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No One Is Ever Going to Acknowledge the Language That You Speak”: A Discourse Historical Approach to the Construction of English Learners’ Identity in Federal Policy

Nicoleta Hodis

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“NO ONE IS EVER GOING TO ACKNOWLEDGE THE LANGUAGE THAT YOU
SPEAK”: A DISCOURSE HISTORICAL APPROACH TO THE CONSTRUCTION OF
ENGLISH LEARNERS’ IDENTITY IN FEDERAL POLICY

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DEDICATION

To All Learners of Dominant Languages

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ABSTRACT

Using the discourse historical approach (DHA), this thesis examined how actors from diverse educational settings (federal, state, and districts) discursively constructed the identity of the English learners (ELs) during the appropriation of new educational policy (i.e., *ESSA of 2015*). This study intended to understand how both “human” and “non-human” educational actors (i.e., the texts of the educational policy and the key actors responsible for the appropriation of the *ESSA of 2015*) construct and position the identity of ELs in relations of power and knowledge and how the macro-policy discourse shapes how policies are interpreted at the meso- and micro-level. The *(mis)representation* emerged as the overarching constructing strategy used in both data sets to achieve the discursive construction of ELs’ identities. Whereas the public and the private texts employed the same discursive strategies, they used them to construct a divergent representation of ELs’ identity, which I defined as *(mis)representation through omission* (public texts) and *powerless (mis)representation* (private texts). Moreover, the data showed that the (dis)connect between the two discourses negatively impacts the ELs’ identity and educational opportunities.

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LIST OF ABBREVIATIONS

AMAO	Annual Measurable Achievement Objective
AYP	Adequate Yearly Progress
BEA	Bilingual Education Act
CCS	Comparative Case Study
CDA	Critical Discourse Analysis
CLD	Culturally and Linguistically Diverse
DHA	Discourse Historical Approach
EB	Emergent Bilingual
EAL/D	English as an Additional Language or Dialect
EEOA	Equal Educational Opportunities Act
EL	English Learner
ELL	English Language Learner
ELP	English Language Proficiency
ESEA	Elementary and Secondary Education Act
ESOL	English for Speakers of Other Languages
ESSA	Every Student Succeeds Act
ESL	English as a Second Language
LEA	Local Education Agency
LEP	Limited English Proficient
LEAL	Learner of English as an Additional Language

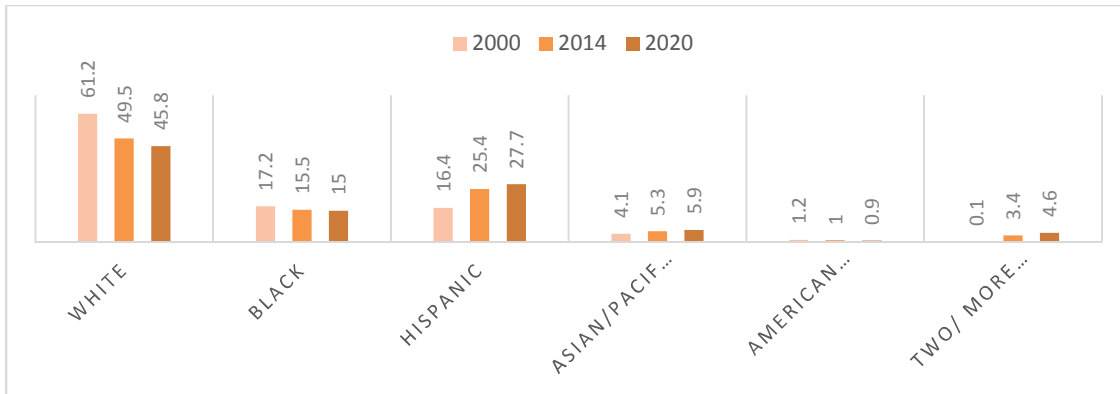
LETLL	Long Term English Language Learner
LIEP	Language Instruction Educational Program
LPP	Language Planning and Policy
MIP	Measurements of Interim Progress
NCELA	The National Center for English Language Acquisition
NCLB	No Child Left Behind Act
ML	Multilingual
OCR	The Office of the Civil Rights
OELA	The Office of English Language Acquisition
READ	The Institute for Research in English Acquisition and Development
SIFE	Student with Limited or Interrupted Formal Education
SSA	The Office of School Support and Accountability

CHAPTER 1

INTRODUCTION

1.1. The Changing Landscape of U.S. Schools and the Deficit Discourse within Education

“School Is Over for the Summer. So Is the Era of Majority White U.S. Public Schools. When schools reopen this fall, demographic changes will have tipped the balance to nonwhite students” (Ross, Bell, & National Journal, 2014, Title Page). This headline from the *National Journal* (2014) aptly summarizes the current shift in demographic patterns in the United States schools that has occurred at two main levels. First, there is a change in number. During the last two decades, a growing percentage of a culturally and linguistically diverse population has enrolled in U.S. schools as shown in Figure 1. According to the National Center for Education Statistics [NCES] (n.d.-a), during the 2014-2015 school year, the minority population (i.e., non-white, English descent) reached 50.5 percent with 15.5 African-American and 25.4 percent Hispanic. English Learners (EL) accounted for 8.1 percent in 2000, 9.8 percent in 2015, and 10.2 percent in 2018 – with 26 percent of the school-age children speaking Spanish as their primary language (NCES, n.d.-a). In 2020, the percentage of non-white students enrolled in the public school system increased by more than 3%, where Hispanic students accounted for the highest percentage, 27.7 % (see Figure 1).

