3 Dual Language Bilingual Education in NYC: A Potential Unfulfilled?

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Introduction

In the past two decades, bilingual education programs of the type named 'dual language' have grown throughout the United States. New York City (NYC), with its large multilingual population, and especially its numerous Spanish speakers, has supported bilingual education programs since the early 1970s. In the recent past, what has been called the Multilingual Apple (García & Fishman, 1997) has also jumped on the bandwagon of the movement to implement what are termed 'dual language' programs. The press regularly reports on the achievements of these programs and portrays them as an asset for parents, children, communities and even the nation (see, for example, Harris, 2015a, 2015b; Veiga, 2018). But are these programs always fulfilling their potential? On the one hand, they offer a space to counter monolingual U.S. schooling, and we find examples of successful dual language bilingual education (DLBE) programs in NYC. On the other hand, many times these programs are implemented in ways that, in the long run, work against developing a bilingual American citizenry in the 21st century.

This paper outlines the history of DLBE programs in NYC, as well as their present situation. It contextualizes these programs against the backdrop of NYC's rich history of bilingual education and its present sociolinguistic and sociopolitical landscape. It proposes that reframing 'dual language' programs as DLBE has the potential to empower communities building on the visions Puerto Ricans had for their children in the 1960s and 1970s. But the paper also highlights the tensions that exist between DLBE programs as traditionally defined and today's NYC multilingual communities, showing how definitions and policies for DLBE which may have served their purpose well at the time have perhaps become dated now. We pay special attention to the ideological nature of language,

bilingualism and education of bilinguals, as we point out the strict interpretations of a DLBE 'model' that have prevented it from reaching its potential for the city.

Bilingual Education in New York City: Beginnings

In this section, we overview the history of bilingual education in NYC, showing its close ties to local communities, and later in this chapter compare community ties of the past to policies and efforts aimed at bilingual education expansion today. Specifically, the history of bilingual education in NYC owes much to the struggles of the Puerto Rican community, who were U.S. citizens since the Jones Act of 1917, during the Civil Rights Movement. In 1966, Puerto Ricans comprised 21% of all students enrolled in NYC public schools (Castellanos, 1983), yet 87% dropped out before graduating from high school (García, 2011). ASPIRA, the Puerto Rican Civil Rights organization, decided to press for bilingual education to improve education for Puerto Rican children, while preserving the Spanish language and student identity (Del Valle, 1998). NYC's first bilingual elementary school, P.S. 25, opened in 1968 in the South Bronx in response to community demands (Pousada, 1987). P.S. 25's approach could be characterized as a maintenance or developmental maintenance bilingual education program.

From its beginnings, bilingual education in New York got caught in the political struggles over community control of education. The growth of such programs was very slow and the community became impatient, fueled by the actions of the newly formed Young Lords in 1969 (Reyes, 2006; Santiago, 1986). Shortly after the landmark *Lau v. Nichols* case had been decided,[1] ASPIRA and the New York City Board of Education (NYCBE) signed a Consent Decree in 1974, which stated:

> All children whose English language deficiency prevents them from effectively participating in the learning process and who can more effectively participate in Spanish shall receive: a) planned and systematic program designed to develop the child's ability to speak, understand, read and write the English language.... b) instruction in substantive courses in Spanish (e.g. courses in mathematics, science, and social studies)... [and] c) a planned and systematic program designed to reinforce and develop the child's use of Spanish. (Aspira v. Board, 1974a, para. 2, as cited in Santiago, 1986: 160)

Although the NYCBE agreed to provide only *transitional* bilingual education (TBE) under the Aspira Consent Decree, some of the programs utilized a '*maintenance approach* to educate the children through their school careers to be bilingual and bicultural' (Pousada, 1987: 20). By providing what was later referred to as a 'late exit' TBE program, many bilingual education programs at this time had a maintenance ethos and were

a source of community control. Policymakers in New York State passed Part 154 of the Regulations of the State Commissioner of Education in 1981, upholding the Aspira Consent Decree of 1974 by mandating that bilingual education be provided in all schools where there are 20 or more 'Limited English Proficient' students per grade who speak the same home language (Carrasquillo *et al.*, 2014; for more on this early history, see García, 2011).

In 1965, the Immigration and Naturalization Services Act lifted the quota that limited immigration to the U.S. to only 2% of the number of people who were already living in the U.S. in 1890. Because of this, by the 1980s, the city diversified and schools began serving recent immigrants from many countries in Latin America, Africa, Asia and Eastern Europe. Whereas Puerto Ricans were U.S. citizens, the new immigrants were often undocumented and lacked the political savvy to fight for the educational rights of their children. The city's increased linguistic heterogeneity also made TBE programs difficult to implement. At the same time, the country was beginning to change, with the election of President Ronald Reagan in 1980 and the introduction of the first constitutional amendment to make English the official language of the United States by Senator Samuel Hayakawa in 1981. The tide was turning, and bilingual education came under attack (for a historical account of this period, see, among others, Crawford, 2004; García & Kleifgen, 2018; Wiley, 1996).

Many bilingual education programs in NYC had become educational ghettos by the mid-1980s, segregating bilingual teachers and students from the rest of the school (e.g., by locating programs in basements; for more on this, see Flores & García, 2017). A few progressive educators started to clamor for bilingual education programs that were not remedial in nature. Among those was Sidney Morison, principal of P.S. 84 in Manhattan, which had offered TBE since 1969. As Latinx students became more bilingual, and the neighborhood attracted growing numbers of middle-class and white families, Morison changed the name of the program to 'Dual Language,' a label that was gaining traction around the country.

