

**Background Information on**  
**Measure 58**

**General Election**  
**November 4, 2008**

Prepared by

League of Women Voters<sup>®</sup> of Oregon Education Fund  
1330 12th Street SE, Suite 200  
Salem, OR 97302  
(503) 581-5722 Fax (503) 581-9403  
E-mail: [lwvor@lwvor.org](mailto:lwvor@lwvor.org)

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# Ballot Measure 58

## EASY VOTERS' GUIDE

### **Ballot Measure 58: Limits Teaching in Language Other Than English**

**Official Title:** Prohibits Teaching Public School Student In Language Other Than English For More Than Two Years

**The way it is now:** Right now, the law calls for teaching all school subjects (except foreign languages) in English. The law allows teaching in more than one language so students can learn English faster. The law requires schools to provide English as a Second Language, or ESL classes for children unable to learn in classes taught only in English.

**What Measure 58 would do:** This requires "English immersion" in public schools. Measure 58 has different levels of time during which a student may be taught in his/her language, such as an English as a Second Language, or ESL class. Students in kindergarten through fourth grade have one year before they must be taught only in English. Fifth through eighth graders have one and one half years before they must be taught only in English. Ninth through twelfth graders have two years before they must be taught only in English.

**Argument for:** The current system does not help many children. Students will learn English faster if they are taught in English only classes.

**Argument against:** This measure doesn't explain how the new system would work or who qualifies. There is no exception made for students with special language or learning needs.

**A "Yes" vote means:** Limit the amount of time students in public schools can be taught in a language other than English.

**A "No" vote means:** Do not limit the amount of time students in public schools can be taught in a language other than English.

**How much would it cost:** This measure will cost between \$203 million and \$253 million in each of the first two school years.

## REGULAR VOTERS' GUIDE

### **Oregon Ballot Measure 58**

**STATUTORY AMENDMENT:** Prohibits Teaching Public School Student in Language Other Than English for More than Two Years

**INITIATIVE:** This is a statutory measure placed on the ballot by initiative petition with an estimated 83,248 valid signatures.

**FINANCIAL IMPACT:** This measure would require additional local school spending between \$203 million and \$253 million in each of the first two school years. The cost may change in later years, depending

upon the number of non-English speaking students in public schools and their academic performance over time. This estimate is based on the experience of the State of Arizona following the passage of a similar initiative.

**Probable results of a Yes Vote**

If this measure passes, it would amend Oregon Statutes to prohibit teaching public school students in languages other than English for more than two years except for teaching foreign languages to English speakers. It would require that students who are limited in English proficiency be mainstreamed after a 1-2 year period regardless of whether they are proficient in English.

**Probable results of a No Vote**

If this measure fails, English courses will continue to be required for students with limited English language skills. Multiple-language instruction will continue until those students are proficient in English.

**Background**

Current law requires instruction in all school subjects (except foreign languages) to be primarily in English. Schools also provide instruction in more than one language through programs such as English as a Second Language, or ESL, so students whose native language is not English can make an early transition to English. Children may participate in those classes until they are assessed as proficient in English.

Arizona required English immersion programs for public school students starting in 2006. While the implementation cost estimates vary from district to district, the Arizona School Administrators Association estimated the average additional statewide cost to be \$2,741 per English Language Learner student per year. If Oregon spent a similar amount on 74,000 English Language Learner students, an English immersion program in Oregon would cost approximately \$203 million each of the first two school years of the program.

**The Proposal**

Measure 58 limits "English immersion" (term not defined) in public schools to no more than two years for students whose primary language is not English. After that, students shall be mainstreamed and taught exclusively in English. The proposal has graduated levels of time during which a student may be taught in his/her primary language. A student in grade levels kindergarten through fourth has one year to learn English after which time the student will be mainstreamed and taught exclusively in English. Students in fifth through eighth grade have one and one half years before they must be taught exclusively in English. Students in ninth through twelfth grade shall be limited to not more than two years, after which they shall be taught exclusively in English.

This measure requires that no student shall be taught in a language other than English for more than two years with the exception for classes teaching foreign language to English-speaking students.

**Supporters Say**

- What makes America truly unique is the common bond of the English language.
- The current system fails too many children.
- Standardized testing is in English, requiring the student to be proficient in English.
- Students want to be fluent in English to be part of the mainstream society and have useful job skills.
- School districts will actually save money.
- Children are kept in ESL (English as a Second Language) programs so districts will continue to receive an additional \$2650 per student per year.

