legal changes.

English originated from these English settlers who brought English from their homeland. BBC’s article titled “Why isn’t ‘American’ a language?” by James Harbeck recalls the beginning of the United States 400 years ago and testifies that “English speakers first started colonizing America” (BBC). Naturally, English was the language spoken by the settlers to one another. English was widely accepted as the predominant language in those times.

Although English dominance was prominent in the United States, English “had influences [by] a new landscape, new animals, and new people-not just those who were already there when the Europeans arrived but immigrants” (BBC). Nevertheless, the influence of these sources was forcefully suppressed. The social and political atmosphere of the early- and mid- 1920s was dominated by nativists who rallied against the immigration of foreigners, particularly certain racial groups. Nativists or advocates of anti-immigration had a great influence on the politics of the United States because they held the majority opinion in the United States. This group of people encouraged the formal establishment of English as the official language of the United States. In Angelo Acheta’s book titled *Race, Rights, and the Asian American Experience*, he proves that nativists “triggered proposals supporting the primacy of English throughout American history” (Ancheta 116) by citing their advocacy and the legal changes made as a result. Benjamin Franklin’s rhetoric evidences the extreme nativist sentiments of America toward

foreign influence by questioning, “Why should the Palatine Boors be suffered to swarm into our Settlements, and by herding together establish their Language and Manners to the Exclusion of ours?” (Franklin). Franklin raises the fear of foreign languages trumping the English dominance. This fear was manifested in the legal establishment of English as the official language through the adoption of exclusionary naturalization laws and the English-only voting process.

Since 1906, naturalization laws have favored individuals with sufficient English knowledge. To formalize English dominance, the Commission on Naturalization declared in 1907 that “no man is a desirable citizen of the United States who does not know the English language” (Ancheta 117). This Immigration Act of 1917 “limited the admission of undesirable European immigrants” (Ancheta 117) by administering literacy tests for admission to the United States to exclude “all aliens over sixteen years of age, physically capable of reading, who cannot read the English language, or dialect” (Ancheta 117). Decades later, the English requirement was changed to “require not only speaking ability but full literacy in English [as a] basic requirement” (Ancheta 117). These naturalization laws specifically target non-English speaking immigrants, making it impossible for any language other than English to have an influence socially, politically, and legally. Not only did immigration promote an English-only America, but ballot initiatives were also proposed by nativists to make English the official language. The significance of the effects of these ballot initiatives was the “adopting of English as the sole official language in nearly half the states including Massachusetts, California, and Florida; twenty-two since 1981” (Ancheta 117). In Lowell, Massachusetts, a referendum was approved by nearly three to one, in California, Proposition 63 was approved by a 73 to 27 percent vote, in Florida, a constitutional amendment was passed with an even larger 84 to 16 percent vote to declare English as the official language of their respective areas (Ancheta 117). Ballot initiatives made formal declarations of English-only. These English-only statutes limited the power of other languages from stealing the spotlight of English as the official language in the United States.

From an outsider’s perspective, the United States is a diverse nation with diverse races, cultures, and supposedly languages. This makes one consider why exactly English is the primary language in the United States. In actuality, social common sense, past legislation and court as unrightfully deem the importance of English over all other languages. The influence of different social, political, and legal aspects shows the fluidity but eventual formal establishment of English as the official language.

### **III. Yellow as a Racial Identity**

In order to understand how the Asian American race and language fit into the unfair establishment of English as the official language, it is important to look back in time to the formation of the Asian American identity. Initially when expanding this dichotomy to include the diverse racial demography, Omi and Winant deem that white and black becomes “European and ‘others’” (Omi and Winant 62), a term to describe all other racial groups. The history of Asian Americans or the color yellow emerged when they established a social and legal presence in the United States. Although scholars argue that Asian American history began before 1848, many Asian American studies courses often begin at the discovery of gold at Sutter’s mill when many Chinese immigrated in search of economic success in California or “Gold Mountain”. Since 1848, many groups of eastern Asians immigrated in search of similar opportunities. The United States national identity gradually began to include the Asian Americans and their experience. The Asian American race was gradually formed through the historical landmarks of immigration restrictions and exclusion, and citizenship laws such as the 1882 Chinese Exclusion Act which excluded the immigration of Chinese laborers from immigrating to the United States and Takao