However, Morison's description of P.S. 84's transformed programming is indicative of what 'dual language' meant during that time, and differs markedly from what it means today, as discussed below. For Morison (1990), 'dual language' was an 'enrichment bilingual program... rooted in the principles of heterogeneity and inclusion of children's cultural backgrounds' (1990: 161). P.S. 84's 'dual language' program was open to all the children in the school community, especially to a Latinx community that was increasingly second and third generation and bilingual, and with growing numbers of children from mixed marriages. It did not engineer which types of students would enroll in each classroom. Because it had a progressive philosophy of enrichment, bilingual teachers

built on the strengths of each individual child. There was one bilingual teacher per grade who alternated teaching one day in English and one day in Spanish, and who taught all subjects. But in keeping with its progressive philosophy, the teacher's attention to each individual child's emotional, cognitive, academic and linguistic needs meant that teachers' language use was flexible enough that children could engage with the lessons and make meaning, regardless of their proficiency levels. P.S. 84 was an island in an increasingly changing landscape.

Shifts in the Landscape: Dual Language Bilingual Education Rays of Hope[2]

In the late 1990s, bilingual education suffered its greatest national defeat when voters passed ballot measures seeking to abolish bilingual education in California in 1998,[3] Arizona in 2000 and Massachusetts in 2002. The word 'bilingual' was silenced in every piece of federal legislation and governmental office, substituted by 'English language acquisition' (Crawford, 2004; García, 2009; García & Kleifgen, 2018). The backlash against bilingual education also hit NYC, in spite of the support for bilingual education programs codified in the State Commissioner's Part 154 Regulations.

There were also rays of hope as some schools began to push the boundaries of the TBE programs found in most city schools. Some community-based organizations saw opportunities to start up developmental maintenance bilingual education programs, while simultaneously evading anti-bilingual education sentiment under the guise of the new label that did not in any way mention the word 'bilingual' – 'dual language.' The four 'dual language' schools that were founded in the late 1990s provided a different direction for bilingual education, one that encouraged developmental maintenance of children's bilingualism, while integrating children learning English with those who wanted to also develop literacy in Spanish or Chinese. With support from New Visions for Public Schools, the largest education reform organization in NYC, four dual language bilingual schools opened during this period – Amistad Dual Language School in Upper Manhattan (founded in 1996), Twenty-First Century Academy for Community Leadership in Upper Manhattan (founded in 1997), Cypress Hills Community School in Cypress Hills, Brooklyn (founded in 1997) and Shuang Wen School in the Upper East Side (founded in 1998). These four schools continue today to offer quality DLBE.

Despite the common ways in which they identify themselves as 'dual language,' these four schools are very different, adapting to the different lived experience of their children and their communities. Two of the schools – Twenty-First Century Academy and Cypress Hills Community School – came about through the organizing efforts of their respective

communities, seeking to control their children's schooling. Asociación Comunal de Dominicanos Progresistas (ACDP) wanted a bilingual school for the growing Dominican population in Washington Heights. It attracted one of its educational leaders, Evelyn Linares, as principal of the school that became Twenty-First Century Academy. Cypress Hills was co-founded with the Cypress Hills Local Development Corporation. Its commitment to the community and bilingualism required a collaborative structure with two co-directors: a community activist, María Jaya, and a principal, Sheryl Brown, succeeded by Irene León. Approximately 95% of students in both schools are Latinos who fall along all points of the bilingual continuum. At Cypress Hills almost half the students (42%) of the students are categorized as 'English language learners' (ELLs), whereas at Twenty-First Century Academy, about a third of the students (33%) fall under the 'ELL' category. Many school officials and educators might consider these programs 'one-way' dual language bilingual programs, that is, programs for only one language group, since most of their students are Latinx. In reality, they are educational programs that support bilingualism and biliteracy as important in the education of children who happen to be mostly Latinx. Although they allocate languages to separate times, in reality educators at the schools adapt to the complex dynamic bilingualism of the community by providing students with support and scaffolding when students cannot make meaning of the language of instruction.

From its inception, Shuang Wen has followed a different model of DLBE, with the traditional school day in English, and the after-school until 5:00 pm conducted in Mandarin Chinese. Although the school is officially a 'dual language bilingual school,' it is more of a multilingual school, adapting to the many Chinese languages of the city, especially Fujianese. With the importance of Mandarin in the world today, the school receives more English-speaking children, but overall still largely serves a Chinese-origin population (71%). Seventeen percent of students in Shuang Wen are categorized as 'English language learners.'

The fourth school, Amistad Dual Language School is in Inwood, Upper Manhattan, a community that is undergoing gentrification and is starting to attract more white and Latinx middle-class families. Today, 91% of the students are Latinx and less than one-fourth (22%) are categorized as 'English language learners.' The school continues its commitment to the development of bilingualism and biliteracy in all children, but especially among Latinx students.

In an anti-bilingual education landscape, DLBE became the only way to offer hope to communities who wanted their children to become bilingual. Besides these four fully bilingual schools, many schools in the city started to shift from TBE programs to those that were now called 'dual language.' Despite their potential, the growth of these programs has been slow and offers some challenges.

