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Sen. Chancy Croft  
Interim Committee on  
Educational Programs

BILINGUAL/BICULTURAL  
PROGRAMS

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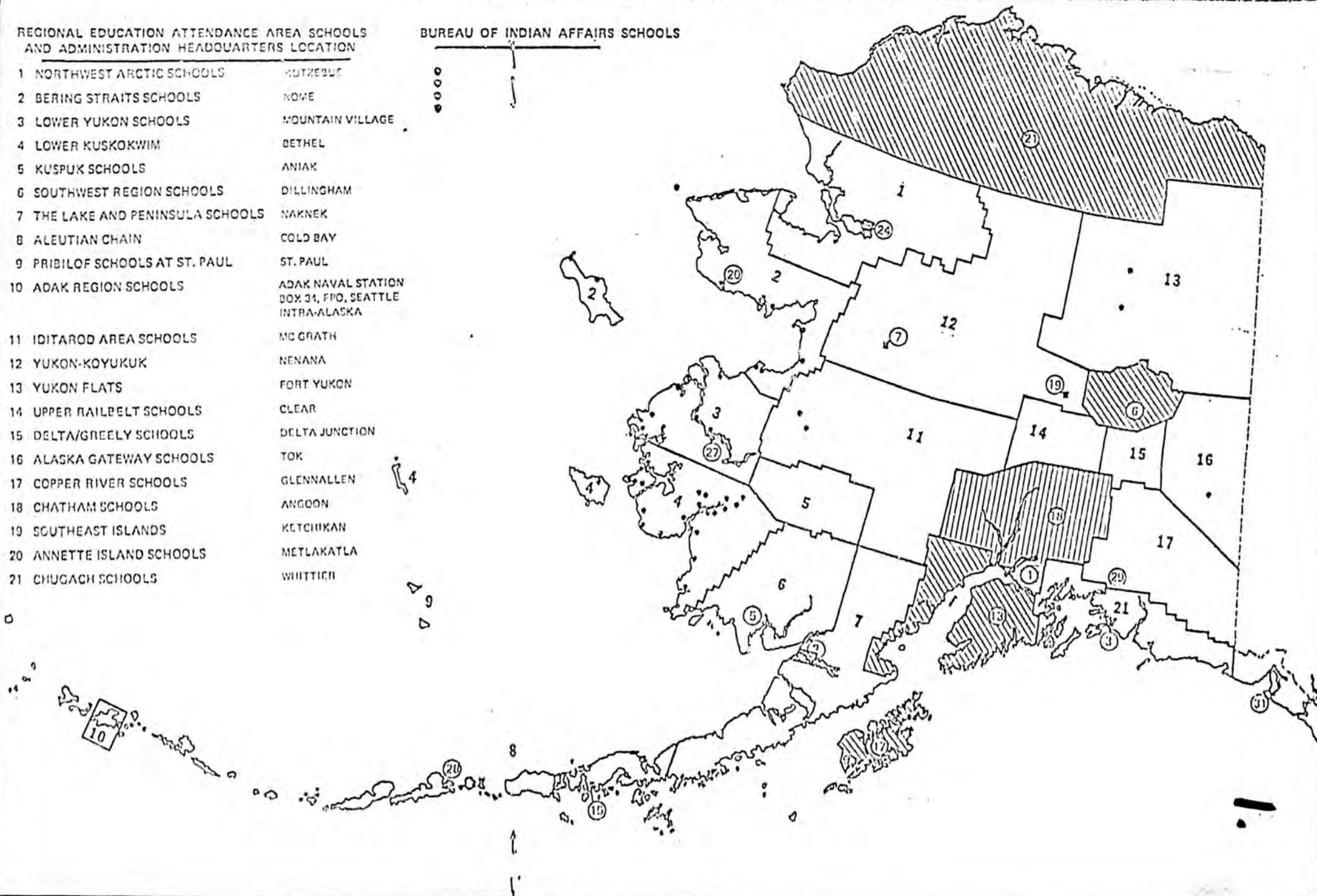
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REGIONAL EDUCATION ATTENDANCE AREA SCHOOLS  
AND ADMINISTRATION HEADQUARTERS LOCATION

BUREAU OF INDIAN AFFAIRS SCHOOLS

1	NORTHWEST ARCTIC SCHOOLS	KUTZEBUE
2	BERING STRAITS SCHOOLS	NOME
3	LOWER YUKON SCHOOLS	MOUNTAIN VILLAGE
4	LOWER KUSKOKWIM	BETHEL
5	KUSPUK SCHOOLS	ANIAK
6	SOUTHWEST REGION SCHOOLS	DILLINGHAM
7	THE LAKE AND PENINSULA SCHOOLS	NAKNEK
8	ALEUTIAN CHAIN	COLD BAY
9	PRIBILOF SCHOOLS AT ST. PAUL	ST. PAUL
10	ADAK REGION SCHOOLS	ADAK NAVAL STATION BOX 34, FPO, SEATTLE INTRA-ALASKA
11	IDITAROD AREA SCHOOLS	MC GRATH
12	YUKON-KOYUKUK	NENANA
13	YUKON FLATS	FORT YUKON
14	UPPER RAILBELT SCHOOLS	CLEAR
15	DELTA/GREELEY SCHOOLS	DELTA JUNCTION
16	ALASKA GATEWAY SCHOOLS	TOK
17	COPPER RIVER SCHOOLS	GLENNALLEN
18	CHATHAM SCHOOLS	ANGOON
19	SOUTHEAST ISLANDS	KETCHIKAN
20	ANNETTE ISLAND SCHOOLS	METLAKATLA
21	CHUGACH SCHOOLS	WHITTIER



PROPOSED REGULATIONS FOR BILINGUAL/BICULTURAL  
EDUCATION IN ALASKA

4 AAC 34.010 is amended to read as follows:

4 AAC 34.010 PURPOSE. The purpose of this chapter is to encourage and assist school districts, in cooperation with local communities, to meet the special needs of children of limited English speaking ability. The department believes that providing equal educational opportunity to these children through the establishment of bilingual/bicultural programs of education will provide more effective use of both English and the student's language, foster more successful secondary and higher education careers, facilitate the obtaining of employment, tend to bring about an end to the depreciation of local culture elements and values by the schools, stimulate better communication between the community and the schools in solving educational problems, effect a positive student self image, allow genuine options for all students in choosing a way of life, and facilitate more harmonious relationships between the student's culture and the mainstream of society. (Eff. 12/29/76, Register 60; am / / , Register )

Authority: AS 14.07.060  
AS 14.30.410

4 AAC 34.030 is amended to read:

4 AAC 34.030 GRANT APPLICATION. The commissioner may award grants to school districts upon applications submitted to him/her by their governing bodies. A district's application must contain the following:

- (1) an assessment of the bilingual/bicultural education needs of students in the district conducted in accordance with the provisions of sec. 50 of this chapter;
- (2) a bilingual/bicultural education program which meets the requirements of secs. 55 through 80 of this chapter and which assures that:

(A) the governing body has a statement of philosophy consistent with the bilingual/bicultural education philosophy expressed in sec. 10 of this chapter;

(B) there are comprehensive program objectives in measurable terms for each component of a program;

(C) to the extent possible, all programs offered by the district and all sources of funds available for bilingual/bicultural education will be coordinated;

(D) there is a budget consistent with program specifications and requirements. (Eff. 12/29/76, Register 60; am / / , Register )

Authority: AS 14.07.060  
AS 14.30.410

4 AAC 34 is amended by adding new sections to read:

4 AAC 34.050 IDENTIFICATION AND ASSESSMENT OF LANGUAGE DOMINANCE. (a)

Before December 1, 1977, each school district shall carry out an identification and assessment of language dominance for the purpose of categorizing each student in the district in one of the following:

<u>Category</u>	<u>Definition</u>
A	students who speak a non-English language exclusively;
B	students who speak mostly a non-English language, but also speak some English;
C	students who speak a non-English language and English with equal ease;
D	students who speak mostly English but also speak a non-English language;
E	students who speak English exclusively but whose manner of speaking reflects the grammatical structure of another language;
F	students who speak English exclusively but do not fit category E.

(b) Following the ~~initial~~ assessment made under (a) of this section, districts shall identify and assess all students new to the district within 30 days of their enrollment in school.

(c) The identification and assessment process under (a) and (b) of this section shall consist of the following:

(1) informing parents through workshops, public meetings or public announcements of the purpose and importance of both the assessment procedure and the development of bilingual/bicultural programs and of the necessity for complete and accurate data on the parent questionnaire, and how to complete the questionnaire which they will be asked to complete.

(2) selecting qualified persons to administer the assessment instruments and evaluate the results and orienting or training these persons;

(3) providing a parent questionnaire, reviewed and accepted by the department, to the parents or guardians of each student and assuring that the questionnaire is completed and returned. For the purpose of determining which students are clearly category F and do not require further assessment, the parent questionnaire should be reviewed by one or more of the student's regular classroom teachers, as determined by the school principal. If the responses on the parent questionnaire indicate that the student is category F and the reviewing teacher or teachers agree that the child is not in categories A through E, the district may identify that student as being in category F and need not carry out the remaining steps of the assessment process as to that student;

(4) using a language observation questionnaire, reviewed and accepted by the department, for all students not initially identified as being category F. Based on the results of this instrument and the parent questionnaire, a student shall be tentatively identified as being in one of the six categories set out in <sup>(a)</sup>(b) of this section;

(5) administering a language assessment instrument, which has been reviewed and accepted by the department, to all students tentatively identified under (4) of this subsection as being in categories A through D. Following administration of this instrument, the student shall be identified as being in that category which reflects the least degree of English facility as established by the three assessment instruments;

(6) reviewing the results of the parent questionnaire and language observation questionnaire for those students tentatively identified under (4) of this subsection as being in categories E and F and modifying those results as necessary with systematic or prior observation by the staff of the students' school and identifying those students as being in either category E or F.

(d) Each district shall submit to the department, no later than December 1, 1977 for the initial assessment required under (a) of this section and by November 1 of each subsequent year, a compilation and analysis of its assessment data.

4 AAC 34.055 ANNUAL PLAN OF SERVICE. (a) Each district with a school attended by eight or more students who speak the same non-English language and for whom a bilingual/bicultural education program is required under (e) of this section shall file with the department, by March 15 of each school year, a bilingual/bicultural plan of educational service which complies with the provisions of secs. 60 through 80 of this chapter.

(b) The plan of service required under (a) of this section must contain the following:

- (1) a parent community involvement component;
- (2) a curriculum/instructional component;
- (3) a materials development component;
- (4) a staff development component;
- (5) a description of the district's process for implementing and coordinating the plan of service;
- (6) an evaluation component.

(c) A district may request variances from the bilingual/bicultural education program requirements set out in secs. 60 through 80 of this chapter. In the exercise of his/her discretion, the commissioner may grant a requested variance upon a showing by the district of program feasibility and that the proposal promises to provide equal educational opportunity.

(d) Upon filing of a plan of service, the department will review it and either approve it or return it for necessary modifications within 60 days of its receipt. Upon approval by the department the district shall implement its plan.

(e) Appropriate bilingual/bicultural education programs must be provided to the following students:

- (1) all students in categories A and B;
- (2) those students in categories C, D and E who are achieving at or below:
  - (A) minus one standard deviation on a normed test; or
  - (B) one year below grade level as measured by the district's ongoing student achievement testing program.

(f) A district may, at its option, provide bilingual/bicultural education programs to students who are not included in (e) of this section.

(g) A district may meet the educational needs of category E students described in (e)(2) of this section through non-bilingual programs of instruction which it provides generally to its underachieving students. However, the plan of service required by this section must identify and describe those programs.

(h) Districts may comply with the requirements of secs. 60 through 80 of this chapter by a phased-in process designed to accomplish full implementation of those requirements by the end of the 1978-1979 school year. The phase-in must at least meet the following time frames:

(1) initiation of appropriate community involvement activities under sec. 60 of this chapter by the end of the first semester of the 1977-1978 school year:

(2) significant progress toward establishing appropriate curricula under sec. 65 of this chapter, with particular emphasis on providing programs to students in categories A and B, identifying instructional materials necessary under sec. 70 of this chapter, and recruitment and training of instructional staff under sec. 75 of this chapter by the close of the 1977-78 school year; and

(3) submission of the district's initial plan of service under this section by March 15, 1978.

4 AAC 34.060 PARENT AND COMMUNITY INVOLVEMENT. (a) Districts shall provide for the direct involvement of the parents of bilingual/bicultural students and other members of the community in the initial development and subsequent evaluation and improvement of the program, including providing sufficient information and allowing adequate time for the parents to review and discuss all aspects of the program with responsible district personnel.

(b) Districts shall conduct an informational program for parents of students and other members of the community in each language group for which a bilingual/bicultural program is or will be conducted. This program includes notices in appropriate media and languages as well as community meetings where feasible.

4 AAC 34.065 CURRICULUM/INSTRUCTIONAL PROGRAM. (a) Unless a variance has been approved by the commissioner under sec. 55(b) of this chapter, the bilingual/bicultural curriculum of the district must include, for each category of student for whom a program must be provided under (e) of sec. 55 of this chapter, one or more of the following options:

- (1) Category A and B students at the primary and intermediate level:
  - (A) a bilingual/bicultural curriculum; or
  - (B) a transitional bilingual/bicultural education curriculum;
- (2) Category A and B students at the secondary level:
  - (A) a bilingual/bicultural curriculum;
  - (B) a transitional bilingual/bicultural education curriculum;
  - (C) a high intensity language training curriculum;
- (3) category C and D students at all levels:
  - (A) a bilingual/bicultural curriculum;
  - (B) an English as a second language curriculum;
  - (C) a supplemental English skill and concept development curriculum;
  - (D) a non-English as a second language curriculum;
- (4) category E students at all levels:
  - (A) an English as a second language curriculum;
  - (B) a supplemental English skill and concept development curriculum;
  - (C) a non-English as a second language curriculum.

