

ARIZONA ADVISORY COMMITTEE TO THE
U.S. COMMISSION OF CIVIL RIGHTS

Education Issues in Tucson

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ORIGINAL

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APPEARANCES:

COMMITTEE MEMBERS

June Webb-Vignery

Paul Gattone

Philip Montez

Angela Julien

Ramon Paz

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P R O C E E D I N G S

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3 MS. WEBB-VIGNERY: Good afternoon. I'd
4 like to apologize for the delay. We were confirming
5 that we had a quorum so that we could conduct this
6 meeting, and we do.

7 So I would like to open, after a
8 temporary adjournment, the Arizona Advisory Committee
9 to the U.S. Commission on Civil Rights Education
10 Issues in Tucson forum, and I'd like to welcome
11 everyone who is here this afternoon.

12 And my name is June Webb-Vignery, and I
13 am chairperson of the Arizona Advisory Committee to
14 the U.S. Commission on Civil Rights. And with us
15 today we have Mr. Ramon Paz, who is a member of the
16 Commission; as well as Miss Angie Julien, who is also
17 a member; and Mr. Phil Montez, who is the District
18 Director of the Commission.

19 And at this time I understand that
20 there were some people who came yesterday to give
21 testimony, and I would like to open an open forum for
22 five-minute presentations from those persons who were
23 denied that opportunity yesterday.

24 So is there someone in the audience who
25 happen --

1 MS. JULIEN: Who want to speak about
2 law enforcement.

3 MS. WEBB-VIGNERY: This is on the
4 police community relations -- could we please have
5 you come forward and take a seat.

6 MS. JULIEN: These two gentlemen, I
7 believe.

8 MR. D'PACO: One of the issues I wanted
9 to discuss, for the last couple of years I live in
10 the area, and I've contacted the Chief of Police and
11 traffic safety, and I've talked with a number of
12 people, first of all, about the lack of interest in
13 public safety in general.

14 Apparently, we are not being given
15 proper protection in the transportation, the
16 pedestrian issues here. And, at any rate, we've
17 got -- there's traffic safety problems, public safety
18 issues that I thought were very important.

19 In the last six months we've had the
20 SWAT squad employed two or three times here in public
21 areas. They had a shootout down here at the gas
22 station, the SWAT squad apprehended someone. The
23 SWAT squads at Glenn and Oracle, they shot and killed
24 somebody about six months ago.

25 Gas stations have got thousands of

1 gallons of gasoline. These things can explode and
2 level three or four square miles.

3 The plan of the SWAT squad, in
4 general -- I don't know who tells the SWAT squad when
5 they are going to come in, but they came in on two
6 different occasions and deployed their guns and
7 things in public areas. I don't know what policy is,
8 but I know they shot at two, three gas stations in
9 the last six months.

10 At any rate, public safety issues in
11 general, Miranda wouldn't take responsibility for it.
12 I responded to the -- he wouldn't take responsibility
13 for the deployment or the order to execute the
14 warrant or arrest when they pulled in, when they came
15 with the SWAT squad. It's not his decision. I don't
16 know, if he's Chief of Police, why he doesn't have a
17 decision when are you going to start shooting, when
18 are you not going to start shooting in public in
19 general.

20 We have a huge traffic safety problem.
21 We have six or eight of the hottest running red light
22 statistics here in this one area. And I've had two
23 accidents here so far. I live in this area, I can't
24 drive in this area. I can't walk in this area with
25 the number of pedestrian-related accidents.

1 I think that the Police Department is
2 not listening or taking interest in the public safety
3 factor, about the daily goings-on about walking,
4 driving and being responsive to the laws, like drive
5 35 miles an hour, drive 40 miles hour, don't run red
6 lights.

7 In general, I went to a profile meeting
8 not too long ago held at the church here. They have
9 had studies for two, three years at this church. I
10 don't know what it is, a church. There was some --
11 there was input about police profiling, and Miranda
12 had all his staff there. He's responsive.

13 In general, they don't have the
14 software to be able to give us numbers about their
15 profiling. I'm Mexican, I know they have got
16 profiling. They have been profiling in all police
17 departments for the last 10 or 15 years. The Supreme
18 Court just ruled on that, that they are not
19 necessarily supposed to be able to racially profile
20 people, but it's been done by police here in Tucson
21 that I know for 25 years at least.

22 So they go back to, if they don't have
23 the software how can they compile their statistics.
24 And why are they trying to tell us they are not
25 profiling when they are? And I think there's a lot

1 of lack of information they are not giving us.

2 The other day -- if they don't
3 profile -- when they had that hate crime committed at
4 La Cima and the lady shot herself in the arm, they
5 had a huge all-out alert about there is a Hispanic
6 skinhead out there somewhere that shot a school
7 teacher. I was scared stiff to even be running
8 around this area. Fortunately I've got long hair,
9 I'm not a skinhead, I wouldn't be involved, but that
10 got out in the news real quick.

11 So this means at some time or after
12 Tucson police will release some information. They
13 won't release information on profiling, they won't
14 even acknowledge that it exists.

15 So there was a couple things I would
16 like to come down for, I just wanted to see, but
17 those are only a couple of things that I think I
18 wanted to at least address.

19 MS. WEBB-VIGNERY: Okay. Thank you
20 very much. And you have.

21 Mr. Bard.

22 MR. BARD: First of all, I'd like to
23 say I was born and raised in Chicago, Illinois, so I
24 know what racial profiling is. Since I've been in
25 Arizona the last 11 years I kind of feel like most

1 Hispanics or Latinos and Blacks are targeted by the
2 police for outrageous charges that usually stick in a
3 court of law.

4 To give you an example, I was involved
5 in DUI stuff out in Casa Grande, and as a veteran I
6 had some service-connected things that I had to take
7 Dilantin for, and after they found that out they know
8 I couldn't drink, they dropped the charges. Because
9 the cop was fired and some other guy was fired for
10 fixing or tampering with cases. I think my case was
11 one of the cases they used to catch him. Still my
12 license got suspended.

13 Then later on here in Tucson I got
14 charged with what you call a California stop. Now,
15 being born and raised in the City of Chicago you
16 learn real quick to respect police. And I can't
17 understand how a system thinks that a black male 44
18 is going to see a police officer on a motorcycle and
19 ride straight through a stop sign. Either I'm a fool
20 or damn fool or God's fool, one of the three.

21 But when you seem to get angry or
22 emotional about these things, they get off the merit
23 and facts. What makes you angry to your attitude --
24 in other words, you're supposed to sit up there like
25 a Cumbaya. Those days are gone with the wind. I

1 hate to tell them that, but it is.

2 Then in regards to the other two
3 charges that I have received while I'm in the State
4 of Arizona, is like I had more case charges against
5 me here because of the way I talk, the way I act more
6 so than the merit of the case and without prejudice.
7 I'll give you my case right now, you can read it,
8 investigate it yourself, and I won't say anything.

9 I've been to Mrs. Liana Perez's office,
10 I've been to Juanita Pendleton's office, I've been
11 calling Washington, DC, who keeps referring me back
12 here. So finally, using Chicago connections, there
13 are two lawyers right now sitting at 180 North
14 LaSalle Street, I told them I would try once again
15 with this hearing stuff, seeing it in the newspaper,
16 to try to draw someone's attention to it before they
17 do what they are about to do.

18 I don't want my face pasted all over
19 this country's newspaper. I don't want my public
20 background and all that information, and I don't want
21 to become a news media either. And I think that's
22 what they are trying to do.

23 MS. WEBB-VIGNERY: I want to thank you
24 very much.

25 And I want to ask if there are any

1 questions from the Commissioners?

2 MS. JULIEN: We spoke.

3 MS. WEBB-VIGNERY: Yeah, and we spoke,
4 too.

5 I do have one question to clarify.

6 MR. BARD: Yes, ma'am.

7 MS. WEBB-VIGNERY: When was it that you
8 talked with Ms. Perez?

9 MR. BARD: I talked with Liana Perez
10 this morning.

11 MS. WEBB-VIGNERY: This morning?

12 MR. BARD: Yes. I was referred to her
13 as a last option by an Urban League member in the
14 City of Chicago.

15 MS. WEBB-VIGNERY: What was her reply?

16 MR. BARD: She listened to everything I
17 said very polite and courteous. As far as filing the
18 actual charge itself that I wanted to go forward on,
19 no actions whatsoever. So maybe that's why we have
20 so low statistics.

21 MS. WEBB-VIGNERY: Thank you.

22 At this time I would like to open the
23 hearing on education, and I would like to turn this
24 over to Miss Angie Julien, who will go through the
25 itinerary this afternoon.

1 MS. JULIEN: Hello. Thank you very
2 much for your patience.

3 Today those of you here know we're
4 going to talk about the state of education for
5 minority youth in Southern Arizona. I did ask
6 speakers to look at one of four or more topics:
7 Bilingual education; dropout statistics of minority
8 students; statistics regarding movement of
9 minorities; students in the post secondary education;
10 and scores on standardized tests. So as speakers
11 speak, those will be the main topics of the day.

12 We're going to begin the day with some
13 members of the bilingual education department from
14 Tucson Unified School District. And in the agenda I
15 have Alejandra Sotomayor.

16 Alejandra, you have other guests with
17 you?

18 MS. SOTOMAYOR: Yes, I do.

19 MS. JULIEN: If you all would like to
20 come up at once, that would be wonderful. Thank you.

21 Ask you to make your presentation and
22 then Doctor Webb-Vignery will have beginning
23 questions with you, then we will follow up from
24 there.

25 Whenever you are ready.

1 MS. SOTOMAYOR: Good afternoon. My
2 name is Alejandra Sotomayor. I'm from Tucson,
3 Arizona. I reside at 8410 East Albion Place, 85715.

4 I come with hopes of dispelling some of
5 the misinformation and rumors that abound about
6 bilingual education in the State of Arizona.

7 I was born in Cananea, Sonora, small
8 town rich in lore and practice, because of
9 international interactions Cananea has had a
10 bilingual instructional program for over 70 years.
11 My parent were products of this environment.

12 As an immigrant to this country they
13 were quiet astonished when they placed their children
14 in the U.S. schools. To their dismay they
15 encountered the notorious 1C program virtually
16 identical to the current antibilingual proposed
17 initiative for Arizona.

18 Soon letters from the school arrived
19 with statements such as, the use of Spanish hurts
20 your children and such. My parents supplanted the
21 faulty program and damaging philosophy by continuing
22 to teach us to read in Spanish and English, fostering
23 in us the ability to learn academic English.

24 On the second day of school at five
25 years old I recall my sisters, both at each side,

1 warning me not to speak Spanish or I would have my
2 mouth washed out with soap, sent to the office or be
3 paddled, a form of corporal punishment that involved
4 being swatted with a wooden board. This later did
5 occur.

6 It was a silent world without meaning
7 for us most of us in 1C, my public education
8 classroom. This class was filled with children of
9 various ages and who had been in the 1C program for
10 more than two years.

11 You see, for over 50 years Tucson
12 Unified School District and other districts in the
13 area placed language minority children in this
14 program called simply 1C, a clone of California's
15 Proposition 227. It produced disastrous results.
16 Hispanics and Native Americans experienced greater
17 than 60 percent dropout rate throughout the 50 years
18 of implementation. It was this program that prompted
19 Adalberto Guerrero, Hank Oyama, and Maria Urquides to
20 pioneer the needed channels to support children
21 developing proficiency in English. Through their
22 laborious efforts these pioneers halted the
23 educational practices that excluded most minority
24 children from the educational process. Their work
25 ushered a new era of effective pedagogy, bilingual

1 education, resulting in higher success rates for
2 these children.

3 Years later, after noting the aftermath
4 of most of my classmates not graduating from school,
5 then as a young adult working with children in a
6 language supportive environment, I realized the
7 devastation that had been imposed capriciously on my
8 classmates and thousands of children before me.

9 Since 1979 I've been an active
10 proponent of bilingual education. In my professional
11 life as a middle school bilingual science teacher,
12 counselor and currently a curriculum specialist,
13 thousands of limited English students have touched my
14 life. Former students like Pedro Bray, a current
15 physics student; engineering student Manuel Zepeda;
16 Elizabeth Rodriguez; now a colleague, Mary Ponds, a
17 social worker; Ruben Carranza, the highest ranking
18 Hispanic in Proctor and Gamble; Senator Ramon Valdez
19 and countless others return to Wakefield Middle
20 School to tell of the positive impact a supportive
21 environment, such as my bilingual education science
22 classroom, has had in their lives.

23 The results are evident. The average
24 dropout rate in the state is near 11 percent; for
25 Hispanics, 17 percent; and Native Americans,

1 19 percent. T.U.S.D. services the largest group of
2 LEPs with the most comprehensive bilingual education
3 program in the state. The dropout rate is about
4 eight percent for Hispanics and less than seven
5 percent for Native Americans, far from the greater
6 than 60 percent dropout rate documented under the 1C
7 program where students languished in the Prop 227
8 clone, the 1C program. It didn't work then and it
9 doesn't work now.

10 Most recently a group calling
11 themselves English for the Children—Arizona funded by
12 antibilingual education proponent and author of
13 California's Proposition 227, Ron Unz, is threatening
14 parents' educational rights advocating to resurrect
15 the infamous 1C. Today in Arizona parents have a
16 choice. Parents have options, choices for their
17 children between bilingual education, ESL only, IEP
18 programs and English immersion. The Unz Initiative
19 for Arizona would remove all parental choice.

20 Unlike the California Unz Initiative,
21 the proposed initiative for Arizona is much more
22 vindictive, punishing parents that would choose to
23 opt for a waiver requesting support for their
24 children developing proficiency in English. I submit
25 to you a copy of the proposed initiative for Arizona

1 in the packets that I have handed out to you.

2 This malicious document will reverse
3 the educational gains made by language minority
4 students in Arizona. It describes a program allowing
5 only those limited English proficient students who
6 would have been identified as special education to
7 participate in bilingual education. The most
8 offensive clause is found in Section 15-743C, Number
9 3, which states: Teachers and local school districts
10 may reject waiver requests without explanation or
11 legal consequences. This is further evidence of the
12 malicious intent of this proposal towards limited
13 English speakers, a most vulnerable group in our
14 society.

15 A very sophisticated misinformation
16 media campaign by antibilingual education proponents
17 overpowers the success of our programs and obscures
18 the frailty of Proposition 227. It's evident even in
19 California. Prop 227 is unable to deliver what it
20 claimed it could do, produce English competent LEPs
21 in one year.

22 The most flagrant example of this is
23 Oceanside Unified School District, heralded by
24 antibilingual education supporters as the model for
25 Prop 227. Of approximately 3,000 limited English

1 proficient students, only six students -- yes, that's
2 correct, six students out of 3,000 were redesignated
3 as English proficient in the second year of
4 implementation in California. And, in fact,
5 Oceanside showed a gain of three percentile points in
6 reading for third grade, far below the average gain
7 for California. This is lower than most California
8 schools still instructing using the proven most
9 effective successful method of English instruction
10 for LEPs, bilingual education. At this rate,
11 reclassification will occur in five to seven years.
12 Prop 227 was unable to deliver to the voter the
13 promise of English proficient students in one year.

14 In comparison, Wakefield Middle School,
15 with 98 percent minority students, servicing students
16 from Tucson and South Tucson, was able to reclassify
17 as English proficient 20 students out of 300. There
18 were 20 reclassified in just one year. These
19 students have attained the needed criteria to be
20 recognized as children performing within the norm in
21 English reading as measured by the Stanford 9 test.

22 In Arizona, according to the Arizona
23 Department of Education English Acquisitions
24 Services, students in bilingual programs are
25 outperforming students in English only instruction,

1 even under sheltered programs such as ESL only
2 programs. Bilingual education students outperform
3 LEPs and ESL programs on the Stanford 9 reading test
4 by 74 percent in grades 8 through 12.

5 I offer to you a copy of the Arizona
6 Language Education Council Newsletter located in your
7 packet, the title is ALEC Voices, for you to verify
8 this information. You will find this information on
9 page four through six.

10 The deliberate misinformation campaign
11 continues attempting to tickle the voters' ears with
12 faulty and malicious rhetoric. Here is another myth
13 you will hear: Bilingual education supporters line
14 their purses.

15 T.U.S.D. has the largest concentration
16 of bilingual educators in this state, and there is no
17 differential pay between bilingual and nonendorsed
18 teachers. But did you know the proposed initiative
19 Section 15-752 states, as much as possible current
20 per capita supplemental funding for English learners
21 shall be maintained? This means it doesn't save us a
22 dime.

23 The truth is, down the road, under the
24 proposed law it will probably cost us more. It will
25 cost the states hundreds of thousands of dollars

1 trying to redevelop a work force that can't compete
2 in a global economy rather than embrace children who
3 enter our schools as speakers of other languages.
4 Like the old adage, a ounce of prevention is worth a
5 pound of cure. Yet we fail to follow their advice
6 when it comes to funding education.

7 Nationally, 224 million dollars are
8 spent on bilingual education. This sounds like so
9 much money. When compared to special education costs
10 of over five billion dollars -- yes, billion with a
11 B -- what we spend nationally for language minority
12 children is a pittance. As a whole, according to
13 recent reports on school funding, Arizona ranks among
14 the bottom nationally.

15 Relating this specifically to language
16 minority students, in a recent Arizona court ruling
17 in the Flores case the presiding judge found
18 underfunding for students developing proficiency in
19 English. Current funding in Arizona does not
20 allocate such resources for adequately educating
21 children who enter school dominant in languages other
22 than English.

23 Native American limited English
24 proficient students will also be affected by this
25 proposed initiative. The effects of this proposal on

1 the endangered languages of the Native American
2 communities of Arizona will be irreversible. Our
3 nation owes a great debt to the Native Americans of
4 Arizona. The Navajo Code Talkers provided the
5 ultimate example of other languages being vital
6 resources for the United States. The proposed
7 initiative would outlaw the use of their native
8 language in their public schools. It seems that we
9 should not repay good with evil.

10 Bilingual education is not about
11 keeping cultural traditions or creating separatism.
12 It's about the best way to teach English. The Unz
13 Initiative is not about helping children or offering
14 choice, it's about removing parental choices,
15 including the choice for bilingual education dual
16 programs. It's about further endangering Native
17 American languages, it's about bad educational
18 policy, and it's about political ambitions riding on
19 the backs of vulnerable children.

20 Should this proposed initiative pass in
21 Arizona it would be more stringent than in
22 California. Yes, majority rules, but not at
23 minorities' rights to choose the best programs for
24 their children.

25 This is not a new practice in the

1 history of educating language minority children in
2 Arizona. It would be a great cost for these
3 children. We must not reject proven, sound
4 educational practices for a notorious program
5 documented with a 50-year history of failure.

6 MS. WEBB-VIGNERY: Thank you. We are
7 going to have testimony from --

8 MS. SOTOMAYOR: Yes. We'll begin with
9 Salvador Gabaldon.

10 MS. WEBB-VIGNERY: We do have a time
11 limit.

12 MS. JULIEN: Because I knew there were
13 three of them, I gave them each 20 minutes.

14 MS. WEBB-VIGNERY: Okay.

15 MR. GABALDON: Good afternoon. My name
16 is Salvador Gabaldon. I live at 800 Pomegranate
17 Circle West in Tucson, Arizona, 85737, in the
18 Amphitheater School District.

19 I prepared a brief report on the
20 potential that the Unz Initiative has in affecting
21 English as a second language instruction. I won't
22 read it to you word for word, but I do want to touch
23 on some of those points that I make in the report.

24 It is thought that the Unz Initiative
25 is or would have -- would affect only bilingual

1 education. In reality, the Unz Initiative would have
2 a devastating effect on English as a second language.

3 The main point that the Unz Initiative
4 makes is that students will have one year of
5 instruction in an English immersion program before
6 they are mainstreamed into a regular class. Nowhere
7 in the history of educational research has anyone
8 ever been able to show that students who do not speak
9 English can come to this country and in one year
10 acquire sufficient speaking, reading and writing
11 skills, literacy in their new language to be able to
12 compete with native speakers of English. If that
13 were the case, it would be a revolutionary revelation
14 that somehow we would be doing something wrong with
15 our regular students. If someone could come from
16 outside the country, say a ninth grader could come to
17 this country, within one year match the academic
18 proficiency in reading and writing that our students
19 have been developing since they began school at five
20 years of age, obviously we are doing something wrong.

21 The truth is that literacy is a slow
22 and time consuming process. Who are the experts who
23 know what it takes to teach speakers of other
24 languages to become literate and fluent in English?
25 Well, common sense would indicate to us that those

1 experts would be English teachers. And, in fact,
2 there are a special group of English teachers known
3 as English as a Second Language teachers.

4 They organized themselves since 1959,
5 they have been doing research and they have been
6 practicing the teaching of English to students that
7 do not speak English from countries throughout the
8 world. In fact, they have been so successful that
9 the methods developed by ESL teachers are now
10 commonly employed in many, many foreign countries to
11 teach students the native language of those
12 countries. The success that English as a Second
13 Language teachers have had throughout the world has
14 helped to make our language, the English language,
15 the most international of all languages in the world.

16 When Ron Unz decided that immersion
17 would be the way to go, he did not consult the
18 National Council of Teachers of English, he did not
19 consult the ESL teachers, he did not consult the very
20 experts that we recognize, the people that every day
21 for generations have been teaching English to foreign
22 students. He decided on his own -- out of his own
23 head he decided that one year would be needed. There
24 was no research and he does not quote -- bother to
25 quote any research that says it only takes a year.

1' Common sense tells us that it takes more than that.

2 Now, the reason that Ron Unz gets away
3 with some of those statements that he makes and the
4 reason that some people in the State of Arizona may
5 be convinced about his argument, he confuses learning
6 to speak a language, a minimal oral competency in the
7 language, with being literate in the language. Those
8 are two very different things.

9 And, yes, it's true, when I came to
10 this country I was nine years old, I didn't speak a
11 word of English, and within six months or so I was
12 playing football with the friends in the street, I
13 knew what it meant to go out for a pass, I knew what
14 it meant to play hooky from school, I learned some
15 bad words real quick. Those things you can pick up
16 very fast. That's called social English, and that's
17 what most of the public has understood about learning
18 English, that English can be picked up by foreigners
19 very quickly.

20 People that point to experiences in
21 their own families, people that have grandparents who
22 were immigrants, you know, they will often say, my
23 grandparents didn't have any special program, they
24 learned English. Indeed they did. Just as Mexican
25 American students can learn English very quickly.

1 But that's a social English. That's a very different
2 thing.

3 Most immigrant students, history has
4 shown, did not complete high school. Most immigrant
5 students, whether they were Italian American or
6 Polish American or Russian American students, did not
7 go on to college. This is a new generation. A
8 college education has become a fundamental part of
9 any education for any student. And what ESL and
10 bilingual education attempt is attempt to provide a
11 level of academic English for all students to enable
12 them at some point to go on to college. Yes, that
13 takes more than a year.

