

PROPOSITION 203
OFFICIAL TITLE
AN INITIATIVE MEASURE

TITLE 15, CHAPTER 7, ARTICLE 3.1, ARIZONA REVISED STATUTES, IS REPEALED. SEC. 3. TITLE 15, CHAPTER 7, ARIZONA REVISED STATUTES, IS AMENDED BY ADDING A NEW ARTICLE 3.1, ENGLISH LANGUAGE EDUCATION FOR CHILDREN IN PUBLIC SCHOOLS

TEXT OF PROPOSED AMENDMENT

Sec. 1. Findings and Declarations

The People of Arizona find and declare:

1. The English language is the national public language of the United States of America and of the state of Arizona. It is spoken by the vast majority of Arizona residents, and is also the leading world language for science, technology, and international business, thereby being the language of economic opportunity; and

2. Immigrant parents are eager to have their children acquire a good knowledge of English, thereby allowing them to fully participate in the American Dream of economic and social advancement; and

3. The government and the public schools of Arizona have a moral obligation and a constitutional duty to provide all of Arizona's children, regardless of their ethnicity or national origins, with the skills necessary to become productive members of our society. Of these skills, literacy in the English language is among the most important.

4. The public schools of Arizona currently do an inadequate job of educating immigrant children, wasting financial resources on costly experimental language programs whose failure over the past two decades is demonstrated by the current high drop-out rates and low English literacy levels of many immigrant children.

5. Young immigrant children can easily acquire full fluency in a new language, such as English, if they are heavily exposed to that language in the classroom at an early age.

6. Therefore it is resolved that: all children in Arizona public schools shall be taught English as rapidly and effectively as possible.

7. Under circumstances in which portions of this statute are subject to conflicting interpretations, these Findings and Declarations shall be assumed to contain the governing intent of the statute.

Sec. 2. Repeal

Title 15, chapter 7, article 3.1, Arizona Revised Statutes, is repealed. Sec. 3. Title 15, chapter 7, Arizona Revised Statutes, is amended by adding a new article 3.1, to read:

ARTICLE 3.1. ENGLISH LANGUAGE EDUCATION FOR CHILDREN IN PUBLIC SCHOOLS

SECTION 15-751. DEFINITIONS

IN THIS ARTICLE,

1. "BILINGUAL EDUCATION/NATIVE LANGUAGE INSTRUCTION" MEANS A LANGUAGE ACQUISITION PROCESS FOR STUDENTS IN WHICH MUCH OR ALL INSTRUCTION, TEXTBOOKS, OR TEACHING MATERIALS ARE IN THE CHILD'S NATIVE LANGUAGE OTHER THAN ENGLISH.

2. "ENGLISH LANGUAGE CLASSROOM" MEANS A CLASSROOM IN WHICH ENGLISH IS THE LANGUAGE OF INSTRUCTION USED BY THE TEACHING PERSONNEL, AND IN WHICH SUCH TEACHING PERSONNEL POSSESS A GOOD KNOWLEDGE OF THE ENGLISH LANGUAGE. ENGLISH LANGUAGE CLASSROOMS ENCOMPASS BOTH ENGLISH LANGUAGE MAINSTREAM CLASSROOMS AND SHELTERED ENGLISH IMMERSION CLASSROOMS

3. "ENGLISH LANGUAGE MAINSTREAM CLASSROOM" MEANS A CLASSROOM IN WHICH THE STUDENTS EITHER ARE NATIVE ENGLISH LANGUAGE SPEAKERS OR ALREADY HAVE ACQUIRED REASONABLE FLUENCY IN ENGLISH.

4. "ENGLISH LEARNER" OR "LIMITED ENGLISH PROFICIENT STUDENT" MEANS A CHILD WHO DOES NOT SPEAK ENGLISH OR WHOSE NATIVE LANGUAGE IS NOT ENGLISH, AND WHO IS NOT CURRENTLY ABLE TO PERFORM ORDINARY CLASSROOM WORK IN ENGLISH.

5. "SHELTERED ENGLISH IMMERSION" OR "STRUCTURED ENGLISH IMMERSION" MEANS AN ENGLISH LANGUAGE ACQUI-

SITION PROCESS FOR YOUNG CHILDREN IN WHICH NEARLY ALL CLASSROOM INSTRUCTION IS IN ENGLISH BUT WITH THE CURRICULUM AND PRESENTATION DESIGNED FOR CHILDREN WHO ARE LEARNING THE LANGUAGE. BOOKS AND INSTRUCTIONAL MATERIALS ARE IN ENGLISH AND ALL READING, WRITING, AND SUBJECT MATTER ARE TAUGHT IN ENGLISH. ALTHOUGH TEACHERS MAY USE A MINIMAL AMOUNT OF THE CHILD'S NATIVE LANGUAGE WHEN NECESSARY, NO SUBJECT MATTER SHALL BE TAUGHT IN ANY LANGUAGE OTHER THAN ENGLISH, AND CHILDREN IN THIS PROGRAM LEARN TO READ AND WRITE SOLELY IN ENGLISH. THIS EDUCATIONAL METHODOLOGY REPRESENTS THE STANDARD DEFINITION OF "SHELTERED ENGLISH" OR "STRUCTURED ENGLISH" FOUND IN EDUCATIONAL LITERATURE.