(b) The district plan must also provide a process for re-evaluating the needs of each student in the bilingual/bicultural program on an on-going basis with re-assignment to another curriculum or individualizing of instruction occurring as necessary to assure appropriate educational services.

(c) At the request of a student's parent or guardian and if the requested alternative program is reasonably available, the district shall place the student in its regular program for non-bilingual students or in a level of the bilingual program with less non-English emphasis than that called for by the student's assessment category.

(d) In schools with fewer than eight students in one or more of the categories A through E, for whom a program must be provided under (e) of sec. 55 of this chapter, districts shall either provide those students with a curriculum as set out in (a)

of this section or it shall individually meet the needs of each of those students by means of one-to-one tutoring and assistance.

(e) As used in this section:

(1) A "bilingual/bicultural curriculum" means a program of instruction which makes use of a student's non-English language and cultural factors and maintains and develops the student's skills in that language and culture. Additionally, it introduces, develops and maintains all the necessary English skills for the student to function successfully in English. The non-English instruction may vary from being in the non-English language arts to being in all discipline areas, with the appropriate combination of non-English and English instruction determined by the district in conjunction with the parents of its bilingual students.

(2) A "transitional bilingual/bicultural education curriculum" means a program of instruction which makes use of a student's non-English language and cultural factors in instruction only until the student is fully functional in English. Once this occurs, further instruction in the non-English language is discontinued. Until the student is fully functional in English, instruction in the language arts of the non-English language is provided, and English is taught as a second language.

(3) An "English as a second language curriculum" means a program of instruction which teaches English as a second language, has culturally relevant material in its curriculum, and provides instruction in other subject matter in English.

(4) A "high intensity language training curriculum" means a program of instruction which gives a student intensive instruction in English until that student is fully functional in English, with the student working exclusively on acquisition of English language skills. Following acquisition of those skills, the student is phased into the same curriculum as that provided to the district's non-bilingual students.

(5) A "supplemental English skill and concept development curriculum" means a program of instruction in which the instructional content and methods address the language interference needs of students by appropriate supplementing of the curriculum provided to the district's non-bilingual students.

(6) A "non-English as a second language curriculum" means a program of instruction which teaches the student's non-English language as a second language. At the primary level emphasis is on oral language skill development. At the intermediate and secondary levels, language literacy instruction would begin after oral skills are learned. Instruction in other subject matter is conducted in English. At all levels, a special effort is made to maximally incorporate the student's non-English culture into the curriculum. (Eff. / / , Register )

Authority: AS 14.07.060  
AS 14.30.410

4 AAC 34.070 MATERIALS. (a) <sup>A</sup> district shall provide adequate instructional materials to support and achieve the goals of the instructional programs selected under sec. 65 of this chapter.

(b) If adequate materials are not available, the district shall establish an action plan for developing or otherwise securing needed materials. The district plan should involve classroom teachers, individuals who are native to the non-English language and culture for which the materials are to be developed and linguists in the development and review of materials so as to assure that the materials are educationally and linguistically sound and that they are an accurate reflection of the appropriate language and culture.

4 AAC 34.075 INSTRUCTIONAL STAFF. (a) Districts shall insure that the skills of their instructional staff are commensurate with the type of programs selected.

(b) If regularly certificated (Type A) teachers who are appropriately bilingual cannot be obtained, bilingual instructors may be used to implement the program. However, if bilingual instructors are used:

(1) the district shall implement an action plan to train or otherwise secure certificated (Type A) teachers who are bilingual in the non-English languages for which the district offers its program; and

(2) the district shall assure that the salaries of its bilingual instructors are commensurate with the level of responsibilities and duties performed by them.

(c) Nothing in (b) of this section limits a district's authority to require, as a condition of continued employment, that a bilingual instructor enter into a formal program of training which leads to a Type A certificate.

(d) Each district shall develop a staff training plan for all bilingual program instructional personnel, both permanent and temporary, which includes, but is not necessarily limited to, the following:

- (1) objectives which are directly related to the needs of the students;
- (2) methods by which those objectives can be reached;
- (3) methods for selecting teachers, paraprofessionals, and potential teachers for training;
- (4) the names of individuals who will conduct training;
- (5) the location of the training;
- (6) content of the training, including as one element linguistic/cultural familiarity with the students' background;
- (7) a design for evaluating the training; and
- (8) a proposed time frame for carrying out the training plan.

(e) As part of the plan of service required under sec. 55 of this chapter, each district shall set out specific recruitment and selection processes for its bilingual program staff and shall establish, through cooperative agreements with institutions of higher education, a career ladder for its bilingual paraprofessionals which leads to regular (Type A) certification. The district shall encourage its paraprofessionals to pursue this career ladder by providing a progressive salary schedule which reflects their training and experience.

(f) The student to staff ratio for the district's bilingual program may not be higher than the overall student to staff ratio for the district. However, unless approved by the commissioner, each school in a district must have at least one regularly certificated (Type A) staff member. (Eff. / / , Register )

Authority: AS 14.07.060  
AS 14.30.410

4 AAC 34.080 EVALUATION. Each district shall establish a procedure for evaluating annually the components of its bilingual/bicultural education program as set out in its annual plan of service. This procedure shall include, but not necessarily be limited to, collecting information concerning the progress of students enrolled in the program. (Eff. / / , Register )

Authority: AS 14.07.060  
AS 14.30.410

PROPOSED AMENDMENT TO INCLUDE BILINGUAL/BICULTURAL EDUCATION  
IN THE PUBLIC SCHOOL FOUNDATION FORMULA 8/17/77

It is proposed that Alaska statute 14.17.041 be amended by adding a new subsection (e) as follows:

(e) Bilingual education schedule:

ADM Full-Time Equivalent	No. Instructional Units
1 - 8	1
9 - 15	2
16 - 24	3
25 - 35	4
36 and over	4 plus 1 for each 11 pupils or fraction of 11 pupils in Full-Time Equivalent ADM

As a corresponding measure the following insertion should be made in Alaska Statute 14.17.031 (a):

( ) the number of units from bilingual education determined from sec. 41(e) of this chapter as approved by the department.

# Actions - State Board of Education - June 28, 1977

4.

(9) Malcolm Roberts moved and Thelma Langdon seconded the motion to request a postponement of the Administrative Hearings of the Bilingual proceedings which were initiated by the Office of Civil Rights of the Department of Health, Education and Welfare to a date no sooner than December 1, 1977.

Note: This motion was amended by telephone on July 5, 1977 to change the date. It now reads: "to request a postponement of the Administrative Hearings of the Bilingual proceedings which were initiated by the Office of Civil Rights of the Department of Health, Education and Welfare to a date no sooner than October 31, 1977."

(10) Beverly Horn moved and Malcolm Roberts seconded the motion to request through the proper authorities that the funds which have been deferred be released until after the Administrative Hearing. Motion carried.

\* (11) Thelma Langdon moved and Darwin Heine seconded the motion to request the Department of Education to move immediately in conjunction with the districts to carry out Bilingual-Bicultural student assessments in accordance with the process developed in cooperation with the Office of Civil Rights of the Department of Health, Education and Welfare. Motion carried.

\* (12) Darwin Heine moved and Beverly Horn seconded the motion that the Department of Education be directed to develop as soon as possible, based on the best data available from the districts, a formula under the Foundation program designed to provide adequate support for Bilingual-Bicultural programs in the state. Motion carried.

June 29

(13) Thelma Langdon moved and Darwin Heine seconded the motion that the State Board of Education reappoint Marshall L. Lind as Commissioner of Education for a period of one year, through August 15, 1978. Motion carried.

(14) Thelma Langdon moved and Beverly Horn seconded the motion to adopt the task force recommendation that there be no change in current practice, that the Department of Education should explore further the matter of private school certification. Motion carried.

(15) Thelma Langdon moved and Darwin Heine seconded the motion that the Commissioner be instructed to appoint a certification working standards committee to develop certification standards for Alaska. The committee should consist of at least seven members, with the following representation: 1 administrator, 1 school board member, 1 elementary teacher, 1 secondary teacher, 1 lay person (PTA), 1 from higher education, and 1 Commissioner's representative. Motion carried.

(16) Malcolm Roberts moved and Thelma Langdon seconded the motion that the State Board of Education request the Department of Education to promulgate regulations to eliminate subject matter endorsements, and that certificates only specify level of

EXCERPTS ON OCR -- from Minutes of State Board of Education Meetings

March 24 & 25, 1977:

• Steve Hole briefed the State Board on the history of Alaska's involvement with the Office of Civil Rights, specifically the Lau vs. Nichols case. He brought them up-to-date through January 19, 1977, when we did receive a letter from the Office of Civil Rights stating that the 21 districts had been found in presumptive noncompliance, and that deferral of funds was being recommended. He mentioned that this then touched off a 60 day negotiation period, which we are now in, and as part of this negotiation there is an administrative hearing process taking place. The next part of the hearing process is March 22. Ms. Madden mentioned that if the state's voluntary plan for compliance with the Lau decision is accepted, then the administrative hearing process will cease. Mr. Hole pointed out that basically the Office of Civil Rights seems to be requiring higher standards for us than they have for single districts. It is our belief that they're trying to make the state subscribe to especially tough standards because they are moving against the state instead of a single district. He said that ironically those funds which could be withheld if the administrative hearing process does not end favorably in a settlement, not negotiated, would include bilingual and Civil Rights monies. Alaska is one of the few states in the nation that does have a state-mandated bilingual education program.

May 5 & 6, 1977:

• Malcolm Roberts expressed his concern about the Civil Rights issue, and said that every action on the part of the State Board and the Department of Education indicates they are totally dedicated to trying to improve civil rights and bilingual and bicultural education. Mr. Roberts also commented that the Department and the state's school districts were being "shoved and pushed around" too much.

• Commissioner Lind reported that he and Sylvia Carlsson, Special Assistant to the Commissioner for Minority Affairs, had given their depositions to the Office of Civil Rights in regard to presumptive noncompliance of Title VI. Dr. Lind felt that too much time had been spent on this subject, and if the districts were given the option of complying with the detailed requirements OCR is proposing, or losing federal funding, they would probably forego the federal monies.

Malcolm Roberts felt that a resolution should be drawn up in support of the Department's and the State Board's position. He felt that a small group of people are trying to run education in Alaska, rather than those who should, and that this group is hurting the cause to which the Department and the State Board are dedicated.

June 28 & 29, 1977:

(12) Darwin Heine moved and Beverly Horn seconded the motion that the Department of Education be directed to develop as soon as possible, based on the best data available from the districts, a formula under the Foundation program designed to provide adequate support for Bilingual-Bicultural programs in the state. Motion carried.

Chronology of Events: Title VI Lau Review  
Involving Unorganized Borough Schools

1. January 1975: OCR investigation on Lau issues begins in Alaska State-operated school system.
2. March 1976: OCR issues findings of Title VI Lau noncompliance to Alaska Unorganized Borough School District (transitional successor to ASOSS).
3. April 1976: OCR, DOE, and AUBSD officials meet to discuss how to resolve the March findings. Agreement reached that State DOE will take lead responsibility to provide guidance to REAA districts.
4. May 1976: State Board of Education directs DOE to establish minimum guidelines for bilingual education for Alaska school districts.
5. June 1976: OCR and DOE meet to discuss what elements should be addressed in State Lau guidelines plan.
6. June 1976: DOE meets with REAA superintendents to inform them that DOE will be undertaking the lead responsibility to develop State guidelines on Lau/bilingual matters.
7. September 1976: OCR sends letter to DOE explaining why OCR is looking to DOE as agency with lead responsibility for providing compliance plan to resolve the March findings. (Attached.)
8. November 1976: DOE sends in its first Lau compliance plan. OCR meets with DOE and explains OCR written analysis determining the plan unacceptable. (Written OCR analysis attached.)
9. December 1976: DOE sends in a draft revised Lau plan.
10. January 1977: OCR provides oral and written analysis of December draft plan, determining it unacceptable. (Written OCR analysis attached.)

11. February 1977: OCR initiates fund termination proceeding under Section 602 of 1964 Civil Rights Act. Named respondents include all REAA districts and State DOE. (Notice of Opportunity for Hearing attached.)
12. March 1977: DOE submits to OCR its third Lau compliance plan.
13. April 1977: OCR determines the March 1977 DOE plan unacceptable. (OCR analysis attached.) DOE, OCR, and Alaska Legal Services agree on new scenario for development of State minimum guidelines "handbook".
14. June 1977: Acceptable "handbook" negotiated, and submitted and explained to REAA staff.
15. July 1977: Process of public input initiated. Title VI enforcement hearing postponed to October 31, 1977. (Stipulation postponing hearing attached.)

## BACKGROUND INFORMATION

## CHRONOLOGY OF EVENTS RELATING TO THE CURRENT NEGOTIATIONS BETWEEN THE ALASKAN SCHOOL DISTRICTS AND ALASKA DEPARTMENT OF EDUCATION, AND THE FEDERAL OFFICE FOR CIVIL RIGHTS

1964: Title VI, Civil Rights Act enacted on federal level

1965: Bilingual Education Act, enacted on federal level

1972: Alaska state legislature passed law calling for the establishment of bilingual education programs in those schools of the State-Operated-Schools-System with 15 or more students of limited English-speaking ability.

1974: The U.S. Supreme Court ruled in *Lau v. Nichols* that schools must provide equal educational opportunity for those students whose primary language is other than English.

January, 1975: The U.S. Department of Health, Education and Welfare Office for Civil Rights (OCR) sent forms to three school systems in Alaska: Alaska State-Operated-Schools System, Anchorage School District and North Star Borough School district (Fairbanks). The three districts were selected at random by OCR.

The forms were to determine whether there were any compliance problems with the Civil Rights Act of 1964 in any of the districts; more specifically, the forms required the districts to show how many students covered by the *Lau* decision were being served in each district and how those students were being served.

Spring, 1975: Alaska State-Operated-Schools submitted data to (OCR).