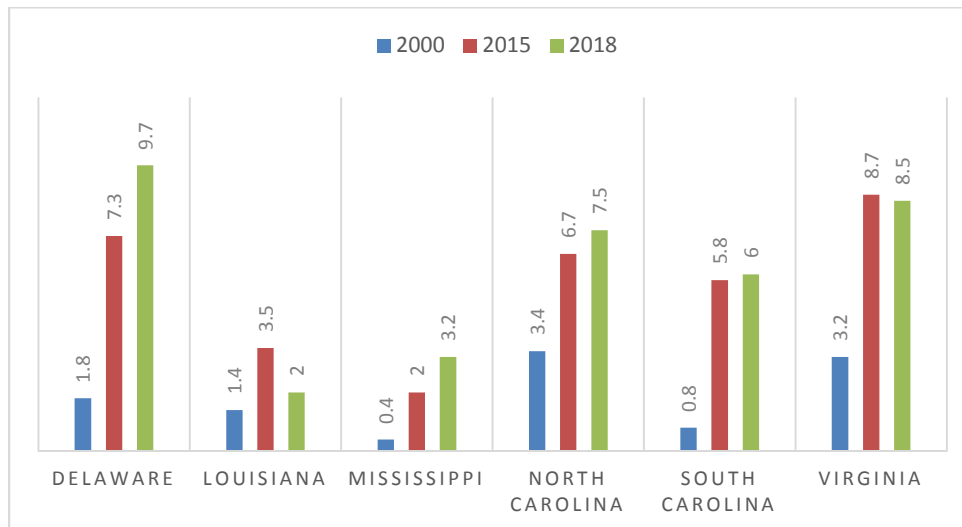


Source: NCES 2020, U.S. Department of Education, Digest of Education Statistics.

Figure 1.1 *Percentage Distribution of Public School Students Enrolled in Elementary and Secondary Schools by Race for years 2000, 2014, and 2020*

The United States' public schools have experienced a change in demographic distribution. Historically, the immigrant population was concentrated in urban areas in Southwest and West (i.e., Arizona, California, Florida, and Texas), and several metropolitan areas outside these regions such as Chicago, Miami, and New York (NCES, n.d.-b). While English learners and their families remain highly concentrated in these areas, they are increasingly dispersing to other parts of the United States. The Southeast has seen the fastest-growing percentage of the non-English speaking student population. For example, as reported by the NCES (see Figure 2 below), between school years 2009-2010 and 2014-2015, the EL population increased by over 40 percent in Louisiana (42.7%), Mississippi (50.6%), and West Virginia (83.5%) (Office of English Language Acquisition, 2017), whereas South Carolina is placed at the top with more than 827 percent increase during school years 1997-98 and 2007-2008 with a projected 8.5 percent increase from 2014 to 2026 (i.e., the EL in S.C. increased from 5,121 in 2000 to 44,301 in 2016). Moreover, during the same time period, 2000-2015, eight of the ten states with the fastest-

growing populations of Latino¹ children were located in the South (e.g., Alabama, Kentucky, North Carolina, South Carolina, and Tennessee) with the fastest growth in South



Source: NCES 204-20, U.S. Department of Education, Digest of Education Statistics, 2020.

Figure 1.2. *Percentage Distribution of E.L. Enrolled in Elementary and Secondary Schools for Years 2000, 2015, and 2018*

Carolina (242%) and Tennessee (241%). Whereas traditional states, with more established Latino populations, had a much slower growth during the same time period: New York and New Mexico with a 14% increase and California only 17% (UNIDOSUS, 2016). Overall, the EL population enrolled in the U.S. K-12 public education grew by more than one million, from 2000 to 2018, with the Latino children playing a central role in this evolving national story (UNIDOSUS, 2016). For example, on April 8, 2021, U.S. Customs and Border Patrol reported that during the month of March 2021 almost 19,000 unaccompanied Latino children and teenagers from Central America arrived in U.S. — the most ever in a single month (U.S. Customs and Border Protection, 2021).

¹The working definitions in this thesis align with the institutional uses of the data sources. For example, *NCES* uses the term Hispanic, while the *UNIDOSUS* uses the term Latino.

The impact that this group has on U.S. public schools is multifold: it affects school contexts, demographics, teacher preparation programs², curricula, pedagogy, disciplinary practices, testing, teaching resources, funding, and language educational policy, just to name a few. Among all these aspects, the language in education policy transcends the sole area of public schooling into almost all other aspects of U.S. life: politics, economics, immigration, the cultural and the linguistic fabric of society, etc., and it can produce contentious results. Although cultural and linguistic diversity has always been a defining feature of the U.S. population, how to grapple, embrace or erase this diversity has been a persistent point of policy debate focusing primarily on language and language policy. The *English-Only* movement is one of the best examples of such a debate.

The English-Only movement is the umbrella under which several groups such as U.S. English, English First, or Pro-English advocate for laws and legislation that would restrict the use of other languages in the U.S. public life (Lawton, 2016). The movement is organized around three main issues: educational policies for language minority children; linguistic access to political and civil rights; and legislation that would make English the official language of the United States. An example of such legislation is the English Language Unity Act of 2019 or H.R.997 (Congress.gov, 2019; Lawton, 2013, 2016; Schmidt, 2000). As of August 2017, 32 out of the 50 states in the U.S. have adopted English as their official language. The proponents of the movement argue that national unity, American identity, “and the English language are threatened by immigrants and their languages and must be protected” (Lawton, 2021, p. 194). Although the status of English as an official language does not exclude the use of other languages, as in the case of

² In many cases, the teacher preparation programs have not succeeded to adapt to this demographic shift (Nguyen, 2018).

English-only legislation, such policies are open to interpretation and Lawton (2021) noted that policies formed by English-only ideologies intend to restrict or eliminate bilingual education, prohibit the use of languages other than English in the government, and limit the ability of the states to provide services in languages other than English (Lawton, 2007). For example, although the effort to make English the official language has failed at the national level, as a result of the English Only movement, in 1998, California passed Proposition 227, which required the state's public schools to teach ELs in special classes that were taught nearly all in English (Proposition 227, 1998; Crawford, 2002, 2007). This legislation almost eliminated bilingual education programs by replacing them with English-only immersion programs. In 2016, the repeal of Proposition 227 had real positive consequences by opening the possibility to develop and implement an array of bilingual programs and training (Hopkins, 2017).