14 There's some additional information
15 that I included in the packet. I won't take too much
16 more time. But thank you for your time.

17 MS. WEBB-VIGNERY: Thank you.

18 MS. COMBS: Good afternoon. My name is
19 Mary Carol Combs. I lived in Tucson for ten years,
20 and currently reside at 2202 West Golden Hills Road.

21 MR. PAZ: I just remembered --

22 MS. COMBS: Who I was.

23 MR. PAZ: I just remembered.

24 MS. COMBS: I was still a graduate
25 student when I interviewed Ramon Paz as part of my

1 dissertation research. Now he's remembering.

2 I would like to thank you today for
3 allowing me to participate in this hearing. Today I
4 would like to bring to our discussion two
5 perspectives about the proposed English for the
6 Children Initiative. These two perspectives are,
7 number one, academic, professional; and, number two,
8 personal.

9 First, the academic professional
10 perspective. I work at the University of Arizona in
11 the Bureau of Applied Research and Anthropology and
12 the Department of Language, Reading and Culture in
13 the College of Education. My academic focus areas
14 are language planning and bilingual education policy
15 and curriculum development. I teach graduate and
16 undergraduate courses in bilingual education, history
17 and law, curriculum development and multicultural
18 education.

19 Consequently, I'm familiar with the
20 research in second language acquisition as well as
21 curricular instructional innovations in the fields of
22 second language learning and teaching. At the
23 present time at the Bureau of Applied Research and
24 Anthropology I'm also conducting a research study on
25 the phenomenon of the 1C program, alluded to earlier

1 by Alejandra Sotomayor, to determine what it was,
2 where it was administered, who was placed in it, and
3 why and whether there were any short or long-term
4 effects on its graduates.

5 As an academic I am concerned about the
6 antibilingual initiative sponsored by the
7 organization known as English for the Children. This
8 overtly punitive initiative seeks to impose on all
9 children acquiring English a one-size-fits-all
10 approach, an approach which has little support in the
11 research literature.

12 There is little credible evidence, in
13 spite of what initiative supporters might claim, that
14 students can acquire academic competency in English
15 in only one year. On the contrary, research studies,
16 including multiyear longitudinal studies, indicate
17 that it takes children in bilingual educational
18 programs anywhere from four to seven years to acquire
19 the English academic skills necessary for future
20 success in all English classrooms. In comparison,
21 students in ESL classrooms with no bilingual
22 assistance are taking anywhere from four to ten years
23 to achieve the same level of academic competency.

24 This proposed initiative decrees, I'm
25 quoting here... that all children in Arizona public

1 schools shall be taught English by being taught in
2 English, and all children shall be placed in English
3 language classrooms, unquote.

4 This statement imposes a blanket policy
5 for all children in the state and robs parents of the
6 choice they currently have under state law to
7 determine the kind of educational program they desire
8 for their own children. The initiative would also
9 permit schools to place children -- and, again, I'm
10 quoting... in the same classroom with English
11 learners of different ages but whose degree of
12 English proficiency is similar, unquote.

13 Now, both documented and anecdotal
14 information that we have collected to date about the
15 1C program in place in Tucson Unified from 1919 to
16 approximately 1967 suggests that this grouping
17 practice is potentially damaging to a child's
18 self-esteem and future academic prowess. The
19 initiative also states -- once again I'm quoting...
20 that once English learners have acquired a good
21 working knowledge of English and are able to do
22 regular school work in English, they shall no longer
23 be classified as English learners and shall be
24 transferred to English language mainstream classes,
25 unquote.

1 Nowhere in the initiative text is the
2 phrase "good working knowledge of English" defined.
3 By the way, this is another clue that the author of
4 this initiative himself is not an educator or anyone
5 remotely familiar with the research on second
6 language acquisition.

7 So I wonder, if children have not
8 acquired a good working knowledge of English within
9 one year by whatever assessment, will they be forced
10 to repeat a second year of English immersion which,
11 ironically, would also violate the very language of
12 the initiative, which limits attendance in this
13 one-year program to one year? Or will students be
14 placed into English language mainstream classes with
15 no special assistance, by any measure a sink or swim
16 situation which, again, itself is a violation of
17 federal law?

18 Okay. I'm done with the academic
19 perspective. I would like to share my personal
20 perspective.

21 I am a parent of two, kindergarten and
22 third grade, currently enrolled in the bilingual
23 program at Hollinger Elementary School, which is
24 located at Sixth and Ajo. Hollinger Elementary
25 School, by the way, was recently profiled in the

1 Arizona Daily Star series on bilingual education.

2 I have chosen to place my children at
3 Hollinger, not our neighborhood school, for several
4 reasons. First, it's an excellent school with highly
5 competent and committed teachers; second, it has one
6 of the strongest bilingual programs in Tucson Unified
7 School District, with a goal of developing students'
8 bilingual and biliteracy skills; third, the high
9 numbers of Hollinger students developing proficiency
10 in English provide my own children daily
11 opportunities to interact in Spanish and English with
12 their peers. Simply stated, my children are in
13 bilingual education because I want them to achieve
14 academically and to become bilingual and biliterate.

15 I have seen firsthand the academic
16 benefits of bilingual education. My third grader is
17 reading and writing in Spanish and English. Her
18 Apprende scores from second grade last year placed
19 her in the 90th percentile in every subject. Indeed,
20 her reading and verbal skills in Spanish, not her
21 dominant language, were at the eighth and tenth grade
22 level respectively. Although just learning to read
23 and write in both languages, my kindergartner is
24 showing excellent progress as well.

25 Now, obviously, I'm proud of my

1 children's accomplishments, but I also attribute much
2 of their success to the connection between
3 bilingualism and cognitive development. This
4 relationship is well established in research
5 literature.

6 As a parent, I'm angry that a small
7 group of opponents would deny me the right to choose
8 a bilingual education program for my own children. I
9 respect the right of any parents to withdraw their
10 children from any program, including bilingual
11 education, if they are not satisfied with it. As I
12 stated earlier, this is a right they currently have
13 under state law.

14 However, denying to me and to all other
15 parents seeking bilingual academic experience for our
16 own children, the right to choose is not only mean
17 spirited and discriminatory, it is also undemocratic.
18 Just as important, I believe it reveals the hypocrisy
19 of this group of individuals known collectively as
20 English for the Children, which while denying
21 educational choice for everyone else would impose its
22 own unsound program on the rest of us.

23 Thank you very much.

24 MS. WEBB-VIGNERY: Thank you very much.

25 And now we would like to open it up to

1 discussion with the other members of the Arizona
2 Advisory Council.

3 MS. JULIEN: Do you have questions?

4 MS. WEBB-VIGNERY: I do have a
5 question.

6 In relation to bilingual education, of
7 course, we have looming on the horizon the necessity
8 of students of other languages passing the AIMS test,
9 and do you have any observations on that?

10 MR. GABALDON: I am scheduled to speak
11 on behalf of LULAC a little later on. I have a
12 separate report that I will be sharing with you.

13 On the AIMS test itself I did want to
14 point out that although the initiative makes a great
15 show of offering some kind of choice to parents, that
16 it does have a section where it talks about parents
17 being able to ask for waivers. When you examine the
18 language and look at that portion that discusses the
19 waivers you discover that there's a very, very
20 limited group of people that can ask for waivers.

21 In fact, no language minority child who
22 is not in Special Ed and is less than ten years of
23 age can ever even request bilingual education. It is
24 flatly banned. No language minority child who is not
25 in Special Ed and is less than ten years of age can

1 ever even ask for bilingual education. That means
2 that children between the grades of pre-kindergarten
3 all the way to fourth grade essentially are banned
4 from bilingual education, which is a very strange
5 contradiction when you hear them speak about how they
6 recognize the fact that younger children have a
7 special facility for learning in more than one
8 language, and yet it is precisely that age group that
9 is banned flatly from any kind of bilingual
10 education.

11 MS. WEBB-VIGNERY: Could you clarify
12 how that affects the AIMS, their taking of the AIMS
13 test?

14 MR. GABALDON: Yes. It means that
15 students pre-kindergarten to third grade -- it means
16 that those students who begin taking AIMS at third
17 grade, the students that begin taking the AIMS in
18 third grade quite possibly, including students that
19 have just arrived, it could be a third grader that is
20 just starting school, that third grader can't take
21 the test in his or her own language but is not
22 exempted from the test, even though the test may
23 be -- that type of standardized testing may be a
24 format the student has never seen before in his or
25 her country. The student can take the test in

1 another language as long as that other language is
2 Spanish. There is no provision made for students
3 coming from other language backgrounds.

4 It skews the scores, because you're
5 really not getting an accurate measure of what that
6 student may know academically. Students may come
7 from a country that provided a very good education
8 and it will be the language barrier that will be
9 apparent in the score, not what that student really
10 may or may not know about a given subject. That's
11 particularly true in math.

12 One of the interesting items about the
13 math test is that every single problem on AIMS in the
14 math portion is a word problem. There are no
15 mechanical -- you know, just straight computational
16 kinds of problems. They all involve wording. And so
17 language becomes a critical factor regardless of what
18 part of the test.

19 MS. WEBB-VIGNERY: Thank you.

20 And I would like to ask if the other
21 members of the Council would like to ask questions?

22 MS. JULIEN: I'm curious about what you
23 see as a resolution to the issues that we're facing.

24 MS. SOTOMAYOR: Can you clarify that
25 resolution, specifically what you mean?

1 MS. JULIEN: What you see as a threat
2 to bilingual education, true?

3 MS. SOTOMAYOR: Yes.

4 MS. JULIEN: What is it that our state
5 needs to do to ensure that those who come to us
6 speaking other languages receive equal education,
7 what is the resolution?

8 MS. SOTOMAYOR: I believe the number
9 one thing our state must do is allocate appropriate
10 funds, appropriate funding for the specific programs.
11 The next thing is to recruit teachers to teach these
12 children. In fact, we're in a crisis situation when
13 it comes to teaching, period.

14 So rather than helping our base, we're
15 actually alienating those teachers who would come
16 into bilingual education specifically under a threat
17 of an antibilingual education initiative sweeping
18 through the state. There are very few teachers who
19 will -- or very few students who will consider coming
20 into a field that everything that they know works
21 would be denied them to be able to use in a
22 classroom. And a resolution would be to support
23 those sections.

24 Another very important piece that we
25 are missing is bilingual education should be for all

1 students, monolingual English speakers included. We
2 are in a time, in an era where knowing one language
3 is a handicap; knowing more than one is definitely an
4 asset. And we have fantastic resources in our own
5 backyard that we are denying and that we are
6 ignoring. It's time to bring those to the forefront
7 and capitalize on what we have as Americans.

8 MS. JULIEN: Do you know in T.U.S.D. or
9 at your own school, Wakefield, or any of the schools
10 in T.U.S.D. the number or percentage of monolingual
11 English students who choose to be enrolled in
12 bilingual education?

13 MS. SOTOMAYOR: I will speak directly
14 about Wakefield, then I'll pass that on to Sal, who
15 has more of a perspective on the district as a total.

16 At Wakefield Middle School we have 50
17 percent limited English proficient students and 50
18 percent English proficient students. We are a 50/50
19 split school.

20 MS. JULIEN: How many students in your
21 school?

22 MS. SOTOMAYOR: A little over 600. As
23 of -- starting in January, in fact, we had a jump of
24 enrollment of a hundred students, because parents are
25 hearing about the dual language program available at

1 Wakefield. And of the 600 plus students who are
2 there we've had zero parents requesting to opt out of
3 bilingual education, zero.

4 MS. JULIEN: That's my next question.
5 Is Wakefield a neighborhood or a magnet school, how
6 is that population determined?

7 MS. SOTOMAYOR: It is a neighborhood
8 school. It is not offering anything -- any special
9 funding for magnet to attract monolingual English
10 speakers. It is an old community that many of the
11 students who come to the school, they have lost their
12 Spanish or perhaps never had it at all, and their
13 grandparents might have spoken Spanish maybe a long
14 time ago, perhaps.

15 But we have this type of American
16 student who is willing and whose parents want their
17 children to capitalize on what they see as a
18 necessity for economic purposes in the future.

19 I'm going to allow Sal also to talk
20 about the perspective of the district and how many
21 parents and students participate in bilingual
22 education, and how many are LEPs who are required
23 according to state law.

24 MR. GABALDON: It's a very complex
25 issue because, you know, which student is

1 monolingual, how do you define monolingual? If you
2 speak a little bit of Spanish, if English is your
3 dominant language, does that mean you're monolingual?

4 It's a difficult question. I don't
5 have the current -- real current figures. I know
6 that -- I believe it was '97/'98 school year we had
7 counted somewhere between two and 3,000 students that
8 were thought to be predominantly English speakers
9 that were participating in the program.

10 We reported last year to the state that
11 we had just under 10,000 students in the program that
12 were SDEP students developing their proficiency in
13 English. It's a ratio of maybe 20 percent of the
14 students are being predominantly English speakers.

15 MS. JULIEN: Do you have a measurement
16 device? How do you determine -- one of the issues
17 with bilingual education is that, well, kids aren't
18 learning English. They are comfortable in their
19 first language and don't learn English. How do you
20 assess that your students are, in fact, becoming
21 bilingual, that is --

22 MS. SOTOMAYOR: If you take a look at
23 the your ALEC Voices Newsletter and go to page four,
24 actually page 6, you will see a chart labeled chart
25 two. That indicates the bilingual edge that those

1 students participated in bilingual education are
2 receiving when they are assessed in the Stanford 9
3 English reading portion of the test. They are
4 outperforming those students who are in ESL only or
5 English only instruction. And so the Stanford
6 itself, the same measure of all other students, is
7 indicating that students are outperforming --
8 students in bilingual education outperform those in
9 English immersion.

10 And, unfortunately, we don't have the
11 information compiled for the Apprende Test, the
12 Spanish portion, so that we would be able to, say,
13 look and see the biliteracy piece of it, but perhaps
14 maybe one day our state department will do that.

15 MS. JULIEN: My last question. So
16 given a student who begins at a bilingual elementary
17 school, or even in Wakefield, what do you think the
18 chances are that that student who is a beginner in
19 English, say in the third or fourth grade, is going
20 to be able to pass the AIMS by their senior year in
21 high school?

22 MR. GABALDON: Let me make a quick
23 comment about that.

24 One other measure that we have of the
25 students' ability to acquire English is an oral

1 language measure that all students take in the Pueblo
2 High School feeder pattern, which is the feeder
3 pattern of the largest number of nonEnglish speaking
4 students. And in that feeder pattern we have
5 documented now -- it's not just one year, but over
6 the course of several years -- 98 percent of the
7 students who come into Pueblo High School at the
8 ninth grade are verbally oral, fluent in English, 98
9 percent. The other two percent are students that are
10 largely -- occasionally there will be students,
11 recent arrivals, occasionally not recent arrivals,
12 but constantly traveling back and forth, quite often
13 from Sonora back to Arizona, back and forth,
14 sometimes not in school during that time. It really
15 is not a problem.

16 When people say students aren't
17 learning English, they are not talking about speaking
18 English. Students learn to speak English, as I
19 pointed out, as past immigrant generations always
20 have. The problem is the literacy. Reading and
21 writing is the key.

22 And the progress that we have made in
23 the ability of students to improve their reading and
24 writing skills when measured against equal
25 socioeconomic class students, they hold their own.

1 They look terrible when they publish those citywide
2 scores constantly, because you're not measuring them
3 against similar socioeconomic background, and to
4 pretend that those factors don't play a role in
5 education, I think you're fooling yourself.

6 It's pretty clear over the course of
7 the year -- poverty is not an excuse. There have
8 always been students that come from the poorest
9 background that manage to do exceptionally well in
10 education. And the reverse is also true. There have
11 always been students that come from the best, highest
12 socioeconomic background that, for whatever odd
13 reason, never manage to do well in school.

14 When you look at those two realities
15 you discover that you can't point to socioeconomic
16 factors for individual students. It will not hold.
17 There will always be exceptions. But when you look
18 at masses of students, there is never an exception.
19 If you look at countywide statistics or statewide
20 statistics or citywide, there would be no exceptions.
21 There is a much greater chance of a student failing
22 educationally coming from a poor socioeconomic class.
23 It doesn't hold for individuals, but it invariably
24 holds for groups.

25 That's why when you find incredible

1 exceptional instances of students doing really well
2 in a particular program, it will always be despite
3 socioeconomic background. It will always be an
4 individual school where shifting, filtering of
5 students can take place. But you will never find an
6 instance of an entire school district, an entire
7 county or an entire state bucking that trend and
8 showing that in large numbers all of a sudden poor
9 kids are doing exactly as well as higher
10 socioeconomic kids.

11 Like I said, there would be something
12 wrong if that were the case. Why would it be that
13 students who have fewer resources would be able to do
14 better? Something would be wrong. If I had two
15 athletes and I gave one athlete greater resources,
16 fed him better as a child, made sure he had vitamins,
17 gave him training, had him compete across the world
18 with the greatest athletes, and another child who is,
19 you know, very poorly fed and did not have medical
20 care and, you know, with some rare exceptions an
21 individual might have genetics somehow, something in
22 him that might allow him to overcome that stuff, but
23 by and large training, the environment has a large
24 impact. That's all I'm saying. Training and the
25 environment, the facilities that you provide for

1 students will have an impact over large numbers.

2 MR. PAZ: Changing to the world of
3 politics, because I think what I would like to know,
4 what statements can you make as you describe the
5 English only initiative?

6 MS. SOTOMAYOR: It is restrictive,
7 removing parental rights. In Section 17 -- excuse
8 me, 15-753, letter C, number three -- and you have
9 this initiative in your packet -- it removes and it
10 segregates a specific group of parents and removes
11 rights that other parents do have.

12 For example, teachers and local school
13 districts may reject waiver requests without
14 explanation or legal consequence. We have not had
15 any law ever in Arizona that would say to a parent,
16 you are not allowed even basic explanation for why
17 your student will not participate in a program.

18 This law -- if this were to become law,
19 this initiative would discriminate against a parent
20 of a limited English proficient child from receiving
21 basic explanations and even from legal consequence.
22 A certain group of parents can sue, another group
23 can't. Language would determine which group of
24 students -- which parent could sue.

25 MS. COMBS: I'd also like to add, as

1 Sal mentioned earlier, one of the only exceptions for
2 a parent, one of the only recourses for a parent to
3 enroll a child in a bilingual program, to document in
4 no less than 250 words that that child is physically
5 or mentally impaired. That's from the text of the
6 initiative.

7 The documentation offered by a parent
8 on behalf of his or her own child then becomes part
9 of the child's permanent cumulative record. I ask
10 you myself, as a supporter of bilingual education,
11 what parent would do that? I wouldn't. But that's
12 what the initiative requires parents to do, is to
13 document that your own child has disabilities in
14 order to make him or her eligible.

15 MS. WEBB-VIGNERY: Do you have any
16 other questions?

17 MR. PAZ: No.

18 MS. WEBB-VIGNERY: Mr. Montez has a
19 question.

20 MR. MONTEZ: Let me get a little far
21 fetched from -- it seems we've gotten caught up in
22 language as a political football, because in looking
23 at the initiative it seems that the people that are
24 pushing it, as they did in California, have no
25 justification other than some political agenda that

1 they have. And if you look at the other side, I can
2 understand that language other than English has
3 become a threat to the predominant society that
4 speaks English, and I'm sure we're all aware of that.
5 And the question I have is, are there other variables
6 and factors that we in education may be missing in
7 the construct of the child's total personality?

8 We constantly talk about language, as
9 that being the most important variable. For example,
10 I am very much aware in the areas that I have worked
11 that the culture of the school is totally different
12 than the culture of minority and poverty children.

13 Now, I'm not an expert on bilingual
14 education and I'm not an expert on other variables,
15 but are the schools prepared to begin to make some
16 changes in a more realistic way? I sometimes think
17 we waste a lot of time fighting the bilingual battle
18 when there are so many other things that have to be
19 done.

20 For example, I know parents that have
21 no understanding of the public school program, and
22 yet we ask them to participate, and they don't know
23 what to do about it. I have two daughters that are
24 teachers in the Los Angeles Unified School District,
25 and I talk with them about this all the time, and

1 what I'm trying to get from you, is there any other
2 variables besides language that we have to start
3 looking at?

4 MR. GABALDON: Yeah. By the way, I,
5 too, was a teacher in the Los Angeles Unified School
6 District. I taught high school English at San
7 Fernando High School for six years.

8 There are certainly lots of other
9 factors besides language. One of them does relate to
10 language, and that is literacy in the home. You look
11 at simple things like the number of books that you
12 find in a given home; whether, you know, a parent
13 receives a newspaper and reads to the child, and that
14 that kind of material is available to the child.
15 Literacy is an important point.

16 But, yes, there are other factors. I
17 mean, I won't quote any educational jargon to you.
18 I'll say personally to you as a father of two
19 teachers and having gone through the school system
20 that did not provide me with bilingual education, and
21 being a high school dropout, which is another factor
22 that I had to face, I noted that high schools in
23 particular, schools in general, I think, but high
24 schools in particular were meant for a certain type
25 of student. Not all students learn the same way.

1 And there are students that
2 traditionally have been able to succeed in the
3 schools the way they are organized, and students that
4 have not been able to do well in those schools, and
5 schools have not adapted very well. They expect the
6 student to adapt. If you do not adapt they expect
7 you to leave. And that was very common all through
8 the 1930s, 1940s, 1950s, and through the '60s and
9 '70s, that was pretty much what was expected. If you
10 could not fit the model of what a student, in
11 quotations, should be, then you were allowed to drop
12 out.

13 I still hear that from some colleagues.
14 You know, you will hear teachers say, that student
15 does not want to learn or that student is not ready
16 to learn. I want to teach those kids that want to
17 learn. That's sort of code talk for, I'll teach
18 certain students but I won't teach others, and that
19 is a problem I think in our schools.

20 MS. COMBS: Let me add quickly, I know
21 we're running out of time. Put my academic hat back
22 on.

23 You said something interesting in your
24 question, that the culture of the schools often are
25 very different from the culture of the home. And

1 that can be interpreted in a variety of ways. But
2 what I would like to tell you is that bilingual
3 education is not just about language, it is one of
4 the more humanistic approaches to education for all
5 children that I have personally seen, because it
6 exactly recognizes the child's culture and language
7 as resources to be celebrated, to be utilized for
8 academic achievement and economic opportunity. And
9 for that it is just one of the many reasons why
10 bilingual education serves children well, much better
11 than English only education ever could.

12 MR. PAZ: The issue of the undocumented
13 people that are coming across the border will
14 affect -- impact bilingual education, and right now
15 perhaps the reaction to the growing numbers of people
16 that are coming over and the police or law
17 enforcement response, how they respond, how does that
18 affect the educational delivery of service to people,
19 or what obstacles do you foresee?

