repurposing of civil rights policies, far from rejecting totalitarianism, may be in service of it.

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The Fear of Bilingual Superpowers

Laura K. Muñoz

University of Nebraska-Lincoln, Lincoln, NE, USA
Email: laura.munoz@unl.edu

In the history of American education, after *Brown v. Board of Education* the most significant federal decision affecting English Learners (ELs) across the nation was the 1968 Bilingual Education Act. Centuries after negating Spanish as an American language, opposing bilingualism in German common schools, and denigrating cosmopolitan language training in the Pacific Rim, Congress finally recognized the significance of natal languages other than English by funding federal legislation to establish the US Department of Education's Office of Bilingual Education, known until recently as the Office of English Language Acquisition (OELA). As a prelude to an executive order earlier this year to abolish the Department of Education, the White House designated "English as the Official Language of the United States" on March 1. Twelve days later, the new administration officially "abolished" OELA—firing fourteen of fifteen staff members and transferring its duties, including oversight of "$890 million in federal Title III funds," to the Office of Elementary and Secondary Education.[1] At stake, alongside the educational outcomes of EL students, is research into and the implementation of the EL infrastructure, as the majority of OELA-designated funding is distributed as grants to school districts and institutions of higher education for creating and evaluating EL programs to improve student performance. These 2025 executive orders have set the stage for eradicating access to EL programs for over five million children across the US and its territories, and for returning EL classrooms to their 1960s pre-civil rights status.

Before bilingual education existed as a congressional mandate protected by federal law, US children who spoke languages other than English found themselves

[1]The White House, "Designating English as the Official Language of The United States," Presidential Actions, March 1, 2025, https://www.whitehouse.gov/presidential-actions/2025/03/designating-english-as-the-official-language-of-the-united-states/; The White House, "Improving Education Outcomes by Empowering Parents, States, and Communities," Presidential Actions, March 20, 2025, https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/; Kalyn Belsha, "Trump Education Department Decimates Office Serving 5 Million English Learners in Public Schools," Chalkbeat, March 21, 2025, https://www.chalkbeat.org/2025/03/21/trump-education-department-dismantles-office-for-students-learning-english/; Mark Sherman, "Supreme Court Allows Trump to Lay Off Nearly 1,400 Education Department Employees," Associated Press, July 14, 2025, https://apnews.com/article/supreme-court-trump-education-layoffs-937041553118509234 1b16a6bfea9344.

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at the mercy of federal and state education administrators, school districts, and teachers who often emphasized "sink or swim" pedagogies rooted in segregated, pre-primary immersion programs.[2] With the rise of common schools in the nineteenth century and the continuing xenophobia toward Indigenous peoples and immigrants, English became the primary language of public school instruction and was erroneously hailed as the national language.[3] Overarching scientific trends elevated "raciolinguistic ideologies" born out of the long histories of European colonialism in the Western Hemisphere. Spanish and US colonialism, for example, generated conceptualizations of race, color, language, and borders that stereotyped Latin America as "brown and Spanish-speaking" and the US as "white and English-speaking."[4] These ideologies forged the reactionary extremism of English-only movements that appealed to the masses, including ambivalent Latinxs who embraced assimilationist politics and sought acceptance as "white Americans."[5] These ideologies also produced counterposing demands across generations for bilingual and multilingual curricula that preserved Indigenous and immigrant languages and cultures.

The 2025 executive orders to dismantle language-acquisition programs also stands in defiance of the 1974 US Supreme Court ruling in *Lau v. Nichols* that mandates public school support for English learners and individual access to an equal education. In *Lau*, Chinese-descent families sued the San Francisco Unified School District for failing to provide EL programs to nearly two thousand Chinese-speaking children. The court assessed this failure as "discrimination in violation of Title VI of the Civil Rights Act of 1964 and its implementing regulations."[6] Over the last fifty years, the *Lau* precedent has preserved the federal language rights of children from various backgrounds, including speakers of Spanish, Arabic, Chinese, Vietnamese, Portuguese,

[2]Notable examples of Chicanx educational historiography education include Carlos K. Blanton, *George I. Sanchez: The Long Fight for Mexican American Integration* (New Haven, CT: Yale University Press, 2014); Rubén Donato and Jarrod S. Hanson, *The Other American Dilemma: Schools, Mexicans, and the Nature of Jim Crow, 1912—1953* (Albany: State University of New York Press, 2021); David G. García, *Strategies of Segregation: Race, Residence, and the Struggle for Educational Equality* (Berkeley: University of California Press, 2018); Philis Barragán Goetz, *Reading, Writing, and Revolution: Escuelitas and the Emergence of a Mexican American Identity in Texas* (Austin: University of Texas Press, 2020); Gilbert G. González, *Chicano Education in the Era of Segregation* (Philadelphia: Balch Institute Press, 1990); Rosina Lozano, *An American Language: The History of Spanish in the United States* (Berkeley: University of California Press, 2018); Laura K. Muñoz, *Desert Dreams: Mexican Arizona and the Politics of Educational Equality* (Philadelphia: University of Pennsylvania Press, 2024); Danielle R. Olden, *Racial Uncertainties: Mexican Americans, School Desegregation, and the Making of Race in Post-Civil Rights America* (Berkeley: University of California Press, 2022).