Scholarship examining English as the central point of the debate over language in U.S. public schools touches on the forces shaping language attitudes and language policy. Language-policy researchers assert that language “has been the proxy for other conditions that have challenged the power relations of the dominant group(s)” such as demographic and cultural changes, and that the linguistic diversity of the newcomers has been perceived as a challenge and as a threat to both the linguistic hegemony of English in the U.S. and the American (i.e., U.S.) identity (Schmid, 2001, p. 4; Cummins, 2000; García & Kleifgen, 2010; Lawton, 2013; Schmidt, 2000). Anderson (2009) stated that “language often indexes race [and these two] categories become co-constitutive” (p. 12) with language becoming an important signifier of ‘racial subject-ification’ (Anderson, 2009).

For other researchers, these forces represent more than struggle over cultural, religious, linguistic hegemony, or national identity, as they see them determined by the political and economic interests (Crawford, 2000; Schmidt, 2000). In Crawford's (2000) collection of articles *At War with Diversity*, he argued that "ultimately language politics are determined by material interests- struggles for social and economic supremacy—which normally lurk beneath the surface of the public debate" (p. 10), and they have little to do with language.

Implicitly connected to the debate over the language used in education within U.S public schools is the existence of a deficit discourse related to the language minority children. This discourse is carried both within the context of education and within the larger social context (Alford, 2014; Crawford, 2000; Cummins, 2000; Echevaria et al., 2008; Lawton, 2013). For example, in her study of the discursive construction of immigrants and immigration within the English-Only movement in the United States, Lawton (2013) argued that the movement's discourse is ideological, discriminatory, and anti-immigrant, "it relies on the positive representation of the 'self' and the negative representation of the 'other' to achieve its aims" (p. 116). Using a variation of Wodak's (2002, 2009, 2016) discourse historical approach (Wodak & Meyer, 2016; Reisigl & Wodak, 2016) as an analytical framework to analyze public texts produced by the English-Only movement's proponents, she concluded that the discursive construction of the "in-groups" and "out-groups" depict "both the act of immigration and the immigrants themselves in derogatory and thus discriminatory terms" (Lawton, 2013, p. 100).

Likewise, Alford (2014) showed the persistence of a similar deficit discourse within the field of education: "a ubiquitous discourse that serves the interests of dominant cultures

and what they value as ‘normal,’ and is problematic for any learner on its receiving end” (p. 71). A deficit discourse which is built on the notion of “difference” related to, among others, sex, gender, race, ethnicity, language, or geographical location, and it emphasizes what students belonging to minority groups lack. Alford (2014) used Fairclough's (2003) model of Critical Discourse Analysis (CDA) to investigate and “disrupt” such discourses about English language learners in senior high school English courses in Queensland, Australia. She identified five “competing discourses...deficit as lack; deficit as need; learner ‘difference’ as a resource; conceptual capacity for critical literacy; and linguistic, cultural, and conceptual difficulty with critical literacy” (Alford, 2014, p. 71). Nevertheless, Alford (2014) also found “counter-hegemonic discourses” that challenged the dominant discourse about the English language learners (e.g., learner “difference” as a resource). She concluded that the presence of a combination of discourses “opens up generative discursive territory to position English language learners in ways other than ‘problematic’” (p. 71).

In summary, the competing discourses over immigration and language in the U.S. have a significant impact on the educational policies for minority students and on the societal perception of their language and culture. It leads to the construction of a positive representation of self and negative representation of the other where the ones who have the power to enforce norms define themselves as normal and position the other in deficit terms.

1.2. Aims of the Study

This research aims to move towards a better understanding of the legislative discourses related to the population of English learners (i.e., *Each Student Succeeds Act of 2015, Title III* and its supportive materials). More specifically, this study explores how

actors from diverse educational settings (i.e., federal, state, and district) discursively construct ELs' identities during the appropriation of new educational policy (i.e., *ESSA of 2015*). Underlining this inquiry is Foucault's (1978) view of discourse as a means of power: whoever determines what can be said, also determines what can be known, and how particular kinds of subjects are produced as effects of discourse relations. In other words, he saw the discourse as "a system of organizing truth and knowledge (i.e., the ELs' identity) and consequently of how power is exercised by some and not the others" (Saarinen, 2008, p. 720). Thus, this study intends to understand how both "human" and "non-human" (Vavrus & Bartlett, 2009, p. 46.) educational actors (i.e., the texts of the educational policy and the key actors responsible for the appropriation of the *ESSA of 2015*) construct and position the identity of ELs in relations of power and knowledge. Moreover, it aims to examine how the macro-policy discourse shapes how policies are interpreted and implemented at the meso- and micro-level (Lawton, 2013; Kwauk, 2012; Vavrus & Bartlett, 2009; Wodak & Meyer, 2016).

1.3. Research Questions

The main question posed by this inquiry is as follows:

RQ₁: How do diverse educational actors at the macro-, meso-, and micro-levels discursively construct the identity of English learners during the ESSA's (2015) language in education policy appropriation?

The research topic entails several sub-questions:

RQ_{1a}: How are ELs' identities constructed discursively by the text of the educational policy (*ESSA of 2015*) and its supportive materials?

RQ_{1b}: What are the perspectives promoted by diverse educational actors³ with regard to the ELs' identities (e.g., do they promote notions of assimilation, notions of integration, other)?

RQ_{1c}: How is the language of their discourses employed to represent what we know, believe, and think about the ELs (Wilson, 2001)?

RQ_{1d}: Which traits, characteristics, qualities, features are present or absent from the discursive construction of ELs' identity?

1.4. Significance of the Study

Looking at the issues of language and identity in relation to ELs will advance an understanding of both (a) the process of policy appropriation, and (b) how to better educate this group of students. The perspectives on language, culture and identity that are included in the discourse of the educational policy (as well as in the discourse of the main actors responsible for the appropriation of the educational policy) are critical factors that mediate the learning experiences of the EL children in U.S. schools; thus, by examining the discourse of the abovementioned documents and the way that the diverse educational actors interact with the text, I will advance of an understanding of:

- (1) How the identity of the ELs is constructed in the current educational policy (*i.e.*, *ESSA, Title III*), and the ways these policies intend (explicitly) to transform the ELs' identity;
- (2) Policy transition and the links (or breaks) between current and past EL policies;

³ By this I mean, the various stakeholders responsible for the appropriation and implementation of the *ESSA, Title III* and its supporting documents at the national, regional, and local level such as the associate director for ESOL and Title III of the Southern State Department of Education; it also includes "object-actors" such as the policy text (Vavrus & Bartlett, 2009, p. 13.)

