The education of language-minority students, particularly Hispanics, has become an issue of increasing concern in recent years. Since the passage of the Bilingual Education Act in 1968, numerous efforts have been made by educators, policy analysts, administrators, and litigators to articulate policies and implement programs designed to provide language-minority children with instruction in a language they can understand. But the quest for equal educational opportunity has not always proved successful. Educators and policy analysts have generally attributed the failure of certain bilingual education programs to either or both of two sources. The first source is the theoretical shortcomings of the programs themselves. Scholars have claimed that the educational, political, or social implications of various programs have led to their failure. The second source is the characteristics of the students. Scholars have attributed the failure of the programs to the homes of the students, their neighborhoods, their language, their culture, or their mental capacities.

Scholars have almost entirely overlooked the impact of the way the programs have been implemented on the effectiveness of the programs themselves.

In this paper, I suggest that the day-to-day school organizational practices—the content and process of schooling itself—necessarily affect the impact of the programs. My empirical research further suggests that these practices undermine the success of the programs.

The practices include grade-level placements, ability-grouping within classrooms, decisions about course offerings, tracking students into courses, counseling, testing, the interpretation of test data, availability of appropriate instruction, transmission of verbal messages, classroom interactions, and the presentation of administrative and academic information to parents. Although the detrimental consequences of these organizational practices are not limited in application to language-minority students, these students are especially susceptible to poor modes of or-
organization, classroom interactions, and school administrative decisions. The resulting effects of such detrimental practices on language-minority students are poor classroom performances, loss of self-esteem, disinterest in learning, and, ultimately, failure in school.

Education expert Jeannie Oakes claims that much of what is done in schools in the United States is done more or less out of habit stemming from traditions in the school culture. These traditions dictate, for the most part, the ways in which schooling is organized and conducted. My own work and the work of others suggest that the dominance of the English language is a fundamental part of these American school traditions. The tradition of instruction in English has largely prevented linguistic minority students from benefiting from instruction.

In Part I of this paper, I will briefly discuss the works of scholars who have analyzed the impact of school organizational practices on different groups of students. In Part II of this paper, I will present my own empirical research concerning the implications of certain school organizational practices for particular groups of Hispanic students: Chicano children, transitional children, and undocumented/recent-immigrant children. In conclusion, I will draw upon my own research and observations obtained during the course of my five-year ethnographic study of the Austin Independent School District in an attempt to isolate the particular patterns of institutional discrimination that contribute to educational inequality among linguistic minorities. I will also suggest means by which such practices may be eliminated by the conscious and conscientious efforts of school teachers and administrators.

I. THE IMPORTANCE OF ORGANIZATIONAL PRACTICES IN THE SCHOOLS

Sociological research reporting aggregate data on the relations between social origins, schooling, and attained status has provided few details on how students fail in school. A different line of empirical research is needed if we are to understand the way the organization of the schools contributes to inequality and why language-minority students continue to fail in school despite legally mandated bilingual programs. A sociological perspective that incorporates sociolinguistic and interactional data from home and school settings suggests that school organizational practices, rules and procedures in the classrooms, classroom interactions,
and decision-making processes are sources of inequality of educational opportunity. This perspective, exemplified by the work of scholars such as Cicourel and Kitsuse, MacKay, Rist, McDermott and Gospodinoff, Philips, Mehan, and Erickson and Shultz, focuses on everyday interactions in educational institutions and suggests that these day-to-day practices can have a long-term impact on students' educational careers and academic success. While such practices affect all students, these practices are particularly detrimental to low-income students and to language-minority students.

A. Formal School Organizational Practices

Cicourel and Kitsuse are sociologists who have studied decision-making in a secondary school setting. They have demonstrated that the formal organization of a school and staff perceptions of family educational goals can effect the realization of a student's chances to enter college regardless of the student's academic achievements. They reported that school organizational decisions and actions affect whether students satisfy prerequisites for college. They found that preparation for college admission, enrollment in high school classes that qualified a student for college entrance requirements, and the satisfactory completion of those courses were organizational barriers to post-secondary education.


