¡MUÉSTREME EL DINERO!: ASSESSING THE LINKAGE BETWEEN LATINO SCHOOL SUPERINTENDENTS AND ENGLISH LANGUAGE LEARNER PROGRAM RESOURCES

A Dissertation

by

NICK ANDREW THEOBALD

Submitted to the Office of Graduate Studies of Texas A&M University in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

May 2007

Major Subject: Political Science
¡MUESTRAME EL DINERO!: ASSESSING THE LINKAGE BETWEEN LATINO SCHOOL SUPERINTENDENTS AND ENGLISH LANGUAGE LEARNER PROGRAM RESOURCES

A Dissertation

by

NICK ANDREW THEOBALD

Submitted to the Office of Graduate Studies of Texas A&M University in partial fulfillment of the requirements for the degree of DOCTOR OF PHILOSOPHY

Approved by:

Chair of Committee, Kenneth J. Meier
Committee Members, B. Dan Wood
William F. West
Donald R. Deere
Head of Department: Patricia A. Hurley

May 2007

Major Subject: Political Science
ABSTRACT

¡Muéstreme el Dinero!: Assessing the Linkage between Latino School Superintendents and English Language Learner Program Resources. (May 2007)

Nick Andrew Theobald, B.A., Cal Poly San Luis Obispo
Chair of Advisory Committee: Dr. Kenneth J. Meier

A central question in racial and ethnic politics is whether bureaucratic representation benefits minorities. The theory of bureaucratic representation suggests that passive representation—representatives sharing characteristics of the represented—can lead to active representation—acting in a manner that represents the interests of the represented group. A growing body of empirical research has found that bureaucratic representation leads to improved policy outcomes for minorities. Most of the evidence for active representation, though, comes from representation by street-level bureaucrats. We do not know the impact of representation by upper-level bureaucrats, however. In this dissertation, I examine the impact of school superintendents on the generation and distribution of resources to English language learner programs. In particular, I investigate whether the presence of Latino superintendents leads to greater resources for these programs. Additionally, I also explore the impact of these programs on the Latino dropout rate.

Using data from the Texas Education Agency, U.S. Census, and National Association of Latino Elected Officials, I find that upper-level bureaucrats do actively represent the needs of represented groups. Specifically, Latino superintendents distribute more resources, in the form of teachers, to English language learner (ELL) programs. Additionally, Latino superintendents are more likely to distribute resources to bilingual programs relative to English as a second language programs. In regard to the impact of
different types of ELL programs, I do not find evidence that program type predicts Latino dropout rates. However, I do find that serving the needs of limited English proficient students, regardless of program type, helps to decrease the Latino dropout rate.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>iii</td>
</tr>
<tr>
<td>TABLE OF CONTENTS</td>
<td>v</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td>vii</td>
</tr>
</tbody>
</table>

## CHAPTER

### I INTRODUCTION ......................................................... 1
- Introduction ......................................................... 1
- Bilingual Education .............................................. 2
- Bureaucratic Representation .................................. 6
- Hypotheses ......................................................... 11
- Outline .............................................................. 15

### II ACTIVE REPRESENTATION FROM THE ALPINE HEIGHTS ................. 18
- Introduction ......................................................... 18
- Defining Active Representation ................................ 20
- Organizational Influences on Active Representation ...... 23
- External Factors ................................................... 33
- Conclusion .......................................................... 40

### III THE POLITICS OF LANGUAGE ..................................... 44
- Introduction ......................................................... 44
- Texas and Bilingual Education: From a Criminal Act to a Legislative Mandate ........................................... 47
- The Rise and Fall of Federal Support for Bilingual Education .............................................................. 66
- Conclusion .............................................................. 86

### IV MUÉSTREME EL DINERO! ............................................ 90
- Introduction ......................................................... 90
- Representation and Bilingual Education ..................... 92
- Data and Methods .................................................. 99
- Results ................................................................... 106
- Discussion ............................................................. 111
<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>BILINGUAL EDUCATION: CAUSE OR CURE?</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>V</td>
<td>Introduction</td>
<td>114</td>
</tr>
<tr>
<td></td>
<td>Evidence, or Lack of, Linking Bilingual Education to Dropout Rates</td>
<td>116</td>
</tr>
<tr>
<td></td>
<td>Data and Methods</td>
<td>122</td>
</tr>
<tr>
<td></td>
<td>Results</td>
<td>130</td>
</tr>
<tr>
<td></td>
<td>Discussion</td>
<td>133</td>
</tr>
<tr>
<td>VI</td>
<td>CONCLUSION: WHERE DO WE GO FROM HERE?</td>
<td>137</td>
</tr>
<tr>
<td></td>
<td>Wrapping It Up</td>
<td>137</td>
</tr>
<tr>
<td></td>
<td>Looking for Representation in All the Right Places</td>
<td>138</td>
</tr>
<tr>
<td></td>
<td>Symbolic Effect</td>
<td>141</td>
</tr>
<tr>
<td></td>
<td>Deliberative Representation</td>
<td>145</td>
</tr>
<tr>
<td></td>
<td>Conclusion</td>
<td>147</td>
</tr>
</tbody>
</table>

REFERENCES...........................................................................................................150

VITA.................................................................164
# LIST OF TABLES

<table>
<thead>
<tr>
<th>TABLE</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Regression Results for Latino Representation and All ELL Teachers</td>
<td>106</td>
</tr>
<tr>
<td>4.2</td>
<td>Regression Results for Latino Representation and Bilingual Teachers</td>
<td>108</td>
</tr>
<tr>
<td>4.3</td>
<td>Regression Results for Latino Representation and ESL Teachers</td>
<td>110</td>
</tr>
<tr>
<td>5.1</td>
<td>ELL Service and Latino Dropout Rates</td>
<td>130</td>
</tr>
<tr>
<td>5.2</td>
<td>ELL Service and Alternate Completion Measures</td>
<td>132</td>
</tr>
</tbody>
</table>
Introduction

The population of students in public schools increased by 24 percent between 1990 and 2000. The population of Limited English Proficient (LEP) students grew by 105 percent over the same period (Kindler 2002). The growing LEP population requires significant resources in order to address their needs. There is an ongoing and contentious debate on how to meet the needs of these students (see Crawford 1999). Politicians, practitioners and parents argue over what types of programs work best, whether to use two-way bilingual education, transitional bilingual education, or structured immersion programs. Although the decision over what type of program a school uses has largely been a local decision, the federal and state governments are becoming more influential in influencing the implementation of bilingual education programs. California and Arizona residents recently passed propositions requiring structured immersion programs, and requiring parents to petition schools if they want to continue with transitional or two-way bilingual programs. The Office for Civil Rights monitors schools to ensure that they are in compliance with requirements set by the Lau v. Nichols decision. And the federal government offers funds to schools for bilingual programs through Title VII of the Elementary and Secondary Education Act ESEA (1965).

This dissertation follows the style of American Political Science Review.
This dissertation will look at how resources are generated and distributed to English language learner (ELL) programs. The main question this dissertation will address is whether or not representation by upper-level managers leads to greater resources for these programs, and in particular whether Latino superintendents are influential in generating more resources for these programs. The theory of bureaucratic representation suggests that passive representation—representatives sharing characteristics of the represented—can lead to active representation—acting in a manner that represents the interests of the represented group. A growing body of empirical research has found that bureaucratic representation leads to improved policy outcomes for minorities (see Naff 2001). Most of the evidence for active representation, though, comes from representation by street-level bureaucrats (Naff 2001). This dissertation will look at the influence of representation of upper-level bureaucrats, school superintendents, in order to gain a greater understanding of how and when bureaucratic representation benefits minorities.

**Bilingual Education**

The service of LEP students’ needs is a complex policy area. First of all, there are several different types of ELL programs, and often schools will incorporate several types of programs in one school. In its truest form, a bilingual program is one that teaches two

---

1 ELL programs serve the needs of LEP students. While the term bilingual education is often used to describe these programs, not all programs utilize LEP students’ native language, thus are not bilingual. All ELL programs share the goal of English acquisition, but they vary in the means used to achieve this goal, and the number of goal additional goals. For instance, structured immersion programs are solely concerned with English acquisition, whereas maintenance bilingual programs include the goal of achieving fluency in the students’ native language along with fluency in English.
languages to students regardless of their first language. Most programs, though, are more concerned with helping LEP students acquire English language skills, as in the case of transitional Bilingual Education (TBE). TBE programs vary in the amount of instruction time in the students’ first language, and how long students remain in these programs. In TBE programs, instruction in student’s first language is not intended to develop this language, but instead intended to help students learn English and for instruction in other fields while they are learning English. English as a Second Language (ESL) programs, which are often components of TBE programs, do not teach students in their primary language. These programs segregate LEP students into special classes that are instructed in English but are taught by teachers trained to deal with LEP students. This training, though, does not mean that the teachers themselves are bilingual, which in turn makes these programs easier to staff than true bilingual programs.

Second, bilingual programs serve a diverse population. Although three-quarters of LEP students are native Spanish speakers (Osorio-O’Dea 2000), it is not uncommon for districts to have to deal with several languages. Nation-wide, LEP students speak over 100 different languages. Different languages often require different programs due to differences in the language minority student population. A school may have enough Spanish speaking LEP students and teachers for a TBE program, but only have a handful of students who speak Korean and no qualified Korean bilingual teachers. The Korean speaking students, then, would likely require an ESL program.

Finally, there is no clear model for success (Crawford 1999; Krashen 1996). One can find evidence supporting the efficacy for any type of program. One can also find
evidence that any type of program is ineffective. These contradictory findings help fuel the political debates concerning meeting the needs of LEP students.

Some issues in the political debate over the last 30 years concerning bilingual education include Title VII of the Elementary and Secondary Education Act, the *Lau v. Nichols* decision in which the Supreme Court mandated that schools must address the needs of LEP students, William Bennett’s attack on bilingual education during his tenure as Secretary of Education, and Proposition 227 in California and Proposition 203 in Arizona (Crawford 1999; Crawford 2000). Title VII of the ESEA was created to offer federal funds for schools that implement bilingual programs. At the time of its passage, 1968, most schools used a sink or swim approach to teach LEP students English. In other words, schools were placing LEP students in regular classrooms in which these students were expected to learn English without any special assistance. In 1974, with the *Lau v. Nichols* decision, the Supreme Court found that sink or swim approaches violated both the Fourteenth Amendment of the Constitution and Title VI of the Civil Rights Act of 1964. The following year, Ford’s Education Commissioner, T. H. Bell, announced a set of guidelines, known as the “*Lau Remedies*” for schools to follow to insure that they were in compliance with the Supreme Court’s decision (Lyons 1990). At the state level, two recent referenda essentially ended bilingual education in California and Arizona. In 1998, California voters overwhelming approved Proposition 227, which required schools to replace bilingual programs with a structured immersion approach to teaching LEP students unless parents in a school petitioned to maintain bilingual programs. Two years later, Arizona voters passed Proposition 203, a nearly identical measure to Proposition 227.
Critics of bilingual education argue bilingual programs are expensive and ineffective (Crawford 1999). Crawford (1999) contends that these critics selectively use research that finds that bilingual programs do not work, and that ESL and structured immersion programs are effective in order to support their cause. After the Lau decision, the Office for Civil Rights began to monitor the districts to ensure that they were in compliance with the Lau decision. This often means replacing an immersion programs with bilingual programs. If ESL or structured immersion programs are found to be more effective than bilingual programs, then districts could save a great deal of money in achieving so-called “Lau remedies.”

Research findings that support the efficacy of bilingual programs, on the other hand, can be used by advocates to raise money for bilingual programs. During the 1980s, California conducted an experiment on bilingual education programs to find a model for programs throughout the state. Six districts were chosen as laboratories for implementing a program developed by scholars in cognitive psychology, linguistics, and literacy. Evidence regarding strong student performance in these six districts led Los Angeles Unified School District to approve $20 million to implement similar programs throughout the district (Crawford 1999).

Clearly, financing bilingual programs is an important issue for many school districts. During the 2000-2001 school year, Texas school districts spent $555 million on bilingual education programs. The percentage of districts’ budget spent on these programs varied from zero percent to 26 percent. Need should be the major determinant of variation in expenditures across districts, but there are also likely political factors that are driving this variation. Two recent studies have found that minority representation on school
boards affect bilingual program finance (Leal and Hess 2000; Robinson 2002). These studies, though, offer contradictory evidence regarding the impact of representation on bilingual program finance. Leal and Hess (2000) find that Hispanic and Asian representation increases expenditures while Robinson (2002) finds that representation decreases finance, as well as changing the relationship for need from positive to negative. The differences in these studies are likely a function of their samples, differences in their models, and differences in their dependent variables.

This dissertation will extend this research into determinants of bilingual program resources. In particular, it will look at the impact of representation by superintendents on ELL program resources. Results from studies that omit bureaucratic characteristics are likely to find spurious relationships between political representation and policy outcomes (Meier and O'Toole 2006). In the two studies of bilingual program finance mentioned above, the authors only include attributes of political actors, ignoring attributes of bureaucrats in school districts. Superintendents make budgetary decisions (Norton 1996). Ignoring representation by an actor who makes decisions regarding allocation of funds across different instructional programs is a serious omission and could be a reason behind Leal and Hess (2000) and Robinson’s (2002) contradictory findings.

**Bureaucratic Representation**

Scholars have long thought that bureaucracies can contribute to democracy through the shared attributes of bureaucrats and the public. Kingsley (1944) first introduced this idea when writing about the English civil service. He found that administrators were largely drawn from the upper and middle class. And while this
created a system where the bureaucracy was responsive to the elites in Parliament, Kingsley questioned the civil service’s ability to be responsive to the needs of the public they served. He argued the civil service should better reflect the characteristics and experiences of the public and that a “democratic State cannot afford to exclude any considerable body of its citizens from full participation in its affairs” and that “public service must also be representative if the State is to liberate rather than to enslave” (Kingsley 1944; 151). Subsequent scholarship on bureaucratic representation in the United States civil service differed from Kingsley’s view such that these authors believed that that bureaucracy was at least more representative of the public compared to the elected elites, making the bureaucracy responsive to the needs of the public (Levitan 1946; Long 1952; Van Riper 1958).

Representative bureaucracy offers both symbolic and substantive value. For symbolic value, passive representation is the only requirement. Passive representation occurs when the bureaucracy reflects characteristics of the public. These characteristics can be based on class, race, or gender. The symbolic value of passive representation is derived from the public having more trust in government institutions that share characteristics with the public. This trust can lead to positive outcomes for both the bureaucracies and the public. For instance, minorities may be more willing to cooperate with minority police officers, thus helping to decrease crime. Minorities may also see a representative bureaucracy as a potential job opportunity, thus giving minorities motivation to further their education. Substantive value also occurs when passive representation leads to active representation. Active representation occurs when minority bureaucrats use their discretion to act in a manner that benefits minority clientele
(Mosher 1968). For the purpose of this dissertation, active representation occurs when a Latino school superintendent makes decisions that favor minority students in ELL programs.

Early research focused on passive representation. This research generally found that bureaucracies were representative of the public, but that representation was less evident in upper-level positions in bureaucracies (see Selden 1997 for a review). Meier (1975) argues that lack of representation by upper-level bureaucrats hampers the ability for bureaucracies to represent minority groups. This top-down perspective assumes that discretion exercised by upper-level bureaucrats was more influential than discretion exercised by street level bureaucrats (Thompson 1976). In addition, a premise of representative bureaucracy is that minority bureaucrats share the same values of minorities in the public. Several factors, such as agency socialization or differences in class and education, can lead to differences in values between bureaucrats and the public.

There are also several factors that make it difficult to find empirical evidence of a linkage between passive and active representation, especially when trying to find congruence between values held by bureaucrats and the public (see Saltzstein 1979). Measuring at a single attitudinal area may miss other important values. Additionally, there may be convergence on all but a few attitudinal areas, but these few areas may be the most important for represented groups. Finally, even if there is a congruence of values between representatives and those whom they represent, there is no guarantee that this will lead to actions that favor represented groups.

In order to avoid the problems associated with measuring attitudes, empirical research on active representation has focused on outcomes for minorities both within
organizations and served by organizations. By looking at outcomes, such as minority student performance or loan approvals for minority farmers, this research has found that there is a linkage between passive and active representation. Representation in public schools benefits minority teachers and students in public schools (Meier 1993b; Meier and Stewart 1991; Meier, Stewart, and England 1989; Meier, Wrinkle, and Polinard 1999). Representation in Equal Employment Opportunity Commission increases the number of charges filed on behalf of Blacks and Hispanics (Hindera 1993a; Hindera 1993b; Hindera and Young 1998). Finally, minority representation in the Farmers Home Administration increases the number of loans offered to minority applicants (Selden 1997).

The primary contribution of this dissertation to the growing body of knowledge concerning bureaucratic representation is the focus on the impact of representation in an upper-level management position and by assessing how bureaucrats are able to marshal the resources required to actively represent certain groups. Compared to street-level bureaucrats, it is more difficult to find evidence of passive representation by upper-level bureaucrats leading to active representation (see Thompson 1976). Given that teachers directly interact with students, it should be expected that they would have a stronger effect on student outcomes compared to principals and superintendents. Decisions by upper-level bureaucrats must filter through the school system before they affect students. It is possible, though, that upper-level bureaucrats make decisions intended to favor a particular group, but the effect of these decisions on outcomes is too small to measure.

This dissertation will focus on decisions regarding the allocation of resources toward a certain group, instead of outcomes for minority clients in the school systems.
Specifically, the dissertation will study the effect of representation by Latino superintendents on teacher allocations for programs benefiting LEP students. Even though there is no guarantee that increasing the number of teachers for these programs would improve LEP student performance, evidence of increased resources for LEP in systems with representation would show how upper-level bureaucrats can actively represent certain groups.

In addition to highlighting the role of upper-level managers in representative bureaucracies, this dissertation will also address a methodological issue plaguing most empirical studies of active representation. Scholars in this area largely study the impact of aggregate levels of representation on aggregate policy outcomes, creating an ecological fallacy problem. Active representation is an individual level phenomenon. While active representation would lead to the aggregate level findings in the studies cited above, other phenomena may also explain these results (see Lim 2006 for a critique). While the unit of observation for this dissertation is a school district, as with many of the studies of bureaucratic representation in schools, the unit of analysis is a school superintendent. Since there is only one superintendent in a school district, evidence that districts with Latino superintendents distribute more resources to ELL programs would provide direct evidence of active representation.

Finally, this dissertation will evaluate the impact of ELL programs on a pressing issue for the Latino community. Latinos have long had the highest dropout rate, and policy makers have argued that bilingual education both causes and cures this problem. However, there is little empirical evidence to support either argument. I will contribute to this debate assessing the impact of the level of service provided to LEP students, and the
type of programs offered on the Latino dropout rate. This evaluation provides indirect evidence that active representation by Latino superintendents in this policy area leads to substantive policy outcomes.

**Hypotheses**

The empirical chapters of this dissertation will test several theories derived from theories of representation and the pedagogy of bilingual programs. These hypotheses are listed below.

*Hypothesis 1:* Passive representation by upper-level managers leads to active representation. Specifically, representation by Latino superintendents will lead to greater resources for ELL programs.

Thompson (1976) argues that it is more difficult for upper-level bureaucrats to represent particular groups. Executives have multiple roles and multiple internal and external pressures, some which favor representing certain groups, and others that inhibit representing groups (Henderson 1988). Organizational socialization and selection minimize the key determinant for active representation; variation in preferences of upper-level managers by race (Downs 1966; Simon 1947).

Even though upper-level bureaucrats may be constrained in their ability to represent minority clientele, I expect to find a positive effect for representation on ELL program resources. First of all, while theories of organizational socialization and political control provide explanations for attitudes and behaviors for upper-level managers, they do not preclude active representation. A close examination of Downs’ (1966) theory or
bureaucratic behavior shows that while upper-level managers are concerned with a broad set of organizational goals, it is still possible for different managers to place different weights on these goals, providing the opportunity for active representation. Additionally, if the premise of bureaucratic representation is correct, such that attitudes are a function of race, then principal-agent models would predict that the racial composition of an agency could be used as a mechanism of control.

Second, Meier (1993a) argues that for active representation to occur, bureaucratic discretion must be linked to decisions that are affected by demographic experiences. I expect greater resources allocated to ELL programs because these programs specifically target minority students, language if not ethnic minorities, and they are largely comprised of Hispanic students (Feinberg 2002; Osorio-O’Dea 2000). In addition, bilingual education has long been a key issue with the Latino community for both political and pedagogical reasons (San Miguel 1984; San Miguel 1987; San Miguel 2001; San Miguel 2004) and surveys show that Latinos continue to have strong support for bilingual education (De la Garza 1992; Krashen 1996; Shin 2000). Support in the Latino community should lead Latino superintendents to represent these interests in the form of offering financial resources to bilingual programs.

_Hypothesis 2:_ Latino representation will lead a redistribution of resources toward programs favored by Latinos.

There are several types of programs designed to serve the needs of LEP students. The key differences in these programs are the use of students’ native language, and goals regarding fluency in both English and the students’ native language. While Latinos
overwhelming support the idea that students should be fluent in English, they also support
the use and development of the students’ native language. Given the choice between
programs that use Spanish and those that use English, I expect that Latino representatives
will choose bilingual programs over ESL programs.

_Hypothesis 3:_ Spending formulae dictate representation based on need, but representation
should change these formulae, so bilingual students will have a greater impact on
resources in systems with representation.

This hypothesis addresses the question of how organizations respond to demand
through sets of rules or in this case spending formulae. Bilingual programs are often
funded through formulae that allocate revenue as a function of number of students being
served. These formulae act as an institutionalized form of representation such that as the
number of students in bilingual programs increase, so does the funding for these
programs. Two recent studies, though, present conflicting evidence for this hypothesis
relationship between bilingual program membership and per-pupil spending on bilingual
programs. Robinson’s (2002), on the other hand, finds that Hispanic enrollment has a
positive effect on change in bilingual teachers from one year to the next. Interestingly,
though, this effect is only for districts without Hispanic members on their school board
representation. For districts with Hispanic membership on the school board representation,
the effect is negative. In other words, Robinson (2002) finds that systems with Hispanic
representation actually disadvantage Hispanic students.
These studies, though, use different dependent variables, which are arguably flawed. Leal and Hess (2000) use all students in a district, not just students served by bilingual programs, to construct a per-pupil expenditure on bilingual programs measure. They then use percentage of students in program as a control. Given that bilingual program expenditures are mostly spent on teacher salaries, Robinson (2002) uses change in bilingual teachers as a proxy for bilingual budgets. Change in teachers, though, could also reflect relative demand for teachers for one type of program compared to another. If there is a systematic difference between represented districts and program type, then this could be what is driving his results. Both of these studies also do not control for program type. Using percentage of budget spent on bilingual programs, and controlling for specific program type, I expect to find a positive relationship between percentage of students served by program and program expenditures.

As Robinson (2002) notes, though, representation is not merely an input in a system; also, it changes the system. For his study, Robinson argues that representation on school boards changes how the system responds to need by changing spending formulae. This should also be true for bureaucratic representation. The concept of bureaucratic representation implies that minority bureaucrats should be more sensitive to minority needs. Administrators can devise rules that increase representation, such as altering spending formulae. In this study, this means that Hispanic superintendents should be more sensitive to the needs of students in bilingual programs. If this is the case, the effect of students on program budgets should be stronger in systems with representation.
Hypothesis 4: Variations in ELL programs affect the Latino dropout rate.

Latino activists have long argued that the lack of bilingual programs is a partial cause of the high Latino dropout rate. Opponents of bilingual education, though, argue that bilingual education is a cause of the high Latino dropout rate. I will test both hypotheses by comparing the Latino dropout rate between districts that use bilingual programs and those that use ESL programs. If bilingual education proponents are correct, then districts that use bilingual programs should have a lower Latino dropout rate. If bilingual education opponents are correct, then districts that use ESL programs should have a lower dropout rate.

Hypothesis 5: The level of service provided to LEP students affects the Latino dropout rate.

Krashen (1996) argues that bilingual education programs not likely to be a cause of the high Latino dropout rate due to the fact that most LEP students are not served by bilingual programs, and many are not served by any ELL program; in addition to the fact that most Latinos do not need any English language assistance programs. Given that many LEP students are not served by ELL programs, it is possible that this lack of service contributes to the Latino dropout rate.

Outline

Chapter II will discuss the theory of the dissertation. In particular, I will discuss the role of organizational socialization and external political forces play on bureaucratic
representation. These two factors are especially important for executives in public agencies since these individuals are more exposed to organizational socialization and political forces compared to street-level bureaucrats. While scholars have argued that these forces preclude active representation by those who head public agencies, I will show how theories of organizational socialization and bureaucratic control are not competing theories, but instead complement the theories of bureaucratic representation.

Chapter III is an historical overview of the role Latinos have played in the development of English language learner programs. I will look at this involvement at the state and local level in Texas, and at federal level with the passage and subsequent reauthorizations of the Bilingual Education Act (1968). This chapter will show the importance bilingual education for the Latino community, and how Latino groups, elected officials, and administrators have responded to and developed programs that largely serve Latino students. This historical analysis not only shows that the Latino community feels that bilingual education is important for helping Spanish-speaking students acquire English skills, but is also important for the recognition of Latino culture and for empowering Latinos politically. The importance of this policy area for Latinos makes it an ideal test case for the study of bureaucratic representation.

Chapter IV tests the theory of bureaucratic representation by exploring whether upper-level representation translates into active representation. Using data for Texas school districts, I will test the effect of Latino representation on ELL program resources. Using Robinson’s model of representation, and controlling for electoral representation, I will show that upper-level managers, in this case Latino superintendents, can and do actively represent the needs and interests of the Latino community. Additionally, I will
show that Latino representatives show a preference for bilingual programs compared to programs that do not utilize LEP students’ native language.