- (3) Programs currently proposed for educating ELs;
- (4) Language(s) of instruction proposed by these educational policy documents for educating this group of students;
- (5) Whether the linguistic options for representing the EL students help to facilitate or constrain their cultural reproduction⁴; and
- (6) Which knowledge and cultural capital are deemed valuable for social mobility through formal schooling. Overall, this discourse-historical approach intends to demonstrate
 - (a) how language operates as social practice (Fairclough, 2003; Wodak, 2016); and
 - (b) how it is imbedded with values and power relations that shape our beliefs and perceptions of the Other- i.e., ELs (Wodak & Meyers, 2016; Reisigl & Wodak, 2001).

1.5. Contributions

The main aim of this analysis is to contribute to the scholarship on language and student identity in education by critically examining the latest federal educational legislation related to the ELs during its first steps of implementation and appropriation (i.e., *ESSA of 2015, Title III*). This is important for several of the following reasons:

⁴ Bourdieu (1973) perceived cultural reproduction as part of the larger process of social reproduction through which cultural values, practices, and norms are passed on from generation to generation in order to maintain them across time. He considered that social institutions such as schools, mediate the transmission of cultural ideas that underlie and support the dominant class. Therefore, I wanted to see if the discourses analyzed for this research facilitate or constrain the cultural reproduction of the ELs.

1. *Title III of ESSA (2015)* is the major federal education law which shapes and regulates how legislation at the state and local levels is developed and implemented.
2. It shows how various educational actors, positioned at both macro-, meso-, and micro-level of the educational process, discursively construct the identity of the ELs; which may, or may not be in line with the identity construction on the ground, but remains important.
3. It explores the relationships between the dominant cultural and linguistic forms and practices, and the language of education and implicitly the identity construction of the ELs.
4. It also aims to address an existing gap in the literature: despite a large body of empirical research on language of education and especially on language and education of culturally and linguistically diverse students, limited attention has been given by scholars to the study of the text of the educational policy, per se, and in particular, the study of the discursive construction of ELs identity within the text of the educational policy.
5. It highlights the importance of Critical Discourse Analysis and, in particular, of the Discourse Historical Approach to the study of educational policy by contributing to the existing body of CDA and DHA studies on identity through its topic and mixed-methods approach; the research uses a combination of qualitative methods: textual analysis and semi-structured interviews.

6. It intends to show how macro-policy discourse influences how the policy per se is interpreted and appropriated at the meso- and micro-levels.

1.6 The Label Conundrum

A major issue in the field of language policy in education (LEP) is “the lack of consistency and agreement about what to call students who are not yet proficient in English” (Wright, 2010, p. 3). The terminology used in the documents and the literature reviewed for this study covers and contains a whole spectrum of terms: from limited English proficient, non-English speaking student, language minority learner, linguistically diverse student, to English language learner, English learner, or the more recent, bilingual emergent student or learner of English as an additional language, just to name the few (see page *x* for a list of operational terminology and abbreviations used in this study).

Considering the discrepancies that currently exist in the literature, EL will be the term used throughout this study to address this group of students. I adopted the term English Learner because it is most frequently used within the educational policy documents and research that constitute the main source of data for this inquiry. However, I consider that the terms EL, ELL, and EB are misleading as they do not completely reflect the linguistic reality (and diversity) of this group. Whereas for many of these students English is the second language and therefore they are emergent bilinguals; for many others, English is their third or fourth language and for them, English is an additional language that makes them multilingual (Alford, 2014, p. 4). Therefore, in the conclusion section of this dissertation (see Chapter 8 of this research), I transition to the use of the term Learner of English as an Additional Language (LEAL) for several reasons: it portrays this group of students in a positive way; although indirectly, it emphasizes their native language (Ruiz,

1984); and it also shows that they learn English. A more thorough discussion on terminology is included in Section 2.2.4 of this study.

The same variation exists in relation with EL's primary language. Terms such as L1, native language, home language or heritage language are employed when refer to the language that the English learners speak by the time they enroll in the U.S. schools. The distinction between the definitions reflects the contextual use of the term. Therefore, the working definitions in this thesis align with the institutional uses of the data sources.

1.7 Summary and Overview of Chapters

In this introductory chapter, I provided a broad context for my research, its aims, its significance, and its contributions. More specifically, I broadly outlined the background information on forces that contribute to the debate and discourses over the language in education policies as my investigation builds conceptually on language policy literature. In Chapter 2, I present a literature review on relevant empirical literature related to language minority students' identity and a brief historical overview of the U.S. educational policies related to language in education. Chapter 3 includes the theoretical framework applied in this thesis, including a discussion of the operational terms, key principles and analytical tools. Chapter 4 outlines the design and the rationale of the research: the methodology, the participants, methods of data collection, the DHA's analytical tool kit, ethical considerations and limitations. I also included a brief document analysis of the NCLB's Title III. The analysis and the discussion of the data sets are part of Chapters 5, 6, and 7. The final chapter, Chapter 8, comprises conclusions, discussions of the findings, recommendations for potential future research.

CHAPTER 2

LITERATURE REVIEW

The literature reviewed in this chapter is organized into two sections. In the first section, I present a brief historical overview of the U.S. educational policies to situate current educational language policy related to ELs. Secondly, I review of relevant literature on language minority students' identity informed by conceptual and empirical studies. I conclude with a short discussion about the terminology and its importance to the topic of this study.