5. See generally A. Cicourel & J. Kitsuse, supra note 4. The authors argue that the strategic importance of college training for the occupational distribution of the population has increased the significance of the high school in the structure and process of social stratification. The admission of high school graduates to colleges is often contingent upon their performance in secondary schools. Cicourel and Kitsuse demonstrated that the distribution of students into categories of college-qualified and non-college-qualified is to a large extent characteristic of the administrative organization of the high school and therefore can be explained in terms of that organization. Using a case-study approach, the authors studied a large, comprehensive high school with a national reputation for the excellence of its educational program and its student product. The school was located in a high-income suburb of a large metropolitan region and had approximately 75% of its graduates attend college. In their research, the authors focused on a sample of approximately 100 students, 22 counselors, and parents of the students. Open-ended interviews were used to pinpoint the social processes whereby students and parents made decisions on the choice of curriculum and future aspirations, their knowledge of the curriculum, and their interaction with the school. Counselors were inter-
The researchers discovered that these organizational actions and decisions occur early in students' school careers and were influenced by variables such as economic status. They demonstrated that children from low-income families with low grades and low test scores were always tracked into lower groups, whereas children from middle-income families or higher-income families with low grades and low test scores were often tracked into higher groups, particularly because of parental intervention. The consequences of these organizational actions and decisions were not evident to students and their parents until the students attempted to enter college.

Researchers have identified other organizational practices, such as testing and the interpretation of test results, that can jeopardize a student's school career. MacKay has argued that the information derived from testing and how that information is made available to others may bear no relationship to a student's performance or competence. MacKay examined the kinds of information that standardized tests produce about students and how teachers and counselors interpreted that information. He argued that "objective" tests do not exist and the results of the standardized tests administered to students are often invalid and capricious. Nonetheless, test scores are used as official determinations of a student's overall capabilities and are often the basis for placement in advanced classes or academically oriented programs. MacKay has concluded that test scores are often used to reinforce teachers' and administrators' pre-existing expectations about students, resulting in a self-fulfilling prophecy and officially or unofficially closed tracks.6

Counseling is another area in which language and ethnic differences exert a subtle influence. Counselors make important decisions about students based on inaccurate or inadequate data. Erickson and Shultz showed that the more similarity between counselors and students in terms of social identity, including characteristics such as race, ethnicity, social class, and communication style, the more smoothly the counseling
situation proceeded and the more special help counselors gave students. Decisions about students' abilities and, therefore, about whether they were worthy of help and attention, were based on criteria other than universalistic standards of achievement.7

B. Informal Classroom Organizational Practices

Within school classrooms, organizational decisions such as dividing students into small working groups according to a teacher's perception of their academic ability also result in unequal benefits from educational curricula and, hence, unequal educational opportunity. Rist has found that students from low-income or one-parent households, or from families with an unemployed worker, were likely to be assigned to low-ability groups. His research suggests that, in the early grade levels, teachers often based placement decisions on the way students looked, the type of clothes they wore to school, or the type of jobs their parents held.8

Within learning groups, students often receive different types of instruction as a result of decisions teachers have made about overall abilities. McDermott and Gospodinoff found that students who needed the most time with the teacher to learn received the least teacher-directed time, spent the least amount of time on reading tasks, and experienced the most interruptions in instructional time. Teachers were not aware of differences in treatment of high and low achievers, but, nonetheless, children's opportunities were limited by decisions made in routine classroom practices. Those decisions are often based on inadequate educational tests, slanted biases or stereotypes, or on casual information exchanged by teachers and administrators.9

7. See generally F. ERICKSON & J. SHULTZ, supra note 4. The authors looked at various points in peoples' lives when decisions affecting social mobility were made, which they labeled "gatekeeping" processes. The people who tend the "gates" are often professionals with specialized credentials in the fields they monitor. They found that gatekeepers such as teachers and school counselors can greatly influence what students believe about themselves and their options.

8. See Rist, supra note 4. Rist reported the results of an observational study of one class of ghetto children during their kindergarten, first- and second-grade years. He showed how the kindergarten teacher placed children in reading groups which reflected the social class composition of the class, and how those groups persisted throughout the first several years of elementary school. Rist explored the process whereby expectations and social interactions give rise to the social organization of the school classroom. He found that patterns of behavior, expectations of performance, and a mutually accepted stratification system delineating those doing well from those doing poorly emerged. The teacher's expectations of potential academic performance was closely related to the social status of the student. Initial presuppositions of the teacher regarding the intellectual ability of certain groups of children had long-term consequences for the children's socialization into the school system and for the child's success or failure. Rist found that teachers identified as "fast learners" students who displayed attributes highly desired in children by middle-class, educated adults. Children who did not demonstrate those attributes were defined as "slow learners." None of the criteria upon which the teachers appeared to base evaluations of the children was directly related to measurable aspects of academic potential.