Ozawa v. United States which deemed Japanese ineligible for US citizenship because they were not Caucasian or “white”. These pieces of exclusionary measures and court cases evidence the existence of this Asian American population growing in the United States. Although Asians gained a presence, they were always seen by what Frank Wu defines to be “the perpetual foreigner” in *Yellow: Race in American Beyond Black and White*. Frank Wu was a Chinese American who grew up and resided his whole life in the United States. Even though Wu’s primary country of residence was America, he encountered various instances of how he was asked the question “Where are you from?”. This testifies how society not only views Wu by his physical characteristics and associates those characteristics to being Asian, but also deems his Asian American identity as one who does not belong to the United States. Wu’s theory of Asians as “the perpetual foreigner” is defined as the way Asian Americans are “figuratively and even literally returned and ejected from America” (Wu 79). Through these pieces of legislation and court cases, Asian Americans are often forced to give up certain human rights and even leave the United States. Asian Americans were never seen as belonging to American society, unlike their white and black counterparts.

#### **IV. Asian Americans in Education**

Although the Asian American race gradually emerged, Asian Americans were not widely acknowledged and accepted in the black and white dichotomy of America, especially during the Jim Crow era. According to the Encyclopedia Britannica, The Jim Crow era was a time of “racial segregation in the South between the end of Reconstruction in 1877 and the beginning of the civil rights movement in the 1950s”, often characterized by the 1896 U.S. Supreme Court decision, *Plessy v. Ferguson*, which permitted racial segregation by asserting that although black and white were separate, but both were provided with equal accommodations in agreement with the 14<sup>th</sup> Amendment. *Plessy v. Ferguson* was often codified with the saying “separate, but equal” (Encyclopedia Britannica). During those times, different facilities including schools, parks, cemeteries, theatres, and restaurants were provided for blacks and whites separately, but falsely deemed as having the same quality. This era truly captures the black and white dichotomy of the times. However, Asian Americans were conflicted as to their position in this black and white dichotomy. Yellow was simply not black nor white. The first appearance of issues surrounding Asian Americans in education is the Mississippi Supreme Court case, *Gong Lum v. Rice*. Jonathan H.X. Lee summarizes the case in his book, *Chinese Americans: The History and Culture of a People*. In the case, American-born U.S. citizen, Martha Lum, was denied access to school for whites “on the grounds that she was of ‘Chinese descent’” (Lee 204). The court ruled against Gong Lum by stating there were schools that Martha could attend and that denying her access to the white school was not a violation of the 14<sup>th</sup> Amendment because Martha was indeed “‘not White’ and therefore was ‘colored’” (Lee 205) and the precedent cases permitted this form of racial segregation. Previous to *Gong Lum v. Rice*, Asian Americans were not even considered in the context of education. The key component of this case is the placement of Asian Americans in the black and white dichotomy. Although improperly placed in the race spectrum in the United States, Asian Americans make an appearance in the strictly black and white issue of educational segregation. The segregation of education based on all races was finally overturned by *Brown v. Board of Education* and *Brown v. Board of Education of Topeka II* in 1955. This was the beginning of fighting for educational equality for people of color, black, white, and yellow alike.