2.1. Historical Overview

2.1.1. *Language in Education Policies*

Historically in the U.S., the issue of language in education was addressed by policies and programs under the umbrella of the *Elementary and Secondary Education Act*, which was first adopted in 1965 and reauthorized periodically. Alongside the *Bilingual Education Act of 1968*, these federal-level policies reflect past and current political perspectives on educating English language learners in the United States' public schools. As shown in the previous chapter, both federal and state educational policies in the US have been shaped by political struggles over (1) educational equity for racial, ethnical, and linguistically diverse students, (2) language rights, and (3) national security (Anderson, 2009; Bondy, 2016; Cummins, 2000; Crawford, 2000; Lawton, 2013; Menken, 2010; Schmid, 2001; Schmidt, 2000). For the linguistically diverse students, these policies have ranged from repression to restriction, and from tolerance, to accommodation, depending

on forces that have little to do with language learning and acquisition and more with “struggles for social and economic supremacy” (Crawford, 2000, p. 9-10). The case of Arizona and New Mexico is one example of how language policy has been used as a way to deny the right to participate actively in government and education (Stull, 2012). While New Mexico has some of the most inclusive policies regarding language protection, multicultural education, and immigrants’ rights, Arizona has an English-only approach to policies that are “discriminatory to the point of being constitutionally questionable” (Stull, 2012, p. 20). In 2000, Arizona passed Proposition 203, English for Children, claiming that bilingual education programs impeded language minority students from learning English and consequently affected their academic and social success (Johnson & Johnson, 2015). At the other end of the spectrum is New Mexico, the first state in the US to have a bilingual multicultural education law through the passage of the Bilingual Multicultural Education Act of 1973 and then the English Plus Resolution in 1989 (New Mexico Public Education Department, 2022). The law requires, among others, the implementation of dual language immersion models, which must provide three program hours of instruction in the home or heritage language (New Mexico Public Education Department, 2018).

A historical understanding of the U.S. educational context as it relates to the current language education policy and its provisions for English learners is necessary in order to critically analyze the discourses that ESSA has generated at the federal-state-local (i.e., district) levels (Office of Elementary & Secondary Education, 2015; Schmidt, 2002; Vavrus & Bartlett, 2009). Wodak (2002, 2016) argued that the broader social-political and historical contexts in which the discursive practices (i.e., ELs’ identity construction for this

research) were embedded as an essential part of a critical approach for studying the broad practices related to language education policy.

In this section, I start with an abbreviated timeline of the BEA's significant discursive changes from 1968 to 2015 to outline the major topics discussed in this section. Next, I summarize the landmark U.S. court cases that have helped shape the educational policies related to ELs. I conclude with a brief historical overview of the Elementary and Secondary Education Act (ESEA), underlining the most significant changes in English learners' policy and showing how the education policy has transformed since its first adoption in 1965.

2.1.2. An Abbreviated timeline of BEA's key discursive changes from 1968-2015

The Bilingual Education Act of 1968 aimed to address “the equal education opportunity regardless of a student’s race, color, sex, or national origin [and] to overcome language barriers” (EEOA, 1974, Sec. 204,f). Since its adoption in 1968, it has articulated how states and school districts can provide equal access to education for language minority students. It has evolved from providing only basic guidelines to sharing more specific regulations, and then to shifting to greater local control of local programs (Stewner Manzanares, 1988). However, using the native language in educating the ELs has remained an issue of heated debate since its inception (Cummins, 2000; Crawford, 2000; Echevaria et al., 2008; Stewner-Manzanares, 1988). Wiese and Garcia (2001) viewed this debate as part of the societal fabric: “a larger concern with the symbolic meaning of language and identity in a pluralistic society” (p. 6). Others considered that at the core of this debate is the view of language as movement (Wiley & Wright, 2004) or as “a proxy for race, power, and identity” (Stuart, 2006, p. 235). Researchers have come to agree that U.S.’s language

in education policy for ELs has been shaped by “two distinctively different societal conversations” (de Jung, 2013, p. 98) that could be categorized as assimilationist, i.e., monolingual; or pluralist i.e., multilingual (Johnson & Johnson, 2014; Johnson & Ricento, 2013; Menken, 2010; Menken, 2010). Both perspectives have historically been present in the BEA’s discourses over time (Figure 2.1) by using different conceptual frames to talk about linguistic and cultural diversity in schools. On the one hand, the notions of cultural identity, civil rights, and language-as-resource are part of the pluralist discourse; on the other hand, national identity, access to the societal resource, and language-as-problem frame the assimilationist discourse (de Jung, 2013; Ruiz, 1984). The excerpts from the reauthorizations of the BEA provided in Figure 2.1 attest to the presence of the two discourses throughout the body of the legislation since its adoption and during specific periods of time; however, one discourse may be more dominant than the other. As Stewner-Manzanares (1988) observed, these changes in bilingual education legislation “reflect an evolution in the public opinion as the United States accommodates new waves of immigrants” (p. 9). The intertextual and interdiscursive relationships among these texts are further discussed in Chapter 5 of this research as part of the analysis.