9. See McDermott & Gospodinoff, supra note 4. The authors argue that while it is usually
The work of Philips has focused attention on the interactional organization of classroom activity. She suggests that children's academic comprehension is impaired by the transmission of knowledge through modes of communicative behavior that are culturally alien and uncommon in the children's experience. She argues that because communicative patterns lack the tangible visible quality of houses, clothing and tools, it is less easy to recognize their existence as culturally distinct phenomena. She warned that educators cannot assume that because children from a different cultural background speak English, they have assimilated all the sociolinguistic rules underlying classroom interactions and other social situations where English is spoken. She argues that to the extent that these variations, which she calls an "invisible culture," are not recognized by the schools, some children will experience learning difficulties and feelings of inferiority.¹⁰

Mehan, who has investigated referrals to special education programs, suggests that teachers' expectations and failure to recognize student differences lead school staff to treat behavior produced by one student differently from similar behavior produced by another student. Mehan does not discuss the difficulties of language-minority students in these situations, but he emphasizes the relationship between language use, language socialization, and differential school performance. Bilingual students face a "no win situation" in special education placement. On the one hand, language-minority students are identified as having learning problems when the problem is really one of language differences. On the other hand, legitimate learning problems are overlooked because teachers believe the problem is simply one of inadequate English language skills.¹¹

assumed that people from different groups are naturally different and that those differences can be in the long run irremedial; when communicative differences become irremedial, it is because there are sound political or economic reasons for their being so. McDermott and Gospodinoff analyzed a few instances of minority children who were failing in school, miscommunicating with their first-grade teacher. In the short run, the miscommunication came to be adaptive for both the children and the teacher. A child will create a disturbance; as a result the teacher and children in the lowest reading group get a brief rest from their intense organizational negotiations. In the long run, the child's education suffers due to these diversions. The researchers concluded that poor or minority children who are not submerged in literacy skills at home come into school behind their peers and present difficult organizational and pedagogical problems for their teachers. The consequences are sensible and functional forms of communication that appear as miscommunication and misbehavior.

¹⁰. See Philips, supra note 4. Philips found that despite efforts of school officials to bring about changes in the schools that result in improved academic performance of Indian children, the children continued to do poorly in school. Philips suggested that several aspects of verbal participation in classroom contexts were influential in explaining why Indian children were reluctant to talk in class. The manner in which the instruction was delivered and the organization of the class inhibited talk by Indian children. Consequently, the structure of classroom interaction between the student and teacher did not function as it was supposed to.

¹¹. See, e.g., Mehan, supra note 4. Mehan argues that if teachers saw students in nonclassroom, school-related contexts as well as in out-of-school contexts, they might be less susceptible to
II. THE IMPLICATIONS FOR LANGUAGE-MINORITY STUDENTS

Studies of organizational practices often do not discuss specific difficulties of language-minority students, but they do suggest that similar difficulties plague them. Over several years of a language-minority student's school career, a combination of organizational practices may culminate until a general pattern emerges. Despite hard-won gains made through legal mandates for bilingual instruction and desegregation, minority children and, particularly, language-minority children, may continue to be the victims of misidentification of educational needs, inappropriate instruction, and organizational practices that discourage and alienate them from school and hinder their academic success. In my research, I set out to investigate and substantiate this hypothesis.

The following section will discuss case studies compiled from a two-year ethnographic investigation of the school experiences of recent-immigrant, transitional, and Chicano children and will illustrate how these organizational practices operate in schools with bilingual programs. Testing, counseling interactions, referrals to special education, ability grouping, and other educational decisions are considerably more complex when students are bilingual. While parents' reports of school interactions adopting a generalized deficit view of children who are not succeeding in classrooms. Mehan argues that school performance is a product of social context. He suggests that comparisons of the structure and function of discourse at home and at school of middle-income and lower-income families would enable us to see the relationships between language use, language socialization, and differential school performance. A context-specific view of cognitive skills and abilities proposes that intelligence displays and language use are dependent on context. They are not general abilities that appear uniformly in all contexts; they are specific abilities that vary from one type of situation to another. Therefore, any evaluation of a student that uses information from any single situation, such as an educational test, will not provide a valid measure of the student. This perspective shifts the source of school failure away from the characteristics of the failing child and toward more general societal processes.