The Unraveling of Bilingual Education: The Bloomberg Years

In 2002 when Mayor Michael Bloomberg took office, there were few dual language bilingual programs, and only 2.3% of the city's 'English Language Learners' were in such programs. The year 2002 witnessed two very important events that were to transform even further the direction of bilingual education in the city. One was the passage of No Child Left Behind, which repealed the Bilingual Education Act (Title VII) and put into place an accountability system measured by English-only assessments (see Menken & Solorza, 2014a, 2014b). The other was that Michael Bloomberg won mayoral control of schools in 2002, ending the system of decentralization that had been the hope of communities for political empowerment.

As the NYC school system was reorganized under Mayor Bloomberg's control, the Office of Bilingual Education was renamed the Office of English Language Learners. The silencing of the word 'bilingual' had now reached NYC. Late in 2009, and signaling the increased attention on student achievement scores and accountability, the Office was once more renamed the Chief Achievement Office: Students with Disabilities and English Language Learners.

As Menken and Solorza's research (2014a, 2014b) shows, the greater accountability of No Child Left Behind and the lack of institutional support for bilingual education has led to the closure of many bilingual education programs throughout the years of Bloomberg's administration and until today. Table 3.1 shows that ESL programs, where instruction is typically monolingual in English, have grown dramatically. Fifty-three percent (53%) of all students classified as English Language Learners were enrolled in ESL in 2002, as compared to 81% in 2016. In contrast, the number of students in TBE decreased considerably, from 37% when mayoral control became effective to 12% today. DLBE programs have grown very slowly since the start of Mayor Bloomberg's three terms in office. Two percent of all classified English language learners were enrolled in DLBE programs in 2002, and that number had only increased to 4.9% by 2016. Thus, while DLBE programs have grown, their growth has not been enough to counter the dramatic loss of TBE, which in most city schools were simply replaced by ESL programs.

Table 3.1 Enrollment of 'English language learners' in different types of programs*

	2002–3	2003–4	2004–5	2005–6	2006–7	2007–8	2010–11	2011–12	2012	2013–4	2014–5	2015–16
ESL	53.4%	59.7%	65.7%	66.8%	69.4%	69.2%	70.2%	76.0%	78.3	79.2%	80.0%	81.0%
TBE	37.4%	32.0%	29.8%	27.9%	25.6%	21.6%	18.5%	17.7%	15.2	15.4%	13.2%	12.1%
DLBE	2.3%	2.8%	2.6%	2.1%	3.7%	3.6%	3.8%	4.0%	4.1	4.5%	4.5%	4.91%

*Figures are compiled from the NYCDOE Demographic Reports annually from 2002–2016.

There were also important discursive changes during the Bloomberg times. The word 'bilingual' became associated only with 'transitional' remedial programs that were early-exit programs, and school authorities started talking about 'bilingual' programs and 'dual language' programs as if they were in opposition, silencing the potential of both DLBE and TBE to empower bilingual communities. The stage was set for confrontation. The label 'dual language' education soon took on characteristics that led it in another direction from its empowering possibilities, a path that became more and more associated with a neoliberal economic regime that proposed it as a way to attract more middle-class parents into public schools in the city. John B. King, New York State Commissioner of Education from 2011–15, stated that DLBE programs could be 'a vehicle to increase socioeconomic and racial diversity in schools by drawing more affluent parents' (Harris, 2015b). DLBE was beginning to lose the original intent of all bilingual education, that of providing bilingual communities with a meaningful and equal educational opportunity for their children. It is for this reason that we put forth the term 'dual language *bilingual* education' or DLBE (see also Sánchez *et al.*, 2017), and promote its use in this chapter as a better way to conceptualize DLBE for the 21st century, a point we return to later in this chapter.

In an effort to reconcile the two positions, strict guidelines were set for implementation of dual language bilingual programs. Fifty percent of the children had to be officially designated 'English Language Learners,' whereas the other 50% had to be 'Learners of the other language.' This 'model' reserved a space for 'English Language Learners,' ensuring that the programs did not become only an arm of powerful middle-class communities. It also was built on the possibility of integrating these two groups both linguistically and educationally. But where did this strict definition of student allocation leave the increasingly bilingual NYC communities? Where did it leave the many children growing up in bilingual homes? As noted above, significant numbers of second- and third-generation students and children from mixed marriages attend city schools today, and arrive in school at all different points along the bilingual continuum as a result; however, these students do not fit easily into the academic dichotomy that language allocation policies have created of 'English language learner' vs 'Target language learner' in 'dual language' programs. These bilingual students are also not given any priority in admissions to the small number of programs.

The dual language 'model' had been developed following a monolingual framework where students were seen as either monolingual in English or monolingual in a language other than English. At a time when policymakers were mainly trying to distance 'dual language' from TBE, the dynamic features of 21st-century bilingualism were ignored. The 'model' as defined by NYC school authorities left little room to be inclusive of the complex sociolinguistic characteristics of a changing multilingual city,

and to view bilingualism as more than simply 'additive.' Today, although dual language bilingual programs could be an important resource for all communities who want their children to be bilingual and biliterate (the Puerto Rican 'dream' in the 1960s and 1970s for their community), the strict interpretation of these programs in the city makes the dream attainable only for very few, as we show in the next section.

Dual Language Bilingual Education Today: The Promise Unfulfilled

In an effort to reverse the trend of emergent bilinguals disproportionately being placed in ESL programs where they continued to fail, NYC Schools Chancellor Carmen Fariña, appointed by Mayor Bill de Blasio in 2014, made the annual expansion of DLBE programs a cornerstone of her leadership (Veiga, 2018). The Division of English Language Learners and Student Support was created in 2015, and Milady Baez was appointed to lead it.