Chapter V presents a program evaluation. Specifically, I assess the impact of different ELL programs and the level of service by these programs on the Latino dropout rate. Highlighting the political nature of this policy area, both supporters and opponents of bilingual education argue that the Latino dropout rate is a function of bilingual education, although each side has a different explanation for how bilingual education affects this important policy outcome. This chapter shows that it is not necessarily how LEP students are served, but instead whether they are served that matters.

Chapter VI offers a summary of the research presented in this dissertation, and a road map for further research on bureaucratic representation. While there is abundant evidence that passive representation benefits those who are presented, the process for these improved outcomes is not clear. The work presented in this dissertation provides strong evidence that active representation can occur, and is a likely explanation for the findings by other scholars in this area, but there are several other explanations for these findings as well. I will define these different explanations and offer different research designs for testing these different explanations.
CHAPTER II
ACTIVE REPRESENTATION FROM THE ALPINE HEIGHTS

Introduction

Scholars have long extolled the virtue of a representative bureaucracy (Krislov 1974; Levitan 1946; Long 1952; Long 1962; Rourke 1968; Van Riper 1958), and research in the past 25 years provides a wealth of evidence showing the benefits of having public agencies that reflect the demographic characteristics of those they serve (England, Meier, and Fraga 1988; Greene, Selden, and Brewer 2001; Hindera and Young 1998; Keiser et al. 2002; Meier, Wrinkle, and Polinard 1999). However, there are still questions to be answered in regard to how these benefits manifest, and to what extent our public agencies actually reflect not only demographic characteristics but also the experiences that would allow bureaucrats to fulfill the representative roles. Kingsley’s (1944) assessment of the British civil service, for instance, still applies to the top administrators in most public agencies. That is, they are more likely to be drawn from the upper class, and thus are likely to have more in common with the elected elite than the common public.

Representation by public executives, or lack there of, was one of the first criticisms of the concept of a representative bureaucracy (Downs 1967; Meier 1975). And while there is evidence that minorities and women are holding more top level positions (Naff 2001), it is not clear whether minority or female executives are able, or willing, to be represent the interests of minorities and women. Selection criteria, such as educational requirements, organizational socialization and political control by elected elites constrain
executive behavior, limiting active representation. A central premise for the argument for a representative bureaucracy is that minorities in executive positions would better understand and be more responsive to the needs and interests of minority clientele. The belief is that shared experiences between minorities produces a greater understanding of the needs and interests of minority constituents (Meier 1993b). Yet, minority executives likely come from a different background, and have different experiences from those whom they would be expected to represent (Downs 1967; Meier 1975; Meier and Nigro 1976; Saltzstein 1979; Thompson 1976). Additionally, since most executives spend years working for public agencies before they achieve upper-level positions, they take on the values of the agency, which might not be aligned with the values or interests of minorities. Finally, executive decisions are more easily policed by political principals, thus they might not have the same level of discretion that street-level bureaucrats have in responding to the needs and demands of minority clientele.

However, “substantive representation need not occur only at the alpine heights of bureaucracy” (Thompson 1976; 221). This observation led to scholars away from the difficulties of observing active representation from the alpine heights. Instead, scholars turned their focus on street level bureaucrats. In addition to focusing on street-level bureaucrats, scholars used outcomes for minority clientele for dependent variables, instead of actual decisions. This allowed scholars to overcome methodological difficulties associated with measuring decisions that are aligned with minority interests (see Saltzstein 1979). So, while the body of evidence shows that minorities do benefit from street level-representation, there is still a question of whether minorities benefit from representation by executives in public agencies, and whether the benefits are a
function of actions by minority bureaucrats, or some other factors that might influence favorable policy outcomes for minorities. This work will undertake the challenge of examining executive-level, active representation.

This chapter will address the theoretical issues concerning active representation by upper-level managers. I will show that while selection criteria for positions produces a set of minority managers that do not necessarily share the same experiences of the majority of minorities, minority interests are still likely to be better served by minority administrators. Organizational socialization also inculcates minority executives with the values of the agency they serve, but minority executives can and still hold different values from their non-minority counterparts. Finally, while executives are more likely to be subject to political control, they still possess the necessary discretion needed to actively represent minority interests. In fact, I will show that models of political control, specifically principal-agent models, predict the same outcome as theories of representative bureaucracy. The theory discussed in this chapter leads to the expectation that under the right conditions, minority executives will actively represent minority interests.

**Defining Active Representation**

The literature on bureaucratic representation generally uses Mosher’s (1968) definition of representation, which distinguishes between passive and active representation. Passive representation occurs when characteristics in the community are present in the bureaucracy. These characteristics can be based on race, class or gender. Active representation occurs when individuals act on behalf of groups with shared
characteristics. This action could be a reallocation of resources in order to benefit represented groups, or creation or support of programs favored by represented groups.

Shared experiences and values are often provided as the causal links between passive and active representation. However, if the definition of active representation is simply an act intended to benefit represented groups, there are other explanations for active representation. For instance, active representation can be a function of increased expectations by minority principals and clientele (Herbert 1974). Increased expectations could lead to increased dialogue between minority clientele and representatives, producing a greater understanding of the needs the minority community. Thus, minority bureaucrats need not have shared experiences or values in order to act on behalf of minority interests.

These distinctions are important for both understanding the causes and consequences of active representation. Understanding the causes allows us to understand the different factors that facilitate or hinder active representation. If active representation is caused by shared values, then the values public agencies have can both facilitate and hinder active representation. If active representation is caused by passive representation influencing public demands, then the visibility of public officials will produce active representation.

Additionally, active representation does not necessarily lead to substantive outcomes for represented groups. Active representation is the act of an individual, not the outcome of that act. This distinction is especially important since most of the empirical studies of active representation focus on substantive policy outcomes, not actual actions by minority bureaucrats. For instance, several studies claim to show that active
representation leads to lower rates of disciplinary actions and increased academic performance for minority students (England, Meier, and Fraga 1988; Meier and Stewart 1991; Meier, Stewart, and England 1989). It is assumed that these improved outcomes are a function of minority teacher decisions, such as focusing more attention on minority students. However, a minority bureaucrat may make a decision that is believed to benefit minority clientele, but a substantive outcome might not follow. A minority administrator, for instance, might be less likely to assign a minority student to special education classes, knowing that special education assignments have been used as an method of segregation (Meier, Stewart, and England 1989). This decision might not lead to improved academic outcomes, and could possibly lead to problems if this student needed special education.

Furthermore, the types of decisions that would constitute active representation vary across and within agencies. These variations can also facilitate or hinder active representation. For instance, a minority police officer can actively represent minority interests by not practicing racial profiling. This action does not come at a cost to non-represented groups, thus would not be controversial. Active representation by a minority police chief, on the other hand, may mean devoting more resources toward minority neighborhoods by increasing patrols. This action can be quite controversial since it would likely mean taking away resources from non-minority neighborhoods.

While it is expected that active representation will lead to improved outcomes for represented groups, it is important to note that passive representation can lead to improved outcomes without any actions by minority representatives (see Lim 2006). For instance, passive representation by schoolteachers can improve minority student performance through minority teachers being seen as role models by minority students.
Focusing on behaviors of bureaucrats is necessary to assess the link between passive and active representation. An assessment of the substantive impact of passive representation, while important, is not necessary for linking passive representation to active representation. In the case of schoolteachers, it is possible that minority teachers actively represent minority student needs by focusing more attention on minority students, but this form of active representation may not necessarily lead to improved outcomes for minority students. Searching for improved outcomes, then, may lead researchers to miss instances of active representation.

**Organizational Influences on Active Representation**

Organizational socialization has long been seen as a barrier between passive representation and active representation. That is, organizational socialization negates or replaces individual preferences regarding appropriate actions within an agency. This influence is especially strong for upper-level managers, since they tend to have spent more time in agencies compared to street-level bureaucrats. Additionally, selection criteria for executive level positions leads to executives that do not share the same experiences as the clientele their agencies serve, even if they share the same racial characteristics (Downs 1967; Herbert 1974; Meier 1975; Meier and Nigro 1976). The foundation for these arguments is that institutions dominate behavior and attitudes, and that this influence is especially strong on those who have been in a particular institution for a long periods of time. However, institutions are not the sole predictor of behavior or attitudes, and institutions can be influenced by individual behavior and attitudes (March and Olsen 1989).
Organizational Culture and Socialization

Simon (1947) shows how the culture and mission of an agency influences individual behavior within agencies. Employees do not have to completely agree with agency values, but actions required by an agency must fall within a zone of acceptance for agency members. We would not expect, then, any individual to deviate too much from agency norms. Values of executives are more likely to be aligned with agency values since allegiance to these values, or at least behavior indicating allegiance, is required for promotion within an agency. Herbert (1974) also notes that pressures to conform might be stronger for minorities. Given the "historical difficulties" (Herbert 1974, 560) minorities have faced in attaining executive level positions, any minority administrators would tend to place job security ahead of responsiveness to minority community demands.

Thus, if the values of an agency were neutral in regard to policies affecting minority interests, then we would expect individuals within that agency to hold similar neutral values. Many agencies, though, are charged with missions, at least implicitly, promoting minority interests. The EEOC is charged with the mission of protecting minority rights in the workforce. Welfare agencies serve a disproportionately large number of minorities. In these agencies organizational socialization creates an environment that is friendly to representation, thus it is in these agencies where we would expect to find active representation (Meier 1993b).

Therefore, if an agency’s culture values minority interests, then non-minority personnel in the agency would also be expected to advance minority interest.
Organizational socialization, then, can lead to active representation without passive representation. All that is required is that the agency mission includes advancing minority interests. For instance, the No Child Left Behind Act requires that schools advance the interests of minority students by mandating educational parity between non-minority and minority students on basic measures of educational performance. Organizational socialization in schools systems, then, should lead to minority and non-minority bureaucrats placing equal value on minority interests, which in turn should lead to both minority and non-minority acting on behalf of minority interests.

Simon’s (1947) concept of a zone of acceptance explains why we might expect minority and non-minorities to behave differently in regard to advancing minority interests. Behavior required by an organization must fall within an individual’s zone of acceptance. Using Simon’s terms, the theory of bureaucratic representation predicts that an individual’s zone of acceptance for advancing minority interests will vary as a function of the individual’s race. In the case of schools and No Child Left Behind, individuals are only required to ensure that minority and non-minority students receive the same basic level of educational performance. This expectation may be at the upper-level of some individuals’ zones of acceptance in regard to advancing minority interests. For others, this may be at the lower-end of their zone of acceptance for advancing minority interests. These individuals would not only be concerned with ensuring that minorities achieve basic educational skills, but also care about minority students achieving parity on more advanced educational outcomes, such as college placement. Active representation for these individuals would be achieved by advancing minority
interests beyond the organization’s minimum requirement of performance for minority students.

Even if minorities achieve executive positions in agencies that serve minority interests, requirements for holding executive positions creates non-representative individuals (Downs 1967; Herbert 1974; Kingsley 1944; Meier 1975). Whether through selection or socialization, the experiences of minority executives bear little resemblance to the experiences of the minorities their agencies serve (Downs 1967). Borrowing from Barber’s (1970) analysis of elected elites, Meier (1975) concludes that socialization and selection moves attitudes of minority executives further away from the public they are expected to serve.

While the experiences of minority executives may not be representative of the majority of minorities in the population, active representation does not require that the experiences of minority executives mirror the experiences of the minority population at large. Even if socialization and selection processes move the attitudes of minority away from minority clientele, minority executives may still better serve minority clientele. All that is required is that attitudes of minority executives are closer to the attitudes of the minorities they serve when compared to the attitudes of non-minority executives. This holds even if the attitudes of minority executives are closer to non-minority executives than to the minorities they serve.

Finally, the argument that organizational socialization diminishes the ability for active representation assumes that minorities and non-minorities share the same organizational experiences. Henderson (1979; 1988) finds that minority administrators belong to the same professional organizations as their non-minority counterparts, but they
often belong to minority professional organizations as well. The professional socialization, then, differs for minority and non-minority executives. Minority administrators, Henderson argues, assume both the role of advancing their profession and the role of advancing minority representation in these professions.

Henderson (1979) also found that Black administrators were more likely to work in cities with large Black populations and more likely to serve in agencies that address minority issues. In one city, he found a Black assistant city manager who previously worked in a civil rights agency and a White assistant city manager who previously worked for a public utility. Clearly, these two assistant managers were subject to different organizational socialization processes. As a result, Henderson argues, the Black assistant city manager viewed garbage collection in the city as a problem of inequity and the White assistant city manager viewed the same issue as “basically, a management problem that new productivity approaches could solve” (cited in Henderson 1979, 99).

Zealots and Advocates and the Role of Multiple Goals

Downs’ (1967) theory of bureaucracy is often cited as a reason for the expectation that upper-level managers do not engage in active representation. Directly responding to Long’s (1952) argument for creating a more representative bureaucracy, Downs claims that the desire to represent certain groups “is much weaker than their own personal (career) goals or those of their bureaus” (233), thus achieving a representative bureaucracy would serve little more than symbolic value. This assertion is premised on the belief that representation by upper-level managers is necessary for achieving the goals of advocates for representative bureaucracy. Downs shows that systems of rewards in
public agencies lead to a certain type of individuals holding positions at different levels in an agency, and those who hold executive positions would not have the characteristics required for active representation.

He defines several types of employees based on motivation. Conservers and climbers are purely self-interested individuals who seek security or power respectively. Mixed motivation individuals are both self-interested and altruistic. That is, they care about not only power or security for themselves, but also care about the policies of their agencies. Zealots, advocates and statesmen comprise the set of mixed motivation individuals. The main difference between these types of individuals is the scope of policies that they care for. Zealots focus on a single policy. Advocates are concerned with a broader set of policies, generally confined within a single public agency. Statesmen are interested in the public good in general.

Downs predicts that executive positions will be held by advocates. Downs’ advocates behave much like Niskanen’s (1971) budget maximizing bureaucrats, protecting the agency by promoting all of the agency’s missions and expanding its missions when possible. Executive positions require that the individual maintains and advances all the missions of an agency. Zealots are too narrowly focused to gain promotion, and statesmen lack focus to effectively head agencies.

Arguing that active representation conflicts with career goals, as Downs does, assumes that representing the interests of a particular groups requires neglecting other missions of an agency. If an agency’s mission included advancing the interests of minorities, an advocate would be expected to promote this mission regardless of race. A
minority who was solely concerned with actively representing minority interests would be considered a zealot, thus could not achieve promotion.

Active representation, though, does not require a single-minded focus on advancing the interest of a particular group. Downs’ theory only requires that advocates promote all the goals of an agency; it does not require that advocates equally value all the goals of an agency. In other words, advocates can have different preferences for different programs in an agency. An active representative, then, would be an executive who values a program that promotes minority interests more than a non-minority executive. Active representation can occur even if minority executives value other agency policies more than an agency policy that addresses minority interests.

To use a substantive example, consider the decisions made by school superintendents. Superintendents must protect and promote several programs; such as general education, special education, English language learner (ELL) programs, dropout prevention programs, athletics and college placement. Both Latino and Anglo superintendents would care about all of their districts’ programs. As long as both superintendents address the needs of these program areas, they both fit the definition of an advocate. Moreover, since general education is likely the largest program within their districts, both the Anglo and Latino superintendent would probably be most concerned with this area. However, due to the fact that children served by ELL programs are predominantly Latino and the historical significance of bilingual education for the Latino community (see San Miguel 1984), the Latino superintendent might place a higher value on ELL programs compared to an Anglo superintendent. Additionally, the Latino superintendent may give more priority to ELL programs relative to special education
compared to an Anglo superintendent. Neither the Latino or Anglo superintendents neglect any of their districts’ programs, but they do place different weights on the value of each.

Actively representing the interest of a group and seeking career advancement are not mutually exclusive goals, as Downs implies. In fact, Downs admits that personal preferences will influence how advocates promote different programs in an agency. His theory simply states that an advocate cannot completely ignore other policies while advancing particular interests. Thus, a minority executive can be an advocate for an agency as well as an advocate for minority issues.

Executive Attitudes

Theories of organizational socialization predict that attitudes of executives, due to selection and time in an agency, will be more homogeneous than attitudes of street-level bureaucrats. However, these theories should not be interpreted as predicting that all executives will share the same preferences. Both Downs and Simon note that socialization is not perfect. Individuals may have different zones of acceptance, but enough overlap to accept the demands for promotion in an agency. Individuals seeking change in an agency may also hide their true preference until they achieve a position that allows them to implement change (Downs 1967; Simon 1947).

Meier and Nigro (1976) empirically tested the representative nature of bureaucracies and found that agency affiliation was a more powerful predictor of attitudes than social background, and that for many agencies race was not a significant predictor of attitudes. They used this finding to conclude that the theory of representative
bureaucracy “is inadequate as a normative theory of policy control and as an empirical description of reality” (467). In the end, they argue, representation only produces marginal benefits for represented groups.

Meier and Nigro’s conclusion is based from their assumption that bureaucratic representation requires that demographic characteristics are the most powerful predictor of attitudes. It is unclear, though, why this assumption must be true. The promise of a representative bureaucracy does not require individuals who are single-mindedly devoted to advancing the interests of minorities. The promise can be met if, as they found, minority executives share different values from their non-minority counterparts. Additionally, it is not clear from their study what role race played the selection process. Henderson (1979; 1988) notes that minorities tend to choose agencies whose policies directly impact minority interests, such as civil rights and education agencies. Thus, the effect of agency on attitudes should also be a function of race. Their model did not account for this influence. While Meier and Nigro were critical of bureaucratic representation, they in fact found evidence that organizational socialization does not preclude active representation, and in turn provided the first empirical evidence of the possibility for active representation by executives.

Dolan (2002) framed her study of female executive attitudes as a test of competing theories, between agency socialization and bureaucratic representation. Like the Meier and Nigro’s study, she found that attitudes were both a function of demographic characteristics and organizational socialization. While organizational socialization and bureaucratic representation are often framed as competing theories, this study shows that the two complement each other. Some agencies appear to produce
higher levels of attitudinal coherence. Even so, gender still predicts attitudes in agencies with strong socialization processes.

Rehfuss (1986) examined the backgrounds and attitudes of managers in California’s Career Executive Assignment, the equivalent of the federal government’s Senior Executive Service, and found tentative evidence of differences in attitudes by race and gender. Although not statistically significant, women in his small sample were twice as likely to report that their primary responsibility was to their clients compared to men, and minorities were fifty percent more likely to make this statement relative to non-minority executives. The study also suggests that minorities and women have different experiences and different levels of experience at the same positions. Both women and minorities were less likely to have served the state for over 20 years, and more likely to be appointed from outside departments. These differences may be due to affirmative action practices or differences in skills or motivations, but regardless of the cause, the findings suggest that organizational socialization varies by race or gender. If this is the case, then we should not expect organizational socialization to produce homogeneous values.

Mann (1974; 1975) also finds that minority administrators have a different representation style. He classifies administrators as either being delegates, politicos or trustees. He finds that minority superintendents are more likely to be classified as delegates or politicos. This finding supports Rehfuss’ study in that they both suggest that minorities are more likely to be responsive to public demands. In the case of school superintendents in Mann’s study, minority superintendents generally serve districts with
large minority populations, which implies that minority superintendents are responsive to minority demands.

It is important to note that studies finding differences in attitudes by race or gender for executives do not provide a direct test for organizational socialization. A direct test of organizational socialization requires comparing attitudes by time and position within agencies. All of these studies compare attitudes at the same level across agencies. Variances in attitudinal coherence across agencies suggest that different agencies are better at inculcating organizational values in their employees, but these results could also be affected by selection bias. However, while they only show indirect evidence of agency socialization, they do provide direct evidence that active representation can follow from passive representation. These studies show that demographic characteristics predict attitudes about policies and role perceptions, providing the potential for active representation by executives. This potential can be realized if these executives have the opportunity to influence policies of interest to represented groups.

**External Factors**

In addition to organizational influences, executive bureaucratic behavior is also influenced by external factors. Political principals seek to influence behavior in order to achieve their political goals, and the public can either petition bureaucrats directly or make demands on political principals to pressure bureaucracies to meet public demands. Indeed, these external influences should be stronger for executives than street-level bureaucrats, which in turn constrains executives’ ability to actively represent certain groups (Saltzstein 1979; Thompson 1976). However, as with organizational influences,
external influences do not preclude active representation. In fact, theories of political control, as I will show, lead to the same prediction as theories of bureaucratic representation.

*Principal-Agent Problem, Bureaucratic Representation Solution*

The predominant framework for the study of the political control of the bureaucracy is principal-agent theory. Adapted from economic models of interactions between share-holders and managers, these models are used to explain the relationship between citizens and elected officials, elected officials and bureaucracies, and the public and bureaucracies (see Miller 2005 for a review). Two key variables, goals and information, define the relationship between principals and agents. In short, the problem principals have is trying to achieve their goals through agents when the goals held by principals and agents often conflict, and agents often have an information advantage.

Given the proximity to political principals, the principal-agent framework suggests that executives should be more responsive to elected officials than street-level bureaucrats. The actions of executives are more visible compared to street-level bureaucrats, decreasing the information asymmetry between principals and executive agents. Principals also have greater influence over executive positions, through hiring, reappointment to other agencies, or in some cases firing executives. The threat of reappointment or firing is a powerful tool for political control.

The first application principal-agent model for assessing political control of the bureaucracy focused on the relationship between Congress and the bureaucracy (Calvert, McCubbins, and Weingast 1989; Ferejohn and Shpan 1990; Macey 1992; McCubbins
and Schwartz 1984; Weingast 1984; Weingast and Moran 1983). These studies define the mechanisms that Congress has for controlling the bureaucracy and argue that while it does not appear that Congress directly controls the bureaucracy, the threat of action is sufficient to induce compliance. Empirical evidence for the congressional dominance literature is established by showing a correlation between change in the ideological composition of Congress and change in bureaucratic outcomes.

Others apply the principal-agent framework to the relationship between presidential administrations and the bureaucracy (Moe 1985; Wood 1988; Wood and Waterman 1994). These studies show that bureaucratic outcomes are responsive to changes in administration. While there is evidence of agents acting on their own goals, these studies find that principals are able to achieve a certain degree of compliance from bureaucracies.

Although studies using the principal-agent framework show a certain degree of compliance on the part of agents, they do not show, either theoretically or empirically, that either legislative or executive bodies completely dominate bureaucratic behavior (Woolley 1993). Political principals have both *ex ante* and *ex post* controls for achieving compliance, but these controls are not perfect. Additionally, multiple principals create an opportunity for agents to make decisions within a certain policy space (Bertelli and Lynn 2004). This space constitutes the level of discretion held by agents (Hammond and Knott 1996).

A major criticism of this literature is that while the theory addresses the relationship between principals and agents and characteristics, and actions of both, the empirical assessment of the theory largely ignores agents (Eisner and Meier 1990; Meier
and O'Toole 2006; Waterman and Meier 1998). By simply modeling bureaucratic outcomes as a function of certain characteristics or actions of principals, these studies cannot assess the impact of agent characteristics on bureaucratic outcomes. The evidence does show that agents respond to change by principals, but it is unclear whether characteristics of agents make bureaucracies more or less responsive to demands by principals.

Eisner and Meier (1990) address this shortcoming and show that personnel changes in the anti-trust division of the Justice Department, not changes in presidencies, led to changes in policy outcomes. They argue that their findings refute principal-agent studies, in that they show that bottom up approaches to the study of bureaucratic behavior are a more powerful predictors of policy outcomes. However, as they note, changes in personnel were a function of presidential directives to reorganize the anti-trust division of the Department of Justice. These reorganizations shifted the agency away from a legal approach to anti-trust problems to an economic approach. From a principal-agent perspective, the principals addressed the concern over goal conflict by changing the composition of agency. Indeed, Wood and Anderson (1993) directly respond to Eisner and Meier and find that changes in administrations predict the ratio of economists to attorneys in the agency.

Using a principal-agent framework, Chaney and Saltzstein (1998) find evidence that both political control and bureaucratic discretion, in the form of bureaucratic representation, influences arrest rates in response to acts of domestic violence. In their study, political control was exerted through statutes requiring the reporting and arrest of domestic violence. These measures were put in place to counteract the organizational
culture in police departments. This culture did not view domestic violence issues as “legitimate police work” (Chaney and Saltzstein 1998, 748). Since women are the predominant victims of domestic violence, bureaucratic representation and principal-agent theory suggests that female officers should be more likely to act on behalf of the victims, thus female representation on the police force was also included in the models. Both statutes (political control) and female representation (bureaucratic discretion) increased arrest rates for instances of domestic violence.

Meier and O’Toole (2006) apply race to the question of political control by comparing the effect of representation by elected and appointed officials on minority outcomes. They show that the effect of electoral representation on several measures of minority student performance becomes insignificant when measures of bureaucratic representation are included in models predicting minority student performance. While critical of the political control literature, their findings do not conflict with theories of political control, but simply show that the empirical evaluations of these theories are underspecified. They still find evidence of a relationship, albeit weak, between electoral representation and some student outcomes, suggesting some direct political control. And it would be incorrect to conclude that political control did not influence outcomes simply because coefficients for elected representation are insignificant (Gill 1999).

Race, from a principal-agent perspective, can be used as a method of political control. Several studies have shown that the composition of race and gender in public agencies is a function of the race and gender of elected officials (Meier and Smith 1994; Mladenka 1989; Saltzstein 1986). It is not clear from these studies whether elected officials are using race as a method of control or whether they are simply seeking to
redress past discriminatory policies. However, studies of executives suggest that they were hired based on the expectation that they represent needs of underrepresented groups (Guy and Duke 1992; Lomotey 1989; Lomotey 1997; Ortiz 2000; Ortiz 2001; Scott 1983; Scott 1990).