20 MS. SOTOMAYOR: Well, we need to begin
21 to divorce ourselves from immigration issues and
22 educational issues. Unfortunately, we haven't been
23 able to do it. We seem to have the educational --
24 the pedagogy needed for a specific student with the
25 immigrant situation in the United States.

1 Will the undocumented worker impact
2 bilingual education? Perhaps. I don't know. I'm an
3 educator, not an immigration officer. I am not sure
4 which students are legal and which ones are not.
5 What I am certain of is which students need support
6 in developing English proficiency.

7 I do believe that as Americans we'll
8 have problems separating what is the need of children
9 with the immigration situation, specifically,
10 immigration of Mexicans. That is a stronger issue
11 than if I were to say, oh, my goodness, there's a
12 load of Swedish people coming in a bus -- not quite,
13 but from Canada -- than if you were to hear, oh, my
14 goodness, there's a bus load of Mexicans coming
15 across into our borders. It conjures different
16 emotions.

17 But as an educator I must look at what
18 the student needs and I must provide the student with
19 what I know would be the best way for them to have
20 the English proficiency needed to be successful in
21 the United States. And from what I know of 20 years
22 of educating immigrant children, I know that
23 bilingual education outperforms English immersion.

24 MR. PAZ: Follow up to that, because
25 our hearing has been twofold; one with law

1 enforcement, the other one this area. But I do
2 remember -- I do recall testimony yesterday a little
3 bit about the harboring of Mexican American or
4 Mexican people, or at least exposing some students to
5 the Border Patrol that are -- and I just simply would
6 like to ask you, are you aware, have you observed
7 situations whereby the Border Patrol has been
8 alerted, called to address people that perhaps are
9 here -- who are not here legally?

10 MS. SOTOMAYOR: I'm aware of one case
11 about three years ago of a specific person, a
12 teacher, letting a Border Patrol agent know that a
13 student was illegally here; and that that student, of
14 course, along with his family, was deported. It was
15 a third grader.

16 And for the benefit of that teacher,
17 the reason why he reported it was because, I believe,
18 that the parent had been picked up by Border Patrol
19 and the child was alone and needed to let people know
20 that, you know, this child was alone. And he wrote a
21 beautiful letter of his sorrow of leaving his
22 classroom and having to leave what he knew. This was
23 his country, for all he knew, he had never been in
24 Mexico.

25 MR. GABALDON: I can't point to a

1 specific case where personally I have seen events of
2 that nature, but I face all the time -- Pueblo High
3 School, when I taught there, the difficulty that some
4 students faced who have been in this country for
5 sometimes four, five years, have earned good grades,
6 were excellent students, and then faced the
7 difficulty of trying to enroll in college and having
8 to pay higher tuition that oftentimes put that
9 college out of their reach. That was a problem that
10 I saw on a regular basis.

11 If I could address the earlier point
12 that you asked about immigration's effect on
13 bilingual education. It is sort of overwhelming.
14 Those issues are tied together, as Alejandra said,
15 very difficult to separate in people's minds. But I
16 do want to point out that I don't know of many
17 Mexican immigrants, including my own parents when
18 they came to this country, that came here --

19 MS. WEBB-VIGNERY: I'm sorry. We're
20 going to have to close time.

21 MR. GABALDON: Thank you very much.

22 MS. JULIEN: Thank you very much, all
23 three of you. We really appreciate your coming
24 today.

25 Next person on our agenda is Terry

1 Martinez, from the League of United Latin American
2 Citizens. Terry.

3 There are a couple people who walked up
4 here who wanted to testify yesterday about law
5 enforcement. Mr. Gattone, who is in charge of that,
6 is supposed to be here within the half-hour. I'm
7 waiting for him to get here for us to fit that in,
8 because he needs to be here. Thank you.

9 MR. PAZ: Before you introduce
10 yourselves for the record, I'd like it to be shown
11 that we have before us the founder of bilingual
12 education, that person who -- one of the three
13 persons who were mentioned earlier that is
14 responsible for this initiative that right now, of
15 course, faces some dire times, too. Mr. Hank Oyama.

16 MS. MARTINEZ: My name is Terry
17 Martinez. I'm a native Tucsonan, I live at 1751
18 North Painted Hills Road in Tucson.

19 And my colleagues next to me are Sal
20 Gabaldon, who will speak on AIMS testing, I would
21 speak on dropout prevention, and Doctor Oyama will
22 speak on bilingual education.

23 Presently, I feel very well versed in
24 speaking to you about these topics that were brought
25 before me by our president, who is unable to be here.

1 Richard Fimbres. I am working as a counselor, and I
2 have for several years at the Juvenile Detention
3 Center, where we have a Juvenile Diversion Program
4 where I work with preadolescents and their family.

5 Additionally, I'm a classroom teacher.
6 And to my sadness, I left my classroom in September
7 of '99 to take the position at the University of
8 Arizona in professional development in teaching and
9 teacher education, where I am a doctoral student,
10 soon to be completed with my Ph.D., which will be
11 also in language, reading and culture.

12 The title of my presentation is
13 empowering education through dropout prevention. And
14 when I speak about dropout prevention, I immediately
15 thought of one person that is very dear to me, the
16 child of my dearest friend, who I'll call Pedro.

17 Pedro dropped out of school this year
18 at age 14 when he allowed himself to be convinced
19 that he could not learn. Our communities are full of
20 Pedros. They come in all colors and genders, and
21 they come from varied social and economic
22 backgrounds. However, they all fit the same basic
23 profile, that of the nonconformist, which Sal alluded
24 to in his last presentation, that learns in an
25 exceptional way. Oh, there are exceptions, but they

1 are a rarity. Please excuse my passion for this
2 topic. My intent is not to offend anyone.

3 As a very young child Pedro attended a
4 neighborhood school here in Tucson. As a matter of
5 fact, it's located very close to where we sit right
6 now. During the regular school year Pedro faltered,
7 he fell behind and was unmotivated. However, every
8 summer when he was mandated to attend summer school
9 because of his failing grades he shown like a bright
10 star.

11 Well, we all know that occurred because
12 he had the individualized attention that he needed to
13 have -- to acquire an understanding of the academic
14 material and process it. This was facilitated by the
15 very good and dedicated teachers he had in summer
16 school. That certainly doesn't mean he doesn't
17 have -- didn't have those teachers during the regular
18 school year, they were just busier with the huge
19 amounts of students we have in the classroom. Also,
20 the summer school class sizes were the focus that was
21 solely on students like Pedro, who totally needed it.

22 Needless to say, he constitutes the
23 majority of the dropout population our country deals
24 with daily. Pedro's learning problems escalated. He
25 saw no progress in school, and today as a dropout

1 he's washing dishes at the local restaurant, which we
2 were just at Wednesday afternoon.

3 I share this story with you to bring
4 awareness to you, not a fret. Pedro will succeed
5 because of supportive individuals he presently has
6 chosen to surround himself with. He will attend
7 classes, I will voluntarily tutor him, and he will
8 get a GED. But what about the individuals that do
9 not seek the assistance that he has?

10 Our local school districts are plagued
11 with dropouts. In T.U.S.D., the largest district in
12 Arizona, the school year has presently ended with 157
13 middle school dropouts. This is in grade 6th, 7th
14 and 8th. This number indicates that 92 of these
15 dropouts are Latinos. The high schools are at a
16 dropout rate of 1,779 students, the largest majority
17 composed of Latinos.

18 Please do not be misled. T.U.S.D. data
19 also indicates the dropout rates in all ethnic
20 categories have decreased substantially in African
21 Americans, Euro-Americans, Asian Americans, Native
22 Americans. However, the Latino dropout rates are
23 still soaring. It is through hard work,
24 well-prepared teachers, strong principles with
25 challenging and engaging classes, the supportive

1 parents in the entire community recommitting to the
2 premise of all our children to learn that we will
3 improve these data.

4 I will share with you some of my
5 thoughts on these topics. We as teachers must move
6 beyond the traditional 9:00 to 3:00 classroom day.
7 We need to create safe centers within the communities
8 which will provide programs and classes on dropout
9 prevention, vocational-technical training, because we
10 all know we are not all cut out for college, career
11 development, parenting skills and adult literacy.
12 This concept must involve the entire family. The
13 research endorses learning is more powerful if the
14 entire family is involved. If in no other way than
15 through proactive support and reassurance.

16 We cannot wait until middle school to
17 begin dropout intervention strategies. They must
18 begin in kindergarten. The differences become
19 apparent between groups of students in elementary and
20 secondary school when children enter kindergarten.
21 To paraphrase that, the seed for high achievement and
22 dropout prevention is planted long before high
23 school. We must begin much earlier to see that the
24 seed germinates. The earlier the intervention, the
25 stronger the success. I remind myself of a counselor

1 when I say that.

2 I suggest school officials make
3 connections with social service agencies to make sure
4 every child's basic human needs are met. Our
5 children must have adequate health care. They cannot
6 attend school without a complete physical and their
7 inoculations. Health plans such as Kids Care,
8 AHCCCS, and clinics such as El Pueblo, El Rio and St.
9 Elizabeth offer services for our children. The
10 breakfast program is another part of the entire
11 student picture when you talk about the human needs
12 of the student.

13 Another thing is quality child care
14 with particular emphasis on literature can make a
15 powerful difference. Books today come equipped to
16 accommodate children of all ages; from cloth books at
17 the age level of one to three to big books, age three
18 to nine. Presently, our administration in Washington
19 has proposed an increase in funding to Head Start
20 programs by a million dollars. However, we still
21 need more.

22 Small classroom size is essential, but
23 that's every teacher's dream. We all know that is a
24 common way we can provide the individualized
25 attention that he needs.

1 We must increase the time we read to
2 our children and talk to them about what we have just
3 read. Discussion is essential for comprehension.
4 The literature we read to them must be culturally
5 competent. The children need to relate the
6 literature to think about true life experiences.
7 Reading is an integral part of the learning process
8 and true life experiences, particularly from students
9 who come from homes where language other than English
10 is spoken.

11 After this strong foundation is
12 created, schools can implement another important part
13 of engaging in the learning environment and raising
14 the achievement levels, that of providing challenging
15 classes to our students. In a recent study completed
16 by the Department of Education in 1999, they
17 discussed a study that was conducted that concluded
18 Latino students that were more than three times
19 successful in going to college if they took at least
20 two plus advance placement classes.

21 A broad curriculum must include
22 challenging classes in which the eight intelligences
23 can be nurtured.

24 Our schools must be a safe and
25 disciplined learning environment, a sense of

1 connection to each other, to teachers, and where
2 learning can be fostered. The creation of academies
3 in which students and teachers work in an academic
4 area that best suits them and where the students can
5 obtain some one-on-one instruction has proven to be
6 beneficial in Grand Prairie, Texas, and Chattanooga,
7 Tennessee.

8 Most recently, Pima Community College
9 has been instrumental in an implementation of joining
10 forces with primary school systems in creating a
11 pathway to exposure, through presentations by
12 outreach counselors, college tours, actual college
13 classroom experiences for the students, and events
14 like the LULAC leadership -- Youth Leadership
15 Conference for the students. These activities are as
16 engaging as they are powerful and reinforcing,
17 because everyone is included. They are endorsing the
18 commitment higher education has made to our children.
19 The movement for the new millennium is the adoption
20 of the K-16 approach. It is no longer only K-12.

21 As a community we must be willing to
22 provide centers for our children and their families.
23 If the parents are reading, then critical awareness
24 is fostered in their children. With these literacy
25 experiences must come after-school programs that

1 include arts, sports, discussion groups for children
2 of all ages. Our children must be made aware of
3 issues that are plaguing our community and our
4 country.

5 We adults must relinquish some of our
6 power and let the children educate us on topics such
7 as dropout prevention, AIMS and bilingual education.
8 Let's not exclude the reality of the children
9 providing for us the tools we need to make necessary
10 decisions for issues such as dropout prevention. We
11 must have community involvement in our schools. The
12 building of partnerships between business,
13 communities and schools is imperative. The time to
14 hold our schools and communities accountable has
15 snuck upon us. All taxpayers are affected by an
16 increasing dropout rate. This is a highly complex
17 problem that only we as a collective society can
18 solve.

19 MS. JULIEN: Thank you.

20 MS. MARTINEZ: We are going to go ahead
21 and listen to Doctor Oyama now on bilingual
22 education.

23 MR. OYAMA: Thank you, and thank you
24 for the opportunity to address you this afternoon.

25 My name is Hank Oyama. I'm

1 Vice-president Emeritus of Pima Community College
2 District. I reside at 5251 Mission Hill Drive. I'm
3 a native Tucsonan, born here -- in two weeks it will
4 be 74 years. So you will forgive me if I have some
5 senior moments and perhaps am not as good at
6 communicating as my friends.

7 I wish to comment on some
8 misconceptions or distortions or untruths about
9 bilingual education. One of them is that bilingual
10 education is teaching in Spanish.

11 There was an article just recently on
12 Sunday, April 9th, that had as one of its headlines,
13 Why Teach in Spanish. It didn't ask why do we have
14 bilingual education.

15 Does this promote an understanding of
16 what bilingual education is? Doesn't bilingual
17 education by its very name imply the use of two
18 languages, in the United States English and another
19 language?

20 Another misconception that is promoted
21 is that high dropout rates among Hispanics are caused
22 by bilingual education. According to the dropout
23 rate study conducted by the Arizona Department of
24 Education of students in grade 7 through 12 the
25 breakdown on dropouts is as follows: White, 6.1

1 percent; African American, 11.4 percent; Hispanics,
2 12.7 percent; Native American, 14.6; and Asian, 5.9.
3 Yet we know that only 20 to 25 percent of Hispanics
4 are in bilingual programs.

5 How do these officials account for the
6 high dropout rate of the other 75 to 80 percent of
7 this Hispanic population? That is never mentioned.
8 It is wrong, very wrong to blame bilingual education
9 for the educational problems of these other 75 to 80
10 percent of Hispanics who are not enrolled in
11 bilingual education.

12 Another misconception is that Hispanics
13 and Native Americans don't themselves want bilingual
14 education. This was especially effective in
15 California in convincing people that they should vote
16 for this English for the Children Initiative in
17 California.

18 A co-chair of a group opposing
19 bilingual education and promoting English for the
20 Children here in Tucson stated that parents in her
21 neighborhood are against their children being in
22 bilingual programs. I have a copy of a survey done
23 at C.E. Rose Elementary that I will leave with you.
24 And in this survey of parents who have children in
25 the bilingual program the analysis shows that

1 approximately 540 parents of students of Rose
2 Elementary were given a questionnaire to gather
3 information about the school's bilingual education
4 program; 438 parents, or 85 percent, responded. Of
5 these, 374, or 85 percent, presently had or had had
6 students in bilingual education programs. From 84 to
7 89 percent of the respondents there was support for
8 bilingual education, they would place their children
9 in a bilingual program and would like them to become
10 biliterate. 88 to 93 percent of the respondents, an
11 overwhelming majority, supported bilingual education.
12 They feel that it is beneficial for their children to
13 speak both English and Spanish. They would like
14 their children to learn English and Spanish as a
15 second language, and they believe their children
16 would have better students in today's job market if
17 they learned to speak a second language. 98 percent
18 of parents who responded were satisfied with the
19 students' progress in English, and 86 percent were
20 satisfied with the students' progress in Spanish.

21 So the misconception or untruths that
22 are being promoted by some folks are not borne out by
23 the information that parents themselves have given.
24 Also, where people say the Native Americans do not
25 support bilingual education, the Navajo Nation has

1 passed a resolution defending bilingual education and
2 opposing the English for the Children Initiative.
3 Likewise, the Tohono O'odham Nation has also passed a
4 resolution opposing English for the Children and
5 supporting bilingual education.

6 Another misconception --

7 MS. WEBB-VIGNERY: I'm sorry. We had
8 allocated so much time for LULAC -- and could we
9 invite Mr. Sotomayor to come back after, because we
10 have a time schedule that we're following here.

11 Could you finish, Hank, what you were -- the concept
12 that you were going into?

13 MR. OYAMA: Yes. However, I won't go
14 into much detail, because the previous presenters, I
15 think, did a very thorough and effective job of
16 presenting the effectiveness of bilingual education.

17 I do want to, though, point out that
18 sometimes bilingual education is being seen as
19 un-American, and this -- because such things as Cinco
20 de Mayo are included in the curriculum. Well, there
21 was a resolution by Senator John McCain introduced in
22 the U.S. Senate two summers ago where he points out
23 that, yes, we do -- and the resolution was the
24 English Plus Resolution, and it points out that, yes,
25 we want everybody to learn English, but they should

1 not abandon the language of their home. And in this
2 part of the country, in Arizona and the Southwest,
3 Spanish is especially important because of the
4 increase in trade and commerce with Latin America.

5 Thank you.

6 MS. WEBB-VIGNERY: I'd like to add that
7 the statements that you have made, it will really be
8 appreciated if you could submit those to the
9 Commission in their full form so that we can have it
10 all.

11 MR. PAZ: If I may, just one question
12 perhaps to both of you since -- but I would like you
13 to state in regards to your description or your
14 analysis of the English only initiative.

15 MR. OYAMA: The English only
16 initiative, as has been pointed out, is removing
17 choice of parents, and as the Arizona Daily Star
18 pointed out, it is a meat-cleaver approach and they
19 advise voters not to sign the petition.

20 I fully agree, and I know that the
21 proponents of the English only initiative that was
22 passed prior -- forgot the year, but it was declared
23 unconstitutional by the Arizona Supreme Court and
24 then the U.S. Supreme Court would not reverse that.

25 When this was brought by Parks at a

1 meeting that -- a forum held by the Superintendent of
2 Public Instruction, said since the Supreme Court
3 decided to -- that this was an unconstitutional
4 initiative, we, the English only folks, will now
5 support the English for the Children, realizing
6 that -- I mean they are really pushing for English
7 only in the public schools.

8 MS. MARTINEZ: I don't want to be
9 redundant. I'm going to concur with what Doctor
10 Oyama has said, and excuse me.

11 MS. JULIEN: Thank you very much.

12 (Recess.)

13 MS. WEBB-VIGNERY: If we could resume
14 the hearing.

15 And we have a person who came
16 yesterday, and we have to apologize because we know
17 you came to make a statement. And it is Mr. Jeffrey
18 Orrell, and you have five minutes. And if you could
19 come up and take a seat.

20 MR. ORRELL: I appreciate you letting
21 me come back today.

22 I guess the only thing to do is go
23 ahead and read to you -- basically, from CPS's point
24 of view, this is what is considered child abuse in
25 the State of Arizona: Physical abuse including

1 nonaccidental injuries such as broken bones, bruises,
2 cuts and other injuries. Sexual abuse occurs when
3 there is sexual conduct or contact with children.
4 Using children in pornography, prostitution or other
5 types of sexual activity is also sexual abuse.

6 Neglect exists when parents, guardians
7 or custodians place children at substantial risk of
8 harm by not providing children with adequate food,
9 clothing, shelter, supervision or medical care.
10 Allowing children to live in a hazardous environment
11 may also be considered neglect.

12 Emotional abuse or neglect occurs when
13 the child suffers severe anxiety, withdrawal,
14 depression or severe emotional disturbance due to the
15 acts or omissions of parents or caretakers.

16 Try to get this letter out.

17 To whom it may concern: My name is
18 Jeffrey Orrell and I, we, Sallee Destefano, are the
19 parents of two autistic children. We have a
20 four-star rating from doctors both in Arizona and
21 Virginia.

22 We enrolled Shawn and Hannah in
23 T.U.S.D. schools for the 1999/2000 school year. We
24 have had nothing but problems from T.U.S.D. and the
25 Tucson Police Department since then. Let me state my

1 case.

2 On October 13th our son went to an
3 outing to the Pumpkin Patch. He, along with a lot of
4 other students, were denied food and water for quite
5 some time. When we picked up our son he had a high
6 fever, and we rushed him to the emergency room.
7 There the doctor backed up what I had already knew
8 had happened. He had second-degree sunburn and was
9 dehydrated.

10 The doctor also stated, since he was
11 denied food and water and was exposed to the sun for
12 that length of time that he would have a seizure. He
13 did around 8:00 p.m. on October 13th. He has not
14 been the same since then.

15 We called Tucson Police Department and
16 they played around with it for a couple weeks and
17 then turned around and said it was not their area. I
18 then called Pima County Sheriff's Office to get the
19 runaround from them as well. When I threatened to
20 call in the FBI, that is when they called back and
21 said that they would look into it.

22 Three days later I heard through the
23 grapevine that the case was closed. I called the
24 department. I was told that T.U.S.D. had said it
25 never happened, and I asked if they had told the

1 department my son required medical attention. No,
2 they said.

3 After a couple more no answers I
4 suggested that they stop showing special treatment to
5 the school district and follow the law. I have not
6 heard from them since. It is my guess that T.U.S.D.
7 lied their way through another one.

8 Then if that wasn't bad enough, our son
9 started having problems with a black and Hispanic
10 child constantly picking on him and bruising him.
11 The school didn't care. At that point they were
12 allowing children to be illegally entered in the
13 school using wrong or false names, so why should they
14 care about this.

15 It's funny, though, because the child
16 with the false name's father was living right next
17 door to me, dealing drugs, and was on diversified
18 probation at the time, and had pulled a 12-inch
19 sawed-off shotgun on me just the week before. I
20 called Tucson's finest eight times, MANTIS twice, and
21 CRIME-88 twice, still no arrest.

22 Are you getting the same picture I am?

23 Now on to December 15th. The school
24 already has medical reports backing this about my
25 son's fragile condition, i.e., he had a cyst removed,

1 epidural cyst removed, one from the surface of his
2 brain and cerebellum, tonsils were removed, one from
3 the vertebrae.

4 November 14th he was struck by another,
5 the same Hispanic child that had been picking on him
6 calling him weird, funny and stupid, with a plastic
7 blue ice -- that tthing we all throw in our coolers
8 in the summertime to keep things cool -- where else,
9 but on the side of the head, giving him a large
10 hematoma. This happened around 12:30. We found out
11 about it at 2:10 in the afternoon.

12 Mrs. Cheryl Bowman, who is his teacher,
13 brought us a note from the nurse stating that she --
14 containing things to watch out for after a head
15 injury, and one of the children had smuggled this out
16 from the lunch room to the playground.

17 On 1/10/2000 I sent the police to
18 Erickson to file a report on (name deleted), the
19 child that hit Shawn. David Overstreet lied, as well
20 as Cheryl Bowman, saying that they didn't even
21 remember the incident, then lied about Mrs. Launa
22 Haggard and what she told them.