SECTION 15-752. ENGLISH LANGUAGE EDUCATION

SUBJECT TO THE EXCEPTIONS PROVIDED IN SECTION 15-753, ALL CHILDREN IN ARIZONA PUBLIC SCHOOLS SHALL BE TAUGHT ENGLISH BY BEING TAUGHT IN ENGLISH AND ALL CHILDREN SHALL BE PLACED IN ENGLISH LANGUAGE CLASSROOMS. CHILDREN WHO ARE ENGLISH LEARNERS SHALL BE EDUCATED THROUGH SHELTERED ENGLISH IMMERSION DURING A TEMPORARY TRANSITION PERIOD NOT NORMALLY INTENDED TO EXCEED ONE YEAR. LOCAL SCHOOLS SHALL BE PERMITTED BUT NOT REQUIRED TO PLACE IN THE SAME CLASSROOM ENGLISH LEARNERS OF DIFFERENT AGES BUT WHOSE DEGREE OF ENGLISH PROFICIENCY IS SIMILAR. LOCAL SCHOOLS SHALL BE ENCOURAGED TO MIX TOGETHER IN THE SAME CLASSROOM ENGLISH LEARNERS FROM DIFFERENT NATIVE-LANGUAGE GROUPS BUT WITH THE SAME DEGREE OF ENGLISH FLUENCY. ONCE ENGLISH LEARNERS HAVE ACQUIRED A GOOD WORKING KNOWLEDGE OF ENGLISH AND ARE ABLE TO DO REGULAR SCHOOL WORK IN ENGLISH, THEY SHALL NO LONGER BE CLASSIFIED AS ENGLISH LEARNERS AND SHALL BE TRANSFERRED TO ENGLISH LANGUAGE MAINSTREAM CLASSROOMS. AS MUCH AS POSSIBLE, CURRENT PER CAPITA SUPPLEMENTAL FUNDING FOR ENGLISH LEARNERS SHALL BE MAINTAINED. FOREIGN LANGUAGE CLASSES FOR CHILDREN WHO ALREADY KNOW ENGLISH SHALL BE COMPLETELY UNAFFECTED, AS SHALL SPECIAL EDUCATIONAL PROGRAMS FOR PHYSICALLY-OR MENTALLY-IMPAIRED STUDENTS.

SECTION 15-753. PARENTAL WAIVERS

A. THE REQUIREMENTS OF SECTION 15-752 MAY BE WAIVED WITH THE PRIOR WRITTEN INFORMED CONSENT, TO BE PROVIDED ANNUALLY, OF THE CHILD'S PARENTS OR LEGAL GUARDIAN UNDER THE CIRCUMSTANCES SPECIFIED IN THIS SECTION. SUCH INFORMED CONSENT SHALL REQUIRE THAT SAID PARENTS OR LEGAL GUARDIAN PERSONALLY VISIT THE SCHOOL TO APPLY FOR THE WAIVER AND THAT THEY THERE BE PROVIDED A FULL DESCRIPTION OF THE EDUCATIONAL MATERIALS TO BE USED IN THE DIFFERENT EDUCATIONAL PROGRAM CHOICES AND ALL THE EDUCATIONAL OPPORTUNITIES AVAILABLE TO THE CHILD. IF A PARENTAL WAIVER HAS BEEN GRANTED, THE AFFECTED CHILD SHALL BE TRANSFERRED TO CLASSES TEACHING ENGLISH AND OTHER SUBJECTS THROUGH BILINGUAL EDUCATION TECHNIQUES OR OTHER GENERALLY RECOGNIZED EDUCATIONAL METHODOLOGIES PERMITTED BY LAW. INDIVIDUAL SCHOOLS IN WHICH 20 STUDENTS OR MORE OF A GIVEN GRADE LEVEL RECEIVE A WAIVER SHALL BE REQUIRED TO OFFER SUCH A CLASS; IN

Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.

ALL OTHER CASES, SUCH STUDENTS MUST BE PERMITTED TO TRANSFER TO A PUBLIC SCHOOL IN WHICH SUCH A CLASS IS OFFERED.

B. THE CIRCUMSTANCES IN WHICH A PARENTAL EXCEPTION WAIVER MAY BE APPLIED FOR UNDER THIS SECTION ARE AS FOLLOWS:

1. CHILDREN WHO ALREADY KNOW ENGLISH: THE CHILD ALREADY POSSESSES GOOD ENGLISH LANGUAGE SKILLS, AS MEASURED BY ORAL EVALUATION OR STANDARDIZED TESTS OF ENGLISH VOCABULARY COMPREHENSION, READING, AND WRITING, IN WHICH THE CHILD SCORES APPROXIMATELY AT OR ABOVE THE STATE AVERAGE FOR HIS GRADE LEVEL OR AT OR ABOVE THE 5TH GRADE AVERAGE, WHICHEVER IS LOWER; OR

2. OLDER CHILDREN: THE CHILD IS AGE 10 YEARS OR OLDER, AND IT IS THE INFORMED BELIEF OF THE SCHOOL PRINCIPAL AND EDUCATIONAL STAFF THAT AN ALTERNATE COURSE OF EDUCATIONAL STUDY WOULD BE BETTER SUITED TO THE CHILD'S OVERALL EDUCATIONAL PROGRESS AND RAPID ACQUISITION OF BASIC ENGLISH LANGUAGE SKILLS; OR