12. See Romo, The Mexican Origin Population's Differing Perceptions of Their Children's Schooling, 65 Soc. Sci. Q. 635 (1984); H. Romo, supra note 4. The research involved an ethnographic investigation of immigrant children and their parents in a family and school context. Fifteen undocumented, recent-Mexican-immigrant families with school-age children were identified in Austin, Texas. Chicano families (U.S. citizens of Mexican origin and long-time residents of the Texas community) were matched with the recent-immigrant families to control for income variables. In the matching process, a third group of families emerged, those families who had been in the U.S. for longer than five years but who maintained many characteristics of the immigrant family. This third group of families was identified as "transitional" families.

Using observations of family interactions in home and school contexts, tape recorded interactions of parents and school staff, lengthy tape recorded interviews with parents and children, school records and reports, and interviews and observations with families and school staff in the immigrants' community of origin in Mexico as data, I analyzed the children's status advancement and their U.S. school experiences. My data show that U.S. schools are ill equipped to deal with bilingual children and with immigrant children who have had little previous school experience and who speak no English. Misunderstandings and lack of knowledge about language and language issues lead to inaccurate assessments of recent-immigrant, transitional, and Chicano students' needs and abilities and to disparagement of their parents.
actions could be wrong, the following case studies reflect the perspective of the parents and their children. My observations in school meetings and classrooms supported these parents’ and children’s reports. Their school failures and experiences suggest patterns of organizational practices resulting in educational inequality rather than unique or random situations.

A. Chicano Students

For Chicano children, it is often unclear what role language differences play in school success or failure. Few Chicano students have been able to maintain their Spanish language skills. The bilingual skills that second- and third-generation Chicano students bring to the school are often considered a liability instead of an asset by insensitive teachers. Chicano students are often excluded from learning Spanish literacy skills in bilingual programs because limited funding allows bilingual teachers to serve only children who speak little or no English.

As one might well expect, the educational and economic background of Chicano parents seems to play a significant role in their children’s school success. Although parents value education and have high aspirations for their offspring, many low-income Chicano parents were school dropouts themselves and do not have the academic skills or experience to work within the school context to assure that their children benefit from effective educational programs. Chicano parents who work cooperatively with the schools must deal with misconceptions held by some professionals who work with and make judgments about language-minority children. These parents experience numerous frustrations in obtaining information about their children’s academic progress and in seeking assistance to remedy a child’s underachievement.

Two case studies of Chicano students illustrate this type of language-minority student’s difficulty in the schools. The case of Miguel Méndez demonstrates that Chicano children are often promoted, while learning little from the instructional program. His case suggests that teachers sometimes fail to identify a child’s home language as Spanish and provide little or ineffective remedial assistance for underachieving students. Poorly educated Chicano parents, like Miguel’s, are unaware of the type of instruction their children receive and of special assistance that could be available if requested. The case of Maria Ramos indicates that Chicano children are not always identified as needing special services and may not receive prompt and effective instruction even when their parents are aware of a need and request assistance. Maria’s case also illustrates the intrusion of negative stereotypes in staff evaluations and the impact of school decisions that are often made with little supportive data. Both studies show that parents have a difficult time garner-
ing information from school staff about the academic progress of their children.

1. **Miguel Méndez**

Miguel is a seventh-grade student. He is the oldest of seven children. His parents, second-generation Chicanos, dropped out of school at the fourth grade. Miguel has never repeated a grade, but he reads at a third-grade level. His mother laments that she can read better than her son.

The parents spoke primarily Spanish with the children until they entered school, but as the children learned English, they began speaking English at home as well. Miguel's mother feels that language differences have caused her children problems in the schools and is uncertain about the way the family dealt with their Spanish language. She discussed the way the family used both English and Spanish and explained, "I guess that's the wrong thing we did."

Teachers did not report school problems for Miguel at the early grades. He is a quiet student who behaves well in class and calls little attention to his poor achievement. His mother reported that she was told at recent parent conferences that Miguel was "below grade" and in a "special class." The mother does not know if Miguel has ever received bilingual instruction and does not understand the type of special instruction her son is receiving for underachievement. As Miguel is promoted to each higher grade, he is expected to do a greater proportion of his school work independently and to read textbooks that are beyond his level of comprehension.