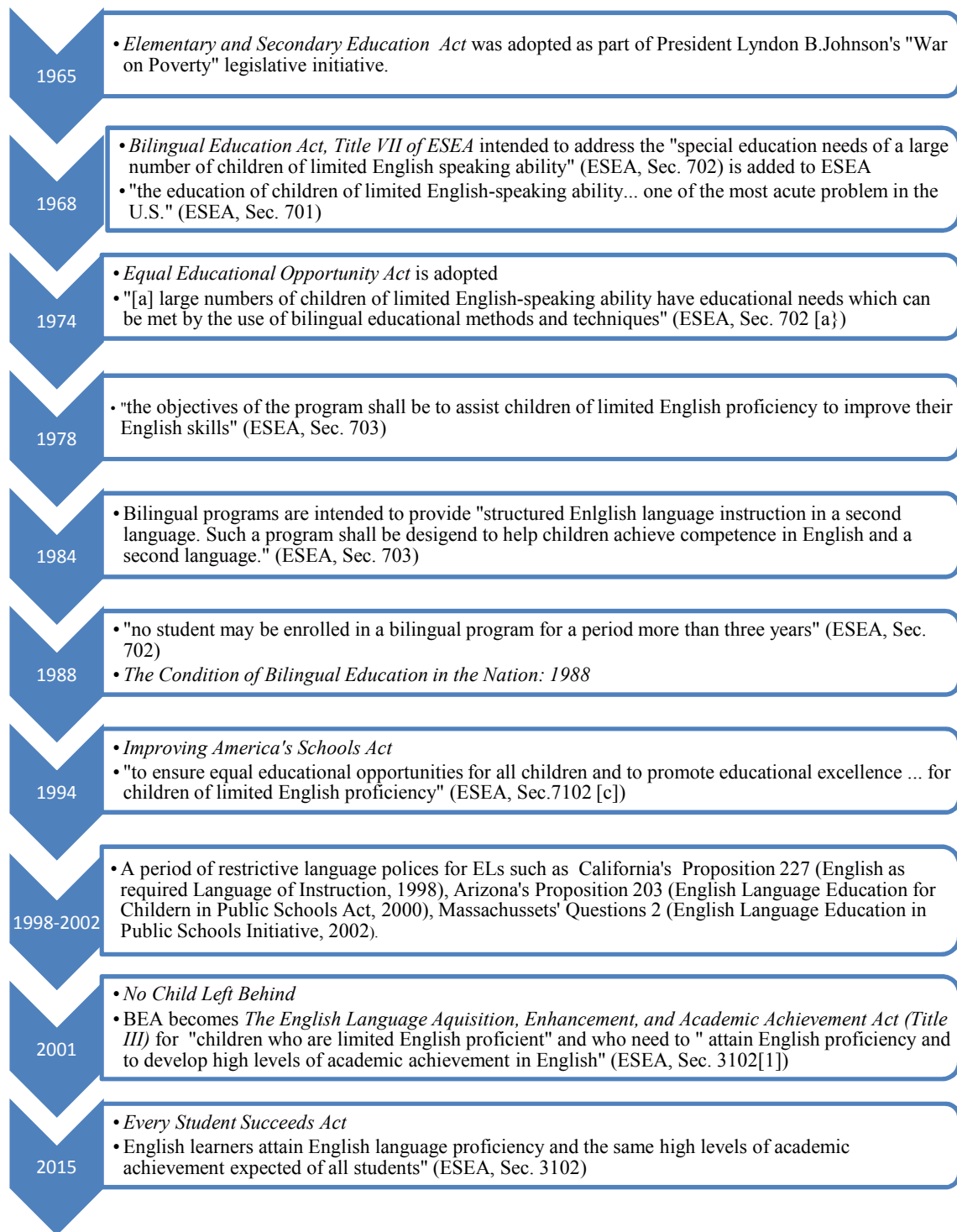


Figure 2.1. *An Abbreviated Timeline of BEA's Discursive Changes from 1968-2015*

2.1.3. Disenfranchised Groups Get a New Political Voice: Landmark Court Rulings Related to the English Learners

The courts are a defining element of U.S. educational reforms. For the ELs and other minority students, the courts have been a means to address educational inequalities much faster than the law (Carper & Hunt, 2007). The court's involvement in the education policy decisions has stemmed from the "historical reluctance by many states throughout the country to provide equitable educational opportunities to ELL and other minority students and controversies over the use of languages other than English in public school" (Wright, 2010, p. 70). Whether addressing segregation, the right of communities to teach their native languages to their children, or the linguistic and educational needs of the English learners, a historical overview of the U.S. language educational policies necessitates a brief overview of the landmark U.S. court cases. Although the "separate but equal" decision of 1898 *Plessy v. Ferguson* and its reversal in *Brown v. Board of Education* (1954) are the pillars of the struggle against segregation and for educational equity for the disenfranchised groups. A few lesser-known cases are *a sine qua non* for the understanding of language educational reform (Blanco, 2010; Wright, 2010). Wright (2010) grouped these court cases thematically in cases that addressed (1) the segregation of the Hispanic students, i.e., *Independent School District v. Salvatierra* (1930) and *Alvarez v. Lemon Grove* (1931), or (2) the right of communities to teach their native languages to their children *Meyers v. Nebraska* (1923) and *Farrington v. Tokushige* (1927); (3) court rulings that supported bilingual education, e.g., *The United States v. Texas* (1971, 1981), *Serna v. Portales* (1974), or *Rios v. Reed* (1978), or (4) rulings that diminished the support for

bilingual education such as *The Antonio Independent School District v. Rodriguez* (1973), *Castañeda v. Pickard* (1981), or *Gomez v. Illinois State Board of Education* (1987).

Two lesser-known U.S. court cases serve as the building blocks for educational legislation related to segregation and English learners' linguistic and education needs: *Méndez v. Westminster School District* (1947) and *Lau v. Nichols* (1974). In the *Mendez* case, a federal court in California ruled that segregation of Mexican children in school is unconstitutional and violates the 14th Amendment. The case challenged *Plessy v. Ferguson*'s (1896) doctrine of "separate but equal." In Blanco's (2010) study *Before Brown, There was Mendez: The Lasting Impact of Mendez v. Westminster in the Struggle for Desegregation*, she noted that the "Mendez case was critical to the strategic choices and legal analysis used in arguing Brown... [it] also symbolized the important crossover between different ethnic and racial groups who came together to argue in favor of desegregation" (p. 2).

In *Lau v. Nichols* (1974), the Court determined that the school system in San Francisco Unified School District failed to provide supplemental English language instruction to students of Chinese descent who spoke no English; this constituted a violation of the 14th Amendment and the Civil Rights Act of 1964 because it denied those students the opportunity to participate in the public education programs. The *Lau v. Nichols* decision led to the adoption of The Equal Educational Opportunities Act (EEOA, 1974) during the same year, and it was followed, in 1975, by a series of guidelines released by the Office of Civil Rights named the Lau Remedies, which were federal requirements and guidelines to address the ELs' needs. The Lau Remedies provided procedures for identifying ELs and determining their English-language proficiency. It specified

