

1997-98  
FACULTY SENATE  
California State University, Sacramento

AGENDA

Thursday, April 2, 1998  
Forest Suite, University Union  
3:00-5:00 p.m.

**INFORMATION**

1. Spring Senate meeting dates (tentative):  
April 16, 23 [1998-99 Senate nominations, 3:00-3:30; 1997-98 Senate, 3:30-5:00], 30  
May 7 [1998-99 Senate elections, 3:00-3:30; 1997-98 Senate, 3:30-5:00, 14 [Senate 3:00-4:00; Outstanding Teacher Reception, 4:00-5:00], 21
2. Senate Home Page (<http://www.csus.edu/acse/> or CSUS Home Page then Departments then Faculty Senate)

**CONSENT CALENDAR**

FS 98-17/ConC COMMITTEE APPOINTMENTS--SENATE

Academic Policies Committee:

CECIL CANTON, At-large, 2001  
JOSE CINTRON, At-large, 2001  
CHARLES MARTELL, Library/Student Services, 2001

Curriculum Policies Committee:

TED LASCHER, At-large, 2001  
BEN AMATA, Library/Student Services, 2001

Elections Committee:

CHEVELLE NEWSOME, At-large, 1999  
CECIL CANTON, At-large, 1999  
WILLIAM KRISTIE, At-large, 1999  
JOSEPH KILPATRICK, At-large, 1999

Faculty Endowment Fund Committee:

SUSANNE LINDGREN, At-large, 2001  
ROBERT CURRY, Emeritus Faculty, 20001

Faculty Policies Committee:

- AMY LIU, At-large, 2001
- RHONDA RIOS KRAVITZ, Library/Student Services, 2001

General Education Policies/Graduation Requirements Committee:

- KEN DeBOW, At-large, 2001
- RICHARD KORNWEIBEL, At-large, 2001
- JEFF CLARK, Library/Student Services, 2001
- OTIS SCOTT, Senator, 1999

Livingston Annual Faculty Lecture Committee:

- WILLIAM DORMAN, At-large, 2000
- ERNEST UWAZIE, At-large, 2000

FS 98-18/CPC, Ex. CURRICULUM REVIEW--DEPARTMENT OF ELECTRICAL AND ELECTRONIC ENGINEERING

The Faculty Senate receives the commendations and recommendations of the Curriculum Policies Committee on the program review of the Department of Electrical and Electronic Engineering (Attachment A) and recommends approval of the Department of Electrical and Electronic Engineering B.S. and M.S. program for six years or until the next program review.

**REGULAR AGENDA**

FS 98-16/Flr. MINUTES

Approval of the Minutes of March 5 (#11) and March 26 (#13), 1998.

FS 98-19/CPC, Ex. WRITING AND READING IN THE MAJORS

The Faculty Senate recommends approval of the policy on "Writing and Reading Requirements in the Majors"(Attachment B). [Note: Curriculum Policies Committee's commentary on the proposed policy is also included in Attachment B.]

FS 98-22/ pg 5, 3/26/98, agenda

FS 98-27/FIR First Reading -

After reviewing thoroughly the attached Academic Program Review Report for the Department of Electrical and Electronic Engineering, prepared by the Review Team, the Faculty Senate Program Review Subcommittee endorses the commendations and recommendations contained in the report and directs them to the indicated units and administrative heads. (Page references refer to the documentation for the response in the Report Report.) The Program Review Subcommittee Panel congratulates the Program Review Team on its excellent work.

### COMMENDATIONS:

The Academic Senate should commend the Department of Electrical and Electronic Engineering for its:

- strong B.S. and M.S. curricula
- highly effective leadership
- faculty's professional and scholarly activities
- departmental and school service contributions
- faculty interactions with the professional community
- faculty's student retention and educational equity efforts
- excellent plan for student outcomes assessment
- faculty's efforts in curriculum revision
- Department's cooperation with the Program Review Team

### RECOMMENDATIONS:

The EEE Associate Chair position be restored to ease the heavy workload of the Department Chair. (p. 9)

Department faculty have an open and honest discussion of departmental governance and faculty responsibilities in shared governance. (p. 9)

A means for consultation with EEE faculty in the decision-making process in Computer Engineering be developed to allow EEE input concerning matters which directly affect the EEE program. (p. 9)

In addition, the Review Team strongly suggests that the faculty set aside partisanship and work together cooperatively with one another and with their Chair to resolve problems of departmental governance for the good of the program and the students. (p. 9)

The Review Team recommends that the Department give serious consideration to the external consultant's suggestions with regard to combining the Senior Design courses into a single course taken by all majors. (p. 17)

The Review Team joins the external consultant in urging the Department to make certain that all students understand the program changes and how they will be affected by them. (p. 17)

The Review Team recommends that a dialog be opened between Physics and Astronomy and Electrical and Electronic Engineering to see if a resolution can be reached with regard to design of new physics courses to be taken by EEE majors. (p. 17)