Under Fariña and Baez, the New York City Department of Education (NYCDOE) announced the opening of 40 'new' DLBE programs in 2015–16 in the Bronx, 11 in Brooklyn, nine in Manhattan, eight in Queens and two in Staten Island (NYCDOE, 2015a). Not all programs were entirely new, however; fifteen of the schools were actually adding new languages or expanding grades of existing programs. In 2015, there were 162 public schools (out of a total 1665 schools in NYC) that offered DLBE. Most of these programs were English/Spanish DLBE programs (134 schools). The Spanish/English programs were located in Manhattan (39 schools), followed by Brooklyn (33), Queens (28), the Bronx (27), and Staten Island (7). There were also 10 DLBE programs in Chinese/English, nine in French/English, three in Haitian Creole/English, two in Russian/English and one each in Hebrew/English, Polish/English, Korean/English and Arabic/English.[4] Figure 3.1 displays a map that shows where these programs were located throughout the city in 2015, as Fariña and Baez's expansion efforts took effect. Clearly the distribution of languages and programs reflects the city's diverse neighborhoods – Spanish mostly in Manhattan, the South Bronx, and in the Elmhurst/Jackson Heights/Corona neighborhoods of Queens; Chinese mostly in the Lower East Side of Manhattan and in Flushing, Queens; French mostly in northwestern Brooklyn; Korean in Flushing, Queens; and Arabic, Haitian Creole, Hebrew, Polish and Russian in distinct neighborhoods of Brooklyn. Since 2015, further languages have been introduced into the dual language bilingual landscape, which do not appear on our map, including Italian, Japanese, and German. As this chapter goes to press, the city has committed funding to open 39 DLBE programs in the 2017–18 school year (NYCDOE, 2017).

These efforts to open new DLBE programs each year constitute a response by the current NYCDOE leadership to the claims that bilingual

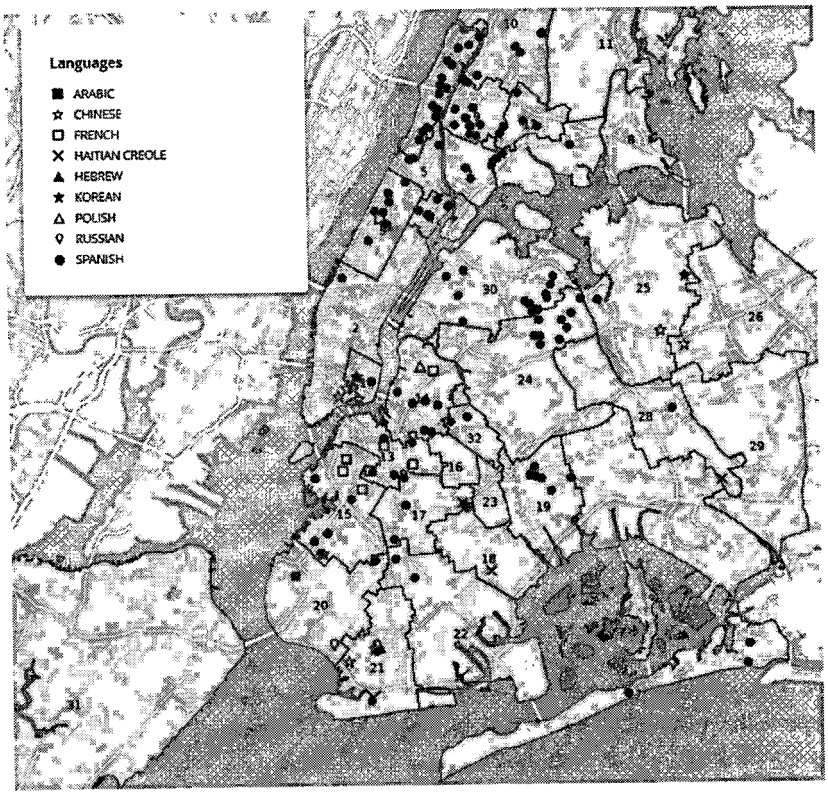

Figure 3.1 Dual language bilingual programs in New York City Community School Districts (2015–16)

education programs had been decimated by the prior administration. However, the NYCDOE has encouraged the new wave of DLBE programs to follow strict models and policies regarding student composition and language separation, orienting them as if the city had the same demographic and sociolinguistic characteristics as in the late 20th century. This stringency undermines efforts at bilingual education expansion and limits the potential of these programs. More than ever, DLBE programs are being used to do two contradictory things simultaneously – provide bilingual instruction for students classified as 'ELLs' and, at the same time, enable the language majority middle-class community access to programs for their children to become bilingual and biliterate. Many of the programs, although not all, are being promoted as 'gifted and talented' programs, serving to attract wealthier families back into local public schools, which they had abandoned. The availability of DLBE programs and the number of bilingual teachers is limited, thus many schools have long wait lists for admission and often screen students for selection, such that only students who show the most promise are selected. For 'English language

learners,' this means that many are relegated to English as a Second Language programs (now known as English as a New Language in New York State) even in schools where a dual language bilingual program is available because schools have to maintain the 50/50 distribution of those classified as 'English language learners' vs 'Target language learners.'