Even if principals do not directly use race to control the bureaucracy, principal-agent theory still predicts that the race of an executive will predict bureaucratic outcomes. Principal-agent models show that the preferences of agents influence outcomes, due to both information asymmetries and competition between multiple principals. Since race has been shown to predict preferences of bureaucratic actors (Brudney, Herbert, and Wright 2000; Meier and Nigro 1976; Selden, Brudney, and Kellough 1998; Selden 1997), it follows that the race of agents will predict bureaucratic outcomes. Political principals may define the policy space constraining agent decisions, but agents are free to make choices within that space. To the extent that these choices are related to demands by minorities, we should expect minority executives to make decisions more aligned with minority demands.

*Increased Expectations*

Political control implies that bureaucracies respond to changes in demand by political actors, as well as the public. However, bureaucratic actions can influence actions by political actors (Krause 1999; see also Wood 1988; Wood and Waterman 1994). Additionally, the race of bureaucrats may influence by creating higher expectations from represented groups (Herbert 1974). Scott (1990), for instance, finds that black superintendents feel that they are evaluated differently. Blacks, according to
superintendents in Scott’s study, “impose greater demands on Black superintendents than on their White predecessors” (167). Thus, demand varies as a function of representatives’ race even though the constituency does not change.

Furthermore, Herbert (1974) argues that lack of clarity over demands by minority constituents impedes active representation. Passive representation, though, may help to clarify demands by empowering minority constituents. Studies of electoral representation show that minorities are more likely to participate through voting and communicating with elected officials when there is minority representation (Bobo and Gilliam 1990; Gay 2001; Gay 2002; Gilliam 1996a). If the same holds true for bureaucratic representation, then minority bureaucrats are more likely to have a greater understanding of minority interests through increased communication, thus enhancing the ability to actively represent minority interests.

The effect of passive representation on the public, then, can lead to active representation without minority executives holding the same values as the minorities they represent. Executives seeking to serve the public interest will be responsive to public demands. If passive representation influences demands by represented groups, as have been suggested, then minority and non-minority executives behave differently even if minority and non-minority executives share the same values. Indeed, Mann (1974; 1975) and Rehfuss’ (1986) studies suggest that the effect of changing demands and information is amplified by minority executives inclination to be more responsive to public demands.
Conclusion

While there is an abundance of evidence to suggest passive representation by street-level bureaucrats leads to active representation, the evidence for active representation by upper-level managers is nearly non-existent. This lack of evidence is often attributed to organizational socialization, which diminishes differences in attitudes between minority and non-minority executives. Further, external pressures by the public or political principals may inhibit the ability of minority executives to actively represent minority interests. While executives are more likely to be affected by external pressures and agency forces, neither of these factors precludes active representation.

Theories of agency socialization predict that upper-level managers are more likely to be inculcated with agency norms, compared to lower-level personnel, but they do not predict that upper-level managers will not have unique preferences. Downs (1967) and Simon (1947) both note that bureaucrats are strategic and that agency socialization is imperfect. That is, personnel may hide their true preferences in order to gain promotion. Once promoted, they can behave in a manner that more truly reflects their preferences. Studies of upper-level managers, including studies critical of bureaucratic representation, show that race is a predictor of upper-level manager preferences, providing evidence that active representation can follow from passive representation by those who head public agencies.

Differences in attitudes between minority and non-minority executives do not provide a sufficient condition for active representation. There still must exist the opportunity to act on behalf of minority interests. External pressure by political principals and the public could hinder the ability of minority executives to represent minority
interests. Theories of bureaucratic control, though, show that minority managers not only have the opportunity, they are often expected to represent minority interests.

Both principal-agent theory and the theory of bureaucratic representation predict that the race of bureaucrats affects bureaucratic outcomes. Bureaucratic representation argues that race predicts attitudes about certain policies and that bureaucrats can use the discretion available in their roles to represent minority interests. Principal-agent theory predicts that agents will choose policies aligned with their preferences from a set of policies defined by political principals. Additionally, principals can hire agents based on race with the assumption that race is a proxy for preferences. Empirical models that include both characteristics of principals and representation by agents find that representation produces an independent and strong affect on bureaucratic outcomes.

Finally, passive representation can influence demands and information. This effect can produce active representation without differences in attitudes between minority and non-minority bureaucrats. Bureaucrats simply seeking to meet the demands of the public may receive different signals based on their race. This difference in signals, then, can lead to actions that benefit represented groups.

Of course, active representation requires that bureaucrats exercise discretion over policies where there are clear differences in preferences by race or policies areas that have a disproportionate impact by race. Additionally, the empirical challenge for studying active representation is not only finding specific policies of interest to represented groups, but also finding direct measures for active for these policies. This is even more of a challenge for executives who make broad programmatic decisions. Most studies of active presentation circumvent this problem by assessing the relationship
between passive representation and minority outcomes, such as educational performance measures. This method, though, does not provide direct evidence of active representation, since it is not clear exactly what actions produce improved outcomes for minorities.

This dissertation assesses active representation by minorities in executive positions by assessing the impact of Latino Superintendents on the choice of programs and allocation of resources for programs serving limited English proficient (LEP) students. Superintendents generally are subject to a great deal of organizational socialization prior to holding school districts highest administrative positions. They generally come into the education profession as teachers, then move up through the administrative ranks, holding positions as assistant principals, principals, and assistant superintendent before becoming superintendents (Norton 1996). They are also expected to promote programs, from general education, gifted and special education programs, and English language programs. Finally, superintendents directly interact with political principals, specifically school board members, and the public (Kirst 1984).

LEP students are predominantly Latino (Feinberg 2002), and there is a clear difference in preferences between Latinos and non-Latinos over policies serving LEP children (De la Garza 1992; Jones-Correa and Leal 1996; Shin 2000). As a result, we should expect Latino superintendents to actively represent Latino interests--either as a function of shared experiences or increased demands Latino community--through their choice of programs or the level of resources made available for these programs. By assessing the impact of Latino representation on the choice of programs and the level of resources, this dissertation provides direct evidence of active representation.
In the next chapter, I will chronicle the Latino community’s involvement in bilingual education. This historical analysis shows why bilingual education is a key policy for Latino politics. Not only does bilingual education policy disproportionately impact Latino students, it is directly tied to Latino culture. The strong ties to Latino culture explains why Latino attitudes toward bilingual education are consistent across class and nationalities within the Latino community (Jones-Correa and Leal 1996).
CHAPTER III
THE POLITICS OF LANGUAGE

Introduction

The language of instruction in public schools has been a politically divisive issue since the colonial times. During this era and up to the 20th century, instruction in German was commonplace in public schools. While common, German language instruction was also controversial. Benjamin Franklin, for example, saw bilingualism in schools and public places as a serious problem. Franklin predicted that this issue would seriously hinder the legislative process in that it would be:

necessary in the Assembly, to tell one half of our Legislators what the other half say; In short unless the stream of their importation could be turned from this to other Colonies … [Germans] will soon so out number us, that all the advantages we have will not in My Opinion be able to preserve our language, and even our Government will become precarious (Cited in Crawford 1999, 22).

Franklin also promoted the Society for the Propagation of Christian Knowledge, a program whose true goal, according to Crawford (1999), was to replace German language instruction with English in order to help him overcome the problem he had in communicating with German voters. Once the German voters became aware that the true intent of the program was language assimilation, not the propagation of Christian Knowledge, they refused to enroll their children in the program and subsequently helped to vote him out of the Pennsylvania assembly.

Although there was concern that a multilingual nation might lead to a divided nation, and some believed that the Constitution should recognize English as the nation’s official language, no legal acts were taken to address the concerns stemming from having
a multilingual nation. Noah Webster concluded that languages other than English would “gradually waste away – and within a century and a half, North America will be peopled with a hundred millions of men, all speaking the same language” (Crawford 1999, 23). Of course his prediction proved to be incorrect.

Throughout the 19th century, immigrants continued to populate the U.S., bringing with them their native tongue. And while English language acquisition was a principal goal of American schools during the 19th century, several states passed laws allowing for instruction in languages other than English, and local school boards allowed bilingual education even without sanction of state laws. Debates surrounding the use of languages other than English, either for instruction in subject areas or as a subject, did not center on what practice was best for learning in general and English acquisition specifically, but instead focused on “ethnic politics” (Crawford 1999, 24). Crawford argues that even though language assimilation was the primary goal for immigrant students, “coercive means [such as prohibition of non-English languages] were seen as counterproductive, especially for groups like the Germans, who felt strongly about maintaining their heritage” (1999, 24).

By the beginning of the 20th century, attitudes regarding assimilation policies began to change. Immediately following World War I, following a tide of anti-German sentiment, 34 states passed legislation requiring English-only instruction (Kloss 1977). By 1930, bilingual education in public schools was nearly non-existent.

The debate surrounding educational programs for non-English speaking students continues today. While all parties in the debate agree that strong English skills are essential for non-English speaking students to succeed, there is no such consensus on
how to achieve this goal. Both supporters of bilingual programs and supporters of English-only instruction programs, such as structured immersion or English as a second language (ESL) programs, argue that their support for particular programs is based on sound pedagogy backed by research. As a result, some states now mandate bilingual education while other states mandate English-only instruction for language minority students. It is clear, though, from the history of this policy area that other concerns, such as assimilation, cultural considerations, and electoral consequences influence policy decisions in this area. This chapter will explore the political dynamics of this policy with an historical analysis of the English language learner (ELL) programs in Texas and federal responses to ELL needs, with a focus on the Latinos involvement in this policy area.

The Latino community has played a significant role in promoting and protecting bilingual programs at all levels of government. This involvement stems from the fact that majority of students in ELL programs are Spanish-speakers. Additionally, many Latinos feel that bilingual education plays a critical role in preserving their cultural heritage. Latino organizations have lobbied federal, state and local officials to create and fund bilingual programs. Elected Latino officials have sponsored legislation to both repeal English-only statutes and to mandate and fund bilingual programs. Latino school boards have pushed for bilingual-bicultural programs for language minority students. Finally, Latino superintendents have promoted and created bilingual programs in their districts. The political nature of this policy area and interest the Latino community has in educating language minority children, as this chapter will show, makes bilingual
education an ideal policy for the study of minority representation, including the study of bureaucratic representation.

**Texas and Bilingual Education: From a Criminal Act to a Legislative Mandate**

*A Criminal Act*

Texas was one of the states that passed English-only instruction laws in the early 20th century (Blanton 2004; San Miguel 1987). The Texas legislature passed its first English-only stature in 1918, which criminalized non-English instruction, except for foreign language courses in higher grades, by creating a system of fines to be levied against teachers or administrators that used or allowed non-English instruction in public schools. Advocates of the law argued that English-only instruction was necessary to help “Americanize” language minority children. As stated in a curricular guide published by the Texas State Department of Education, “every effort should be made to Americanize these pupils… by first encouraging and later insisting that English be the only language spoken in school” (Cited in San Miguel 1987, 40).

Advocates of the 1918 law did not stop with public schools. The state superintendent of education, Annie Blanton, pushed for English-only instruction in private schools as well. In a article directed toward the state legislature, Superintendent Blanton wrote, “no school which educates future Texas citizens has a right to object to such requirements, and the future safety of our democratic institutions demands that they be made” (Cited in San Miguel 1987, 36). Initially, state legislators ignored demands to regulate private schools in regard to the language of instruction; however, in 1923 state legislators succumbed to the pressure and passed legislation prohibiting the use of non-
English instruction. Subsequent laws allowed for some exceptions to English-only instruction, however for much of the 20th century schools in Texas adhered to the English-only policy for instructing language minority students.

Many local school districts further restricted the use of Spanish in schools by prohibiting students from speaking Spanish anywhere on campus. Students violating these rules received were subject to a range of punishments (Blanton 2004; Navarro 1995; Navarro 1998; San Miguel 1987). Some schools fined students a penny for every Spanish word spoken. Others gave students detention for speaking Spanish on campus. El Paso schools even had special detention slips for such infractions, reading “VIOLATION SLIP--SPANISH DETENTION _______ was speaking Spanish during school hours. This pupil must report to Spanish Detention in the Cafeteria…on the assigned day” (Blanton 2004, 117). At the extreme, some schools went as far as expelling students who consistently violated no-Spanish rules.

At the time of their passage, the Texas English-only laws did not meet resistance from the Tejano community. San Miguel (1987) cites two reasons for this acquiescence. First, most Mexican American children at the time did not attend school, public or private, meaning that these policies simply did not affect most Tejano children. Second, the parents of those few that did attend school were generally supportive of the goals of these laws.

The League of United Latin American Citizens (LULAC), for example, originally supported English-only instruction. The organization was formed, according to its constitution, to “define with absolute and unmistakable clearness our unquestionable loyalty to the ideals, principles, and citizenship of the United States of America” (cited in
San Miguel 1987, 70). LULAC did not wish to neglect Latino culture, but the organization felt that English fluency was critical in achieving their goal of bringing Latinos into the mainstream of American society. LULAC believed that English-only instruction would best achieve this goal. In addition to supporting English-only instruction, the official language of LULAC was English, and members of LULAC had to pledge to speak English to their children. It is important to note, though, that LULAC membership was largely drawn from the relatively small, but growing, middle-class Latino community. The views of LULAC members, then, were likely not representative of the majority of Tejanos.

While the Latino community, or at least organized members of the Latino community, were initially supportive of English-only policies, contradictions between the goals English-only instruction and practices in this policy area led to growing support among the Latino community to call for change. One contradiction stemmed from the practice of segregating Mexican American children by placing them in “Mexican schools” (Blanton 2004; San Miguel 1987). These schools were often on the same campuses as Anglo schools, but in different buildings. The primary rationale for segregating Tejano children was based on the assertion that they lacked sufficient English skills. However, even when Tejano children showed proficiency in English, they were still not allowed to enroll in Anglo schools (Blanton 2004; San Miguel 1987).

Take, for instance, the case of Amada Vela. In 1928 the parents of Amada, an adopted child “whose ‘race’ was of unknown origin” (San Miguel 1987, 76), petitioned the Charlotte Independent School District to enroll her in classes with white children, but their petition was denied. Her parents appealed to the state superintendent of public
instruction, S. M. Marrs. The school argued that Mexican American children were segregated based on instructional needs of Spanish-speaking students, and since her adopted parents were Mexican American, it was in her best interest that she be placed with other Mexican American Children. Amanda, however, was both fluent in Spanish and English. The state superintendent ruled in favor of the parents. The Charlotte board of trustees appealed the decision to the Texas State Board of Education, but was unsuccessful in their attempt to have the state superintendent’s decision overruled.

Another contradiction stemmed from the promotion of Spanish language courses for Anglo students. As part of the Good Neighbor Program, Spanish courses for Anglos increased during the early 1940s in response to fears of racial divisiveness stemming from WWII (Blanton 2004; San Miguel 1987). It was thought that Spanish instruction would help to create a greater cultural awareness of Mexican Americans. Even though Spanish was encouraged for Anglo students, it was still prohibited for Spanish-speaking students. This contradiction was highlighted by the fact that many Tejano children were neither proficient in Spanish nor English. As stated by an Austin school teacher: “If Anglo-Texans should learn Spanish, why should not Hispano-Texans improve their knowledge of Spanish” (cited in San Miguel 1987, 106)?

The Good Neighbor Program also helped to draw attention to the educational inequities faced by language minority students. Along with increasing cultural awareness and tolerance of Mexican Americans, the program sought to assess the educational conditions of Mexican Americans and to evaluate the instructional techniques used to educate language minority students (Blanton 2004). Several Tejanos were actively involved in the program and in advocating policy change in regard to the education of
language minority students. Dr. George I. Sánchez, a former president of LULAC, served as chair on several of the program’s committees and helped to secure funds to study the educational conditions of Spanish-speaking students.

One of the studies, by Wilson Little (1944), was highly critical of English-only instruction, labeling it a failure. Little’s condemnation of English-only instruction was primarily based on the observation that Spanish-speaking students were taught by teachers who had little or no training in language acquisition. Although the study that Dr. Sánchez helped to commission called for an end of English-only instruction, Dr. Sánchez felt that the problem could be addressed through teacher training. He did not feel that the method of instruction, English-language instruction, should change. Other Latinos involved in the project, however, did not share his view. This involvement in the program helped to empower Tejanos in their call for education reform (Blanton 2004; San Miguel 1987).

Concerns over the education of Tejano children, especially the discriminatory practices of many school districts, helped to galvanize the Latino community in support of bilingual education. Even LULAC, who was initially supportive of English-only instruction, came to support bilingual education and would eventually lobby the Texas state legislature to repeal of the English-only statutes. Less moderate groups, such as those from the Chicano movement sought change through local elections. These groups also employed more radical methods, such as staging protests, boycotts and school walkouts.
Unlike position taken by LULAC, the emerging Chicano movement in the 1960s sought more radical change, in some cases calling for the return southwestern lands to Mexico. Instead of espousing assimilation, the Movimiento advocated embracing and advancing Latino culture and nationalism. The preservation and promotion of Spanish was a central to the Movimiento’s cause.

One of the Chicano movement’s first leaders, Rodolfo “Corky” Gonzales, helped to mobilize and organize Chicano youth in support of the Movimiento (Navarro 1995). At the First Annual Chicano Youth Liberation Conference in 1967, Gonzales proposed the “El Plan Espiritual de Aztlán” to approximately two thousand representatives from over one hundred Chicano youth organizations. The Plan recognized the importance of education in advancing Latino culture and nationalism. Goal number 3 of the plan stated that “Education must be relative to our people, i.e., history, culture, bilingual education, contributions, etc. Community control of our schools, our teachers, our administrators, our counselors, and our programs” (cited in Navarro 1995, 248).

Of these youth groups, the Mexican American Youth Organization (MAYO) would play a key role in helping achieving the Movimiento’s educational goals in South Texas. They did this by organizing Chicano students, helping students to articulate demands for reforms, and staging thirty-nine school walkouts between 1968 and 1970. These walkouts were a direct response to discriminatory school policies, especially the ban on speaking Spanish in many schools and the lack of cultural recognition for students of Mexican origin (Barrera 2004; Navarro 1995; Navarro 1998; Shockley 1974).
The first significant MAYO organized walkout occurred in 1968 at Edcouch-Elsa High School (Barrera 2004; Navarro 1995; Navarro 1998). The expulsion of two Latino students for not complying with hair cut rules precipitated the student action. In response to the expulsions, Chicano students presented the school with a list of grievances and demands for changes in school policy. Although the expulsion of the two students was the catalyst for the students’ action, the school district’s ban on speaking Spanish in the schools was considered the main grievance of the students. According to a reporter for the Valley Monitor: "Every Chicano this reporter talked to agreed that the issue at heart of the current controversy was the school rule against any use of Spanish on a campus located in the heart of bilingual Texas" (cited in Navarro 1995, 119).

The MAYO organized walkout began on November 14, 1968 after the local school board refused to meet their demands. Approximately 150 students participated in the walkout. The principal met with the students on the first day of the walkout and warned them that if they did not return to school they would be expelled. The students refused to end the walkout and demanded to meet immediately with the school board and superintendent. The principal refused to set up a meeting and moved to expel all of the protestors. On the following day, the principal filed a loitering complaint against the protestors that led to the arrest of five students. The Anglo-dominated school board also weighed in on the student action by voting to suspend all of the student protestors pending meetings between the students and school administrators. The board based their decision on a recently passed district policy banning student protests.

MAYO enlisted the help of several other Latino organizations, including the American G.I. Forum, Volunteers in Service to America (Vista), the Political Association
of Spanish-speaking Organizations (PASSO) and the Mexican American Legal Defense and Education Fund (MALDEF), to help defend the protestors and to push for their demands (Navarro 1995). MALDEF filed suit on behalf of the students charging that district ban on student protests was unconstitutional. The students won their case and were readmitted into Edcouch-Elsa High. Several students also received monetary compensation to cover the expense of private schooling during the time of their expulsion. While MALDEF was successful in getting the students readmitted into school, the students were not successful in getting the district to address the grievances that led to the walkout. Still, the walkout represented the first legal victory for MALDEF and set a precedent for subsequent walkouts (Barrera 2004; Navarro 1995).

At Kingsville Junior High Kingsville, motivated by the Edcouch-Elsa walkout, Chicano students presented school officials with a list of demands similar to the list produced by the Edcouch-Elsa students. However, in addition to the demand for the end of punishments for speaking Spanish on campus, the students also demanded "more bilingual and bicultural programs" (Navarro 1995, 125). These demands were ignored, and in response MAYO initiated a walkout on April 14, 1969. Approximately 200 students participated in the walkout during the first day. As with the Edcouch-Elsa walkout, the school board threatened the protestors with suspension or expulsion. MAYO responded to the threat by extending the boycott to three other schools in the district.

Police arrested several protestors during a march between two of the schools. Twenty more protestors were arrested as they gathered at the local police station. MALDEF again came to the defense of the students and secured the release of the 110

---

2 At the time these demands were drafted, bilingual instruction was still illegal, but the State Board of Education could grant exemptions from the English-only requirement.
protestors who had been arrested. They also got the school board to offer amnesty from suspension or expulsion to all protestors who returned to school the following day.

The walkout ended after three days, but meetings and protests continued for another two weeks. The board and administrators were initially reluctant to negotiate with the students over the list of demands, but finally promised to hold meetings on the students’ demands throughout the summer. However, in the end result of the walkout, in the words of one MAYO leader, was that “the whole thing died, it stayed in committees” (Navarro 1995, 131). Navarro (1995; 1998) argues that even though students in the Kingsville district were also unsuccessful in getting the school board to respond to their demands, the walkout, along with the Edcouch-Elsa walkout, laid the groundwork for the what was considered the first successful walkout in Crystal City, Texas.

The Kingsville walkout also helped to draw legislative attention to MAYO’s demands for education reform. First-term State Representative, and past president of LULAC, Carlos Truan traveled to Kingsville with four other members of the Texas House and one member of the Texas Senate to mediate the dispute between the city officials and the students (Truan 1998). Although he had been president of the moderate LULAC organization, he “sympathized very much with… the movimiento” (Truan 1998, 35). At the time of the walkout, he was pushing to pass a bill in the statehouse that would legalize the use of bilingual instruction in Texas. In an interview, Truan (1998) lamented the fact that he and the other legislators were not able to strike a deal between the school officials and the students, but mentioned that he had been impressed with MAYO’s organization and actions in Kingsville and supported their cause.
MAYO held a state conference in May 1969 to discuss the prior walkouts and to plan a strategy for the next boycott in Crystal City. Crystal City’s Chicano high school students were angry about their high school’s cheerleader selection process and looked to MAYO for help in organizing an action against the high school (Navarro 1995; Navarro 1998; Shockley 1974; Trujillo 1998). Student councils had selected cheerleaders prior to the growth of Latino population in the district. However, when Latino students increased in population, the selection process was changed. Instead of students selecting school cheerleaders, teachers selected them. Teachers used an “unofficial” formula of choosing three Anglos for every Chicana (Navarro 1995).

With the help of MAYO, the Crystal City Chicano students drafted a list of demands. In addition to the demand that cheerleader selection process be changed, eighteen other demands were drafted and presented to the school principal. The first demand after the cheerleader grievance called for “immediate steps taken to implement bilingual and Bi-cultural education for Mexicans-Americans” (cited in Shockley 1974, 235). The state had just passed a statute ending the state’s English-only instruction requirement, so the demand could have been met without special exemption from the State Board of Education. Crystal City High School’s principal, John B. Lair, rejected the students’ demands, so the students went to the district superintendent, John Billings, with the demands. Billing promised to create a 50/50 formula for the cheerleader selection process, but after a summer and fall with no progress on the other demands, students commenced a walkout in protest on December 9, 1969.

Unlike the previous MAYO sponsored walkouts, which did not lead to significant changes in school policy, the Crystal City boycott led to most of the demands being met.
Navarro (1995) argues that organizers learned valuable lessons from the previous MAYO backed walkouts. The main lesson stemmed from the observation that the prior walkouts started with large numbers of students, but that the numbers decreased rapidly during the course of the boycotts. Because of this, administrators were able to wait out the boycotts. For the Crystal City walkouts, the organizers started with relatively small numbers and then gradually increased the number of students over the following weeks. In addition to increasing in size, the boycott increased in scope. On December 13, students began an economic boycott against a local supermarket that fired two students for participating in the walkout. The boycott lasted for nearly a month, ending on January 6, 1970. Unlike the previous walkouts, no disciplinary actions were taken against students participating in the walkout. More importantly, the superintendent, John Billings, agreed to pursue policies demanded by the protestors, including the creation of bilingual and bicultural programs in the district.

While knowledge gained from the earlier boycotts helped the students achieve their immediate goals, Latino representation on the school board and in school administration produced long-term change in school policy. Latinos, with the help of La Raza Unida Party (RUP), finally achieved a majority status on the school board after elections in April of 1970. In addition to gaining control of the school board, José Angel Gutiérrez, one of MAYO’s founders and the architect of the Crystal City walkout, became the board president. With this power, the RUP controlled board vigorously pursued the demands made by the students, and embarked on an aggressive strategy to improve representation in the schools. Upon swearing in as school board president, Gutiérrez proclaimed that “employment of school personnel…must reflect the
composition of the community which was 85 percent Chicano” (cited in Navarro 1998, 221).

Increasing Latino representation in the district, though, would be difficult due to the actions just prior to the election by the then Anglo-dominated board. The Anglo dominated school board gave all of the Anglo principals and administrators two year contracts. The school board also promoted assistant superintendent John Briggs to replace John Billings as superintendent. Billings, the board felt, had been weak in the face of the MAYO’s demands. They gave Briggs a three year contract, and they felt that he would represent the Anglo board members’ interests until they could regain control of the school board in the following election (Shockley 1974). However, in August of 1970, the RUP school board members reassigned Briggs to a lower administrative position when they found out that he kept files on four of the Latino board members and was attempting to split the Latino majority. The school board subsequently fired him, citing 39 complaints regarding his running of the district. Top on the list was a claim that he was he was slow to implement bilingual and bicultural programs, one of the central demands of the walkout (Navarro 1998).

