



CALIFORNIA 2016  
BALLOT BACKGROUNDER

Proposition **58**

Bilingual Education

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**Purpose**

Proposition 58 would make it easier for California’s public schools to create and expand bilingual education programs.

**Background**

From the 1970s through the late 1990s, California public schools developed extensive bilingual education programs for students with limited English proficiency. To varying degrees, students in these programs received instruction in their native language rather than in English. The policy of teaching students in languages other than English generated controversy. In 1998, California voters approved Proposition 227, a measure designed to restrict bilingual education and replace it with English immersion education. Proposition 227 passed by a 61-39 percent margin.<sup>1</sup> Many liberal leaning groups have long opposed Proposition 227’s restrictions on bilingual education, and eighteen years after voters approved Prop. 227, the issue is back on the ballot.

In 2014, the California Legislature adopted SB 1174, the Multilingual Education for a 21<sup>st</sup> Century Economy Act.<sup>2</sup> The Act’s purpose is to repeal most of Proposition 227 and replace it with policies that authorize bilingual education. Because voters enacted Proposition 227, state law requires that any effort to repeal it be submitted to the voters, as well. SB 1174 thus appears on the ballot as Proposition 58.

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<sup>1</sup>[https://ballotpedia.org/California\\_Proposition\\_227,\\_the\\_%22English\\_in\\_Public\\_Schools%22\\_Initiative\\_\(1998\)](https://ballotpedia.org/California_Proposition_227,_the_%22English_in_Public_Schools%22_Initiative_(1998))

<sup>2</sup> [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB1174](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1174)

### Existing Law

Prop. 227 changed the California Education Code to require that English learners with limited proficiency be taught mostly in English and be placed in mainstream classrooms as soon as possible.<sup>3</sup> Students are able to enroll in alternative non-English-only programs only through an annual waiver process that requires parents to come to schools offering such programs and request alternative placement.<sup>4</sup>

### Proposed New Law

Proposition 58 would repeal most of Proposition 227, removing the English-only immersion requirement and the waiver process.<sup>5</sup> Prop. 58 would require school districts to work alongside the community to develop appropriate language programs for their schools and would authorize them to implement bilingual education programs (dual immersion) for native and non-native speakers.

However, under Prop. 58, districts still would be required to provide programs to ensure students become fluent in English; also, districts still would be required to offer English learners the option to be taught almost exclusively in English.

### Fiscal Impact

The Legislative Analyst has estimated that Proposition 58 would have no notable fiscal effect on districts or the state. Bilingual programs would not necessarily be more or less expensive than existing English- programs.<sup>6</sup>

### Supporters

Proposition 58 was authored by Senator Ricardo Lara (D-Bell Gardens) and received support from Democrats in the Legislature. Organizations including the California Teachers Association, Los Angeles and San Francisco Unified School Districts, and California Association for Bilingual Education support the measure. As of September, the PAC supporting Prop. 58 had raised more than \$1 million.<sup>7</sup> The California Teachers Association is the major donor supporting the measure.<sup>8</sup>

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<sup>3</sup> <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=00001-01000&file=305-306>

<sup>4</sup> <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=00001-01000&file=310-311>

<sup>5</sup> [https://ballotpedia.org/California\\_Proposition\\_58,\\_Non-English\\_Languages\\_Allowed\\_in\\_Public\\_Education\\_\(2016\)](https://ballotpedia.org/California_Proposition_58,_Non-English_Languages_Allowed_in_Public_Education_(2016))

<sup>6</sup> <http://www.lao.ca.gov/BallotAnalysis/Proposition?number=58&year=2016>

<sup>7</sup> <http://powersearch.sos.ca.gov/advanced.php>

<sup>8</sup> <http://powersearch.sos.ca.gov/advanced.php>

### Arguments of Supporters

Supporters argue that Proposition 58 would still allow students to become proficient in English as quickly as possible and would hand control of English programs back to the local level to tailor appropriate programs for each district. They also point to studies showing that bilingual education leads to higher levels of academic achievement.<sup>9</sup> Supporters note that districts would be able to offer students of all backgrounds the option to become fluent in a second language, a skill they view as critical in the globalizing economy.

### Opponents

Republicans opposed the measure in the Legislature. Ron Unz, an education reformer who sponsored Proposition 227 two decades ago, is now leading the opposition to Prop. 58. Unz is joined by U.S. English chairperson Mauro E. Mujica.<sup>10</sup> Opponents have not registered a PAC to support a “no” vote.<sup>11</sup>

### Arguments of Opponents

Opponents argue that without an English-only requirement, districts will fail to provide Spanish-speaking students with adequate resources to learn English, effectively creating “Spanish-almost-only educational ghettos.”<sup>12</sup> Pointing to higher test scores among Latinos since the passage of 227, opponents argue that English-only is the best pedagogy; giving school districts the option to establish bilingual education programs would reverse progress.

### Conclusion

A Yes on Proposition 58 would repeal the English-only requirement and waiver process established by 227, allowing public schools to more easily provide bilingual instruction to students of all backgrounds.

A No on Proposition 58 would maintain Prop. 227’s requirements that public schools teach most English learners in English-only programs except by parental waiver.

**For more information on Proposition 58, visit:**

[www.roseinstitute.org](http://www.roseinstitute.org)

[www.Supportprop58.com](http://www.Supportprop58.com)

[www.Keepenglish.org](http://www.Keepenglish.org)

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<sup>9</sup> [https://ballotpedia.org/California\\_Proposition\\_58,\\_Non-English\\_Languages\\_Allowed\\_in\\_Public\\_Education\\_\(2016\)](https://ballotpedia.org/California_Proposition_58,_Non-English_Languages_Allowed_in_Public_Education_(2016))

<sup>10</sup> Ibid.

<sup>11</sup> <http://powersearch.sos.ca.gov/advanced.php>

<sup>12</sup> [https://ballotpedia.org/California\\_Proposition\\_58,\\_Non-English\\_Languages\\_Allowed\\_in\\_Public\\_Education\\_\(2016\)](https://ballotpedia.org/California_Proposition_58,_Non-English_Languages_Allowed_in_Public_Education_(2016))