professional standards for teachers and pedagogical strategies tailored for ELs (Ovando, 2003). The Remedies also required school districts to develop and implement transitional bilingual education programs⁵ when they have at least 20 ELs representing the same language (Ovando, 2003; Stewner-Manzanares, 1988). School districts were required to abide by the Lau Remedies in order to comply with the Supreme Court's *Lau* decision (Crawford, 1996; Nieto & Bode, 2012, Ovando, 2003; Schmidt, 2000). While the number of programs tailored for ELs was increasing (i.e., 1974-1978), the implementation of the Lau Remedies requirements posed several challenges with funding being the most salient one. Stewner-Manzanares (1988) noted that (1) the school districts struggled to provide cost-efficient bilingual programs, while trying to avoid the placement of ELs in segregated classes or schools, which was prohibited by the Lau Remedies' guidelines; (2) the use of native-language instruction was perceived as "promoting language maintenance with federal funds" (p. 5); and (3) due to the recession (late 1970s-early 1980s), a lot of federal and local school budgets were being cut which affected the funding of the bilingual programs. These social and economic challenges led to *de jure* changes in the implementations of the transitional bilingual programs (i.e., the 1978 Education Amendments): programs intended to maintain the native language were excluded from funding, and the school districts slowly transition towards an English-only approach designed to prepare ELs to enter their regular classes as quickly as possible (Menken, 2010).

⁵ A transitional bilingual education program is a teaching model in which two languages are used to provide content matter instruction. Gradually, the use of the native language is decreased, and English is increased until only English is used (¡Colorín Colorado!, 2019).

In sum, the review of these few lesser-known U.S. court cases underlines (1) the “connective tissue” (Blanco 2010, p. 5) that links different segments of the government, in this case, the judicial and the legislative; and (2) how individuals of different races, backgrounds, and ethnicities came together to fight against the history of discrimination and segregation and shaped the landscape of educational policy for English learners in this country (Blanco, 2010).

2.1.4. ESEA and the Bilingual Education Act of 1968: The 1965-2001 Period

As mentioned above, the U.S. has been “at war with diversity” for more than a half-century (Crawford, 2000, p. 11). This struggle is an “ongoing disagreement between pluralists and assimilationists” with its primary focus on educational policy for English learners, “access to political and civil rights, and government services by non-English speakers, and to make English the official language of the U.S.” (Schmidt, 2000, p. 11), also see Lawton (2013); Crawford (2000); and Cummins (2000). The U.S. court cases discussed in the previous section are milestones in that ongoing tension. In the following sections, I present a brief historical overview of the Elementary and Secondary Education Act (ESEA), underlining the most significant changes in English learners’ policy and showing how the education policy has transformed since its first adoption in 1965.

In the U.S., K-12 education, the primary federal law is the *Elementary and Secondary Education Act*, first adopted in 1965 as part of President Lyndon B. Johnson’s “War on Poverty” legislation intended to provide funding for the education of low socio-economic student populations. However, by 1967 increasing evidence showed that non-English speaking students in the public schools had lower academic achievement compared to their English speaking peers, and a higher dropout rate (Schmidt, 2000). In 1967, Senator

Ralph Yarborough introduced the bilingual education amendment (i.e., Title VII) to ESEA as an approach to address the “failure of our schools to educate the Spanish speaking students” (Schmidt, 2000, p. 12), also see Anderson (2009); Crawford (2000); Cummins (2000); and Menken (2010). Schmidt (2000) noted that many policymakers and activists saw the bill as an “equal opportunity program for ‘culturally disadvantaged’ American minority students” (p. 11).

Although at first, “more symbolic than substantive” (Schmidt, 2000, p. 12), the U.S. Supreme Court’s *Law v. Nichols* decision and “The Equal Educational Opportunities Act” adopted by the Congress in 1974, have shaped bilingual education in several ways: while they added political support and expanded the bilingual education programs, they also generated controversy (Anderson, 2009, Ovando, 2003; Schmidt, 2000). On the one hand, as the number of bilingual programs increased⁶, the array of approaches to teaching the ELs multiplied as well (see Table 2.1). The significant variations in bilingual education programs were a result of several factors: common assumptions underlying language in education policies such as national identity, language rights, and funding, alongside to a range of societal, linguistic, and educational goal and outcomes related to bilingual education (Roberts, 1995). Additionally, the community's interest and support, the number of students speaking the same native language, and the support of the school staff were notable contributors to the development and characteristic of a particular bilingual model (Johnson & Johnson, 2015; Roberts, 1995).

⁶ By the time of ESEA's fifth reauthorization in 1994, eleven states had mandatory bilingual education-Alaska, California, Connecticut, Illinois, Indiana, Massachusetts, New Jersey, New York, Texas, Washington, and Wisconsin (Garcia & Morgan, 1997).

Table 2.1*Bilingual Education Programs during the 1968- 2001 Period*

Bilingual Program Models	Description	Goals	Outcomes
Submersion	ELs are taught into regular English-speaking classes.	Assimilation	Subtractive bilingualism
EL-pullout	ELs are pulled out of some classes in order to receive ESOL instruction and mainstreamed into other classes.	Assimilation	Subtractive bilingualism
Sheltered Model	ESOL and content area classes are combined and taught by an ESOL trained subject area teacher or by a team.	Assimilation	Subtractive bilingualism
Transitional Bilingual Education	ELs are taught content area classes in their native language while receiving ESOL instruction as well.	Assimilation (the goal is to transition the ELs from their native language to English as quickly as possible*)	Subtractive bilingualism
Maintenance Bilingual Education	ELs receive instruction in both their native language and English; their native language is considered a resource.	Bilingualism/Biliteracy Promotes Pluralism	Additive bilingualism
Enrichment/Two-way/Developmental Bilingualism	Includes both ELs and native English speakers; students serve as resources for each other, and they gradually transition towards studying the content area classes in both languages.	Bilingualism/Biliteracy Promotes Pluralism	Additive bilingualism
Immersion	The program is crafted to meet the needs of native-language speakers who learn a second language.	Bilingualism/Biliteracy Promotes Pluralism**	Additive Bilingualism

*The Federal guidelines suggested a 3-year limit for the ELs to receive support in their native language; however, students may continue to receive native language support for two more years under special circumstances. (i.e., the Provision of the 1988 Bilingual Education Act, Title VII of ESEA (Stewner-Manzanares, 1988).

