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# “What are you doing to us?!”: mediating English-only policies to sustain a bilingual education program

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## ABSTRACT

Although U.S. schools that provide bilingual education typically must negotiate English-only policies and pressures to sustain their programming over time, little is known about what this entails at the individual school level. Our research examines in detail how the leaders of an elementary school in New York City with a Spanish-English transitional bilingual education program navigated a range of language education policies over a five-year period. We found that federal, state, and school district policy mandates for English literacy instruction during those years resulted in the imposition of English-only curricula on the school, which undermined its bilingual education program. We identified the following three stages in the school's efforts to mediate those policies: (1) establishing a vision for biliteracy, (2) (barely) surviving English-only literacy reforms, and (3) restoring and advancing the vision for biliteracy. These findings shed light on the work of school leaders and educators to maintain bilingual education programs in U.S. schools and, in the absence of coherent language policies that truly support the implementation of bilingual education, highlight the need for school leaders and educators to establish a clear vision and receive ongoing targeted supports to be able to negotiate policy mandates.

## ARTICLE HISTORY

### KEYWORDS

Language policy; English-only; bilingual education; emergent bilinguals; *No Child Left Behind*; Common Core State Standards; literacy

## Introduction

In the United States, the vast majority of minoritized bilinguals, including emergent bilinguals,<sup>1</sup> receive their schooling only in English because federal and state language education policies<sup>2</sup> have historically restricted bilingual education (Baker & Wright, 2017; García, 2009). This trend occurs in spite of the strong base of research demonstrating that emergent bilinguals who have the opportunity to enroll in bilingual education programs typically outperform their peers in English-only programs in learning academic content, English, and the language other than English (LOTE) (Baker & Wright, 2017; Collier & Thomas, 2017; García, 2009; García & Sung, 2018; Menken, 2013). Although New York is one of just a handful of states nationally that has policies requiring the provision of bilingual education for emergent bilinguals (Carrasquillo, Rodriguez, & Kaplan, 2014; García, Menken, Velasco, & Vogel, 2018), the recent adoption of federal and state policies that mandate English development and test-based accountability have resulted in the dismantling of many bilingual programs in New York City schools (Menken, 2011; Menken & Solorza, 2014). Within this broader context of national and local policy tensions (Menken & Avni, 2019), where

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<sup>1</sup>In this paper, we are using the term “emergent bilingual” specifically for students who have been identified through New York State’s standardized language proficiency assessments as “not proficient in the English language”. These students have been historically minoritized and racialized through many institutions that have inherited a legacy of ideologies based on monolingual white supremacy (Flores & Rosa, 2015) for speaking languages other than English at home.

<sup>2</sup>Language education policies are implicit or explicit beliefs, practices, and regulations that focus on which language(s) are taught in school, and how they are taught and used (Johnson, 2013; Menken & García, 2017; Ricento & Hornberger, 1996).

some policies mandate and promote bilingual education while others destabilize and undermine it, little attention has been paid to how leaders of U.S. schools negotiate English-only policies and pressures in order to sustain their bilingual programs over time.

This study aims to fill that gap by examining in detail how bilingual educators in one New York City Department of Education (NYCDOE) public elementary school with a transitional bilingual education (TBE) program mediated several language education policy mandates from the federal government, the state, and the city<sup>3</sup> that encouraged English-only instruction. Specifically, our study focuses on the labor of school administrators and teachers to maintain their TBE program as they navigated policies for English literacy development over a five-year period – a period during which many bilingual programs were simply eliminated in other city schools due to the same pressures. We use a single-case study design (Sandelowski, 1995; Stake, 2005; Yin, 2003) with qualitative data collected from interviews, classroom observations, and meetings with bilingual educators gathered from 2012 through 2017.

Our paper proceeds as follows: First, we present literature on U.S. language education policies and educators' roles in mediating them. We then present our methodology. Before presenting the findings, we clarify the context by describing the federal, state, and city language education policies that affected the TBE program during our data collection period. The paper ends with discussion of the critical work of school leaders and teachers to maintain bilingual education programs in U.S. schools, and we highlight the need for them to set a clear vision for bilingualism and bilingual education, and receive ongoing supports to negotiate competing policy mandates.

## National and local language education policy context

In the U.S., the vast majority of students from immigrant backgrounds receive their schooling monolingually in English as a result of language education policies that restrict the use of their home languages in schools (Baker & Wright, 2017; García, 2009; García & Sung, 2018; Menken, 2013) such that, by the third generation, immigrant children are typically monolingual in English (Alba, Logan, Lutz, & Stults, 2002; Lopez, Krogstad, & Flores, 2018). New York is one of a small number of states that mandates the provision of bilingual education in public schools as one of its educational options for emergent bilinguals (Carrasquillo et al., 2014; García et al., 2018), making it – at least on paper – a state that promotes bilingual education. The federal *Bilingual Education Act of 1968*, New York State's *Commissioners Regulations Part 154* (CR Part 154) (1981), and New York City's *ASPIRA Consent Decree* (1974) favored transitional bilingual education<sup>4</sup> over other bilingual program models (García, 2009; García et al., 2018). As such, TBE programs became the preferred approach for emergent bilinguals in New York City by the 1980s. In that period, “late-exit” TBE programs (also known as developmental or maintenance bilingual programs) were commonplace, whereby students were expected to stay in the bilingual program for a sustained period of time. While the amount of instruction in English in these programs was expected to increase over time, instruction in the LOTE never disappeared and emergent bilinguals developed biliteracy (Wright, 2015).

More recently, the federal *No Child Left Behind Act* (or NCLB) of 2001 and its successor the *Every Student Succeeds Act* (ESSA) of 2015 have mandated annual testing in English as a key component of each state's system of accountability (Baker & Wright, 2017; García & Kleifgen, 2018; Menken, 2008). Since the passage of these laws, the number of bilingual education programs in NYCDOE schools has dramatically declined, such that the vast majority of emergent bilinguals in city schools in 2020 –

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<sup>3</sup>Due to its large size serving 1.1 million students, the New York City public school system is divided into 32 geographic school districts. Our research focuses on citywide policies, so we use the term “city” instead of “school district” in this paper.