June, 1975: Alaska Senate Bill 35, decentralizing the Alaska-State-Operated-School System, was signed into law. The ASOSS was abolished and in its place was created a one-year interim school district known as the Alaska Unorganized Borough School District (AUBSD). The district was to function only until July 1, 1976, when the new districts were to take over.

The legislation also changed the state's bilingual education law, calling for bilingual-bicultural education programs in those schools with eight or more students of limited English-speaking ability.

August, 1975: OCR-Region X, in Seattle, requested additional information regarding data submitted

by ASOSS on the form. At this point, however, ASOSS was no longer existing and had been replaced by a new governing body, a new administration and the new organization known as AUBSD. That administration submitted information about the transition being caused by Alaska Senate Bill 35 and, in particular, about the interim function of AUBSD.

Summer, 1975: The OCR convened a national task force to specify remedies to eliminate educational practices ruled unlawful under the Lau decision. The result was a set of minimum guidelines labeled the "Lau remedies."

January, 1976: AUBSD was notified by OCR-Region X that it had been found in "presumptive noncompliance" with Title VI of the Civil Rights Act of 1964. More specifically, according to OCR, ASOSS/AUBSD had failed to serve its students who had language problems. The finding by OCR was based on an analysis of the data submitted by the now defunct organization ASOSS.

February, 1976: AUBSD submitted arguments to OCR-Region X that it did not have the authority, resources, personnel, funding or time left, given its six remaining months of existence, to answer the changes as outlined in the finding of presumptive noncompliance.

March, 1976: AUBSD was notified that it had been found in noncompliance with Title VI of the Civil Rights Act of 1964; that it must take action to remedy the earlier-stated problems – more specifically, it must assess students, develop educational plans, obtain approval from OCR of plans and impose plans upon the new districts taking over on July 1. OCR stated that failure to comply would result in a withdrawal of federal funds from AUBSD and the new districts.

April, 1976: At the request of AUBSD, representatives from AUBSD, the Alaska Department of Education (DOE), University of Alaska and OCR met in Juneau. DOE agreed to assume a leadership role in resolving the issue, if that action met with the approval of the State Board of Education.

May, 1976: The State Board of Education approved a resolution stating that DOE would enter into negotiations with OCR in behalf of all school districts in the states, in the matters pertaining to compliance with Title VI of the Civil Rights Act of 1964. In particular, the board directed the department to:

- (1) identify and assess the primary or home language of the state's students;
- (2) develop minimal guidelines for use by all school districts;
- (3) prepare a time schedule of events for the assessment, development and implementation of a plan

July, 1976; AUBSD was ended and 21 new school districts formed in its place, each guided by a locally elected district school board.

September, 1976: OCR notified DOE that it would have to submit a comprehensive educational plan detailing (1) assessment of students; (2) programs to remedy needs of children with linguistic problems; (3) staffing; (4) funding resources. In effect, the plan on which DOE was working shifted from being a set of guidelines for bilingual education programs to being a compliance document.

November, 1976: DOE submitted its first plan to OCR. It was rejected by OCR. With its rejection of the first plan, OCR also put into action the mechanism for deferring federal funds and notified the 21 districts of that action.

December, 1976: DOE's second plan was submitted to OCR.

January, 1977: OCR found the second plan unacceptable.

February, 1977: OCR notified the districts that a deferral on application for federal funds was being placed on them.

March, 1977: DOE submitted another plan to OCR.

The General Counsel of the U.S. Department of Health, Education and Welfare notified the districts of the official deferral of federal funds, under Title VI of the Civil Rights Act.

The deferral of federal funds led to the initiation of a federal administrative hearing process. The process began with a prehearing conference on March 22. It was attended by attorneys for the districts still involved in litigation, the DOE attorney and legal representatives for OCR.

April, 1977: DOE was notified that its third plan was unacceptable.

DOE requested the assistance of the Center for Equal Opportunity in Education to develop the next version of the plan. Negotiations between DOE, the Center and OCR resulted in the

development of the handbook entitled "A Handbook for Bilingual-Bicultural Education Programs in Alaska."

The administrative hearing was rescheduled for July 20, 1977.

June, 1977: OCR and DOE reached agreement on a plan for compliance. The plan contains three parts: 1) the handbook, to be adopted by the State Board of Education as regulation and used by the state's 51 school districts in resolving noncompliance issues; 2) the DOE management plan spelling out how the handbook will be implemented; 3) a memorandum of agreement between DOE and OCR on the handbook and the management portion of the process. All three parts of the plan have to be ratified by the State Board of Education.

June 27, 1977: The State Board of Education directed the Department to ask for public input on the plan by promulgating a regulation calling for the adoption of the handbook as state regulation. The Board also directed the Department to go ahead with language assessment activities and a cost analysis of full implementation of the plan.

The Board also requested from OCR a postponement of the administrative hearing then scheduled for July 20, asking that the hearing be postponed until no earlier than October 31.

OCR also made public that the Anchorage school district has been found in noncompliance with the Lau remedies. At stake are approximately \$3.5 million in federal funds.

Also, in June, 1977, the OCR found the North Star Borough School District (Fairbanks) in noncompliance with the Lau remedies. At stake are some \$400,000 in federal funds.

The administrative hearing is now set for October 31, 1977. Public hearings on the handbook began August 24 and continue through October 5. Content of the memorandum of agreement and the management plan is being negotiated, with presentation of both documents scheduled for an October meeting of the state board of education. At the same meeting the results of the public testimony on the compliance handbook will also be presented.

FEDERAL FUNDS RECEIVED BY DISTRICTS INVOLVED IN TITLE VI NON-COMPLIANCE PROCEEDING

SCHOOL DISTRICT	PL 874	TITLE IVC ESEA	VOC ED HDCP	TITLE IVB ESEA	PL 89-313	TITLE I ESEA	INDIAN ED	TITLE VIB EHA	TITLE VII ESEA FY 77	TOTAL
Alaska Gateway	384,506.07			4,613	49,843	51,657	33,931	- 0 -	63,853	588,403
Aleutian Chain	161,929.76			2,046	21,166	31,804	37,470		35,000	289,416
Bering Strait	741,850.24			4,783	29,360	155,883	77,230		136,000	1,145,106
Copper River	350,771.09	31,800	31,600	1,363	62,817	14,740	26,218			519,309
Delta-Greely	1,000,625.95			1,371	114,025	12,785	9,159			1,137,966
Iditarod	424,590.25	17,000	48,000	2,854	11,607	55,009	46,005			605,065
Kuspuk	640,224.60			3,518	18,435	72,246	69,944			804,368
Lake & Peninsula	620,090.10			2,142	33,456	40,629	65,989			762,306
Lower Kuskokwim	2,002,661.48			11,413	107,880	553,622	281,026			1,890,151
Lower Yukon	1,388,229.75			5,846	101,735	241,546	152,794			1,890,151
Northwest Arctic	1,921,711.82			3,884	122,900	206,768	262,915			2,518,179
Pribilofs	455,522.50			1,268	16,387		37,470			510,647
Southwest Region	1,287,183.54			5,329	68,961	102,831	104,291		108,128	1,676,724
Upper Railbelt	361,898.66			2,271	18,435		5,381			387,986
Yukon Flats	421,674.50			3,452	22,532	64,218	38,362		118,436	668,674
Yukon Koyukuk	1,266,452.61			5,791	57,355	75,471	122,194			1,527,264
<b>TOTALS</b>	<b>13,429,922.92</b>	<b>48,800</b>	<b>79,600</b>	<b>61,944</b>	<b>856,894</b>	<b>1,679,209</b>	<b>1,370,379</b>	<b>- 0 -</b>	<b>461,417</b>	<b>17,988,166</b>

7.

SCHEDULE OF HEARINGS ON PROPOSED REGULATION: BILINGUAL-BICULTURAL EDUC.

- August 9: Informational, Nake & Peninsula (Naknek)
- August 12,13: Informational, Cold Bay
- August 15: Informational, Alaska Central Railbelt
- August 18: Lower kuskokwim, Bethel (1:30, City Council Chambers
- August 24: Formal, Anchorage (4600 De Barr, 7:30 pm)
- August 24: Formal, Juneau (6th Floor, SOB, 1:30 pm)
- August 25: Formal, Fairbanks (Main Building, Room 103, 9th & Cushman ,  
7:30 pm
- August 25: Formal, Ketchikan (District Board Room, 7:30 pm)
- August 30: Informational, Noorvik (Northwest Arctic)
- September 6: Informational, Delta/Greely
- September 8: Informational, Alaska Gateway, Tok
- September 19: Formal, Bethel (Music Room, Highschool, 7:30 pm)
- September 21: Formal, Fairbanks (same location as above, 7:30 pm)
- September 21: Formal, Nome (New Wing, Elem. School, 7:30 pm)
- September 28: Formal, Kotzebue (Board Room, 7:30 pm)
- October 3: Formal, Dillingham (Youth Center, 7:30 pm)
- October 5: Formal, Soldotna (Borough Assembly, 7:30 pm)

NEA-ALASKA POSITION PAPER ON  
PROPOSED BILINGUAL/BICULTURAL REGULATIONS

INTRODUCTION

NEA-Alaska has for some time supported the concept of bilingual/multicultural education. Since 1969, at the national level, and 1975, at the state level, NEA-Alaska members have had resolutions officially backing the concept of equal educational opportunity for bilingual students. Consistent with this long-standing record of support, NEA-Alaska makes the following constructive comments and counter-proposals on the Department of Education's proposed Bilingual/Bicultural Regulations (4AAC 34.060) and related Handbook for Bilingual/Bicultural Education Programs in Alaska.

NEA-Alaska believes that the underlying goal of these Department regulations must be to assure that Alaskan school children are functional in English. This is not to say, however, that students who are initially non-English speakers (categories A and B) are to be made into monolingual English speakers. Instead, the goal should be to enable students to totally function in either their original language and culture, or English. Whether those students who are already bilingual (category C) or dominant in English (category D, E, or F) should be taught a non-English language or in a non-English language is a district and individual parent option. Requiring non-English instruction for such students (categories C, D, E and F), should not be mandated by State Regulations.

Because Alaskan school districts are so varied in the lingual and cultural backgrounds of their students, NEA-Alaska believes it is essential that State Department regulations be written to apply to all non-English situations existing in Alaskan school districts -- not just to those non-English languages indigenous to the State.

Furthermore, the diversity of Alaskan districts means the type of bilingual/multicultural curriculum appropriate to a district may well vary. Thus, there should be a variety of general curriculum types from which a district may select one or more appropriate to its unique needs.

For consistency in enforcement and clarity in understanding, NEA-Alaska believes that the bilingual/bicultural regulations, as well as all other Department regulations, should be written in a concise, straight-forward manner. Discussions dealing with underlying, philosophy and rationale are not appropriate as regulations and should not be included as part of them. With such a thought in mind, we propose the following bilingual/multicultural regulations.

COUNTER-PROPOSAL

ASSESSMENT

\* Each school district in the State shall conduct a student assessment prior to May 31, 1977 of all its students so as to categorize each one as either:

<u>Category</u>	<u>Definition</u>
# A	The student speaks a non-English language exclusively.
# B	The student speaks mostly a non-English language, but does speak some English.
# C	The student speaks a non-English language and English with equal ease.
# D	The student speaks mostly English, but, does speak some non-English.
# E	The student speaks English exclusively although he/she either first learned a non-English language or a non-English language is spoken most often in his/her home.
# F	The student speaks English exclusively but does not fit category E.

- \* Subsequent to May 31, 1977, each district shall assess all students new to the district upon enrollment.
- \* Each district's assessment plan for categorizing students shall use the parent questionnaire below; the language observation questionnaire below; and a validated language assessment instrument which will appropriately categorize students initially identified as potential category A, B, C, D, or E students by the parent or language observation questionnaires.

PARENT QUESTIONNAIRE

Please fill out this paper and return it to school as soon as you can.  
 If you have any questions about filling out this form, please return the signed form to school and someone will come to your home.

A. Child's Name \_\_\_\_\_ Age \_\_\_\_\_ Grade \_\_\_\_\_  
 B. Parent's Name \_\_\_\_\_  
 C. Address \_\_\_\_\_

Part I

1. Do you speak any language other than English?  Yes  No  
 If yes, please tell us what languages you speak.  
 \_\_\_\_\_
2. Do you speak any language other than English to your child?  Yes  No  
 If yes, please tell us what languages you use.  
 \_\_\_\_\_
3. What was the first language your child learned? \_\_\_\_\_

Part II

- If you speak a language other than English, please fill out this part.
1. When your child speaks to you he/she uses:
    - \_\_\_\_\_ English only
    - \_\_\_\_\_ mostly English and some other language
    - \_\_\_\_\_ English and the other language equally
    - \_\_\_\_\_ mostly the other language and some English
    - \_\_\_\_\_ only the other language
  2. When your child speaks to his/her friends, he/she uses:
    - \_\_\_\_\_ English only
    - \_\_\_\_\_ mostly English and some other language
    - \_\_\_\_\_ English and the other language equally
    - \_\_\_\_\_ mostly the other language and some English
    - \_\_\_\_\_ only the other language

Comments \_\_\_\_\_  
 \_\_\_\_\_

Please have your child return this to school by \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

LANGUAGE OBSERVATION QUESTIONNAIRE

To be filled out by one of the following: (Please check)

- \_\_\_\_\_ Bilingual Teacher
- \_\_\_\_\_ Bilingual Paraprofessional
- \_\_\_\_\_ Bilingual Resident not a Paraprofessional

Grade \_\_\_\_\_ Child's Name \_\_\_\_\_  
 Age \_\_\_\_\_ School \_\_\_\_\_

1. Does the child ever use a language other than English?  Yes  No  
 What language is it? \_\_\_\_\_
2. What language does the child usually speak when involved in non-school activities? \_\_\_\_\_
3. What language does the child use when speaking with friends? \_\_\_\_\_
4. What is the language used by adults in the home? (Check one)  
 \_\_\_\_\_ English \_\_\_\_\_ Other \_\_\_\_\_ Both at once
5. Does the child speak English? (Check one)  Yes  No

Comments \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

- \* Each district shall inform parents through workshops, public meetings, or public announcements of the purpose and importance of the entire assessment procedure, post-assessment programs, and complete and accurate data on the parent questionnaire, as well as how to complete the questionnaire.
- \* Each district shall select qualified bilingual persons to administer the assessment tools and orient or train these people.
- \* Each district shall forward to the Department of Education compilation and analysis of all assessment data.