Although what Fabrice Jaumont has called 'the bilingual revolution' (2017) is visible in NYC as DLBE gains popularity, the tension remains between privileged communities seeking further privilege for their children and those seeing these programs as a means of bilingual community empowerment. The most successful DLBE programs in the city continue to be those that build the program for their students and community, without attempting to socially engineer students as belonging to two entirely different, distinct groups. Since 2012 three schoolwide DLBE programs, where the entire student population is enrolled in bilingual education, were established – Castle Bridge (2014), Dos Puentes (2013) and the WHEELS school (2015) – all three in Upper Manhattan and at the elementary level. The longer standing schoolwide DLBE programs – Amistad, Cypress Hills, Shuang Wen, and Twenty-First Century Academy – have expanded to middle schools. But what makes these schools distinct from the many other schools that have recently opened up DLBE programs is their insistence that the programs serve the local community and take into account the dynamic bilingual continuum that exists. The difference then is that these DLBE programs are for the community, and respond to the educational needs of their students. This differs from an elitist vision of bilingualism in education that privileges only certain students or fails to take into account the complex and dynamic linguistic performances of bilingual children, thereby losing sight of the original aims of these programs to serve minoritized communities.

In late 2015, the NYCDOE issued a list of 15 schools which they stated offered 'model dual language programs' (NYCDOE, 2015b). Most were Spanish-English, one was Spanish-English and French-English, one was Chinese-English, one offered DLBE in four languages in addition to English: Chinese, Hebrew, Russian and Spanish. Deputy Commissioner Baez stated in a press release that these 'models' will '*create uniformity* across the City on the essential components of Dual Language programs... Dual Language education is truly a game-changer that gives our students a *competitive edge* for college and career opportunities' (NYCDOE, 2015b, our italics). The mention of competitiveness responds to the economic interests of some communities, but not to the empowerment of others. It is interesting to consider the uniformity demanded by the school authorities. Only programs that were said to have a 'side-by-side' design (with one teacher speaking one language partnered with a teacher who speaks the other language) were considered 'model' programs by the NYCDOE, which then issued guidance on structuring DLBE programs only in these side-by-side arrangements. This arrangement is not always

appropriate for elementary schools. For example, early childhood practices support the idea that young children are better served by having one teacher who can meet their emotional and developmental needs and get to know the child holistically. Furthermore, in order to get to totally understand the children's ability to use language, to make meaning, to understand content, to solve problems, to gain knowledge, it is easier for one teacher to view the child's abilities as a whole, and not through just one language or the other. In the side-by-side arrangements, it is imperative that time and space be set aside for meaningful and intense teacher collaboration. In codifying the uniformity of DLBE programs, the flexibility to establish programs that serve a community's needs and move their children toward bilingualism and biliteracy might be lost. Then there is the practical reality that running a side-by-side model means that schools must have enough designated 'ELLs' and 'Target language learners' to fill two entire classrooms. Many schools interested in offering bilingual education simply do not have the numbers to do so. Given that there is an ongoing bilingual teacher shortage, it is also easier to staff one class instead of two. Taken together, strict DLBE policies and guidelines can actually undermine the administration's aims of program expansion, when schools interested in starting programs or struggling to maintain them are discouraged from doing so because they cannot offer a side-by-side model program.

The challenges around supporting the development of bilingualism for all children within the DLBE 'model' became evident in the announcement made by the Chancellor on February 28, 2017 (NYCDOE, 2017). The Chancellor announced the opening of 39 new DLBE programs, but this time an additional 29 TBE programs are also slated to open, in spite of additional incentive funding aimed at DLBE expansion (schools were offered a $10,000 planning grant from the NYCDOE to start a transitional bilingual program, but $20,000 to start a dual language program). As the NYCDOE grapples with the tensions inherent in their strict requirements for linguistic 'purity' in developing DLBE programs, as well as the practical challenges, it has become easier for schools to open TBE programs for emergent bilinguals. But TBE programs do not aim to develop the minoritized students' bilingualism and biliteracy. The answer to this dilemma might be to insist on a more dynamic 'bilingual' reality for all programs. This would mean having more flexible guidelines for all bilingual programs – TBE and DLBE. Angélica Infante-Green, the Associate Commissioner for Bilingual Education and Foreign Language Studies in the New York State Education Department, recently said about the divisions between program models: 'There's a line in the sand; you can blur it.' (Infante-Green, 2016). Only by blurring lines between transitional and dual language *bilingual* programs, and focusing on bilingualism and biliteracy as a goal for all, will it be possible to forge a truly multilingual and multiliterate future for the Multilingual Apple. In

the 21st century, bilingual schools throughout the world have had a major impact in making children bilingual and biliterate. NYC could learn from the flexibility afforded to schools all over the world that truly have set a plurilingual citizenry as their goal (Baker, 2011; García, 2009).

A Way Forward? Blurring the Line in the Sand and Fulfilling the Promise

For many schools and communities, the uniform guidelines given until recently by the NYCDOE reflect old understandings of language and bilingual education that limit their potential. In this chapter, we have shown how the advent of DLBE in NYC was reactionary against transitional programs of the time, and policies for these programs were aimed at providing bilingual education programs for the enrichment of all children, without getting mired in the debates over bilingual education of that time period. However, times have changed and we have seen how past policies have actually impeded DLBE programs from reaching their full potential in city schools. If DLBE programs are going to spread and grow throughout the city, some flexibility in implementation guidelines is needed. Furthermore, the programs need to work for children, to educate them deeply and meaningfully; and they need to work for communities, to empower them. The programs cannot simply work for named languages (either English or the language other than English). They cannot simply work for children who are at the beginning points of the bilingual continuum (whether they are English speakers or not), but must accommodate *all* children regardless of their linguistic or ability profiles. *Bilingual education of all types must work for all children.*