<sup>4</sup>Transitional Bilingual Education programs are designed for emergent bilinguals who speak the same home language to receive schooling in their home language and in English. The goal of TBE program is for students to transition to general education classrooms (in English). As their English proficiency increases, home language instruction decreases, and eventually disappears (Brisk, 2006; García, 2009; Reyes, 2003; Wright, 2015). The amount of time and ways in which English and the LOTE are allocated in TBE programs varies depending on the model implemented.

81% – received schooling in English-only classrooms (English as a new language or ENL, in which instruction is typically monolingual in English) (New York City Department of Education, 2020). When NCLB was passed into law in 2001, about 40% of all emergent bilinguals were enrolled in TBE programs (Menken & Solorza, 2014); that number dropped to only 11% by 2020 (New York City Department of Education, 2020). Menken and Solorza (2014) directly tie the dismantling of the city’s bilingual programs – particularly TBE programs – to NCLB, due to the impact of the law’s test-based accountability system on school policies and practices.

The TBE programs that remain in NYCDOE schools today are typically “early-exit.” As per state and city guidelines, LOTE instruction decreases over time with the expectation that students will transition into monolingual English classrooms within three years (New York City Department of Education, 2020; New York State Education Department, 2014; Wright, 2015). While another form of bilingual education – dual language<sup>5</sup> – has received increased attention and funding over the past decade, these programs only enrolled 6% of all emergent bilinguals in NYCDOE schools in 2020, and their growth has not proven sufficient to curtail the overall loss of bilingual programs nor stem the increase of emergent bilinguals placed into ENL classrooms (New York City Department of Education, 2020; Pappas, 2019).

Adopted in New York in 2011, the Common Core State Standards (CCSS) intensified the pressure on schools to focus on instruction in English. The CCSS are a set of unified expectations for what students across the U.S. should know and be able to do in each grade in English language arts (ELA) and mathematics. By 2014, the CCSS were adopted in 44 states (McCardle, 2014; NPRED, 2014). However, the CCSS were designed to foster the English development of monolingual English-speaking students, without consideration for emergent bilinguals (García & Flores, 2013; López, 2016; Menken, 2015). What is more, problems arose quickly with CCSS implementation in New York schools. The New York Common Core Task Force (2015) found that the CCSS curricula “were rushed and improperly implemented,” resulting in “disruption and unneeded anxiety in our schools” (p. 7) that “left students with disabilities and English language learners behind” (p. 20). By 2017, New York had replaced the CCSS altogether (New York State Education Department, 2017), but not before leaving a lasting impact on many schools like the one that is the focus of our study. In the next section, we overview literature on educators’ agency in implementing language policies like those described above.

## **Educator agency in language policy implementation**

Language policy implementation in schools is a dynamic process, shaped by educators’ beliefs (Menken & García, 2010) as well as by opportunities for continual learning and experimentation (Darling-Hammond, 1998; Rosenholtz, 1989). While top-down policy mandates may seem completely overpowering, they manifest differently in each classroom. Educators – both individuals and groups of individuals – have agency, meaning that they are capable of making choices and acting upon them so that they can exert control over their lives and their environments with creativity and innovation (Goller & Palomieni, 2017). As Johnson and Freeman (2010) wrote: “[E]ven within ostensibly restrictive language policies, there is often implementational space that local educators and language planners can work to their advantage and ideological space in schools and communities, which opens educational and social possibilities” (p. 14). Olsen and Kirtman (2002) studied the implementation of large-scale reforms in 36 schools, and proposed a process of teacher-as-mediator to understand the reasons why reform initiatives manifest differently inside each classroom. Mediating influences shape school administrators and teachers’ agency in the ways that they receive, interpret, and carry out language policies (Hornberger & Johnson, 2007; Hornberger, Tapia, Hanks, Dueñas, & Lee, 2018; Menken & García, 2010).

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<sup>5</sup>Like in maintenance/developmental/late-exit bilingual programs, biliteracy is a goal of dual language programs, but instead of being only for emergent bilinguals, these programs include monolingual English speakers as well.

Leadership identity, knowledge of bilingualism and instructional practices, and professional development also influence how educators mediate language education policies. For instance, school district officials' own bilingualism, preparation or licensure in bilingual education or teaching English to speakers of other languages (TESOL), and prior experience in schools with emergent bilinguals are factors that impact how they interpret and implement English-only state and federal policies (Gort, de Jong, & Cobb, 2005; Morita-Mullaney, 2017, 2019). Menken and Solorza (2015) found that school principals with formal preparation in bilingualism and bilingual education were more likely to sustain their bilingual education programs in the face of pressures for English-only instruction driven by standardized testing in English. Professional development focused specifically on the education of emergent bilinguals has also been found to help school leaders prioritize the needs of bilingual students when managing competing demands (Ascenzi-Moreno, Hesson, & Menken, 2016; Brooks, Adams, & Morita-Mullaney, 2010; García & Sánchez, 2018).

At the classroom level, some research studies have focused on how teachers of emergent bilinguals (in English as a new language or bilingual programs) exercise their agency amidst competing demands. Newcomer and Collier (2015) studied Structured English Immersion (SEI) teachers in Arizona who, despite feeling that the mandates reduced their autonomy, still managed to use appropriate pedagogy to bring in students' funds of knowledge and their home languages. Within bilingual classrooms, Henderson's (2017) found that teachers mediated policies differently depending on their own language ideologies, and that language policies at different structural levels (such as district, program, or school) shaped or constrained teacher agency. Palmer (2018) found that bilingual education teachers are able to confront English-only policy constraints as well as improve their practices if they develop critical consciousness and a leadership identity that extends beyond the confines of their classrooms.

While there have been a handful of studies to date such as those described above about how principals of schools offering bilingual education navigate English-only policies and pressures (Johnson & Freeman, 2010; Menken & Solorza, 2014, 2015; Morita-Mullaney, 2019), and similarly, how bilingual teachers mediate such policies (Henderson, 2017; Palmer, 2011, 2018), little is known about how English-only policies and pressures impact programming over time in schools, and particularly about what it takes for school leaders and teachers to maintain a bilingual education program throughout a constantly changing educational reform landscape.