3. CHILDREN WITH SPECIAL INDIVIDUAL NEEDS: THE CHILD ALREADY HAS BEEN PLACED FOR A PERIOD OF NOT LESS THAN THIRTY CALENDAR DAYS DURING THAT SCHOOL YEAR IN AN ENGLISH LANGUAGE CLASSROOM AND IT IS SUBSEQUENTLY THE INFORMED BELIEF OF THE SCHOOL PRINCIPAL AND EDUCATIONAL STAFF THAT THE CHILD HAS SUCH SPECIAL AND INDIVIDUAL PHYSICAL OR PSYCHOLOGICAL NEEDS, ABOVE AND BEYOND THE CHILD'S LACK OF ENGLISH PROFICIENCY, THAT AN ALTERNATE COURSE OF EDUCATIONAL STUDY WOULD BE BETTER SUITED TO THE CHILD'S OVERALL EDUCATIONAL DEVELOPMENT AND RAPID ACQUISITION OF ENGLISH. A WRITTEN DESCRIPTION OF NO LESS THAN 250 WORDS DOCUMENTING THESE SPECIAL INDIVIDUAL NEEDS FOR THE SPECIFIC CHILD MUST BE PROVIDED AND PERMANENTLY ADDED TO THE CHILD'S OFFICIAL SCHOOL RECORDS, AND THE WAIVER APPLICATION MUST CONTAIN THE ORIGINAL AUTHORIZING SIGNATURES OF BOTH THE SCHOOL PRINCIPAL AND THE LOCAL SUPERINTENDENT OF SCHOOLS. ANY SUCH DECISION TO ISSUE SUCH AN INDIVIDUAL WAIVER IS TO BE MADE SUBJECT TO THE EXAMINATION AND APPROVAL OF THE LOCAL SCHOOL SUPERINTENDENT, UNDER GUIDELINES ESTABLISHED BY AND SUBJECT TO THE REVIEW OF THE LOCAL GOVERNING BOARD AND ULTIMATELY THE STATE BOARD OF EDUCATION. TEACHERS AND LOCAL SCHOOL DISTRICTS MAY REJECT WAIVER REQUESTS WITHOUT EXPLANATION OR LEGAL CONSEQUENCE, THE EXISTENCE OF SUCH SPECIAL INDIVIDUAL NEEDS SHALL NOT COMPEL ISSUANCE OF A WAIVER, AND THE PARENTS SHALL BE FULLY INFORMED OF THEIR RIGHT TO REFUSE TO AGREE TO A WAIVER.

SECTION 15-754. LEGAL STANDING AND PARENTAL ENFORCEMENT

AS DETAILED IN SECTIONS 15-752 AND 15-753, ALL ARIZONA SCHOOL CHILDREN HAVE THE RIGHT TO BE PROVIDED AT THEIR LOCAL SCHOOL WITH AN ENGLISH LANGUAGE PUBLIC EDUCATION. THE PARENT OR LEGAL GUARDIAN OF ANY

ARIZONA SCHOOL CHILD SHALL HAVE LEGAL STANDING TO SUE FOR ENFORCEMENT OF THE PROVISIONS OF THIS STATUTE, AND IF SUCCESSFUL SHALL BE AWARDED NORMAL AND CUSTOMARY ATTORNEY'S FEES AND ACTUAL AND COMPENSATORY DAMAGES, BUT NOT PUNITIVE OR CONSEQUENTIAL DAMAGES. ANY SCHOOL BOARD MEMBER OR OTHER ELECTED OFFICIAL OR ADMINISTRATOR WHO WILLFULLY AND REPEATEDLY REFUSES TO IMPLEMENT THE TERMS OF THIS STATUTE MAY BE HELD PERSONALLY LIABLE FOR FEES AND ACTUAL AND COMPENSATORY DAMAGES BY THE CHILD'S PARENTS OR LEGAL GUARDIAN, AND CANNOT BE SUBSEQUENTLY INDEMNIFIED FOR SUCH ASSESSED DAMAGES BY ANY PUBLIC OR PRIVATE THIRD PARTY. ANY INDIVIDUAL FOUND SO LIABLE SHALL BE IMMEDIATELY REMOVED FROM OFFICE, AND SHALL BE BARRED FROM HOLDING ANY POSITION OF AUTHORITY ANYWHERE WITHIN THE ARIZONA PUBLIC SCHOOL SYSTEM FOR AN ADDITIONAL PERIOD OF FIVE YEARS.

SECTION 15-755. STANDARDIZED TESTING FOR MONITORING EDUCATION PROGRESS

IN ORDER TO ENSURE THAT THE EDUCATIONAL PROGRESS OF ALL ARIZONA STUDENTS IN ACADEMIC SUBJECTS AND IN LEARNING ENGLISH IS PROPERLY MONITORED, A STANDARDIZED, NATIONALLY-NORMED WRITTEN TEST OF ACADEMIC SUBJECT MATTER GIVEN IN ENGLISH SHALL BE ADMINISTERED AT LEAST ONCE EACH YEAR TO ALL ARIZONA PUBLIC SCHOOLCHILDREN IN GRADES 2 AND HIGHER. ONLY STUDENTS CLASSIFIED AS SEVERELY LEARNING DISABLED MAY BE EXEMPTED FROM THIS TEST. THE PARTICULAR TEST TO BE USED SHALL BE SELECTED BY THE OFFICE OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, AND IT IS INTENDED THAT THE TEST SHALL GENERALLY REMAIN THE SAME FROM YEAR TO YEAR. THE NATIONAL PERCENTILE SCORES OF STUDENTS SHALL BE CONFIDENTIALLY PROVIDED TO INDIVIDUAL PARENTS, AND THE AGGREGATED PERCENTILE SCORES AND DISTRIBUTIONAL DATA FOR INDIVIDUAL SCHOOLS AND SCHOOL DISTRICTS SHALL BE MADE PUBLICLY AVAILABLE ON AN INTERNET WEB SITE; THE SCORES FOR STUDENTS CLASSIFIED AS "LIMITED-ENGLISH" SHALL BE SEPARATELY SUB-AGGREGATED AND MADE PUBLICLY AVAILABLE THERE AS WELL. ALTHOUGH ADMINISTRATION OF THIS TEST IS REQUIRED SOLELY FOR MONITORING EDUCATIONAL PROGRESS, ARIZONA PUBLIC OFFICIALS AND ADMINISTRATORS MAY UTILIZE THESE TEST SCORES FOR OTHER PURPOSES AS WELL IF THEY SO CHOOSE.