#### **V. Asian Americans and the English Language**

As Asian Americans gain more presence and position in the United States, they face a barrier blocking their further incorporation into and mobility within American society - discrimination on the basis of their native languages. The problem of Asian Americans having difficulties with the English language became prominent in the late 1900s, a time of mass migration of Asian American families to the United States. Prior to this time, immigration restrictions such as the 1882 Chinese Exclusion Act, the 1907-1908 Gentlemen's Agreement, the 1917 Asiatic Barred Zone Act, the 1924 Immigration Act, and the 1934 Tydings-McDuffie Act restricted the immigration of different types of Asians from stepping on American soil. During the late 1900s, many legislative measures were passed to significantly loosen immigration restrictions, the most significant being the Immigration Act of 1965. The Immigration Act of 1965 dealt with the overt discrimination in the previous immigration quotas and created a more equitable system of immigration for Asians and Southern Europeans. This legislation created a vehicle for immigration based on a preference system that favored family reunification, employment, and refugees (Ancheta 35). The passage of the Immigration Act of 1965 issued in the significant increase of the Asian population in the United States. In 1965, the Asian American population was "approximately 1.4 million, constituting less than 1 percent of the nation's population" (Ancheta 35). From 1965 to the 1980s, "immigration from Asian and the Pacific has grown from 7 percent of all legal immigrants [almost doubled] to about 40 percent" (Ancheta 35). Although Asian Americans have long existed in America, Asian American immigration aggravated the pre-existing problems in regard to their existence. Ling-chi Wang in his *Amerasian* article titled "The Law vs. Nichols Decision: Right of Limited-English-Speaking Students" stated that before this mass migration in the late 1900s, "discriminatory legislation and extensive vilification and abuse forced the Chinese into a state of ghetto existence continuing to this day" (Wang 4). The immigration of Asians to the United States boosted their physical presence and gave them the confidence to confront the issues plaguing their status in the United States.

One of the first instances of Asian Americans confronting language issues was in the city of Monterey Park, CA. *The First Suburban Chinatown: The Remaking of Monterey Park, California* by Timothy P. Fong retells the history of Monterey Park, its gradual evolution into a suburban Chinatown, and its conflicts involving the Chinese language. Beginning in 1979, federal immigration policy, international politics, and the land purchases of Asian American pioneer Frederic prompted major changes to the city's population and ethnic diversity. The city became what was called a "majority minority" city where Latinos were 39 percent, Asians were 35 percent, whites were 25 percent, and African Americans were 1 percent (Fong 27). This influx of Asian Americans resulted in the emergence of many Asian American businesses, who often displayed signs in their native languages with no English translation. It was because of these non-English signs that citizens of Monterey Park filed complaints (Fong 110). Among the nativist residents who filed complaints was Frank Arcuri who wrote in *Monterey Park Progress*, "Stores that post signs that are 80 percent Chinese characters make us feel like strangers in our own land...I will go a step further than the proposed law and say that all signs must be completely in English" (Arcuri). Arcuri and his supporters began a petition to prohibit the use of non-English languages and declare English as the official language in Monterey Park. Despite their efforts, Superior Court Judge Jack T. Ryburn officially ruled against official-English supporters on the basis that their petition infringed upon the residents' rights to free speech. This debate of having an English only American, otherwise known as the official-English movement, "grew out of the frustration caused by seemingly uncontrollable development and anxiety over this multicultural community" (Fong 116). Fong's concluding word on the production of the

official language movement hints at the tension of choosing between accommodating for language differences and prohibiting the use of non-English languages to foster civic unity. These two choices directly parallel the choice between pluralism or assimilationism.