Gutiérrez offered the superintendent position to Angel Noel González, a former employee of the Texas Education Agency. González accepted the offer and in the process became one of the first Latino superintendents in Texas (González 1999).3 In a 1999 interview, González noted that before assuming the position that he researched the list of demands set forth by MAYO, with particular attention to the demand of creating bilingual-bicultural programs (González 1999). He stated that at the time he was not

---

3 In the interview, González (1999, 28) guessed that there were at most five Latino superintendents throughout Texas at the time.
familiar with bilingual programs, nor was he familiar with research on the topic. When asked about what his concept of bilingual education was at the time, González simply responded that it was “teaching children in their native language while you teach them English…it was totally that” (González 1999, 36). He knew little about “how much time you have to spend on, on native language instruction for them to be able to learn and the whole idea of learning” (González 1999, 36). González noted that while he was naïve about bilingual education, he was intent on meeting the demands of those who staged the walkouts. After assuming the position, he set up bilingual-bicultural programs in the district and set forth hiring several Latino administrators, including assistant superintendents, principals, programs directors (Navarro 1998). He also aggressively pursued federal grants that were made available through 1968 Bilingual Education Act. In 1973, González exceeded the demands of the walkout participants by making Spanish the official language of the district alongside English (González 1999; Navarro 1998).

In 1974, the RUP split into two factions, RUP I and RUP II (Trujillo 1998). RUP I represented the more radical views of José Angel Gutiérrez. RUP II represented the more moderate views of local Latino business professionals. In 197, the more moderate faction rested control of the school board from the Gutiérriztas and replaced superintendent González, who they considered too loyal to Gutiérrez, with a local Latino. The next six years saw four new superintendents as board control changed hands between the two RUP factions. Although the school board composition and district administration consistently changed over this period, the attitude toward bilingual education remained constant. When asked about the support for the bilingual-bicultural programs formulated by superintendent González, an elementary school principal responded: “The ideology or
philosophy of bilingual education for the kids was still maintained because the belief of both factions… [they] were not agreeing in political ideologies, como quiera (however) in education there was no disagreement” (cited in Trujillo 1998, 61-62).

State Legislative Response

One of the state’s first response to the demands of the Latino community regarding the education of language minority students was to fund the Little Schools of the 400 (Blanton 2004; San Miguel 1987). The Little Schools project was developed and supported by the Felix Tijerina, who was serving at LULAC’s president at the time. Tijerina designed the program to help students succeed in the English-only environment of the Texas education system by teaching Spanish-speaking children 400 English words that were considered essential for success in the English-only environment Spanish speaking would encounter in grade school. Although not truly a bilingual program, the Little Schools did utilize Spanish for translation purposes.

The Little Schools program started in the summer of 1957, and by the end of the first summer, the program served 60 students. During the following school year, only one of the 60 students did not pass the first grade, compared to the 80 percent first grade retention rate for the rest of the Spanish-speaking student population (San Miguel 1987). The program served approximately 400 students the following summer. This, though, was far short of the 75,000 students Felix Tijerina had hoped to serve. Achieving this goal, however, would have cost $1.35 million. Tijerina was able to get a commitment for a $100,000 contribution from the Ford Foundation to help fund the program if he could raise $50,000, but Tijerina was only able to raise $3000 (San Miguel 1987). Even if
Tijerina had successfully raised $50,000, the total would still have been far short of his goal.

Needing substantial sums of money to his goal, Tijerina turned to the state legislature for help. Tijerina and other members of LULAC testified at legislative hearings that these schools would eventually save money that the state was spending on students repeating grades. Tijerina estimated that this program could save schools with large populations of Spanish-speaking students up to $2,250 a year (San Miguel 1987). He also argued that the program would help decrease the high dropout rate experienced by Spanish speaking children. In response to lobbying by LULAC, the Texas state legislature authorized funds for the Little Schools of the 400 with the passage of H.B. 51 in 1959. Under the legislation, the state would pay for 90 percent of the costs, with affiliated school districts paying the rest (San Miguel 1987).

Armed with state support for the project, Tijerina actively promoted the new schools and helped to start 617 schools in the first year, serving 15,508 Spanish-speaking children. By 1967 over 150,000 Spanish-speaking children were enrolled in the program (San Miguel 2001). The passage of H.B. 51 represented a significant departure from the state’s English-only policy. While non-English instruction was still prohibited in grade school, the new law recognized, at least implicitly, the value of native language instruction.

In 1969, two identical bills were introduced in the Texas House and Senate that would de-criminalize bilingual education in Texas. Representative Carlos Truan sponsored the House bill. The past president of LULAC was serving his first term in the Texas house, and in his words was one of a “handful of Mexicanos” in the Texas House
(Truan 1998, 27). In an interview, Truan (1998, 27-28) noted that while the few Latino representatives in the house generally worked independent of each other on other bills, they worked together in support of bilingual education. Joe Bernal, the sole Mexican American in the Senate, introduced the Senate version of the bill. Prior to his career in the Texas legislature, Bernal had been a teacher, principal and assistant superintendent. In May 1969, the state legislature passed H.B. 103 legalizing the use of bilingual education. The legislation represented a major change in state policy, but the bilingual education bill still only allowed for the use of bilingual programs; it did it make any requirements for the use of native-language instruction, nor did it offer any resources for these programs.

The bilingual education bill’s passage was due, in part, to continuing pressure from the Latino community, who had become more unified behind the principles of bilingual education. Even LULAC, who once supported English-only instruction, had begun to advocate bilingual programs. San Miguel (1987) notes three reasons why Tejanos began to rally against the English-only statutes and subsequently pushed for bilingual programs. First, an emerging body of research found that children who are instructed in two languages learn as well or better than those who are instructed in one language do. This research found that native language instruction did not hinder English acquisition, as argued by English-only advocates, but instead helped students build general language skills which could in turn helped students learn new languages.

Second, Tejanos saw bilingual education as a way to end discriminatory practices, such as exclusion of the cultural heritage of Mexican American children from school curricula. The Latino community felt that the ban on speaking Spanish was a direct attack on Mexican American culture. In the words of two educators, "one can hardly despise or
depreciate any people's language without depreciating the people themselves" (Andersson and Boyer 1970, 48). Spanish language instruction created a more inclusive environment.

Finally, Tejanos felt that by recognizing both cultural backgrounds and special language needs, bilingual programs would help to provide equal opportunity for language minority children. By disallowing native language instruction, language minority students were being denied equal access to educational opportunities. In other words, English language instruction created greater educational opportunities for English-speaking students since the curricula better matched their skills. In order have the same opportunities, language minority students needed to be instructed in their language, at least until they had acquired enough English skills to be able to access the educational opportunities provided through English instruction.

Scholars debate the influence of the Chicano student movement’s walkouts on the passage of the bilingual education law. Blanton (2004) disagrees with historians who argue that the MAYO sponsored walkouts influenced the passage of the 1969 bilingual statute, stating this the statute was passed before the walkouts. Blaton argues, instead, that the 1969 statute was largely a response to the passage of the federal 1968 Bilingual Education Act (BEA), which provided funds for the local ELL programs. He further argues that the walkouts were a response to the state statute in that organizers took the opportunity to pressure local districts to implement programs that were finally legal under state code.

However, while the law was passed before the Crystal City walkout, several walkouts, including the Edcouch-Elsa and Kingsville school boycotts, had occurred prior to the passage of the statute. And as mentioned above, Representative Truan and several
other state legislators went to Kingsville to mediate the dispute between the school
officials and the students; so House and Senate members were certainly aware of
MAYO’s demands prior to the passage of the legislation (Truan 1998). Carlos Truan did
participate in the hearings for the BEA, so the BEA could have played a role in his
decision to sponsor the Texas legislation (Kaplowitz 2003; San Miguel 2004; Vega
1979). Nevertheless, his involvement in groups like LULAC and PASSO and his
interaction with the movimiento would certainly have influenced on his legislative
actions. Finally, while the BEA drew attention to the issue of educating language
minority students, the 1968 act did not stipulate what types of programs would be funded;
so English-only programs could still receive federal dollars.

Four years after the passage of the 1969 bilingual education bill, Truan helped to
pass Texas Bilingual Education and Training Act of 1973. This act mandated the use of
bilingual education for language minority children and created funds for the
implementation of bilingual programs throughout Texas. In a few short years, bilingual
education went from being a criminal act to being a requirement. Vega (1979) argues that
a confluence of several factors that led to the statute mandating bilingual education.
These involved changes in political control of the state government, growing support for
bilingual education from the state education agency, Latino representation in the state
legislature, and increased political clout from the Latino community.

LULAC and the American G.I. Forum played a prominent role in pushing for the
new legislation. State officials, according to Vega (1979), were becoming increasing
concerned with the Latino vote. To secure their votes, legislators had the choice of
working with the more militant Chicano organizations, such as RUP, or the more
moderate LULAC and American G.I. Forum organizations. Given the choice, state
officials chose to work with LULAC and the American G.I. Forum. The American G.I.
Forum, formed after WWII by Latino soldiers, consistently supported bilingual
education. LULAC’s stance on ELL instruction, by the late 1960s, had evolved from
supporting English-only instruction to advocating bilingual-bicultural programs. Their
demands for support for bilingual programs closely reflected those of the more militant
Chicano movement groups, but their approach was more conservative than the walkouts
and protests used by RUP and MAYO. During the Sixty-Third Legislature, LULAC and
the G.I. forum worked closely with legislators to draft the 1973 act.

LULAC and the G.I. Forum also secured pledges of support for bilingual
programs from all of the major gubernatorial candidates during the 1972 election.
Governor Preston Smith, for example, pledged $6.4 million dollars for bilingual
education during his final address to the legislature. Preston’s successor, Dolph Briscoe,
pledged $6.5 million for bilingual education during his inaugural address.

The passage of the 1973 act was also influenced by Latino representation, yet
strategic support from an Anglo Senator proved critical in the drafting of the legislation.
Carlos Truan, along with Mexican-American legislative caucus fought hard to fund
bilingual programs during the first session of the Sixty-Third Legislature. Truan
submitted two bilingual bills, which would provide state funds for local programs. His
bills did not mandate bilingual education for language minority students; however, the
Senate bill did. An Anglo, Senator Chet Brooks, sponsored the Senate bill. Truan feared
that if he, Senator Bernal, or any other Latino legislator drafted legislation mandating
bilingual education, the bill would be labeled a “Mexican bill” and would never pass
Brook’s proposed legislation was not subjected to such a claim. Truan postponed the voting on his bills until the Senate voted on Brook’s bill. When the Senate passed Brook’s bill, Truan substituted his bills for the Senate measure. Truan’s plan worked, and on May 23 the House passed the bill, and on June 3, 1973 Governor Briscoe signed the bill into law.

The Texas Bilingual Education and Training Act of 1973 required districts with 20 or more LEP students in a given grade to provide bilingual education programs. It also provided funds for these programs. Within a few short years, bilingual education went from being a criminal act to a legislative mandate. This radical change in state policy was, in large part, a function of Latino activism and representation. To this day, Texas law still mandates and helps to fund bilingual education. Recent changes in federal policy, though, might weaken Texas’ support for bilingual education.

The Rise and Fall of Federal Support for Bilingual Education

The 1968 Bilingual Education Act

It is not the purpose of this bill to create pockets of different languages throughout the country. It is the main purpose of the bill to bring millions of school children into the mainstream of American life and make them literate in the national language of the country in which they live: namely, English. Not to stamp out the mother tongue and not to make their mother tongue the dominant language, but just to try to make these children fully literate in English, so that the children can move into the mainstream of American life." (Congressional Record 1967, 34703)

Above is testimony from Senator Yarborough of Texas in support of the Bilingual Education Act of 1968. The BEA, Title VII of the Elementary and Secondary Education Act (ESEA), represents the first major federal legislation addressing language issues in public schools. It is clear from his statement that Senator Yarborough was sensitive to
opposition from those who felt that bilingual education posed a threat to the American way of life, thus the argument that the purpose of the bill was to help language minority children “move into the mainstream of American life.” Proponents of bilingual education would echo Yarborough’s argument over the following thirty years. Critics, however, would complain that the BEA was an excessive intrusion on local autonomy, provided funding for failed programs, and helped to create separatism in our schools.

The passage of the act took place during a time when there was a general call for the federal government to address social inequalities (Bangura and Muo 2001). Advocates for language minority children felt that not only were state and local governments not responsive to the needs of this group, but that state and local governments also created discriminatory policies which further kept language minority children from resources and opportunities provided to English speaking students (Moran 1988). Because of neglect and discrimination toward language minority children, advocates for these children turned the federal government for help.

While the BEA sought to improve the educational outcomes of language minority students, scholars argue that decision to create funds for language minority children was also based on a desire to shore up political support from Hispanics (Bangura and Muo 2001; Casanova 1991; Lyons 1990; Matute-Bianchi 1979; Moran 1988; Ovando 2003; San Miguel 2004). In fact, the first draft of the bill named Spanish-speaking students as the sole recipients of federal funds. The stated rationale for only supporting programs for Spanish speaking students was that they represented the largest block of language minority students and that it would be too costly and complicated to support programs for the hundreds of different languages spoken by all other language minority students.
However, the bill’s main sponsor in the Senate, Ralph Yarborough of Texas, stood to gain a great deal politically due to the large Spanish speaking population in Texas (Casanova 1991). In addition to bringing home federal funds, he also stood to win votes from the Latino community by creating a program that would largely benefit Latino students. The final bill, however, directed funds towards programs designed to help non-English speakers.

In addition to education scholars, representatives from several prominent Latino organizations, including LULAC and the Mexican American Political Association (MAPA), were called to testify in favor the pending legislation (Kaplowitz 2003). These representatives offered anecdotal evidence in support of bilingual education. They also raised concern over the types of programs that might be supported under the bill. They argued that funds should be used to support bilingual programs, arguing that English-only programs hindered educational opportunities of LEP children. The Latino organizations pressed for bilingual programs with the belief that they were best for bridging the language and cultural gulf that existed between LEP students and the rest of the student body. Additionally, they argued that bilingualism was a benefit for all, thus programs should treat the knowledge of non-English languages as resource (Moran 1988).

Although Latino leaders advocated the promotion of bilingual programs over federal support for English-Only programs, they were careful to note that the main goal of bilingual education should be to help language minority children enter the American mainstream. As Texas State Representative Carlos Truan testified, bilingual education would “help many Mexican-Americans become good taxpayers instead of tax-eaters” (cited in Kaplowitz 2003, 209). Alex Hernandez, national president of LULAC, further
testified that bilingual education could turn “the eventual dropout” into a “proud citizen of the United States qualified by education,” and “endowed by bilingual and bicultural heritage” (cited in Kaplowitz 2003, 209).

The BEA was signed into law in 1968, and represented a victory for advocates of language minority children. The 1968 act also represented “a masterpiece of ambiguity, raising more conflicts than solutions to the problems of linguistically and culturally different children in the schools” (Matute-Bianchi 1979, 19). It was clear that the act was intended to improve academic outcomes for language minority children, but there was no clear direction on how to achieve this goal. Although the title of the legislation suggested that it supported bilingual education, bilingual programs were just one of many types of programs Title VII funds could support. For example, ESL programs, where the students’ native language is not used, could be supported under this legislation.

Even though the 1968 Bilingual Education Act was vague, and was initially slow to distribute funds to states, it did have an immediate effect on state law. No states had statutes specific to bilingual education prior to the passage of the BEA (Moran 1988). Immediately after the passage, six states passed laws specific to bilingual education. Furthermore, several states, in including Texas, relaxed legislation regarding non-English instruction. Many of these states subsequently mandated non-English instruction for LEP students. These states included Texas, New Mexico, Arizona and California (San Miguel 2004).

---

4 While the BEA was influential in influencing state legislation, other factors influenced new state legislation. As noted above, there was pressure from the local level influenced state legislation. Latino representation in state houses also likely played a role in the bill’s passage (San Miguel 1987).
The Reauthorization Debates

The BEA would be reauthorized five times over the next 26 years. With each reauthorization came changes to the goals of the legislation, and changes in the types of programs that could receive Title VII funds. Between 1968 and 1974 several factors helped proponents of bilingual education pass legislation supporting bilingual and bicultural programs. The first factor was that the BEA helped to further mobilize Latino organizations, such as LULAC, MALDEF, the Political Association of Spanish-Speaking Organization, and the American G.I. Forum, to become more active in the formulation and implementation of federal bilingual education policies (San Miguel 2004). For more than 30 years after the passage of the BEA, these Latino organizations would play a prominent role in promoting and protecting federal funds for bilingual education.

Furthermore, federal agencies such as the Office for Civil Rights took a stance on the education of language minority students, and a new agency within the Department of Education—the Division of Bilingual Education--was created to study bilingual programs. On May 25, 1970, the Office for Civil rights issued a memorandum on the matter of educating LEP. The May 25th memorandum prohibited discriminatory practices based on national origin or language in all agencies receiving federal funds. Prior to this memorandum, all anti-discrimination laws applied to African Americans. While not specifically addressing bilingual education, the memorandum called for local education agencies with large numbers of LEP to address educational equity issues for language minority children. Although the memo did not have an impact on local policy, it was influential in affecting federal policy, as well as a landmark decision by the Supreme Court regarding the education of language minority children (San Miguel 1984).
The Supreme Court weighed in on the issue of educating language minority children with its decision in the *Lau v. Nichols* (1974) case. The Plaintiffs argued that their child was not granted equal opportunity since he was placed in a classroom in which he did not understand the language of instruction, thus the child was not receiving the same level of education as English-speaking students. The Supreme Court decided in favor of the plaintiff and required the school districts to address the special needs of the child. The *Lau* decision did not mandate any particular programs for addressing the needs of language minority children; it simply stated that their needs must be addressed.

However, the decision proved to be an important judgment for advocates of language minority children, and legitimated the May 25th memorandum by the Office for Civil Rights (San Miguel 2004). The *Lau* decision extended the prohibition of federal funds to agencies with discriminatory practices based on national origin or language to all public schools. More importantly, it provided bilingual education advocates with legal reasoning for their arguments for bilingual programs.

The BEA first came up for reauthorization in 1974. Several new Latino organizations actively lobbied for the reauthorization. These groups included the Raza Association of Spanish Surnamed Americans (RASSA), the Puerto Rican Forum, the Puerto Rican Association for National Affairs (PANA), and ASPIRA—an organization that promotes educational issues for Puerto Rican and other Latino children (Schneider 1976). These groups pushed for legislation that supported bilingual education over other methods of instructing language minority children. They also advocated changing the goals of the BEA. The 1968 BEA was largely remedial. That is, it viewed non-English speaking students as having a deficiency. Programs funded through the 1968 BEA were
to help students overcome this deficiency by accelerating English acquisition. Latino groups actively lobbied for changing the legislation to reflect their view that speaking another language is an asset, and that the culture of language minority students should be embraced. The new legislation, they argued, should not only promote English acquisition, but also promote bilingualism and biculturalism.

Latino Congressmen also played a critical role in the reauthorization of the BEA. In the House, Representative Edward Roybal, a Mexican American from California, sponsored House legislation promoting bilingual-bicultural provisions in the BEA. Several other Latino members in the House were also active in pushing for legislation that promoted bilingual education over ESL programs (see Schneider 1976). In the Senate, Joseph Montoya, the only Mexican American Senator at the time, was a co-sponsor of the Senate reauthorization bill. Like the House bill, the Senate bill also sought to promote both bilingualism and biculturalism. Montoya was bilingual himself, and according to Schneider (1976), the Senator felt a personal obligation to support bilingual programs. As with the Latino interest groups lobbying for new legislation, he did not believe that language minority students had a deficiency, but instead felt that children “who enter school with the ability to speak a language other than English have an educational asset which should be built upon, not discarded or destroyed” (cited in Schneider 1976, 49).

During the hearings over the reauthorization legislation, there were a few opponents to who did not approve of bilingual education. For the most part, though, critics of the 1974 reauthorization were more concerned with the role of the federal government in education policy. They felt that while the federal government should
provide support for this group of students, it was up to the state and local governments to decide which programs were best for their students (Moran 1988; Schneider 1976).

Despite the objections by those who feared loss of state and local control over this policy area, the 1974 BEA was clearer in both its stated goals and the means in which the goals were to be achieved. Title VII funds were now to be used exclusively for the promotion of bilingual programs, with an emphasis on the students’ culture. The 1974 Act also recognized the use of students’ native language as a pedagogical tool for helping students learn English (Wiese and García 2003). While this represented a major victory for proponents of bilingual education programs, it also created fuel for critics.

In 1977, Noel Epstein, a conservative columnist for the Washington Post, published a study critical of bilingual education in which he put forth three reasons why the BEA was unsuccessful and inappropriate (Epstein 1977). The first reason was that after years of implementation, there was no evidence supporting the efficacy of bilingual programs. Second, he argued that the definition of the targeted population was so broad that it could include children who spoke English well. Since federal funds were limited, he argued, funds should not be spent on English speaking students. The final reason regarded the proper role of the federal government in education. He believed that it should be up to the states to decide what programs best met their needs and resources. Epstein further argued that the push federal support for bilingual education was more about politics than pedagogy, stating that: “There is no question that bilingual-bicultural education policy has been governed in large measure by the Hispanic American quest for more political and economic power and prestige” (cited in Valdez 1979, 183). Critics of Epstein’s book argued that his conclusions were not supported by evidence (Cummins
Nevertheless, his study drew popular attention to arguments against bilingual education.

In 1978, another study was released that was highly critical of bilingual programs. The American Institutes for Research (AIR) conducted a national evaluation of 38 Title VII funded bilingual education programs. These programs served over 7,000 children in 150 schools (Crawford 1999). The AIR report concluded that bilingual programs had no significant impact on the education of LEP children. Critics of the report contended that the results of the evaluation study were more likely a function of poor implementation than poor pedagogy. Opponents of bilingual education responded that either way, the report called into question the appropriateness restricting Title VII funds to support bilingual education. If the results were a function of poor pedagogy, then the federal government should fund programs that were better suited to meet language minority students’ needs. If the results were a function of poor implementation, then the federal government should support programs that were more easily implemented.

In this environment, supporters of bilingual education were on the defensive during the hearings for the 1978 reauthorization of the BEA. Latino organizations again argued for federal support of bilingual programs and defended bilingual requirements against the mounting criticisms. Additionally, the newly formed Congressional Hispanic Caucus played an active role in supporting the 1978 reauthorization (Moran 1988). In the end, bilingual education proponents were largely successful in maintaining support for bilingual programs. The 1978 reauthorization still stipulated that Title VII funds could only be used to support bilingual programs. The one concession, though, that opponents won was that the 1978 BEA deemphasized the goals of bilingualism and biculturalism,
requiring English proficiency to be the primary goal of federally supported ELL programs.

Much of the opposition to federal support for bilingual education during the 1970s came from the Republican Party (San Miguel 2004). With a Democratically controlled Congress and a Democrat in the White House between 1977 and 1980, Republicans were largely unsuccessful in limiting federal support for bilingual programs. With the election of Reagan and Republican control of the Senate, though, came an opportunity for opponents to limit federal support for bilingual education. President Reagan was particularly critical of bilingual education. In a 1981 speech, Reagan criticized the goals and efficacy of bilingual programs, stating that:

It is absolutely wrong and against American concepts to have a bilingual education program that is now openly, admittedly dedicated to preserving students’ native language and never getting them adequate in English so they can go out into the job market and participate (cited in Cummins 1991, 185).

Reagan was active pressuring Congress and the Department of Education to limit funds for Title VII programs and in promoting flexibility in the types of programs funded by Title VII. The Reagan administration also had the White House Regulatory Analysis and Review Group commission two independent scholars to conduct a review of research on programs for non-native language (Casanova 1991). The preliminary report by Baker and de Kanter was released in to the press September 1981. The report concluded that there was no systematic evidence in support of bilingual education and that there was evidence supporting the efficacy of structured immersion programs. Their study was a review of several studies of programs for non-native language students in the U.S. and in other nations. Baker and de Kanter (1993a) conducted a scorecard analysis. That is, they
simply looked to see how often bilingual education was a significant predictor for improved educational outcomes. Baker and de Kanter concluded that less emphasis should be placed on bilingual programs and that alternative programs for LEP students, such as ESL or structured immersion, should be given serious consideration. This study was central to the administration’s demand to relax restrictions on the use of Title VII funds (Secada 1990).

In 1982, Senator Samuel Hayakawa of California submitted the 1982 Bilingual Education Act. The bill sought to amend the 1978 BEA by allowing for more flexibility in funding English-only ELL programs. During the hearings for the bill, two questions were considered: 1) did bilingual programs promote separatism; and 2) what role federal, state and local governments should play in designing and financing bilingual education programs (Moran 1988). Senator Hayakawa was highly critical of bilingual programs largely out of concern that these programs promoted separatism, and charged that bilingual education would lead to “another language…becoming[ing] an official language alongside English” (cited in Moran 1988).

Arnoldo S. Torres, National Director of LULAC, believed that attacks from Senator Hayakawa’s and other English-only reformers, arguing that these attacks stemmed from a growing anti-immigrant sentiment fueled by a downswing in the economy. Torres countered the separatism charges, stating that those “who insist on relegating minority-language students to an inferior status by placing them in situations where they are doomed to lag behind or fail are those who are actually promoting a continued separation due to lack of communication and achievement” (cited in Moran 1988). Senator Hayakawa’s bill never made it out of committee, but it did signal a change
in Senate support for bilingual education, as well as growing opposition from those who felt that bilingual education posed a threat to the American way of life.