The guidelines offered by NYCDOE for DLBE programs engineer the program composition linguistically and simplify the complexity and dynamism of bilinguals' language practices by recognizing only two named languages. We know that increasingly students in the city grow up as simultaneous bilinguals or multilinguals, with homes in which multilingual language practices are common. We also know that the city's population is not simply bilingual. For example, Mexican immigrants are increasingly speakers of languages other than Spanish, like Mixteco (Velasco, 2014). DLBE programs need to acknowledge the entire multilingual repertoire of most young people today, and establish a multilingual ecology that recognizes all the language practices of their students. They must be careful not to create a double linguistic hierarchy, evaluating what is known as 'standard academic language,' whether English or a Language Other than English, as superior to all other linguistic practices. For language-minoritized populations, the interpretation of bilingualism as 'dual' ignores and stigmatizes their languaging practices which goes *beyond* the two named languages that are legitimized in schools (García, 2009; García & Kleifgen, 2018).

The demand that DLBE programs include 50% of 'ELL' students and 50% of 'Learners of a Language other than English' shows a lack of understanding of the social complexities of bilingual communities, who differ in socioeconomic status, race, nationality, and linguistic and cultural practices. While DLBE programs struggle to ensure that their programs maintain an artificial balance of linguistic groups and select the 'best' students to fill the programs, far too many who would benefit from bilingual instruction are left out. In engineering the balance of the student population only linguistically, programs remain blind to racial, socioeconomic, ethnic and gender differences. Programs are also then forced to ignore the linguistic development that is the by-product of schooling, and that will blur the lines between the two monolingual worlds on which DLBE guidelines are based. Furthermore, the DLBE guidelines ignore the flux and movement of students of all ages, created by an increasingly globalized world and a neoliberal economic regime. This population displacement brings into NYC schools students from different countries, of different ages, with diverse educational and literacy histories, with different capacities at different times – all deserving bilingual instruction. For DLBE programs to be truly successful, we would be building bilingual programs that do not suffer from a monoglossic ideology that sees bilingualism as simply additive and does not understand its dynamics (García, 2009).

The primary characteristics of dual language bilingual programs as defined by the NYCDOE appeared in a checklist that was made public in 2015. Most of the characteristics identified in the checklist are appropriate. However, some, as the three we identify below, present outdated notions of bilingualism and pedagogies to teach for bilingualism (our italics):

- *all* content areas are in *both languages*;
- the two languages are separated by time, space, or teacher and *are not used simultaneously;*
- translation by the teacher is *totally* prohibited.

From its early beginnings, sociolinguistic research in bilingual education has shown that not all subjects and content have to be taught in both languages to develop bilingualism and biliteracy (see Fishman & Lovas, 1970). Teaching *all* content areas in both languages does not recognize the sociolinguistic reality of language use, and the fact that speakers use language differently, depending on the context, content and interlocutors involved in the communicative event. Bilinguals never use the two languages for exactly the same purposes. Likewise, bilingual students do not have to learn the same content in two languages all the time. It is possible for one language to be used for some purposes and subjects, and not others, and for this to shift (or not) as the student moves through the

grades, depending on societal goals. It is also possible for teachers to focus on learning subject matter deeply, and to allow students to use their two languages to gain further understandings. For example, it is possible for Latinx students in a class taught in Spanish on the science of hurricanes to use both Spanish and English as they search for information on the internet. This means that another period does not have to be added to teach the science of hurricanes in English.

The guideline about language separation and the prohibition of two languages being used simultaneously, and of translation, also needs some rethinking. We agree that there must be a language allocation policy that provides the affordances for one or another language to be heard and used, both orally and in writing. And we also agree that teachers should not be simply providing translations in the other language to students. But as Sánchez *et al.* (2017) have described, there must be flexibility and transformations in the strict language allocation policy advocated in many DLBE programs so that emergent bilinguals of all types are supported, their zones of proximal development expanded (Vygotsky, 1978), and their language practices legitimated.

The call for this more flexible language allocation policy is rooted in a different theory of language and bilingualism than that being used in the NYCDOE guidelines – a theory of translanguaging (for more on this, see, among others, García & Li Wei, 2014; Li Wei, 2017; Otheguy *et al.*, 2015, 2018). When considering bilingual/multilingual students, translanguaging theory distinguishes between named languages (i.e., English, Spanish, Chinese, French and so on) and the language of people. That is, the *trans* of translanguaging takes us *beyond* named languages (Li Wei, 2011), describing how these authorized named languages are sociopolitical and sociocultural constructions, and disrupting the idea that bilinguals develop, or 'do' language, with two language systems that are separate. Bilingualism is not simply the result of the addition of a 'second' named language to a 'first' named language. Bilingual students add new features, that is, phonemes, words, constructions, rules, etc., to their existing language system, as they interact with other speakers, in this way expanding their meaning-making capacities and their repertoire. Translanguaging views the language system of bilinguals as unitary, and unleashes it from the conceptual division and hierarchies imposed by named national languages.

The instructional spaces that bilingual schools provide for the two named languages are important because schools have an important role in helping bilingual students acquire the *social* understanding of when and how to use the many features of their repertoire. But good bilingual instruction must support bilingual students with a space where the students' own translanguaging is leveraged. This is important both for educators to understand what students really know, as well as for bilingual youth to legitimize their own translanguaging practices as valid for their

academic and social lives. In many ways, this translanguaging space in bilingual instruction would allow bilingual students to 'lift the veil' (to use W.E. Du Bois metaphor), to see (and hear) themselves not in relationship to the white monolingual gaze, but as bilinguals who can speak for themselves, and not simply for other monolinguals (Fanon, 1967).