## Methodology

This qualitative study<sup>6</sup> addresses the following research question: *In what ways did administrators and teachers in a New York City elementary school with a TBE program modify their program practices as they navigated top-down language education policies that emphasized English literacy development over a five-year period?* To answer this question, we used a single-case qualitative study design intended to examine in-depth processes over a period of time (Sandelowski, 1995; Stake, 2005; Yin, 2003).

## Participants

This case study focuses on one TBE program in a PreK-6 school in NYCDOE that we call "Sonia Sotomayor Elementary" (pseudonym, from now on "Sotomayor Elementary") which has offered a Spanish-English TBE program since the late 1980s. The school serves approximately 1700 students, 80% of whom are Latinx and whose families are originally from the Dominican Republic, Puerto Rico, Ecuador or Mexico. Of the total school population, approximately 30% are emergent bilinguals, most of whom are newcomers to the U.S. (up to 3 years in the country) and at the beginning stages

<sup>6</sup>This study has received CUNY IRB approvals #295089 and #2016-2031, as well as New York City Department of Education IRB approval #38. All participants have signed informed consents forms.

of English language development. At Sotomayor Elementary, at each grade level, there are 10 classrooms, two of which are TBE (one is a special education TBE classroom).

School leaders at Sotomayor Elementary participated in an intensive professional development and technical assistance program from February 2012 to June 2015 called CUNY-NYSIEB (City University of New York – New York State Initiative on Emergent Bilinguals). It was funded by New York State as one of multiple supports provided to schools that had been identified as “Schools in Need of Improvement” (SINI).<sup>7</sup> Sotomayor Elementary was designated a SINI school in 2009 because they had not made Adequate Yearly Progress (AYP) goals for their emergent bilinguals for two consecutive years (New York State Education Department, 2009). Schools participating in CUNY-NYSIEB received the following services during a one-and-a-half year period: (1) Monthly or bimonthly professional development about bilingualism, emergent bilinguals, and biliteracy development, including translanguaging pedagogy<sup>8</sup>; and, (2) Monthly visits from two CUNY-NYSIEB team members to help school leaders evaluate their services for emergent bilinguals, create an improvement plan, and support its implementation. Because of Sotomayor Elementary’s active participation in CUNY-NYSIEB and its professional development needs, the CUNY-NYSIEB team ended up supporting Sotomayor Elementary for a total of three-and-a-half years, although with less intense support in the final two years of work.

### **Data collection and analysis**

For this research project, we conducted semi-structured interviews with school leaders, including the principal, the assistant principal, and the literacy coach in charge of the TBE program, as well as grades K-5 TBE teachers over a five-year period from 2012 to 2017. We conducted interviews with two administrators twice a year and with three TBE teachers once a year during the first three years (February 2012 to June 2015). We also conducted follow up, end of the year interviews for the next two years (Spring 2016 and 2017) with the assistant principal and/or the literacy coach, and one TBE teacher.

In addition to the interviews, we gathered and analyzed field notes from classroom observations, team visits, and meetings with school leaders, as well as reflections from the CUNY-NYSIEB team members about the changes they documented taking place in the school during this period. The three authors of this paper worked on CUNY-NYSIEB as project director (first author), co-principal investigator (second author) and school support team member (third author).<sup>9</sup> Data was collected primarily by the third author during the first two years, and by the first author and other researchers from years 3 to 5.

The data we gathered was analyzed as per the guidance of Miles, Huberman, and Saldaña (2013) and Saldaña (2015), involving first and second level coding. Specifically, we coded the data with first-level codes and sub-codes, and these codes included actors (i.e., teachers, administrators, policies), descriptions of practices/actions (i.e., classroom/instruction, out of classroom, meetings, mandates), and reflections (i.e., changes, actions, challenges, vision). For second level-coding, we cross-analyzed codes and subcodes (i.e., teachers & classroom/instruction & challenges) and identified categories such as “changes towards biliteracy” or “reaction to curriculum mandates.” Through an iterative process of analysis of the codes and categories, we identified the themes related to educators’

<sup>7</sup>“Schools in Need of Improvement” (SINI) is a designation of the federal policy NCLB for schools that did not make “Adequate Year Progress” (AYP) for two consecutive years in the same subject and grade-level with one or more sub-groups of students. AYP is defined as increasing academic achievement as measured primarily by state assessments in mandated subjects. SINI schools were required to take a variety of actions to remain open.

<sup>8</sup>Translanguaging pedagogy focuses on the use of students’ full language practices (not only the one formally identified as the language of instruction) for making sense of their learning (Celic & Seltzer, 2012; García, 2009).

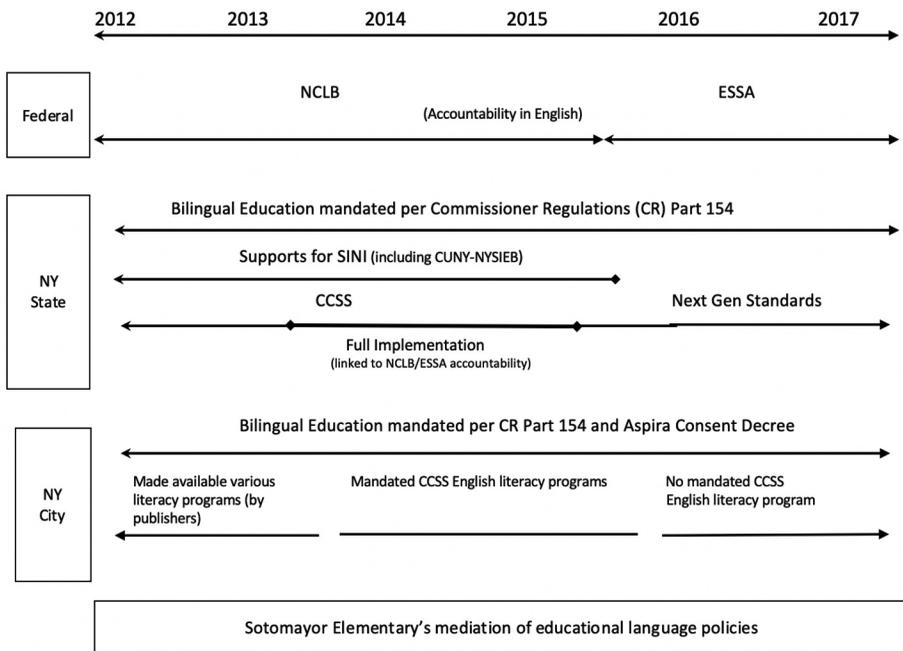
<sup>9</sup>We recognize our own involvement in CUNY-NYSIEB is a possible limitation; for example, there may be interviewer effect that results in participants overstating the initiative’s impact on maintaining the school’s bilingual program. That said, these limitations are tempered by the fact that our main purpose of this study is simply to describe the school’s responses to policy pressures, rather than to evaluate CUNY-NYSIEB or its impact.