[3]Dennis E. Baron, *The English-Only Question: An Official Language for Americans?* (New Haven, CT: Yale University Press, 1990).

[4]Jonathan Rosa and Nelson Flores, "Unsettling Race and Language: Toward a Raciolinguistic Perspective," *Language in Society* 46, no. 5 (Sept. 2017), 621–47.

[5]See "A Bilingual Future in New Mexico," in Lozano, *An American Language*, 234–43; Muñoz, *Desert Dreams*, 14–15; Olden, *Racial Uncertainties*, 190. Olden describes how some Mexican Americans struggled with the idea of "bilingual-bicultural education" because they believed it cast them as "different" and outside the "American mainstream."

[6]US Department of Justice, Office of Public Affairs, "Celebrating the 50th Anniversary of *Lau v. Nichols*: The Justice Department's Civil Rights Division Continues to Enforce the Rights of English Learners in the Nation's Public Schools," Feb. 5, 2024, https://www.justice.gov/archives/opa/blog/celebrating-50th-anniversary-lau-v-nichols.

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Russian, Haitian Creole, Hmong, Urdu, Korean, French, Swahili, Somali, Tagalog, and Indigenous languages from across Latin America such as the Mayan languages of Mam, K'iche' and Q'anjob'al.[7]

Despite parental and community challenges in the decades before *Lau* and the passage of the Equal Education Opportunities Act of 1974, English learners were generally characterized as "unfit" for democracy and "good citizenship."[8] Some educational experts argued that non-English-speaking children had to be taught to recognize their subordinate place as laborers in the social hierarchy of American capitalism.[9] In cities across the nation, Puerto Rican and Mexican American parents and leaders confronted this thinking and demanded new forms of EL programs as remedies to the racial and language segregation of their children in "special" classrooms for children who were thought to have learning disabilities or disorders simply because they could not speak English.[10] Few English learners were lucky enough to encounter bilingual educators, which was sometimes possible in communities of color. These concerned teachers, including Rebecca F. Muñoz Gutiérrez, who taught Spanish-speaking children in Arizona and California (see Figure 1 below), deserve recognition for shifting the status quo about language acquisition and establishing new pedagogical standards that embraced students' bilingualism as an asset or "superpower."[11] Supported by the National Education Association (NEA), a group of Tucson educators led by María L. Urquides (considered the "mother of bilingual education") investigated how Southwestern school districts in twenty-one cities in Arizona, California, Colorado, New Mexico, and Texas independently implemented EL and bilingual education courses for Spanish-speaking students. Published in 1966 and later read into the *Congressional Record*, their report is the first assessment of dual-language programs conducted solely by bilingual, bicultural Spanish-speaking teachers.[12] Their findings

[7]Sophia L. Ángeles and Kyle Halle-Erby, "'We Call Them International Students': The Consequences of the Newcomer and International Student Labels for Immigrant Students in Public Schools," *Anthropology & Education Quarterly*, May 5, 2025, https://doi.org/10.1111/aeq.70021; see also US Department of Justice, Office of Public Affairs, "Celebrating the 50th Anniversary of *Lau v. Nichols*."

[8]Clif Stratton, *Education for Empire: American Schools, Race, and the Paths of Good Citizenship* (Oakland: University of California Press, 2016).

[9]See, in particular, González, Muñoz, and Stratton, although most scholars who examine immigrant education agree that language acquisition and vocational skills were central to English-learner pedagogies in the nineteenth and twentieth centuries.

[10]Jaime Alanís, "Blowouts: *Chicanismo* and *Latinidad* in Late-1960s Chicago," in *Latina/o/x Education in Chicago: Roots, Resistance, and Transformation*, ed. Isuara Pulido, Angelica Rivera, and Ann M. Avilés (Urbana: University of Illinois Press, 2022), 88; Lilia Fernández, *Brown in the Windy City: Mexicans and Puerto Ricans in Postwar Chicago* (Chicago: University of Chicago Press, 2012); Mirelsie Velázquez, *Puerto Rican Chicago: Schooling the City, 1940–1977* (Urbana: University of Illinois Press, 2022).

[11]Ileana Najarro, "Here's Why Miguel Cardona Is Pushing Multilingual Education," *Education Week*, Nov. 17, 2023, https://www.edweek.org/teaching-learning/heres-why-miguel-cardona-is-pushing-multilingual-education/2023/11. USDE Secretary Miguel Cardona referred to bilingualism and multilingualism as a "superpower" and used the term in the OLEA initiative, "Being Bilingual is a Superpower," which invested over $150 million in securing Native language programming and training bilingual educators.