23 MS. WEBB-VIGNERY: I'm sorry. We can't
24 use names. Can you refer without using the name?

25 Could you please delete that from

1 the --

2 MR. ORRELL: The principal decided to
3 falsify information on 1/10 when they were there.

4 Investigating on our behalf it came to
5 the Police Department's knowledge that the principal
6 was given the knowledge that I was allowing my
7 children to watch adult pornography since the
8 beginning of Thanksgiving. That's well over the
9 state mandated 48 hours that a principal has to
10 reported any alleged child sexual abuse. It's just
11 being filed 1/10/2000.

12 On 1/27, apparently the Tucson Police
13 Department believed this horse crap and illegally
14 removed Shawn and Hannah. A detective drove Shawn
15 around then to a house with big bird in it. The
16 order that the detective used was against the law
17 because it was not filled out properly. CPS didn't
18 give us the order within the state given time frame.

19 The detective and the level three
20 specialist from CPS are guilty of medical neglect
21 since they were told that Shawn never had -- or Shawn
22 needed his anti-seizure medications. When they
23 detained me against my will at the Eastside Police
24 Station and never read me my Miranda rights, we were
25 told to bring along the medication, they would get

1 them to him. They never did and, of course, Shawn
2 had a bout of staring out seizures that night.

3 They told me that I wasn't under
4 arrest, but the detective could change it with a
5 snap. They later told us that we could have our
6 children back, that all charges were dropped due to
7 the fact they didn't find anything.

8 They should have never taken them
9 around 4:30 that afternoon. We had to go back to
10 1700 East Broadway, the CPS headquarters for Tucson.
11 We were told the level three specialist would get
12 them. Well, as he went out of sight we thought he
13 was gone to get them, 45 minutes later he pops his
14 head around a door and says for Sallee and I to come
15 in. We thought he had the kids. Oh, no, we still
16 have some paperwork to do.

17 I said, you know, I still have to give
18 my son his medication. You know, here you are one of
19 the governor's agencies to prevent child abuse, here
20 is the case of neglect.

21 So five-and-a-half hours later, 5:30
22 that afternoon, we followed him over to Casa De Los
23 Ninos. And first when we get the kids' clothes I was
24 thinking, oh, my God, you didn't. Sure enough, they
25 stripped them both down and bathed them and put them

1 in waifs clothing. There was nothing wrong with what
2 they had on. The clothes were too small.

3 And the first thing the one sitting to
4 the right of me said was somebody touched his tinky
5 winky. And that is what he calls his privates. It
6 made him upset that they put him in little girls
7 underwear. Michael also said, Hannah was mad at us.
8 Sallee asked why. He said that she was told that
9 mommy was in the van and when they -- when she got
10 there they found out that she wasn't there.

11 When we got the kids back Shawn said
12 that they told him that we were in jail and that they
13 would have new parents. We hear this all the time
14 over and over again. Shawn is back to not wanting to
15 go to sleep without us in the same room, and every
16 night asking me to put the couch in front of the
17 door, and me to have my 12-gauge in case the bad guys
18 with badges come back to get them.

19 Also Shawn has been dreaming at night
20 and talking in his sleep. He started singing verses
21 to The Party's Over. He won't let me and Sallee
22 bathe him anymore. When I asked him where he learned
23 that song, he said, at the cop's house, then clammed
24 up and got very mad that I overheard him singing it.
25 Shawn has had two nervous breakdowns since then,

1 tonight he had his third.

2 I called Providence Pact, who is the
3 regional health behavioral authority through CPS. I
4 told him Shawn doesn't want to go back there. He
5 still says everyone hates him and kids all beat up on
6 him. This would explain all the new bruises on him.

7 This state has, like all others, has a
8 law called retaliatory conduct prohibited. It
9 sickens me to no end T.U.S.D. would stoop this low to
10 tear the heart out of a child. Shawn also says he
11 doesn't want to go back to his special education
12 teacher. She does things to make him nervous and
13 takes him into a room alone.

14 This is, of course, the short form due
15 to the fact I need to get this to all the agencies
16 ASAP. What we are asking is that Shawn be able to
17 transfer out of the corrupt school that he is in
18 right now. Even one of your teachers there has been
19 warned for touching young girls the wrong way. I
20 suppose that wasn't reported to the principal as
21 well. Who knows, maybe the special education teacher
22 is taking lessons from the one who was just warned.
23 Might as well, the Tucson Police Department wouldn't
24 look into it.

25 The government states it's the law

1 children get a free education here in the United
2 States. Don't you think my children have already
3 paid enough in the short time they have been in
4 Tucson? I think it really sucks, if you will pardon,
5 that no one oversees how the schools operate and hold
6 them to it.

7 And to the two agencies that were put
8 in place to prevent child abuse, I hope only God
9 forgives you for what you did to my children. You
10 caused this child abuse. And who puts you in jail?

11 I hope Tucson Police Department and
12 T.U.S.D. rot in hell. You are the very reason my
13 children have been abused; not by us, but by you.
14 The Tucson Police Department makes the Los Angeles
15 Police Department look good. Nice job, fellas.

16 In the U.S. a libel, lie, is something
17 false that makes someone who's hurt stand up and get
18 upset. Think about it. Did they do a libel to this
19 family?

20 MS. WEBB-VIGNERY: Thank you,
21 Mr. Orrell.

22 Now, are there any questions from the
23 panelists?

24 I'm sorry. We don't have time.

25 I'd like to say we have our next two

1 speakers here, Doctor Parks and then Raul Grijalva.
2 And you have 20 minutes each.

3 MR. PARKS: Good afternoon. My name is
4 Jim Parks, superintendent of PPEPTEC High School. I
5 reside in Tucson at 7306 East Cascada Circle.

6 I believe I'm here because my charter
7 high school probably sought to serve more minority
8 students in the State of Arizona than any other
9 charter school. PPEPTEC is part high school, part
10 human service agency, started 37 years ago by Doctor
11 John Arnold to serve migrant seasonal farm workers
12 throughout the State of Arizona. As a result of that
13 many of our sites -- we have 14 -- are located in the
14 border towns of San Luis, Summerton, Douglas,
15 Avondale and the Marana area. Our program has been
16 in existence now five years, and our minority
17 population makes up about 68 percent of our student
18 body.

19 When I knew I was going to be asked
20 some questions, I went back and gathered some
21 information, but since our inception in 1996, our
22 first graduating class, 65 percent of our students
23 were Hispanic, and that held true for the past four
24 years, graduating about 600 students in our program.

25 Early on we surveyed -- I surveyed the

1 parents in all of our 14 communities at the request
2 of my school board to determine whether they wanted
3 us to do bilingual education or English as a second
4 language, and that was about the time that the
5 beginning of the AIMS controversy started. And the
6 results of that survey -- as a result of that survey
7 our board decided not to do bilingual education but
8 to do ESL, because they were worried that their kids
9 would not be able to pass the AIMS test.

10 So we adhered to that request and have
11 an ESL program that's fairly effective. Because our
12 program is totally individualized we don't do
13 classes, and our students have ratios of
14 approximately one to 15, with our identified limited
15 English proficiency students also receiving tutoring
16 at night, and we also have evening parent programs to
17 teach parents English as a second language. So from
18 that standpoint it's been fairly effective in working
19 with our population.

20 That's kind of a quick overview of our
21 program. Be more than happy to answer any questions
22 that you might have. Also left brochures here for
23 you that tell you more in depth about our program.

24 MS. WEBB-VIGNERY: Okay. I do have a
25 question.

1 You have a population that's directly
2 affected by first dropouts, and then they come back
3 and they are proving themselves once again. How will
4 the AIMS affect this group of students that you are
5 working with?

6 MR. PARKS: We have -- that's hard to
7 say right now. We've taken on the major effort now
8 of revamping our curriculum to include electives that
9 we call AIMS-related English, AIMS-related math,
10 AIMS-related this or that.

11 But it's going to be very difficult for
12 many of our minority students whose primary language
13 is often Spanish. But we're throwing all the
14 resources we can, both in terms of staff and modified
15 curriculum, to preparing them for that.

16 And we have also learned something
17 after 27 years in education, should have known this,
18 but many of our students do not have test taking
19 skills, so we are now at least two hours a week in
20 our program teaching our kids how to take tests,
21 because they really don't have those skills. We
22 didn't realize that for a long time. We are not
23 teaching the AIMS test, naturally, but we are
24 teaching them how to take tests, and that seems to be
25 working well.

1 MS. WEBB-VIGNERY: Do other members of
2 the -- okay, Angie.

3 MS. JULIEN: Doctor Parks, could you
4 let us know approximately the number of students in
5 PPEPTEC schools so we have the -- know how they break
6 down ethnically?

7 MR. PARKS: Well, as I said, we have 14
8 schools throughout the state. We have a large
9 migrant population, so we probably serve about 2,000
10 kids a year, but actually the kids that stay with us,
11 the number is closer to a thousand kids.

12 That's, again, spread all around the
13 state. In our larger metropolitan areas we have more
14 students. In our site in the rural border areas we
15 have approximately 35, 40 students in a program with
16 usually two instructors and tutors and folks like
17 that, volunteers.

18 Currently 56 percent of our students
19 are Hispanic, 36 Anglo, with the other eight percent
20 being African American, Asian Pacific and Native
21 American.

22 MS. JULIEN: As far as graduation
23 requirements, about what percentage of your students
24 actually complete and receive a high school diploma?

25 MR. PARKS: Yes. We require 21.5

1 credits to graduate from our school. We meet all the
2 state standards in all those kinds of areas that are
3 required.

4 Where it's a little different or a lot
5 different from traditional public schools, all of our
6 electives are what we call career electives. Those
7 are all centered around computer and software
8 training. Our students take everything from Word
9 Perfect to Power Point to Excel to Access, all of
10 those kinds of things; and that we changed that as a
11 result of, again, another survey of our students
12 asking what they wanted and the parents because, as
13 you know, we can hardly get a job in McDonald's
14 anymore without some computer skills.

15 That's working well. In another year
16 our kids will come out of the program not only with a
17 high school diploma but also with mass certification,
18 which is a computer certification, which will give
19 them a head start on getting a job.

20 MS. JULIEN: Aside from their migrant
21 status, what do you think attracts students to the
22 PPEPTEC program? What is it about PPEPTEC that works
23 for your students that perhaps didn't work in the
24 public schools?

25 MR. PARKS: It's totally

1 individualized. In our school we have freshmen,
2 sophomores, juniors, seniors working side by side on
3 their own individualized program, and they can be
4 working on math while another is working on English
5 while another is in social studies. And I think a
6 big part of that is because there's no competition.

7 Another big part of it is kind of going
8 back to the one-room schoolhouse concept. You know,
9 with that kind of one-to-15 staff ratio our staff
10 knows every kid, they most often know the families,
11 they know where they are coming from, they know
12 whether they are single parents, whether they are on
13 probation. They get to know the kids real well so
14 the kids don't have to go from teacher to teacher to
15 teacher for different subject matters.

16 MS. JULIEN: It is a one-to-15 staffing
17 ratio?

18 MR. PARKS: Yes.

19 MS. JULIEN: How do you feel about that
20 number, does that seem to be the right number?

21 MR. PARKS: I think it's a great
22 number. I never had a ratio like that when I was in
23 high school, I don't think anybody did. That's where
24 we try to keep it. Sometimes it deviates a little
25 bit. The average is one to 15.

1 MS. JULIEN: The ages for your
2 students, approximately 14 to 18?

3 MR. PARKS: Fifteen through 21 is our
4 required charter.

5 MS. JULIEN: Thank you.

6 MS. WEBB-VIGNERY: Do you have any
7 questions, Ramon, Paul?

8 MR. GATTONE: No, thank you.

9 MS. WEBB-VIGNERY: I want to thank you
10 for your testimony.

11 MR. PARKS: That was very quick.
12 Perhaps you can get back on time.

13 MS. WEBB-VIGNERY: Could we have a copy
14 of your comments for the record?

15 MR. PARKS: No, I don't have any.

16 MS. WEBB-VIGNERY: You don't have any?

17 MR. PARKS: No, I don't, but I could
18 send you that.

19 MS. WEBB-VIGNERY: We would appreciate
20 that.

21 MR. PARKS: I will do that.

22 MS. WEBB-VIGNERY: Okay. Thank you.

23 Okay. And the next speaker is Raul
24 Grijalva. I want to thank you for coming to meet
25 with us this afternoon.

1 Could you please state your name and
2 your position or the organization?

3 MR. GRIJALVA: Thank you. Raul
4 Grijalva. Presently, I'm a member of the Pima County
5 Board of Supervisors representing District 5.

6 Do I begin?

7 MS. WEBB-VIGNERY: Yes.

8 MR. GRIJALVA: Okay. First of all, I
9 want to thank the Committee for the opportunity and
10 the invitation to come and talk about some issues
11 that I think are very relevant and timely in this
12 community, and so I enjoy the opportunity.

13 I want to apologize at the initiation
14 of the conversation that I did not commit these to
15 any kind of writing that I can pass on to you; so I
16 apologize for that.

17 Really important issues to talk about
18 today, and I want to thank you for holding the
19 hearing, and irrespective of turnout I think there is
20 a great interest in education and some of the issues
21 that are going on.

22 I want to speak about two points. I
23 want to talk a little bit about dropouts and speak
24 also a little bit about the issue of achievement as
25 it relates to children of color and poor kids, in

1 particular kids that are economically disadvantaged
2 in our community. And my perspective is not as
3 scientific as it should be. It comes from experience
4 and being in this community a long time.

5 As part of the introduction, in other
6 lives I was a member of the Tucson Unified School
7 District for 12 years as a governing board member,
8 Assistant Dean for Chicano, Hispanic students at the
9 University of Arizona, and a Director of Pueblo
10 Neighborhood Center for years working with and being
11 part of communities that -- minority communities that
12 value educational deeply and achievement deeply, and
13 so maybe relating some of those experiences, and then
14 opening up for whatever questions you have.

15 The education of children of color and
16 poor kids is a perpetual issue both locally,
17 statewide and nationally, the quality of the
18 education and the needs in that area. And,
19 unfortunately, in the last five or six years that
20 whole issue of the discussion of education for that
21 particular population has been dominated by what I
22 call political prescriptions as to how to deal with
23 that issue, political prescriptions on how to deal
24 with the education of children of color, minority
25 kids and poor kids, and I really believe that those

1 political prescriptions aren't necessary in the
2 answer.

3 So your hearing, hopefully, will bring
4 to the Civil Rights Commission and to this state
5 other perspectives about how to begin to deal with
6 this issue, because I think that the litany of
7 problems that we have in this area of education are
8 kind of rooted in some very basic things. They are
9 rooted in discrimination, they are rooted in
10 cultural, economic, social, racial, linguistic
11 discrimination that, unfortunately, has been part of
12 the educational process historically in this
13 community and historically in this country. And so
14 we've got to accept that as a historical fact and
15 historical premise, at least I do.

16 And then I think the other fundamental
17 reason for dealing with these problems has been the
18 lack of equitable resource support, and that is the
19 distribution of public resources to where the need is
20 and addressing that need.

21 I think there is a historical pattern
22 and correlation between achievement and dropouts that
23 are linked to that resource support. I'm glad that
24 now the discussion in the State of Arizona is being
25 dominated by the question of education. I think that

1 is healthy, because we're talking about resources,
2 we're talking about equitable pay, and we're talking
3 about those kinds of issues that involve education
4 that have been perpetual issues with us for a long,
5 long time.

6 And I think there's also an attitude
7 issue, a perception that has been very difficult to
8 undo, but I think a very wrong perception, that there
9 are those communities from which those children come
10 that don't care about education, they are not
11 concerned about education, that is seen as a
12 secondary issue in their lives. And that is
13 completely false. All the polling that has ever been
14 done in minority communities in this state, and Pima
15 County in particular, ranks education as the top
16 issue in the lives of family, in the lives of parents
17 in this community, and it continues to be that way.
18 So there is a value both qualitatively and
19 quantitatively attached to education in the minority
20 communities.

21 When I talked about political
22 prescriptions to solving the needs of education, they
23 are just that, they are political prescriptions.
24 They are attempts at quick fixes and ignoring, I
25 think, some more fundamental issues there. So some

1 of the examples that I have is increased graduation
2 requirement that will magically -- is going to make
3 high school students learn more; set higher
4 achievement levels; ban bilingual education; school
5 vouchers; privatize schools; English only; AIMS
6 tests. Those are political prescriptions to the
7 issue.

8 And the debate over political education
9 prescriptions completely misses the point, because
10 the point has been and continues to be the
11 fundamental issue, as I said earlier, of
12 discrimination and resource allocation, and in some
13 minorities resource deprivation where there is not
14 enough to attend to the issues that you are facing.
15 So let me talk about the two issues that I wanted to
16 talk about today.

17 The first one is the issue of dropouts,
18 again, an issue that confounds all of us in the
19 community, frustrates us all in the community. It is
20 particularly difficult for educators in the sense
21 that that is where the highest level of frustration
22 is. And I think that that issue, again, is a
23 resource issue, it's an issue about bias and it's
24 also an issue about taking a scientific approach and
25 not reinventing too many wheels to deal with the

1 issue of dropouts, but dealing with some fundamental
2 and, if you will pardon the word, simplistic
3 approaches to it.

4 Funding, absolutely. If you are going
5 to deal with the question of dropouts you need
6 funding for prevention, you need funding for
7 intervention. When I talk about intervention and
8 treatment, I'm talking about recovery strategies,
9 i.e., adult basic education where we recover people
10 that have left the system but still have an
11 opportunity to be in an educational setting, acquire
12 the basic degree, acquire the basic educational
13 standards, and still be able to enter the work force
14 and enter a career path with that. So adult basic
15 education I have always considered part of
16 intervention; that you must have a strong support
17 system in the community that retrieves and provides
18 an opportunity for recovery for people that have left
19 the educational system.

20 Early childhood education, critical and
21 necessary. That's a way to prevent dropouts, to get
22 to kids and to their families early in the process.
23 Family support to work with parents, to educate
24 parents, and for them to become part of the circle
25 that helps educate their children.

1 And the other issue is a very
2 fundamental issue. Jobs, an opportunity for young
3 people in a high school setting, in a secondary
4 setting, in an after-school setting, in a summer
5 setting to have an opportunity to be employed, to
6 have the employment experience and to have the
7 gratification of, A, a job; B, income; and C, the
8 experience.

9 I think I've always -- my experience as
10 Assistant Dean at the U of A was the higher my
11 retention rate was with the students I worked with
12 the most were the kids I could place in part-time
13 jobs and give them the opportunity to have some
14 resources in order to be able to sustain themselves.
15 And the economic side, that is a critical point, and
16 I think relevant and culturally and ethically
17 sensitive not only instruction but leadership at the
18 schools that support to retain kids and to meet -- to
19 provide them with a comfort zone.

20 There was a study done about
21 satisfaction in schools. Once a comfort zone -- if
22 you create a comfort zone and satisfaction level for
23 young people, for their families and for their kids,
24 there is a higher retention rate, there is a higher
25 satisfaction with the schools. And I think that's an

1 important point.

2 Okay. That's a community
3 responsibility, that is not just the school systems'.
4 That involves governments, like the one I represent,
5 Pima County, like the state government, like City of
6 Tucson, to begin to nurture programs, strategies that
7 work with kids, that use the schools, that use the
8 resources in the context of school to reinforce, to
9 support families and their kids. We haven't done
10 that well. Sometimes government tends to compete
11 with each other as to how they deal with the problem
12 instead of strategically plan together how they are
13 going to confront a problem. And, hopefully, that
14 mindset is beginning to change. I hope it is.

15 Achievement. The issue of -- I really
16 don't have any problem with standards, I don't. I
17 think standards as a whole are helpful, they create a
18 bar we should shoot for, but to place arbitrary
19 standards for testing measures without the resources
20 to fully prepare and fully educate kids is merely a
21 process of pointing fingers. It does nothing with
22 the root issue, which is to raise achievement.

23 So if you are going to talk about
24 achievement, then you have to talk about resources
25 and you have to talk about class size, you have to

1 talk about compensation, you have to talk about
2 standardized tests that are culturally relevant and
3 sensitive. You have to talk about a strong community
4 that supports that process and you have to talk about
5 early childhood education and full day care,
6 kindergarten for kids, so that we can evolve to the
7 point where achievement tests are not a threat but
8 merely a reinforcement of what you already have been
9 preparing children to do when they get to a certain
10 grade. That goes back to the idea of community
11 planning.

12 I think sometimes there is a perception
13 that those of us, and individuals that are advocates
14 for the minority community and children of color,
15 that are involved in preserving and sustaining
16 bilingual education, that are involved in raising
17 issues about discrimination and other issues in the
18 public schools are not for accountability and are not
19 for measurable goals. We are absolutely for those
20 things. We think those things are important. Our
21 school systems need to be accountable, we need to be
22 able to show that there are measurable gains
23 occurring for our children as we go along, because
24 that reinforces what we are trying to do as a whole
25 in the community.

1 But I think the responsibility then is
2 also a shared responsibility and a shared
3 accountability. It cannot only be on one sector of
4 the community to be fully accountable and fully
5 responsible for the measurement of their gains if
6 there is not a shared responsibility with funding and
7 resources at the state, local and national level. If
8 we can sustain good educational achievement in this
9 community with the resources that we need, then the
10 debate over political prescriptions on education
11 becomes moot, and questions that are being raised now
12 and quick-fix solutions that are being proposed would
13 become irrelevant.

14 This is a resource issue, and as the
15 Advisory Committee here in the State of Arizona, I
16 think the issue of education -- we should all be
17 gratified that the discussion about education is
18 dominating the public dialogue, because it should.
19 And I happen to be a person that actually supports
20 Governor Hull's idea of a sales tax for education,
21 and I do that because it represents resources. It
22 doesn't represent -- I have some problem with some of
23 her accountability measures she put in that bill, but
24 it represents resources and it represents an influx
25 of resources on a yearly basis that would give us the

1 opportunity not only to be accountable but to be
2 measured for.

3 But it goes back to the earlier points,
4 maybe we can begin to provide those resources to
5 where the real need is, because to do otherwise is to
6 constantly point a finger, constantly wring our hands
7 and constantly say to one another that we can't do
8 anything about the problems of achievement and the
9 problems of dropouts. They can be resolved. It is
10 not a difficult issue to resolve. It requires money,
11 time, and some really good leadership in this
12 community to do it. I think Pima County and Tucson
13 has that capability. All it needs is the resources
14 to be able to carry that out.