Miguel's case suggests that Chicano students who are long-time residents of the U.S. community are not always identified as needing bilingual instruction and are often made to feel that their bilingualism is a detriment to school success. Students like Miguel, who cause few classroom discipline problems and who complete classroom assignments to the best of their ability, are promoted despite underachievement. Remedial intervention, if there is any, may not be sufficient to make up for lack of adequate assessment and instruction at early grade levels.

2. **Maria Ramos**

Maria, a first grader, was not progressing in reading skills as quickly as her older sisters had. Maria's mother reported that the teacher had implied that if a child did not read, it was the child's problem. Pursuing the issue, the mother persuaded school staff to change her child at mid-year to another classroom where the new teacher agreed that Maria had a reading problem. The second teacher argued, however, that it was too late in the school year to do anything, and the child would have to repeat
the first grade. The mother protested the teacher's suggestion that her child repeat first grade, but was told that, in order to receive more specialized attention, Maria would have to be tested. The counselor in charge of testing explained that she had too many other cases defined as more serious than Maria's to evaluate Maria. The mother reported a similar "run-around" when she contacted district level offices. She explained:

I thought I had a daughter with some kind of learning problem, but I couldn't pinpoint it because I wasn't qualified. Yet I couldn't get the schools to move on it, and I didn't want her to be floating the rest of that school year.

Finally, a Chicano principal, who had known Maria's family from their neighborhood school, pressured the district counselors to test the child. By the time the testing procedure was initiated and completed, it was the last month of that school year. The mother recalled that the Anglo, monolingual English-speaking counselor reported that the child was intelligent, but, because of a very bad home environment, she could not perform in the classroom.

The mother recognized that the counselor had never visited her home nor talked to her about the home environment. She reasoned that if there were a bad home environment, her other daughters would be suffering as well. The interaction had a profound impact on the parent who explained:

[F]or them to come up and tell you that, you know, it's late in the year, so we'll dump it on you by saying she's got a bad home environment . . . I'll never forget that.

We do not know how the counselor assessed the home environment or how she decided that the home situation was inadequate. From my observations, when such decisions are questioned, school personnel have had a difficult time explaining how the decisions are made. Maria was eventually placed in a special education class, and the mother reports that she is progressing well. This parent had recognized an underachievement problem and was willing to do something about it, but none of this evidence was considered in the school counselor's conclusion.

The organizational responses of the school district to underachievement in this case were to hold the child responsible for learning to read, to recommend repetition of an instructional program that had been inadequate the first time, and to ignore the child's underachievement. Although Maria's underachievement was important enough to require repetition of a grade, it was not serious enough to qualify for prompt special assessment because of the large demand for such assistance.

In Maria's case, as well as in others, evaluative judgments about a child were made with insufficient data. In Maria's case, little specialized
instruction or assessment was provided despite obvious underachievement. In Miguel’s case, assistance that was provided did not remedy poor reading skills. Instead of questioning organizational practices, counselors, and sometimes parents, identified family and home environment as the root of the problem.

B. Transitional Children

Transitional families have lived in the United States for over five years, and although the parents may be immigrants, many have some type of legal immigration status. Children often speak English or are bilingual, while older family members may speak only Spanish. This results in complex language patterns in the home. When children are bilingual, identification of educational strengths and weaknesses is significantly more complex.

Even in school districts complying with legal mandates to provide bilingual instruction, bilingual classrooms and curriculum are not sufficiently diversified to meet the varying language and instructional needs of recent-immigrant, bilingual, and Chicano children. The teachers in these programs may not be aware of the complexity of bilingual learning and instruction. Compounding the problem, bilingual teachers are seldom appropriately trained to assess bilingual students’ academic strengths and weaknesses. The cases of Nancy and Angela Garcia and of Rafaela González illustrate the difficulties involved in assessing language abilities and the far-reaching consequences of inappropriate assessment and instruction.

1. Nancy and Angela Garcia

Nancy and Angela Garcia are children of a “transitional” family. Angela and Nancy’s mother, Sylvia, is a Chicana who dropped out of school at the eleventh grade after having been kept behind twice in elementary school. The father is a recent immigrant who has been in the U.S. several years, but speaks little English. The family speaks primarily Spanish at home. The children interact with their mother, and occasionally with one another, in English.