It is also recommended that the Deans of the Schools join the dialog to ensure that a resolution is reached which addresses the needs of all engineering departments and that is feasible for Physics and Astronomy to provide. (p. 17)

The Review Team recommends that, in the future, EEE discuss program changes being considered with affected departments prior to proceeding with the changes. (p. 17)

The Review Team recommends that the Department ensure that students understand the status of the EPEI Certificate. (p. 19)

Further, the Review Team recommends that steps to taken to ascertain that undue pressure to enroll in the certificate not be brought to bear upon students. (p. 19)

The Review Team recommends that the Department give serious consideration to the external consultant's suggestions with regard to combining the Senior Design courses into a single course taken by all majors. (p. 19)

Additionally, the Review Team recommends that the Department consider ways of integrating the power engineering curriculum more fully into the overall departmental curriculum. (p. 19)

The Review Team is in agreement with the external consultant in suggesting that EEE submit requests for additional G.E. substitutions. (p. 20)

The Review Team recommends that EEE consider developing G.E. courses for the School. (p. 20)

The Review Team recommends that the Department consider reducing the number of specializations. (p. 23)

The Review Team joins the external consultant in suggesting that offering the option of the Comprehensive Exam be reconsidered prior to the next Program Review. (p. 23)

The Review Team agrees with the external consultant and recommends that the EEE faculty discuss and agree upon grading standards. (p. 25)

The Review Team recommends that an open and honest discussion regarding course content take place and that EEE faculty reach true agreement regarding content and take steps to ensure consistency within sections of a course and between published and actual content of courses. (p. 26)

Given the key role the senior design course will play in student outcomes assessment, the Review Team recommends that EEE 190A/191A and EEE 190B/191B be consolidated into a single course taken by all EEE majors. (p. 28)

The Review Team recommends that the University find a means to provide workload compensation for faculty with large numbers of graduate students. (p. 33)

The Review Team strongly recommends that the EEE faculty find a means to communicate and cooperate with one another and to work together professionally for the good of the program. (p. 33)

The Review Team recommends that the EEE Associate Chair position be restored to ease the heavy workload of the Department Chair, especially in undergraduate advising. (p. 40)

The Review Team Recommends that EEE review the current undergraduate advising practices and consider designating only certain faculty as undergraduate advisors to ensure greater consistency in advising. (p. 40)

The Review Team recommends that EEE engage in a dialogue with its “non-traditional” majors and consider changes in delivery of the program which would be responsive to the needs of these students. (p. 40)

The Review Team recommends that the University take steps to provide a clean and well-maintained learning and work environment for EEE faculty, staff, and students. (p. 45)

The Review Team Recommends that the Department, School, and University discuss the equipment situation and develop strategies to address equipment acquisition, maintenance, and replacement. (p. 45)

The Review Team recommends that, if reimbursement at 85% is to be enforced on the CSUS campus, the School and University engage in further dialogue regarding the implications of this policy for ECS and faculty allocation budgets for departments such as EEE. (p. 45)

### **Final Recommendation**

The Academic Senate should recommend approval of the Department of Electrical and Electronic Engineering B.S. and M. S. programs for six years or until the next program review.

Proposed  
WRITING AND READING REQUIREMENTS IN THE MAJORS

In order to assess and improve the reading and writing skills of undergraduates CSUS implements the following program:

I. Standards

Each major program shall (1) establish writing and reading skills standards and goals appropriate for their discipline, and (2) collect samples of adequate writing in the discipline for their majors' use.

II. Assessment

A. Each major program shall review its current curriculum's writing and reading components and their effectiveness in achieving the program's writing and reading goals.

B. Each major program shall, as part of the implementation of its required assessment plan, regularly assess its majors' reading and writing skills. That assessment shall include some in-class writing end reading tests and the formal participation of a faculty member from outside the program.

III. Plans for Improvement

A. Each major program shall develop and upon approval, implement a plan for the improvement of the writing and reading skills of its majors.

B. Each major program's plan for improvement shall address the special writing and reading needs of ESL students.

C. Major programs' plans for improvement shall designate at least one required course, with enrollment limited to a maximum of 30, as part of its writing and reading program. Such courses shall have as goals (1) ensuring that majors meet the minimum writing and reading standards of the discipline, and (2) improving majors' writing and reading skills. The course(s) shall include in-class writing and reading assignments and assignments given early in the semester in order to assess majors' strengths and weaknesses. Meeting the writing and reading standards of the course(s) shall be required for credit for the course.

The plan for improvement may include the use of courses outside the major, but such courses shall not be the only courses designed to improve majors' writing and reading skills.

D. Each major program shall designate one faculty member as coordinator (commonly the department chair) of its writing and reading program.

4/16/98  
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no vote  
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#### IV. Administration

- A. A Writing Subcommittee of the Faculty Senate General Education Policies/Graduation Requirements Committee shall cooperate with Academic Affairs in the administration of the program. The Committee shall comprise:

- one faculty member selected at large by and from each School;
- two faculty members at-large selected by the Senate, subject to approval by the President
- one staff member selected by the Staff Council;
- one student member selected by ASI.