Angelo Ancheta's previously cited book theorizes that the problem of English-only is "expressed as a dichotomy between pluralism and assimilationism" (Ancheta 109). This theory is what is called Ancheta's theory of the pluralism and assimilationism dichotomy. In Ancheta's book, she defines pluralism as the right of individuals to assert the value of maintaining an ethnic identity (Ancheta 109). Asian Americans create this type of ethnic group identity through oral and written communication in a particular language as well as other platforms. The idea of pluralism promotes the use of non-English languages in order to "maintain an ethnic group's identity and foster a multicultural society" (Ancheta 109). On the contrary, assimilationism is the idea that the laws should "require conformity through common cultural norms [including the] exclusive use of English" (Ancheta 109). These "common cultural norms" of the "exclusive use of English" is directly related to section one's theory of a "common sense". The common sense at the time was a favoritism toward a northern European identity as exemplified by people of white complexion and the English language. This favoritism derives into what is called "Anglo conformity" or an expectation and even standard for all ethnic groups to strive for these northern European ideals (Ancheta 109). Through public policies, lawmakers interpret which value to favor, pluralism or assimilation. On one end, public policies have attempted to accommodate ethnic pluralism throughout language assistance and bilingual education. On the other end, public policy forced assimilation in many cases by implementing unitary standards of behavior by only permitting the use of English or implementing "English-only" (Ancheta 110). This has been an ongoing debate brought up in the context of Asian Americans and language.

Although the conflict of pluralism and assimilation arose in the context of language in society, like the business sign example in Monterey Park, this issue further expands to the whether or not American education should be primarily in English rather than providing language instruction or bilingual education. This will be discussed in the next section.

## **VI. Asian Americans and the English Language in Education**

Since the great influx of Asian Americans in the late 1900s, the Asian American population has gradually stepped out of its position of inexistence by developing and maintaining a social and legal presence. One of the major issues that plagued Asian Americans was the need for special education to non-English speaking students. In the following subsections, I look at how non-English speaking Asian Americans were falling behind in the American education system, the 1973 Supreme Court case, a summary of *Lau v. Nichols*, and current litigation on language instruction and bilingual education programs.

### **a. Non-English Speaking Asian Americans in Education**

The status quo before implementing any programs to aid non-English speaking children will be analyzed in order to understand their struggle in the late 1900 American education system. A great amount of Asian American students lack proficiency in the English language, particularly non-native children or children who grew up in non-native families. Ancheta's previously cited book testifies that in the 1990 census, nearly 56 percent of Asians and Pacific Islanders do not speak English very well, and over one-third live in 'linguistically isolated' households (Ancheta 108). On top of the sheer numbers of non-English speaking children, they are not receiving educational accommodations for their lack of English proficiency. Ling-Chi Wang's previously cited publication brings to light the problem of disregarding special English education for particularly Chinese speaking students. She cites that as of May 28, 1970, of the

2856 Chinese speaking students in the San Francisco Unified School District who need special instruction in English, only 1790 receive no special help or instruction at all. The remaining received mostly part-time help from English speaking instructors (Wang 3). Outside of special English classes, Chinese speaking students were thrown into the same classes as their English-speaking peers where they could not properly compete against their peers (Wang 3). School administration never made an adequate effort to boost the scholastic and linguistic competence of the rising number of non-English speaking students, essentially disregarding their existence in American education. The results of this major flaw in language education were “anger, frustration, truancy and increased delinquency and dropout” (Wang 3). These children had a need to acquire basic English proficiency in order to properly function in schools.

The setting of non-English speaking students struggling due to language differences in the American education gave rise to the lawsuit filed on March 25, 1970, *Lau v. Nichols*.

**b. *Lau v. Nichols***

*Lau v. Nichols* was a critical Supreme Court case that determined the rights of Asian Americans in the education system. Oyez’s documentation of Supreme Court cases reviews the facts and provides access to the transcribed oral litigation in the courts. In 1971, the San Francisco Unified school district failed to provide supplemental English language instruction for children of Chinese ancestry. Similarly, a large percentage of non-English speaking students of Chinese descent including Lau received no supplemental English instruction. These students brought a suit against the San Francisco Unified School District and its officials for their failure to provide special English language instruction for non-English speaking students (Oyez).