Sec. 4. Severability

If a provision of this act or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Sec. 5. Application

The provisions of this act cannot be waived, modified, or set aside by any elected or appointed official or administrator, except as through the amendment process provided for in the Arizona constitution.

ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 203 would repeal the existing bilingual education laws and change the law to require that all classes be taught in English except that pupils who are classified as "English Learners" will be educated through sheltered English immersion programs during a temporary transition period. The sheltered English immersion programs will provide nearly all classroom instruction and materials in English, but may use a minimal amount of the child's native language when necessary. The temporary transition period for sheltered English immersion programs will normally not exceed one year. When an English learner has acquired a good working knowledge of English, that pupil will be transferred to a regular English language classroom.

Proposition 203 allows parents to apply for waivers from participation in English immersion programs if their child already knows English, their child is at least ten years of age or their child has special needs. If the school grants the waiver, the child will be transferred to classes that

teach English and other subjects through traditional bilingual education instruction or other generally recognized educational methods that are permitted by law.

Proposition 203 allows parents or legal guardians to recover actual and compensatory damages and attorney fees, but not punitive damages, against persons who willingly violate its provisions. Any school official who willfully and repeatedly refuses to comply with Proposition 203 is personally liable for damages and attorney fees to the parents or legal guardians of the child, shall be removed from office and shall be prohibited from holding any position of authority in the public school system for five years.

Proposition 203 requires that all students in grades two through twelve be tested annually to monitor their progress in academic subjects and in learning the English language. Students who are classified as severely learning disabled may be exempted from this test. The test score of an individual pupil compared to the national average will be confidentially provided to the parent or legal guardian of that pupil. The combined test scores for schools and school districts will be published on the Internet and the aggregate scores achieved by pupils classified as "limited-English" will be listed in a separate sub-category.

Proposition 203 Fiscal Impact Summary

Proposition 203 requires pupils who are "English learners" to be taught in English immersion classes during a temporary transition period. Under current law, school districts receive extra funding from the state for "English learners" without a specific time limit. Because the Proposition would limit the amount of time that pupils could remain eligible for additional state funding for "English learners," the Proposition is expected to lead to state savings. The amount of the savings is difficult to predict in advance as it depends on the number of pupils who learn English more quickly in the immersion classes. In addition, it is unclear how federal law would affect the transfer of students out of the immersion classes. The maximum state savings would be as high as \$20.3 million in 2004 if all English learners become proficient in English within a year, although that outcome is unlikely.

An additional fiscal impact could occur if school districts had to revamp their curricula, staff assignments, and operating procedures in order to comply with the Proposition. Since it would alter neither the state funding formula for public schools nor laws that "cap" school district expenditures, any additional costs would require a reallocation of existing school district resources.

ARGUMENTS "FOR" PROPOSITION 203

For many years all of us have worked hard to try to end Arizona's failed system of Spanish-only "bilingual education" which has inflicted so much educational harm on tens of thousands of innocent Hispanic children.

None of Arizona's politicians or educational bureaucrats would listen to us, or to the many other Hispanic parents begging the public schools to teach their children English.

Now you, the voters of Arizona, can help us and all Hispanic families by passing "English for the Children" and requiring the public schools to teach all our children English.

Today, nearly a hundred thousand children in Arizona public schools don't know English, and less than five percent of these students successfully learn English most years. Ninety-five percent of the Arizona students who start a school year classified as not knowing English end that same school year still classified as not having learned English. Any educational system with an annual failure rate of ninety-five percent must be ended.

Many of these children eventually leave school not able to read English, write English, or sometimes even speak English properly.

About the only people who support "bilingual education" are the people who make money from this huge failed government program—the bilingual teachers and the bilingual administrators and the bilingual professors—and the politicians they control. The "bilingual education industry" will say or do anything to defeat our initiative.

The "bilingual education industry" makes extra money for every child who doesn't know English, so they sometimes force young Hispanic children who already know English into their program against their parents' wishes.

"Bilingual education" means segregation and racial discrimination against Hispanic children, and must be ended.

Please VOTE YES on "English for the Children" and give the gift of English to all Hispanic children in Arizona.

Maria Mendoza, Chair, English for the Children-Arizona, Tucson

Hector Ayala, Co-Chair, English for the Children-Arizona, Tucson

Paid for by Margaret Garcia Dugan

Margaret Garcia Dugan, Co-Chair, English for the Children-Arizona, Phoenix

My name is Ron Unz, and in 1998 I led the campaign for Proposition 227, California's "English for the Children" initiative. It replaced a failed system of so-called "bilingual education" programs with classes using intensive sheltered English immersion.

I became involved with that initiative and I am supporting the Arizona initiative because of my own personal immigrant background. Although my mother was born in Los Angeles, she grew up in an immigrant family, not speaking a word of English, but then learned English quickly and easily as a young child. This allowed her to go on to do well in college and graduate school.

Because of the victory of our California initiative, nearly all immigrant children there are now being taught in English as soon as they begin school. As a result, immigrant students are doing much better in school. The test scores of 1.4 million immigrant students in California increased an average of 20% after less than one year of the new program.

Many opponents of our California initiative have now changed their minds and endorsed English immersion, including the founding president of the California Association of Bilingual Educators.

English is the language of opportunity and economic advancement and immigrant parents want their children taught English. I believe immigrant children should be taught English as soon as they start school in America, and I believe that the voters of Arizona should have the right to decide this instead of the politicians. That's the reason I've helped Arizona parents, Arizona teachers, and Arizona community activists put the "English for the Children" initiative on the Arizona ballot.