#### BILINGUAL/MULTICULTURAL PLANS

- \* Each district will provide all students within it with instruction in and familiarity with the cultures of all other students in the State, with particular emphasis on those cultures present within the district.
- \* Each district with a school attended by eight (8) or more students with the same non-English language and in any one of the student categories A to E, or any combination of those five (5) categories shall, file with the Department of Education, no later than March 15 of each school year, a bilingual/multicultural plan of educational service. The district's plan of service must:

#### COMMUNITY INVOLVEMENT

- # provide for the involvement of the parents of program students in the development of the program, allowing adequate time and information for the parents to review, and discuss with responsible district personnel, all aspects of the program. In a district in which several non-English language programs are functioning, parents will be involved in developing only their children's program.
- # provide for the district to conduct an informational program for parents of each language group for which a bilingual program will be conducted. Such an informational program will include notices in all appropriate media as well as community meetings where feasible.

#### CURRICULUM

- # The district's plan should provide a curriculum which reflects the lingual/cultural background and tradition of its students. Such a curriculum shall include, for each category of student, one or more of the options described below unless a variance is obtained.
  - o For its category A and B students:
    - District options are to provide its primary (K-3) and intermediate (4-8) students either a bilingual/bicultural curriculum or a transitional-bilingual-education curriculum. (See definitions below.) If the TBE curriculum is selected, the district must show that each student is ready to make the transition into English and will succeed in the educational program in which he/she

is placed. (The district must be sure not to prematurely place the linguistically/culturally different student who is not ready to participate effectively in an English-language curriculum in such.)

- District options are to provide its secondary (7-12) students, either: a bilingual/bicultural curriculum, a transitional-bilingual-education curriculum, an English-as-a-second-language curriculum, or a high-intensity-language-training curriculum. (See definitions below.) All secondary curricula must be to assure the maximum possible involvement of the student in the regular school program as soon as possible.

Category B secondary students should not be placed in instructional situations in which instruction is exclusively in non-English unless they have the necessary prerequisite skills of the non-English language (such as, possibly, literacy). If a student lacks the necessary prerequisite skills for non-English instruction in a course, he/she should be provided those skills before taking the course.

- o For category C and D students: district options are to provide either a bilingual/bicultural curriculum; an English-as-a-second-language curriculum; a supplemental English skill and concept-development curriculum, in which instructional content and methods address the language interference needs of students; or a non-English-as-a-second-language curriculum. (See definitions below.)
- o For category E students: district options are to provide either an English-as-a-second-language curriculum; a supplemental English skill and concept-development curriculum, in which instructional content and methods address the language interference needs of students; or a non-English-as-a-second-language curriculum. (See definitions below.)
- o As referred to above, the following definitions hold:
  - A bilingual/bicultural curriculum (BB) uses a student's non-English language(s) and cultural factors in instruction as well as maintains and develops the student's skills in his/her non-English language(s) and culture(s). Additionally, such a curriculum introduces, develops, and maintains all the necessary English skills for the student to function successfully in English. The non-English instruction may vary from being just in the non-English language arts to being in all discipline areas. Each district, in conjunction with its bilingual students' parents, shall set an appropriate combination. The end result of a bilingual/bicultural curriculum is a student who can totally function in both (several) languages and cultures.
  - A transitional-bilingual-education curriculum (TBE) uses the student's non-English language and cultural factors

in instruction only until the student is fully functional in English. At that time further instruction in the non-English language is discontinued. During the interim, until the student becomes functional in English, instruction in the language arts of the non-English language is provided. English is taught as a foreign language, in a non-intensive manner under this curriculum.

- An English-as-a-second-language curriculum (ESL) non-intensively teaches English as a foreign language. Instruction in other subject matter is taught in English.
- A high-intensity-language-training curriculum (HILT) gives the student intensive instruction in English until he/she is fully functional in English. During this time the student exclusively works on acquisition of English language skills. Following acquisition of these skills, he/she is phased into the same curriculum other students have.
- A non-English-as-a-second-language curriculum (NSL) non-intensively teaches the non-English language as a foreign language. At the primary level emphasis is on an oral language skill development. At the intermediate and secondary levels, language literacy instruction begins after oral skills are learned. Instruction in other subject matter is taught in English. A special effort is also made to maximally incorporate the non-English culture into the curriculum.

# provide for each student's needs to be reevaluated on an on-going basis, with reassignment to another curriculum, or individualizing of instruction, occurring as necessary to assure appropriate educational services.

#### MATERIALS

# make provision to provide adequate instructional materials to achieve the program's goals. That is, the district must develop an action plan for developing the needed materials if they are not already available. Such an action plan should involve classroom teachers, people native to the culture, and linguists in the development and review of materials so as to assure that the materials are educationally and linguistically sound as well as an accurate reflection of the appropriate culture.

#### INSTRUCTIONAL STAFF

# provide that staff members implementing it are regularly certified (Type A) appropriately bilingual teachers.

# provide that, if regularly certified (Type A) appropriately bilingual teachers cannot be obtained to implement it,

- o the district shall implement an action plan to train and/or secure regularly certified (Type A) teachers who are bilingual in the non-English languages in which the district will offer its program.

- o regularly certified (Type A) teachers and skilled, non-English-speaking paraprofessionals shall implement it. In this interim arrangement the regularly certified (Type A) teacher shall have primary responsibility for the direct education of the students. He/she shall diagnose learning needs, plan instructional methodology, and initiate and deliver instructional activities. The paraprofessional, who has the language and cultural background to communicate effectively with children, shall be used to assist the teacher in these responsibilities either by working under the supervision of the teacher with a group of children or as a tutor with just one or two students. The paraprofessional should not be restricted to tasks unrelated to teaching such as checking roll, taking off children's boots, etc.

# include a staff-training plan for all instructional personnel (either permanent or interim which includes:

- o objectives directly related to students' needs
- o methods by which the objectives can be reached
- o methods for selection of teachers, paraprofessionals, and potential teachers to receive training
- o names of personnel doing the training
- o location of the training
- o content of the training. The content should provide a linguistic/cultural familiarity with the students by including topics such as:
  - the structure of the relevant language
  - the basic phonetic aspects of the language
  - the ethnology of the people of the relevant language
  - the types and uses of instructional materials in the relevant language that are available
  - effective methods of instruction for students of the relevant non-English culture
  - techniques of directing and working with bilingual paraprofessionals (for regularly certified (Type A) teachers who will be working with paraprofessionals)
  - techniques in teaching students in English who have language interference from a non-English language (required of teachers working with category C, D, or E students)
- o design for evaluation of training
- o proposed time frame

- # set forth defined, specific recruitment and selection processes for its bilingual-program staff.
  - # provide for the availability of a career ladder leading to regular (Type A) bilingual certification for all bilingual paraprofessionals through cooperative agreements with institutions of higher education. The district shall further encourage ascending this career ladder by providing a progressive, salary schedule for paraprofessionals which reflects their training and experience.
  - # assure that the student to regularly certified (Type A) teacher ratio for the program shall be no greater than the student to teacher ratio for the district. If bilingual paraprofessionals are used as part of the program, the student to bilingual paraprofessional ratio shall be no greater than 8 to 1.
- \* Upon approval by the Department, a district which has submitted a bilingual/multicultural educational plan of service shall implement that plan.
  - \* A district may request a Departmental variance from the above plan requirements. The Department will, in the exercise of its discretion, grant the variance as requested or subject to specific modifications, upon a showing of educational feasibility and effectiveness in insuring equal educational opportunity for the program students.
  - \* If there are no materials available for a district to use in implementing its plan, the district shall be granted a temporary variance from certain requirements of these regulations. In the interim, the district must concentrate on generating appropriate instructional materials as soon as possible.
  - \* Failure of the Department to fully fund a district's approved program will be a valid reason for waiving the compliance of a district with the requirements of these regulations.
  - \* Once an initial plan has been filed with the Department and approved, only necessary revisions to the plan need be subsequently filed, on an annual basis.
  - \* A student's parent may choose to have the student not participate in the district's bilingual program or participate in a level of the program with less non-English emphasis than called for by the student's assessment category.
  - \* If a district has a school with less than eight (8) students in any one or combination of the five (5) categories, A to E, the district shall individually meet each of those student's needs by means of one-on-one tutoring and assistance.
  - \* The Department of Education shall fund a district's bilingual/multicultural educational plan of service on a foundation program basis. Such funding shall be in addition to other foundation-program funding to which the district is entitled. Instructional units for bilingual/multicultural plans shall be determined, for each district, in the ratio of one unit for every eight (8) plan students.

#### LANGUAGE CENTER

- \* The State Department of Education shall establish a Language Center to aggressively

gather and disseminate educational materials in the non-English languages and cultures identified in district bilingual/multicultural plans of educational service.

- \* The materials available through the Center should not only be commercially prepared ones but also teacher/paraprofessional-made and used (proven) materials.
- \* Funding and staffing of the Language Center will be through Department of Education funds.

#### CONCLUSION

NEA-Alaska believes that the State Department of Education's proposed Bilingual/Bicultural Regulations and related handbook can and must be improved. Toward that end the above comments and proposals have been offered. Furthermore, NEA-Alaska believes that before any modifications are made or before any new regulations are proposed, there must be the active involvement of experienced classroom teachers who have worked with all categories of non-English speaking students. Only then will the final regulations reflect both the compassion and realism that all non-English speaking students need and deserve. Toward that end, we trust that you will soon be contacting us.

RECEIVED JUN 21 1976

10. ✓



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20201

OFFICE FOR CIVIL RIGHTS

TASK FORCE FINDINGS SPECIFYING REMEDIES  
AVAILABLE FOR ELIMINATING PAST EDUCATIONAL  
PRACTICES RULED UNLAWFUL UNDER LAU v.  
NICHOLS

SUMMER 1975

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The immediate implementation of the requirements listed within does not apply to those school districts which have had a substantial number of recent school-age Indo-Chinese immigrants whose primary or home language is other than English in the 1975-76 school year.

I. Identification of Student's Primary or Home Language.

The first step to be included in a plan submitted by a district found to be in noncompliance with Title VI under Lau is the method by which the district will identify the student's primary or home language. A student's primary or home language, for the purpose of this report, is other than English if it meets at least one of the following descriptions:

- A. The student's first acquired language is other than English.
- B. The language most often spoken by the student is other than English.
- C. The language most often spoken in the student's home is other than English, regardless of the language spoken by the student.

These assessments (A-C, above) must be made by persons who can speak and understand the necessary language(s).

Then the district must assess the degree of linguistic

function or ability of the student(s) so as to place the student(s) in one of the following categories by language.

- A. Monolingual speaker of the language other than English (speaks the language other than English exclusively).
- B. Predominantly speaks the language other than English (speaks mostly the language other than English, but speaks some English).
- C. Bilingual (speaks both the language other than English and English with equal ease).
- D. Predominantly speaks English (speaks mostly English, but some of the language other than English).
- E. Monolingual speaker of English (speaks English exclusively).

In the event that the student is multilingual (is functional in more than two languages in addition to English), such

assessment must be made in all the necessary languages.

In order to make the aforementioned assessments the district must, at a minimum, determine the language most often spoken in the student's home, regardless of the language spoken by the student, the language most often spoken by the student in the home and the language spoken by the student in the social setting (by observation):

These assessments must be made by persons who can speak and understand the necessary language(s). An example of the latter would be to determine by observation, the language used by the student to communicate with peers between classes or in informal situations. These assessments must cross-validate one another (Example: student speaks Spanish at home and Spanish with classmates at lunch). Observers must estimate the frequency of use of each language spoken by the student in these situations.

In the event that the language determinations conflict (Example: student speaks Spanish at home, but English with classmates at lunch), an additional method must be employed by the district to make such a determination (for example the district may wish to employ a test of language dominance as a third criterion). In other words, two of the three criteria will cross-validate or the majority of criteria will cross-validate (Yield the same language).

Due to staff limitations and priorities, we will require a plan under Lau during this initial stage of investigation when the district has 20 or more students of the same language group identified as having a primary or home language other than English. However, a district does have an obligation to serve any student whose primary or home language is other than English.

## II. Diagnostic/Prescriptive Approach

The second part of a plan must describe the diagnostic/prescriptive measures to be used to identify the nature and

extent of each student's educational needs and then prescribe an educational program utilizing the most effective teaching style to satisfy the diagnosed educational needs. The determination of which teaching style(s) are to be used will be based on a careful review of both the cognitive and affective domains and should include an assessment of the responsiveness of students to different types of cognitive learning styles and incentive motivational styles -- e.g., competitive v. cooperative learning patterns. The diagnostic measures must include diagnoses of problems related to areas or subjects required of other students in the school program and prescriptive measures must serve to bring the linguistically/culturally different student(s) to the educational performance level that is expected by the Local Education Agency (LEA) and State of nonminority students. A program designed for students of limited English-speaking ability must not be operated in a manner so as to solely satisfy a set of objectives divorced or isolated from those educational objectives established for students in the regular school program.

### III. Educational Program Selection

In the third step the district must implement the appropriate type(s) of educational program(s) listed in this section (III, 1-5), dependent upon the degree of linguistic proficiency of the students in question. If none seem applicable check with your Lau coordinator for further action.

1. In the case of the monolingual speaker of the language other than English (speaks the language other than English exclusively).

A. At the Elementary and Intermediate Levels:

Any one or combination of the following programs is acceptable.