15 That's the only testimony and --
16 statement, I guess, more than that. Any questions?

17 MS. WEBB-VIGNERY: Thank you. Yes, I
18 have a couple of questions.

19 Number one, recently our Mayor
20 suggested that we have a children's march on the
21 State Legislature demanding that there be more
22 funding provided for education, and then a second
23 suggestion was made just this week, as a matter of
24 fact, that a plan be developed by Tucsonans and,
25 specifically, by the Metropolitan Education

1 Commission, that would coalesce the Tucson community
2 to go to the Legislature to ask for the additional
3 funding, to demand it. Do you see that as a feasible
4 way to approach what you are talking about as far
5 as --

6 MR. GRIJALVA: Yeah, I think that's a
7 viable strategy. I have no problem. I think it's a
8 viable strategy because there has to be a perception
9 and understanding on the part of political leadership
10 at the Legislative level that this is not just a
11 special interest issue, this is a community issue.
12 And it's not just those of us who are involved in
13 public education or care about public education or
14 education in general that are being the advocates for
15 this, that there are parents, that there are
16 children, that's a communitywide issue.

17 I think if you put the parameters in
18 that effort to get additional resources to Tucson
19 where those resources are needed the most -- there
20 was a time we had focal schools in T.U.S.D., target
21 schools in T.U.S.D. where there was a special
22 emphasis made at raising achievement and providing
23 resources to that. That's part of the plan, I think
24 that becomes inclusive, and I think more people would
25 be supportive of it.

1 MS. WEBB-VIGNERY: My second question
2 has to do with -- you suggested that jobs were an
3 important component for minority children
4 specifically to achieve and to not drop out of
5 school. There are programs now existing in the Pima
6 County area which are good programs that would
7 provide a model across the community, one being --
8 we're sitting right here in Amphitheater High School,
9 and Amphitheater High School has developed a complete
10 program that takes kids into job preparation and link
11 them to jobs during their high school years, and we
12 know that many of these kids are at risk.

13 Do you see some way that we can more
14 systematically --

15 MR. GRIJALVA: We have two good
16 examples. We have Amphi, Sunnyside, we have other
17 examples where in-school job development programs and
18 job support programs have been really good in terms
19 of working with average kids, keeping them in school,
20 getting their grades up.

21 Parents have to be part of -- they have
22 to sign contracts, they have to be part of what that
23 child, that student does in school. I think those
24 are good, they are great examples.

25 And I just think it's a question of

1 self-worth. I feel for a young person to be
2 employed, to feel they are contributing in some way
3 to themselves or to others just enhances their
4 ability as human beings to kind of deal with what
5 they have to deal with as students and as human
6 beings. I think that's the key thing to jobs, not
7 make-do jobs where you take up space, but jobs that
8 have some substance to what they are doing.

9 Yeah, I would think employment is real
10 important. Part of it's not brought into the
11 discussion enough. I really think it is.

12 MS. WEBB-VIGNERY: I'm asking
13 specifically about a system that could be
14 communitywide and statewide that really engages the
15 education community and ties it more closely together
16 to the business community, to the government, so that
17 we really are getting synergy and we are really
18 catching the minority youth.

19 MR. GRIJALVA: Like I said earlier, we
20 tend sometimes to compete with each other where one
21 section of government will do the jobs, you do the
22 education, business, you provide the sites for it.
23 And if you can bring that together and it's cohesive,
24 then it becomes that much more powerful, and you
25 eliminate -- trying to find the right word. It's not

1 competition, everybody's got their little territory.
2 And when we are dealing with kids at risk and kids
3 that are potential dropouts, the wise thing is to
4 eliminate those artificial lines.

5 MS. WEBB-VIGNERY: Okay. I would like
6 to open up the discussion.

7 MR. PAZ: Just one thing. I've been
8 asking all afternoon for your description, your
9 analysis or statement on the English only initiative.

10 MR. GRIJALVA: I'm absolutely opposed
11 to it. I was being more subtle when I talked about
12 political prescriptions to solve problems. That's
13 one of them.

14 I think the English only initiative,
15 the banning of bilingual education in public schools
16 are inherently discriminatory for a lot of reasons.
17 You know, we historically already went through those
18 problems already, had to deal with the consequences
19 of those actions 20, 25 years ago, and I think it's
20 being used as a political wedge in education when we
21 need to be accepting our diversity and integrating it
22 into what we do in our public schools. It's a wedge
23 issue, it's an ugly wedge issue, and it's used only
24 for political purposes. It has no relevancy to the
25 education or the betterment of kids. I'm opposed to

1 it both on the political level and I think it's
2 discriminatory. The topic we're talking about today,
3 education, it's a wedge issue that divides schools.

4 Schools are becoming less homogeneous
5 than they ever were. They are diverse centers,
6 represent the communities, Amphi does. There is no
7 high school that does not have a mixture of kids
8 anymore, and to introduce those wedge issues into our
9 school life, I think, is a detriment, and if they are
10 successful we are going to pay the consequences of
11 those decisions 10, 15 years from now in spades.

12 MS. WEBB-VIGNERY: Okay.

13 MS. JULIEN: I'd like to just ask one
14 thing, something we haven't touched on much today, is
15 students entering post secondary education, what do
16 you see -- how would you evaluate the efforts of our
17 university system to attract minority students, and
18 have you seen any change in the last decade?

19 MR. GRIJALVA: There's been some change
20 in the last decade. And that is not a concession,
21 it's just an acceptance of the fact that I think in
22 this instance the University of Arizona down here,
23 has come to the realization that they serve the home
24 taxpayer base of Pima County, not just a select part
25 of the taxpayer base area.

1 I think a lot more can be done. I
2 think the issues that remain for recruitment and
3 retention of kids is the same issues we talked about
4 earlier. It's financial assistance to get them
5 there, get them into school, and financial assistance
6 and support to retain them and keep them in school.

7 My experience when I was at the
8 University of Arizona is that we did a wonderful job
9 of recruiting, then we had a more difficult job of
10 retaining. And so I think that the University of
11 Arizona is beginning to -- it's changed a lot in ten
12 years, and that is a compliment to the efforts of the
13 University of Arizona. I think what now the
14 University has before it as a challenge is not just
15 merely to bring the kids in, to keep them there, and
16 that is a whole other strategy.

17 There are support services in place
18 there that weren't there when I was there, and they
19 are healthy and they are helping kids, but I still
20 think that the University of Arizona, ASU, NAU,
21 community colleges do a good job of getting kids
22 there, they do a great job of getting their kids
23 there, provide the finances early and sustain it
24 through the course of that person's career, I think
25 we get more and keep more kids there.

1 MS. JULIEN: Thank you.

2 MS. WEBB-VIGNERY: Are there any other
3 questions?

4 I want to thank you.

5 MR. GRIJALVA: Thank you very much.

6 MS. WEBB-VIGNERY: Our next person to
7 testify is Lorraine Lee.

8 I want to thank you for taking the time
9 to meet with us this afternoon, and if you could
10 state your name and your organization for the record.

11 MS. LEE: My name is Lorraine Lee. I'm
12 Vice-president of Chicanos Por La Causa in Tucson.

13 Anything else?

14 MS. WEBB-VIGNERY: That's it.

15 MS. LEE: Well, okay, here we go.

16 Well, thank you very much for giving me
17 the opportunity to address you this afternoon. It is
18 interesting that we are here at the school and
19 talking about education and looking at everything. I
20 think that one of the things that this school -- that
21 the school has done so well only recently has been
22 its openness to the community recognizing, as was
23 mentioned earlier by Supervisor Grijalva, the notion
24 of diversity within the Tucson community is in every
25 part of this community and it is not isolated to one

1 particular part. It is in looking at that we move
2 forward then in understanding what are the things and
3 what are the needs.

4 I think that Amphi High School took a
5 whole step this year in being able to bring students
6 to the forefront in putting together what I
7 understand to be the first mariachi concert that
8 brought young people together, that organized it in
9 doing that.

10 What does that mean and why is that so
11 important?

12 I think we should go back and look at
13 the idea of what our young people are looking at,
14 what it is they need -- our children -- and
15 understand that.

16 As Chicanos Por La Causa Community
17 Development Corporation within the State of Arizona
18 we have been involved in a whole variety of different
19 areas from housing to homeless prevention, small
20 business development, and everything in between. We
21 have recently, though, within the last few years
22 embarked in the area of a charter school realm, the
23 formulation of Calle Olin, that we embarked on this
24 effort.

25 Why did we go forward in understanding,

1 trying to figure out why we want to develop a charter
2 school?

3 What we found as we were working with
4 young people was that our young people had a huge
5 yearning to understand who they were and where they
6 come from, and the lack of places and resources for
7 them to be able to do that. So as we went through,
8 tried to understand through the various high school
9 visitations, talking within classrooms and looking,
10 we really saw that this was lacking in schools. We
11 feel that it was important for us to be able to
12 provide that understanding, that knowledge to our
13 young people, and the best way to do that seemed to
14 be through the charter school and through the
15 development of such a school.

16 I was very surprised to see how the
17 charter school movement across the country really
18 swept, really started to become a real focal point
19 for a lot of states, then to be able to find that in
20 the State of Arizona, we have become probably the
21 leaders in the country among the charter school
22 movement. Looking at that I asked ourselves, why is
23 that, why is it that Arizona has probably the
24 strongest effort of any state in the country in terms
25 of charter schools?

1 I think as we look -- really look down
2 deep in terms of that, it is because I think so many
3 of our young people, so many of our parents find that
4 there is very little that is being addressed for
5 them, or that the traditional schools are not
6 addressing their needs or the lack of -- over and
7 over again the lack of X, Y, Z, whatever that might
8 be.

9 In regards to our community, why
10 Chicanos Por La Causa got involved with charter
11 schools, because as I mentioned our young people did
12 not find themselves within a school system, they did
13 not find themselves in a book, a history book. There
14 are stories over and over again of parents that say
15 they have gone into classrooms, opened up the book,
16 let's see our history. It is left to one or two
17 pages, if we are lucky, that will tell you a little
18 bit about the history of the Southwest, that will
19 tell you a little bit about the history of Latinos,
20 of Chicanos in Arizona, in the Southwest.

21 When you look at that and you look at
22 little kids that grow up and try to see, where do I
23 belong, everybody around them says, Johnny, Susie,
24 you must get an education, this is what you must do,
25 you must have goals, you must move forward, you must

1 learn, learn, learn. They open up a book, what do
2 they see? They are not in that book. They are
3 nowhere to be found in that book.

4 So what are we saying to our young
5 people? You look at that young child in elementary,
6 you look at them in high school, especially in
7 Arizona and Phoenix, anywhere in the State of Arizona
8 of young people with concerns that parents are having
9 because of quote, unquote, youth violence. Why? The
10 concern on the city's south side within recent weeks
11 of the killings taking place. Why? Everyone is
12 searching for an answer, trying to find out what can
13 we do, how can we change this, why is this happening?

14 It is very, very simple if you look at
15 the roots at what is going on, starting with our
16 schools. Where are they in their books, where are
17 they in the classroom? They are left with pinatas,
18 mariachis, tacos and chalupas. These are the
19 messages our young kids are getting. This is where
20 they are searching to find themselves. This is where
21 we expect them to find themselves. I think this is a
22 huge problem.

23 When Chicanos Por La Causa embarked on
24 the charter school movement, looked at developing the
25 school, we went through to try and pull together the

1 information that we could that could provide us with
2 history, that would stick with the curriculum, that
3 met state guidelines, falling all of that into place,
4 look what high schools are teaching along those
5 lines. There was very, very little.

6 I sat on a committee of T.U.S.D. for
7 over a year on the analysis of Hispanic studies,
8 bilingual education. I sat on that committee and I
9 am very sad to say -- on the one hand it was positive
10 in that they finally recognized that there was a
11 need. Very, very sad to see that the amount of money
12 that was committed to that effort was a token amount.
13 It was a joke and it is a joke.

14 You look at the amount of students that
15 are in that district, the amount of money committed
16 to that effort. That is not to say T.U.S.D. is a bad
17 school district. What it is reflective, what I would
18 say, look at any district within the State of
19 Arizona, it is probably very similar.

20 T.U.S.D. may be in many ways at the
21 forefront, because at the very least it has developed
22 and recognized the need in trying to institute and
23 implement something. But on the face of it how many
24 years has it taken to get to that point? What is
25 that saying to our young people? Where do they go to

1 find out who they are, where they come from, how they
2 are going to determine where they are going to go?

3 It is then looking at this we must
4 recognize that there is a gap, a huge, huge gap that
5 exists, and that we must then move forward to be able
6 to implement and meet that gap. We as an
7 organization are willing to do that. Why is that?
8 I'm not here to say, geez, we are this wonderful
9 organization, wonderful school. We should do things
10 in partnership with school districts, educators in
11 being able to meet those needs. We can work and deal
12 with families, address family needs. School systems
13 have to take care of education, and children's needs
14 and educational needs of those children.

15 It is important then for us to look at
16 that. Students are going to act out many times
17 because they lack something, a sense of belonging, a
18 sense of self, a sense of being. We are not
19 answering those needs in whatever fashion anywhere,
20 whether it's in media, it's in music, or it's in a
21 classroom. We are not doing that.

22 And so what we get are students that
23 act out, students that want to belong, whether it's
24 affiliation to an honor society or it's an
25 affiliation to a neighborhood group. People want to

1 belong, we all want to belong. They will move
2 forward then in those efforts to do that in whatever
3 way they can. Our schools then should be able to
4 provide and be creative and understanding how to do
5 that.

6 We have educators within our school
7 systems that really move forward, made a commitment
8 to teach, to teach Chicanos, Mexican American
9 studies, Hispanic studies, on and on, but every one
10 of those teachers I would venture to say, if you
11 talked to them, have had to struggle in being able to
12 implement that within the classrooms and trying to
13 justify why they should teach what they are teaching,
14 why it is important and how does it meet state
15 standards and how they are complying with their
16 curriculum.

17 Where is the positive reinforcement for
18 them, letting them know this is a good thing and this
19 is how we can work together and here are the
20 resources, this is how we can develop it, at the very
21 least collectively come up with solutions?

22 So I throw out to you the challenge
23 that we all have as a community. As was stated
24 before, it is a community issue. Dropout rates can
25 be addressed, school quality and education can be

1 addressed, but we have to be willing to take the risk
2 to say this is what the huge gap is and this is what
3 we must do in order to address it.

4 And, yes, it is a lack of Chicano,
5 Mexican American, Southwest history, that it begins
6 there. It begins there and it doesn't end there. It
7 must be incorporated throughout. And there is no
8 reason why, whether you are African American, Native
9 American, Irish American, German American or Asian
10 American, why you should not know the history of the
11 Southwest.

12 Let me move on to the second issue that
13 I have here today. That is the idea of language
14 acquisition. The idea of bilingual education, it is
15 not about learning Spanish, as many of us would be
16 led to believe. It is about learning English, it is
17 about integrating into the classroom and being able
18 to maximize your education and being able to do that.
19 Beyond that it is understanding we live in a global
20 economy ever increasing, and that our children will
21 compete in this society and we must equip them with
22 the skills necessary in order to be successful.

23 As we talk about bilingual education
24 and the attacks that have been put on bilingual
25 education, whether justified, unjustified, depending

1 what side you're looking at, the point is look at the
2 child and what that child needs in order to compete.

3 Why do we send children to school? We
4 want them to learn. Ultimately, isn't it we want
5 them to be successful adults, we want them to be able
6 to take care of themselves, become productive
7 citizens?

8 Our society -- and if we are attacking
9 them on language, if we are saying to them, you can
10 speak this, you can't speak that, you can do this,
11 you can't do that, they have nowhere to find
12 themselves. I'm not hearing about history. On top
13 of that, the history from which they came, the
14 language from which they came is being attacked.

15 What is that saying to our young
16 people? How do we expect them to compete in the
17 global economy if, at the very least, what we are
18 saying to them, you must converse in English only?
19 What is that saying if we want them to become part of
20 that Fortune 500 company? You better have a little
21 bit more than just English. You better be able to
22 relate and know at the very least how to deal with
23 other people on a personal level and on a business,
24 corporate level.

25 What are we saying to our young people

1 if we are doing this, if we are saying to our young
2 people -- well, the school district is going to wind
3 up being the policing agent, as in California. Are
4 we going to turn our schools into that? I think we
5 are moving in that direction, and it is very, very
6 scary as we look ahead.

7 The idea of the attacks on bilingual
8 education are severe, they are real, and we know they
9 are real, and they are sending messages to our young
10 people. Regardless of whether they are Mexican
11 American children or not, we are sending messages to
12 our young people. Is that the message we want to
13 send to them?

14 Move on, look at the AIMS and what is
15 the AIMS test saying? We look at SATs, ACTs,
16 Stanford 9s, these are all tests that are out there
17 and thrown at our children. They are all, in my
18 belief, racially biased, they are all racially
19 biased.

20 How then do we expect our AIMS test not
21 to be racially biased? I believe that it is. How
22 can we rely on a test to assess a student's success,
23 that one test will determine how our young people
24 will move forward in this world and this society to
25 become those productive students or citizens of our

1 community that we expect them to be, to go out into
2 the world and compete, to have the skills that they
3 need and be able to do that based on a test?

4 Why are we doing this to our young
5 people? Again, what is the message we are sending?
6 It is a community issue and we are all part of that
7 issue in moving together for the success of our young
8 people.

9 It is sad to look at dropout rates that
10 exist in all of this community. It is sad to look at
11 what is with the issues from one side of the
12 community to the other, when we look at monies, where
13 they are going, how they are going to be used. I
14 think we need to look very, very seriously at issues
15 of accountability, whether we are talking about
16 bilingual education or we're talking about whatever
17 else it is, we must talk about accountability. It is
18 extremely important. We must talk about
19 expectations, it is extremely important.

20 But there must be equity in that
21 discussion as we look forward, and we must look at
22 the issues that are entailed, whether you are talking
23 about a south side school, east side school, north
24 side school, to talk about the various issues that
25 are involved and the various elements that are there.

1 It is so important. And as we look at young people
2 and look at their discovery of self and their
3 discovery of who they are and where they are going as
4 they ponder their direction and where they must go,
5 that they should realize that their existence, that
6 their purpose in this world is more than just two
7 pages in a history book. It's far more than that.
8 It is inclusive of this country, all those in it, but
9 also inclusive of the world around them, from one end
10 of the globe to the other.

11 The message that we must send out to
12 them is that the more you learn, the better you must
13 comply, obviously, to some standards, quote, unquote,
14 that must exist there at a minimum. But it is far
15 more than a test, it is far more than lines on a
16 piece of paper, but it is conversing with people as
17 people and learning to coexist and learning to pull
18 the richness from each other, to be able to pull
19 that, to learn and be able to move forward and walk
20 out the doors of any high school, to move on to
21 higher education, know that those doors are -- that
22 the link between post secondary education and high
23 school exists, it must be within reach for all, to be
24 able to know they can attain it if they want because
25 they have a right to be able to do that.

1 We have students in our community that
2 have never been on the University campus, that have
3 never been there. What's even sadder, they really
4 don't want to go there because they think it isn't
5 something for them. But if we could reach out to
6 them, be able to expose them, be able to look at
7 that, how much better they will be for no other
8 reason to know that it exists in our community, to
9 know that it's there. But it takes people in
10 positions of power with resources to create and take
11 the risk to pull those students from where they are
12 and give them that exposure.

13 I'm not sure how much more time I have
14 here. I will close with that and entertain questions
15 you have.

16 MS. WEBB-VIGNERY: Okay. I have one
17 question. I gather Calle Olin Academy is grounded in
18 history and that you are giving the deep roots for
19 the students who come to your charter school so that
20 they can form a foundation for themselves to grow and
21 mature and actually become good students. Now, are
22 you -- do you give them the AIMS test, do they have
23 to take that, or is that something that --

24 MS. LEE: Oh, absolutely. The charter
25 school is recognized as any other high school within

1 the State of Arizona, therefore, it must comply with
2 the AIMS testing.

3 The sad thing about it, for every
4 school -- you talk to any school teacher, we are now
5 teaching to the test.

6 MS. WEBB-VIGNERY: Oh, you are?

7 MS. LEE: It is so sad. You wind up --
8 you have no choice, you have to. If you don't teach
9 to the test, how are you going to ensure success for
10 your students?

11 MS. WEBB-VIGNERY: Can you do that and
12 still include the history and culture as part of
13 their classroom experience?

14 MS. LEE: Yes, we have. Because of our
15 commitment to what our philosophy is and the emphasis
16 of the school we try to incorporate it, but it
17 becomes even harder as the AIMS test comes up and
18 comes forward. And for charter schools it's even
19 harder to be able to reflect those test scores
20 because we have open enrollment. A student will come
21 in at any point in time, so by the time they are
22 going to take the AIMS test we may have a student
23 only for three weeks, yet they are expected to take
24 that AIMS test. We have three weeks to prepare
25 somebody for a test that they have walked through the

1 door with ten years already under their belt of a
2 school system from wherever and they have to sit
3 there and take that test.

4 And then I know that people have been
5 looking at the results of the charter schools, going
6 through these scores, looks really sad comparatively
7 speaking, but you have got to look at what the
8 charter schools are walking into it, at what point
9 are we getting them to be able to prepare them?

10 MS. WEBB-VIGNERY: Thank you.

11 Do we have questions from the other
12 members?

13 MS. JULIEN: When you talk about
14 incorporating the history of the Southwest in the
15 curriculum, from what I know of the work in T.U.S.D.
16 there was a lot of talk about creating what appeared
17 to be sort of a separate curriculum. Am I clear in
18 understanding that you would prefer to see that
19 history incorporated in the curriculum every student
20 takes?

21 MS. LEE: First and foremost up front,
22 I am not an educator, so let me state that. So as we
23 talk about lingos, I'm not totally versed in that.

24 MS. JULIEN: The difference between
25 offering a section of Latin American history versus

1 making sure that Latin American history is part of
2 American history.

3 MS. LEE: I think that it goes both
4 ways. Those are two things, I think both are very,
5 very necessary. It should be an integrated
6 curriculum throughout, from kindergarten, all the way
7 from K through 12 in looking at that.

8 I think there are also those
9 opportunities then to be able to give more stronger
10 courses that will speak specifically toward specific
11 areas of history, whether it's literature, or it
12 might be the arts, or whatever it is. But at the
13 very least, I think first and foremost, it would be
14 so wonderful if it were integrated. It would be
15 wonderful if it could be integrated in doing that,
16 and that is what I think we should strive for. But I
17 know that at the very least there must be courses
18 that are in place, departments that are developed to
19 ensure that curriculums comply, obviously, with state
20 standards, and they do exist and that it is possible
21 and it is being done.

22 It needs to be augmented and expanded,
23 and it must be given the support, because you can
24 go -- there are teachers that kill themselves putting
25 together those curriculums and trying to make sure

1 that they comply with every single piece, and it
2 does, but what it has taken to get there and to be
3 able to stay there and continue to enhance those
4 curriculums, it is very, very difficult and it's very
5 trying. And it has to be an individual or
6 individuals that are very, very committed.