Please vote for "English for the Children" to provide intensive sheltered English immersion classes for immigrant children and thereby ensure the unity and prosperity of our nation.

Ron Unz, Chairman, English for the Children, Palo Alto, CA

Bilingual education has failed in its mission to teach children English. By doing so, it has denied thousands of young Americans the opportunity to fully realize the American dream.

Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.

Students are trapped for years in segregated bilingual classrooms that fail to teach them English. In Arizona, the annual failure rate for these programs approaches 95 percent. According to statistics compiled by the Arizona Department of Education, in certain districts, some students remain in bilingual education programs for ten years or more.

Despite its name, bilingual education is anything but bilingual. Most so-called bilingual programs exist only for native-Spanish speakers and are often taught exclusively or predominantly in Spanish. If bilingual education is so great why isn't it used for native speakers of the approximately 40 other languages spoken in Arizona's public schools?

Students in bilingual programs not only fail to learn English, they also receive a substandard education in core subjects. Not surprisingly, students in bilingual programs have some of the lowest test scores and highest drop out rates. Even worse, their inability to speak English dramatically limits their future earning potential and opportunities.

The people of California understand that bilingual education is a failure. That's why they voted overwhelmingly in 1998 to replace bilingual education with structured English immersion programs. As a result, scores are up and students who have floundered for years in bilingual education programs are now thriving.

Simply put, the best way to learn English is to be taught in English. It's time to rescue non-English speaking students from the academic Siberia of bilingual education and provide them with the tools they need to fully realize the American dream. We urge voters to approve Proposition 203.

Matt Salmon, Member of Congress, Mesa John Shadegg, Member of Congress, Phoenix
Paid for by Friends of Matt Salmon

We live in an information age where knowledge of the English language and the ability to think conceptually in English is a key to success. Therefore, any student deprived of the opportunity to become fluent in English will be economically handicapped.

Research on whether immersion programs are more effective than bilingual programs is not clear-cut. However, many educators and leaders in the Hispanic community believe bilingual teaching has failed and change is in order. We agree.

This Proposition designates English immersion programs as the primary, and initial method of teaching English to students in need of English language assistance. Schoolchildren who are not fluent in English will be placed in an English immersion program and then merged into the educational mainstream as soon as their language skills permit. English immersion programs normally do not exceed a year, and are designed to give English learners a working command of the English language as quickly as possible. Parents who elect to have their child in a bilingual program will continue to have that option.

This measure also provides for an annual test in grades two through twelve to monitor student progress in learning English.

Opponents argue that an Educational technique should not be legislated. Typically we might agree. In this instance however, voter intervention is required to counter the momentum of thirty years of bureaucratic investment in a program that cannot be proven successful.

Schoolchildren who need to learn English typically come from families where English is not spoken in the home. In a sense, their life outside of school is an immersion program in their native language. An English immersion program should provide the needed emphasis for them to master the English language.

The Valley Citizens League, a non-partisan civic organization, encourages you to vote YES on Proposition 203.

Joel Harnett, President, Valley Citizens League, Phoenix Bart Turner, Executive Director, Valley Citizens League, Phoenix
Paid for by Valley Citizens League

ARGUMENTS "AGAINST" PROPOSITION 203

On behalf of more than 30,000 dedicated public school employees I strongly urge all voters to vote "no" on Proposition 203. Students who are learning English as a second language have the fundamental right to the most appropriate and suitable method for learning English in school; this proposition eliminates that right. All students deserve an education that culminates in their fluency in English and their mastery of academic content. For students learning English, a foundation in literacy and academic concepts in their native language provides them equal footing as they move through a program of language acquisition. Denying students this opportunity relegates them to a second tier of achievement as they fall behind in their content studies while struggling with a foreign language.

Parents, not state government, should make decisions regarding their child's education. This proposition tells parents who want the opportunity of a bilingual education that the bureaucracy knows better — they can not make that choice. Such a limitation of choice and prospect must be considered a violation of civil rights as one class of citizens finds a door to opportunity slammed in their faces.

Furthermore, teachers could find themselves threatened by the law for using their professional judgement. If a teacher determined that a student did not understand a concept explained in English, this proposition would legally prohibit her from teaching that concept in the child's native language. State government has no business intruding into professional decisions made in the classroom.

In short, Proposition 203 threatens teachers who would make educational decisions in the best interest of their students, revokes parental rights of choice regarding their child's education, and punishes children whose first language is not English by denying them educational opportunities. Please vote "no".

Penny Kotterman, President, Arizona Education Association, Phoenix Charles Lentz, Executive Director, Arizona Education Association, Phoenix

Paid for by Arizona Education Association

Fellow Citizens:

The Arizona English Teachers Association, dedicated to furthering the teaching of English, believes that strong English literacy, along with supportive parental involvement, are two critical factors in the academic success of language minority children. Ironically, the initiative sponsored by "English for the Children" is dangerously misleading on both counts.

First, its one-year limit weakens English instruction. American teachers, who have helped to make English the world's most international language, know that English learners can quickly develop some fluency in spoken English. However, reading and writing English at grade level is a much more gradual process. English and bilingual education teachers have learned through experience that three years of special instruction—Beginning, Intermediate, and Advanced Level English—is the minimum amount of time required for students to attain sufficient reading and writing skills. Instead of this proven three-year program, the initiative gives students only one year before they are forced into regular classes where teachers may not have the time or expertise to deal with their unique needs—or would have to slow instruction for other students.

Secondly, it reduces parental involvement. All parents have a right to be involved in decisions affecting the type of instruction offered in public schools. Thus, we oppose any law that would ignore parents' wishes and dictate only one method of instruction for all students. Moreover, the initiative prohibits certain students from applying for waivers and gives school officials the unprecedented power to reject parental requests "without explanation or legal consequence."