1. Transitional Bilingual Education Program (TBE)
2. Bilingual/Bicultural Program.
3. Multilingual/Multicultural Program (see definitions, page 21).

In the case of a TBE, the district must provide predictive data which show that such student(s) are

ready to make the transition into English and will succeed educationally in content areas and in the educational program(s) in which he/she is to be placed. This is necessary so the district will not prematurely place the linguistically/culturally different student who is not ready to participate effectively in an English language curriculum in the regular school program (conducted exclusively in English).

Because an ESL program does not consider the affective nor cognitive development of students in this category and time and maturation variables are different here than for students at the secondary level, an ESL program is not appropriate.

B. At the Secondary Level:

Option 1 - Such students may receive instruction in subject matter (example: math, science) in the native language(s) and receive English-as-a-Second Language (ESL) as a class component (see definitions, page 21).

Option 2 - Such students may receive required and elective subject matter (examples: math, science, industrial arts) in the native language(s) and

bridge into English while combining English with the native language as appropriate (learning English as a first language, in a natural setting).

Option 3 - Such students may receive ESL or High Intensive Language Training (HILT), (see definition, page 21) in English until they are fully functional in English (can operate equally successfully in school in English) then bridge into the school program for all other students.

A district may wish to utilize a TBE, Bilingual/Bicultural or Multilingual/Multicultural program in lieu of the three options presented in this section (III.1.B.). This is permissible. However, if the necessary prerequisite skills in the native language(s) have not been taught to these students, some form of compensatory education in the native language must be provided.

In any case, students in this category (III.1.B.) must receive such instruction in a manner that is

expeditiously carried out so that the student in question will be able to participate to the greatest extent possible in the regular school program as soon as possible. At no time can a program be selected in this category (III.1.B.) to place the students in situations where the method of instruction will result in a substantial delay in providing these students with the necessary English language skills needed by or required of other students at the time of graduation.

NOTE: You will generally find that students in this category are recent immigrants.

2. In the case of the predominate speaker of the language other than English (speaks mostly the language other than English, but speaks some English):

A. At the Elementary Level:

Any one or combination of the following programs is acceptable.

1. TBE
2. Bilingual/Bicultural Program
3. Multilingual/Multicultural Program.

In the case of a TBE, the district must provide predictive data which show that such student(s) are ready to make the transition into English and will educationally succeed in content areas and the educational program in which he/she is to be placed.

Since an ESL program does not consider the affective nor cognitive development of the students in this category and the time and maturation variables are different here than for students at the secondary level, an ESL program is not appropriate.

B. At the Intermediate and High School Levels:

The district must provide data relative to the student's academic achievement and identify those students who have been in the school system for less

than a year. If the student(s) who have been in the school system for less than a year are achieving at grade level or better, the district is not required to provide additional educational programs. If, however, the students who have been in the school system for a year or more are underachieving (not achieving at grade level), (see definitions, page 21) the district must submit a plan to remedy the situation. This may include smaller class size, enrichment materials, etc. In either this case or the case of students who are underachieving and have been in the school system for less than a year, the remedy must include any one or combination of the following 1) an ESL, 2) a TBE, 3) a Bilingual/Bicultural Program 4) a Multilingual/Multicultural Program. But such students may not be placed in situations where all instruction is conducted in the native language as may be prescribed for the monolingual

speaker of a language other than English, if the necessary prerequisite skills in the native language have not been taught. In this case some form of compensatory education in the native language must be provided.

NOTE: You will generally find that students in this category are not recent immigrants.

3. In the case of the bilingual speaker (speaks both the language other than English and English with equal ease) the district must provide data relative to the student(s) academic achievement.

In this case the treatment is the same at the elementary, intermediate and secondary levels and differs only in terms of underachievers and those students achieving at grade level or better.

- A. For the students in this category who are underachieving, treatment corresponds to the regular program requirements for all racially/ethnically identifiable classes or tracks composed of students who are underachieving, regardless of their language background.

- B. For the students in this category who are achieving at grade level or better, the district is not required to provide additional educational programs.
4. In the case of the predominant speaker of English (speaks mostly English, but some of a language other than English) treatment for these students is the same as III, 3 above.
  5. In the case of the monolingual speaker of English (speaks English exclusively) treat the same as III, 3 above.

NOTE: ESL is a necessary component of all the aforementioned programs. However, an ESL program may not be sufficient as the only program operated by a district to respond to the educational needs of all the types of students described in this document.

#### IV. Required and Elective Courses

In the fourth step of such plan the district must show that the required and elective courses are not designed to have a discriminatory effect

- A. Required courses. Required courses (example: American History) must not be designed to exclude pertinent minority developments which have contributed to or influenced such subjects.
- B. Elective Courses and Co-curricular Activities. Where a district has been found out of compliance and operates racially/ethnically

identifiable elective courses or co-curricular activities, the plan must address this area by either educationally justifying the racial/ethnic identifiability of these courses or activities, eliminating them, or guaranteeing that these courses or co-curricular activities will not remain racially/ethnically identifiable.

There is a prima facie case of discrimination if courses are racially/ethnically identifiable.

Schools must develop strong incentives and encouragement for minority students to enroll in electives where minorities have not traditionally enrolled. In this regard, counselors, principals and teachers have a most important role. Title VI compliance questions are raised by any analysis of counseling practices which indicates that minorities are being advised in a manner which results in their being disproportionately channeled into certain subject areas or courses. The school district must see that all of its students are encouraged to fully participate and take advantage of all educational benefits.

Close monitoring is necessary to evaluate to what degree minorities are in essence being discouraged from taking certain electives and encouraged to take other elective courses and insist that to eliminate discrimination and to provide equal educational opportunities, districts must take affirmative duties to see that minority students are not excluded from any elective courses and over included in others.

All newly established elective courses cannot be designed to have a discriminatory effect. This means that a district cannot, for example, initiate a course in Spanish literature designed exclusively for Spanish-speaking students so that enrollment in that subject is designed to result in the exclusion of students whose native language is English but who could equally benefit from such a course and/or be designed to result in the removal of the minority students in question from a general literature course which should be designed to be relevant for all the students served by the district.

- V. Instructional Personnel Requirements (see definitions, page 21)  
Instructional personnel teaching the students in question must be linguistically/culturally familiar with the background of the students to be affected.

The student/teacher ratio for such programs should equal or be less than (fewer students per teacher) the student/teacher ratio for the district. However, we will not require corrective action by the district if the number of students in such programs are no more than five greater per teacher than the student/teacher ratio for the district.

If instructional staffing is inadequate to implement program requirements, in-service training, directly related to improving student performance is acceptable as an immediate and temporary response. Plans for providing this training must include at least the following:

1. Objectives of training (must be directly related to ultimately improving student performance)
2. Methods by which the objective(s) will be achieved
3. Method for selection of teachers to receive training
4. Names of personnel doing the training and location of training
5. Content of training

6. Evaluation design of training and performance criteria for individuals receiving the training
7. Proposed timetables

This temporary in-service training must continue until staff performance criteria has been met.

Another temporary alternative is utilizing para professional persons with the necessary language(s) and cultural background(s). Specific instructional roles of such personnel must be included in the plan. Such plan must show that this personnel will aid in teaching and not be restricted to those areas unrelated to the teaching process (checking roll, issuing tardy cards, etc.)

In addition, the district must include a plan for securing the number of qualified teachers necessary to fully implement the instructional program. Development and training of para professionals may be an important source for the development of bilingual/bicultural teachers.

VI. Racial/Ethnic Isolation and/or Identifiability of Schools and Classes

A. Racially/Ethnically Isolated and/or Identifiable Schools -

It is not educationally necessary nor legally permissible to create racially/ethnically identifiable schools in order to respond to student language characteristics as specified in the programs described herein.

B. Racially/Ethnically Isolated and/or Identifiable Classes -

The implementation of the aforementioned educational models do not justify the existence of racially/ethnically isolated or identifiable classes, per se. Since there is no conflict in this area as related to the application of the Emergency School Aid Act (ESAA) and existing Title VI regulations, standard application of those regulations is effective.

VII. Notification to Parents of Students Whose Primary or Home Language is Other Than English

- A. School districts have the responsibility to effectively notify the parents of the students identified as having a primary or home language other than English of all school activities or notices which are called to the attention of other parents. Such notice, in order to be adequate, must be provided in English and in the necessary language(s) comprehensively paralleling the exact content in English. Be aware that a literal translation may not be sufficient.
- B. The district must inform all minority and nonminority parents of all aspects of the programs designed for students of limited English-speaking ability and that these programs constitute an integral part of the total school program.

### VIII. Evaluation

A "Product and Process" evaluation is to be submitted in the plan. This type of evaluation, in addition to stating the "product" (end result), must include "process evaluation" (periodic evaluation throughout the implementation stage). A description of the evaluation design is required. Time-lines (target for completion of steps) is an essential component.

For the first three years, following the implementation of a plan, the district must submit to the OCR Regional Office at the close of sixty days after school starts, a "progress report" which will show the steps which have been completed. For those steps which have not been completed, a narrative from the district is necessary to explain why the targeted completion dates were not met. Another "progress report" is also due at the close of 30 days after the last day of the school year in question.

IX. Definition of terms:

1. Bilingual/Bicultural Program

A program which utilizes the student's native language (example: Navajo) and cultural factors in instruction maintaining and further developing all the necessary skills in the student's native language and culture while introducing, maintaining and developing all the necessary skills in the second language and culture (example: English). The end result is a student who can function, totally, in both languages and cultures.

2. English-as-a-Second Language (ESL)

A structured language acquisition program designed to teach English to students whose native language is not English.

3. High Intensive Language Training (HILT)

A total immersion program designed to teach students a new language.

4. Multilingual/Multicultural Program

A program operated under the same principals as a Bilingual/Bicultural Program (X,1) except that more than one language and culture, in addition to English language and culture is treated. The end result is a student who can function, totally, in more than two languages and cultures.

5. Transitional Bilingual Education Program (TBE)

A program operated in the same manner as a Bilingual/Bicultural Program, except that once the student is fully functional in the second language (English), further instruction in the native language is no longer required.

6. Underachievement

Underachievement is defined as performance in each subject area (e.g. reading, problem solving) at one or more standard deviations below district norms as determined by some objective measures for non-ethnic/racial minority students. Mental ability scores cannot be utilized for determining grade expectancy.

7. Instructional Personnel

Persons involved in teaching activities. Such personnel includes, but is not limited to, certified, credentia-  
lized teachers, para professionals, teacher aides,  
parents, community volunteers, youth tutors, etc.

11.

Oct. 22, 1977

# Education Board Approves Set Of Bilingual Regulations

The Alaska State Board of Education today adopted a set of bilingual education regulations proposed by the state Department of Education here.

In a special meeting called after yesterday's meeting stretched past the anticipated closing time as about 25 persons testified before the board on the bilingual education issue, the panel also passed a motion to review bilingual programs in six months. And the board adopted a motion directing the state Education Department to deal in the future exclusively with the Washington, D.C., headquarters of the Office for Civil

Rights rather than the regional office in Seattle.

Yesterday the board expressed concern that bilingual education programs be adequately funded by the legislature.

The board's concern was shared by school district superintendents and a contingent of natives from St. Mary's, who were among some 25 persons to testify at a the meeting called to consider revisions of a bilingual handbook initially approved by the Office for Civil Rights.

The revised document apparently caused the civil rights agency to break off negotiations last week with the state over bilingual education in Alaska.

The revised document, reduced from 247 to 11 pages, received mixed reaction from witnesses at Anchorage Community College yesterday.

The new proposals were supported by the larger school districts because they deal with language diversities found in Alaska's urban communities. The original handbook addresses itself primarily to the native languages of Alaska's rural school districts.

"We have moved light years away from where we were in June," said Dr. John Peper, superintendent of Anchorage schools.

Peper and others urged that the legislature finance the program on a per pupil basis rather than by grants in order to guarantee continued financial support.

"If a grant program is what we're

talking about . . . we won't know what we're getting," Peper said.

The new proposals were opposed strongly by Gary Holthaus, a member of the Center of Equality of Opportunity, which drafted the original handbook.

He charged that there is no provision in the new draft insuring that school districts will comply with the state's bilingual education standards.

Larry Beans, assistant superintendent of bilingual education at St. Mary's, urged the board to hold public hearings on the new proposals before acting on them.

Richardson gate was reported to

## Education Violation Is Cited

By RAY TYSON  
Times Staff Writer

State Education Commissioner Marshall L. Lind says the federal government is breaking the law by withholding funds from Bush schools which don't meet bilingual education guidelines.

And another state official says that in refusing to provide funds for new educational programs in 16 rural school districts, the federal government rejected at least two grant applications that would have helped native students in the Lower Kuskokwim school district.

Citing a federal court case, Lind said in a letter to state Rep. Charles Parr, D-Fairbanks, that the federal Office for Civil Rights has failed to specify which rural districts are at fault.

"The (court) decision states that funds may be cut off 'only to the extent that they are used in, or support programs which practice discrimination,'" Lind said in the letter.

Lind cited the decision as saying: "Other programs or activities free from the taint of unequal treatment may not be condemned along with the blameworthy. Federal funds flowing to these programs and to their innocent beneficiaries must not be terminated."

In one instance, the U.S. Department of Education, on recommendations by the civil rights agency, would not approve two grant requests totaling \$229,000 for educational programs in Lower Kuskokwim school district, which is made up primarily of native students.

Al Weinberg, superintendent, said one application is for additional remedial reading and language instruction and the other is for produc-

(See Page 3, Col. 1)

## Education Official Cites Law Violation

(Continued From Page 1)

tion of a bicultural film that may deal with such things as subsistence living.

"As far as I know there has never been a specific investigation by the Office For Civil Rights of what we are doing or are not doing in the Lower Kuskokwim," Weinberg said.

Many Alaska school districts are dominated by natives, said Mary Halloran, state Education Department spokesman. The Northwest Arctic School Board, for example, is made up exclusively of natives, she said.