*Lau v. Nichols* interpreted primarily three laws which were the 14<sup>th</sup> Amendment and the Civil Rights Act of 1964. Originally, when *Lau v. Nichols* was brought to the Court of Appeals, the case was approved because the case was under strict scrutiny and pertained directly to the Equal Protection Clause of the Fourteenth Amendment of the Constitution which required the government to provide equal accommodations to all people. The Title IX of the Civil Rights Act of 1974 further interpreted the Fourteenth Amendment by banning discrimination based “on the ground of race, color, or national origin”. Lau argued that the school districts violated these laws by failing to provide equal and meaningful education to non-English speaking students. In the opinion of the Court delivered by Justice William O. Douglas, he observed that “there is no equality of treatment merely by providing these students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education” (Oyez). He continues to write that “basic English skills are at the very core of what these public schools teach”, implying that without these basic English skills, non-English speaking students cannot equally participate in educational programs as compared to their English-speaking counterparts. In order to create a meaningful education, educational institutions needed to provide basic English education to all non-English speaking students.

Ultimately, the Court found that it is unlawful discrimination for an education system to fail at providing English language instructions to non-English speaking students. The result of *Lau v. Nichols* was the passage of the Equal Educational Opportunity Act of 1974 which established federal agencies to monitor schools’ compliance with providing for the needs of limited English proficient students. The conclusion of *Lau v. Nichols* can be seen applied in American society through how the U.S. Department of Education and Justice mandates limited English proficiency (LEP) programs by the law (U.S. Department of Education).

**c. *Bilingual Education***



This debate about the need to provide special language aid to non-English-speaking students in education also included whether to implement Limited English Proficiency (LEP) programs or bilingual education programs. Limited English Proficiency programs (LEP), also known as English Learners (EL) or Teaching English as a Second Language (TESL) or English as a Second Language (ESL), are programs to provide special English instruction to non-English speaking students often by pulling them out of class. Meanwhile, bilingual education programs are programs that provide instruction in both the student's native language and English. Bilingual education programs "teach all subjects initially in the student's primary language, but phase into English-based instruction as the student acquires English skills" (Ancheta 112). The proponents of special English education for non-English students strongly pushed for not only limited English proficiency programs, but also bilingual education. In the same set of statistics provided by Ling-Chi Wang on special English instruction in the San Francisco Unified School District, only 260 of the 2856 Chinese speaking students received special instruction in English that was taught by bilingual, Chinese-speaking teachers (Wang 4). Supporters of special English education for non-English speakers pushed not only Limited English Proficiency, but also Bilingual Education programs. The original issues brought to attention in *Lau v. Nichols* in the lower courts was one, "whether the right of non-English-speaking Chinese students to education and to equal educational opportunities required that the San Francisco Unified School District provide their students with special instruction in English" (Wang 3) and two, "whether such rights of non-English-speaking Chinese students required that special instruction in English must be taught by bilingual, Chinese-speaking teachers" (Wang 3). In the case of *Lau v. Nichols*, fighting for supplemental English education was already a major step in fighting for equal education from the status quo of having nothing for non-English speakers. As a result, bilingual education was not litigated in the Supreme Court. Despite not having a formal appearance in the Supreme Court. The Department of Health, Education, and Welfare created informal guidelines called the "Lau Remedies" which strongly urged the implementation of bilingual education programs. However, these informal guidelines were scraped by the Reagan administration in the 1980s (Ancheta 112). Bilingual education was never a formal guideline for public schools in America. There has yet to be litigation to establish an official bilingual education policy.

Despite its past failed efforts, the idea of having both limited English proficiency and bilingual education has been a hot topic in contemporary debates on the responsibility of public education. Currently, the law only requires limited English proficiency programs. According to the research conducted by the California Department of Education in 2005, the amount of limited English proficiency programs has grown to 1.5 million participants in California alone (California Department of Education). More recently in 2017, the Brookings institute also cited that "English learners (ELs) is the most rapidly growing subgroup of public school students across the United States—the number of ELs grew by roughly 60 percent over the past decade. ELs currently account for nearly 10 percent of all students nationwide." (Brookings Institute). Although providing a large number of students with special English education is a good step, special English education is not enough. The Brookings Institute furthered that "EL [English Language] students [or children who do not speak English as a first language] lag far behind their native English peers in school outcomes. The achievement gap between current EL and non-EL students in fourth-grade reading and in eighth grade math is about 40 percentage points. In addition, EL students take fewer advanced courses than non-ELs, and only 59 percent of EL students graduate from high school in four years" (Brookings Institute). Despite having part-time English instruction, the conditions in the submerging students into an English-speaking