Translanguaging does not negate the existence of bilingualism or multilingualism as a sociocultural concept, the importance of which especially in the lives of members of minoritized communities is most important. But it does negate the idea that named languages are linguistic objects that can be assessed separately. Translanguaging centers on the fluid and dynamic language practices of bilinguals who leverage their entire linguistic repertoire flexibly in order to make meaning. Rather than seeing fluid linguistic practices as interferences or errors, translanguaging is recognized as the discursive norm of all bilinguals when looked at from the point of the bilingual person rather than that of named languages.

The focus on language separation in the city's DLBE guidelines is rooted in notions of linguistic purism, monolingual norms, and an unfortunate understanding of bilingualism (Gort & Sembiante, 2015; Martínez *et al.*, 2015; Menken & Avni, 2017; Palmer *et al.*, 2014). Pedagogical practices based on translanguaging theory are beginning to be used in DLBE programs to support the development of bilingualism and biliteracy (see, for example, Celic & Seltzer, 2012/2013; García *et al.*, 2016; García & Kleyn, 2016; Palmer *et al.*, 2014). Translanguaging pedagogy works to ensure that emergent bilinguals appropriate all features as their own, and not as separate second languages, and that they develop a bilingual American identity that normalizes bilingualism in the United States.

DLBE programs need to grow, expand and serve all the many communities that desire it. At the same time, they need to keep the focus on the education of the growing number of bilingual and multilingual children in the United States. To do so, they will have to shed the strict and rigid policies that accompany the model with regards to who is monolingual and who is bilingual, and how bilingualism is conceptualized and developed.

New York City has never given up on the potential of bilingual education. But to meet the needs of the very varied multilingual New Yorkers in the future, and to expand DLBE programs, the NYCDOE will have to stop interpreting 'dual' as simply two autonomous languages for two different linguistic groups and recognize the multilingual practices, the translanguaging, of NYC students. The potential of DLBE programs is great, and we sincerely hope that the time for their transformation and growth is now.

Notes

(1) In Lau v. Nichols, the Supreme Court ruled in favor of the Chinese plaintiffs in San Francisco and ordered that something additional be done for language minority students.

(2) Many of the observations in this section and the following are based on our long-standing work in bilingual schools in New York City, some of us over 40 years.
(3) We note that in November 2016 voters in California passed Proposition 58, overturning the restriction of bilingual education programs in the state.
(4) These numbers are based on the NYCDOE report: Dual Language and Transitional Bilingual Education Programs, SY 2015–2016.

References

Baker, C. (2011) *Foundations of Bilingual Education and Bilingualism* (5 edn). Bristol: Multilingual Matters.

Blackledge, A. and Creese, A. (2010) *Multilingualism: A Critical Perspective*. London: Continuum.

Carrasquillo, A.R., Rodríguez, D. and Kaplan, L. (2014) *New York State Education Department Policies, Mandates, and Initiatives on the Education of English Language Learners*. New York, NY: CUNY-NYSIEB.

Castellanos, D.L. (1983) *The Best of Two Worlds: Bilingual-Bicultural Education in the U.S.* Trenton, NJ: New Jersey State Dept. of Education.

Celic, C. and Seltzer, K. (2013) *Translanguaging: A CUNY-NYSIEB Guide for Educators*. New York: CUNY- New York State Initiative on Emergent Bilinguals. See http://www.nysieb.ws.gc.cuny.edu/files/2013/03/Translanguaging-Guide-March-2013.pdf

Crawford, J. (2004) *Educating English Learners: Language Diversity in the Classroom* (5th edn). Los Angeles, CA: Bilingual Education Services, Inc.

Del Valle, S. (1998) Bilingual education for Puerto Ricans in New York City: From hope to compromise. *Harvard Educational Review* 68 (2), 193–217.

Fanon, F. (1967) *Black Skin, White Masks*. 'The Negro & Language' (pp. 8–27). London: Pluto Press.

Fishman, J.A. and Lovas, J. (1970) Bilingual education in sociolinguistic perspective. *TESOL Quarterly* 4 (3), 215–222. See http://doi.org/10.2307/3585722

Flores, N. and García, O. (2017) A critical review of bilingual education in the United States: From basements and pride to boutiques and profit. *Annual Review of Applied Linguistics* 37, 14–29. Doi: 10.1017/S0267190517000162

García, O. (2009) *Bilingual Education in the 21st Century: A Global Perspective*. Malden, MA: Wiley-Blackwell.

García, O. (2011) Educating New York's bilingual children: Constructing a future from the past. *International Journal of Bilingual Education and Bilingualism* 14 (2), 133–153.

García, O. and Fishman, J.A. (eds) (1997) *The Multilingual Apple. Languages in New York City*. Berlin, Germany: Mouton de Gruyter.

García, O. and Kleyn, T. (eds) (2016) *Translanguaging with Multilingual Students: Learning from Classroom Moments*. New York: Routledge.

García, O. and Kleifgen, J.A. (2018) *Educating Emergent Bilinguals: Policies, Programs, and Practices for English Learners (2nd ed.)*. New York: Teachers College Press.

García, O., Johnson, S.I. and Seltzer, K. (2016) *Translanguaging Classrooms: Leveraging Student Bilingualism for Learning*. Philadelphia: Caslon Publishing.

García, O. and Li W. (2014) *Translanguaging: Language, Bilingualism and Education*. London: Palgrave Macmillan Pivot.