The younger Garcia child, Nancy, is in a “bilingual” preschool program. Despite the “bilingual” label, there is little formal instruction in Spanish in the classroom. The bilingual teacher helps children who do not understand English language assignments by giving directions in Spanish, but the majority of the classroom instruction is in English.

Nancy frequently code-switches, or uses mixtures of Spanish and English, which is a language pattern common in her bilingual classroom. The language proficiency assessment exam administered by the school district considers responses in which children mix Spanish and English to
be errors. Although Nancy functions well in her classroom, the language examination shows her to be limited in both English and Spanish.

Angela, the older child, now in the second grade, was retained at the end of the first grade because she had not made sufficient progress in English language skills. The majority of Angela's instruction at that grade level had been in Spanish. The bilingual first-grade teacher wrote the parent a long letter explaining that, because Angela was very quiet in class, she had not realized that the child spoke English until the end of the first grade year. The school personnel knew little about language use in the home. The teacher had no information concerning Angela's language abilities outside of the classroom or in test interactions. Angela's quiet demeanor attracted little special attention from the bilingual teacher. My observations suggest that Angela's school failure could be attributed to misidentification of language abilities which resulted in inappropriate instruction.

In this case, the language tests the school district used did not provide accurate assessments of children's overall language abilities. No comprehensive test information was available for classroom teachers. Understandably, teachers' ignorance of the home context results in misidentification of language abilities and, consequently, inadequate instruction. Angela has already been hindered in her educational advancement through retention, just as her mother was. Nancy, who may be more fluent in Spanish, receives most of her instruction in English. Although she may be sufficiently bilingual to perform in the preschool classroom, she may lack necessary conceptual skills when she advances to higher grade levels that demand advanced, independent cognitive skills in English.

The experiences of the Garcia children demonstrate that administering oral language proficiency exams and assigning children to bilingual classrooms or to bilingual teachers does not assure an accurate assessment of their language abilities or access to beneficial instruction.

2. Rafaela González

Rafaela is the oldest of four children in the González family. Her parents are both recent Mexican immigrants legally present in the United States under the Silva Letter quota. Her father has learned some Eng-

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13. The "Silva Letter" was a result of the decision in Silva v. Bell, 605 F.2d 978 (7th Cir. 1979). See also Silva v. Levi, No. 76C-4268 (N.D. Ill. 1978), a class action enjoining the U.S. Immigration and Naturalization Service from deporting any alien who entered the United States prior to March 11, 1977 from an independent country of the Western Hemisphere and who had a priority date for issuance of an immigrant visa between July 1, 1968 and December 31, 1976. Before 1976 there was no immigration quota for Mexican immigrants. Immigrants could become legal residents because of children born in the U.S. During the Cuban crisis, the U.S. government took the Western Hemisphere immigration quotas for Cubans which reduced the Mexican quotas. Attorneys argued
lish as a waiter at a luxury hotel, but her mother, a seamstress at a garment factory, speaks no English. Both parents completed the sixth grade in México. Although they have high aspirations for their children and want them to do well in school, their ability to assist with homework and school assignments is limited because of their lack of English proficiency. The family speaks Spanish at home.

Rafaela spoke no English when she began first grade in this country. She was not in a bilingual program, and her teacher retained her because she lacked English skills. As a result of a school desegregation program, Rafaela attended second and third grade at a school with a bilingual teacher and bilingual instruction. That teacher reported that Rafaela made good progress and was a good student. At the fourth-grade level, Rafaela was again bussed across town in the district desegregation program, but to a different school. Her fourth-grade teacher spoke only English. Since Rafaela now spoke English, she did not qualify for special English language assistance. During the fourth-grade year, the child received a serious burn and missed a month of school. Because of miscommunications between the mother and teacher and the mother’s inability to help Rafaela with English school work, Rafaela received no special assistance during her absences, even though she was eligible for district-financed home instruction. At the end of the school year, the teacher recommended that Rafaela repeat fourth grade.

The mother was upset by two grade detentions but did not discuss the decision with the Chicano principal. She did not know the organizational procedures or her rights as a parent to review her child’s school records. Together, we made an appointment to discuss the case with the principal.