The Writing Subcommittee shall:

- advise Academic Affairs and major programs on the requirements of the policy and possible means of implementation;
- approve or disapprove standards, and plans for assessment and improvement submitted by major programs;
- evaluate the effectiveness of implemented writing and reading programs, recommend (1) improvements in implemented programs, and (2) recommend discontinuation of ineffective programs and the development of effective alternative programs;
- as resources permit, provide faculty training and pedagogical advice for the implementation of the program;
- recommend such changes in the program requirements and in articulation agreements as it considers advisable.

- B. Within two years of the inauguration of the program all major programs shall submit to the Writing Subcommittee and to Academic Affairs preliminary reports on the assessment of their majors' writing and reading skills, and a preliminary plan for the improvement of those skills.

CURRICULUM POLICIES COMMITTEE (CPC) COMMENTARY  
"Reading and Writing Requirements in the Majors"

## 1. Standards

The "Standards" proposal (1) recognizes the fundamental differences in the writing and reading requirements appropriate for different disciplines. Each discipline shall establish appropriate standards subject to the approval of the Writing Subcommittee and Academic Affairs.

CPC recognizes that there are general standards, used in the lower-division sequence of required composition courses and in advanced study courses, applicable to all majors. Some major programs will use only those standards (available from Academic Affairs and the English Department) in their writing programs, but others will want to adopt standards reflecting the professional writing standards of their disciplines.

Proposal (2) recognizes that much experience has shown that students need concrete samples of writing which meets the writing standards required of them.

## II. Assessment

Adequate assessment will probably vary widely among disciplines. (II.A) Major programs should begin by reviewing their current writing and reading assessment measures to judge their adequacy as measures of proficiency. II.B does, however, require that major programs use some **in-class tests of writing and reading** and the **formal participation of a faculty member from another discipline**. The "in-class" requirement recognizes that writing and reading skills under the pressure of limited time may differ substantially from those same skills practiced without a time limit. The formal participation of a faculty member from another discipline is to provide a major program with a varied and broader perspective as it prepares to meet the policy requirements. The policy **does not** require that the outside faculty member have a veto over the major program's proposal.

Many programs will have to institute new assessment measures, and the proposed policy gives them great latitude in choosing approaches. Some may wish to use their discipline's professional and graduate-school entrance examinations. Others may wish to devise their own examinations, review student portfolios or require writing and reading achievement levels in introductory major courses. Academic Affairs and the Writing Subcommittee will advise programs on assessment and certify proper assessment standards and procedures.

## III. Plans for Improvement

A. The proposed policy requires major programs **both** to ensure that majors meet minimal standards of writing and reading and to improve all majors' skills. The



Committee and all consulted faculty agree that even majors whose skills meet minimum standards should continue to improve those skills throughout their university careers.

B. ESL students have special writing and reading problems and hence need special support. (See Attachment A) That support can be provided in various ways at the school or at the University level.

C. The proposal requires only one course to be part of the program, but programs may well want to designate more than one course. The limitation of enrollment to a maximum of 30 is consistent with the pedagogical standards of composition courses and advanced study courses—i.e., the limitation is necessary to allow time for careful attention to each student's needs.

In addition to the requirements of in-class assignments and improvement beyond minimal discipline standards, this section requires that the course(s) give assignments early so that instructors identify students with serious deficiencies in time to give them necessary help. Instructors may, of course, decide that some students need help from the English Department's tutoring services or from the Learning Skills Center.

This section also mandates that students earn credit for the course(s) only when they have met the course's writing and reading standards—i.e., regardless of how well students master the discipline content of the course, they receive no credit if they do not write and read adequately.

Finally, a major program may use a course outside its curriculum (e.g., an advanced study course) as part of its writing and reading program, but all programs must designate at least one course within its required curriculum as a part of the program.

D. Major programs should designate one faculty member to coordinate its program so that Academic Affairs and the Writing Subcommittee know with whom they should communicate regarding the policy.

### **Pedagogy**

During its examination of possibilities for a writing and reading requirement in the majors, CPC has been impressed by the range and variety of possible techniques for assessment and instruction. It is especially clear that meeting the requirements of the policy need not involve a great expansion of the volume of writing and reading assignments. It will usually be possible to meet the goals and standards of the policy by an informed use of current assignments. We believe it essential that the administration

of the program include provision for the training of interested faculty in an effective writing and reading pedagogy.

#### **IV. Administration**

CPC intends the proposed committee to combine representation from all Schools with the expertise and experience necessary to help administer the program. We believe it important to establish the proposed committee before the end of the Spring semester so that it is available to advise Academic Affairs and departments on the implementation of the program.

#### **RESOURCES**

Although the CPC cannot estimate the exact costs of an implemented Writing and Reading in the Majors program, it believes that proper support will be essential to the program's success.

Without adequate resources major programs may not be able to meet their program obligations. Major programs may need support for ,e.g.,

- . the coordination of their assessment and instructional efforts and
- . for the training of faculty in the pedagogy of writing and reading instruction.