mediations of federal, state, and city policies in the TBE program throughout the data collection period.

**Setting the context: federal, New York State and city language education literacy policies between 2012 and 2017**

Before presenting our findings, this section clarifies federal, New York state, and city language education policies related to literacy from 2012 to 2017. Figure 1 shows the overlap and duration of these policies, and their implementation at the federal, state, and city levels that needed mediation by the study’s participants.

As shown in Figure 1, at the start of our data collection in February 2012, NCLB was beginning its second decade of implementation with yearly testing mandates and accountability for all students, including emergent bilinguals. By the 2013–2014 academic year, New York had begun full implementation of the CCSS and adopted new CCSS-aligned achievement tests in English that were being used by the state to fulfill the accountability mandates of NCLB. In an effort to streamline alignment of school curricula to the CCSS, the city created a list of endorsed English language arts programs aligned to the CCSS, all of which were designed for monolingual English speakers.<sup>10</sup> Principals were required to choose one of the endorsed programs on the NYCDOE’s list to implement in their school.



**Figure 1.** Language education policies from different levels of policymaking (Federal, New York state, and city) that impacted Sotomayor Elementary TBE program from 2012 to 2017.

<sup>10</sup>Although the state was working with experts in the field to create materials for the Bilingual Common Core Initiative at the time, these materials were not ready until two years later (New York State Education Department, n.d.).

Most elementary school principals in the city adopted an English language arts curriculum called ReadyGen, which at the time was being developed by the publishing company (Pearson) that also published the state tests. Schools needed to make annual improvement in students' state test scores (AYP), in accordance with the state's accountability system to comply with NCLB, so school leaders were under immense pressure to ensure their students performed well on state tests; as such most school principals selected ReadyGen because it was best aligned to the state tests. Although ReadyGen was supposed to be available by Fall 2013, it was late and rolled out piecemeal to schools throughout the year (Burriss & Tanis, 2014). It was only available in English, and as we report in our findings below, a Spanish version of the curriculum was not available until the 2016–2017 school year. However, by the 2016–2017 school year, New York had entirely replaced the CCSS with the Next Generation Standards and the NYCDOE stopped mandating schools to use the CCSS-aligned English literacy programs.

In 2016, NCLB was reauthorized as ESSA (the *Every Student Succeeds Act*) and the English-only accountability and yearly testing mandates continued. At the same time, New York State and New York City continued to mandate that bilingual education be provided in schools serving 20 or more emergent bilinguals per grade who speak the same home language. Despite this bilingual education mandate, each and every one of these English-only literacy policies directly impacted Sotomayor Elementary from 2012 to 2017, and in the findings below we unpack the ways in which administrators and teachers mediated these policies over time.

## Findings

Our data analysis shows that TBE leaders (administrators and K-5 teachers) at Sotomayor Elementary school engaged in three different stages of mediating the federal, New York state and city language education policies described above from 2012 through 2017. These stages are: (1) establishing a vision for biliteracy, (2) (barely) surviving English-only literacy reforms, and (3) restoring and advancing the vision for biliteracy.

### *First stage: establishing a vision for biliteracy*

Our data analysis shows that Sotomayor Elementary went through the first stage of policy mediation from February 2012 through June 2013. During this phase, educators in the school acknowledged that they needed to establish a clear vision for their TBE program and broader language policy and started working on it, placing biliteracy efforts at the center.

### *Acknowledging the need for a clear vision for the TBE program*

At the start of data collection in February 2012, Sotomayor Elementary's TBE program had been in existence for approximately 25 years. That year, Sotomayor Elementary was included in the state's SINI list because their emergent bilinguals had not achieved annual progress goals on state tests. When reflecting on the reasons for the students' low test scores, the assistant principal noted a lack of coherence within the TBE program at that time:

Everyone was doing something different. The curriculum was different; it was always very choppy. The state's English language arts exam and math exam is what counts. So, I felt that the bilingual population was always pushed aside. As long as they are doing something, and student progress is not interfering with how the city and state rate the school, then the bilingual teachers were left on their own. (Interview transcript, 12/07/2012)

In this quote, the assistant principal suggests that although the previous school leaders<sup>11</sup> emphasized testing and accountability, they did not pay sufficient attention to the school's bilingual education population. And, she identified a lack of cohesion across TBE classrooms in instruction

<sup>11</sup>The principal and assistant principals participating in this study took leadership roles starting in school year 2011–2012. Previously, they were teachers in the school.

and curricula as the result of this lack of attention. This negatively impacted the test performance of the school's emergent bilinguals. At the end of the 2010–2011 school year, and for the third consecutive year, the disaggregated test results of the school's emergent bilingual population revealed their neglect, and school leaders were forced to take action.