Rafaela’s permanent school records showed her to be reading within the grade level expected for promotion to the next grade. There was no indication of the previous detention in first grade, no records to indicate that Rafaela had previously received bilingual instruction, and no record that she had not received special assistance to help her in her school work at the fourth-grade level. From the official school records, it was impossible to determine how the decision to detain the child had been made. The teacher, away for the summer, was not available to discuss the decision.

Listening to the mother’s arguments that two detentions by age...
eleven would stifle Rafaela's incentive to achieve, the principal advanced the child to the next grade. After a year and a half, the parents report that Rafaela is doing well in school.

This case demonstrates that bilingual instruction is not always available in a sequential manner, and such instruction may be missing at crucial developmental stages of a child's school career. School records are incomplete and do not provide staff with adequate information for making decisions about bilingual children. Often parents do not know what resources are available to their children, and both parents and school staff may be poorly informed about how decisions are made about children's school failures.

C. The Undocumented, Recent Immigrant Student

In 1982, in *Plyler v. Doe*,\(^\text{14}\) the Supreme Court recognized that undocumented immigrant children were legally entitled to attend public schools in the United States. The decision stimulated discussion about the rights of immigrant children to education but did not address the schools' repeated failure to provide adequate instruction for immigrant children. The examples of Micaela Hernandez and Roberto Jaimes demonstrate some of the organizational problems that arise when immigrant children, who often have had little previous schooling and speak little or no English, enroll in school.

1. Micaela Hernandez

Micaela arrived in the United States from rural México with her parents and seven brothers and sisters. Although she was nine years old, she had attended school only a few months in México. Her parents spoke no English and were illiterate in Spanish.

The school in the predominantly black, low-income neighborhood where Micaela enrolled did not have bilingual instruction. Although the school district was in compliance with a court order to desegregate, bilingual education was only offered in schools with high concentrations of Hispanic students. Despite her limited school experience, Micaela was placed at the third-grade level because of her age. She spent several months in a monolingual English classroom until the district could arrange a transfer to a bilingual program.

The only classroom with available space for additional non-English-speaking children was a partial bilingual program. A bilingual teacher worked with children from several grade levels for a few hours each day, and the children returned to an English-only classroom. The English-speaking classroom teacher sent Micaela's mother numerous notes in

English complaining that Micaela did not do her school work. Micaela explained that she did not understand the teacher and did not know how to do the work.

At the end of the school year, Micaela's teacher recommended that she repeat third grade because she lacked English proficiency and the school offered no bilingual instruction at the fourth-grade level. At the end of the next school year, Micaela was promoted and transferred to a school with a bilingual classroom teacher. Each year without bilingual instruction, Micaela, who was already disadvantaged by her lack of formal schooling, fell further behind her age mates in academic skills.

2. Roberto Jaimes

Roberto's family was similar to Micaela's. His parents came from a rural area of México and were illiterate. None of the family spoke English. Roberto, age fourteen, and his older brother had attended school in México but had not completed the sixth grade.

When he enrolled in school in the United States, Roberto was placed in a fifth-grade classroom with ten- and eleven-year-old students. The teacher, because she spoke some Spanish, had six other recent immigrant children in her classroom. She spent a short period each day with the immigrant children teaching beginning oral English language skills. The majority of her students spoke English, so she taught the remainder of the day in English. The immigrant students were expected to sit quietly and do written translation exercises from first- and second-grade reading texts in English. The immigrant students relied upon reading and writing skills learned in México to do the assignments.

After several months, Roberto had an opportunity to take a job with his older brother at a roofing construction company earning $3.50 per hour. Against his parents' wishes, Roberto decided to leave school for work. He explained that he was bored in school because he could not understand English. He was embarrassed to be in a classroom with younger children who could do assignments he could not complete.

The cases of these students illustrate that bilingual instruction is not always available at the schools or grade levels where students needing such instruction are enrolled. Additionally, the age-grade structure of United States schools do not accommodate older students who enter classrooms with little previous school experience. Beginning literacy skills are seldom taught beyond the early grade levels, and certain levels of academic achievement are assumed at each higher grade level. Thus, it becomes difficult, if not impossible, for teachers to match instruction to the needs and abilities of students who do not conform to traditional expectations about grade-level achievement.
III. CONCLUSION AND RECOMMENDATIONS

While legal mandates have created entitlements to bilingual education programs and have promoted school desegregation and bilingual curricula offerings, major obstacles to achieving equal educational opportunities for language-minority students remain in school organizational practices. Ethnicity, culture and language factors are complex and subtle in seemingly mundane day-to-day interactions, decision-making, assessment and instruction, and grouping practices.