Reports on California's experiment, initially positive, now are quite troubling. One-year plans purport to help immigrant children yet actually limit their success in American schools and limit parental choice. Arizonans should reject this punitive measure.

Mary Setliff-Hodge, AETA President

Salvador Gabaldón, AETA Executive Liaison

Paid for by Arizona English Teachers Association

We, the members of MAPA (Mexican American Political Association), do hereby oppose proposition 203 in which the elimination of our current bilingual education system would be replaced with a one year crash course.

This proposition is not feasible for the children of bilingual families in Arizona for the following reasons:

- More students will drop out of school at an earlier age due to language frustration.
- Fewer students will graduate high school with the implementation of the AIMS testing.
- Fewer students will enroll in college because they couldn't grasp K-12 curriculum without bilingual classes.
- Parents will no longer have the right to choose programs like bilingual education, ESOL, LEP.

Bilingualism is a highly marketable skill to possess in this age of global marketing and technology. The abolishment of this program would be detrimental not only to the future of the children that stand to lose much, but to our own futures as well.

For the future of Arizona as well as for the future of the country, we must prepare our youth to communicate globally. Proposition 203 will place Arizona students at a disadvantage from the graduating students in the rest of the country.

Lydia Guzman, Arizona MAPA State President

Sylvia Avila, Treasurer

An English Only Initiative. . . pushed by big money from out of state. . . dividing Arizona along ethnic lines. . . disrupting public institutions. . . dogging our court systems. . . limiting the rights of minority citizens.

Sound familiar? Arizonans have already been there, done that.

From 1988 to 1998 we had to cope with Proposition 106, a sweeping mandate for English Only government. Finally it was declared unconstitutional by the Arizona Supreme Court, deemed a violation to free speech.

Another English Only Law is the last thing that we need, especially one that:

- plays politics with schools and schoolchildren.
- robs parents and elected officials in any say of how English learners will be taught.
- limits these kids to, at the most, 180 days of English instruction.
- excludes them from any kind of bilingual program, including programs designed to save American Indian languages from extinction.
- prohibits language teaching methods such as "dual immersion", in which English-speaking students learn Spanish while Spanish-speaking students learn English.

These are just a few extreme provisions of the so-called "English for the Children" initiative. It's on the ballot, not because Arizonans asked for it, but because a California millionaire spent \$105,000 to put it there.

Spelling, grammar, and punctuation were reproduced as submitted in the "for" and "against" arguments.

Arizona, home to a rich variety of languages and cultures, should be the last state to join Mr. Unz crusade against Bilingual Education. Senator John McCain, Texas Gov. George W. Bush and Vice President Al Gore have all condemned this campaign as divisive.

We should join instead with them in embracing the concept of English Plus More: All Americans need excellent English skills. That is the chief goal of Bilingual Education. We need language programs that "Plus" can provide: Spanish, Navajo, Korean, Chinese, Tohono O'Odham, among others. This is necessary to provide our children with the skills necessary to compete with the ever-growing global economy and to safeguard our American heritage.

English Only is Self-Defeating!

Lorraine Lee, Chair, English Plus More, Tucson

In Arizona, limited English proficient students attend special programs to help them learn English. Current Arizona law includes a number of programs for parents to choose from, including variations of bilingual education AND English immersion. This initiative eliminates choice and mandates a one-size-fits-all approach.

Misleading voters, proponents claim that "waivers" are available. However, since the initiative replaces existing statutes, there will be no other programs for parents to choose from even if they get a waiver. Thus, a parent who wants their child in bilingual education will have to wait for the legislature to pass, by a 3/4 vote, a law that reinstates existing program options. Even if this happens, the remaining waiver provisions are severe. For example, most parents wanting to choose bilingual education will be forced to sign a statement declaring their child has "psychological needs." How many of us would make such a statement, which becomes permanent school record, about our children? Parents should not have to face such obstacles to place their children in the program of their choice.

Many parents choose bilingual education, which uses BOTH English and students' native languages for instruction. Educational experts agree this is the most effective way to help students learn English and promote high academic achievement. The superior effectiveness of bilingual education over English immersion is corroborated by data from our own Department of Education.

Californians passed this initiative and the results are bleak. After the first year of English immersion in Orange County, only 6 of 3,500 non-English-speakers learned English well enough to attend regular classes. That is over a 99% failure rate for English immersion! Statewide, results are similar.

Vote "no" on this failed California experiment and let Arizona parents and schools decide the best way to teach our children.

Joe Eddie Lopez, Phoenix

Paid for by Lopez Election Committee 2000

Please do not be lulled into believing the official analysis associated with this initiative. It contains misinformation and at worst, grossly misrepresents the real facts.

This initiative was bought and paid for by an out-of-state millionaire who is proposing an alternative already proven to be a dismal failure in California. It is mean-spirited and discriminatory. So draconian are its provisions, that most Educational and a great number of community organizations have united to fight the initiative. The initiative clearly threatens Arizona's Native American languages. The initiative removes opportunity for Indian children to learn English and retain their native languages; many of which are in danger of dying out, at a great loss to all Arizonans.

In Arizona, with parental approval, limited English-proficient students may attend any number of programs designed to assist a student's language deficiencies. These initiative removes from parents, teachers and local administration the ability to provide an educational program best suited for their children. Instead, your children will have to participate in a one-size-fits-all mandated program.

The analysis on this initiative suggests that a parent can apply for a waiver if they want their child to participate in a bilingual program. This is a lie. The initiative repeals all statutory language acquisition options. Assuming the waiver language to be true; the parents would have to declare that their child has physical or psychological needs, and the statement would be made part of his/her permanent school record.