## Opponents Say

- State law already mandates students learn English.
- This measure does not accommodate children with special language or learning needs.
- Similar measures in California (1998), Arizona (2000) and Massachusetts (2002) did not improve academic outcomes.
- This measure does not specify how the system would work, who qualifies for the program and how it would be implemented.
- This measure may cause a loss of federal funding and incur litigation.
- The measure will have a strong negative financial impact on school districts.

## REFERENCES & RESOURCES

Pro:

[http://www.billsizemore.com/article.php?article\\_id=89&category\\_id=2](http://www.billsizemore.com/article.php?article_id=89&category_id=2)

<http://www.onenation.org/>

Con:

<http://www.amae.org/> <http://www.oregoned.org/site/pp.asp?c=9dKKKYMDH&b=3855809>

<http://www.google.com/search?hl=en&q=English+for+the+Children&btnG=Search>

<http://www.osba.org/leginfo/measures/index.asp>

<http://www.seiu503.org/politics/bmeasures/Default.aspx>

<http://www.facebook.com/group.php?gid=33708631415&ref=share>

<http://causaoregon.blogspot.com/2008/08/measure-limiting-english-learning-to.html>

Neutral:

<http://www.oregonvotes.org/nov42008/meas.html>

<http://scholar.google.com/scholar?q=The+Institute+for+Research+in+English+Acquisition+and+Development&hl=en&um=1&ie=UTF-8&oi=scholar>

<http://www.democracyreform.org/files/091307cpreports.pdf>

[http://ballotpedia.org/wiki/index.php/Oregon\\_Ballot\\_Measure\\_58\\_\(2008\)](http://ballotpedia.org/wiki/index.php/Oregon_Ballot_Measure_58_(2008))

## ADDITIONAL MEASURE BACKGROUND

prepared for Speakers' Kit by League Researcher

There is little information regarding the **supporting** side of this initiative. Bill Sizemore, the primary proponent, has no information on his web site. This is one of five initiatives sponsored by Sizemore.

The only other pro website that the researcher could find was that of One Nation, which seems to be more concerned about illegal immigration than about the merits of the initiative.

It is worth noting that Healthy Democracy Oregon has selected Measure 58 for the September demonstration of its Citizens' Initiative Review (CIR) process. On Sept. 21, a panel of 24 registered voters from across the state will gather in Salem for five days in a comprehensive, public review of Measure 58 that will provide a peer-based analysis of the initiative to Oregon voters.

Those **opposed** to the measure are many and varied. The Oregon Education Association, argues that students have a range of abilities that need to be judged on a case-by-case basis, rather than a

blanket rule that eliminates the judgment factor. Other organizations object to the cost of the measure and the unfunded mandate it imposes

There is a fair amount of information that suggests similar efforts in Arizona and California have not been successful in improving the English language ability of non English speaking students. Note the costs for those two states in the Voters' Guide information.

## **SECRETARY OF STATE'S INFORMATION FOR MEASURE 58**

### **EXPLANATORY STATEMENT**

This statement, required by ORS 251.215, was prepared for the Election Division by Bill Sizemore, Alan Grosso, Lynn Reer, Gary Hargett, and Fred Neal.

Ballot measure 58 amends Oregon statute to prohibit teaching non-English speaking public school students in a language that is not English for more than one to two years. Presently, local school districts are required to provide programs based on research for the learning of English as nonnative speakers. Those programs now are provided until such time as students are assessed as "English proficient."

Under the measure, students who do not understand English may attend English immersion classes for a limited time before being taught only in English. English immersion is not defined by the measure and will require the Oregon legislature to determine what comprises English immersion and what effect that definition will have on instruction in the non-English language. Further, the legislature will have to address the effect of this measure on compliance with relevant federal laws.

Students entering a public school in kindergarten through grade 4 may attend English immersion classes for no more than one year. Students entering a public school in grades 5 through 8 may attend English immersion classes for no more than one and one-half years. Students entering a public school in grades 9 through 12 may attend English immersion classes for no more than two years. After one to two years, English language learners will be mainstreamed, regardless of whether they are English-proficient.

Students enrolled in an English as a second language (ESL) class on the effective date of the measure who still are not English proficient must begin English immersion classes in the 2009-2010 school year. This requirement does not apply to students who will begin grade 11 or 12 in the 2009-2010 school year. Students enrolled in an ESL class on the effective date of the measure may attend English immersion classes for no more than the period of time allowed for students who did not attend an ESL class.

English speaking students who are studying a foreign language may be taught that language for more than two years under the measure.