At the University-level the administration of the program may require, e.g.,

- . assigned time for the chair of the proposed University committee;
- . assigned time for faculty to teach program faculty writing and reading instructional techniques;
- . clerical support;
- . additional support for adjunct courses or the ENG 20 program

### Recommendations for Strengthening Reading Performance in Courses in the Major

- Make curricular choices which establish an expectation for the completion and comprehension of assigned texts as a requirement for successful course performance. Emphasize the importance of critical reading skills as they relate to major requirements, new WPE standards, professional admissions test requirements, and careers.
- Assign readings in all courses and assess students' comprehension at both literal and evaluative and levels.
- Where appropriate, require reading multiple sources of text and expect independent analysis and synthesis of ideas drawn from text.
- Integrate textual support for content literacy into each course:
  - Assist students in organizing for text study by previewing chapters and articles, and modeling annotation, notetaking and summary skills.
  - Build background knowledge and set expectations for reading with a purpose.
  - Provide reading pre-organizers such as text prediction activities and discussions, reading/study guides or vocabulary checks.
  - Focus classroom discussions of content gleaned from text back to the text itself to analyze issues, identify points of support or to substantiate drawing inferences from the text.
- Offer reading/study adjuncts (supplemental instruction) to students in selected courses in the major.

The following is a description of freshmen students' perceptions of the importance of reading assignments summarized in a recent article on the reading/study strategies of at-risk college students:

"For all of these students, the purpose of reading text materials and studying was to prepare for a test....If students had determined that it was not necessary to read a text in order to prepare for a test, they did no reading. Most of these students reported that it was common for professors to assign a book and then teach the material contained in the book during lectures, making it unnecessary to read, or even buy, the book. Other professors required books but took most test questions from lectures, and tests could be passed simply by studying the lecture notes. Again, there was no reason to use the required text." (Barksdale et al, *Qualitative Assessment in Developmental Reading*, Journal of College Reading and Learning, 28 (1), Fall 1997, p. 43.)

**Attachment B**  
CPC Commentary

**RECOMMENDATIONS FOR SERVING ESL STUDENTS  
IN COURSES IN THE MAJOR**

Robby Ching  
ESL Coordinator  
Learning Skills/English Departments  
CSU Sacramento

- \* Make advising of ESL students a department priority. Make sure transfer students begin the courses recommended by the English Diagnostic Test (ESL placement test) immediately,
- \* Develop criterion-based grading standards for writing as a department (see ESL WPE Criteria).
- \* Develop a complete set of range-finders (typical papers at each level) for both native speakers and ESL students. This should reflect a consensus within the department; the discussion could be school-based.
- \* Use a multi-draft approach and give students feedback on both global (rhetorical) and local (grammar/mechanics) matters.
- \* Balance in-class and out-of-class writing. Build in incentives for students to do their own writing.
- \* Develop expertise in responding to ESL papers and teaching "ESL grammar". Draw on the expertise of ESL faculty.
- \* Develop expertise in designing curriculum that is accessible to multicultural students. Build background knowledge for students on topics that are culture-specific.

CALL FOR SUSPENSION OF REGULAR FACULTY SENATE BUSINESS PENDING A  
RESPONSE FROM THE PRESIDENT ON MATTERS PERTAINING TO UNIVERSITY  
GOVERNANCE AND THE ROLE OF THE FACULTY SENATE

RESOLVED: The CSUS Faculty Senate requests that the President conduct a review of the "Constitution of the Faculty" and other University policies pertaining to consultation and governance processes to the following ends:

- 1) identification of provisions which, in the President's judgment, are no longer applicable,
- 2) rescision or amendment of provisions of the "Constitution of the Faculty" and other policies pertaining to consultation and governance which, in the President's judgement, are no longer applicable,
- 3) development and issuance of new policies pertaining to consultation and governance which, in the President's judgment, are now necessary,
- 4) revision of the University Manual, as necessary, to reflect the President's actions with regard to the "Constitution of the Faculty" and other policies pertaining to consultation and governance; and be it further

RESOLVED: The CSUS Faculty Senate requests that the President issue a written statement to the Faculty that describes the processes wherein decisions pertaining to the instructional program and faculty professional matters are to be made. Specifically, with regard to the instructional program, the Faculty Senate requests that the President address how decisions are to be made with regard to such matters as admissions policies, academic standards, curriculum, scheduling and manner of delivery of course offerings, graduation requirements, and resource support for the instructional program (including general fund and lottery allocations, space allocation and capital outlay plans). With regard to professional matters, the Faculty Senate requests that the President address how decisions are to be made at both the policy level (e.g., development of criteria and standards) and application level (e.g., evaluation of merit) in such matters as ARTP, Professional Leaves, and PSSI; and be it further