7 MS. JULIEN: When you worked on that
8 committee did you look at textbooks?

9 MS. LEE: We did not get into specifics
10 at all in terms of looking at textbooks, because we
11 did discuss the importance of being able to look at
12 the training of those teachers.

13 You can't just take someone because
14 they are Hispanic and throw them into a classroom and
15 expect them to teach Southwest history or Chicano
16 history and they are going to know it. It really has
17 to be someone that has the training and
18 understanding, true understanding of what that is.

19 MS. JULIEN: One of your statements was
20 that the funding that was available to put this
21 together was not nearly enough. Can you elaborate a
22 little bit on what you would think would be -- would
23 need funding and what appropriate funding would be?

24 MS. LEE: I cannot give you specific
25 numbers to say, geez -- I think there are a lot of

1 elements that need to be taken into account. The
2 size, amounts of implementation you are willing to
3 put in place to do that, what the cost would be.

4 I can say, though, in looking at the
5 amounts of dollars in this particular case that had
6 been committed previously to Native American studies,
7 the amounts of dollars that were given to African
8 American studies that go back many years of continual
9 funding, and then the token amount that was finally
10 given to Hispanic studies was very lopsided.

11 MS. JULIEN: What you're saying, that
12 comparatively -- when you compare the funding to the
13 other studies, the Native American, the African
14 American, this funding was not comparable?

15 MS. LEE: It was very, very lopsided.
16 But when we look at the percentages of enrollment of
17 children it was quite the opposite. It is quite the
18 opposite.

19 MS. JULIEN: Okay. Thank you.

20 MR. PAZ: We know the impact that the
21 English only initiative will make on education. From
22 your organizational point of view in the areas that
23 you cover, development and all that, how would that
24 impact all the other programs that you have in
25 Chicanos Por La Causa?

1 MS. LEE: Again, I think in terms of my
2 opinion of it I think it's ludicrous, it's absurd, it
3 makes no sense.

4 Going back to what we are talking about
5 a global economy, for us within our organization,
6 what we do in the delivery of services that are very
7 diverse, talking about small business development --
8 and, yes, the push is how do we create -- the whole
9 NAFTA deal, how do we create the business, the
10 maquilladores, how to build those relationships
11 together, the effects of that. If you do not have
12 that language or at least an understanding, the idea
13 of looking at our families that we deal with every
14 day, prevention of homelessness and dealing with
15 them, the challenges, the skills and lack of skills
16 that they have in order to be able to compete is
17 tremendous.

18 Those that do not have the education
19 needed, whether it's college, high school or special
20 skills, whether they are in the trades or
21 otherwise -- we have been working so vigorously with
22 many of the laid-off miners and their families who
23 have had a tremendous blow to them after 20 years.
24 Some of these individuals have worked there that now
25 find themselves trying to figure out what they do

1 next.

2 And the challenge is not just to that
3 individual that works there and how that deals with
4 their own self-perception and morale, but to
5 everybody in that family, from the young children,
6 all the children, to the spouses. And the impact
7 that it has, where do we give them jobs, are they
8 going to sit in a telemarketing job and answer phones
9 at minimum wage part time?

10 That's not to say all those jobs are
11 terrible and there's not a place for them. If you
12 have been a miner, that's kind of hard to accept
13 that. You have got to develop those skills when you
14 are going through -- some may have limited
15 English-speaking abilities and get doors slammed in
16 their faces.

17 We get cases in the workplace where
18 they are told not to speak English because it makes
19 the other coworkers feel uncomfortable. That's a
20 violation of their rights, their Civil Rights, yet we
21 hear over and over cases where signs are actually
22 posted for them.

23 You have a parent that gets that at
24 their work, they come home, their young children,
25 their kids hear that, what does it say to them? What

1 does that do to their self-perception?

2 We have young people that we work with
3 at Corozon Atzalan that go through this leadership
4 program. We have a tremendous number of students
5 that come from 14 different high schools in this
6 community, so they are not just coming from one area,
7 and they flock to us. Why? Because they are
8 searching for something.

9 The emphasis is on culture, history,
10 being able to teach them and expose them at the very
11 least to what's there. They keep coming and they
12 keep looking because there is a yearning, a hunger to
13 know, to learn. And there is very little -- there
14 are very little places which they can go to to be
15 able to do that.

16 You see splashed on newspapers attacks
17 about equal education, you see splashed on newspapers
18 certain attorneys that only speak English in this
19 office, or whatever it is. What are the messages?
20 So there is an anger, there is a big, tremendous
21 anger among our young people, all of our young
22 people, not just among Latinos, to go out there. We
23 keep continually, directly and indirectly, sending
24 messages to young people, so when they go out on the
25 street a lot of those impressions are already there

1 and you get people acting out, and very little is
2 there to give them direction on where to go. It sure
3 isn't in our schools, or at least -- at the very
4 least it is not to the extent that it needs to be in
5 our schools.

6 For all of our children English only is
7 a bad thing, it's a bad thing, and it sends a bad and
8 dangerous message to everyone. And English only
9 says, I believe it's okay to be racist, it's okay to
10 tell people that they can only speak one language
11 because we feel uncomfortable or because we're
12 afraid.

13 Let me tell you, the history of this
14 country has based itself on fear many times. Just
15 ask the Japanese internments, ask what is impossible.
16 We would never do that, we would never take any
17 rights away from our people. It happened, it
18 happened, so why can't it happen today? American
19 citizens were yanked out, everything taken away, put
20 in camps. There are phobias, those phobias, and it
21 exists.

22 MS. WEBB-VIGNERY: Are there any other
23 questions?

24 Thank you very much. And do you have
25 any comments that you can leave with us?

1 MS. LEE: I don't have them today, but
2 I certainly will put some together and send them to
3 you.

4 MS. WEBB-VIGNERY: We are going to take
5 a ten-minute break.

6 (Recess.)

7 MS. WEBB-VIGNERY: The next speaker
8 with us this afternoon is Laura Penny.

9 And if you could please state your name
10 for the record and also the organization that you
11 represent.

12 MS. PENNY: Yes. My name is Laura
13 Penny. I represent the Arizona Department of
14 Education.

15 MS. WEBB-VIGNERY: And this is being
16 run on 20-minute intervals, so you have 20 minutes to
17 present, and then there will be questions from the
18 panel.

19 MS. PENNY: I promise to take less than
20 that.

21 MS. WEBB-VIGNERY: Okay.

22 MS. PENNY: Thank you for inviting me
23 to be here today.

24 Unfortunately, what I have to report is
25 not good news. By any educational measure we are not

1 doing well by our minority students in this state.
2 The causes for some of that are unclear, which makes
3 it difficult to develop policies that will address
4 the statistics that I'm going present to you today.

5 I would like to speak first about the
6 dropout rate. At the high school level minority
7 students drop out at twice the rate of our Anglo
8 students, with the exception of our Asian students.
9 We have overall, for high school, an 8.5 percent
10 dropout rate for Anglos, 15.4 percent dropout rate
11 for African American students, 17.6 for Hispanics,
12 19.1 for Native Americans, and 8.2 percent dropout
13 rate for Asians.

14 Part of the difficulty for us is that a
15 large number of these dropouts are considered status
16 unknown, which means we don't know where they went or
17 why they left school. We need a better way to track
18 students to find out if, in fact, they have moved on
19 to another school and somehow we didn't find out
20 about it, if they moved out of state, exactly what
21 happened to these students that we show as leaving
22 school.

23 We have a proposal for a student
24 accountability and information system that would help
25 us not only track students and dropout rates but also

1 track achievement. We will see if we can get funding
2 out of the Legislature for that.

3 We did seek increased funding this year
4 for dropout prevention funds, however, our bill was
5 cut significantly, and a mere \$50,000 was proposed
6 for that dropout prevention. That's on top of the
7 sum for dropout prevention programs the state
8 currently funds, but for the most part dropout
9 prevention efforts are a local issue.

10 Schools know best how to teach their
11 students and how to retain them in school. The best
12 we can do is provide money for them to do that in
13 ways that they have shown to be effective.
14 Unfortunately, we have not seen that funding
15 forthcoming from the Legislature.

16 In the area of achievement there are a
17 couple of things that we've looked at. One, of
18 course, is the AIMS test, which was given for the
19 first time last spring, spring of 1999, and with the
20 exception of mathematics Anglo students outperformed
21 all minority students on last spring's administration
22 of the test. While much has been said about the math
23 portion of the test, it is shocking that 65 percent
24 of Native American students, 63 percent of Hispanic
25 and 55 percent of African American students could not

1 read and comprehend it well enough to answer
2 questions about its content.

3 One of the things we are doing at the
4 state level is to address this issue of academic
5 standards. We believe that by setting strong,
6 rigorous standards which all students must learn and
7 which all schools must teach, we will be providing
8 all students the opportunity to learn challenging
9 course material.

10 One of our concerns is that when
11 students start out there are certainly some
12 inequities in the early elementary grades. Those
13 disparities increase over the course of a child's
14 education. We're not sure why that happens, but it
15 almost seems like the system has lower expectations
16 of minority students than it does Anglo students, and
17 for that reason students are not presented with
18 challenging material, and they continue to lag
19 farther and farther behind as they progress through
20 the system.

21 We also see something like that on the
22 Stanford 9 where we actually see declining student
23 performance from grades 2 through 11 in virtually all
24 ethnicity categories, including Anglo students. In
25 other words, we test students in second grade and we

1 test them in 11th grade every year through those
2 grades, and scores on Stanford 9 for 11th graders are
3 actually lower than scores for our second graders.
4 This is a mystery to me how we manage to have
5 students in our schools for nine or ten years and
6 actually have scores decline over that period of time
7 when measured against a national standard.

8 It's this result that has kind of led
9 us to look at year-over-year academic progress as an
10 indicator of how students and schools are doing.
11 With the Stanford 9 being given annually we can
12 compare a student growth -- academic growth over a
13 one-year period. We look at the individual student,
14 that way we screen out factors like ethnicity,
15 socioeconomic status and comparing the same child
16 from year to year. When most of those things won't
17 change over the course of a year we have been able
18 then to control for some of those external factors
19 that are often blamed for low student achievement.

20 What we find is that some schools in
21 our state are doing a fabulous job. They are moving
22 kids more than one academic year in the course of a
23 school year. They are taking children wherever they
24 are when they walk in the door and challenging them
25 to make more progress than would ordinarily be

1 expected. That is happening across ethnic lines.
2 What we need to do is identify how those schools are
3 doing that, how they are moving kids in that way, and
4 we need to replicate that in every school across the
5 state.

6 I know you have had a great deal of
7 testimony today about bilingual education. The state
8 lost a court case earlier this year called the Flores
9 case, and the judge basically said that the state is
10 underfunding English acquisition and bilingual
11 education programs. We are in the process of working
12 within the school district to come up with a formula
13 that would provide us with an adequate amount of
14 money to fund those kind of programs. Again, we have
15 not seen a lot of action from the Legislature on that
16 issue, and I don't know if we'll be able to get them
17 to address it. Clearly we need to do better.

18 Statistics from last year show that
19 there are about 1,400 students in high school who
20 have been in some kind of bilingual or ESL
21 instruction for their entire academic careers before
22 they are moved to proficiency in English. They have
23 been in programs for nine, ten, 11, 12 years. We
24 need to do better than that, because no matter how
25 many languages our students speak, and we believe

1 that multilingualism is a gift, that we believe they
2 need to be proficient in English if they are going to
3 succeed in this country.

4 Some of those students who come to us
5 with limited English speaking proficiency come in
6 again and test on the Stanford 9 at like the 27th
7 percentile, the 24th percentile, depending on which
8 program they are in, in the second grade, and by 11th
9 grade we've moved them to the 22nd percentile and the
10 14th percentile. Then we are not doing enough to
11 move these students to proficiency in English, and,
12 in fact, their scores are going down on standardized
13 tests over the course of their education.

14 I again will lobby the Legislature for
15 more funding for these kinds of programs. But, once
16 again, we also have a dearth of information about
17 what works and which programs are most successful at
18 moving students to proficiency without being punitive
19 about their native language. We need to find out
20 what does work and how we can replicate that in other
21 schools.

22 Part of the problem is one of, I guess,
23 definitions. We have some schools that offer a
24 program called transitional bilingual education.
25 What that means in one school may mean very different

1 things in another school. So actually trying to find
2 out the mechanics of what goes on in those programs
3 is going to be increasingly important to us in order
4 to make some informed policy decisions about how to
5 reach these things and bring them up to proficiency.

6 I feel like I've just handed you a
7 bunch of bleak statistics, but our belief with the
8 focus now in Arizona on student achievement, we are
9 going to begin to see more of an emphasis on
10 providing all students with a rich curriculum,
11 challenging curriculum, and that, in fact, we'll see
12 that achievement gap close. We have seen that happen
13 in Texas where they have had a testing program for a
14 number of years and many districts have been
15 successful in closing that achievement gap through
16 the use of standard-based instruction.

17 I hate to point to Texas as a model,
18 but there you have it. We will be continuing to
19 analyze the results of our testing here in Arizona to
20 find out what we can do to close that gap.

21 And I don't have any other bad news for
22 you, but I am willing to answer questions.

23 MS. WEBB-VIGNERY: Thank you.

24 Recently the Washington Post ran an
25 article on the Texas program and asked questions

1 specifically directed towards minority students, and
2 I gather that there has been a higher dropout rate in
3 Texas by minority students because of the testing
4 process, and I don't know if you know anything, if
5 you can fill me in on that in any way, but my
6 question is in working with language -- and I had to
7 use Spanish in my Master's and my Doctorate, it was a
8 language of choice for me as I was moving through my
9 program. I could read it very well and I could use
10 it for research, but if I had had to use that
11 language in my prelims I would have flunked. And
12 that's the problem that I see, if a child comes into
13 a program and has one year to learn English, I wonder
14 if anyone could do that in a year's process or two
15 years or even three years.

16 MS. PENNY: We do have a three-year
17 exemption in the testing program. I realize that for
18 some students that may not be enough time to become
19 proficient enough in English to be tested in it. I
20 think our concern has been that there are a number of
21 students who don't get assessed at all, they get
22 exempted from testing. And if we didn't have some
23 mechanism to evaluate their progress that we would
24 never know what kind of progress they are making.

25 I will agree, this is an imperfect

1 system, but we don't have the resources as a state to
2 provide the test, any test, in the 43 different
3 languages that are spoken in Arizona.

4 MS. WEBB-VIGNERY: Okay. That moves on
5 to the second question I have that has to do with
6 funding. And I know that the AIMS was required by
7 the Legislature and that it is something that our
8 school systems will need to deal with, but as in any
9 other imperfect system at the present time we don't
10 have the resources to really implement this test.
11 And how do we go about getting those resources so
12 that we can work with the test that has been
13 mandated?

14 MS. PENNY: Boy, if I had the answer to
15 that I would be rich and retired.

16 You know, we are at the Legislature
17 advocating for increased funding for education. The
18 Governor and Superintendent have a proposal on the
19 table right now for a dedicated revenue stream of
20 funding for education that the Legislature has not
21 seen fit to move on yet.

22 When we first started discussing this
23 test that the Legislature had mandated, we set
24 standards in 1996. Those students who will be
25 subject to the graduation requirement were in the 7th

1 grade at that point, so our belief was that by 2002,
2 when they had to graduate, that they would have had
3 six years of standard-based instruction. AIMS is
4 designed to test the standards, and the standards are
5 designed to be taught in our schools. I realize some
6 schools move with more alacrity than others in that
7 process.

8 Even before we had academic standards
9 we had the essential -- something called essential
10 skills. Essential skills were required to be taught
11 in all schools. Those essential skills included
12 reading, writing, mathematics; so those essential
13 skills should have been in place prior to the
14 standards, which would have been while the class of
15 2002 was 1st through 6th graders.

16 And so I guess my question is, what
17 were we teaching children during those six years if
18 not reading, writing and math; and, second, will we
19 ever get to a place where the instruction that's
20 provided during the course of a regular school year
21 is, in fact, standards-based instruction and,
22 consequently, sufficient for students to do well on
23 the AIMS test.

24 MS. WEBB-VIGNERY: Thank you.

25 Are there other questions?

1 MS. JULIEN: One of the questions that
2 came up regularly among students as they took the
3 test was, especially in this neighborhood where we
4 have a rather large private school nearby, private
5 schools right now are not required to take the test.
6 Would you, for the record, explain why private
7 schools don't need to take the test? Because it does
8 seem to be somewhat discriminatory that some kids can
9 buy a high school diploma.

10 MS. PENNY: There is a statute, a law
11 that says that our department and Superintendent have
12 no jurisdiction over private schools. The state does
13 not -- they have required the schools to offer at
14 least the same amount of instructional days as the
15 regular public school, but, otherwise, the state has
16 chosen not to impose any kind of requirements or
17 mandates on private schools.

18 Private schools can take the AIMS test,
19 the State Board has offered it to them, and there are
20 some private schools in the state that did choose to
21 take advantage of that. The little catch is that
22 they have to publish their scores just like regular
23 high schools do.

24 I think that has intimidated some
25 schools from participating in the process, although I

1 have talked to a number of parents of students at
2 that large private school in this neighborhood who
3 have all said they would like their students to take
4 the test. They would like to know if they are
5 getting their monies' worth, basically.

6 MS. JULIEN: If the day comes that
7 voucher money goes to private schools, will that
8 change the situation, because that would then be
9 public funds going to a private school?

10 MS. PENNY: The Superintendent's
11 position all along has been that if a voucher
12 proposal did pass that students who chose to attend a
13 private school using public funds would be subject to
14 the state's testing program.

15 MS. JULIEN: Just those students?

16 MS. PENNY: Just those students.

17 MR. PAZ: The involvement or the
18 participation of ESL schools taking the AIMS test, or
19 having to take the AIMS test, is that an ADE
20 initiative or is that a Legislative mandate?

21 MS. PENNY: That is an ADE initiative.

22 MR. PAZ: If the Department of
23 Education recognizes -- aside from monetary resources
24 that are lacking to train teachers to deal with the
25 standards, why can't they recognize the problems of

1 some districts that don't have bilingual education or
2 very strong ESL program cannot be considered to
3 address that situation?

4 MS. PENNY: I'm not sure I understand
5 your question.

6 MR. PAZ: Well, we do know that the
7 test will teach the standards and many young people
8 in ESL barely struggle to learn the language, but now
9 they are put in a category of all kids, so I don't
10 understand why no concessions were made to address
11 ESL students differently.

12 MS. PENNY: At the high school level
13 you're talking about?

14 MR. PAZ: Yeah.

15 MS. PENNY: Because we do offer AIMS in
16 Spanish at grades three, five and eight. We tried
17 also to get tests developed in Navajo, which is the
18 second largest nonEnglish language spoken in this
19 state. We could not find a test developer who would
20 do that.

21 So at those grades we have, to some
22 extent, accommodated ESL.

23 MR. PAZ: But a lot of young people at
24 the high school level that know neither English nor
25 Spanish.

1 MS. PENNY: Right.

2 MR. PAZ: Everybody's arguing the idea
3 of standards, that's prevailed here, that everybody
4 wants standards, but, again, the resources or the
5 concessions or the information of the test to address
6 different types of people -- I don't want to
7 categorize, saying like special education, neither
8 has not been made, which does kind of mess up the
9 results. I cannot understand why that was not
10 considered at all, or at least thought upon more.

11 MS. PENNY: It was considered. It was
12 a topic of many, many anguished discussions, I have
13 to say, in our department and at the State Board.

14 I know that the Legislature has not
15 lived up to their responsibility to fund education
16 and to provide you with the resources that you need
17 to teach these students. I guess at that point do we
18 back off and say, okay, because the Legislature
19 hasn't lived up to their responsibility we're not
20 going to live up to ours and we are going to allow
21 some students who are not proficient in English to
22 earn a high school diploma. And I guess the question
23 becomes, what is the community's expectations of a
24 high school diploma?

25 MR. PAZ: Well, the community's

1 perception is perhaps that ADA might be endorsing the
2 English only initiative and, thus, create a different
3 kind of a problem, because we can blame the lack of
4 funding -- not a blame, it's a reality that's true.
5 But, in essence, we are dealing with children that
6 still need different teaching styles to be taught,
7 and before we get into the area of standards we
8 must -- they must have a sense of belonging at that
9 school and not feel like the minute they come in they
10 are going to be out.

11 MS. PENNY: For the record, the
12 Superintendent and the department have opposed the
13 English for the Children proposal. We do not believe
14 in a one-size-fits-all approach to bringing students
15 to English proficiency. We know children learn
16 differently, benefit from different programs.

17 I think we do understand the
18 frustration of some people who see students in
19 language programs, language acquisition programs for
20 nine or 10 or 11, 12 years not because -- not for any
21 kind of political reason, but simply because they
22 feel like the students are missing out; that if there
23 is a way for us to bring them to English proficiency
24 more quickly students will not miss out on so many
25 educational opportunities that would be more

1 available to them if they spoke English.

2 It is an issue that we struggle with a
3 lot. I understand a student who comes in in the
4 ninth grade not speaking English and then the next
5 year they are thrown -- this test is thrown at them
6 in English, we need to have better programs for those
7 students. But I guess the question also becomes,
8 could those students -- are there programs out there
9 that could bring those students to English
10 proficiency by their senior year?

11 MR. PAZ: No, I understand your
12 efforts, I applaud them, to be sensitive to some of
13 the things that we've talked about.

14 I just -- the last time when I last
15 read that the State Chief was going to perhaps
16 consider mathematics, either throw it away or
17 whatever, start all over again, well, that's perhaps
18 the most proficient area for Hispanic kids that come
19 up from Mexico, perhaps that might be the only test
20 that they might do well, and it was thrown away. So
21 there's a lot of perceptions.

22 Perhaps what I would recommend -- I
23 don't know how much involvement of the Hispanic
24 Latino community educators have been involved in the
25 formation or the talks that you've had regarding ESL

1 students or students that are brand new to us for
2 economic reasons, or any of this stuff, but perhaps
3 involvement of educators that know linguistics, that
4 know how kids learn could really help in finding the
5 right resources once we get the money.

6 MS. PENNY: We would welcome a list of
7 recommendations from you in that regard.

8 MS. WEBB-VIGNERY: I just have one more
9 comment.

10 We in Pima County have a special
11 concern, because we -- the dropouts that you talked
12 about Pima County ranks first, and we rank first as
13 far as minority students are concerned, and that is a
14 concern of all of us. Is there any plan from the
15 Department of Education on how a county with a high
16 statistical rate like that can handle minority
17 students who are dropping out because of the
18 high-stakes test that we are facing?

19 MS. PENNY: I don't know that we've
20 seen any students drop out because of a high stakes
21 test. We've had a very high dropout rate in the
22 state for years before AIMS and in this county for
23 years before AIMS. So I don't know that we can
24 attribute it to high-stakes testing.