"Yet the Office for Civil Rights maintains that they are discriminating," she said.

Bilingual education involves instructing students in their native tongue as well as English.

"They (federal government) are saying that we have failed to provide equal educational opportunity for those whose primary language is other than English," Ms. Halloran said.

The Office for Civil Rights charges that the state has failed to identify dominant languages in Alaska and where they are spoken, Ms. Halloran said. She said the state will have that information by December.

The civil rights agency also has determined that the Anchorage and Fairbanks school districts are not complying with federal bilingual guidelines. But to date the agency has not cut off their federal funds.

The Anchorage School District has identified 33 foreign languages spoken in the district. Last year the district began a tutor program that now complies with state bilingual regulations.

Anchorage schools receive \$6 million to \$7 million a year in direct federal aid plus a portion of the \$106 million general operations budget.

Bush schools are entitled to about \$18 million a year in federal aid for ongoing educational programs plus

additional money for new programs. So far the federal government has transferred funds for ongoing programs but continues to defer them for new programs, Ms. Halloran said.

The biggest chunk of federal aid for ongoing programs amounts to \$13.5 million. It is allocated to the state in lieu of taxes on federal property.

If the federal government should halt all aid to the 16 rural school districts, Northwest Arctic school district stands to lose \$2.5 million, Lower Yukon \$1.8 million, Lower Kuskokwim \$1.8 million and Yukon-Koyukuk \$1.5 million.

After rejecting three Alaska bilingual proposals between last November and April, the Office for Civil Rights and state Department of Education reached agreement on a plan in March.

But the plan probably won't be adopted by the State Board of Education until after public hearings on a bilingual handbook are completed next month. Changes in the handbook are expected. It is uncertain whether the civil rights agency will accept them.

A federal administrative hearing officer is scheduled to be in Anchorage Oct. 31 to determine which of the 16 school districts are not complying with federal bilingual guidelines.



JUNEAU ALASKA

# Alaska State Legislature

## House

August 19, 1977

TO: Sen. Chancy Croft, Member  
Rep. Sam Cotten, Member

FROM: Rep. Thelma Buchholdt, Chairman  
Interim Committee on Educational Programs

SUBJECT: Local Field Trips to Bilingual and Vocational Centers

The following centers will provide background information for the Committee's scheduled trips to Bethel, Nome and Barrow.

1. National Bilingual Materials Development Center  
 Location: 2223 Spenard Rd.  
 Director: Dr. Tupou Pulu  
 Function: Develop instructional materials in 10 native languages for use in grades 1 to 3 in rural schools  
 Staff: 3 fulltime  
 20 parttime - Native bilingual specialists  
 Funding: Title VII-ESEA grant - \$300,000  
 Date of Tour: Tuesday, August 23 - 10 a.m.
  
2. X-CED Rural Teacher Training Corps  
 Location: 2221 E. Northern Lights Blvd.  
 Director: D. M. (Mick) Murphy  
 Function: Training teachers for cross-cultural, bilingual programs in rural areas  
 Staff: 2 fulltime 10 (contractual)  
 Funding: Federal funds \$384,800  
 GF Match 20,000  
 General Funds 103,300  
 Total \$508,000  
 \*Date of Tour: Wedn., Aug. 31  
 2:30 p.m.
  
3. Alaska Center for Staff Development  
 Location: 650 W. International Airport Rd.  
 Director: Ron Daugherty  
 Function: Develop materials and inservice training for vocational education teachers in rural areas  
 Staff: 4 fulltime  
 16 parttime  
 Funding: Grants and contracts from other state agencies ("Other Funds") \$825,000  
 \*Date of Tour: Wedn., Aug. 31  
 1:00 p.m.

\*Please notify Kathryn of your preference on dates for tours for the last two centers. 276-1715

## ANLC ACTIVITIES 1976-77

Jim Kari received funds from the National Science Foundation to begin work in 1976 on a study of the Ingalik language spoken in Anvik, Shageluk, and Holy Cross. From October 8 to 15 Jim traveled to Shageluk, and also to Grayling to work on Holikachuk. He found that there are very few older Holikachuk speakers. With Harriet Nicholas, Jimmy Alexander, Margaret Alexander, and Hannah Maillele, Jim wrote exercises to teach literacy in Holikachuk and worked on collecting words for a dictionary. Mrs. Maillele speaks both Holikachuk and Ingalik and helped with plant names in both languages. Mr. Alexander provided a number of placenames from the area. In Shageluk, Jim visited with Raymond and Susan Dutchman, Ingalik speakers, and worked also with Reva Morrison, Grace John, and Bertha and Tommy Dutchman. Mrs. Morrison and Mrs. John are learning to write Ingalik. Jim and the Shageluk people worked on wordlists for a proposed Ingalik dictionary. Jim talked with the town teachers and the village chief about getting a language program started in the school, and later gave a presentation to the school board. Hopefully a language program in Ingalik will be started in Shageluk.

From October 25 to 29 Larry Kaplan led a workshop in Buckland, sponsored by the Aglaktit Makpigarruiquuat program, which is directed by Nita Sheldon Towarak. Attending the workshop were Evans Thomas Sr., Bessie Mitchell, Mamie Karmun (from Deering), Nita Towarak, Hilda Sheldon, and educational consultant Pat DeMarco of Fairbanks. During the workshop, Evans Thomas conducted his regular bilingual class as a demonstration. Workshop activities included literacy training, preparation of a unit on beluga hunting, taping songs and stories and transcribing them, and preparation of charts and calendars in Inupiaq.

A week later Larry Kaplan was in Kotzebue (November 8-12) for a Northwest Region bilingual teachers' workshop sponsored by Northwest Arctic School District. 26 teachers

and aides attended, representing every village in the region. The teachers were divided into beginning and advanced sections. Larry taught beginning literacy and grammar; Oscar Swan and Marie Griest also taught literacy. The advanced group also studied use of video tapes, preparation of a kinship chart, analyzing postbases, and dialect comparison. Nita Towarak assisted the advanced group in preparing classroom exercises, and conducted the beginning group on Friday. Susie Sun also helped teach. On the last day of the workshop, some of the bilingual teachers presented demonstrations of their teaching methods, including singing and games.

Larry Kaplan and Pat DeMarco returned to Kotzebue and went on to Noorvik for a workshop January 10-14, 1977. Mauneluk Association sponsored the workshop, which was organized by Nita Towarak. Martha Aiken of Barrow also taught. Participants included Ruthie Ramoth, Violet Pungalik, Angie Newlin, Viola Barr, and Hannah Wells. Activities included development of a kinship textbook, presentation of Barrow Inupiaq materials by Aiken, transcription and proofreading of taped materials, and more work on the grammar material presented at the Northwest workshop in November, including planning a grammar workbook.

Also January 10-14, Jim Kari was in Tyonek for an Ahtna Language Workshop sponsored by the Bilingual-Bicultural Program of Ahtna, Inc. and coordinated by Millie Buck. Participants included Jeannie Maxim, Jane Nicholas, Emma Bell, Ruth Johns, Markle Ewan, Martha Jackson, and Virginia Pete. Activities were literacy training, administration of literacy exams, grammar study, proofreading stories and classroom materials, translating and practicing Ahtna songs, and discussion of the problems of teaching Ahtna. During the workshop four people learned to write Ahtna for the first time.

Jeff Leer conducted a workshop for bilingual teachers in Port Graham and English Bay from January 24 to 29. In Port Graham Jeff worked with substitute bilingual teacher Vera Sawden, doing in-class demonstrations of teaching methods. From January 27 to 29 Jeff was in English Bay working in the school with bilingual

teacher Seraphim Ukatish, who has four classes, again demonstrating teaching methods, assisted by Arthur Moonin. Most of the older elementary school children in these communities speak Sugcestun.

The week of January 31 Larry Kaplan returned to Noorvik with Pat DeMarco to present another workshop for Mauneluk. Bilingual teachers attending were Minnie Grey and Truman Cleveland of Ambler, Amelia Grey of Kobuk, and Marie Clark and Marie Griest of Selawik. Nita Towarak again coordinated the workshop. The focus was on preparation of elementary instructional materials. Units were prepared on spelling, clothing, animals, and colors, including coloring books. Teachers also continued to study grammar. Larry remained in Noorvik for another week to work for Mauneluk and collect linguistic information with Violet Pungalik. Larry then returned to Kotzebue for meetings with regional administrators to discuss features of the bilingual program.

The Iditarod School District held a workshop in Lime Village January 23 to 27, and Jim Kari attended to work with bilingual personnel. Participants included bilingual teachers Vonga Bobby and Pete Bobby, and other interested village residents including Madrona Bobby, Luther Hobson, Nick Alexie, Emma Bobby, Nora Alexie, and 13-year-old Polly Bobby who helped teach the bilingual classes. Activities included literacy training and classroom demonstration of teaching methods, as well as collection of words, especially names of birds, plants, and places. Priscilla Kari presented some of the natural history Dena'ina material she has prepared for school use. The workshop concluded with a party and singing of Dena'ina songs.

Jeff presented the newly developed classroom dictionary for Alaska Peninsula Sugcestun and led participants in writing short stories for picture books. The books will be printed at ANLC this summer.

From February 14 to 20 Jim and Priscilla Kari and Peter Kalifornsky were in Lime Village for a workshop sponsored by the University's Title VII Project. Lime residents who participated were bilingual teachers Pete and Vonga Bobby, Emma Alexie, Luther Hobson, and Nora Alexie. Jim and the participants collected material for classroom use and practiced teaching methods while Peter Kalifornsky helped instruct in literacy. Some subjects covered included placenames, traditional games, and direction words. The place-name map, plant unit, and reader were presented to the classes.

Teacher training in the Northwest Arctic Region continued February 14-18 with a workshop presented by Larry Kaplan and Pat DeMarco, again at Noorvik. Participants were Helen Kagoona and Judith Allen of Kotzebue, Nellie Johnson and Arlene Cleveland of Ambler, Marie Clark and Elsie Foster of Selawik, and Martha Wells and Lillian Harvey of Kiana, all bilingual teachers and aides. Assisting in training and materials development were Nita Towarak and Violet Pungalik. The teachers studied literacy training, elementary materials development, and teaching methods, concentrating on oral language teaching. The workshop participants completed the coloring book series for their area.

Anchorage was the site of a workshop presented by the North Slope School District, February 28-March 4. Both Larry Kaplan and David Baumgartner of Barrow were instructors for the session, assisted by Eileen MacLean and Martha Aiken. Larry taught grammar, Eileen and Martha literacy, and Dave methods and materials. A number of bilingual teachers received University credit for participating in the workshop.

The week of February 28 to March 4, Jim Kari was in Tyonek for the 7th Dena'ina Language Workshop, the largest such to date. Sponsors of participants were the Alaska Native Language Center, Lake and Peninsula School District, Bristol Bay Native Association, Iditarod School District, Kenai Borough School District, and the Tyonek JOM Program. Participants were Annie Johnson, Mary Jensen, Agnes Cusma, Harry and Jim Balluta, Zenia Kolyaha, Vera Carltikoff, Luther Hobson, Pete Bobby, Mike Alex, Peter Kalifornsky, Shem and Billy Pete, and Max and Nellie Chickalusion. Activities began with a general discussion of programs and materials and continued with materials presentation and literacy training. The language dominance test was presented and explained. Max Chickalusion gave a demonstration with his bilingual class. Kinds of materials presented included songs, games, placenames, plant unit, and writing drills. Participants also enjoyed sessions of singing and traditional Dena'ina games, and storytelling by Shem Pete and Mac Chickalusion. The need to form a representation Dena'ina language group was discussed.

Jim Kari continued his work with Dena'ina at Nondalton and Pedro Bay May 2 to 9. Major activities at Nondalton were language testing and discussions with the school board. Language tests were also administered at Pedro Bay, where Jim continued checking his dictionary material. This workshop was sponsored by the Lake and Peninsula School District.

From October 25 through 29 Irene Reed joined Richard Dauenhauer of the Alaska Native Foundation and Father Michael Oleksa of the Dillingham School District in a workshop held in Dillingham to deliver training to teachers involved in programs for teaching Yupik as a second language. 15 to 20 participants were introduced to a curriculum which was in its preliminary form for review, to see about the feasibility of its use in the classroom. Dauenhauer gave general methods training in second language teaching, and Reed dealt with the same subject with specific reference to the structure of Yupik. Father Michael presented some of the methods which he had developed during his two years with the JOM program in Dillingham.

A similar workshop was delivered in Iliamna February 10-15 for people from the Lake and Peninsula School District, which embraces both Yupiks around Lake Iliamna and Sugpiaqs from the Alaska Peninsula. Joining Reed were Steven Jacobson, who taught literacy, and Jeff Leer, who worked with Sugpiaq. Reed again presented methods.

From January 17-21 Reed joined the Yupik Language Workshop staff from Kuskokwim Community College in a workshop held at St. Mary's during which Yupik language teachers there received accredited training in bilingual methods and materials and completed the literacy training necessary for teachers in such 2nd language programs. Special help was given in the area of student evaluation.

Kaplan and Reed went to Nome February 21-25 to work with staff of the Nome School District, addressing the question of where special needs might be met. Kaplan worked intensively with Margaret Seganna, improving her literacy skills, and Reed met with Jenny Alowa and Elvina Douglas on classroom methods and the development of lesson plans. Reed was making her initial visit to the Nome area, meeting with school administrators from the local school districts and the BIA. Sufficient work was not done for students to receive credit at this workshop.

From May 2 through 6, Jeff Leer, Eliza Jones, and Irene Reed drive to Tok where a workshop was held for native language teachers in Tanacross, Upper Tanana, and Ahtna, sponsored by the Alaska Gateway School District. We joined Paul Milanowski, a linguist who works intensively with Upper Tanana. Both literacy and methods of teaching a second language were offered as accredited courses, and plans were made for the development of a comprehensive curriculum in language and culture for the school district. The development of this special curriculum has been coordinated through ANLC bringing in, necessarily, an outside curriculum specialist.