RESOLVED: The Faculty Senate requests that the President provide a written statement in which he specifies the role of the Faculty Senate, University committees (including CUP and all other standing and ad hoc University committees), ASI, the University Staff Assembly, School Councils, Academic Departments, the Council of Deans, the Office of the Provost, and the President's Cabinet in the decision making process on matters pertaining to the instructional program and faculty professional matters; and be it further

RESOLVED: The CSUS Faculty Senate requests that the President issue a written statement to the Faculty prior to the end of the spring 1998 Academic Year in which he:

- 1) agrees to respond to the requests made in this resolution and provides a time

line and process for responding,

2) states that he recognizes the Faculty Senate as the duly constituted subunit of the CSUS Faculty delegated responsibility and authority by the Faculty to act on its behalf, and

3) agrees to engage the Faculty Senate fully in decision making pertaining to the instructional program and professional matters, and that he will accord primary weight in decision making on these matters to recommendations from the Faculty Senate; and be it further

RESOLVED: The CSUS Faculty Senate, including all standing and ad hoc committees of the Senate, shall refrain from conducting regular business, including making recommendations on faculty appointments to University committees, formulation and recommendation of policies pertaining to the instructional program and professional matters, and implementation of policy (e.g., review of petitions in Academic Standards Committee and review of mini-grant proposals by the Research Committee), until such time as the President provides a written statement to the CSUS Faculty which complies with the specifications of the previous resolve clause; and be it further

RESOLVED: The CSUS Faculty Senate shall continue to convene as necessary to discuss and act on matters related to the substance of this and on other organizational matters such as the election of Faculty Senate Officers.

Note: If the motion is approved, a second motion to send the proposition to referendum will be introduced. If the motion for a referendum is approved, the text of the resolution would be changed to reflect an action by the faculty. Specifically, in the first four resolve clauses, the phrase "The CSUS Faculty Senate" would be changed to "the CSUS Faculty". The first line of the fifth resolve would read "The CSUS Faculty directs the CSUS Faculty Senate, including all standing and ad hoc committees of the Senate, to refrain from....." The first line of the final resolve clause would read, "The CSUS Faculty directs the CSUS Faculty Senate to continue to....."



① Distributed at mtg  
② Sent to those absent

CALIFORNIA STATE UNIVERSITY, SACRAMENTO

FACULTY SENATE

# Memo

**Date:** April 1, 1998

**To:** Donald R. Gerth, President

**From:** Thomas Krabacher  
Chair, Faculty Senate  
278-6593; FAX 278-5358

**Re:** Faculty Consultation

---

Thank you for taking time to attend last Thursday's (3/26) Senate meeting to participate in the discussion of this year's lottery fund allocation decision. Although intense at times, the discussion nonetheless identified two important areas of concern related to governance that I feel need to be addressed as soon as possible.

The first of these is the specific matter of the Lottery Fund Allocation Committee (LFAC). It is clear from this year's lottery allocation decision that the responsibilities assigned to the LFAC in its original charge are no longer deemed relevant by your administration. I therefore request that you present to the Senate a proposal on how you would like to see the charge to the LFAC revised. You may, of course, repeal the current model and institute a new one by Presidential memorandum if you choose to do so. In any event, action needs to be taken in this matter now.

The second and more fundamental issue involves the role of the faculty, in particular the Faculty Senate, in University governance. As the discussion in the Senate revealed, there is a strong need for clarification of your administration's thinking on this matter. To this end, I am requesting that you provide the Faculty Senate with the following:

- a statement of your view on the role the Faculty Senate plays in University governance on this campus;
- a confirmation that, in your eyes, faculty consultation is not simply a matter of informing the faculty of decisions that have already been made, but a genuine collaboration between faculty and administration in the development of University policy;
- a commitment on the part of your administration to present to the Faculty Senate for ratification any proposed departures from existing policy before these changes are officially made.

6000 J Street, Sacramento, California 95819-6036 • (916) 278-6593 • (916) 278-5358 FAX

I invite you to meet with the Faculty Senate in person to respond to these points if you find that format convenient.

In your comments to the Senate on March 26<sup>th</sup> you expressed a wish that “we could get beyond all this ‘political crap’ and discuss areas of real concern to the university.” I heartily agree. I firmly believe, however, that in order for us to do so it will be necessary for both the University administration and the Faculty Senate to reach an understanding on the issues raised above.

I look forward to hearing your response on these matters.

TK:j

cc: Faculty Senators



4/2/98  
V. Jew  
#1

*Resolution on Proposition 227*  
(Draft)

\_\_\_\_\_ recognizes the importance of quality education for all of California's school age students. For students from non-English language backgrounds, the development of a high level of English proficiency is one of the crucial prerequisites to success in this society. The development of English proficiency for these students must also be accompanied by instruction that allows students to develop a high level of competence in academic contents to meet the future demands of a technologically advanced world that is at once globally competitive and interdependent. California must provide its children and youth with the educational opportunities to excel in English and academic content as well as to acquire the knowledge, skills and language proficiency to compete as well as collaborate with the rest of the world.