The following year saw the introduction of two more bills that sought to amend the BEA. Both of these bills, like Senator Hayakawa’s bill, sought to increase the discretion school districts had in choosing ELL programs. Although proponents for greater local discretion were armed with Baker and de Kanter’s (1983a) study, they were not able to gain enough support to get either bill out of committee (Moran 1988). Moran attributes the failure of these bills, in part, to a lack of consensus by those who wanted greater flexibility, others who wanted to promote English-only programs, and those who wanted to limit federal funds for ELL programs. State and local interests wanted greater flexibility to choose different types of programs, but did not want a decrease in financial support for ELL programs. State and local interests were also concerned that proposals to impose English-only standards would also limit their discretion to choose programs that best matched their resources and needs.

Congress finally reformed the BEA with the 1984 reauthorization of the ESEA. The 1984 reauthorization bill represented a compromise between those who wanted greater flexibility in choosing programs that best met their needs and resources and those who felt that the Title VII funds should be focused on supporting bilingual programs. Unlike the 1978 BEA, the 1984 act now allowed for up to 10 percent of funds to be used for Special Alternative Instructional Programs (SAIP). These programs did not use the native language of LEP students, but instead used English as the language of instruction.

The BEA was scheduled for reauthorization in four more years. During those years new research questioned the findings of Baker and de Kanter. Willig (1985)
conducted a meta-analysis on the same set of studies reviewed by Baker and de Kanter. Instead of conducting a scorecard analysis of studies, as done by Baker and de Kanter (1983b), Willig’s meta-analysis considered the effect size, standard errors, sample size, and research design. Additionally, Willig questioned the categorization of different programs studied. Specifically, Baker and de Kanter classified a French-Canadian program as immersion. Willig argued that the program was actually a bilingual program since the goal of the program was for students to be proficient in two languages upon completion of grade school (For a criticism of Baker and de Kanter's classification see Cummins 1991). The findings of Willig’s study directly contradicted the Baker and de Kanter study in that she found that bilingual programs were effective in helping language minority students acquire new languages while improving performance in other subject areas, such as math.

Congress, skeptical of the Reagan administration’s report on bilingual education, also directed the GAO to conduct a review the research on ELL programs (Lyons 1990; Secada 1987; Secada 1990). The GAO surveyed experts in the area of ELL education. A majority of these scholars affirmed that bilingual education was an effective tool for helping language minority students acquire English skills. The GAO also reviewed the same literature as Baker and de Kanter and came to the conclusion that evidence from these studies did show that bilingual programs were effective in promoting English language acquisition.

The Congressional Hispanic Caucus, unswerving advocates of bilingual education, helped coordinated the hearings over the 1988 reauthorization of the BEA. Nevertheless, even with the favorable findings GAO report, the Hispanic Caucus and
other supporters of bilingual education lost ground with the 1988 legislation. The Reagan administration was able to win major concessions regarding the allocation of funds for SAIPs. The 1988 BEA allowed for up to 25 percent of Title VII funds to be used for programs that depended on English for instruction. Title VII funding also decreased with the 1988 bill. Meier and Ribera (1993) contend that while this decrease in Title VII funds hurt state and local bilingual programs, it also mobilized Latinos to become more actively involved in school matters at the local level. However, they also contend that the administrations actions legitimated concerns raised by opponents of bilingual education, such as U.S. English. U.S. English is a group that is active in promoting legislation mandating English as the official language at both the state and national level. They are also active in campaigns against bilingual education.

The early 1990s saw a brief rise in federal support for bilingual education. Again, politics played a role in this reversal of attitude. George H.W. Bush wanted to shore up support from Latino voters before the 1992 presidential elections and support for a policy which had clear support from the Latino community served this purpose (San Miguel 2004). In 1991, the Department of Education released a report that was a reversal of reports issued by the Reagan administration. The Ramirez Report, named after the report’s principal investigator, showed bilingual education to be an effective teaching method; however it also showed that English instruction programs for ELL students were also effective.

Although the Bush administration appeared to be in favor of bilingual education, it was the election of Bill Clinton, along with the Democratically controlled Congress, that created the opportunity for supporters of bilingual education to strengthen the BEA.
In 1994, Congress reauthorized the Bilingual Education Act. The 1994 BEA reasserted the goals of bilingualism and biculturalism; however it still allowed for up to 25 percent of Title VII funds to support SAIPs (Wiese and García 2003). It also increased funds for Title VII programs. The 1994 reauthorization, however, would be the last reauthorization of the BEA, and thus the last show of support by the federal government for bilingual programs.

The Beginning of the End

With the new Republican Congress in 1995 came renewed attacks against bilingual education. In addition to bilingual education coming under attack by Congressional Republicans, San Miguel (2004) cites three distinct groups who mounted opposition to bilingual education: educational traditionalists, political opportunists and los ignorantes. Educational traditionalists favored tough accountability measures and high stakes testing. Political opportunists, Republicans and Democrats alike, opposed bilingual education in order to gain support from dominant voting blocks. Finally, los ignorantes, as the name implies, opposed bilingual education based on their ignorance about the goals and efficacy of bilingual programs. While these groups had always been present, it was the change in party control of the Congress that created the opportunity for significant change.

The first attack on federal support for bilingual education came from Representative Tom Delay. Delay submitted the English for Children Act to Congress in 1998, which would have abolished the Office of Bilingual Education in the Department of Education and ended federal support for 750 local bilingual programs. Delay’s bill
drew sharp criticisms from fellow representatives in Texas, as well as from the Tejano community. "He ought to be ashamed of himself," said LULAC spokesmen Johnny Mata. "He has a lot of Hispanics in his district who need bilingual education" (cited in Zuniga and McDonald 1998, 35A). At a convention in Houston LULAC unanimously passed a resolution denouncing the proposed legislation. Ultimately, his bill never made it to the floor, but it was indicative of the growing opposition to federal support for bilingual education.

In that same year, Representative Frank Riggs of California proposed the English Fluency Act. The act sought to reform the BEA by removing the restrictions on the types of programs that could be funded under Title VII and limit the time ELL students could spend in any particular program before being mainstreamed. The proposed legislation also sought to replace the Department of Education’s Office of Bilingual and Minority-Languages Affairs with the Office of English-Language Acquisition. During hearings for the legislation opponents of bilingual education offered anecdotal evidence in support of English-only instruction and against bilingual instruction, evidence from a study on the long-term effects of bilingual education, and newspaper editorials to support their arguments (U.S. Congress 1998).

Of nine individuals called to testify at the hearing only one was in support of bilingual education, superintendent Anthony J. Trujillo of the Ysleta District in Texas (U.S. Congress 1998). Trujillo testified against the proposed legislation, arguing that it was based on faulty premises, specifically the premise that bilingual education did not work. He countered the criticisms with evidence of success from his district, which went from performing below the state median on statewide tests to above the median after
implementing a district-wide, two-way bilingual program. Trujillo agreed that many ELL students throughout the nation were not being adequately served, but “the remedy being proposed by H.R. 3680 is analogous to asserting that if an international test shows that math achievements by students in this country are unacceptably low, that we should eliminate math programs or legislate that all math must be learned in a two-year span” (U.S. Congress 1998).

Also present at the hearings was Representative Xavier Baccera of California, chairman of the Congressional Hispanic Caucus and supporter of bilingual education. He protested both the bill and the fact that other members of the Hispanic Caucus were not allowed to be present at the hearing (Congress 1998). Baccera testified that the Hispanic Caucus was uniformly opposed to the proposed legislation. He also criticized Chairman Riggs for stacking the witness list with those who opposed bilingual education. Despite Baccera’s protestations and Trujillo’s testimony, the House passed the bill in September of 1998. Congress, though, adjourned before the Senate could take action on the bill.

In 1999, President Clinton and the Education Secretary Riley submitted a bill to reauthorize the ESEA, including the BEA, which was set to expire in September of that year. Clinton’s legislation sought to continue federal support for bilingual programs. Republicans, however, wanted several concessions. They wanted to convert Title VII funds from formula to block grants, allowing local agencies greater flexibility to choose different types of ELL programs. Others wanted to stipulate that federal funds could only be used for English-only programs. Due to disagreements over these issues, and the pending presidential election, the reauthorization failed to pass. The next time Congress would address bilingual education would be with the passage of No Child Left Behind.
No Child Left Behind and No More Federal Support for Bilingual Education

On January 8 of 2002, President Bush signed into law the No Child Left Behind Act (NCLB). NCLB represents a major shift in the role of the federal government in K-12 education. It also represents the end of federal support for bilingual education. Title VII was not reauthorized, and support for ELL programs are now funded under Title III of NCLB. Title III has two programs to provide federal support for ELL programs. Part A, the English Language Acquisition, Language Enhancement, and Academic Achievement Act, is a formula-based block grant for the promotion of English-only instruction. Part B, the Improving Language Instruction Educational Programs for Academic Act, is a competitive grant plan that promotes bilingual programs.

While it would appear that the federal government continues to support bilingual education through Part B, under NCLB only one part can be in effect at any particular time. In order for Part A to be in effect, a least $650,000,000 must be appropriated for Title III. If the appropriations are below $650,000,000, then Part B is in effect. In FY2001, prior to the passage of NCLB, the federal government provided $446,000,000 for ELL programs under Title VII, of which at least 75 percent of the funds went to support bilingual programs. For the FY2002, after the passage of NCLB, Congress appropriated $665,000,000 for Title III of NCLB, putting Part A in effect. With Part A in effect, all Title III funds must be directed toward English-only instruction programs. In addition to eliminating funds for bilingual education, the Office of Bilingual Education and Minority Language Affairs was abolished, as had been attempted by Tom Delay’s
proposed legislation, and replaced Office of English Language Acquisition, Language
Enhancement, and Academic Achievement for Limited-English-Proficient Students.

Interestingly, no Latino groups actively opposed this significant change in policy
(San Miguel 2004). As noted above, LULAC had long been active in the promotion and
protection of the BEA, and vocally protested attacks to the legislation as recently as 1998.
However, the organization issued no statements in response Title III of NCLB. Latino
organizations also did not raise concerns over the fact that no Latinos were represented
on the congressional committees that drafted NCLB.

The director of the National Council de la Raza, Raul Izaguirre, actually voiced
cautious praise for the drafting and content of the legislation. “Members of Congress,”
stated Izaguirre, “displayed a degree of statesmanship that, compared to the demagoguery
that has characterized the debate over bilingual education in California, Arizona, and
Massachusetts, eschewed political rhetoric and maintained a focus on truly helping ELL
students achieve academically while mastering English” (cited in San Miguel 2004, 92).
While Izaguirre applauded the candor in which the legislation was debated and drafted,
and welcomed the additional funds that Part A made available to ELL programs, he was
still concerned that many states and locals did not provide adequate funds toward these
programs. He urged the Bush administration to provide “states the resources and
technical assistance they need to provide ELLs with a quality education” (cited in San
Miguel 2004, 93). This response, or lack there of, to the end of the Bilingual Education
Act does not necessarily reflect the end of support for bilingual education by the Latino
community.
Although the “federales have developed a sudden aversion to bilingual education” (González 2002, ix), the battle continues at the state and local level. After the passage of several state measures that banned bilingual education between 1998 and 2002, supporters of bilingual education sought to reframe and refocus the debate in order to counter claims against bilingual education and gain broader support for these programs (Olsen et al. 1999; Ovando 2003; San Miguel 2004). Josué González, editor of the Bilingual Education Research Journal, argues that instead of retreating after the end of federal support for bilingual education, supporters need to understand that this:

is a good time…to think strategically about our collective advocacy for bilingualism, bilingual education, and the education of immigrants and other English Language Learners. I am not convinced that the setbacks suffered by transitional bilingual education will have a dampening effect on bilingualism or dual-language instruction. I refuse to join the Chicken Little chorus of those who believe the sky is falling. Bilingual education owes much to Title VII funding, but it owes much of the political acrimony that surrounds it to those debates too. Advocates must be more careful about relying solely on the federal government for the continued development of bilingual education. Title III is a hollow version of the hopeful legislative step taken in 1968 with the enactment of Title VII. We should be careful to distinguish between the best practices that are supported by research, and those that are fundable through this highly compromised version of the law. Title III is a highly negotiated piece of legislation. It no longer has a core of principles on which to build substantive programs with a real chance for success. Above all, we should resist the idea of having the federal government define what constitutes high quality programs of bilingual education. That can only come from practitioners and researchers in the field; it cannot be negotiated in the back offices of Congressmen and Senators (González 2002).

González argues that the primary reason why supporters of bilingual education turned to the federal government in the first place was that states were neglecting the needs of language minority children. While the BEA provided some federal funds, it was not the funds that mattered the most, but instead it was the opportunity it created for bilingual education advocates to push for state and local
support. The *Lau v. Nichols* (1974) decision was also victory for advocates for language minorities, González further argues, but was only effective after interested groups such as Chinese Americans gained representation on local school boards. So, until “Congress becomes more representative,” González (2002, ix) asserts that proponents of bilingual education need to take advantage of the growing representation on school boards and in statehouses.

**Conclusion**

This chapter highlights the political nature of policies designed for language minority students. Federal involvement in this policy area was initially driven by both the civil rights movement during the 1960s and as a means to solidify support from the Latino community for Democrats. With the federal support for bilingual education came a wave of controversy over the proper role the federal government should play in this policy area, what the goals should be, and what types of programs best achieved these goal. Controversies over the research on bilingual education helped fuel this debate (see Baker 2001; Baker and Markham 2002; Baker 1987; Baker and De Kanter 1983a; Baker and De Kanter 1983b; Cummins 1991; Cummins 1998; Greene 1997; Rossell and Baker 1996; Secada 1987; Secada 1990; Willig 1985; Willig 1987). Both proponents and opponents of bilingual education programs argue that research is on their side. Due, in part, to the controversies regarding the research on bilingual education, federal policy in this area appears to have been largely influenced by political concerns. Thus, changes in policy reflected changes in party control of the White House and Congress.
However, the role of Latino organizations and Latino legislators in the development of the BEA remained consistent. Until the passage of NCLB, Latino groups and Latino representatives actively promoted and defended federal support for bilingual education programs. The lack of involvement in the formulation of NCLB or reaction to the passage of the bill did not necessarily represent a change in attitude toward bilingual education by the Latino community. Instead, it represented a change in strategy by refocusing efforts at the state and local levels where Latinos are gaining more representation.

In Texas, the Latino community struggled for much of the 20th century to overthrow discriminatory policies related to language instruction in the public and private education systems. Their call for bilingual education programs was based, in part, on the belief that bilingual programs would improve educational outcomes for Latino students. It was also based, though, on the desire to have their culture and heritage recognized and to redress the past discriminatory policies directed toward Latino students.

Latino organizations, such as LULAC, MAYO, RUP, PASSO, the American G.I. Forum and MALDEF, provided financial, organizational and political support to state and local officials to create and implement bilingual programs. As a result of this pressure, Texas now mandates bilingual education and the state is one of the most equitable states in regard to funding ELL programs (see Baker 2001; Baker and Markham 2002). In addition to their political success, the Chicano movement’s struggles with the education system helped to train Chicanos for involvement in the mainstream political process, resulting in representation in both elected and bureaucratic decision making bodies (Acuña 1981). de la Garza and Vaughan (1984) also found that the socialization of
Chicano elites differs significantly from Anglo elites. Because of differences in socialization process, Latinos are more likely to advocate policies that correct for past abuses, such as abuse directed toward language minority students. This socialization should apply to upper-level Latino administrators as well.

Angel González’s tenure and actions as one of Texas’ first Latino superintendents provides anecdotal evidence that upper-level Latino bureaucrats understand the political Latino community’s struggle to improve the educational opportunities of language minority students. Superintendent Trujillo’s Congressional testimony also provides evidence of Latino superintendents’ awareness of the needs of this subgroup of Latino students. Both superintendents promoted bilingual education as a method to improve the educational opportunities of Latino children.

There are also several statewide and national Latino superintendent associations that not only provide support for Latino superintendents, but also seek to improve the quality of education received by Latino students. The Association of Latino Administrators and Superintendents lists that one of its three primary areas of focus is to offer “information sharing around innovative instructional and learning strategies that have proven successful in motivating Latino youth and increasing Latino student achievement in critical learning areas” (Association of Latino Administrators and Superintendents 2006). The California Latino Superintendents Association (CALSA) lists first in its mission statement that it will achieve it’s mission by “advocating on behalf of Latino children” (California Latino Superintendents Association 2006). Furthermore, in a letter to the American Association of School Administrators, the executive director of the CALSA, Fernando Elizondo, stated that the education of Latino students could be
improved with: “More bilingual teachers and administrators and a more inclusive and challenging curriculum. These two basic strategies can positively affect the teaching and learning of Latino children in addressing the linguistic diversity and competencies of English language learners” (Elizondo 2006).

In the next chapter, I will directly test whether Latino superintendents actively represent the interest of language minority students by examining the relationship between representation by Latino superintendents and the level of resources afforded to bilingual and ESL programs in Texas. Following this examination of upper-level bureaucratic representation, I will contribute the efficacy debate by assessing the effect of ELL program type and service level on Latino dropout rates.
CHAPTER IV
MUÉSTREME EL DINERO!

Introduction

Studying the link between passive and active representation requires an appropriate policy area, appropriate measures of active representation and the appropriate unit of analysis. Programs for limited English proficient (LEP) students provide an ideal policy area for the study of active representation by upper-level managers. Given that these programs almost exclusively serve Latino students (Feinberg 2002), and that Latinos exhibit high levels of support for these programs (De la Garza 1992; Krashen 1996; Shin 2000), the questions addressed here are of great importance for the study of Latino politics. Furthermore, anecdotal evidence presented in the previous chapter suggests that Latino superintendents have taken an active role in promoting the interests of both LEP students and the Latino community by promoting and defending bilingual education.

Up to now, evidence of active representation has come from aggregate level analysis, linking the percentage of minority bureaucrats with policy outcomes for minority clientele. Although active representation can produce improved outcomes for represented groups, as has been found, it is quite possible that other factors, or a combination of factors, are producing improved outcomes for represented groups. Improved outcomes could be a function of minority clientele reacting differently to representative agencies. It is also possible that diverse organizations lead to non-minority bureaucrats becoming sensitized to minority needs and interests through interaction with
minority bureaucrats. It is possible, then, that improved minority outcomes are a function of different actions by non-minorities. Although research on bureaucratic representation shows that represented groups benefit from diverse organizations, it is still unclear whether this benefit is a function of active representation or other processes.

Additionally, research presented in this chapter will address measurement problems associated with most studies of active representation by directly linking a policy output to an individual. Instead of analyzing the effect of aggregate levels of representation on policy outcomes, as has been done in past research on active bureaucratic representation, the analysis presented in this study links an individual, a school superintendent, and policy decisions, the level of resources for different types of English language learner (ELL) programs. By focusing on the action of an individual, not an aggregation of individuals, I will avoid potential ecological fallacies. That is, any measured effect of representation will likely be a function of the individual, not others within an organization. By focusing on policy outputs, instead of policy outcomes, the results will also be free of behavioral responses by represented clientele, such as minority students positively responding to minority teachers.

While addressing the methodological and measurement issues associated with the study of active representation is important for providing direct evidence of active representation, the primary contribution of the work presented in this chapter is to provide evidence of a link between passive and active representation for upper-level

---

5 Selden et al. (1998) and Sowa and Selden (2003) study individuals and find that outcomes for minorities improve when bureaucrats feel that their role includes representing minority interests. They do find an independent effect for race on outcomes. However, they find that the strongest predictor of the belief that their role includes representing minority interest is the race of the bureaucrat.
managers. Most evidence of active representation has been found by linking street-level bureaucratic representation to improved policy outcomes for represented groups (Naff 2001). Scholars have offered theories for why we would expect active representation to be more likely to occur at the street level (Meier 1993b; Saltzstein 1979; Thompson 1976), but these theories do not predict that active representation by executives cannot occur. Furthermore, past methods of studying active representation, specifically linking representation to outcomes, makes it difficult to find evidence that upper-level managers represent certain groups. Theory, evidence from studies of executive attitudes, and anecdotal evidence suggest that when executives hold positions in which they have the authority and ability minority executives will actively represent the interests of represented groups.

**Representation and Bilingual Education**

*An Ideal Policy for the Study of Bureaucratic Representation*

As several authors have noted (Meier 1993b; Saltzstein 1979; Thompson 1976), part of the difficulty in assessing linkages between passive and active representation is finding a policy where there is a clear distinction in policy preferences associated with race, or a policy that largely affects one group. One such policy area, however, are ELL programs which are geared toward limited English proficient LEP students. These programs include bilingual, English as a second language (ESL) and structured immersion programs. In this policy area policy preferences vary by race, and there are asymmetrical benefits for one group, Latinos.
Admittedly, there is some debate concerning support for bilingual education by Latinos. Opponents of bilingual education argue that Latinos do not support bilingual education (see Krashen 1996). Instead, they claim that Latinos are in favor of programs that help ESL students quickly acquire English skills, such as with structured immersion programs. Ron Unz, the person behind Proposition 227 in California, often cited polls that indicated that 81% of Latinos favor English immersion programs over bilingual programs.

Krashen (1996) argues that polls that show that Latinos are against bilingual education frame bilingual education with a negative bias. These surveys tend to frame bilingual programs as teaching Spanish instead of being a method for English acquisition. Although not all Latinos believe that LEP students need to maintain their native language, there is nearly unanimous agreement that LEP students need to learn English. Any survey questions, then, that frame bilingual programs as hindering English language acquisition will likely lead to responses indicating disfavor for these programs. However, without the negative bias in the survey question there is clear support for bilingual education among the Latino community (De la Garza 1992; Krashen 1996; Shin 2000). The strong support for bilingual education within the Latino community makes this a suitable policy for assessing the linkage between passive and active representation.

Even if Latinos are not strongly in favor of bilingual education, it is still reasonable to expect that they would be more likely to support devoting resources toward programs for ESL students, whether the resources are for bilingual, ESL or structured immersion programs. The reason for expecting that Latinos would be more likely to favor devoting resources toward ELL programs is that these programs are largely populated by
Latino students. Nation-wide, 74 percent of all LEP students are Latino (Feinberg 2002). Data from Texas show that 92 percent of LEP students in Texas school districts are Latino. This policy area’s asymmetric consequences for Latinos, along with clear differences in policy preferences, make it an ideal policy for the study of representation.

Of course, in order for this policy area to be appropriate for the study of bureaucratic representation, bureaucrats must be able to exercise some discretion over the policy area. Although decisions regarding resource levels for bilingual education are constrained by federal, state and local elected bodies, educational bureaucracies still exercise control over program resources. Superintendents, in particular, not only make decisions regarding the level of resources devoted toward bilingual programs, they also advise school boards on budgetary matters (Kirst 1984; Norton 1996).

In addition to having discretion over decisions regarding resources for this policy area, organizational influences in the public school systems should enhance the likelihood of active representation by superintendents. Past work has argued that organizational socialization produces upper-level managers with neutral preferences in regard to representing certain groups (Downs 1967; Meier and Nigro 1976; Nigro and Meier 1975; Thompson 1976). Current research, however, has found evidence that race and gender are significant predictors of policy preferences for executives in state and federal administrations (Brudney, Herbert, and Wright 2000; Dolan 2002). Meier (1993b) argues that active representation is enhanced in organizations that value representation, such as by hiring minorities in order to become advocates for minority interests. Given that certain states, including Texas, and the federal government mandate educational performance levels by race, it is reasonable to expect that school systems represent the
type of organization that values minority interests, which could, in turn, enhance the likelihood of active representation by upper-level managers.

Several studies of school administrators support the argument that school systems are conducive environments for active representation by executives. Scott’s (1990) study of Black superintendents found that along with valuing traditional bureaucratic roles, Black superintendents felt that they “must commit their expertise to the eradication of racism and the rectification of socioeconomic inequities” and should “identify with Black-directed endeavors to resolve the needs of Black needs in a racist society” (168).

Lomotey’s (1989; 1990; 1997) studies of Black principals find similar attitudes about representing the interests of the Black community. Quoting one African American Principal, Mr. Brooks, "being Black is not enough. One needs to be sensitive to the needs of Black students and to the total Black community. I think they ought to be not only sensitive, but knowledgeable about the needs of Black children" (cited in Lomotey 1990, 187). This principal went on to say that many of the problems the African American students dealt with were the same problems that Anglo students dealt with, just more concentrated. Because of this, they felt that these problems were more unique to them.

Finally, in her study of three Latina superintendents, Ortiz (2000; 2001) found that these superintendents felt that they were appointed, in part, to represent the needs of Latino students. This expectation came not only from the community, but from elected officials as well. In other words, school board members made their choice on the basis of race, assuming that the race of the superintendents would lead to improved outcomes for represented groups.
Of course, the studies mentioned above only measure attitudinal differences. There is still a question of whether these attitudinal differences actually lead to different decisions regarding the allocation of resources affecting minority groups. For instance, if the problems of Black students are the same as the problems facing Anglo students, then it is not clear what decisions by Black principals would constitute active representation. Latino superintendents, though, can actively represent the interests of Latino students through the allocation of resources for ELL programs.

Evidence of Linkages

Given the qualities of bilingual education, it is not surprising that scholars have used this policy area to study representation. Recent research has found a linkage between representation and bilingual education policy outputs, arguing that these linkages were a function of active representation, by both elected officials and public servants. These studies looked at the implementation of Proposition 227, assignments to bilingual or ESL classes, and resources afforded bilingual programs.

A recent study by Bali (2003) suggests that bureaucratic representation has affected the implementation of Proposition 227. Although Proposition 227 called for an end of bilingual education, schools could get special waivers to continue bilingual programs. The primary focus of her study is how electoral support, the percent in a district that voted for Proposition 227, affected the implementation of the proposition. In addition to studying electoral influence, she also included the race of the superintendent and percent Latino principals in her models. For these variables, she found that the
presence of Latino bureaucrats increased the likelihood of districts continuing their bilingual programs.