In the first week of May Larry Kaplan taught two University courses at the Kotzebue Extension Center for the bilingual teachers of the Northwest Region. These courses were sponsored by the Northwest Arctic School District with the aim of gaining college credits and eventual certification for bilingual teachers. Larry taught Inupiaq grammar and Ruthie Ramoth taught literacy. There were 23 participants, teachers, substitutes, and aides from all over the region.

During the weeks of May 23 to June 3 Larry Kaplan and Edna MacLean taught University courses for the North Slope Borough School District in Barrow. Participants included bilingual teachers, aides, and materials development specialists from Barrow, Barter Island, Nuiqsut, Anaktuvak Pass, Atkasook, and Wainwright. Larry taught literacy to beginners and Edna taught grammar to the advanced group.

Several ANLC staff members, including Edna MacLean, Larry Kaplan, Irene Reed, and Michael Krauss, will attend the Inuit Circumpolar Conference at Barrow during the week of June 13. Conference participants will attend from Greenland, Denmark, Finland, Canada, and Alaska to discuss matters of cultural exchange among Eskimo groups. Among topics will be language and orthography.

During the last week of February Dermot Collis was in Shishmaref working with bilingual teachers Johnson Sinnok and John Eningowuk. Collis spent most of the trip eliciting words and grammatical forms and also discussed variation of the Inupiaq writing system for the Shishmaref dialect.

In the last week of July and first week of August 1977, Jim Kari traveled to Holy Cross and Shageluk to do research on Ingalik and Holikachuk.

From May 16 through May 27 Jeff Leer went to Sitka to work with the Haidas and Tsimshians in the Tlingit-Haida-Tsimshian workshop. The major product of this workshop was the translation of the first six lessons of Beginning Tlingit, written by Nora and Richard Dauenhauer, into Haida for use by Haida language teachers in Ketchikan and Hyda-burg. The translation of these same

lessons into Tsimshian was also partly proofread by Leer, and some other materials such as songs were written in Tsimshian for use by Flora and Conrad Mather in Ketchikan. Teacher training was also continued at this workshop, with the major emphasis being on how to use the lessons described above. Leer's assistance was not necessary with the Tlingits, since Nora Dauenhauer handled this section of the workshop capably. Accreditation of these courses was given through Sheldon Jackson College.

The ANLC publications program resumed in January 1977 after a 6 months' break in printing activities. ANLC publishing this past 6 months has been geared to the production of limited editions, mostly as requested by school programs, and one truly major undertaking, the Haida Dictionary.

The Haida Dictionary, now in the last stages of binding, is the largest book yet published by ANLC. Its 478 pages comprise three main sections: a 102-page grammatical sketch, written by dictionary editor Jeff Leer, which introduces the reader to the sound system and structure of Alaskan Haida, explains how to use the dictionary, and gives helpful suggestions on studying Haida; the main text, over 3,000 alphabetically listed Haida-to-English entries, compiled by Erma Lawrence with the assistance of Vesta Johnson, Christine Edenso, Nora Cogo, and Robert Cogo, and including both nouns and verbs, the latter provided with example sentences; and an English-to-Haida index. The dictionaries will be sold by the Society for the Preservation of Haida Language and Literature, c/o Mrs. Vesta Johnson, 3715 Baranof, Ketchikan, AK 99901, and will cost about \$10 a copy.

Another new book useful to language learners is A Grammatical Sketch of Siberian Yupik Eskimo by Steven Jacobson, Instructor in Yupik in the University's Alaska Native Language Program. This 98-page introduction to the grammar of Siberian Yupik as spoken on St. Lawrence Island is designed for use by high school and college level students and bilingual teachers, as well as others interested in studying the language. The book, spiral bound for easy use, may be purchased from ANLC at \$3.50.

Our series of bilingual editions of traditional Tanaina literature continues with the publication of Diqelas Tukda (The Story of a Dena'ina Chief) by Shem Pete of Eklutna, and Ndał Tsukdu/Gheldzay Tsukdu (Crane Story/Moon Story) by Katherine Nicolie, both books transcribed and edited by Jim Kari. Diqelas Tukda was a rich, powerful Tanaina chief in the late 19th century. Shem Pete recounts the chief's story, his adventures as a trader, his discovery of a magic talisman, and his poignant death, which Shem himself witnessed as a small boy. Katherine Nicolie's

first story tells how a poor orphan girl befriended a baby crane and was saved when its parents magically destroyed her cruel neighbors; the second story tells about the young shaman who became the "man in the moon."

Niksik Quviasuktug by Virginia Wilson and Eileen MacLean, a primer written to teach native language as a second language, has been translated into Ahtna (as Jack Nic'ana'iłyeł) and Tanaina (Fitka Nik'unu'iltlet), both printed in limited editions for use in Copper Center and Nondalton schools.

Two more volumes of traditional St. Lawrence Island texts appeared this winter, Ayumiim Ungipaghaatangi V, edited by Vera Oovi Kaneshiro, and Qateperewaaghmeng Atqellghii Yuuk by Grace Slwooko. Both are long stories in Siberian Yupik only.

Jeff Leer, working with bilingual teachers from the Sugcestun language area, prepared a number of books for use in Sugcestun language programs this spring. Among them are two brief classroom dictionaries, one for the Port Graham-English Bay dialect and one for the Alaska Peninsula (Perryville) dialect; Joney Qawartaryaucilrra, written and illustrated by Carl Anahonak; a book of short stories written by 7th grade students of bilingual teacher Feona Sawden; and a revised edition of traditional stories collected by Leer and Derenty Tabios in Port Graham and English Bay.

If you wish to receive more information on publications available from ANLC and how to order them, please fill out the form below and return it to us.

Yes, I would like to receive an ANLC publications price list and information on ordering books.  
The language I am most interested in is

Name

Address

Town

ZIP

Send to: Jane McGary  
ANLC  
University of Alaska  
Fairbanks, Alaska 99701

## CROSS-CULTURAL EDUCATION DEVELOPMENT PROGRAM

- X-CED is -- A program operated jointly by the Alaska Dept. of Education and the University of Alaska, School of Education, Fairbanks, under Contract.
- Governed by a Consortium Board established under the State Board of Education, composed of representatives of rural regions, students, postsecondary institutions, the State Education Agency, Teachers' Association, Administrators' Association, Native organizations.
  - Funded by USOE Teacher Corps and State General Funds, and direct grants to U of A/X-CED from the Office of Bilingual Education and Office of Environmental Education.
  - A staff and teaching faculty in education, based in Anchorage, Fairbanks, Shishmaref, Bethel, Dillingham, Tanana, and Ft. Yukon.
- X-CED Provides -- Academic programs leading to the B.Ed. and Master of Arts in Teaching, cross-cultural in its focus, interdisciplinary in their nature. They lead to elementary and secondary certification.
- Specialties in Cross-Cultural Elementary, Rural School Secondary, Bilingual Education, Human Resource Development (non-certificating).
  - Delivery of these programs to students and inservice teachers on site, in the field in 25 villages served by the five Field Centers.
- X-CED Students -- Are primarily Native, but not exclusively. It is intended for persons who wish to teach in, and administer, schools with high concentration of children culturally different from the larger society, and from low-income families.
- Number nominally 80 full-time undergraduates, 15 teachers taking one or more courses, 4 full-time graduate students, and 5 full-time graduate students/assistants.
  - Who have graduated or are seniors in 1977-78 number 54 Natives and 19 Caucasians. (32 N, 17C to date).
  - Are persons who, for reasons of economics, family situation, community ties, and culture cannot, or would not, leave their homes to attend campus programs for four years or more.

X-CED Costs -- Were high on a per student basis because federal grants provided for direct financial assistance (stipends) at \$6,500/year plus dependent allowance at \$60/month/dependent to 60 students.

- Have diminished as stipends have ended (except for four graduates) and program efficiency has increased.
- Are roughly equal to cost per student on campus at Fairbanks (FY 76: \$4,660; FY 77: \$5,226). There are no buildings, bonds, or debt retirement involved.
- Predominantly covered by Federal Categorical grants (95.7 % in FY 77 and 88.3% projected in FY 78).
- Increasing overall only as a result of uncontrolled increases in salaries set by the legislature and university, air fares, and cost of communication, i.e., inflation.

Schools Need -- Teachers who speak the same language as the students.

- Teachers who are knowledgeable of, and sensitive to, the cultural and physical environment of the places in which they teach.
- Teachers whose teaching styles match the learning styles of the children.
- Educators who can eliminate, rather than exacerbate, the existing cultural discontinuity between schools and communities where such exists (Native villages, ghettos, low income neighborhoods).
- Educators who can create small rural high schools which meet the needs of the youth and communities and which assure that the State is in compliance with laws relating to equal educational opportunity.
- A means for orienting newcomers to rural schools, communities, and cultures.

X-CED Needs -- Closer association with research and other teaching units of the University.

- A continuing source of general funding in addition to the categorical federal grants which are intended to serve purposes of development and demonstration, but which have been used by the State for operation.

- Support for the education of persons who will become teacher trainers in the university faculties of education.
- Serious adoption by the University of Alaska of the Academic Development Plan of 1975, specifically pps. 107-112 pursuant to Teacher Education.

\* \* \* \* \*

A. SOCIAL DEFINITIONS

CULTURE is defined as the totality of socially transmitted behavior patterns characteristic of a people; a style of social and artistic expression, mode of learning, perspectives, and view of the world held in common by a society or class.

CROSS-CULTURAL is used here as denoting the interrelationships and interactions between individuals and groups of different cultures.

CROSS-CULTURAL EDUCATION denotes the teaching and learning process, both formal and informal, between and among individuals and groups whose cultures differ in one or more respects from one another; this is transcendent of geographical locale, i.e., the principles pertain to urban and rural alike.

B. DISCUSSION OF ISSUES

1. In spite of recent shifts in the structure of power, and in spite of the fact that public education accrues to it more money and more scrutiny than any other national enterprise short of war, education for Native children in rural Alaska and minority children in most schools has not improved substantially during the past decade. There is no new wave of Native young people filling jobs or entering our universities who are demonstrating skills or knowledge or other results of formal schooling different from those of a decade or two ago. While new laws are passed, new systems created, new funds appropriated, new regulations adopted, and new schools constructed, the State and many rural districts are forced by threat of litigation and cessation of federal funding to agree to make good, belatedly, the fundamental principle that children have a right to be taught in the language they speak. Since this principle is now a law of the land, it is not a great extension of the spirit of the law to adopt policies which say that children also have a right to be educated in a manner and in a direction consistent with the goals, aspirations, and within the value systems of their own cultures, regardless of how different they may be from those of the mainstream of society. It is, in fact, this spirit which has caused enactment of state laws and adoption of state regulations which speak to education for a pluralistic society. Yet the results have been systemic and political in nature, not educational. Further, the majority of the improvements in the educational processes for Native and other minority children have come about as a result of two things: (1) federal categorical grant programs and (2) the chance that some school administrators and some teachers have been sufficiently sensitive to the problems that they are willing to assume responsibility for real improvement.

It has repeatedly been made clear that, beyond the laws and regulations, the key factors in improvement of education are the quality and qualifications of the school staffs, and the materials and environment with which they and the children have to work. Yet there remains a general lack of action outside of some communities themselves and among a few individuals, for who teaches, where teachers come from, how were they selected, how they have been

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2 ANALYTIC STATEMENT

prepared to deal with culturally different children and settings, where they have been trained, what their university curriculum was like, what the motives were for coming to teach in Alaska, how long they may stay, what their basic humanistic attitudes are, their adaptiveness and awareness, how many positions could be filled with Native and other State residents were they available, and the cost in educational and financial terms of the constant rotation and flow through the rural school systems of 'temporary' teachers.

Attempts to remedy the situation through in-state undergraduate teacher education programs and providing newcomers and inservice teachers with needed orientation and special training have been spasmodic and poorly funded, subject to neglect and low prioritization by the administrations of the State's universities, the State administrations, and the legislatures, while both common sense and law call for equal educational opportunities for all children and youth. The achievement of this lies almost singularly with the competence, quality, and nature of public school educators as a whole. And while teachers from out of state continue to come, access of rural people to careers as teachers and administrators has been limited by the absence of in-state, field-based programs of sufficient scope and magnitude.

- 2. Among federal legislation related to Civil Rights (Civil Rights Act of 1964, Amended) and Equal Employment Opportunities, is the requirement that school districts file Affirmative Action Plans. Within such plans, the current percentage of minority students enrolled in the schools of the district and the concurrent percentage of minority teachers and administration in the schools are to be shown. If the ethnic and racial composition of the enrolled student body is not reflected in similar percentages in the professional staff, the plan for remedy is to be presented. In Alaska, approximately 80% of the students in REAA and other rural districts is Native while about 4% of the teachers are Native. The problem is the acute lack of Native certificated teachers and school administrators which would make compliance with EEO laws possible in the immediate future.

Statistically, there are approximately elementary and secondary teachers and administrators in the rural schools. Applying the 80% figure for Native enrollment, a need for Native teachers is projected. This manpower need projection has never been dealt with seriously by the State. Yet not only does this projection call for action to come into compliance, the ability to fill this number of career positions with State residents, and particularly with many Native persons who are currently unemployed, should be dealt with directly when formulating State education and manpower policy.