For our students who are from non-English language backgrounds, programs to develop English proficiency must not come at the expense of the development of academic content and, equally as important, should not be implemented in a manner that decimates these student's respect for their home language or their motivation to maintain proficiency in the language of their family. Furthermore, quality education cannot be achieved without the respect and the recognition that students are individuals who learn in different ways. Quality education in linguistically and culturally diverse California must respect learner differences and refrain from a monolithic instructional approach that disregards differences among learners. This belief in quality education serves as our basis for this resolution.

WHEREAS there are over 1.4 millions students in grades K-12 in California from non-English language backgrounds who are limited in English, and these students must be provided with quality instruction to achieve a high level of English proficiency as well as academic excellence that will prepare them for further education and training to meet the challenges of a technologically advanced world,

WHEREAS a respect for the languages spoken by these students promotes students' self esteem and the motivation to maintain proficiency in their home language so as to develop and promote family cohesiveness, develop a valuable asset of the students, and enhance the language resources of the nation for global competition and cooperation,

WHEREAS Proposition 227 promotes the misleading title of "English for the Children" but actually will reduce the amount of English support to students who are limited in English,

WHEREAS Proposition 227 will reduce these students' opportunity for special assistance to one year of sheltered English instruction conducted in mixed languages and mix-age classrooms that segregate these students from native English speakers, to be followed by transition into regular English classes without further support,

WHEREAS Proposition 227 will impose this one year sheltered English program inspite of overwhelming research evidence that such a strategy is ineffective when applied to all English Learners without consideration for individual student's needs, or for the different situations in individual schools, or that other already successful programs may be replaced,

WHEREAS Proposition 227 will restrict parental choice for instruction that involves the use of the home language of the students by requiring that such an option may only be granted at the discretion of the local school districts if 20 or more parents with students from the same language group at the same grade level personally apply for such a waiver annually with the school district, notwithstanding that these parent are likely limited in English and in knowledge about US school policies and procedures,

WHEREAS Proposition 227 has the potential of creating a negative climate for speakers of other languages in school settings that can further erode students' interest in learning or maintaining another language(s) and may increase conflict between native English speakers and students who are from specific ethno-linguistic groups,

WHEREAS Proposition 227 includes the provision that teachers or educators can be personally subjected to lawsuit for implementing instructional methods not prescribed by the initiative, clearly including the use of a non-English language by a teacher who is proficient in a language spoken by her students ( a repressive prohibition in the California Education Code that has been repealed in 1967),

WHEREAS Proposition 227 criminalizes teachers for using methods and approaches not prescribed by the initiative, including using a student's home language to make academic content understandable which can discourage individuals with proficiency in a language of these students from entering the teaching profession, and in addition, can discourage the schools from hiring teachers who can speak a language of the students in order to avoid possible legal entanglement,

WHEREAS Proposition 227 allocates \$50,000,000 each year for ten years to provide English instruction to adults in the community who pledge to tutor children in English without any system of accountability,

THEREFORE

\_\_\_\_\_ strongly opposes Proposition 227 and will work with other organizations that oppose this initiative to disseminate information on the actual content of the initiative in addition to an analysis of its implications to educate the voters.

4/2/98  
V. Jew  
#2

# The Initiative

## English Language Education for Children in Public Schools

by Ron K. Unz and Gloria Matta Tuchman

Text:

SECTION 1. Chapter 3 (commencing with Section 300) is added to Part 1 of the Educational Code, to read:

### CHAPTER 3. ENGLISH LANGUAGE EDUCATION FOR IMMIGRANT CHILDREN

#### ARTICLE 1. Findings and Declarations

300. The People of California find and declare as follows:

(a) WHEREAS the English language is the national public language of the United States of America and of the state of California, is spoken by the vast majority of California residents, and is also the leading world language for science, technology, and international business, thereby being the language of economic opportunity; and

(b) WHEREAS 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

(c) WHEREAS the government and the public schools of California have a moral obligation and a constitutional duty to provide all of California's children, regardless of their ethnicity or national origins, with the skills necessary to become productive members of our society, and of these skills, literacy in the English language is among the most important; and

(d) WHEREAS the public schools of California currently do a poor 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; and

(e) WHEREAS 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.

(f) THEREFORE it is resolved that: all children in California public schools shall be

taught English as rapidly and effectively as possible.

## ARTICLE 2. English Language Education

305. Subject to the exceptions provided in Article 3 (commencing with Section 310), all children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children 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 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, they shall be transferred to English language mainstream classrooms. As much as possible, current supplemental funding for English learners shall be maintained, subject to possible modification under Article 8 (commencing with Section 335) below:

306. The definitions of the terms used in this article and in Article 3 (commencing with Section 310) are as follows:

(a) "English learner" 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, also known as a Limited English Proficiency or LEP child.

(b) "English language classroom" means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language.

(c) "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.

(d) "Sheltered English immersion" or "structured English immersion" means an English language acquisition 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.

(e) "Bilingual education/native language instruction" means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the child's native language.