Polinard Wrinkle and Longoria (1990) analyzed the effect of bureaucratic representation in schools and found that Latino representation benefited Latino students. In regard to bilingual education, they found that the ratio of percentage of Latinos in bilingual programs over the percentage of Latinos in the overall student population decreased as representation increased. Although this type of representation ratio makes sense for certain policy outcomes, such as disciplinary actions or assignments for gifted programs, it is unclear what it means in this case. A decrease in their representation ratio could be a function of placing more non-Latinos in bilingual programs, as would occur in systems with two-way bilingual education, or an increase in the percentage of Latinos in a district, which was not properly controlled for in their models.

Two other studies (Leal and Hess 2000; Robinson 2002) assessed the effect of electoral representation, in the form of Latino representation on school boards, on bilingual program resources. Both studies find that school board representation affects bilingual program resources, but come to different conclusion regarding the nature of this relationship. Leal and Hess find that LEP students benefit from representation, finding a positive relationship between representation and resources. Robinson finds that LEP students receive fewer resources under systems with representation. Not only do Robinson’s results conflict with Leal and Hess’s, this study is also controversial because it suggests that representation is actually harmful for the represented.

There are fundamental modeling and measurement differences in their studies, which likely produce the difference in results. Instead of modeling per-pupil bilingual
program expenditures for LEP students, Leal and Hess use bilingual program expenditures per all pupils as their dependent variable instead of expenditures per LEP student. Although they control from bilingual program enrollment, their results could still be a function of overall enrollment in districts. Given their sample size, 56, a few large districts could easily be driving these results.

Robinson (2002) argues that studies of representation did not properly account for the institutional nature of representation and presents an interactive model, interacting need with representation, to address this shortcoming in the literature. His empirical model, however, seriously misrepresents need. Instead of measuring need as the number of LEP students, those who actually need the ELL programs, he uses the number of Latino students, most of whom do not need ELL programs.

Both Leal and Hess and Robinson’s studies also suffer from a serious omission, the influence of the superintendent. As mentioned above, superintendents make funding decisions, including funding decisions for ELL programs. Any attempt to link school board representation with resources, then, must at least control for superintendent influence.

The research presented here advances the study of representation in this policy area by addressing the gaps in the research. First, this study avoids the potential of an ecological fallacy by studying the decision of an individual, the superintendent. I also simultaneously assess the effect of both electoral and bureaucratic representation. Finally, I use Robinson’s approach, interacting both electoral and bureaucratic representation with actual need.
In addition to advancing the study of representation, this study also answers important questions concerning the generation of resources for a policy central to Latino politics. As noted above, an overwhelming majority of the resources devoted toward ELL programs benefit Latino students. Given that the debate around the education of LEP students is as much political as it is pedagogical, it is important to understand the political determinants of the resources devoted toward ELL programs.

**Data and Methods**

*Sample*

The sample for this analysis consists of all Texas school districts with at least 20 LEP students, from the 1995-1996 school year until the 1999-2000 school year, which represents about half of all Texas school districts. Texas requires districts with 20 or more LEP students in a single grade to offer ELL programs. Some districts, then, are required to offer resources toward LEP students while other districts are not. Because of this, the decision to distribute resources toward LEP students differs between districts under state mandate and those who are not. Ideally, a dummy variable could be included for districts under this mandate, but unfortunately there are no data available on whether a district falls under this mandate.

Clearly, a district with only 20 LEP students probably is not under state mandate to offer ELL programs since it is likely that these students are distributed across several grades. Although data are not available on whether a district is required to have ELL programs, the data on district LEP enrollment and bilingual and ESL teachers show that 82 percent of districts with LEP enrollment figures between 20 and 30 have certified
bilingual or ESL teachers. On the other hand, only 35 percent of districts with LEP enrollment between 1 and 20 have any bilingual or ESL teachers. The cut point of 20 LEP students, then, creates a sample where an overwhelming majority of districts have either been required to offer resources, or have at least made the decision to distribute resources in the form of certified bilingual or ESL teachers for LEP students.\(^6\)

The second reason for limiting the sample to districts with 20 or more Spanish speaking LEP students is that there are no Latino superintendents representing districts with fewer than 20 LEP students. As noted above, an overwhelming majority of districts with fewer than 20 LEP students do not have certified ESL or bilingual teachers. Because of this, including districts with fewer than 20 LEP students biases the results toward finding an effect of representation.

Data for this analysis come from four sources. Information on district finance, teachers, principals, superintendents, and LEP students comes from the Texas Education Agency (TEA). Latino school board membership comes from the National Association of Elected Latino Officials (NALEO) and Meier et al. (2003).\(^7\) Finally, data on the Latino population in the school district come from the 2000 U.S. Census.

---

\(^6\) Limiting the sample to districts that have at least one ESL or bilingual teacher does not change the results substantively.

\(^7\) NALEO keeps track of the number of Latino school board members during any given year, but does not keep track of the number of seats. The Meier et al. (2003) data set has both the number of Latino school board members, as well as the number of seats, but these data are only available for one year. Since the number of board seats is consistent across years, the NALEO count is divided by the seat count from the Meier et al. (2003) dataset. This, though, produced a small number of districts with greater than 100 percent representation. It is unclear why the NALEO data set over counts Latino school board members for these districts, but to correct for this, the Latino school board member count from the Meier et al. data set was used for all the years for the particular district, in effect holding Latino representation constant for these particular districts across the five years.
Dependent Variables

Ideally, bilingual and ESL program expenditures would be used as the dependent variable for this study, but these figures are not analyzed for two reasons. First, expenditure figures reported by the TEA do not distinguish between bilingual and ESL programs. Variations in costs should be, in part, a function of variation in program types, both between bilingual and ESL programs and between the many different types of bilingual programs (Prince and Hubert 1994). Not enough data are available to completely control for the variation in expenditures caused by program variation. Second, and most important, from examining the data it is clear that the reporting standards vary dramatically both across districts and across years within districts. Some districts report ten-fold increases in bilingual program expenditures from one year to the next while the number of LEP students remains relatively stable from one year to the next. It appears that part of the variation is a function of district size, such that there seems to be greater variation from one year to the next for small districts. The analysis could focus solely on large districts in order to avoid the error in expenditure data, but this strategy is not used for two reasons. First it is still unclear if there is variation in reporting across big districts as well. Second, this would constrain any inferences regarding representation to large districts.

Because of these concerns, the analyses conducted here assess the effect of representation on bilingual and ESL teacher assignments. Although funds for bilingual and ESL programs are not solely a function of teacher salaries, teacher salaries should represent an overwhelming majority of bilingual and ESL program expenditures
(Robinson 2002). Also, the TEA keeps track of both the number of bilingual and ESL certified teachers. This allows me to assess whether there is a differential effect of representation between bilingual and ESL teacher assignments. Several models of representation, then, are examined in this study. The first two models assess the effect of representation on assignment of both bilingual and ESL teachers. Subsequent models assess whether there is a differential effect from representation on the assignment of teachers for each type of ELL program.

Teacher assignment to ELL programs is modeled as both ELL teacher totals and as percent of teachers. The models predicting total bilingual and ESL teachers assess the effects of resources and representation on the level of resources available for LEP students. The models using percentage of teachers who are in bilingual and or ESL programs, conversely, capture trade-offs along with responses to resources and representation. Districts can represent LEP students by hiring more teacher bilingual or ESL teachers while simultaneously hiring more teachers for other programs. In this case, representation would affect total numbers of ELL teachers but not percentages of teachers in ELL programs. In a constrained environment, though, I would expect that addressing the need of one group, through teacher allocations, would come at a cost to other groups. By modeling both ELL teacher total and percentages, then, I can both assess if representation occurs and whether it occurs through the reallocation of resources.

For models one and two, the dependent variables are the total number of ELL program teachers—both bilingual and ESL certified teachers—in a district and the percentage of ELL teachers in a district. The TEA maintains a full time equivalent measure for teachers in ELL programs. This includes bilingual certified and ESL certified
teachers as well as teachers in ELL programs who are not certified. The TEA also keeps track of bilingual certified and ESL certified teachers, but these records are counts of certified teachers in a district not full time equivalents. Certified teachers may or may not be assigned full time to ELL programs. Since I expect that Latino officials would not only be interested in hiring more teachers for ELL programs, but also be concerned hiring qualified teachers, I use counts of teachers with certification instead of the full time equivalent measure. The percent bilingual and ESL teacher measure uses full time equivalent levels of ELL teachers since the denominator also uses the full-time equivalent for all teachers.

The final four models separate bilingual and ESL teachers. Models three and four assess the effect of representation on the count of certified bilingual teachers and the percentage of teachers who are bilingual certified. Models five and six assess the effect of representation on the count of certified ESL teachers and the percentage of teachers who are ESL certified.

Independent Variables

I expect bilingual and ESL teacher assignments to be a function of need, representation, political demand/resources and financial resources. Need is measured by the logged total number of Spanish speaking LEP students in a district for the total teacher models and the percentage of students classified LEP for the models predicting percentage of teachers in bilingual and ESL programs.

Patterns of significance and direction of the coefficients in a model predicting the full time equivalent are identical to the model predicting teacher count totals.
Representation is measured by the percent of school board members who are Latino and whether the superintendent is Latino. In addition to the main effects, both Latino school board representation and Latino superintendent representation measures are interacted with need. Evidence of representation would be apparent if the interactions are significant and positive in the models bilingual and ESL teacher totals. For the models of teacher percentages, positive interactions would also suggest that representation is occurring, and that is occurring through the transfer of resources from other programs toward bilingual education.

Political demand/resources are measured using the percentage of the voting population who are Latino and the number or percentage of teachers who are Latino. The Latino population can exert pressure on school boards, superintendents, and principals. As the Latino population increases, so should the demand for policy outputs favorable toward the Latino population, in this case resources for LEP students. Superintendents and school board members can also use the Latino population as a political resource when implementing certain policies. As noted above, districts with larger Latino populations should be more amenable to diverting resources toward bilingual education programs. The Latino population can also act as a resource for hiring qualified teachers. Although not all bilingual teachers are Latino, Latinos would be more likely to speak both Spanish and English. This measure of political resources comes from the 2000 Census; thus is constant across the years in this analysis.

Latino principals represent potential demand for bilingual education within an agency. If Latino principals favor bilingual education more than other principals, then as the number or percentage of Latino principals in a district increases, so should the
demand for bilingual education within districts. Latino principals can also be pivotal in hiring and retaining qualified teachers, thus acting as a resource for ELL programs.

The financial resources of a district are measured by the percentage of district funds from local sources. As district wealth increases, usually as a function of increased property wealth, so does the availability of funds for schools. Conversely, districts with low levels of property wealth receive more of their funds from state and federal resources. Even though the state and federal governments compensate for low levels of local resources, poorer districts still lag behind in revenue totals (Wood and Theobald 2003). Districts with greater local revenue could afford to hire more teachers, regardless of program type. There should, then, be a positive relationship between financial resources and teacher total, but not necessarily a relationship between financial resources and percentage of ELL teachers.

In addition to the four sets of independent variables mentioned above, a variable for district size was included to control for economies of scale. District size is measured by using logged student enrollment figures.

*Method*

Each model is estimated as a pooled time series. The models using teacher totals as dependent variables are estimated using negative binomial regression. Negative binomial regression is an extension of poisson regression, but does not require that the conditional variance equal the conditional mean (Long 1997). For the models predicting teacher percentages, truncated regression is used, due to the truncated nature of the dependent variables (all are truncated at 0).
Results

Table 4.1 presents the findings for the models combining both bilingual and ESL teachers. Model one predicts total number of bilingual and ESL teachers, while model two predicts the percent of teachers who are bilingual or ESL. First, looking at resources,

Table 4.1. Regression Results for Latino Representation and All ELL Teachers

<table>
<thead>
<tr>
<th></th>
<th>Model 1 – Total Bilingual &amp; ESL Teachers</th>
<th>Model 2 – Percent Bilingual/ESL Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Negative Binomial Regression</td>
<td>Truncated Regression</td>
</tr>
<tr>
<td>LEP Need</td>
<td>0.575</td>
<td>0.330</td>
</tr>
<tr>
<td></td>
<td>(34.37)*</td>
<td>(25.50)*</td>
</tr>
<tr>
<td>% Latino School Board</td>
<td>-0.006</td>
<td>-0.029</td>
</tr>
<tr>
<td></td>
<td>(2.78)*</td>
<td>(3.86)*</td>
</tr>
<tr>
<td>Latino SB x Need</td>
<td>0.001</td>
<td>0.001</td>
</tr>
<tr>
<td></td>
<td>(2.51)*</td>
<td>(5.14)*</td>
</tr>
<tr>
<td>Latino Superintendent</td>
<td>-0.677</td>
<td>-1.127</td>
</tr>
<tr>
<td></td>
<td>(4.05)*</td>
<td>(2.31)*</td>
</tr>
<tr>
<td>Latino Sup. x Need</td>
<td>0.083</td>
<td>0.031</td>
</tr>
<tr>
<td></td>
<td>(3.55)*</td>
<td>(1.96)*</td>
</tr>
<tr>
<td>Latino Principals</td>
<td>0.126</td>
<td>0.025</td>
</tr>
<tr>
<td></td>
<td>(5.73)*</td>
<td>(5.07)*</td>
</tr>
<tr>
<td>% Pop over 18 Latino</td>
<td>0.008</td>
<td>0.030</td>
</tr>
<tr>
<td></td>
<td>(8.16)*</td>
<td>(4.50)*</td>
</tr>
<tr>
<td>% Local Revenue</td>
<td>0.002</td>
<td>-0.011</td>
</tr>
<tr>
<td></td>
<td>(3.93)*</td>
<td>(3.32)*</td>
</tr>
<tr>
<td>Enrollment</td>
<td>0.313</td>
<td>1.099</td>
</tr>
<tr>
<td></td>
<td>(15.52)*</td>
<td>(19.59)*</td>
</tr>
<tr>
<td>1997</td>
<td>0.009</td>
<td>0.079</td>
</tr>
<tr>
<td></td>
<td>(0.25)</td>
<td>(0.34)</td>
</tr>
<tr>
<td>1998</td>
<td>0.050</td>
<td>0.301</td>
</tr>
<tr>
<td></td>
<td>(1.45)</td>
<td>(1.32)</td>
</tr>
<tr>
<td>1999</td>
<td>0.034</td>
<td>0.385</td>
</tr>
<tr>
<td></td>
<td>(1.00)</td>
<td>(1.69)</td>
</tr>
<tr>
<td>2000</td>
<td>0.052</td>
<td>0.419</td>
</tr>
<tr>
<td></td>
<td>(1.50)</td>
<td>(1.85)</td>
</tr>
<tr>
<td>Constant</td>
<td>-3.707</td>
<td>-9.081</td>
</tr>
<tr>
<td></td>
<td>(31.13)*</td>
<td>(18.33)*</td>
</tr>
<tr>
<td>Observations</td>
<td>2836</td>
<td>2836</td>
</tr>
</tbody>
</table>

Absolute value of z-statistics in parentheses
* significant at 5%
the models show a positive effect on both the total of ELL teachers and the percent ELL teachers for the percentage voting age Latino variable. The same positive relationship exists for the percent Latino principal variable across both models. The affect of local revenue, though, differs across the two models. For the ELL teacher total model, there is a positive relation, while there is a negative relationship between local revenue and percent ELL teachers. This indicates that as local revenue goes up, we would expect to see more ELL teachers, but we would also expect to see even more general, special, or gifted education teachers.

In regard to electoral representation, the results here indicate that Latino representation on school boards leads to districts being more responsive to LEP student needs, as indicated by the positive and significant coefficient for the interaction variable. Holding all else equal, a district with more Latino school board representatives allocate more ELL teachers toward LEP students. That is, more teachers are allocated per LEP district as representation goes up. Looking at model 2, it appears that representation occurs through the shifting of resources. As representation increases, so does the percent of teachers allocated to ELL programs, which implicitly implies that less resources are available for other programs. This finding supports Leal and Hess’s finding, that electoral representation leads to greater resources for represented groups.

Unlike Leal and Hess’s study, bureaucratic representation is also included. Even when controlling for electoral representation, I find a positive effect when there is bureaucratic representation as indicated by the positive and significant coefficient for the interaction variable. Bureaucratic representation produces patterns similar to electoral representation, such that districts with Latino superintendents allocate more ELL teachers
in response to need. They also devote a greater proportion of teachers to ELL programs in response to need.

Table 4.2 shows the results for models three and four. Increasing the percentage

**Table 4.2. Regression Results for Latino Representation and Bilingual Teachers**

<table>
<thead>
<tr>
<th></th>
<th>Model 3 – Total Bilingual Teachers</th>
<th>Model 4 – Percent Bilingual Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Negative Binomial Regression</td>
<td>Truncated Regression</td>
</tr>
<tr>
<td>LEP Need</td>
<td>1.086</td>
<td>0.218</td>
</tr>
<tr>
<td></td>
<td>(22.76)*</td>
<td>(9.02)*</td>
</tr>
<tr>
<td>% Latino School Board</td>
<td>0.031</td>
<td>-0.035</td>
</tr>
<tr>
<td></td>
<td>(5.34)*</td>
<td>(3.61)*</td>
</tr>
<tr>
<td>Latino SB x Need</td>
<td>-0.005</td>
<td>0.001</td>
</tr>
<tr>
<td></td>
<td>(5.60)*</td>
<td>(3.25)*</td>
</tr>
<tr>
<td>Latino Superintendent</td>
<td>-0.471</td>
<td>-1.828</td>
</tr>
<tr>
<td></td>
<td>(1.04)</td>
<td>(2.70)*</td>
</tr>
<tr>
<td>Latino Sup. x Need</td>
<td>0.053</td>
<td>0.079</td>
</tr>
<tr>
<td></td>
<td>(0.80)</td>
<td>(2.19)*</td>
</tr>
<tr>
<td>Latino Principals</td>
<td>-0.179</td>
<td>0.038</td>
</tr>
<tr>
<td></td>
<td>(2.98)*</td>
<td>(4.83)*</td>
</tr>
<tr>
<td>% Pop over 18 Latino</td>
<td>0.026</td>
<td>0.048</td>
</tr>
<tr>
<td></td>
<td>(9.95)*</td>
<td>(5.58)*</td>
</tr>
<tr>
<td>% Local Revenue</td>
<td>0.004</td>
<td>-0.014</td>
</tr>
<tr>
<td></td>
<td>(2.86)*</td>
<td>(3.27)*</td>
</tr>
<tr>
<td>Enrollment</td>
<td>0.507</td>
<td>1.322</td>
</tr>
<tr>
<td></td>
<td>(8.90)*</td>
<td>(15.53)*</td>
</tr>
<tr>
<td>1997</td>
<td>0.000</td>
<td>0.110</td>
</tr>
<tr>
<td></td>
<td>(0.01)</td>
<td>(0.41)</td>
</tr>
<tr>
<td>1998</td>
<td>0.033</td>
<td>0.250</td>
</tr>
<tr>
<td></td>
<td>(0.38)</td>
<td>(0.98)</td>
</tr>
<tr>
<td>1999</td>
<td>0.007</td>
<td>0.395</td>
</tr>
<tr>
<td></td>
<td>(0.08)</td>
<td>(1.47)</td>
</tr>
<tr>
<td>2000</td>
<td>-0.030</td>
<td>0.550</td>
</tr>
<tr>
<td></td>
<td>(0.34)</td>
<td>(1.85)</td>
</tr>
<tr>
<td>Constant</td>
<td>-9.952</td>
<td>-12.168</td>
</tr>
<tr>
<td></td>
<td>(27.92)*</td>
<td>(14.01)*</td>
</tr>
</tbody>
</table>

Observations          2836                          2836

Absolute value of z-statistics in parentheses
* significant at 5%
bilingual teachers. The Latino principals variable produces mixed results for bilingual teacher allocations. There is a positive relationship between Latino principals percent bilingual teachers, but a negative relationship between Latino principals. Local revenue also produces mixed results similar to models one and two. That is, increased local resources lead to more bilingual teachers, but also more teachers relative to bilingual teachers.

In regard to electoral representation, the results are mixed. For the bilingual teacher total model, the interaction is negative, suggesting that when there are more Latinos on school boards, districts are less responsive to need. For the percent bilingual teacher model, though, there is a positive and significant interaction effect, indicating that electoral representation leads to greater proportions of resources being devoted to bilingual education.

Bureaucratic representation also produces mixed results. There is no evidence of an effect for representation on bilingual teacher totals. Model four, though, predicts that districts with Latino superintendents are more likely to devote a greater percentage of teachers to bilingual education in response to changes in need.

Table 4.3 shows the results for the last two models, five and six. In regard to resources, the models show a positive effect for local revenue on both ESL teacher totals and percentages. The results for Latino voting age population indicate a negative relationship on ESL teacher totals. As for Latino principals, there is a positive relationship between Latino principals and ESL totals, but is a negative relationship between Latino principals and percent ESL teachers. Local revenue produces a positive effect for both models.
With electoral representation, only the interaction for model six, percent ESL teachers, is significant. According to the results, as Latino representation increases on school boards, districts allocate fewer ESL teachers relative to other teachers. Coupled

Table 4.3. Regression Results for Latino Representation and ESL Teachers

<table>
<thead>
<tr>
<th></th>
<th>Model 5 – Total ESL Teachers</th>
<th>Model 6 – Percent ESL Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Negative Binomial Regression</td>
<td>Truncated Regression</td>
</tr>
<tr>
<td>LEP Need</td>
<td>0.428</td>
<td>0.201</td>
</tr>
<tr>
<td></td>
<td>(19.77)*</td>
<td>(16.61)*</td>
</tr>
<tr>
<td>% Latino School Board</td>
<td>-0.008</td>
<td>0.018</td>
</tr>
<tr>
<td></td>
<td>(2.64)*</td>
<td>(2.50)*</td>
</tr>
<tr>
<td>Latino SB x Need</td>
<td>0.001</td>
<td>-0.001</td>
</tr>
<tr>
<td></td>
<td>(1.90)</td>
<td>(5.36)*</td>
</tr>
<tr>
<td>Latino Superintendent</td>
<td>-0.769</td>
<td>0.882</td>
</tr>
<tr>
<td></td>
<td>(3.44)*</td>
<td>(1.91)</td>
</tr>
<tr>
<td>Latino Sup. x Need</td>
<td>0.064</td>
<td>-0.083</td>
</tr>
<tr>
<td></td>
<td>(2.07)*</td>
<td>(5.53)*</td>
</tr>
<tr>
<td>Latino Principals</td>
<td>0.263</td>
<td>-0.016</td>
</tr>
<tr>
<td></td>
<td>(8.58)*</td>
<td>(3.47)*</td>
</tr>
<tr>
<td>% Pop over 18 Latino</td>
<td>-0.005</td>
<td>-0.002</td>
</tr>
<tr>
<td></td>
<td>(3.29)*</td>
<td>(0.27)</td>
</tr>
<tr>
<td>% Local Revenue</td>
<td>0.003</td>
<td>0.013</td>
</tr>
<tr>
<td></td>
<td>(4.48)*</td>
<td>(4.09)*</td>
</tr>
<tr>
<td>Enrollment</td>
<td>0.225</td>
<td>-0.708</td>
</tr>
<tr>
<td></td>
<td>(8.76)*</td>
<td>(13.39)*</td>
</tr>
<tr>
<td>1997</td>
<td>-0.005</td>
<td>-0.029</td>
</tr>
<tr>
<td></td>
<td>(0.09)</td>
<td>(0.14)</td>
</tr>
<tr>
<td>1998</td>
<td>0.041</td>
<td>0.075</td>
</tr>
<tr>
<td></td>
<td>(0.86)</td>
<td>(0.36)</td>
</tr>
<tr>
<td>1999</td>
<td>0.028</td>
<td>-0.050</td>
</tr>
<tr>
<td></td>
<td>(0.59)</td>
<td>(0.24)</td>
</tr>
<tr>
<td>2000</td>
<td>0.024</td>
<td>-0.139</td>
</tr>
<tr>
<td></td>
<td>(0.50)</td>
<td>(0.67)</td>
</tr>
<tr>
<td>Constant</td>
<td>-2.404</td>
<td>6.535</td>
</tr>
<tr>
<td></td>
<td>(15.90)*</td>
<td>(14.41)*</td>
</tr>
<tr>
<td>Observations</td>
<td>2836</td>
<td>2836</td>
</tr>
</tbody>
</table>

Absolute value of z-statistics in parentheses
* significant at 5%
with the results from model four, this results suggests that electoral representation leads to more bilingual teachers relative to ESL teachers.

Finally, bureaucratic representation is only significant in model 6, the model predicting percent ESL teachers. Districts with Latino superintendents are less responsive to changes in LEP student populations in regard to increasing the percentage of ESL teachers. Once again, coupled with the results presented above, bilingual program resources appear to be favored over ESL program resources in districts with representation.

**Discussion**

The findings here suggest that organizations with representation at the top do behave differently than those without representation. Specifically, Latino superintendents appear to be both distributing more resources toward LEP students, and diverting these resources from other education programs. Past research suggested that this was unlikely to occur. Additionally, Latino superintendents appear to redirect resources away from ESL programs and toward favored bilingual programs. The main reason cited for lack of active representation by those at the top of public organizations is that the process of achieving executive positions creates neutral bureaucrats, at least in regard to representation. However, as I argued above, socialization in public schools and expectations by political principals should enhance the linkage between passive representation and active representation. If top-level managers are appointed with the expectation of representing minority interests, then we should expect of find evidence of bureaucratic representation from organizations headed by minorities.
Of course, finding such linkages is difficult, especially when attempting to study passive representation by upper-level managers with policy outcomes for represented groups. As noted above, outcomes may be affected by several factors, such as behavioral responses by non-minority bureaucrats or minority clientele. It is also likely that a necessary condition for improved outcomes as a function of upper-level representation is that there is street-level representation. Given that street level representation is related to upper-level representation, empirical models of representation will most likely produce null results. By looking at outputs that are a direct function of upper-level management decisions, in this case ELL program resources, I avoid the problems of attempting to link representation with outcomes. Thus, I am also able to make stronger inferences regarding active representation, because the outputs studied here are not prone to behavioral responses by clientele, nor are these inferences prone to problems of ecological inference.