Second, an issue raised by the U. S. Office for Civil Rights in its findings of non-compliance of the REAA's with the Supreme Court Decision in Lau v. Nichols is the absence of regularly certificated teachers whose language and culture is in common with the student, "---failure to provide adequate instructional assistance to students whose primary or home language is other than English." The listing of numbers of Native aides did not meet the terms of the OCR noncompliance finding. The State Plan (Minimum Guidelines as Proposed in 4A AC 34.060) currently undergoing the hearing process speaks to "Teachers holding regular Type A certificates who are fluent in the Native language of the local community" (Ch. XI, Par. 1). The Plan contains an entire chapter, pps. 94-110, and



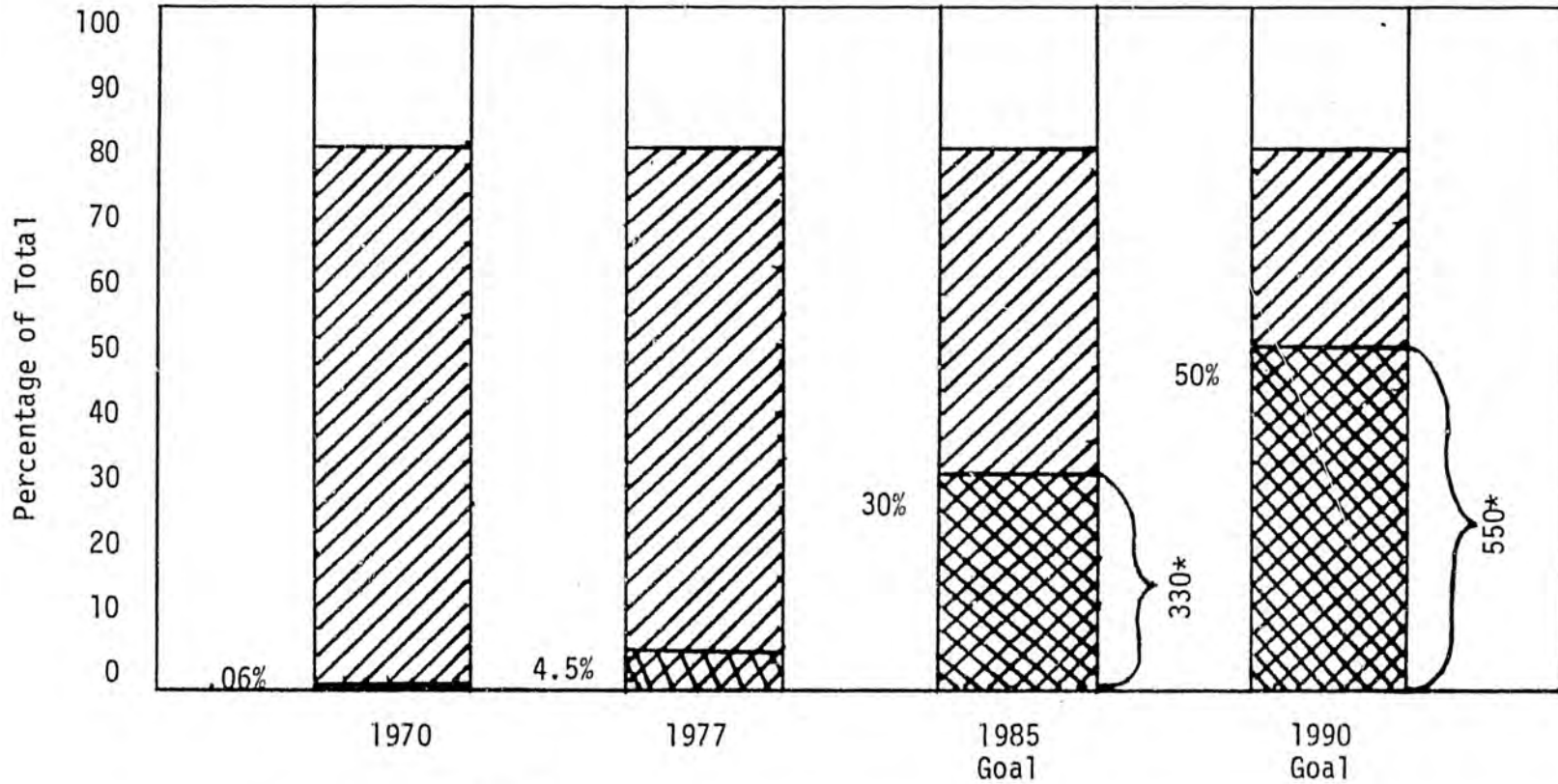
## 2 Analytic Statement

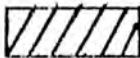
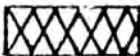
Appendix G (pps. 199-217) related to staff development, training, education, and curriculum. Yet at the current rate that X-CED and the Schools of Education are graduating Native and Cross-Culturally prepared teachers, it would take 15-30 years to fill the 300-400 teaching positions required to meet EEO criteria.

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2 ANALYTIC STATEMENT

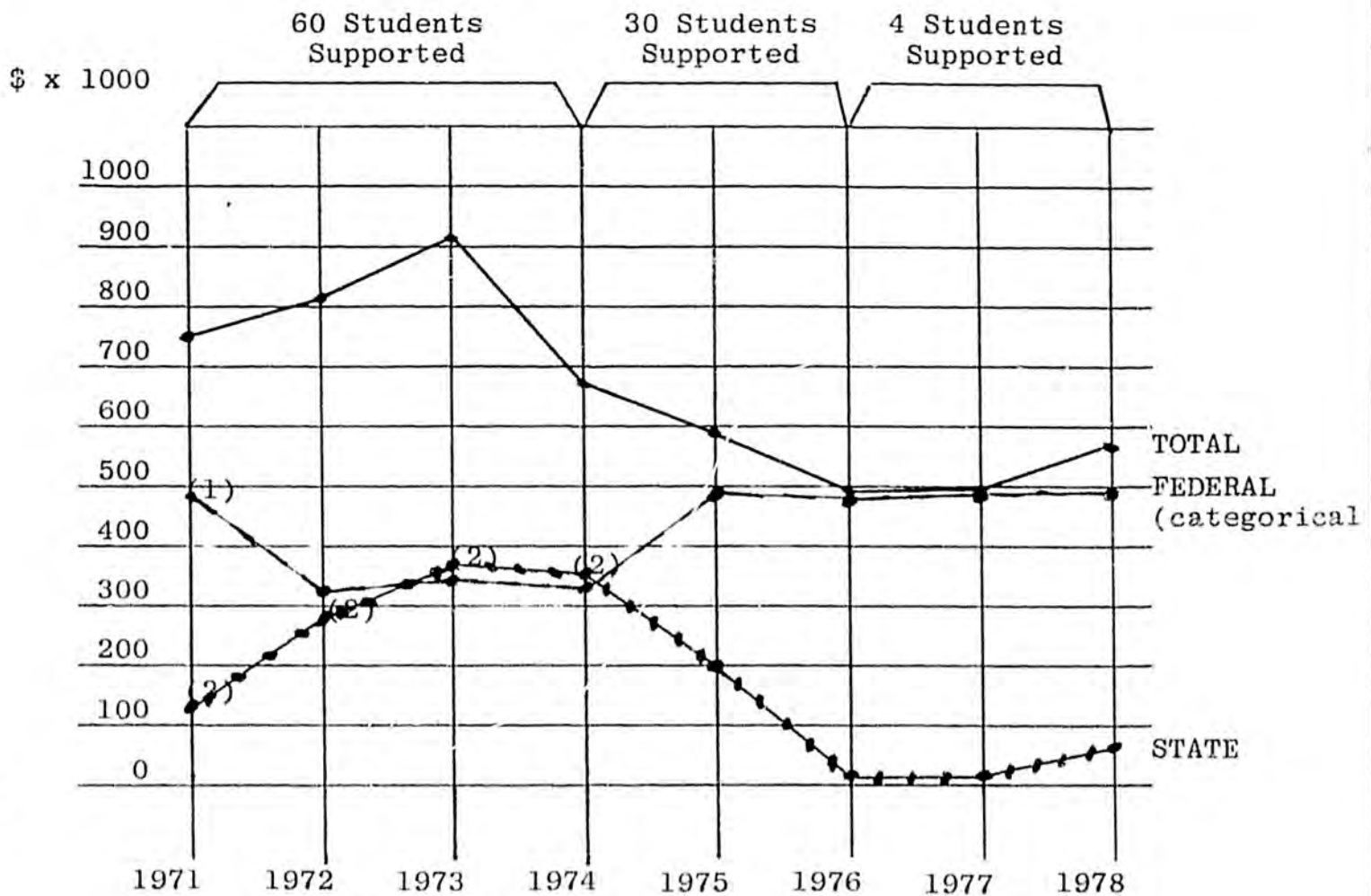
NATIVE EDUCATOR/NATIVE TEACHER  
Percentages in Alaska  
Rural School Districts



Native Students   
Native Teachers 

\* Number of Teachers





(1) Includes ESEA Title I in FY 71.

(2) Includes PL 874 funds in FY 71, 72, 73, 74.

From 1971 through 1974 the total budget included direct financial support (stipends) for an average of 50 students and their dependents, an annual total of approximately \$310,000.

In 1975 and 1976 student support was reduced to approximately \$150,000 covering 25-30 students plus dependent allowance.

In 1977 and 1978 student support was provided for four graduate interns only, plus dependent allowance, approximately \$35,000. Financial assistance for undergraduate students is provided under federal Basic Education Opportunity Grants and BIA scholarships. Number of students (undergraduate) increased in 1975 from approximately 60 to 80; number of teachers & others taking graduate courses from 0 to 15 full time equivalents; 4 full time graduate interns.

OVERALL COST  
PER STUDENT IN X-CED

1975-76: \$324,000 (TC) + 147,523 (COP) + 19,000 (GF) = \$490,523

\$490,523

-87,429 Direct Stipends to 18 students and dependents.

\$403,103 Total Budget for Operations and Delivery.

$\frac{\$403,103}{86.5 \text{ FTE}} = \$4,660$  Cost Per Student

1976-77: \$380,000 TC) + 63,750 (9 mos. bilingual grant to UA) +

20,600 (GF) = \$464,350

\$464,350

-35,780 Direct Stipends to 18 students and dependents.

\$428,570 Total Budget for Operations and Delivery.

$\frac{\$428,570}{82 \text{ FTE}} = \$5,226^*$  Cost Per Student

\*Reflects salary increases in ADOE and U of A, air fares and cost of phone and postage.

X-CED ENROLLMENT STATISTICS

<u>PERIOD</u>	<u>NO. OF STUDENTS</u>	<u>CREDIT HOURS</u>	<u>F.T.E. Hrs./12</u>	<u>NOTES</u>
Fall, 1974	39	627	52	Accepting full-time students only. Open to part-time and graduate. Elective - 6 hr. maximum.
Spring, 1975	144	1044	87	
Summer, 1975	12	<u>72</u>	<u>6</u>	
Total 1974-75		1743	145	
Fall, 1975	112	1012	84	Elective - 6 hr. maximum.
Spring, 1976	118	1036	86	
Summer, 1976	6	<u>36</u>	<u>3</u>	
Total 1975-76		2084	173	
Fall, 1976	105	860	72	Added Lower Kuskokwim Bilingual; figures are enrollment as of 2/1/77.
Spring, 1977	118	1085	90	
Summer, 1977	4	<u>24</u>	<u>2</u>	
Total 1976-77		1969	164	

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ARTTC/X-CED GRADUATES

1972-1977 & 1978 (Projected)

1972 ARTTC GRADUATES

1. Linda Garrett (C)
2. Jim Graham (C)
3. Dan Haslett (C)
4. Larry Hayden (C)
5. Flossie Hopson (N)
6. Kathryn (Krogstad) Kortie (C)
7. Steve Kortie (C)
8. Kathy Kurtz (C)
9. John Laughlin (C)
10. Bob Mandell (C)
11. Cecilia (Ulroan) Martz (N)
12. Perry Mendenhall (N)
13. Mike Miller (C)
14. Olinka Nicolai (N)
15. Darrell Offt (C)
16. Stan Senungetuk (N)
17. Bridget Smith (C)
18. Loddy (Sundown) Jones (N)
19. Ferdinand Sharp (N)
20. Shelley Trainer (N)
21. Tom Wagner (C)

1974 ARTTC GRADUATES

22. Nels Alexie (N)
23. Pat (Norton) Beals (N)
24. Patty Bowen (C)
25. Louise (Kelly) Britton (N)
26. Virginia Demmert (N)
27. Lary Hill (N)
28. Pauline Hobson (N)
29. Lois (Edwin) Huntington (N)
30. Merriline Kangas (N)
31. Leo Kinneeveauk (N)
32. Ella Kowunna (N)
33. Genevieve Kratzer (N)
34. Lillian (Brendible) McGilton (N)
35. Lulu Nazaruk (N)
36. Edith (Hildebrand) Nicholas (N)
37. Mary "Dee" Stickman (N)
38. Linda Swenson (N)
39. Alice Weber (N)
40. John Weise (C)

1975 X-CED GRADUATES

41. Emma (Hedlund) Hill (N)
42. Eileen MacLean (N)
43. Shirley Wheeler (N)

1976 X-CED GRADUATES

44. Laura Aaberg (N)
45. Tom Browner (C)
46. Sophie (Manutoli) Shield (N)

1977 X-CED GRADUATES

47. Loretta Pollock (C)
48. Joann Duchume (N)
49. Eileen Weise (N)

1978 X-CED GRADUATES (Projected)

50. Gail Fouts, MAT (C)
51. Joyce Shales, MAT (N)
52. Russ Griffin, MAT (C)
53. Dorothy Jordan, MAT (N)
54. Jeanne (Brichte) Jones (N)
55. Vicky Becwar-Lewis (N)
56. Joshua Lewis (N)
57. Velma Simon (N)
58. Paul Asicksik (N)
59. Marilyn Asicksik (N)
60. Eleanor David (N)
61. William Gumbickpuk (N)
62. Earla Hutchinson (N)
63. Ragine Pilot (N)
64. Gertie Brown (N)
65. Elma Gillett (N)
66. Virginia Ned (N)
67. Jeff Smith (C)
68. Eileen Kozevinkoff (N)
69. Marge Mogg (N)
70. Edna Apatiki (N)
71. Hazel Gogert (N)
72. Wilbur Bavilla (N)
73. Miriam Bavilla (N)