Leadership at Sotomayor Elementary reported that the first challenge to quality instruction in the TBE program was the inconsistent allocation of English and Spanish instruction in each TBE classroom. For quality bilingual programs to exist, it is important that there is a language allocation policy in place whereby school staff establish a clear vision for bilingualism and language learning, with expectations about how Spanish and English are used purposefully across all classrooms and grades (Brisk, 2006; García, 2009). The assistant principal disclosed that emergent bilingual students were adversely impacted as one teacher taught mainly in English, and they would “*come out of that [TBE] class at the end of the year predominately speaking English, then move up to the next year and that [next grade] teacher is speaking predominately in Spanish*” (interview transcript, 03/19/2012). According to interviews, the second challenge was that many veteran TBE teachers were using outdated methodologies and did not differentiate their instruction for students along a continuum of bilingualism (Kibler, 2010). The principal and assistant principal were concerned that expectations for emergent bilinguals was low and that students were asked to perform below grade level. For these reasons, the new leadership at Sotomayor Elementary chose to participate in CUNY-NYSIEB (which began in February 2012) to help strengthen their TBE program and improve their services for emergent bilinguals.

### ***(Re)setting the vision for the TBE program***

By June 2012, new school leaders were reckoning with both the test score results for their emergent bilingual population and years of neglect. After engaging in a process of evaluating their needs, they determined that because the majority of emergent bilinguals at Sotomayor Elementary were newcomers who primarily speak Spanish at home that the TBE program needed to support students' Spanish literacy as well as their development of English over time. The assistant principal summarized the conversations she had with TBE teachers and the principal about the common goals for the TBE program: “*Our big hope (...) is that when these children learn English, they are not kicked out of the bilingual program. They can continue to learn in both languages and truly become bilingual citizens*” (interview transcript, 12/07/2012). With support from CUNY-NYSIEB, Sotomayor Elementary leaders worked to establish a vision for their bilingual education program, and decided to formally embrace a language allocation policy for literacy instruction that is characteristic of late-exit bilingual (e.g. maintenance/developmental) programs: the same amount of literacy instruction in Spanish and English throughout the elementary school years so that students can develop biliteracy.<sup>12</sup>

Sotomayor Elementary began to implement its biliteracy focus in the school year 2012–2013, with support from CUNY-NYSIEB. At the start of the year, school leaders established new organizational structures and processes to do so. First, administrators organized common planning time for TBE teachers across grades for the first time, where “*we are talking about their issues and their struggles; just really focus[ing] on them*” (assistant principal, interview transcript, 12/07/2012). Second, they included the TBE program as an agenda item at every school leadership meeting: “*Every time we have a school meeting, bilingual education is one of the topics discussed. In the past, no one knew what was going on, or had anything to report. Now we have structure*” (assistant principal, interview transcript, 12/07/2012). Finally, TBE teachers began meeting in monthly small inquiry groups about how to implement translanguaging pedagogy (Celic & Seltzer, 2012; García, 2009). After a visit in November 2012, the CUNY-NYSIEB support team noted: “*Staff are overwhelmingly positive and*

<sup>12</sup>It is worth noting that at this stage the teachers and administrators did not focus on the label that their bilingual program would have (e.g., early-exit TBE, late-exit TBE, developmental bilingual, or one-way dual language) but rather on their vision and the ideological clarity of their focus on biliteracy (Alfaro & Hernandez, 2016).

*receptive to this change in direction – both the more explicit attention emergent bilinguals are now getting in the school, and the move toward a new language allocation policy and translanguaging”* (support team, reflection notes, 11/15/2012).

From November 2012 through June 2013, Sotomayor Elementary’s TBE program implemented equal amounts of Spanish and English instruction across all grades using a weekly arrangement (one week of English instruction followed by a week in Spanish). They used a language arts curriculum that was available in both Spanish and English (“Harcourt Trophies/Trofeos”). The results from this change in the school’s language allocation policy were striking. By the end of the year, TBE teachers in each grade level noted an increase in class participation and improvements in reading and writing across languages. For example, the second grade TBE teacher observed students were *“taking more risks with writing, as well as speaking and reading”* and the third-grade TBE special education teacher shared that her students *“used bilingual dictionaries, they circled words they didn’t know how to write in a particular language, and they worked collaboratively to help each other write in the two languages”* (interview transcripts, 04/11/2013). In other words, educators began to see evidence of what quality bilingual programs could achieve (Brisk, 2006).

While the pressures of English-only testing had deterred the previous school leadership from focusing on the TBE program, by June 2013, the new school leaders had prioritized it. With support from the state-funded CUNY-NYSIEB, the new leaders had established a clear vision for the TBE program through a coordinated focus on biliteracy development. In doing so, Sotomayor Elementary set itself apart from many other city schools that responded to the demands of English testing by eliminating their TBE programs altogether (Menken & Solorza, 2014, 2015). By June 2013, CUNY-NYSIEB team members’ fieldnotes indicated that TBE teachers and administrators at Sotomayor Elementary were ready to continue with the biliteracy development work that they had begun. However, as detailed in the next section, their plans were derailed due to new wave of education reform efforts and top-down policy mandates that commanded their attention.

### ***Second stage: (Barely) surviving English-only literacy reforms***

Our data analysis shows that from September 2013 through June 2015, Sotomayor Elementary went through the second stage of policy mediation. During this phase, the school’s efforts to enact its vision and biliteracy goals were upended by the need to adapt and modify a new monolingual CCSS-aligned English literacy program adopted in the school.

### ***Trying to sustain the biliteracy work despite a new English-only literacy curriculum***

As New York State and City moved into full implementation of the CCSS in 2013–2014, the principal of Sotomayor Elementary was required by the NYCDOE to quickly decide which of the CCSS-aligned curricula endorsed by the NYCDOE to adopt (all of which were only available in English). Like most elementary school leaders in New York City, the principal selected ReadyGEN out of the belief that it would be most closely aligned to the state’s English language arts test because both were published by Pearson. In spite of the intentions of the administrators and TBE teachers to maintain the plan for biliteracy development that they had established the year before, the weekly language arrangement was immediately challenged because ReadyGEN used modules organized around a main text to be completed over multiple weeks (up to a month).<sup>13</sup> The school only received the modules one at a time from the publisher throughout the school year, limiting any advanced planning, and leaving it to the teachers to find identical or comparable texts in Spanish. Only one of the TBE teachers at Sotomayor Elementary was able to find a parallel text (a book written in Spanish on the same topic), but when she tried to adhere to the weekly language arrangement using the English text during the English week and the comparable text in Spanish

<sup>13</sup>In the ReadyGEN program, each unit has two modules (A and B) with a performance-based assessment focus and between 1 and 18 lessons. According to the teachers’ guide, the lessons should take 90-min (Pearson, 2020).

during the Spanish week, she noticed that her students got lost. *“I had to go back to what we did over a week before and already students forgot what the book was about. So then, yeah, it became really difficult”* (fourth grade TBE teacher, interview transcript, 02/14/2014).