The results here offer strong evidence of active representation. Specifically, Latino superintendents devote more resources toward LEP students. There also appears to be difference in program types offered for LEP students in systems with Latino superintendents. That is, the ratio of bilingual to ESL teachers appears to increase in systems with Latino superintendents. Polls show that Latinos are more likely to prefer bilingual programs over ESL or submersion programs (Krashen 1996; Shin 2000). The results here suggest that Latino superintendents are able to implement these preferences in the schools they administer.

In addition, the results presented here show a positive effect for electoral representation. That is, Latino school board members appear to be able to produce more resources for the Latino students served by these programs. This shows that electoral
representation and bureaucratic representation produce independent affects on policy
decisions. This also directly contradicts Robinson’s findings and conclusion that
“bilingual education is controversial, and in districts with Hispanic school board
members, its opponents appear to be winning” and that “representation, in this case,
manifests itself as a rejection of the targeted program” (Robinson 2002, 61). However,
his measurement for need did not match actual need, so his damning conclusion
regarding the affect of representation is not supported. Therefore, in response to
Robinson, I would argue that even though bilingual education is controversial and
divisive, Latinos in positions of authority appear to be winning in this important policy
area.
CHAPTER V
BILINGUAL EDUCATION:
CAUSE OR CURE?

Introduction

The original draft of the Bilingual Education Act (BEA) of 1968 was directed solely toward Latino students. During a hearing on the bill, Texas Senator Ralph Yarborough presented his motivation for drafting the legislation:

The Failure of our Schools to educate Spanish speaking students is reflected in comparative dropout rates. In the five Southwestern states… Anglos 14 years of age and over have completed an average of 12 years of school compared with 8.1 years for Spanish-surnamed students. I regret to say that my own State of Texas ranks at the bottom, with a median of only 4.7 years of school completed by persons of Spanish surname. (Cited in Lyons 1990, 66)

The final draft of the BEA directed funds toward programs for all limited English proficient (LEP) students, regardless of native language of LEP students (Lyons 1990). Although the BEA addresses the needs of all LEP students, it is still largely directed toward Latino students since three-quarters of all LEP students are native Spanish speakers (Osorio-O’Dea 2000). Given Senator Yarborough’s statement linking Latino dropouts to poor education practices, it is clear that supporters of the 1968 BEA believed that bilingual education was a potential cure for the Latino dropout problem.

The times have changed though. Bill Bennett, during his tenure as Secretary of Education, called the BEA “a failed path … a bankrupted course” as evidenced by the continued high rate of dropouts for Latino students (Crawford 1999, 83). California’s education code now states that the:
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 immigrant children…(California 1998)

This language is the product of the passage of Proposition 227 in 1998, which essentially ended bilingual education in a state that educates 47 percent of the nation’s LEP students (Crawford 1999). Two years later Arizona citizens passed Proposition 203, which is identical to Proposition 227. Where bilingual education was once thought of as a cure for high Latino dropout rates, some education policy makers, such as William Bennett, and many voters believe that bilingual education causes high Latino dropout rates.

The assertion that bilingual education is both a cause and cure for the Latino dropout problem highlights the politically divisive nature of this policy. It is additionally highlighted by the fact there is no strong direct evidence to support either side of the debate. Both sides are correct in citing the Latino dropout rate as being a serious problem that needs to be addressed. However, just because there was a high Latino dropout rate and limited access to bilingual programs at the time of the passage of the bilingual education act does not mean that bilingual programs are a cure for this problem. It also does not mean that the high Latino dropout rate in California is a function of bilingual programs being used in California at the time of the passage of proposition 227.

The debate regarding bilingual education’s effect on the Latino dropout rate is just one debate among many in this policy area. Others debates include, but are not limited to, its affect on immigrant assimilation, whether policies for language minority children are used as a form of segregation, whether a lack of bilingual education programs produces unequal opportunities for LEP students, and what research says about the efficacy of
bilingual education. This chapter will contribute to the debate over this contentious policy area by directly testing the assertions of proponents and opponents of bilingual education regarding its effect on Latino dropout rates, along with three other completion statistics. In particular, I compare dropout and completion rates across districts that utilize bilingual education and those that utilize English as a second language (ESL) instruction. ESL instruction is similar to the structured immersion programs that were mandated by propositions 227 and 203 in that instruction in both programs is in English. This paper will also assess whether the level of service by any special language program for LEP students affects dropout rates. That is, does the Latino dropout rate increase when fewer LEP students are served by English Language Learner (ELL) programs?

**Evidence, or Lack of, Linking Bilingual Education to Dropout Rates**

**Reporter:** Do younger children learn English faster?

**Ron Unz:** I think there's overwhelming evidence everywhere in the United States and all over the world. In fact, it seems to me that if you ask voters that question, I'd guess that probably about 98 percent would say that children learn faster than adults. The only people who would say otherwise are the ones who have read the bilingual textbooks, which argue exactly the opposite (Sailer 2001).

In the statement above, Ron Unz mentions evidence that would support his cause for ending bilingual education. In addition to making claims about evidence supporting his cause, he discredits research that shows that bilingual education can effective, but also discredits researchers in the field and blames them for ruining the lives of LEP children. In an email exchange between Unz and James Crawford during the campaign for Proposition 227, Unz told Crawford that “you and a few other academic loonies have done more damage to the education of more immigrant children than (possibly) any other
bunch in the history of America” (Crawford 1997). Crawford replied with an email
detailing research that was contrary to Unz’s claims and asked him to address the
discrepancies between this research and Unz’s claims. In response to questions raised by
Crawford, Unz replied, “frankly, I'm too busy right now---running my campaign to get
rid of bilingual ed---to debate kooks, academic or otherwise. If you really want a debate,
perhaps I can put you in touch with an anti-bilingual kook for you to spend your time
with” (Crawford 1997).

Ron Unz was ultimately successful in his campaign to “get rid of bilingual ed” in
both California and Arizona. His success, in part, was due to his ability to convince
voters that there is evidence supporting his cause, and that any evidence to the contrary
was produced by “kooks” who were more concerned with protecting their jobs than
helping immigrant children. As noted in the beginning of this chapter, the continuing
high Latino dropout rate was one of the key pieces of evidence that opponents of
bilingual education cite as evidence that bilingual education fails to provide language
minority students with the tools necessary to succeed in school. However, this evidence is
indirect at best. After all, advocates of bilingual education have also cited high Latino
dropout rates as evidence that bilingual programs are needed.

Several authors argue that bilingual education has become a scapegoat for
problems facing Latino students, including the dropout problem (Casanova 1991;
Crawford 1999; Cummins 1991; Krashen 1996; Krashen 1999; Leistyna 2002). At best,
they argue, opponents to bilingual education are misinformed; at worst, they are
xenophobes who want to promote English-only policies (Leistyna 2002). Krashen (1999)
directly addresses critics who argue that high Latino dropout rates are a function of
bilingual education programs. He argues that even if bilingual education programs are part of the problem, they could only be a small part of the problem. First of all, most Latino students are native English speakers. Second, most LEP Latino students are not enrolled in bilingual education programs. Krashen (1999) cites figures from California reporting that 1,107,186 Latino students in California were classified LEP (49.7 percent of Latino students), but only 394,750 Latino students were enrolled in bilingual education class (representing 17.7 percent of Latino students). It is quite possible, according to these figures, that part of the Latino dropout problem is a function of Latino LEP students not being enrolled in bilingual programs. Krashen’s argument offers a strong counter point to Unz’s argument, but it still offers no direct evidence of a linkage between bilingual education and the Latino dropout problem.

Conventional wisdom argues that LEP status is a factor that increases the likelihood of dropping out (see Steinberg, Blinde, and Chan 1984). Evidence suggests that the linkage between LEP status and increased dropout rates seems to be the strongest for Latino students (Steinberg, Blinde, and Chan 1984). More recent studies, though, show that the relationship between LEP status and dropouts is likely to be spurious, and is more a function of socio-economic status, immigrant status, and gender (Feliciano 2001; Fernandez and Nielsen 1986; Fernandez, Paulsen, and Hiranonakanishi 1989; Kao and Tienda 1995; White and Kaufman 1997). Many of these studies also find a positive relationship between bilingualism and school completion. That is, students who speak two languages are less likely to drop out.

Feliciano (2001), for instance, finds that bilingualism among students, and students’ family, decreases the likelihood of dropping out. She uses bilingualism as a
proxy for biculturalism; and it is measured both as an individual’s ability to speak English well as well as their native language, and the proportion of bilingual speakers within a household. Feliciano finds that relative to English only and limited English respondents, bilingual respondents were less likely to be dropouts. She also splits her sample into several different ethnic groups, including four groups for Latinos. For Mexicans, she finds that being bilingual decreases the likelihood of dropping out. For Mexicans and Puerto Ricans, the likelihood of dropping out decreases as the proportion of bilingual speakers in a household increases. Although her study, as well as the other studies finding a positive relationship between bilingualism and school completion, cannot link bilingualism to bilingual education programs, these studies do suggest that bilingual education can be beneficial for decreasing Latino dropout rates.

In an examination of six Washington high schools, Tan (2001) found that promoting multiculturalism in schools helps to decrease dropout rates among Latinos. Students who perceived that their school was promoting multiculturalism, according to Tan, were more likely to believe that they would graduate, and they also believed that they would receive continued education or training after graduation. She also found that the schools with low Latino dropout rates tended to have more ethnically diverse staff. Interestingly, low dropout schools had more Anglo bilingual teachers, compared with high dropout schools where the bilingual teachers were predominantly Latino. Tan believes that seeing Anglo teachers promote multiculturalism, through bilingual instruction, has a positive impact on Latino students by creating what appears to be a less segregated environment.
Although these studies suggest possible linkages between bilingual education and dropping out, they do not directly test the relationship. A review of the literature finds only two studies that attempt to directly assess the relationship between bilingual education and the likelihood of dropping out. The results of these two studies do not offer a definitive answer to the question of whether bilingual education is a cause or a cure for the Latino dropout problem. The first study, by Curiel et al. (1986), finds evidence that bilingual programs can decrease dropouts, however the study lacks adequate controls and uses a limited subject pool. A more recent study by Mora (2000) finds somewhat mixed results concerning the linkage between English language assistance programs and dropouts. These two studies, are discussed below.

Curiel et al. (1986) find that bilingual education decreases the likelihood of dropping out. This study compares two groups LEP students through grade school and found that those who were in bilingual programs were less likely to dropout, compared to those who had English-only instruction—it is not clear whether the second group received ESL instruction or were mainstreamed. Curiel, Rosenthal and Richel (1986) argue that this finding is a function of bilingual program’s decreasing grade retention by enhancing English acquisition. They also argue that bilingual programs are less likely to alienate LEP students, compared to mainstreaming them, due to the emphasis placed on the students’ culture. Not all bilingual education programs emphasize students’ culture, but through the use of students’ native language for instruction, there is at least some recognition of LEP students’ culture.

Mora (2000) used the 1988 National Education Longitudinal Study (NELS) to assess the impact of ELL programs on academic performance and school completion.
The NELS surveyed students in 8th grade and then two follow up surveys in 1990 and 1992. Her sample included students that were in need of ELL programs in the 8th grade. She runs two regressions, one assessing the affect of ELL exposure at different grade levels on the probability of dropping out, and a second that splits ELL instruction in high school into three different categories; bilingual, ELS, and other. She then compares the effect of these categories against English immersion. For the first model, Mora finds that late exposure to ELL programs, grades 4-8, increases the likelihood of dropping out. In other words, LEP students who were still in need of special English language instruction by grade 4 were more likely to dropout compared to LEP students who received special language instruction in earlier grades. The second model does not find a significant relationship between bilingual or ESL instruction and dropping out when compared English immersion. In sum, the results of this study do not settle the dispute regarding the effect of bilingual education programs on dropout rates.

Considering that much of political debate concerning bilingual education links bilingual programs to Latino dropout rates, either as a cause or cure, it is surprising that there is such a dearth of studies assessing this linkage. The mixed results from Mora’s (2000) study do not offer a conclusive answer to this question. Curiel, Rosenthal and Richek (1986) do find a positive relationship between bilingual education and school completions, but their study only compares a small number of students in one district that uses one type of bilingual program, transitional bilingual education, and uses simple analysis (comparison of means) to assess this linkage.
Data and Methods

Data

This paper seeks to address the deficiency in the research on the linkage between Latino dropout rates and bilingual education using a large sample of Texas school districts. The data for this analysis comes from two sources. The first source is the Texas Education Agency (TEA). Variables from TEA data include dropouts, continuing high school education, GED completion and high school graduation rates for Latinos, percent LEP and economically disadvantaged students, class size, instructional expenditures and teacher salary and teacher experience. The second source of data is the 2000 U.S. Census data mapped to the school district level. Variables from the Census include percent Latinos over 25 without a high school diploma or equivalent degree, per capita income for Latinos, per capita income for all residents and percent Latinos who are foreign born. Districts in this analysis are those districts with at least 20 Spanish speaking LEP students for all years from 1992 to 2002, creating a sample of 394 Texas districts. The restriction based on Spanish speaking LEP student enrollment ensures that the Latino student population in a district includes at least some LEP students.

Dependent Variables

This study will analyze five dependent variables: two dropout measures and three other completion rate measures. Two dropout measures are used due to problems associated with both measures. The first dropout measure is the measure that is

---

9 For an in depth analysis of the dropout measures collected by the TEA and the problems associated with these measures, see Nicholson-Crotty, Theobald and Nicholson-Crotty (2006)
commonly reported by districts and is used in the state’s performance ranking system, the Academic Excellence Indicator System (AEIS). This measure is calculated by dividing the number of Latino student dropouts in a given year by the total Latino enrollment for that year, then multiplying the proportion by 100 in order to produce a percentage. The sample mean for this measure is 1.3 percent, ranging from 0 to 9.3 percent. This measure is seen as being politically appealing since it produces low numbers (2000; Keel, Alwin, and Nelson 2000), but there are measurement issues that could affect the analysis of factors influencing dropout rates. The main issue with this measure is that it includes students in the denominator who do not normally dropout. In addition to this issue, high growth rates will deflate the measure relative to districts that are experiencing reductions in enrollment rates.

Because of the problems with the AEIS measure, a second dropout measure is also used. This measure calculates dropouts by using the 9th grade Latino enrollment in the denominator, adjusted for transfers in and out of the district, and the Latino dropouts over a four year period in the numerator. Compared to the AEIS dropout measure, the cohort dropout measure produces higher dropout rates; with a mean of 10 percent, ranging from 0 to 51. Even though this measure is more conceptually aligned with peoples’ perception of dropout rates, it too has issues that could affect results of analysis on the measure. For instance, even though it produces higher dropout rates compared to the AEIS measure, it likely under reports dropouts. Students that dropout prior to entering

---

10 There are two district years that reported Latino dropout rates of 81 and 92 percent. The average dropout rate for both these districts, when not including these values, was 12 percent. Since both these were districts with large Latino student populations, which would make it unlikely to see such large fluctuations, I treated these values as coding errors and dropped these observations from the analysis.
the 9\textsuperscript{th} grade are not reported in this measure. In addition, students who drop out after continuing high school education beyond four years are not included in the cohort measure. Since the AEIS measure measures all students who dropout in a given year, it is less likely to under-report dropouts.

Greene (2002) argues that dropouts are not the only measure of district failure. Grade retention or receiving a GED instead of a high school diploma can both be considered failures. So in addition to analyzing determinants of Latino dropout rates, three other cohort measures are analyzed. These three measures are calculated using the 9\textsuperscript{th} grade Latino enrollment in the denominator with the continuing high school, GED, graduation numbers in the numerator. The continued high school measure is constructed by using the number of students who are still enrolled in high school after four years. That is, it is the number of students from the 9\textsuperscript{th} grade 1997-1998 cohort that enroll in high school for the 2001-2002 school year. A student who continues high school after four years and subsequently drops out or graduates is not counted as either a dropout or a high school graduate. The numerator for GED measure is the count of those in the cohort who received a GED during the four year period. Finally, the numerator for the graduation rate is the count of the cohort who graduate in four years. As with the cohort dropout measure, the denominator for these three measures is adjusted for students transferring in and out of the district.

\textit{Independent Variables}

The independent variables consist of ELL program types, ELL program enrollment, district resources, and district demographics. The first key variable in this
analysis is a dummy variable for the use bilingual education in a district. This variable will test whether there is a difference in completion rate performance between districts that utilize bilingual education for their LEP students and those that utilize ESL instruction. The main difference between these program types is in the language of instruction. ESL classes are generally taught in English by teachers who are trained to help students learn English. ESL teachers do not necessarily speak the native language of the students. ESL instruction is similar to structured immersion instruction, the type of program supported by bilingual education opponents, with the only difference being the time LEP students spend in these programs prior to being mainstreamed. In Texas, the average time LEP students spend in ESL programs is 3.8 years (Texas Education Agency, 2002). Structured immersion programs limit enrollment time to one year.

Unlike ESL or structured immersion programs, bilingual programs utilize students’ native language. It is important to note, though, that bilingual education programs vary significantly. On one end are two-way bilingual programs, where all students learn two languages, regardless of their native language. Next are maintenance bilingual programs, where instruction is geared towards continuing development of both the students’ native language and English. The most common type of bilingual program is transitional bilingual education. Transitional programs begin with a significant amount of instruction occurring in the students’ native tongue, with native language instruction decreasing over time. On average, LEP students in Texas who are served by bilingual spend 3.6 years in bilingual programs before being mainstreamed (Keel, Alwin, and Nelson 2000). Several districts in Texas transition LEP students from bilingual programs
to ESL programs prior to mainstreaming LEP students. These students, on average, spend 6.9 years receiving bilingual and ESL instruction (Keel, Alwin, and Nelson 2000).

The dummy variable indicating the use of bilingual education is created by using LEP enrollment data. If a district had any LEP students enrolled in certified bilingual programs over the four year time period, it was coded as being a bilingual district. Because schools within a district may use different ELL programs, this measure cannot distinguish between the different forms of bilingual education, or differentiate between programs that used only bilingual education before mainstreaming LEP students and those that used a bilingual to ESL track for their LEP students. Within this sample, 50 percent of the districts utilized some form of bilingual education. A negative and significant coefficient for this measure in the dropout models would indicate that bilingual programs help to decrease Hispanic dropout rates. A positive and significant coefficient would indicate that ESL programs perform better than bilingual programs. This result would support those who argue against bilingual education and for structure immersion courses, since ESL programs are similar to structured immersion in that instruction for both programs is in English.

The other key independent variable in this analysis is the percentage of Spanish speaking LEP students that are not enrolled in either bilingual or ESL programs. This measure does not include LEP students that are not enrolled in ELL programs due to parents’ request. I expect that LEP Students whose parents request not to be enrolled in ELL programs have resources at home that will help with their English acquisition, which in turn increases their likelihood for academic success. Students that are included in this measure may be students who are in schools with inadequate resources, or students who
are no longer enrolled in ELL programs but still classified as LEP. It is expected that as this measure increases, Latino dropout rates will increase. A positive and significant coefficient for this measure would suggest that the Latino dropout rate is caused, in part, by the lack of service for LEP students by ELL programs.

Several control variables are also included in this analysis. These control variables capture LEP student enrollment, district performance, district resources, and district demographics. LEP enrollment is measured as both the percent of Latino students in a district who are classified Spanish speaking LEP, and the natural log of Spanish speaking LEP enrollment. As the percentage of LEP enrollment increases, so will the percentage of Latinos who are or have once been classified as LEP. As this variable increases, then, so should Latino dropout rates. The logged LEP enrollment measure is used to control for regulations concerning ELL programs. Districts with 20 LEP students in a given grade are required to offer bilingual instruction if these students are in grades kindergarten through 6, unless they can show that they are not able to hire qualified bilingual instructors. Because of this, 90 percent of districts with more than 200 LEP students, the median enrollment for this sample, use bilingual instruction. Conversely, only 20 percent of districts with LEP enrollment between 20 and 200 offer bilingual instruction. Without this control, the dummy variable would capture differences in districts with large LEP enrollment, as well as differences between large and small districts.

This analysis seeks to assess the uniqueness of the Latino dropout rate. Thus, baseline performance measures are used to capture a district’s general ability to successfully educate their students. District performance is captured by using the

---

11 LEP enrollment is highly skewed. Models where run with both the non-logged and logged LEP enrollment and the model with logged enrollment produces better model fit.
equivalent Anglo student dropout and completion rates for the five Latino student
dependent measures.

District resources, such as class size and teacher quality, have been shown to
affect dropout rates (McNeal 2000; Rumberger et al. 1999; Rumberger and Thomas
2000). Teacher quality is captured using average teacher salaries and average teacher
experience. A student to teacher ratio is used to capture average class size. Per-pupil
instructional expenditures and district wealth are the final two measures of district
resources. District wealth is measured by using the district’s median home price from the
2000 Census. Districts with greater property wealth are able to produce greater school
revenue.

Parental education also affects educational success. (Feliciano 2001; White and
Kaufman 1997). A measure of the percent of Latinos in a district over twenty five that do
not have a high school diploma or equivalent degree is used to capture the parental
education of the Latino community.

Finally, district growth is included in all the models. This measure serves two
purposes. First, districts with high growth rates may have problems with building space
and hiring qualified teachers, both of which could affect dropout and completion rates.
Also, this should help control for the problem with the AEIS dropout measure. As noted
above, a district with a high growth rate could have a lower measure even though it might
have the same dropout rate as a district with low growth.
Method

Even though there were multiple years of data from the TEA (1998-2001), I choose a between-effects estimator instead of a fixed or random effects estimator, which ignores within district effects by estimating the average of the dependent variable for a district as a function of the average of each independent variable.\(^\text{12}\) For several districts the cohort measures vary significantly. This variation is larger for districts with smaller Latino student population. Averaging the dependent variables over the four year period should produce a measure that better represents the true district performance, even for those districts with low Latino enrollment.

More importantly, due to the nature of the dependent variables and the distribution of students served by ESL and bilingual programs, using yearly variations becomes problematic. For the cohort dropout measure, students may have dropped out at any time over a four year period. Therefore, even though there is a dropout measure for the class of 2001, dropouts for this class could have occurred anywhere between 1998 and 2001. On the other side of the equation, LEP Students may have completed bilingual or ESL education several years before they entered the 9th grade. Similarly, those grades are when LEP students did not receive ESL or bilingual instruction. In any given year, the number of LEP not served by ELL programs is distributed across several grades. Averaging number of LEP students served over the four year period should to produce a measure of a districts’ commitment toward their LEP students.

\(^\text{12}\) Instead of estimating \(y_{it} = \alpha + x_{it}\beta + u_{it} + \epsilon_{it}\), a between effects estimator estimates \(\bar{y}_i = \alpha + \bar{x}_i\beta + \bar{u}_i + \bar{\epsilon}_i\).
Results

Table 5.1 (page 134) presents the results of the analyses on the two Latino dropout measures. The first column presents the results using the AEIS dropout measure, and the second column presents the results of the model using the cohort measure. For

### Table 5.1. ELL Service and Latino Dropout Rates

<table>
<thead>
<tr>
<th></th>
<th>AEIS Latino Dropout Rate</th>
<th>Cohort Latino Dropout Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bilingual Program</td>
<td>1.253</td>
<td>0.077</td>
</tr>
<tr>
<td></td>
<td>(0.690)</td>
<td>(0.087)</td>
</tr>
<tr>
<td>% LEP Not in ELL Programs</td>
<td>0.138</td>
<td>0.035</td>
</tr>
<tr>
<td></td>
<td>(0.062)*</td>
<td>(0.008)*</td>
</tr>
<tr>
<td>Logged LEP Enrollment</td>
<td>0.370</td>
<td>0.112</td>
</tr>
<tr>
<td></td>
<td>(0.292)</td>
<td>(0.037)*</td>
</tr>
<tr>
<td>% LEP</td>
<td>-0.032</td>
<td>-0.006</td>
</tr>
<tr>
<td></td>
<td>(0.025)</td>
<td>(0.003)</td>
</tr>
<tr>
<td>Anglo Completion</td>
<td>0.768</td>
<td>0.866</td>
</tr>
<tr>
<td></td>
<td>(0.080)*</td>
<td>(0.055)*</td>
</tr>
<tr>
<td>Average Teacher Salary</td>
<td>-0.000</td>
<td>-0.000</td>
</tr>
<tr>
<td></td>
<td>(0.000)</td>
<td>(0.000)</td>
</tr>
<tr>
<td>Teacher Experience</td>
<td>0.483</td>
<td>0.040</td>
</tr>
<tr>
<td></td>
<td>(0.164)*</td>
<td>(0.021)</td>
</tr>
<tr>
<td>Class Size</td>
<td>43.905</td>
<td>8.384</td>
</tr>
<tr>
<td></td>
<td>(55.465)</td>
<td>(6.995)</td>
</tr>
<tr>
<td>Expenditures</td>
<td>-0.002</td>
<td>-0.000</td>
</tr>
<tr>
<td></td>
<td>(0.001)</td>
<td>(0.000)</td>
</tr>
<tr>
<td>Median Home Value</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td></td>
<td>(0.000)</td>
<td>(0.000)</td>
</tr>
<tr>
<td>% Latinos W/0 HS Diploma/Equivalency</td>
<td>0.097</td>
<td>0.006</td>
</tr>
<tr>
<td></td>
<td>(0.026)*</td>
<td>(0.003)</td>
</tr>
<tr>
<td>District Growth</td>
<td>10.505</td>
<td>0.213</td>
</tr>
<tr>
<td></td>
<td>(11.658)</td>
<td>(1.468)</td>
</tr>
<tr>
<td>Constant</td>
<td>0.685</td>
<td>0.291</td>
</tr>
<tr>
<td></td>
<td>(6.141)</td>
<td>(0.770)</td>
</tr>
<tr>
<td>Observations</td>
<td>1510</td>
<td>1510</td>
</tr>
<tr>
<td>Number of Districts</td>
<td>394</td>
<td>394</td>
</tr>
<tr>
<td>Adjusted R-squared</td>
<td>0.29</td>
<td>0.47</td>
</tr>
</tbody>
</table>

Standard errors in parentheses
* significant at 5%
both models, the coefficient for bilingual indication is positive but not significant. Thus, there is no statistical evidence that districts that utilize bilingual education, compared to districts that only use ESL programs, have higher or lower Latino dropout rates.