environment is not sufficient enough to guarantee equal education for non-English speaking students. Bilingual education provides the education students need to smoothly transition from their primary language to English-only education while also “helping students gain better knowledge of all of their subjects” (Ancheta 113). Education for students in their primary language allows students to equally access and acquire education in all subjects. Not only do non-English speaking students have access to all parts of education, they also “maintain better student self-esteem” (Ancheta 113) through bilingual education. Bilingual education provides non-English speaking students the best approach that can ensure equal education for all children.

## **VII. Analysis**

Throughout the past decades, language in American education has always been a popular topic of debate. At the beginning of the paper, the predominant language in America deemed by the frequency of its usage is purely established by human interactions or more specifically as a byproduct of social and legal occurrences throughout history. Looking back at the question of what exactly is the “American” language, we can say that the “American” language is not necessarily English. Rather, it is unethical to truly say that English is the official language of the United States because language is a socially and legally constructed notion. Although English should not be the single official language, it is widely used for practical communication purposes. Then, it is evident that the fluid establishment of language parallels the racial formation, particularly the formation of the Asian American races. As both the concept of language and race developed in the United States, they converged in society, particularly in the arena of language in American education which consisted of a large percentage of Asian Americans. American education was faced with the problem of providing equal education to its students, even non-English speaking Asian Americans. The education did so much to create limited English programs, but these programs are not enough to provide the true equality for non-English speaking students, bringing to significance the need for bilingual education. Through this logical flow of reasoning, I conclude that 1) the predominant language of English is socially and legally constructed, 2) the institutional establishment of English as the official language in society and education creates inequality targeted to racial minorities, and 3) bilingual education is the best solution to equal the playing field for non-English speaking students.

## **Conclusion**

Slam poetry is a powerful platform to tell stories and spread ideas. AsAm News covers the news on how Athena Chu, an 18-year-old student attending the Boston public school, touches the audience of the “Louder Than a Bomb” slam poetry contest in Boston held in the May of 2017 her piece titled “My Chinese” (AsAm News). Chu recites,

“If you ask me if I'm fluent in Chinese  
I will tell you my Chinese is a ghost lodged in my throat [...]  
The first day of preschool a mouth full of useless characters  
Ancient taste buds numbing out of existence  
Leaving the bitter aftertaste of a new language [...]  
My Chinese wants you to know that it is not invisible [...]”

“My Chinese” by Athena Chu

[https://www.youtube.com/watch?time\\_continue=37&v=IayaGyrlM7k](https://www.youtube.com/watch?time_continue=37&v=IayaGyrlM7k)

In her piece, Chu recalls her experience as a Chinese American immigrant attending American schools, being forced to enter into an atmosphere of a foreign language, and being

pushed to sacrifice Chinese for the English language taught in these American schools. Chu fights against the unfair suppression of her native tongue by making known that her Chinese “is not invisible”. Generations of immigrant children like Athena Chu should not be forced to sacrifice our native languages for the language in which American society deems as more important than her own. Instead, bilingual education programs should be implemented as a compromise to help non-English speaking children retain their native language and culture, thrive academically in schools, and learn the predominantly used English language. It is time to reevaluate the legitimacy of the language focus in our education system for the inclusion of bilingual education.

Although speaking in the language of numbers was a great refuge for me in elementary school, it is time that our education system made non-English speakers like Athena Chu and myself feel at home by teaching us both Chinese and English. Not one, but two languages simultaneously.

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