[12]Mexican American and Spanish-speaking teachers in the US Southwest have developed dual-language curricula and pedagogy since the nineteenth century. For example, Aurelia Borquez de Whenthoff's Spanish-language readers were adopted by California public schools and purchased by libraries across the nation, including the New York Public Library (*see* Muñoz, *Desert Dreams*, 44); National Education

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inspired the NEA to convene a conference on bilingual education in October 1966 at the University of Arizona (also known for its binational teacher exchange program with Sonora) that encouraged two members of Congress, Representative Edward R. Roybal (D-California) and Senator Ralph W. Yarborough (D-Texas), to propose legislation that resulted in establishing the Bilingual Education Act as Title VII of the ESEA.



Kindergarten visitor

30th District Democratic Congressman Ed Roybal (left, seated), whose bill set up federally funded bilingual education programs across the country, listens in on a bilingual class session in a kindergarten class at Huntington Dr. Also shown are Leo Aparacio, Title VII director of bilingual-bicultural school programs (second from left) teachers Mrs. Rebecca Gutierrez and (far corner) teacher aide Mrs. Helen Vargas.

Figure 1. Los Angeles— A photo published in a news article covering a legislator's visit to a bilingual education program. Rebecca F. Muñoz Gutiérrez taught Spanish-speaking children from 1939 to 1972. She was a leader of "Los Conquistadores," the first Mexican American student organization at Arizona State University, and later of the California-based Mexican American Movement with her activist-husband Félix J. Gutiérrez. *Source*: *El Sereno Star* (Los Angeles), Jan. 21, 1971, 1. Courtesy of Occidental College Special Collections & College Archives and the California Digital Newspaper Collection California Digital Newspaper Collection, Center for Bibliographic Studies and Research, University of California, Riverside, http://cdnc.ucr.edu.

Association, *The Invisible Minority … Pero no Vencibles: Report of the NEA-Tucson Survey on the Teaching of Spanish to the Spanish-Speaking* (Washington, DC: Department of Rural Education, National Education Association, 1966); Yolanda Leyva, "María Luisa Legarra Urquides," in *Latinas in the United States: An Historical Encyclopedia*, vol. 3, ed. Vicki L. Ruiz and Virginia Sánchez Korrol (Bloomington: Indiana University Press, 2006), 779—80; Maritza De La Trinidad, "Mexican Americans and the Push for Culturally Relevant Education: The Bilingual Education Movement in Tucson, 1958–1969," *History of Education* 44, no. 3 (2015), 316–338. De La Trinidad beautifully details the history of "Spanish for Spanish speakers" and the collaboration among the four founding teachers: Maria L. Urquides, Adalberto Guerrero, Henry "Hank" Oyama, and Rosita Cota.

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Following guidance from the US Congress, the federal courts, educators, and parents, the US Department of Education (USDOE) became one of the earliest federal agencies to identify EL students as linguistic minorities, to develop cutting-edge "evidence-based research practices" for them, and to invest in bilingual education as "the fundamental tool to overcome inequality in education."[13] For nearly sixty years, the USDOE and OELA have served as arbiters of educational and linguistic justice. Their loss returns us to a moment in time when deliberate discrimination reigned in our public schools and intentionally limited opportunities for English learners—immigrants, refugees, and citizens alike.

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Higher Education and the Department of Education

Roger L. Geiger

Penn State College of Education, USA
Email: rlg9@psu.edu

> Sec. 2. Closing the Department of Education and Returning Authority to the States. (a) The Secretary of Education shall, to the maximum extent appropriate and permitted by law, take all necessary steps to facilitate the closure of the Department of Education and return authority over education to the States.[1]

This ukase by President Trump, like many of his executive orders, gave little thought to the governmental functions that were being eliminated or compromised. In the case of the USDOE, Trumpian animus was principally directed at the government's relationship with American schools, but for higher education the relationship antedated the creation of the Department in 1979. It administers federal student financial aid, as authorized in Title IV of the Higher Education Act of 1965 and significantly expanded in 1972—principally, Pell Grants based on financial need ($39 billion in FY2025) and student loans ($92 billion in annual direct student loans, and $1.6 trillion in loans outstanding). These funds are a fiscal bedrock of American higher education in the twenty-first century, upholding institutional finances and student affordability. But they have not always been well designed or competently administered. Why this has

[13]González, *Chicano Education in the Era of Segregation*, 201; Montserrat Garibay, "Message from Montserrat (January 2025)," National Clearinghouse for Language Acquisition, Office of English Language Acquisition, US Department of Education, January 16, 2025, https://ncela.ed.gov/blog/2025-01-16-announcement-a-message-from-montserrat-january-2025#:~:text=Happy%20New%20Year!,few%20years%20a%20remarkable%20experience.

[1]President Donald J. Trump, Executive Order no. 14242, March 20, 2025, https://www.nafsa.org/regulatory-information/executive-order-improving-education-outcomes-empowering-parents-states-and. The title of the order is "Improving Education Outcomes by Empowering Parents, States, and Communities."

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