Gort, M. and Sembiante, S. (2015) Navigating hybridized language learning spaces through translanguaging pedagogy: Dual language preschool teachers' languaging practices in support of emergent bilingual children's performance of academic discourse. *International Multilingual Research Journal* 9 (1), 7–25.

Harris, E.A. (2015a, January 14) New York City Education Department to Add or Expand 40 Dual-Language Programs. *The New York Times*. See http://www.nytimes.com/2015/01/15/nyregion/new-york-city-education-department-to-add-or-expand-40-dual-language-programs.html

Harris, E.A. (2015b, October 8) Dual-language programs are on the rise, even for native English speakers. *The New York Times*. See http://www.nytimes.com/2015/10/09/nyregion/dual-language-programs-are-on-the-rise-even-for-native-english-speakers.html

Li, W. (2011) Moment analysis and translanguaging space: Discursive construction of identities by multilingual Chinese youth in Britain. *Journal of Pragmatics* 43, 1222–1235.

Li, W. (2017) Translanguaging as a practical theory of language. *Applied Linguistics* 2017: 1–23. doi:10.1093/applin/amx039

Infante, A. (2016, May) *Keynote Address*. Presented at the New York State Association for Bilingual Education Conference, Buffalo, New York.

Jaumont, F. (2017) *The Bilingual Revolution*. New York: TBR Books.

Martínez, R., Hikida, M. and Durán, L. (2015) Unpacking ideologies of linguistic purism: How dual language teachers make sense of everyday translanguaging. *International Multilingual Research Journal* 9 (1), 26–42.

Menken, K. and Avni, S. (2017) Challenging linguistic purism in dual language bilingual education: A case study of Hebrew in a New York City public middle school. *Annual Review of Applied Linguistics* 37, 185–202.

Menken, K. and Solorza, C. (2014a) No child left bilingual accountability and the elimination of bilingual education programs in New York City Schools. *Educational Policy* 28 (1), 96–125. http://doi.org/10.1177/0895904812468228

Menken, K. and Solorza, C. (2014b) Where have all the bilingual programs gone?!: Why prepared school leaders are essential for bilingual education. *Journal of Multilingual Education Research* 4 (1), 9–39. See http://fordham.bepress.com/jmer/vol4/iss1/3

Morison, S.H. (1990) A Spanish-English dual-language program in New York City. *The Annals of the American Academy of Political and Social Science* 508, 160–169.

New York City Department of Education (2015a, January 14) Chancellor Fariña to Launch 40 Dual Language Programs in September. See http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2014-2015/Chancellor+Fari%C3%B1a+to+Launch+40+Dual+Language+Programs+in+September.htm

New York City Department of Education (2015b, December 3) Chancellor Fariña Names 15 Schools Model Dual Language Programs – 2015–2016. See http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2015-2016/Chancellor+Farina+Names+15+Schools+Model+Dual+Language+Programs.htm

New York City Department of Education (2016, April 4) Chancellor Fariña Announces 38 New Bilingual Programs – 2015–2016. See http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2015-2016/Chancellor+Farina+Announces+38+New+Bilingual+Programs.htm

New York City Department of Education (2017) Chancellor Fariña announces citywide bilingual expansion, bringing 68 new programs to schools this fall. See http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2016–2017/BilingualExpansion.htm

Otheguy, R., García, O. and Reid, W. (2015) Clarifying translanguaging and deconstructing named languages: A perspective from linguistics. *Applied Linguistics Review* 6 (3), 281–307. See http://doi.org/10.1515/applirev-2015-0014

Otheguy, R., García, O. and Reid, W. (2018) A translanguaging view of the linguistic system of bilinguals. *Applied Linguistics Review*, 1–27. See https://doi.org/10.1515/applirev-2018-0020

Palmer, D.K., Martínez, R.A., Mateus, S.G. and Henderson, K. (2014) Reframing the debate on language separation: Toward a vision for translanguaging pedagogies in the dual language classroom. *The Modern Language Journal* 98 (3), 757–772. See http://doi.org/10.1111/modl.12121

Pousada, A. (1987) *Puerto Rican Community Participation in East Harlem Bilingual Programs*. New York: Research foundation of the City University of New York, Centro de Estudios Puertorriqueños, Hunter College.

Reyes, L.O. (2006) The Aspira consent decree: A thirtieth-anniversary retrospective of bilingual education in New York City. *Harvard Educational Review* 76 (3), 369–400.

Sánchez, M.T. García, O. and Solorza, C. (2017) Reframing language allocation policy in dual language bilingual education. *Bilingual Research Journal*. DOI: 10.1080/15235882.2017.1405098

Santiago, I.S. (1986) Aspira v. Board of education revisited. *American Journal of Education* 95 (1), 149–199.

Veiga, C. (2018, January 17) New York City will add dual language options in pre-K to attract parents and encourage diversity. *Chalkbeat*. See https://www.chalkbeat.org/posts/ny/2018/01/17/new-york-city-will-add-dual-language-options-in-pre-k-to-attract-parents-and-encourage-diversity/

Velasco, P. (2014) The language and educational ideologies of Mixteco-Mexican Mothers. *Journal of Latinos and Education* 13 (2), 85–106. See http://doi.org/10.1080/15348431.2013.821061

Vygotsky, L.S. (1978) *Mind in Society. The Development of Higher Psychological Processes*. Cambridge, MA: Harvard University Press.

Wiley, T.G. (1996) *Literacy and Language Diversity in the United States*. Center for Applied Linguistics, Washington, DC.