## ARTICLE 3. Parental Exceptions

310. The requirements of Section 305 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 below and in Section 311. 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. Under such parental waiver conditions, children may be transferred to classes where they are taught 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; otherwise, they must allow the students to transfer to a public school in which such a class is offered.

311. The circumstances in which a parental exception waiver may be granted under Section 310 are as follows:

(a) Children who already know English: the child already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading, and writing, in which the child scores at or above the state average for his grade level or at or above the 5th grade average, whichever is lower; or

(b) 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 rapid acquisition of basic English language skills; or

(c) Children with special needs: the child already has been placed for a period of not less than thirty 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 physical, emotional, psychological, or educational needs that an alternate course of educational study would be better suited to the child's overall educational development. A written description of these special needs must be provided and any such decision 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 Board of Education and ultimately the State Board of Education. The existence of such special 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.

#### ARTICLE 4. Community-Based English Tutoring

315. In furtherance of its constitutional and legal requirement to offer special language assistance to children coming from backgrounds of limited English proficiency, the state shall encourage family members and others to provide personal English language tutoring to such children, and support these efforts by raising the general level of English language knowledge in the community. Commencing with the fiscal year in which this initiative is enacted and for each of the nine fiscal years following thereafter, a sum of fifty million dollars (\$50,000,000) per year is hereby appropriated from the General Fund for the purpose of providing additional funding for free or subsidized programs of adult English language instruction to parents or other members of the community who pledge to provide personal English language tutoring to California school children with limited English proficiency.

316. Programs funded pursuant to this section shall be provided through schools or community organizations. Funding for these programs shall be administered by the Office of the Superintendent of Public Instruction, and shall be disbursed at the discretion of the local school boards, under reasonable guidelines established by, and subject to the review of, the State Board of Education.

#### ARTICLE 5. Legal Standing and Parental Enforcement

320. As detailed in Article 2 (commencing with Section 305) and Article 3 (commencing with Section 310), all California school children have the right to be provided with an English language public education. If a California school child has been denied the option of an English language instructional curriculum in public school, the child's parent or legal guardian 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 damages, but not punitive or consequential damages. Any school board member or other elected official or public school teacher or administrator who willfully and repeatedly refuses to implement the terms of this statute by providing such an English language educational option at an available public school to a California school child may be held personally liable for fees and actual damages by the child's parents or legal guardian.

#### ARTICLE 6. Severability

325. If any part or parts of this statute are found to be in conflict with federal law or the United States or the California State Constitution, the statute shall be implemented to the maximum extent that federal law, and the United States and the California State Constitution permit. Any provision held invalid shall be severed from the remaining portions of this statute.

#### ARTICLE 7. Operative Date

330. This initiative shall become operative for all school terms which begin more than sixty days following the date at which it becomes effective.

#### ARTICLE 8. Amendment.

335. The provisions of this act may be amended by a statute that becomes effective upon approval by the electorate or by a statute to further the act's purpose passed by a two-thirds vote of each house of the Legislature and signed by the Governor.

#### ARTICLE 9. Interpretation

340. Under circumstances in which portions of this statute are subject to conflicting interpretations, Section 300 shall be assumed to contain the governing intent of the statute.

4/2/98  
V. Jew  
#3

Legislative Analyst's Office, February 20, 1998

# Legislative Analyst's Office Analyses of Measures on the June 2, 1998 Ballot

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## Proposition 227 Education. Public Schools. English as Required Language of Instruction. Initiative Statute

### Background

California's public schools serve 5.6 million students in kindergarten through twelfth (K-12) grades. In 1996-97, schools identified 1.4 million, or 25 percent, of these students as "limited English proficient" (LEP). These are students who cannot understand English well enough to keep up in school. Eighty-eight percent of the state's schools had at least one LEP student, and 71 percent had at least 20 LEP students.

Under current law, schools must make their lessons understandable to LEP students. To help schools address the needs of these students, the State Department of Education created guidelines for the development of local LEP programs. These guidelines state:

- The main goal of all programs is to make LEP students fluent in English.
- Programs must allow LEP students to do well in all school work. In some cases, this means teaching some subjects to LEP students in their home languages.
- Schools must allow all LEP students the option of being in bilingual programs. A bilingual program is one in which students are taught both in their home language and in English.
- Schools must allow parents to choose whether or not their children are in bilingual programs.

### How Are Students Currently Served?

Schools currently use a range of services to help LEP students (1) learn how to speak, read, and write English; and (2) learn academic subjects (such as math, reading, writing, history, and science).

*Services to Help Students Learn English.* Almost all LEP students get special services to help them learn English. These services are often provided during a part of the school day, separate from lessons on regular academic subjects.

*Services to Help Students Learn Academic Subjects.* Most LEP students receive special help in their

academic subjects in one of two basic ways:

- ***Lessons That Use Special Materials.*** About 40 percent of all LEP students are taught their academic subjects in English. The class materials and teaching methods for these students, however, are specially designed for students who do not speak English well.
- ***Lessons That Are Taught in Students' Home Language.*** About 30 percent of all LEP students are taught some or all of their academic subjects in their home languages. These are what people usually refer to as bilingual classes.