In response to students’ needs for Spanish language textbooks, TBE teachers then started translating all of the ReadyGen English texts into Spanish, but by December 2013 the intense workload took a toll on morale. Many of the TBE teachers expressed frustration at not having enough time to produce sufficient translations. One second grade teacher recounted: *“I need to do [the translations] in the weekend because I can’t finish during the week . . . I’m so frustrated. Is it worth it to teach bilingual? So, I’m questioning, I’m beginning to question myself”* (interview transcript, 2/14/2014). In this quote, the teacher emphasizes how accomplishing the school’s goal of bilingual development despite the English-only curriculum entirely relied on the labor of the bilingual teachers. Translation is one of the many types of “(invisible) work” (Amanti, 2019) that is expected of bilingual teachers. In this case, the volume of translations was unmanageable, and this teacher questions whether it is worth to teach in the TBE program given the time that is entailed. Moreover, staff were concerned that their emergent bilingual students were not benefitting from the continuance of the biweekly language allocation policy. Significantly, students were not engaging with their grade level curriculum because there was not enough time. In the words of the assistant principal:

We continued with the one week in English one week in Spanish until December [2013]; we chugged along. It was very hard because you would end the week but you would not finish a text . . . And then you had to switch [to Spanish], but you didn’t have the text in [Spanish.] What do you do then? . . . It was challenging for the teachers. A lot of the teachers share that the students didn’t really get to produce that task or the writing piece that was called for in the [ReadyGEN] program. (Interview transcript, 02/14/2014)

In January 2014, the CUNY-NYSIEB support team returned to Sotomayor Elementary and helped the school revise its plans for their biliteracy work from a biweekly language arrangement to a by-module one. One ReadyGEN module would be taught primarily in English, with the other language present as support, and the next module primarily in Spanish. TBE teachers began this adaptation with an English module in February 2014. TBE teachers also continued to work additional after school hours to modify the ReadyGEN materials in the English module to accommodate their newcomer students, but instead of translating the entire text, just translated key parts to reduce time. Even so, TBE teachers were still overwhelmed with the immensity of ReadyGEN adaptation by April 2014; their intention to focus equally on the Spanish language had devolved into solely providing a scaffold support for understanding the English texts. Despite TBE teachers’ intentions and commitment, none of them had been able to create a Spanish-focused module. In sum, although school leaders and teachers asserted their agency and carved out ideological and implementational spaces for bilingual education to be sustained (Hornberger & Johnson, 2007), the English-only policy pressures were very strong, and reduced the amount of Spanish instruction the school provided.

### ***Curriculum as language policy: no time for Spanish (In spite the best of intentions)***

While TBE teachers were more familiar with the ReadyGen program by the following school year (2014–2015), they still needed to make many adaptations because the work of the year before had been so rushed. By March 2015, there were still no Spanish-focused modules available from the publisher, so the assistant principal requested additional support from CUNY-NYSIEB. The CUNY-NYSIEB support team created a Spanish-focused module for the first grade TBE classroom that the teacher could implement without additional planning or design work. However, the needs of the school were much greater; all of the school’s bilingual teachers were far behind the pacing calendar of the ReadyGen program. This curriculum had been developed solely for English monolinguals, so teachers needed to adapt it for emergent bilinguals. One fourth grade TBE teacher recalled that she felt she had let students down, a sensation similar to all the TBE teachers interviewed: *“I felt we were extremely behind. I didn’t want to just move forward [to the next ReadyGen module] and just leave*

[the current one] as it was. Because then what did the kids get out of it? So, if we had to finish six units, I probably finished three” (interview transcript, 06/21/2017).

School leadership was similarly disappointed. The assistant principal described her frustration with state and city leaders who made policy decisions without considering additional supports such as mandates necessitated, for example, supports specifically designed for bilingual education programs and emergent bilinguals:

They forgot that they have bilingual education programs where students need to be instructed [in Spanish and English] as mandated. In CR Part 154 we are mandated to do native language instruction. You are mandating us by law, right? It’s a law! So, what are you doing to us? How do we do that? It’s a law! (Interview transcript, 06/14/2015)

This school leader notes here how Sotomayor Elementary was caught between two competing language policies: New York city and state policies requiring the provision of bilingual education on one hand, and the newly mandated English literacy curriculum that provided no support for bilingual programs on the other hand. The curriculum became *de facto* English-only policy at Sotomayor Elementary, which undermined the school’s bilingual education program.

By the end of school year 2014–2015, administrators and teachers were demoralized and exhausted. There was no available Spanish-language curriculum. The TBE program lost three teachers because they could not keep up with the demands of adapting ReadyGEN for bilingual instruction. Furthermore, the three-and-a-half years support of Sotomayor Elementary from CUNY-NYSIEB was also coming to an end. At their last meeting with administrators, the CUNY-NYSIEB support team urged school leaders to recenter their vision for Spanish instruction. The Literacy Coach reflected on that last call to action from the support team:

They told us, “We’re leaving now and if you don’t continue this work, you’re going to go back to where you were in 2012.” And that really, really stuck with me. It really forced us in a lot of ways to really act on all of the structures that were put in place with the help of CUNY-NYSIEB. (Interview transcript, 06/22/2017)

During the second stage, it was due to teacher and administrator agency that the bilingual education program remained, but the amount of work needed to maintain the program in the face of English-only pressures was not sustainable. Sotomayor Elementary then moved into its third stage of language policy mediation, which allowed for a renewed focus on biliteracy work.