Discrimination that inheres in these organizational practices is often so subtle and so much a part of routine activities that administrators, teachers, parents, and students do not always recognize it. Immigrant parents with little or no schooling in the United States and Chicano parents who have not been successful in school do not know how and when to demand services that are rightfully available to their children. When low-income, limited-English-speaking, poorly educated parents question what is happening to their children in the schools, they are often intimidated by professional credentials and school jargon. Additionally, school personnel do not always accurately identify the instructional needs of language-minority children nor do they take the initiative to provide for them. Unfortunately, the presence of school district bilingual programs that meet present legal guidelines does not assure that language-minority students' needs will be adequately assessed or that appropriate instruction will be provided.

Traditionally, persons with social and cultural backgrounds and assumptions that differed significantly from the dominant group's have borne the burden of their differences. Legal action has helped to shift that burden somewhat to the institutions, organizations, and agencies that serve them. Now, however, the focus must be on the day-to-day organizational practices, the testing, counseling and decision-making contexts, the "gatekeeping," grouping, evaluating, and reporting that contribute to stratification and discrimination.

The experiences of the children in the cases presented here are representative of the experiences of many other national-origin-minority students and suggest that inequality of opportunity is more than empty rhetoric. It is in routine, day-to-day interactions and in the social organization and stratification of on-going activities that discriminations with far-ranging consequences are acted out. Organizational practices may in fact reflect the real basis of school failures, high drop-out rates, and underachievement that are a part of the schooling experience for language-minority students.
A. Recommendations for Improvement

Based on my observations and interviews in the research described previously, the following major recommendations are offered:

(1) During the time period represented by these case studies, the school district sponsored no meetings for parents that focused on the organizational practices discussed in this paper. Of the twelve meetings for parents of language-minority children that I attended and tape recorded, only one meeting discussed curriculum and only one focused on a district policy that affected children. The majority of school meetings are fund-raising or social functions, political meetings such as one that dealt with budget cuts in bilingual education, public relations meetings promoting district accomplishments or meetings intended to make parents more effective parents. In interviews with me, parents identified topics such as disciplinary procedures, grading, identification of students for remedial instruction, retention policies, determining language of instruction, and problems with teachers as issues that they would like to discuss. Districts need to sponsor meetings that help parents understand how organizational practices are implemented and how they affect their children.

(2) Efforts should be made by school staff through classroom demonstrations or visitations, or through parent-teacher conferences to assure that parents understand the types of programs their children are in, how children are assessed, and how decisions are made about academic progress.

(3) Teachers and administrators themselves are not always well informed about organizational practices. Through in-service and training programs, monolingual English-speaking staff and bilingual staff should be made aware of the ways organizational practices can affect the school success of language-minority students.

(4) Language differences remain, even after language-minority students learn English, and continue to be important factors in the assessment of academic abilities and in classroom participation. Teachers should be made aware through in-service and staff development of the "silent culture" and the ways language differences can affect student performance, teacher evaluations of students’ capabilities, and traditional organizational practices.

(5) Schooling, as it becomes more routinized and bureaucratized, develops into a formidable organizational structure. Many of the organizational practices that had detrimental effects on the language-minority students in these case studies, such as age-grade grouping, concentrating bilingual services in particular schools, offering partial bilingual instruction, failing underachieving students without providing remedial assist-
ance, and counseling with inadequate information, are traditional practices that occur in all school districts. Researchers, educators, and parents should look critically at these practices, evaluate their effects on language-minority students, and modify practices when they prove to be inadequately serving students.

(6) Parents of language-minority students should be encouraged to ask questions about their children’s schooling and school authorities should be able to answer their questions. Parents asked, “How successful are programs?” “How many children benefit?” and “How are my children doing academically?” These are the kinds of issues that must be addressed to improve educational opportunities for language-minority students.

B. Conclusion

The organizational practices discussed in this paper represent only a few of the ways the process of schooling contributes to the school failure of language-minority students. Unless carefully scrutinized, whether a district implements full bilingual programs, transitional bilingual programs, or ESL instruction programs, organizational practices will continue to contribute to unequal educational opportunities and outcomes for Hispanic language-minority students.