Most important, bilingual education works. Most educational experts agree that bilingual education is the most effective program designed for students to learn English and gain academic excellence. The effectiveness of bilingual education is corroborated by data from our own Arizona Department of Education. Vote no on this proposition.

Esther Duran Lumm, President, Arizona Hispanic Community Forum, Phoenix

Alexandria Pisano, Treasurer, Arizona Hispanic Community Forum, Tempe

Paid for by Arizona Hispanic Community Forum

Fundamentally this election is about two principles that an English-only law would jeopardize:

- parents' right to choose the education they want for their children, and
- local school boards' right to decide what kinds of instruction are appropriate.

Arizonans have long cherished and defended these rights. But the initiative, bankrolled entirely by out-of-state interests, threatens to destroy our traditions of parental choice and local control of education. It would:

- impose a statewide, one-size-fits-all curriculum for all children whose English is limited;
- mandate an arbitrary, one-year English program for students who now receive, on average, 3-4 years of special help in learning English;
- threaten stiff financial penalties for any teacher, administrator, or school board member who resists; and
- force Hispanic and Native American parents to declare their kids mentally retarded to qualify for "waivers" of the English-only rule.

Initiative sponsors claim (without much evidence) to speak for immigrants who are disaffected with bilingual education and who favor other ways of teaching English. But consider these facts:

- Only 30 percent of Arizona's limited-English students are now enrolled in bilingual classrooms; 70 percent already receive all their instruction in English.
- Under current law, Arizona parents may remove their children from bilingual education at any time. They don't need an initiative.
- Where offered, bilingual programs are extremely popular. Last year, in the Tucson and Sunnyside school districts, 99 percent of the parents of eligible students chose the bilingual option.
- Bilingual programs have produced superior results in English reading at every grade level over the past 3 years, according to the Arizona Department of Education

Arizonans recognize that expanding choices is good for our schools. So why deny this right to Hispanic and Native American parents? Let's trust them to do what's best for their kids.

Mary Carol Combs, Correspondence Secretary, Arizona Language Education Council, Oro Valley	Maria Elena Sotomayor, Data Manager, Arizona Language Education Council, Oro Valley
Paid for by Maria Elena Sotomayor	John Petrovic, Central Arizona Co-Chair, Arizona Language Education Council, Oro Valley

Bilingual Education is a necessity in Arizona. Green Party candidates are opposed to Proposition 203 and any measure that would do away with this much needed program. We believe this is a mean-spirited attack on children of color by people with disingenuous motives. Our state has a large number of families with children whose primary language is not English. It is unrealistic to believe that a child can become fluent in any language in less than one year. Forcing teachers to instruct children in English when they do not understand the language is cruel and unjust. Bilingual education, like the rest of Arizona's education system, is suffering from a lack of funding and resources. To kill this important program because we are not giving it the proper funding is the wrong way to go. A similar measure that passed in California is failing miserably because children are not receiving the instruction they need. Don't let racism get in the way of a child's future.

Vote “No” on Proposition 203 and preserve the rights of all Arizona's children to receive a quality education.

William Crosby, Green Party Candidate, Legislative District 9, House, Tucson	Jack Strasburg, Green Party Candidate, Legislative District 10, House, Tucson	Chris Ford, Green Party Candidate, Legislative District 11, Senate, Tucson
Bill Moeller, Green Party Candidate, Legislative District 11, House, Tucson	Katie Bolger, Green Party Candidate, Legislative District 14, House, Tucson	John Scudder, Green Party Candidate, Legislative District 25, House, Phoenix
Susan Campbell, Green Party Candidate, Pima County Superintendent of Schools, Tucson	David Croteau, Green Party Candidate, Pima County Sheriff, Tucson	Peter Hormel, Green Party Candidate, Pima County Attorney, Tucson
Bill Zaffer, Green Party Candidate, Pima County Recorder, Tucson		
Paid for by Green Party		

AZ-TESOL, Arizona's professional organization of teachers of English to Speakers of Other Languages, submits the following argument in opposition to the initiative sponsored by “English for the Children of Arizona.”

As a group of English language teachers, we strongly oppose this initiative and its extremely negative impact on the English language acquisition of students in Arizona. This initiative limits students whose first language is not English to only ONE school year of intensive English language learning before immersing them in content classes with little or no support. Research clearly demonstrates that language learners need much more time to acquire another language, particularly for the acquisition of reading and writing skills necessary for academic achievement in another language.

As a group of English language teachers, we oppose this initiative and the resulting lack of equal access which English language-learning students would have to programs which provide the English they need to be successful in Arizona's classrooms. The initiative will eliminate ALL longer-term ESL and bilingual education services to a large percentage of our student population.

AZ-TESOL also opposes this initiative because it curtails the rights of parents to make choices for their children's education, and removes the rights of individual school districts to make educational programs decisions which are appropriate for their specific student populations. If this initiative should be passed, the results will affect all Arizona residents in both the educational and employment arenas for many years.

AZ-TESOL, as a group of Arizona English teachers, strongly urges you to vote against this initiative, and to support the rights of our parents, local educators, and school districts to choose what is best for the education of our student populations.

Delight A. Diehn, AZ-TESOL President, 1999-2000, Scottsdale	Nancy Jamieson Mallette, AZ-TESOL Rules and Resolutions Chair, 1999-2000, Scottsdale
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Paid for by Delight A. Diehn

The Navajo Nation Office of the President / Vice-President opposes Proposition 203 because it:

Forbids Navajo in the classroom. Proposition 203 forbids Navajo students from participating in meaningful Navajo language programs. The people of the Navajo Nation understand the importance of their children learning English, but realize the importance of protecting Navajo culture through the use and education of the Navajo language.