### ***Third stage: restoring and advancing the vision for biliteracy***

Our data analysis shows that from September 2015 through June 2017, Sotomayor Elementary went through a third stage of policy mediation, during which leaders were able to restore their vision and biliteracy focus in the TBE program. Our findings indicate this was possible due to language policy shifts in New York state and city, which loosened previous English-only mandates, as well as due to the availability of a Spanish biliteracy program.

#### ***Slowly refocusing on Spanish literacy***

In the 2015–2016 academic year, New York state dialed back its CCSS requirements, and the NYCDOE stopped mandating schools to use CCSS-aligned literacy programs. While Sotomayor Elementary continued using ReadyGEN for its literacy work, bilingual educators no longer followed the program as closely as they had for the previous two years. Instead, they made time for literacy instruction in both languages. With some relief in English-only pressures, educator agency increased. For instance, they restored “learning to read,” rather than solely “reading to learn,” especially for emergent bilinguals. The school’s Literacy Coach describes this shift:

ReadyGEN is going to teach the kids how to learn from their reading. But our kids are also learning the language. They’re learning how to read, so on a daily basis we need to address that ... So, the teachers are exposing the kids to these complex texts on a daily basis. But there’s also time for leveled reading and guided reading in both languages. That’s helping them with their reading process. (Interview transcript, 06/22/2017)

In the month of September 2015, instead of starting with ReadyGEN, TBE teachers started with guided reading and interactive writing in Spanish and English, and incorporating translanguaging pedagogy. The second grade TBE teacher shared how important she thought it was to work intensively with newcomers in that first month to help them “*move up in their reading level*” and support literacy growth (interview transcript, 06/21/2017). Starting in October, TBE teachers implemented shortened versions of the ReadyGEN English lessons that they had developed over the previous two years.

I think one of our big leverage points was taking this complex text [from ReadyGEN] in English, chunking, and taking a real small important piece of it ... Students really understood, because they were able to then work with a small bit of text [in Spanish]. (Literacy coach, interview transcript, 06/22/2017)

TBE teachers were finally seeing some benefits of all the adaptation work that they had done for their newcomer students.

Despite the progress made, one of the veteran TBE teachers noted that ReadyGEN was still driving the school’s literacy work, and that while they used Spanish for their emergent bilinguals, it was largely to support the students’ English literacy (support team field notes, 10/15/2015). Meanwhile, Pearson finally published the Spanish-English biliteracy version of ReadyGEN, which the school was going to purchase for implementation in school year 2016–2017. Although dialing back the CCSS had given the school more space to navigate the ReadyGEN curriculum in ways that made sense for its emergent bilinguals, administrators were hopeful that with a bilingual curriculum they could restore their vision for biliteracy and greatly increase Spanish instruction.

### ***Revamping biliteracy with a bilingual curriculum***

In school year 2016–2017, Sotomayor Elementary was able to bring back, and strengthen, their biliteracy work in the TBE program due to the school’s adoption of a biliteracy curriculum – the new ReadyGEN biliteracy pathways program (Pearson, 2016). Sotomayor Elementary TBE teachers received ReadyGEN books, materials and lessons in Spanish that were comparable to the ones in English that they had used in previous years. For the first time since 2014, TBE teachers were able to implement a Spanish literacy module rather than solely use Spanish supports for English literacy. This new biliteracy program allowed students in the TBE program to “*work with texts that are in their native language ... and practice those similar standards, similar reading and writing in English*” (literacy coach, interview transcript, 06/22/2017). TBE teachers acknowledged they still needed to adapt the Spanish modules for their newcomer students, but because they had done this for the English modules they were experienced already.

In a lot of ways, we [are now back to] the 50/50 model (...). [T]hroughout a unit, the writing is building each day. Some of that writing, for some of the students, is happening in Spanish; some of the writing is happening in English, sometimes it’s a hybrid of both. (Literacy coach, interview transcript, 06/22/2017)

In this interview excerpt, the literacy coach explains how TBE teachers applied what they had learned from CUNY-NYSIEB about dynamic bilingualism in teaching the ReadyGEN Spanish curriculum, and uphold the broader biliteracy vision they had set for their TBE program. Moreover, while ReadyGEN still needed adaptations to suit their large population of newcomers, these were more minor and entirely doable – unlike the heavy lift of modifying a monolingual curriculum and translating all of the materials for use in a bilingual education program.

The new biliteracy curriculum allowed the TBE teachers to more intentionally scaffold use of Spanish language in their classrooms and enabled the school to more fully realize its vision for bilingual education and the language allocation policy they had set years before. “*We use the native language a lot more since 2012,*” the assistant principal reflected in June 2017. “*Now everybody knows that it’s okay to use it. We’re not using it as a deficit; we are using it as a resource. The kids know it, and the teachers know it, and that’s one of the biggest changes*” (interview transcript, 06/22/2017).

Sotomayor Elementary leaders were more successful in their biliteracy goals when they received specific professional development in biliteracy and translanguaging, and coaching support to help navigate English-only policies. Having CUNY-NYSIEB in the school for three-and-a-half- years helped educators with strategies to strengthen their language allocation, provide Spanish instruction, and maintain its vision for biliteracy, as pointed out by the literacy coach. “*This work is so hard and exhausting and so without some type of external support it is very difficult to maintain the momentum*” (interview transcript, 06/22/2017). The assistant principal reflected on the constant pressure that they felt during the five years enduring top-down English-only policies in a state and city that mandates bilingual education:

I think it's like people looking into New York City or other cities in general, they see a push for [bilingual education] and they think this is a city that embraces bilingualism. It's hard to make the case - not for us internally - but to a larger public, because English-only is the norm still. (Interview transcript, 06/22/2017)

Even though New York requires bilingual education be provided, and is thereby perceived as supportive of bilingual education, the reality is that English-only policies and pressures greatly impact New York schools and their capacity to provide bilingual education – in spite of the agency that New York educators assert. Thus, continuing to offer bilingual education requires that school leaders go against the broader policy grain.