25 I guess I don't know if it's a county

1 level or state level response. I say that not to
2 pass the buck, but rather to say that intervention
3 strategies that work in a large urban district like
4 T.U.S.D. might vary greatly from intervention
5 strategies that would work in a more outlying
6 district such as Vail. The students might be leaving
7 school for different reasons. There might be
8 different opportunities available to those students
9 after they leave school.

10 And we don't have a handle on that
11 right now. We're not sure why these kids are leaving
12 school or where they are going, so it's really hard
13 to make informed policy recommendations about what
14 can be done simply because we're not sure of the
15 causes of these students leaving school.

16 MS. WEBB-VIGNERY: Well, I can
17 truthfully say that we had seen a drop in dropout
18 rates between the eighth and ninth grade for Latino
19 students at a certain time, because there has been a
20 stronger emphasis on their continuing on to high
21 school. And the fear many people in the community
22 have is that this will diminish that desire to
23 continue on to high school and to complete it, and
24 that's the reason I was raising the question.

25 MS. PENNY: I understand that fear. I

1 guess time will tell.

2 We are choosing to be a little bit
3 more, I think, optimistic about the impact that this
4 test will have, and say that now we're spelling out
5 for students exactly what they need to know and be
6 able to do. We've given them a road map to
7 graduation, and that perhaps now understanding what's
8 expected of them they will follow that course.

9 We'll see what the next few years
10 bring. Our desire certainly is to raise achievement
11 for all students, not to force some segment of the
12 population out of school.

13 MS. WEBB-VIGNERY: Thank you.

14 MS. PENNY: Thank you.

15 MS. WEBB-VIGNERY: The next speaker is
16 Ana Doane.

17 Good afternoon. Thank you for coming
18 this afternoon. Could you please state your name and
19 spell your last name for the reporter and the
20 organization you represent?

21 MS. DOAN: My name is Ana Elizabeth
22 Doan, D-O-A-N. I'll spell Ana Elizabeth just for fun.
23 A-N-A, L-I-Z-A-B-E-T-H, formerly Woolfolk.

24 Thank you very much for having me here
25 today and for taking the time to listen to me. I

1 will try to be as brief as I can, because I know I
2 only have 20 minutes. But I also have copies of the
3 two main things that I would like to discuss, and
4 that is the Arizona Statutes for -- Arizona Revised
5 Statutes for language minority students, also the
6 case Flores versus Arizona. And that was a federal
7 case won by the parents of the Nogales Public School
8 District, and this case was won in January.

9 I would like to begin by stating that
10 quality programs outweigh the effects of language
11 barriers and poverty. Quality programs involve
12 trained teachers, trained administrators, resources
13 and equal education opportunities for all children.

14 As far as the Arizona Department of
15 Education and the Arizona Legislature, I'd like to
16 explain that the statutes themselves outline what
17 should happen with language with minority students in
18 our schools. The statutes were changed in 1999, this
19 school year, so the law has changed, though the
20 Arizona Department of Education told us we did not
21 have to follow the requirements of the law because
22 they have not set their assessments in place.

23 But in the previous law that began in
24 1984, parent notification letters were sent to each
25 parent concerning alternative English language

1 programs. If their child was limited English
2 proficient -- I prefer to call them English learners
3 in our case because we are on the U.S./Mexico border.
4 They are Spanish thinkers. I myself am a Spanish
5 thinker, and I am still learning English.

6 The present law states that the parent
7 is sent a notification and must sign a notification
8 stating that they want their child in such a program.
9 In the meantime these children will not have
10 education in an alternative English language program.
11 Within the alternative English language program you
12 could have English as second language or bilingual
13 education.

14 The state would -- people from the
15 state talk about services for limited English
16 proficient students. Many times they say it's a
17 bilingual program all the way through, but in essence
18 parts of it is bilingual education, part of it is
19 English as a second language.

20 I'm sorry. I'm going to go back a
21 little bit and define Nogales Unified School
22 District, because I think this information will help
23 you with the information I have to share. Everything
24 I have to share is research based. Nogales Public
25 Schools actually has national researchers from George

1 Mason University working with our data, Virginia --
2 Doctor Virginia Collier and Doctor Wayne Thomas.

3 In Nogales we have 6,200 or more
4 students. We're on the U.S./Mexico border.
5 Ninety-five percent of our students are language
6 minority, 70 to 80 percent are at the poverty level.

7 We have -- as far as our school
8 attendance, at our alternative high school our
9 students attend school 89 percent of the time. At
10 our high school our attendance is 96 percent. Our
11 children go to school. At the elementary schools our
12 school attendance is 98 percent.

13 Eighty percent of our students are
14 English learners, limited English proficient, Spanish
15 thinkers. Eighty-five percent of our high school
16 graduates are bilingual. They can speak English and
17 Spanish. More than 50 percent of our high school
18 graduates are biliterate. That means they can read,
19 write, speak both English and Spanish.

20 The students that are in the
21 international baccalaureate program start French in
22 the ninth grade. They can't go into French until
23 they are proficient in Spanish. Many, many of our
24 students, through their international baccalaureate,
25 are trilingual and have won state competitions in

1 French.

2 Sixty-five percent of our students go
3 on to higher education. Unfortunately, the higher
4 educational institutions do not receive our students
5 with open arms. And, unfortunately, you can almost
6 tell by the color of their skin who will make it and
7 who will get support and who will not.

8 Our children are very multicultural.
9 They have been brought up in an international
10 community. NAFTA, the twin plants, are flourishing,
11 international trade is flourishing, tourism.

12 And I'd like to state that on the AIMS
13 test last year our tenth graders took the AIMS test
14 in English, and on the writing assessment our tenth
15 graders scored at above the state level in English on
16 the writing assessment, the six traits of writing.

17 We have used our own district
18 resources, federal resources, to be able to support
19 that. Our students did better than the state average
20 in math also. And your comment about Mexican
21 students -- because we're not talking about
22 Hispanics. We have very few Puerto Ricans, Cubans,
23 Argentinians, we have Mexican students -- are very,
24 very good in math.

25 And our dropout rate, I think we've

1 gone over it several times, 33 percent national level
2 for Hispanic students, 18 percent at the state level
3 for Hispanic students, ten percent general dropout
4 rate for Arizona students. Nogales High School has a
5 three percent dropout rate.

6 We educate our students. We have a
7 bilingual program. Our students are in bilingual
8 education an average of 2.5 years. The rest, when we
9 do report to the state, they are in an ESL program
10 from up to nine to ten years.

11 So we do support the education, we
12 monitor the education, we identify all of our
13 students. They are all identified with an English
14 efficiency quotient based on the referenced test, the
15 writing test, based on the state AIMS six traits of
16 writing, a national assessment, the language
17 assessment scale for their oral speaking abilities.
18 Every student, whether they are English dominant or
19 Spanish dominant, has been identified. Every teacher
20 knows what the strengths and weaknesses are of their
21 children.

22 And our parents' participation is
23 fabulous. As far as the parent meetings, they come
24 to -- it's almost 100 percent in kindergarten. Of
25 course, at the elementary level it's between 80 and

1 90 percent. And we have parent liaison. If the
2 parents were unable to attend the parent meetings, we
3 go to the home.

4 The middle school, our parent
5 participation again is very high, 70, 75 percent. At
6 the high school, for our parent meetings we get about
7 65 to 70 percent of our parents there.

8 In our community education is very
9 important. We will send our students to school. And
10 if our children do not pass the AIMS test, they will
11 be there until they are 21 years old, 11 months and
12 29 days. Our parents want their children to be
13 educated.

14 We took a survey of the parents and if
15 they wanted their children to be bilingual,
16 85 percent of the parents said that they did, which
17 correlates 100 percent to our graduation rate.
18 Eighty-five percent of our children are bilingual.

19 And as far as the class of '99, we
20 wanted to see what the success rate was of an English
21 only program versus bilingual programs, and what we
22 found is that those students that were in English
23 only programs who are reclassified at only three
24 percent, and that means that they became English
25 proficient -- only three percent of the students in

1 an all English program became English proficient. As
2 far as -- I'm talking about grade-level proficiency
3 in reading, writing and speaking English based on the
4 Stanford achievement test and the state writing
5 assessment and the language assessment scale for
6 their English speaking abilities.

7 Twelve percent of our students were
8 reclassified as English proficient from the bilingual
9 program. So it is obvious that our success is four
10 times greater for the students that are in the
11 bilingual program. I think the state average
12 reclassification is four percent; and so we do lower
13 than the state average in our English only programs
14 and three times the state average in our bilingual
15 education programs.

16 Back to the Arizona State Statutes and
17 how difficult it is making education for us and at
18 the same time the issues that we find with that. The
19 parent consent, we try to follow the law, though we
20 were told we had a one-year hiatus on the law and
21 we -- my department, nine or ten people, stood there
22 at the parent conferences and tried to get parents to
23 sign these notification letters. We only got 12
24 percent of our parents to sign them. For many
25 reasons.

1 This is an extra step. This is --
2 explain it to me who has the time -- and not because
3 our parents are not concerned with education, because
4 everyone else has proven that they are. Previously
5 the state statute said if a parent did not want their
6 child in a program, then we had to give them a
7 systematic individualized program.

8 With the new law, the law states that
9 the child -- if the parent denies services the child
10 will not participate in either English as a second
11 language instruction or bilingual education program
12 offered by the school district. That is against
13 federal law for equal educational access, and this
14 conflicts with the requirements for the systematic
15 individualized program.

16 The systematic individualized program
17 reads that, when necessary -- okay, I'm sorry. It
18 says: To ensure equal education opportunities for
19 the pupil by promoting English language development
20 and by sustaining normal academic achievement through
21 the whole language to the extent possible. So in
22 this statute one part of the statute says this, but
23 the other one definitely says that the children will
24 not participate if the parent does not opt the child
25 into a program. It used to be opt out, now it's opt

1 in.

2 And because of our numbers -- we have
3 5,500 students who are English learners. I will
4 explain one thing in my next step. In the new law it
5 says, if the district -- the way the state is set up,
6 if a district does not have a program they do not
7 have to do any of this. If you do not have a child
8 in a program you don't have to notify a parent that
9 they are limited English proficient. The only reason
10 you notify the parent is to ask them if they want
11 their child to participate in the program.

12 The law should state that districts are
13 required to notify their children that they are
14 limited English proficient and that they may get
15 support in the classroom from their teachers to make
16 them successful, but the way the law stands, if you
17 have no program you are rewarded, you don't have to
18 do all this paperwork.

19 In the previous law there was -- it was
20 open to a district deciding what they would like to
21 use as their language, their reading, writing and
22 their oral assessment. Because we were very kindly
23 visited by the United States Department of Education
24 Office for Civil Rights, we followed their guidelines
25 versus the Arizona statute, the previous and the

1 current. Because what's required by the Constitution
2 is much more than what is in the statutes.

3 And so we used, again, the language
4 assessment scale for the oral; for the reading we
5 used a CLOZE test, C-L-O-Z-E, and it's a recognized
6 reading comprehension test. We worked with Doctor
7 Maria Montana-Harmon from California State-Fullerton.
8 She worked with our CLOZE test. We have the CLOZE
9 test in 2nd through 12th grade.

10 As far as the writing test, we use the
11 state six traits of writing. We expect all of our
12 students to be able to write using ideas and content,
13 conventions, organization, sentence fluency, voice
14 and word choice. Those are the six straits of
15 writing that we expect our English learners to be
16 able to master to become English proficient.

17 Currently, there is a committee meeting
18 through the Arizona Department of Education to
19 determine the assessment --

20 MS. WEBB-VIGNERY: I'm sorry, I'm going
21 to have to ask you, if you can, synopsise.

22 MS. DOAN: Okay. What the state is
23 requiring is going to be mediocre. It's not going to
24 be what's required in the U.S. Constitution. I've
25 seen the assessments they have reviewed. It's a

1 mediocre level of literacy, it's not literacy. I've
2 asked the State Superintendent to consider the six
3 traits of writing for assessment. She definitely
4 said it's going to be a can't program.

5 The Flores versus Arizona case was a
6 case that parents' from the Nogales Unified School
7 District had against the Arizona Department of
8 Education because of the lack of funding, the lack of
9 monitoring, the excessive assessments involved in
10 educating English learners. What they found in the
11 Flores versus Arizona is that the state was arbitrary
12 and capricious in the funding of minority students,
13 and it bears no relationship to the actual funding
14 needed to ensure English learners are achieving
15 mastery of the state essential skills, especially
16 those assessed on AIMS tests. That's the wording, I
17 have the copy right here, of the whole thing.

18 Presently, we get \$150 per limited
19 English proficient students if, one, they are in a
20 program; and, two, they are with endorsed teachers.

21 In 1987 the State Department of
22 Education made a study how much it really cost, and
23 in '87/'88, they found it cost \$450 per student with
24 no stipulation if they were with an endorsed teacher,
25 or in a program, translated to a hundred students.

1 That means if we have a hundred students, 50 are with
2 endorsed teachers.

3 On the present funding our district
4 gets \$7,500. On the 1987/'88 state study for a
5 hundred students we would have gotten \$45,000. So
6 compared to what it is -- I go back to my initial
7 statement, quality programs outweigh the effects of
8 language barriers and poverty.

9 Also, what they found in the Flores
10 versus Arizona case, which has nothing to do with
11 funding, and I know the State Department person said
12 they have been working with our district, but they
13 have not worked with me. I am the expert in my
14 district. They have not worked with my Assistant
15 Superintendent, she depends on me. He is an expert
16 at educating minority students. Aside from being an
17 expert, he cares so much about the students.
18 Nobody's talked to any of us about this issue.

19 Aside from -- the funding is one thing,
20 but one of the other things they found is there were
21 too many students in the classroom, not enough
22 classrooms, not enough qualified teachers, not enough
23 qualified teacher aides, inadequate tutoring
24 programs, insufficient teaching materials. Presently
25 the local school board are able to remove bilingual

1 education and ESL programs. There is no state
2 monitoring in the Flores versus Arizona case. That
3 was just outrageous, the fact that they do not
4 monitor districts; so if they do not have programs,
5 they are home free.

6 Minimum standards are presently being
7 set by the state for the initial assessment and
8 reassessments. Graduation for English learners
9 presently taking the AIMS test have not had
10 adequately funded programs since they entered in
11 kindergarten.

12 We got the state standards in 1996. We
13 have changed our instructional modus operandi. We
14 have our state standards out -- I took them off the
15 web personally, I gave them to every teacher by grade
16 level in 1996/'97. We have worked with the
17 standards, we have CRTs, we have bilingual education,
18 we have the parents who care.

19 We have not gotten the support from the
20 Department of Education that we need to educate our
21 children. The state -- let's say the funding is one
22 issue.

23 Flores versus Arizona, the state does
24 not provide any other forms of any kind assistance to
25 offset the base levels of deficiencies. Much of our

1 programs are funded by federal monies and not state
2 monies. The state has not designed any programs to
3 supplement or supplant district level services.

4 MS. WEBB-VIGNERY: I'm going to have to
5 ask you --

6 MS. DOAN: On my last one, the state
7 has not implemented any practices, committed any
8 resources, they have not assisted N.U.S.D. in any way
9 to increase the endorsed teachers, and they have not
10 monitored our programs since 1992, and they have not
11 taken any action to remedy the language barriers or
12 the poverty issues in N.U.S.D.

13 Discrimination is not based on race,
14 color, national origin, it's based on language
15 background and socioeconomic level; so I understand
16 that the Civil Rights Act does not support language
17 background and socioeconomic level.

18 Excellent programs outweigh the effects
19 of language and poverty. The Student First Bill has
20 no stipulation either for adjustments in capital and
21 buildings to improve the terrible present conditions
22 for language minority students. And their formula
23 does not include increases in language minority
24 requirements to make education equitable.

25 And as far as the exemptions that was

1 said about the State Department, our students are not
2 exempt from the test. Our students are required to
3 take the test in Spanish for three years. The
4 state -- the current State Superintendent has not
5 published the results from the Spanish tests,
6 probably will not publish the results of the Spanish
7 AIMS, but our children do very well. They do above
8 grade level in reading, writing and language in their
9 native language. Our students, by fifth grade, all
10 speak English. Our students are higher in
11 academic -- academically when they are reclassified
12 and they have two languages.

13 Thank you very much.

14 MS. WEBB-VIGNERY: Are there questions?

15 MR. PAZ: Ana, just one. That was very
16 well put.

17 The latest newspaper article regarding
18 the tremendous amount of kids from Nogales, Sonora,
19 coming into Arizona, just make a comment on that.

20 MS. DOAN: The students that we have
21 found to be not living in our attendance area we have
22 dropped from our records. And all of them, 100
23 percent, are U.S. citizens. These are not Mexican
24 nationals coming to our schools. These are U.S.
25 citizens living in Nogales, Sonora.

1 The poverty rate is very high in
2 Nogales. It's cheaper to live -- be with your family
3 in Nogales, Mexico.

4 MR. PAZ: Has there been any attempt by
5 ADA to reach out to you to assist them in how to
6 address the Spanish speaker or ESL student in the
7 development of the AIMS test?

8 MS. DOAN: Neither Arizona Department
9 of Education or the Arizona Legislature. I have
10 testified at every open meeting, I have asked to
11 participate in every thing that they have done. I
12 have participated since 1985 under the previous
13 Superintendent and the present Superintendent on the
14 AIMS test, the Spanish test, English test, the
15 writing, but the state has not assisted us. And I
16 have written -- I've even been sent a message by the
17 State Superintendent that I had some nerve to tell
18 her how to find an initial assessment aligned to the
19 requirements in the U.S. Constitution.

20 So definitely, no. I've had the door
21 shut on me many times from the State Department.

22 MS. WEBB-VIGNERY: Okay. Thank you
23 very much.

24 MS. DOAN: Thank you very much.

25 MS. WEBB-VIGNERY: Our last speaker is

1 Dolores Baker.

2 Could you please state your name and
3 confine your remarks to 20 minutes?

4 MS. BAKER: Trust me, it will be even
5 shorter.

6 My name is Dolores Baker, and I work
7 for the Tucson Urban League Charter Academy. I
8 just -- only issue I wanted to address was the low
9 scores and scores on the standardized test.

10 We at the charter school have 155
11 students from the 6th grade to the 12th grade, and
12 our school has been open for four years.

13 One of the major things that we have
14 noticed is the low scores, okay, but our main concern
15 about these low scores are the students that come to
16 us, they come already with the low scores, and that
17 makes our job real difficult. We've been cut down
18 real bad in the newspapers when they show those
19 scores.

20 One of the things that a lot of people
21 don't understand is these children come to us already
22 with a low grade level. And what we have done over
23 at the Tucson Urban League, because we know we have
24 that issue, we have tried to implement better avenues
25 on bringing up those grade levels. One of the things

1 that has helped us a whole lot is we have daily
2 tutoring. That's helping to bring up the scores,
3 daily tutoring in all subjects. We have a mentor
4 group from the University of Arizona that come every
5 day to help the students with their reading, their
6 English, and their math skills.

7 Ninety percent of our students are
8 Hispanic. All of them speak English fluently. We
9 don't have an ESL program as of yet, but we're
10 working on it.

11 Ninety percent are Hispanic, five
12 percent African American, three percent White, and
13 two percent Native American.

14 We've noticed that the scores are lower
15 in our Hispanic group. We don't necessarily believe
16 it's so much of an ESL problem. A lot of it we found
17 is social. And the community that we serve is in the
18 low income, poverty, and a lot of social, economical
19 problems in the home. So to help address that, also
20 our meals are free in our school. That's an issue in
21 some of our families.

22 We also have a prevention/intervention
23 group, which is a counseling group after school every
24 day for our students.

25 We have a lot of volunteers that come

1 to us from the University and from other schools to
2 help our students, and we have found that that is
3 helping. It's not pulling it up 100 percent, but
4 it's helping. The scores are rising. But it's an
5 issue when they come to us already, a ninth grader
6 with a first grade reading level.

7 Funds is always an issue, resource is
8 always an issue. Some of our monies is state funded,
9 some federal charter funds and donations, but we're
10 going to continue to keep doing what we are doing.
11 Every year we try to add something a little bit more
12 to help these students.

13 They stay with us, too. We know we are
14 doing something right. They are staying with us and
15 they are graduating. They graduate on their correct
16 grade level.

17 We just had a graduation with our
18 charter school. We had five seniors. All five
19 seniors passed on their grade level.

20 The Tucson Urban League also has an
21 alternative school program, and there's 19 students
22 over there, and 16 graduated on time a couple days
23 ago. We have three more getting ready to graduate in
24 July.

25 The most things that we are proud about

1 over there is the one-on-one attention, the smaller
2 classroom and that one-on-one attention. Each
3 classroom can't go over 20. We try to hold it to 20.
4 Each classroom has a teacher aide. That one-on-one
5 tutoring, that mentoring, the counseling, all that is
6 helping, and the meals is helping to raise up those
7 scores.

8 MS. WEBB-VIGNERY: Okay. Thank you. I
9 have a question.

10 And the school is based at the Tucson
11 Urban League, but you have a high number of Latino
12 students?

13 MS. BAKER: Yes.

14 MS. WEBB-VIGNERY: And five percent
15 African American students -- I have a question about
16 African American students, and generally in Tucson
17 and Pima County, because we do have a dropout problem
18 with African American students.

19 Could you give us a perception of why
20 that is happening with the African American
21 population?

22 MS. BAKER: Well, what we're finding is
23 in the population that we serve over on the south
24 side, some of it is due academically, a lot of it
25 socially, economically, home lives, not having their

1 proper support. Some of these students don't live at
2 home, some are drifters, some are staying with
3 grandmas, aunties, so on and so forth. The only
4 support system they are getting are those from the
5 school, and it's difficult.

6 We seem to be able to keep them through
7 the middle school years. Once they reach the high
8 school level, we've noticed also the drop.

9 MS. WEBB-VIGNERY: Okay. Thank you.

10 Are there other questions?

11 MS. BAKER: Thank you.

12 MS. WEBB-VIGNERY: Thank you very much.

13 We have a call to the audience. I have
14 to have the -- just a minute. Got the forms here.

15 This is a call to the audience. This
16 will be in five-minute increments. And the first
17 person is Jennifer Herrera.

18 Could you please state your name for
19 the record?

20 MS. HERRERA: Jennifer Herrera. I'm a
21 bilingual educator. I currently teach second grade
22 here in Tucson Unified School District at Maldonado
23 Elementary within T.U.S.D.

24 The reason I chose to come today was
25 just to reinforce things I've basically heard

1 mentioned brought up before you previously. So I
2 feel fine with five minutes.