Provides less education. Proposition 203 limits English programs to one year providing less English received in existing ESL and bilingual programs.

Will be unsuccessful. For hundreds of years the Navajo people have been forced into similar unsuccessful English language immersion programs with lengthier time limits than one year. A one year program with the same principles will also prove to be unsuccessful.

Will cause low test scores. Proposition 203 claims that students will learn English in one year, however, almost 93% of the students in the California program failed to test proficient after only one year.

Denies parental rights. Parents will have no choice in the children's education because “[t]eachers and local school districts may reject waiver requests without explanation or legal consequences.” Proposition 203 §15-753.B.3

Violates Arizona law. Section Two of Proposition 203 would repeal sections of the Arizona Revised Statutes that now protect language-related civil rights.

Threatens educators. The initiative allows educators to be sued, and if the educator loses the suit, forces them to pay court costs and damages as well as be banned from employment in Arizona as an educator for five years.

An initiative which abolishes the civil rights of Arizona children, denies parents the right to a choice in their children's education, threatens educators, and encourages the genocide of Native American cultures is strongly opposed by the Navajo Nation Office of the President / Vice-President.

Kelsey A. Begaye, President, The Navajo Nation, Window Rock	Sharon M. Noel, Chief of Staff, Office of the President / Vice-President, The Navajo Nation, Window Rock
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Paid for by The Navajo Nation

Spelling, grammar, and punctuation were reproduced as submitted in the “for” and “against” arguments.

The Indian tribes in Arizona are the descendants of the first peoples in the Americas. The many Indian languages spoken in Arizona are an integral part of tribal culture, much of which is passed on from generation to generation by a primarily oral tradition that includes legends, history, stories and values. These are living languages, used daily by Indian people in their homes, in business, and in public and governmental affairs.

The concern of Indian tribes in Arizona is no longer only with enabling their children to learn English, but enabling them to acquire and develop in both their tribal languages and English. The preservation and maintenance of Indian cultures and religions, which depend totally on American Indian languages in order to thrive, is inherent and vital to all aspects of American Indian life. Experience of bilingual programs in Arizona support studies which demonstrate that sustained promotion of children's primary language for at least five to seven years is an effective route to both academic excellence and literacy in two languages.

Indian people recognize the importance of learning other languages, including English, in order to better communicate with others. However, we consider the proposition which prescribes that all public school instruction be conducted in English an attempt to destroy Indian cultures and the freedoms on which this country was founded. The policy of Arizona should be to encourage and foster communication through enhanced bilingual education rather than prescribe that only English be used for instruction in Arizona public schools.

Alberta Tippeconnic, Scottsdale

Proposition 203 is about taking away parents' rights to make decisions regarding their children's education. Currently, a school is allowed to offer a variety of programs for children who come to school with limited or no English language skills. The school tailors the programs to their students' needs: the ages of the students, the language skills and academic level that the students already have and the receptiveness of the students to particular teaching methods all play a role in determining what type of program best suits them. EVERY program employed has the goal of making the student proficient in English.

Currently, student participation is voluntary and requires parental consent before a child can be enrolled in a program. The parent can also withdraw the child from the program at any time. If a student is not enrolled in one of the formal programs offered, a program specialized for that student must be developed. Again, right now, parents decide.

Proposition 203 would drastically change that by repealing all of the current options available to students – AND their parents – mandating that schools teach all English language learners through a specific, ONE-SIZE-FITS-ALL program, the so-called sheltered English immersion program.

The Arizona School Boards Association **OPPOSES** Proposition 203 for two reasons:

- it **ELIMINATES THE AUTHORITY OF SCHOOLS** in offering programs based on the needs of their individual students; AND
- it **ELIMINATES THE CHOICES OF PARENTS** in selecting programs that best suit their children.

ASBA urges you to preserve learning options for parents and their children – VOTE NO on Proposition 203.

Linda Lopez, President-Elect, Arizona School Boards Association, Harry Garewal, Vice President, Arizona School Boards Association,
Phoenix Phoenix

Paid for by Arizona School Boards Association, Inc.

BALLOT FORMAT

PROPOSITION 203

PROPOSED BY INITIATIVE PETITION

OFFICIAL TITLE

TITLE 15, CHAPTER 7, ARTICLE 3.1, ARIZONA REVISED STATUTES, IS REPEALED. SEC. 3. TITLE 15, CHAPTER 7, ARIZONA REVISED STATUTES, IS AMENDED BY ADDING A NEW ARTICLE 3.1, ENGLISH LANGUAGE EDUCATION FOR CHILDREN IN PUBLIC SCHOOLS

DESCRIPTIVE TITLE

REQUIRES PUBLIC SCHOOL INSTRUCTION TO BE IN ENGLISH, RATHER THAN BILINGUAL PROGRAMS; INTENSIVE ONE-YEAR ENGLISH IMMERSION PROGRAM TO TEACH ENGLISH AS QUICKLY AS POSSIBLE WHILE TEACHING ACADEMIC SUBJECTS; WAIVER PROVISIONS FOR CHILDREN WHO KNOW ENGLISH, ARE 10 YEARS OR OLDER, OR HAVE SPECIAL NEEDS; PERMITS LAWSUITS BY PARENTS AND GUARDIANS.

PROPOSITION 203

A “yes” vote shall have the effect of requiring all public school instruction to be conducted in English, rather than in bilingual programs, requiring an intensive one-year English immersion program to teach English as quickly as possible while teaching academic subjects, unless parents request a waiver for children who know English, are 10 years or older or have special needs, and permitting enforcement lawsuits by parents and guardians.	YES <input type="checkbox"/>
A “no” vote shall have the effect of not requiring that all public school instruction be conducted in English with a one-year English immersion program.	NO <input type="checkbox"/>