



Eastern Region Office
PO Box 40008
Philadelphia, PA 19106
215-592-1513 T
215-592-1343 F

Central Region Office
PO Box 11761
Harrisburg, PA 17108
717-238-2258 T
717-236-6895 F

Western Region Office
313 Atwood St.
Pittsburgh, PA 15213
412-681-7736 T
412-681-8707 F

**TESTIMONY PRESENTED BY
LARRY FRANKEL, LEGISLATIVE DIRECTOR
AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA
TO
HOUSE EDUCATION COMMITTEE
MAY 30, 2007
STATE CAPITOL, HARRISBURG**

Good morning. My name is Larry Frankel and I am the Legislative Director for the American Civil Liberties Union of Pennsylvania. Thank you for inviting me to testify at today's hearing.

I am pleased to have this opportunity to discuss funding for Limited English Proficiency Programs.

Let me start out by stating the obvious – there is a tremendous need and demand for more programs for English Language Learners. Programs to teach English to students who speak another language are desperately needed as a result of our growing immigrant population. While Pennsylvania is not a leading magnet for immigrants, the reality is that over the last decade immigrants have become an essential part of this state's labor force. I believe this fact was well document last summer at the hearing in Philadelphia that was convened by Senator Specter to look at the role that immigrants play in Pennsylvania's economy. Various witnesses, including State Representative Arthur Hershey, described the critical need for workers from other countries. The witnesses explained how our agriculture industry is dependent on migrant laborers and how our service industries would have difficulty meeting their employment needs without the thousands of people who are coming to this country looking for a better life.

Pennsylvania is attracting immigrants and they are part of our communities. Their children are growing up in our state and attending our schools. We can assist these children in adjusting to their new lives and becoming good students and productive members of our society

if we help them learn English. Providing more programs, both in terms of quantity and quality, for English Language Learners is to their benefit and ours as well.

I have attached to my testimony a couple of charts that help illustrate this issue. The first chart demonstrates the growth over the last decade in the number of Limited English Proficient Students in Pennsylvania. In 1994-95 there were 19,889. In 2004-05 there were 39,847 such students. (It is also worth noting that during the same time frame the total enrollment in Pennsylvania fell from 2,047,160 to 1,798,600.) The second chart tracks the top ten languages among Pennsylvania students since 2002-02. While Spanish far outstrips all other languages, there are considerable numbers who speak Vietnamese, Russian, Arabic, Korean, and Chinese (Mandarin).

Funding for educating English Language Learners comes from the states, school districts and the federal government. Unfortunately, federal funds (which are provided largely through Title III) are woefully insufficient. The funding provided in the 2008 Bush Administration budget will run out well before all English Language Learners can be served. The funding in the proposed Rendell budget – contained in the Limited English Proficiency supplement – does not begin to meet the growing need. It is our understanding that this supplement will go to less than 40 school districts and even then, there is nothing in place that ensures that this funding is actually spent on services and programs for English Language Learners.

Even the ACLU is fully aware of the many pressing needs in Pennsylvania and the budget limitations you must work with. We know it is all too easy to just say spend more money on every important program. Rather than just ask you to find new money growing on magical trees, we respectfully suggest that you begin thinking about dedicating some of the

money raised through the Educational Improvement Tax Credits (EITC) as a funding source for expansion of the programs and services for English Language Learners.

We do not claim this is an entirely novel suggestion. This session, Senator Musto has introduced Senate Bill 400 which expands the definition of “educational improvement organization” to include those which make grants to public schools for foreign language immersion programs. Representative Reichley has introduced House Bill 1219 which expands the definition of “educational improvement organization” to include technology development investment programs. While neither of these bills would expand the grant program to cover more quality services for English Language Learners, we believe they show that many of your colleagues are interested in seeing the EITC modified to address the compelling needs of Pennsylvania’s students.

We would suggest that in looking at expanding EITC to cover additional programs and services for English Language Learners, you not limit yourself to considering modifications to the educational improvement programs. Rather, we hope that you will also consider directing some of the funds going to the scholarship organizations and think about dedicating some of those credits to scholarships for students to enroll in schools that offer quality classes and services for English Language Learners.

However, even utilizing the tax credit programs will not fully address the problem of funding. Ultimately, the problems encountered in funding classes and services for English Language Learners are related to the larger funding issues facing Pennsylvania’s public schools. We believe that the larger funding issues and specific problems faced by English Language Learners will be discussed in the “costing-out” study that will be issued in the near future. Once that study is released, it will be very timely to revisit the various subjects of today’s hearing.

Thank you again for inviting me to testify and I will be happy to try to answer any questions you may have.