The remaining 30 percent of LEP students do not receive special help in their academic subjects. This is either because they do not need it or because the school does not provide it. These students are taught their academic subjects in regular classrooms.

***How Long Do Students Receive LEP Services?*** State guidelines say that schools should give LEP students special services until (1) they can read, write, and understand English as well as average English speakers in their grade; and (2) they can participate equally with fluent speakers in the classroom. Schools report that LEP students often receive special services for many years.

***How Are LEP Services Funded?*** The state currently provides over \$400 million in special funds for students--both LEP and *non* -LEP--who need extra help to succeed in school. These funds are known as "compensatory" funds. Schools report that the majority of this money is spent for LEP students. In addition, schools may spend federal and local funds for special services for LEP students.

## Proposal

This proposition significantly changes the way that LEP students are taught in California. Specifically, it:

- Requires California public schools to teach LEP students in special classes that are taught nearly all in English. This would eliminate "bilingual" classes in most cases.
- Shortens the time most LEP students would stay in special classes. The initiative states that: (1) LEP students should move from special classes to regular classes when they have acquired a good working knowledge of English and (2) these special classes should not normally last longer than one year. This would eliminate most programs that provide special classes to LEP students over several years.

***Exceptions.*** Schools would be permitted to provide classes in a language other than English if the child's parent or guardian asks the school to put him or her in such a class *and* one of the following happens:

- The child is at least ten years old and the school principal and teachers agree that learning in another language would be better for the child.
- The child has been in a class using English for at least 30 days and the principal, teachers, and head of the school district agree that learning in another language would be better for the student.



- The child already is fluent in English and the parents want the child to take classes in another language.

If a school lets 20 or more LEP students in a grade choose to take their lessons in a language other than English, then the school must give such a class. If there are not 20 students or more, then the school must let the students go to other schools that have classes in those languages.

**Funding Provisions.** The initiative requires the state to provide \$50 million every year for ten years for English classes for adults who promise to tutor LEP students. In addition, the measure requires that any special funding currently spent on LEP students be maintained, if possible.

## **Fiscal Impact**

### **School Costs and Savings**

This proposition would result in several fiscal impacts on schools.

**Savings.** By limiting the time LEP students can be in special classes generally to one year, the initiative would reduce the number of special classes schools would have to offer. This could result in major savings for schools.

**Costs.** The proposition could also result in new costs to schools, for a number of reasons. For instance, the one-year special classes could be more expensive than existing classes if schools provide more intensive services. Schools may also need to give LEP students extra help in academic subjects once they are moved to regular classes if they fall behind other students.

**Distribution of "Compensatory" Funds.** The state provides "compensatory" funds to schools based in part on the number of LEP students. The proposition would likely reduce the number of students who are considered LEP at any given time. As a result, state funds would be allocated differently--some schools would get more compensatory funds and others would get less.

**Net Impact on Schools.** We cannot predict the proposition's net impact on schools. It would depend in large part on how people respond to its passage, including:

- Parents' decisions on the types of services they want for their children.
- Schools' decisions on the types and levels of services provided to LEP students.
- State decisions on the allocation of "compensatory" funds it currently provides to schools with LEP students.

The net impact could vary significantly by individual school.

### **State Fiscal Effects**

Under the proposition, the state would spend \$50 million each year for ten years for English classes for adults

who promise to tutor LEP students. This provision, however, probably would not change total state spending for schools. (This is because the level of state spending for K-12 schools is generally based on a formula in the Constitution.) As a result, the costs to the state of this provision would likely reduce spending on other school programs by a like amount.

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4/2/98  
V. Jew.  
#4

PROPOSITION 227  
~~English Language in Public  
Schools Initiative Statute.~~  
~~Proponents: Ron K. Van~~

OFFICIAL TITLE AND SUMMARY  
PREPARED BY THE ATTORNEY GENERAL

~~February 13, 1998~~

~~Gloria Matta Tuchman~~

BALLOT TITLE AND SUMMARY

ENGLISH LANGUAGE IN PUBLIC SCHOOLS.  
INITIATIVE STATUTE.

- Requires all public school instruction be conducted in English.
- Requirement may be waived if parents or guardian show that child already knows English, or has special needs, or would learn English faster through alternate instructional technique.
- Provides initial short-term placement, not normally exceeding one year, in intensive sheltered English immersion programs for children not fluent in English.
- X • Appropriates \$50 million per year for ten years funding English instruction for individuals pledging to provide personal English tutoring to children in their community.
- Permits enforcement suits by parents and guardians.

Summary of Legislative Analyst's  
Estimate of Net State and Local Government Fiscal Impact:

- Impacts on individual school districts would depend on how schools, parents, and the state respond to the proposition's changes. These impacts could vary significantly by district.
- Requires state spending of \$50 million per year for ten years to teach tutors of limited English proficient students. Total state spending on education, however, probably would not change.

SUBJECT TO COURT CHANGES