The coefficient for the second independent variable of interest for this analysis, percentage of LEP students not served by ELL programs, does offer evidence of a positive relationship between lack of ELL program service and Latino dropout rates. In other words, the Latino dropout rate is expected to increase when the number of LEP students who are not enrolled in ELL programs increase. This result holds for both dropout measures. These results suggest that it is not necessarily the type of program the LEP students are served, but the lack of service by any programs that contributes to the Latino dropout problem.

Table 5.2 presents the results from the models using the other cohort completion measures. The first column presents the results for the continuing high school education model. These results suggest that there is a difference in continuing high school education rates associated with different program types. The model predicts continuing high school education rates in that districts that utilize bilingual education are 1.2 percentage points higher than districts that only use ESL instruction. There is no statistical evidence of relationship between the percentage of LEP students not enrolled in ELL programs and continuing high school education rates. The next column presents the results for the GED rate model. For this model, there is no evidence of a relationship for either the bilingual program variable or the percentage of LEP students not enrolled in ELL programs. The
<table>
<thead>
<tr>
<th></th>
<th>Latino Continued Education Rate</th>
<th>Latino GED Rate</th>
<th>Latino Graduation Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bilingual Program</td>
<td>1.199</td>
<td>0.778</td>
<td>-3.160</td>
</tr>
<tr>
<td></td>
<td>(0.491)*</td>
<td>(0.531)</td>
<td>(1.064)*</td>
</tr>
<tr>
<td>% LEP Not in ELL Programs</td>
<td>-0.055</td>
<td>0.035</td>
<td>-0.141</td>
</tr>
<tr>
<td></td>
<td>(0.043)</td>
<td>(0.047)</td>
<td>(0.094)</td>
</tr>
<tr>
<td>Logged LEP Enrollment</td>
<td>0.838</td>
<td>-0.187</td>
<td>-1.037</td>
</tr>
<tr>
<td></td>
<td>(0.210)*</td>
<td>(0.223)</td>
<td>(0.450)*</td>
</tr>
<tr>
<td>% LEP</td>
<td>-0.004</td>
<td>-0.030</td>
<td>0.060</td>
</tr>
<tr>
<td></td>
<td>(0.018)</td>
<td>(0.019)</td>
<td>(0.039)</td>
</tr>
<tr>
<td>Anglo Completion</td>
<td>0.540</td>
<td>0.489</td>
<td>0.549</td>
</tr>
<tr>
<td></td>
<td>(0.065)*</td>
<td>(0.047)*</td>
<td>(0.056)*</td>
</tr>
<tr>
<td>Average Teacher Salary</td>
<td>-0.000</td>
<td>-0.000</td>
<td>0.000</td>
</tr>
<tr>
<td></td>
<td>(0.000)</td>
<td>(0.000)</td>
<td>(0.000)</td>
</tr>
<tr>
<td>Teacher Experience</td>
<td>0.168</td>
<td>0.255</td>
<td>-0.885</td>
</tr>
<tr>
<td></td>
<td>(0.117)</td>
<td>(0.125)*</td>
<td>(0.252)*</td>
</tr>
<tr>
<td>Class Size</td>
<td>-89.298</td>
<td>-62.302</td>
<td>112.478</td>
</tr>
<tr>
<td></td>
<td>(39.463)*</td>
<td>(42.392)</td>
<td>(85.666)</td>
</tr>
<tr>
<td>Expenditures</td>
<td>0.000</td>
<td>0.002</td>
<td>-0.000</td>
</tr>
<tr>
<td></td>
<td>(0.001)</td>
<td>(0.001)*</td>
<td>(0.002)</td>
</tr>
<tr>
<td>Median Home Value</td>
<td>0.000</td>
<td>0.000</td>
<td>-0.000</td>
</tr>
<tr>
<td></td>
<td>(0.000)*</td>
<td>(0.000)*</td>
<td>(0.000)*</td>
</tr>
<tr>
<td>% Latinos W/0 HS Diploma/Equivalency</td>
<td>(0.019)</td>
<td>(0.020)</td>
<td>(0.041)*</td>
</tr>
<tr>
<td>District Growth</td>
<td>-1.069</td>
<td>-0.173</td>
<td>-8.500</td>
</tr>
<tr>
<td></td>
<td>(8.275)</td>
<td>(8.908)</td>
<td>(17.941)</td>
</tr>
<tr>
<td>Constant</td>
<td>5.596</td>
<td>-3.430</td>
<td>40.062</td>
</tr>
<tr>
<td></td>
<td>(4.327)</td>
<td>(4.655)</td>
<td>(9.965)*</td>
</tr>
<tr>
<td>Observations</td>
<td>1510</td>
<td>1510</td>
<td>1510</td>
</tr>
<tr>
<td>Number of Districts</td>
<td>394</td>
<td>394</td>
<td>394</td>
</tr>
<tr>
<td>Adjusted R-squared</td>
<td>0.49</td>
<td>0.27</td>
<td>0.38</td>
</tr>
</tbody>
</table>

Standard errors in parentheses
* significant at 5%

The final column shows the results from the graduation rate model. Like the continuing high school education model, this model presents evidence of a relationship between program type, but no evidence of a relationship for the no ELL service variable. Compared to
districts that only use ESL instructions, districts that utilize some form of bilingual education are predicted to have graduation rates that are 2.4 percentage points lower.

**Discussion**

As noted in the introduction, opponents to bilingual education cite the continuing high Latino dropout rates as evidence of bilingual education failure. However, since most Latino students do not need ELL programs, this argument is weak. More importantly, since not all LEP students receive ELL instruction, whether through bilingual, ESL or structured immersion programs, part of the Latino dropout problem may be the lack of service. The findings in this research suggest just that. So while I do not find that the Latino dropout rate is a function of the failure of a particular program, I do find that Latino dropout rates are, at least in part, a function of the failure to serve the need of LEP students with any type of ELL program.

Texas, in general, serves its LEP students well. The state education code mandates that districts have certain programs and qualified teachers for these programs if they have sufficient numbers of LEP students. All the districts in the sample served most, if not all, of their LEP students through bilingual or ESL instruction. Many other states, however, do not have similar requirements regarding ESL or bilingual instruction for LEP students. And even though the U.S. Supreme Court, in its *Lau v. Nichols* decision, ruled that districts must address the needs of their LEP students, enforcement of this decision has waned since the early 1980’s (Crawford 1999). States without requirements regarding the service of LEP students will likely have greater numbers of LEP students who are not served by ELL programs. If states are concerned with Latino dropout rates,
then they should consider drafting and enforcing education codes that mandate ELL program service for all LEP students.

Even though the results presented here do not find evidence that differences between bilingual and ESL programs produce different Latino dropout rates, there is evidence of a relationship between program type and continuing high school education and graduation rates. That is, districts that only use ESL instruction are better at progressing Latinos toward graduating on time. This could be due to districts that use bilingual to ESL track programs. Since students are enrolled in these programs longer, it is possible that they fall behind. However, there is no way to distinguish between the effects for the different types of bilingual programs. What cannot be assessed from these measures is whether the increased number of Latinos who continue high school education eventually graduate or become dropouts. If this is the case, then it could be that opponents of bilingual education are correct. However, since it is not clear what happens to students to continue high school education beyond four years, it can only be considered indirect evidence, at best.

As noted above, there are significant differences in bilingual programs. Unfortunately, there are no data available for identifying what types of bilingual programs are being used in Texas schools. It is possible that the differences in bilingual programs affect dropout rates. For instance, there is a significant difference in program enrollment time between LEP students on a bilingual to mainstream track compared to those on a bilingual to ESL to mainstream track, 3.6 and 6.9 years respectively. Enrollment time is essentially the same between students on a bilingual-only track compared to students on an ESL-only track, 3.6 and 3.8 years respectively. If time in
ELL program affects academic success, as some argue, then separating districts by the type of bilingual programs they use may offer greater clarity in results.

Opponents of bilingual education argue that LEP students should spend as little time as possible in ELL programs. Propositions 227 and 203 in California and Arizona mandate that LEP students spend no more than a year in structured immersion programs. As noted above, the main difference between ESL and structured immersion programs is the amount of time LEP students spend in either program. In Texas, LEP students enrolled in ESL-only tracks spend on average more than three times as long in ESL compared to time spent in a structure immersion program. This study cannot directly assess whether three plus years is too long or one year is not long enough. If, though, one year is not enough, then districts using structured immersion instruction will increase the number of LEP students in a district that are not being served by special language programs. The results here show that when more LEP students are not in ELL programs, the Latino dropout rate increases. Further analysis comparing structured immersion programs with other program types would shed light on whether the current policy solutions offered by California and Arizona have merit.

Finally, this chapter shows that active representation may or may not lead to substantive outcomes for represented groups. The link between the level of service and Latino dropout rates suggests that actions by Latino representatives can affect this important policy outcome. Districts with Latino representation hire more teachers that are qualified. This decreases the number of students not served by ELL programs.

Yet, there is no evidence that bilingual programs are better than ESL programs, at least in regard to lowering the Latino dropout rate. Additionally, evidence presented here
suggests that bilingual programs may hinder progress toward graduation. Thus, the
finding that Latino representation leads to more resources toward bilingual programs
relative to ESL programs is not expected to have a positive affect on this substantive
outcome. This, though, does not mean that Latino representatives are not seeking to
improve outcomes for represented groups. It simply shows that they may not be effective
in doing so.
CHAPTER VI
CONCLUSION: WHERE DO WE GO FROM HERE?

Wrapping It Up

This dissertation expands on the literature on bureaucratic representation in several important ways. First, it shows that bureaucratic representation can occur from the Alpine Heights. Kingsley’s (1944) introduction of the concept of bureaucratic representation focused on the upper echelon of the British civil service. He argued that the civil service was poorly equipped to address the needs of the British citizenry because executives were not representative of the public they served. Instead, they were closer to the political elites. While this made them responsive to the demands of the political elite, they simply could not understand the problems facing the public.

When the concept was applied to the American bureaucracy, scholars saw hope in a representative bureaucracy, even though they recognized that a concerted effort was needed in order to enhance the representative nature of the bureaucracy (Long 1952). Early empirical work on descriptive representation showed that while minorities were generally well represented in public agencies, although minority executives were rare. This raised the question of whether minorities would benefit from descriptive representation. And even if minorities achieved executive level positions, where they would have the ability to make significant and substantive policy decisions, would these minority executives understand the needs of the minorities served by public agencies, or would they be like the executives Kingsley spoke about who had nothing in common with the common folk?
This dissertation addressed these concerns, and filled an important gap in the literature on bureaucratic representation. Adding to the abundance of evidence about the positive effect of descriptive representation by street-level bureaucrats, I add evidence that representation can occur, to use Thompson’s works, from the alpine heights of bureaucracy. Additionally, I provide direct evidence of active representation, which is largely missing from the empirical study of active representation.

There are, though, questions remaining to be answered in this field of study. Is the case presented here unique to the policy, or might we find active representation by executives in other agencies with other policies? Are there other effects following from descriptive representation, and if so, what are they and how do they work? These are the questions I will address in this final chapter.

**Looking for Representation in All the Right Places**

Bilingual education provides an ideal policy area for studying active representation by public executives. It largely affects minorities, and in the U.S. it largely affects a single minority, Latinos. Additionally, it is a policy that has both pedagogical and political implications. Latinos not only see bilingual education as a tool for improving Latino children’s education, but also as recognition of Latino culture. And for the same reason, many Anglos view bilingual education as a threat to American culture. These characteristics create a policy area where there are fairly distinct preferences by race. Finally, Latinos, favor bilingual education regardless of class (Jones-Correa and Leal 1996), making this a policy area where we would expect active representation by executives.
This policy area also provides clear and reliable measures of active representation. Active representation can be measured in dollars spent, or the number of teachers allocated toward ELL programs. And since superintendents have at least partial control over these decisions, and there is only one superintendent per district, finding a link between districts with Latino superintendents and ELL resources provides direct evidence of active representation.

While this is an ideal policy area for the study of active representation by agency executives, one could also argue that it is unique, thus not generalizable. So, a question remains whether there are other policy areas where there are clear executive decisions that can clearly be defined as active representation? Not only is the answer yes, I argue that minority executives in all public agencies have the opportunity to actively represent minority interests.

Meier (1993b) distinguishes between two types of active representation. The first is substantive representation. This occurs when minorities make policy decisions regarding the goals of a mission of an agency that benefits certain groups. The other is procedural representation. This is when minorities make administrative decisions regarding the structure or rules of an agency. This includes staffing decisions. While staffing decisions are certainly procedural, they have substantive impact.

Kranz (1976) argues that increasing descriptive representation is “good for economic advancement, enhancing political power, increasing social status, income, power and prestige” (89). This helps the economic advancement of minorities through increased employment opportunities. Because of this, minority hiring practices should be viewed as substantive representation. When minority executives play a role in actively
recruiting, hiring and retaining minority personnel, they are actively representing the interests of minorities.

In fact, there is evidence to suggest that executive level representation leads to higher levels of descriptive representation throughout public agencies (Kerr and Mladenka 1994; Meier, O'Toole, and Nicholson-Crotty 2004; Meier and Smith 1994). Viewing minority hiring practices as a form of active representation suggests that all minority executives, regardless of whether their agency deals with policies that are of special concern to minorities, have the ability to make decisions that have a substantive impact on the minority community.

Even if we maintain a distinction between procedural and substantive decisions, procedural decisions may be necessary to produce substantive outcomes. Consider a minority executives decision to actively represent minority interests as a principal-agent problem. She may want to improve minority outcomes, but requires street-level bureaucrats to carry out her actions. The same problems that hamper elected principals’ ability to gain compliance from bureaucratic agents exist for minority executives seeking compliance from street-level bureaucrats. For instance, a minority police chief may want to end the practice of racial profiling. Even if a department has explicit policies against the use of racial profiling, it is difficult to monitor this behavior. Minority police chiefs may be able to solve this problem by hiring minority officers. Minority hiring practices, then, provide a procedural mechanism for producing a substantive outcome.

Meier, O’Toole and Nicholson-Crotty (2004) provide evidence that executives, in their case Latino superintendents, indirectly influence Latino student outcomes through increasing Latino representation at lower levels. Modeling Latino student outcomes as a
function of Latino superintendent representation, without controlling street-level or mid-
level representation shows a positive effect. However, when lower-level representation is
included in the model, coefficients for Latino superintendent effects become
insignificant. Yet, they also find that Latino superintendents have a strong affect on
Latino representation in the classroom, thus indirectly providing for substantive outcomes
for Latino students.

Symbolic Effect

While some scholars dismiss passive representation as merely providing a
symbolic effect, this symbolic effect can have a substantive impact. In addition, the
simple fact of having your group represented in government might make members of
racial and ethnic groups perceive that government agents are acting in a legitimate
manner. Indeed, Pitkin (1967) argues that descriptive representation of sub-groups can
lead to symbolic representation. Having members of the sub-group in official positions
works “on the minds of those who are to be represented or who are to be the audience
accepting the symbolization” (Pitkin 1967, 111). In sum, descriptive representation can
be symbolic to population sub-groups in the sense that they see people like themselves in
authority positions. This process should lead to sub-group perceptions that the actions of
these government agents are justified or legitimate.

Early work on bureaucratic representation addressed the benefits of the symbolic

---

13 Others have referred to this concept as empowerment (Banducci, Donovan and Karp
2004; Bobo and Gilliam 1990) in that minority constituents are empowered through
descriptive representation. However, I prefer Pitkin’s definition since it is more general.
Symbolic representation not only can lead to empowerment for minorities, but it also can
lead to responses by non-minorities.
effect of passive representation (Kranz 1976; Krislov and Rosenbloom 1981). Kranz (1976) argues that descriptive representation not only increases political power, but also decreases the psychological problem of feeling politically impotent. He believes that descriptive representation increases participation through an increase in the sense of efficacy among minorities. Krislov and Rosenbloom (1981) also argue the representative bureaucracies can enhance public participation in governmental processes. This, in turn, enhances democracy through increased interaction between the public and the government, and enhances the sense of legitimacy the public feels toward the government. In addition, and in part due to increases sense of legitimacy, public participation should also increase compliance with public standards. Even though scholars of bureaucratic representation have long argued that passive representation has positive effects other than active representation, empirical studies in this area have largely ignored this phenomenon, instead focusing on the link between active representation and passive representation.

Several studies of elected officials have found evidence that descriptive representation affects the attitudes and actions of constituents; in other words, that symbolic representation may occur. For example, blacks have higher levels of political participation, higher levels of trust, and more political efficacy in cities with black mayors (Bobo and Gilliam 1990; Gilliam 1996b). Meanwhile, white constituents are more likely to hold a positive view of their representative if their representative is white (Gay 2002). African-American representation in congressional districts influences political participation rates for both African-American and white voters, producing lower levels of participation for whites and higher levels of participation for African-Americans.
Gay (2001). Gay (2002) also found that both blacks and whites are more likely to contact representatives of the same race. In a comparative study of representation in New Zealand and the United States, Banducci, Donovan and Karp (2004) find that descriptive representation leads to increased political knowledge and communication for U.S. constituents and increased levels of political participation and positive government evaluations by New Zealand constituents.

This research shows that the concept of representation extends beyond the simple demand response models prevalent in the representation literature. While the findings of the research in this area are not consistent (see Overby et al. 2005 for a review of the literature), there is certainly evidence to suggest that symbolism of race plays an important role in how the public responds to government. Additionally, this effect does not appear to be limited to minorities. However, it is not clear whether non-minorities respond negatively to minority representation or favorably to non-minority representation.

Although studies on active representation in public agencies do not directly address the concept of symbolic representation, many of the explanations for their findings suggest that such a phenomenon does occur. For example, Keiser et al. (2002) find that girls’ math scores are better in districts with more female math teachers. They conclude that this finding results from active representation. In explaining the improved outcomes for girls, however, they argue that “girls who do not have a female math teacher could still identify with one as a role model; this identification could result in a greater effort to succeed in math classes” (558). This explanation does not address the use
of discretion by female math teachers, but instead focuses on a potential response to what female teachers represent for female students.

Meier and Nicholson-Crotty (2002) posit several theories of why female representation increases the number of reported assaults to police, two of which are not through the discretion of female officers. They report that their results could be a function of female officers sensitizing male officers of certain gender issues (in this case rape) or that the female victims feel more comfortable reporting rape to a female officer. Both of these explanations are not about the actions of female officers, but instead responses by male officers or by the victim.

Research on school superintendents suggests that descriptive representation can produce both active and symbolic representation. Scott (1990) finds that black superintendents feel that they “must commit their expertise to the eradication of racism and the rectification of socioeconomic inequities” and should “identify with Black-directed endeavors to resolve the needs of Blacks in a racist society” (168). He also found that black superintendents believe that they are evaluated differently and that Black citizens “impose greater demands on Black superintendents than on their white predecessors” (167). In other words, descriptive representation creates higher expectations from represented groups. Mann (1974; 1975) finds that minority superintendents believe they should be more responsive to public demands. Mann argues that this finding is, in part, due to increased demands by minority constituents on minority administrators. While these studies do not directly test for either active or symbolic representation, they do suggest that both follow from descriptive representation.
Deliberative Representation

In addition to the public responding to descriptive representation, descriptive representation may also affect the attitudes and actions of others within an organization. Minority representation can lead to greater awareness of minority concerns and legitimate these concerns. Mansbridge (1999) calls this form of representation deliberative representation. She argues that while outcomes associated with active representation do not require descriptive representation, descriptive representation is necessary for deliberative representation. The public can put pressure on institutions to respond to issues of importance to different groups and rules can be established to ensure that the needs of multiple groups are met. However, this does not necessarily lead to a better understanding of the problems. Deliberative representation increases awareness through communication. Additionally, the issues are given greater legitimacy when they come from within an institution.

Mansbridge also notes that a critical mass may be required to achieve deliberative representation. She cites four reasons why deliberative representation requires a critical mass. First, larger numbers of represented group members brings better information and understanding to a problem. Second, individuals may be cautious about articulating demands when there are few other members who share their view. Third, increasing descriptive representation in an institution increases the likelihood that there will be representation on different committees and subcommittees or in different bureaus within agencies. Finally, sufficient numbers are required to bring the whole range of perspectives by any particular group to the deliberation process.
Meier (1993a) tested the threshold hypothesis on active representation. He used Henderson’s (1979) theory regarding critical mass and active representation by administrators that suggested that minorities are less likely to actively represent minority interests when there are few minorities in an agency. When representation increases, though, minorities feel more comfortable acting on behalf of minority clientele. He found evidence supporting the theory; however, his evidence could also support Mansbridge’s theory of deliberative representation. Meier uses school districts as his unit of analysis, thus he cannot directly link individual minority actions to outcomes. It is possible improved outcomes for minority students are a function of active representation; however it is also possible non-minority teachers and administrators better respond to minority students’ needs as a function of increased interaction with minority teachers and administrators.

Furthermore, Meier, Wrinkle and Polinard (1999) find that increased minority representation not only increases educational performance for minority students, but also improves outcomes for non-minority students. Additionally, they find that the positive effect of minority representation is stronger for non-minority students. The study addressed the concern that increasing representation necessarily produces a tradeoff, such that increases in representation by one group lead to decreases in substantive representation for another group. However, other consequences of descriptive representation may mitigate or outweigh the negative consequences of active representation, as suggested by their findings. One of these consequences may be the response by non-minority teachers to the presence of minority teachers.
A more direct test for deliberative representation would be a survey or attitudes or actions members in an institution. Deliberative representation suggests that attitudes and actions are both a function of individual characteristics and the demographic makeup of the institution. Selden, Brudney and Kellough (1998) do find that descriptive representation in an organization affects attitudes about representing minority interests. However, they find that individuals are less likely to value supporting minority interests as the number of minorities in an agency increases. Their model, though, is not appropriate for testing the deliberative representation hypothesis. Specifically, the cannot differentiate between the effect on minority and non-minorities. In order to test deliberative representation, one would have to model the interaction between the race of the individual and the racial composition of the agency. Alternatively, they could limit their analysis to analyzing attitudes of non-minorities, and assess whether the racial composition of an agency influences non-minority behavior.

**Conclusion**

The study of bureaucratic representation contributed to theories of bureaucratic behavior by providing insight on how public agencies respond to the needs and demands of diverse groups. There is still room, however, for theoretical development. This dissertation shows that theories of bureaucratic representation compliment, rather than contradict, theories of organizational socialization and political control. Understanding how race affects the represented and non-represented, as discussed above, are other important theoretical concerns for the study of bureaucratic representation.
The empirical study of bureaucratic representation has also been fruitful in showing that represented groups benefit from descriptive representation. However, it is not clear from most studies what the causal source of the improved outcomes is. The difficulty in assessing whether existing research shows evidence of active, symbolic or deliberative representation stems from the unit of analysis used in most of these studies. Studies linking descriptive representation to outcomes use aggregate level data to assess what is an individual level theory, creating an ecological fallacy problem. In addition to the aggregation problem, many of these studies use outcome variables that are dependent on clientele behavior, such as test scores or reporting the incidence of rape. Thus, it is unclear whether changes in outcomes are a function of deliberate actions by minority representatives or responses by minority clientele, or non-minority bureaucrats, to descriptive representation.

By focusing on decisions instead of outcomes, this dissertation provides direct evidence of active representation. It is unlikely that the dependent variables are responding to the race of the superintendent, unless bilingual and ESL teachers are more likely to be attracted to and stay with districts under the supervision of a Latino superintendent. Given the historical significance of this policy area, and the anecdotal evidenced offered in Chapter III, the more likely explanation is that Latino superintendents are shifting resources to respond to need.

Furthermore, this study does not suffer from the aggregation problem of other studies assessing the effect of descriptive representation. Since the unit of analysis and unit of observation is a single superintendent, this result cannot be explained by response by non-Latino superintendents to representation. Nor is it likely that the results are a
function of electoral representation or lower level administrative decisions, since both of these effects are controlled. And while electoral representation is included as a control, this study still speaks to the effect of electoral representation. In the case presented here, both electoral representation and administrative representation independently affect how schools respond to need.

Finally, while not providing direct evidence of a substantive impact on represented groups, this dissertation does provide indirect evidence about how Latino superintendents can improve outcomes for represented groups. When more students are served by ELL programs, Latino dropout rates decrease. Given the significance of the Latino dropout problem, this is a significant finding. When Latino superintendents provide more resources toward ELL programs, this increases the likelihood that LEP students will be served by these programs.

Past research questioned whether bureaucratic representation matters. This dissertation, and the body of evidence in this research area, has shown that the answer is yes, it does. This dissertation provides a greater understanding about how it matters. Further research in this area will help to provide a more complete understanding of how the bureaucracy contributes to the promise of representation in our democratic system.
REFERENCES


VITA

Name: Nick Andrew Theobald

Address: Department of Political Science,
Cal Poly San Luis Obispo
San Luis Obispo, CA 93407

Email Address: ntheobal@calpoly.edu

Education: B.A., Political Science, Cal Poly San Luis Obispo, 1998