3 My background is from a farm in
4 Indiana, a German community. We have too many
5 teachers in Indiana, and they offered me a job in
6 Nogales, Arizona, which I had no idea where it is or
7 what it was. I came out for the adventure of it and
8 saw a big disparity in the education that those kids
9 were receiving versus what my nieces and nephews were
10 receiving in Indiana, and just based on the language,
11 the massive shortage of materials, and all the things
12 the lady before me said from Tucson, you know -- I
13 mean, from the Nogales Unified School District, I can
14 testify that's what I experienced when I taught there
15 for two years.

16 Let's see. So after I experienced that
17 I chose to go to the U of A and get a Master's in
18 bilingual education and start doing what I could do
19 to address the problem. I like speaking Spanish,
20 that's how I got interested in it, and married a
21 Mexican American man; and so for that reason I'm
22 involved with the issues at hand.

23 The three things that I would just like
24 to reinforce as a resident of Arizona, and hoping
25 that you will take this back to the Legislature, is

1 that we really need to avoid doing what California
2 did with the Unz movement. It's a shame that we
3 passed the proposition for English only in Arizona
4 several -- like nine years ago, whatever that was.

5 Those Legislature decisions do impact
6 the children in a negative way. I've seen it
7 firsthand myself, and just want to reinforce what
8 others have said, that that's a bad thing. Please
9 don't advise the Legislative decisions to be in line
10 with what California has done.

11 We definitely need an increase in
12 bilingual funding. I just taught six children who
13 need Spanish. They are not monolingual Spanish
14 speakers, but in order for them to further their
15 academic growth they needed to have reading in
16 Spanish. And it was a real job rounding up enough
17 books with my colleague up there, we had a hard time
18 finding the resources that we needed in Spanish. I'm
19 at a well established federal school. If I'm having
20 trouble, how much worse are these other agencies,
21 organizations, charter schools and other people?

22 The other thing is the test, the AIMS
23 test. My nephew and two nieces are sophomores, and
24 they are all Hispanic, their first language was
25 Spanish, and they are scared to death of the AIMS.

1 And my nephew has decided to drop out because he
2 doesn't want to have to take the AIMS. He felt like
3 he was hanging on by a thread anyway, and that AIMS
4 failure for him he just couldn't take, so he's
5 dropping out. So I know from firsthand case that it
6 is affecting the kids. And he is not from such a
7 poverty background, and he's just a kid who doesn't
8 really care much for academics.

9 So that would be my testimony today;
10 that we need to avoid the Unz movement; increase
11 bilingual education funding, we teachers who are
12 certified to address the bilingual student need to
13 have what we need when we need it; and to definitely
14 rethink this testing.

15 A good example that I could give is the
16 Language, Reading and Culture Department at the
17 University of Arizona has an awesome system for
18 assessing their Master's and Doctoral students.
19 There's portfolio methods, all kinds of methods.

20 I can say as a total Anglo American I
21 wasn't really influenced by the German spoken in our
22 community at all. I never would have passed easily
23 the AIMS. I probably would have been one that had to
24 retake it. I don't take tests real well. One thing
25 I can do, I can write for my Ph.D. That's what saved

1 me. But if they gave me a multiple choice test like
2 some of the test kits contain, I never would have
3 passed. Alternative methods of assessment is
4 essential. It's not fair for these high school kids
5 to say, this is your road map. That should not be
6 your road map. It will oust a lot of people like me,
7 not only minority, also some Anglo kids.

8 MS. WEBB-VIGNERY: Thank you.

9 Are there any questions?

10 Thank you very much.

11 Okay. Next person is Cora Esquibel.

12 MS. ESQUIBEL: Thank you. I know
13 you're all tired.

14 MS. WEBB-VIGNERY: Could you please
15 state your name for the record?

16 MS. ESQUIBEL: My name is Cora
17 Esquibel. I'm from the Town of Catalina, which is a
18 rural area.

19 We are a social service agency that
20 does provide housing. We just gave 60 houses that we
21 built, 60 houses in which we showed the families how
22 to build their homes on West Valencia. What we do,
23 we build communities.

24 Where I'm coming from -- we are from
25 the Town of Catalina. I want to talk about my

1 community, my school that -- we built that community
2 back in 1990.

3 We relocated a lot of miners from San
4 Manuel to the Town of Catalina in 1990. In the high
5 school of CDO there was only ten Hispanics that
6 graduated that year, so when the Hispanics went into
7 Catalina things started changing. The community
8 started calling the area that they moved in Little
9 Mexico, even the school called it Little Mexico.

10 The problem that we have right now in
11 that school and sitting down here and hearing
12 everybody talk -- and I think one gentleman was
13 asking, you know, why does it happen. Well, in this
14 school what has happened, the little area in which a
15 lot of these people moved in was branded as Little
16 Mexico by the school. The kids that go from that
17 area, when they go to school they are harassed by the
18 staff.

19 You have a staff of nothing but White
20 administrators. The only staff that is Hispanic in
21 that school is the janitors and the kitchen help.
22 You don't have nobody there to really explain to a
23 family who doesn't know English. Up front you walk
24 in that office you will see no Hispanics whatsoever.
25 That is the problem that we have out there.

1 And that is what causes some of these
2 children to start dropping out. Even us that speak
3 the English language, or even the White family that
4 lives in that area gets harassed, right away gets
5 branded because they live in an area which is
6 considered low income.

7 By them being branded, they are being
8 forced out of school, by putting them as
9 troublemakers. Every family that I have known, which
10 I know almost everybody there, comes to me, and it's
11 sad, because these kids end up in jail, because what
12 happens is that you have the rich kids, which if any
13 Hispanic does anything, or other color, to one of
14 these kids, right away the teacher will discipline
15 the Hispanic or the people from that area.

16 So what happens is that the kid gets
17 harassed and harassed, pretty soon they are called
18 troublemakers. So what happens with this child,
19 pretty soon they leave, they don't want to study,
20 don't want to go to school. It's a hostile
21 environment, and when you have a hostile environment
22 it creates kids that are not going to learn, kids
23 that are always in trouble.

24 Even though it wasn't their fault they
25 get disciplined, because they are put on suspension.

1 Especially right now just before graduation I know of
2 three kids that are out there on suspension and they
3 will not be able to make up their grades even though
4 they are already found guilty. And to me, under the
5 Civil Rights, under our Constitution, you are not
6 guilty until proven guilty, but yet these kids are
7 not going to graduate because of the fact that they
8 got suspended, and only because of hearsay.

9 So this is a problem I don't think
10 nobody has addressed while we have been sitting here.
11 I've sat down here since 1:00 o'clock.

12 When you have an all-White
13 administration nothing is enforced by Civil Rights or
14 anybody, not even the school district. This has been
15 going on for years. I've been there since 1990, I've
16 been working in there since 1990 and nothing has
17 happened. It has never changed.

18 You got a lot of people that are
19 working, that are not helping the students get
20 anywhere other than to be kicked out of school. So
21 pretty soon these kids are going to be dropouts.

22 Right now I think what you need is for
23 Civil Rights to check the schools that do not have
24 the staff there. You don't want to make it an
25 all-White or all-Hispanic or all-black school. You

1 want to make sure you have an equal opportunity
2 there, and I don't think we have it.

3 So I think that is one of the big steps
4 that we have to start doing so we'll have these
5 dropouts because a lot of the kids that drop out is
6 because of that.

7 Second, the other part is that children
8 are being mentally abused by staff, especially the
9 incident in Colorado, teachers are getting more and
10 more --

11 MS. WEBB-VIGNERY: I'm sorry. We've
12 reached the five minutes. Can you complete your --

13 MS. ESQUIBEL: Yes, I will complete it,
14 but Mr. Sproule wanted to say a few things.

15 Anyway, the whole part, I think that we
16 as a social agency, we would like to have been
17 invited, because we do -- it would have been good if
18 we would have been here.

19 Mr. Paz does know me from the past. I
20 have done a lot of Civil Rights. But the money is
21 not there for a person to file a lawsuit, as you say.
22 I mean, there's no lawyers either. So the parties
23 that -- we need to make sure that we start enforcing
24 complaints in a better manner, especially when it
25 comes down to how it affects our children.

1 MR. PAZ: Do you know there's an EEOC
2 officer with the district?

3 MS. ESQUIBEL: Yes, I do, but the
4 problem is that it doesn't do us any good. I think
5 what's going to happen right now, we're just going to
6 file a lawsuit.

7 MS. WEBB-VIGNERY: Could you please
8 state your name?

9 MS. BERNAL: Yes. My name is Judith
10 Bernal, parent of four students at T.U.S.D.

11 I've given you forms in front of you.
12 For the record, I'm speaking to three Commissioners.
13 The rest of them seem to have disappeared.

14 The form in front of you is a magnet
15 continuation form. We're talking about a Civil
16 Rights Commission here. We spent a lot of time on
17 bilingual education. I do want to make this point.
18 I support it. All of my children were educated at
19 Davis, Roskruge bilingual education. They were
20 magnet students.

21 I want to make this clear for the
22 record, 48 million dollars a year in federal money is
23 in this school district supposedly for desegregation.
24 I'm here to tell you that we have been reduced to
25 picking our schools off a form that says White,

1 nonWhite, pick your school. In front of you you have
2 the forms. Clearly Whites get five choices,
3 nonWhites three. Which color would you rather be?

4 I want to let you know for a fact that
5 I filed numerous grievances that David Cherry and the
6 school district board have ignored them. I have gone
7 to federal court over there, and I want you to know
8 that the magnet program at T.U.S.D. is nothing more
9 than a sea of nepotism.

10 The magnet program -- this form is
11 given to my children, and my daughter was told,
12 quote, Hispanics are White but Chicanos aren't. She
13 could not go to Utterback Middle School and follow
14 her friends because her father had a Yaqui pending
15 number. I'm adopted. I've been called mongrel,
16 half-breed, the latest one by TPD, hybrid. Now I'm a
17 plant.

18 Okay. I think it's time to end
19 race-based education. I think it's indicative of the
20 fact that there are only three people here to hear
21 this testimony. And I would urge you to forward
22 these materials to the appropriate source.

23 If you will turn the page you will
24 notice that after I filed complaints over these forms
25 my daughter had to get up in fifth grade and state

1 whether she was Hispanic, Chicana, Catholic, Jewish,
2 Christian, and the last one don't forget, who
3 believes in God.

4 This T.U.S.D. is nothing more than a
5 crony setup. If you take the 48 million and educate
6 the children instead of letting high ranking district
7 employees and their cronies cheat to get into magnet
8 schools -- there is nobody policing this. The fact
9 that if you are Native American or black, you're
10 screwed.

11 And I want you to know -- I brought
12 this up yesterday -- that someone doesn't want to
13 deal with Hispanics' supremism. The fact we've got a
14 culture that's come here -- and there is a long
15 history in Mexico of discrimination based on color,
16 okay, so I think that it's time for this Commission
17 to take a stand. If your Commission can vote to
18 write letters to the Director of the INS, it seems to
19 me that you can write letters to the Director of the
20 Civil Rights Commission, because the Civil Rights Act
21 clearly prohibits discrimination based on color.

22 When I filed these complaints my
23 daughter was drubbed right out of T.U.S.D. She is
24 now home schooled. This was not by choice. She was
25 harassed and harassed and harassed by prominent

1 Hispanics in this district for getting up and saying
2 that she was -- if you turn to page three she wrote
3 out her own complaint. She had to get up and say
4 whether she was Chicana or Hispanic.

5 The U.S. census form has a line for
6 Chicana. I wish someone would have informed me
7 Chicana in T.U.S.D. means gang member or maybe dog.
8 I don't know.

9 I'm really sick of this. I have sat
10 here for two days. I have seen prominent people in
11 this community who cry constantly about racism who
12 will not touch this form because they are utilizing
13 this form to their own personal benefit.

14 The fact is we've got Hispanics in this
15 community who are White when they want to be. So you
16 tell me, you're on the Commission, are Hispanics
17 White or nonWhite. As long as you embrace your
18 European heritage and deny your Native American
19 heritage, then you're on equal footing with White
20 people. This is repugnant. I'm telling you as an
21 adopted person who has no racial status, therefore,
22 no Civil Rights, I gave up my Civil Rights when I
23 married my husband, Julio Bernal, who has been
24 recognized by the United Nations for his activity on
25 behalf of indigenous people, this is an outrage.

1 There needs to be an investigation. We're talking
2 about top-level T.U.S.D. people, we're talking about
3 \$48 million a year, and it's nothing more than a
4 scam.

5 Prominent people I found -- my
6 daughter's friend bragged, oh, I got into Utterback,
7 my dad pulled some strings. What does that tell my
8 daughter? That if you cheat -- I'm talking about a
9 principal right now at Valencia Middle School. This
10 is an outrage. And the fact that none of your
11 Commissioners except you three -- and I applaud you
12 for sitting through this, nobody seems to care about
13 it.

14 Again, prominent Hispanic activists, I
15 have taken this form to them, people that sat at this
16 table yesterday that are friends of mine, whose kids
17 went to school with my kids, and, oh, gee, Judy, we
18 don't want to take on the Hispanic community. So
19 it's a real trip, the White people for racism and the
20 Hispanic community is operating like they are in
21 Sonora in 1953.

22 This is the United States, and my
23 daughter should not be told to pick her school based
24 on her color. And it's bad enough when they slough
25 it off and say, well, it's a federal court order.

1 Then I'm here for the record to tell you that
2 high-ranking T.U.S.D. employees are repeatedly
3 violating federal court orders by allowing themselves
4 and their children to cheat to get into magnet
5 schools.

6 MS. WEBB-VIGNERY: Thank you very much.

7 MS. BERNAL: I assume you have no
8 questions.

9 MS. WEBB-VIGNERY: We can't ask
10 questions.

11 And the next person is Kathy Amanti.
12 State your name.

13 MS. AMANTI: Kathy Amanti, A-M-A-N-T-I.
14 I hadn't planned to speak. Nothing I say will be
15 new. Present it from a different perspective.

16 I'm, you know, a Tucson Unified School
17 District bilingual education teacher, I teach Spanish
18 second to sixth grade. All my experience has been in
19 language minority and minority students, so I think I
20 have something to contribute here.

21 You have heard the data and heard the
22 statistics, so I just want to focus on a few things
23 that I think have a huge impact on the learning
24 outcomes of the students that I work with.

25 Number one, as Ana Doan said, quality

1 programs do everything to overcome any other factors,
2 and quality programs need quality teachers. And I
3 believe that one of the largest factors impacting
4 outcome of minority students is the lack of trained
5 teachers, particularly in the area of linguistics, in
6 second language, and in sociolinguistics, second
7 language, learning theory.

8 When teachers don't have that
9 background and they have students who are coming to
10 them, native speakers of another language or even
11 students speaking nonstandard dialects of English,
12 they too often are too quick to label the students as
13 learning disabled and do not have the theory and the
14 knowledge to help the students bridge the gap between
15 the language. The linguistic abilities -- all
16 students come with linguistic ability, perfectly
17 competent in their home context, but too often
18 teachers do not recognize this, and we only have a
19 small number of endorsed teachers in this state. I
20 believe all teachers in this state need to have this
21 type of training and this type of background, because
22 really I believe that the minority -- only a small
23 number of minority students actually come to school
24 speaking Spanish, that really minority students
25 actually are in a bilingual education program.

1 So I am a strong proponent of bilingual
2 education. Obviously, that's been my experience. It
3 works. You can take it from me as an educator, I've
4 seen it work.

5 Last year in my second grade classroom
6 my very best English reader was Lisa Molina, and she
7 was reading in English at probably a fourth or fifth
8 grade level as a second grader, but she first learned
9 to read in Spanish, her native language is Spanish.
10 It works. The fastest way for students to learn
11 English, to read and write in English, is to first
12 learn to read and write in their primary language.

13 The other thing that I wanted to touch
14 on is about bilingual education, is that it makes
15 sense, and opponents of bilingual education obviously
16 are not opposing the pedagogy. It makes perfect
17 sense, the two primary goals of bilingual education,
18 to teach students English and also to have them
19 achieving at or above grade level. The same
20 curriculum is used in a bilingual education classroom
21 as a monolingual ed English classroom.

22 But how can students achieve at or
23 above grade level if they are just beginning to learn
24 English? If they are not taught other academic
25 subjects in their primary language they will not be

1 able to achieve at or above grade level until they
2 have reached a certain level of proficiency in
3 English, where they are able to do their academic
4 work in English. So I strongly believe that all
5 teachers, as I say, need linguistic training,
6 particularly in sociolinguistics.

7 And then something else that really
8 impacts the learning of minority students is the fact
9 that education is too often irrelevant and does not
10 engage them. I think back to my own experience
11 growing up as a female, that I felt very alienated
12 from the curriculum. It was male history and in
13 English we read male writers, and that was it.

14 I really believe that this limited my
15 aspirations. There were many professions that I did
16 not aspire to. I myself am a college dropout. I
17 don't mean to equate my experiences as a White female
18 with the impression that is experienced by people of
19 color, but if I felt like an alien in the schools, if
20 I felt completely alienated by the curriculum, you
21 can imagine what our students of color must feel.

22 And despite how much we talk about
23 multiculturalism, it's not really a part our
24 curriculum. We've talked about it for a long time.
25 The multicultural curriculum that I see is making

1 enchiladas, dressing up for special holidays. We
2 need to have relevant, engaging multicultural
3 curriculum. We need to not just talk about food and
4 costumes.

5 This is a beads-and-feather approach to
6 multicultural curriculum, which is too often what we
7 see in the classrooms. We need to have our students
8 engaging in dialogues with people of all different
9 background, the history, the heros the world views.
10 In particular, all groups need to be explored.

11 Am I running out of time?

12 MS. WEBB-VIGNERY: Yes.

13 MS. AMANTI: People have talked about
14 AIMS. I want to say one particular thing about AIMS,
15 the fact that there is an incredible pressure.

16 There is more and more testing being
17 done, more and more time spent practicing for these
18 tests. This is taking up an inordinate amount of the
19 school year. And I can just imagine that the first
20 thing to go from the curriculum is going to be
21 multicultural curriculum, because more and more time
22 is being spent on the testing, and I just imagine
23 that that will be the first thing, not that we have
24 really had it, but now there's no hope.

25 MS. WEBB-VIGNERY: Thank you very much.

1 The next person is Johann Sproule.
2 Could you state your name for the
3 record?

4 MR. SPROULE: My name is Johann
5 Sproule, S-P-R-O-U-L-E. I'm a parent, community
6 activist, also serve as chairman of the board for
7 three nonprofits.

8 Recently I really was upset, I saw an
9 article of the people that were graduating in the
10 Tucson area. I started looking at the number of
11 students graduating. I started looking at the list.
12 What you saw was 250 students in each -- I saw CDO
13 with 600-plus students graduating and, you know, I
14 think sometimes we look at the problem as just a
15 testing thing and that, but I think that we are
16 failing to provide something to the students,
17 especially minority students, when you have a large
18 population of CDO, has the opportunity to participate
19 in a lot of activities. It's not there for them,
20 they are not able to participate.

21 I know a lot of students that are
22 attending CDO that were never assessed because they
23 had a Spanish surname, they were automatically put
24 into the bilingual program. And they were doing
25 well, all of a sudden they are not doing well because

1 a certain picture got painted about them.

2 I know a lot of students that don't
3 have a Spanish surname, that are Latinos, Hispanics,
4 Mexicans, whatever you want to call them, that are
5 not in the program and need to be in the program.
6 It's kind of funny. They increase the number of
7 resource officers, but they won't increase funding or
8 programs for minority students, alternative school.

9 I speak to you as a father also. I
10 have my son home schooling. My son fell into a
11 special category, he didn't get the help that he
12 needed. As much as I intervened, I did not get the
13 help for my son, so I had to provide home schooling,
14 paying out of my pocket for it. Okay. At the same
15 time, you know, they are not providing any more
16 funding for alternative programs, any other programs
17 that serves the needs of minority students.

18 You know, the only recommendations I'm
19 going to make is you need to look at -- if you are
20 going to have bilingual programs, something
21 transitions into English, that you need to define --
22 distinguish what will be the measures across the
23 street. This district to school to school doesn't
24 work. You have -- you need to have diversity in that
25 school administration and teaching staff, and you

1 need to include followup for absences.

2 My kid didn't start -- he ended up not
3 going to CDO anymore. I started giving him home
4 study schooling. I never got a call, even though he
5 falls in a special category, and I know a lot of
6 other students that dropped out or just did not go.
7 No followup ever happened.

8 And so pretty much -- I apologize, I
9 wasn't really prepared. I got this as a late notice.
10 I wish I would have known ahead of time.

11 But, you know, this state is really
12 failing. It's not only the local schools, it goes
13 all the way to State Legislature.

14 Why would the State Legislature put in
15 new testing, AIMS, and only test it twice, have no
16 measure in between to find out where the student
17 falls in or doesn't fall in? There's no follow
18 through.

19 MS. WEBB-VIGNERY: I'd like to make one
20 point of classification here.

21 CDO, you mentioned the school. CDO
22 stands for --

23 MR. SPROULE: Canyon Del Oro.

24 MS. WEBB-VIGNERY: High school?

25 MR. SPROULE: In Tucson.

1 MS. WEBB-VIGNERY: In Tucson.

2 MR. SPROULE: In Amphi School District.

3 I apologize.

4 MS. ESQUIBEL: I do want to say
5 something. I would like to make sure that under my
6 Civil Rights -- because what happens when you talk
7 out about schools or anything like that, that they
8 might retaliate against my grandkids. I want to make
9 sure that that is noted, that I want to make sure
10 there is no retaliation for my comments.

11 MS. WEBB-VIGNERY: That's that pro
12 forma. That's part of the -- that falls under the
13 Act.

14 MS. ESQUIBEL: Just want to make sure
15 because, you know, sometimes they do those things.
16 Retaliation does come heavy. I've dealt with a lot
17 of Civil Rights cases, especially in schools, okay?

18 MS. WEBB-VIGNERY: Yeah.

19 MS. ESQUIBEL: That's Cora Esquibel for
20 the record, making sure.

21 MS. WEBB-VIGNERY: Okay. If there are
22 no other persons who wish to speak at this time,
23 we'll adjourn the hearing.

24

25

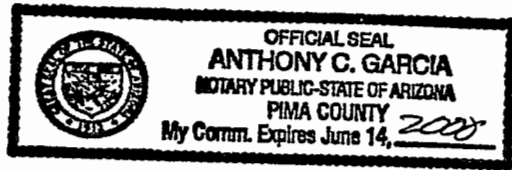
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C E R T I F I C A T E

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

I, ANTHONY C. GARCIA, a Notary Public duly
commissioned under the laws of the State of Arizona,
in and for the County of Pima, do hereby certify that
I took down in shorthand the proceedings had; and that
the foregoing is a full, true and correct transcript
of said proceedings.

WITNESS MY HAND AND SEAL at Tucson, Arizona
on this 5th day of June 2000.



Anthony C. Garcia

ANTHONY C. GARCIA

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