## Discussion and conclusion

This qualitative case study documents how administrators and bilingual education teachers in a transitional bilingual education program at Sotomayor Elementary School mediated English-only language policies from the federal government, the state, and the city that directly challenged their ability to provide bilingual education. Over five years of data collection (2012–2017), we found that Sotomayor Elementary went through the following three distinct stages in their efforts to manage and contain English-only literacy policies and corresponding curricula: (1) establishing a vision for biliteracy, (2) (barely) surviving English-only literacy reforms, and (3) restoring and advancing the vision for biliteracy. During the first stage, new school leadership needed to undo some of the damage wrought by a decade of implementation of the federal *No Child Left Behind Act*, during a period when many city schools simply eliminated their TBE programs altogether (Menken & Solorza, 2014). Our findings show how the school's bilingual education program had been marginalized as school leadership struggled to contend with test-based accountability mandates focused on English literacy. As Sotomayor Elementary moved through this first stage of policy navigation, they adopted a vision for their emergent bilinguals to develop biliteracy through late-exit/developmental (rather than early-exit) bilingual education programming and a 50/50 language allocation policy. With the help of outside support from CUNY-NYSIEB, the school developed structures to aid that vision such as common planning time for bilingual teachers, discussing the TBE program at every school leadership meeting, and monthly TBE inquiry groups. The steps that these educators took to strengthen their bilingual program were in line with school-based practices that support quality bilingual education programs (Baker & Wright, 2017; Brisk, 2006; García, 2009)

The second stage was driven by the adoption of Common Core State Standards in New York, which brought the next wave of English-only policies to the school, compounding the ongoing pressures of English-only testing with an English-only curriculum mandate. This combination proved extremely difficult for bilingual educators at Sotomayor Elementary to manage, as monolingual English textbooks and materials directly undermined the school's bilingual education program. Although it was challenged, having a clear vision for biliteracy with the structures in place to support that vision, in combination with outside support from CUNY-NYSIEB, enabled bilingual education to continue at Sotomayor Elementary. However, it came at a cost. TBE teachers needed to devote an extraordinary amount of labor translating the monolingual, scripted CCSS-aligned English literacy curriculum and materials into Spanish; our research documents the tremendous pressures on

bilingual educators during this time period. Arguably, translating text is one way educators asserted their agency, but in spite of their efforts, the amount of Spanish instruction was diminished and Spanish language was relegated to being a scaffold for English. While a handful of studies have focused on ways in which bilingual educators assert their agency as they contest the English-only policies (Henderson, 2017; Palmer, 2018), this study contributes to that body of literature by detailing the decisions and actions educators at Sotomayor Elementary took over time to assert the agency they could as they faced consecutive top-down mandates made more powerful through English-only curricula. Given the challenges the school faced, it is not surprising to us that the overall number of bilingual programs in city schools steadily declined during this time period (New York City Department of Education, 2020).

The scaling back of CCSS mandates and availability of CCSS curriculum in Spanish marked the third stage of policy implementation we identified at Sotomayor Elementary. While the new Spanish curriculum needed minor adaptations, having a curriculum in Spanish proved essential in supporting and sustaining the bilingual education program. During this stage, Sotomayor Elementary was offered a reprieve from the all-consuming nature of the English-only policies it had navigated in previous years, and returned to the efforts to strengthen the school's bilingual program. While TBE teachers also needed to adapt the Spanish portion of the biliteracy curriculum to meet the needs of their newcomer emergent bilinguals, they had the materials and expertise to do it.

The provision of bilingual education disrupts the hegemony of English in U.S. schools; as noted at the outset, the home languages of emergent bilinguals are typically restricted in U.S. schools (Baker & Wright, 2017; García, 2009; García & Sung, 2018; Menken, 2013). Our research highlights how language hegemony is continuously reasserted in many ways, including through educational policies that mandate monolingual English testing and monolingual English literacy curricula that directly undermine bilingual education – even in places like New York where there are policies aimed at ensuring bilingual education is provided. This paper shows how individual schools and the educators within them sit at the nexus of language policy tensions and conflicts, as they are called upon to enact policy mandates that both require and undermine bilingual education. Researchers and school-based educators have consistently called for a cohesive set of federal, state, and district bilingual education policies that are centered on the experiences of minoritized bilinguals and that promote bilingual education (Flores & García, 2017; Hornberger et al., 2018; Johnson & Freeman, 2010). We support that call and argue that schools serving emergent bilinguals need policies that are bi/multilingual rather than monolingual so that these students can benefit from utilizing their entire linguistic repertoire to succeed in the classroom.

In the absence of coherent language policies that truly support the implementation of bilingual education, our findings suggest that school leaders and educators need to establish a clear vision for bilingual education and receive ongoing targeted supports to be able to negotiate policy mandates. The bilingual educators and school leaders at Sotomayor Elementary were called upon to mediate, manage, and contain English-only policy mandates in their struggle to provide bilingual education to their emergent bilingual students. However, they did so with little explicit preparation in policy navigation or support. Neither the school administrators nor the bilingual teachers had received guidance or preparation on how to confront English-only policies. Given that providing bilingual education in the U.S. typically requires that leaders and educators confront English-only policies, then they should receive both pre-service and in-service preparation to do so. Such preparation could be provided in-service by technical assistance projects like CUNY-NYSIEB, but a more sustainable option might be to incorporate preparation for policy negotiation into bilingual education and TESOL teacher and administrator preparation programs (a point also recently argued by Chang-Bacon, 2021).

In conclusion, without the agency, ideological clarity, tenacity, and commitment of the educators at Sotomayor Elementary to teach emergent bilinguals from their strengths, Spanish instruction at the school would have collapsed. What is more, Sotomayor Elementary leaders were more successful in their goals for bilingualism and biliteracy when they received external supports; having CUNY-NYSIEB in the school for three-and-a-half years helped educators strengthen their language allocation policies, provide Spanish instruction, and maintain their vision for bilingualism and biliteracy.

Bilingual education needs to be recentered and supported so that these programs do not have to focus on survival, but instead can focus on being able to thrive.

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