**Roberts (1995) notes that when ELs were immersed in the majority language, the goal is frequently assimilationist and leads to subtractive bilingualism (1995, p. 377).

This view of “bilingual education programs as specific responses to local conditions,” can be found in a national context (Roberts, 1995, p. 370) case of Hawaii, New Mexico, and Arizona (see the beginning of this chapter for a brief discussion about the latter two states).

After a 90-years ban on teaching in Hawaiian in the state's public and private schools, the State legislature passed a bill in 1986 that extended the teaching of Hawaiian languages to K-12 and universities. This resulted from the 'Aha Pūnana Leo (1983), which is a grassroots movement that advocated to revive and perpetuate the Hawaiian language. Moreover, in 1990, the united efforts of 'Aha Pūnana Leo and of other U.S. Indigenous American communities to save their languages from extinction saw fruition. President G.H.W. Bush signed the Native American Languages Act that provided federal legislation that allows the use of Native American languages as the medium of instruction.

On the other hand, two of the approaches to bilingual education, the transitional and the maintenance models (see Table 2.1 for details), led to much debate over the role of the student's native language in education (Anderson, 2009; Crawford, 2000; Menken, 2010; Ovando, 2003; Schmidt, 2000). The maintenance approach considers language a valuable resource for a child's academic success, while the transition approach perceives the child's native language as "a crutch that should be dispensed as soon as possible" (Schmidt, 2000, p. 14). Some of the state' legislation adopted during this period, such as The Transition Bilingual Act (Massachusetts, 1971) or California's Bilingual-Bicultural Education Act (Chacon-Moscone Act, 1976), echoes the debate. By the turn of the century (1997), more than twenty years after the adoption of the Equal Education Opportunities Act (1974), many states have adopted laws regarding the programs and the education of the ELs (see Table 2.2). These laws have been developed in collaboration with, or under the pressure from, federal agencies and/or activist organizations, and the result has been a patchwork of laws and regulations that vary greatly from state to state (Garcia & Morgan, 1997, p. 4; also Crawford, 2000). As illustrated in Table 2.2, states and school districts generally

adopted two types of programs for educating the ELs: bilingual education (the maintenance program) and English as a Second Language or English for Speakers of Other Language (focusing on instruction in English).

Table 2.2

Selected State Requirements and Programs for ELs' Education in 1997

Requirements	States
Mandated Bilingual education	Arizona, Florida, New Jersey, New York, Texas
Forbidden Bilingual Education	Arkansas, Delaware, Nebraska
Non-Program States with Specific Laws for ELs' Programs	Arizona, Florida, New Mexico, Rhode Island
States with No Laws Regarding ELs' Programs	Louisiana, Mississippi, South Carolina
States Funding All ELs' Programs	Arizona, California, Florida, Illinois, New Jersey, New York, Rhode Island, Texas, West Virginia, New Mexico
States Funding Only Bilingual Education Programs	New Mexico
States Funding Only Non Bilingual Education Programs	Virginia
States with No Funding for EL's Programs	Louisiana, Mississippi, South Carolina, Wyoming

Source. Garcia & Morgan (1997). I selected and tabulated data for two groups of states: the ones that historically have had a large number of ELs and the ones that have currently seen the fastest-growing number of ELs (Louisiana, Mississippi, Rhode Island, South Carolina, West Virginia, and Wyoming). Although they are not part of the two abovementioned groups, I also included Arkansas, Delaware, Nebraska, and Virginia as their requirements are in stark contrast with the ones mandated by the other states.

The fact that the Bilingual Education Act (BEA) was part of the fifth reauthorization of the ESEA in 1994, *Improving America's School Act* (IASA), shows, as Crawford (2000) noted, that bilingualism was “no longer considered a handicap to cognitive growth, but probably an advantage” (p. 112). However, four years later California's Proposition 227 (Legislative Analyst's Office, 1998) (i.e., English Language in Public Schools, and English as Required Language of Instruction) sought to replace the state's bilingual programs with a sheltered English immersion program “not normally

intended to exceed one year⁷” (Crawford, 2000, p. 112), which showed that bilingualism in the U.S. was still under attack. Proposition 227 is an example of language as proxy for nativist politics; bilingualism and bilingual education have been dominant topics in the discourse of the proponents of the English Only movement⁸, which claim that national unity, American identity, and English language are threatened by immigrants and their languages (Lawton 2013), also see Hinton (2016), and Miller (2013).

2.1.5. *No Child Left Behind Era: 2001-2015*

A new shift in language education policy occurred in 2001 during the George W. Bush administration, which reauthorized ESEA as *No Child Left Behind*. The legislation, focusing on accountability, signaled several major changes: (1) the federal government, employing standardized testing, took greater control over the country's educational system by monitoring and mandating adequate yearly progress (AYP) for each school (Menken, 2008, 2009), and by applying sanctions when the AYP's goals were not met; (2) the mandate for the disaggregation of student achievement data in specifically targeted subgroups: racial/ethnic groups (i.e., White, African-American, Latino, Asian, Native-American), socio-economic groups (i.e., free/reduced lunch), language group-new (i.e., Limited English Proficient), and students enrolled in special education programs; (3) the NCLB terminated the BEA (Title VII) and replaced it with Language Instruction for Limited English Proficient and Immigrant Students (Title III), also known as English Language Acquisition, Language Enhancement, and Academic Achievement Act (Menken, 2008; Wiley & Wright, 2004).

⁷ Proposition 227 proposed to reduce the time that ELs receive special services (i.e., ESOL instruction) to one year. After that, they will be transferred to mainstream classes (California Proposition 227, 1998).

⁸ See Chapter 1 for a more detailed discussion on English-Only movement.

Above all, NCLB brought major changes for the ELs' education. Most notable was the terminology related to the language policy itself (concentrated in Title III): the term "bilingual" was entirely absent from the text of the new act of legislation (Crawford, 2002; Menken, 2009; Wiley & Wright, 2004). The Office for Bilingual Education and Minority Language Affairs became the Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students, and the National Clearinghouse for Bilingual Education changed to the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (Wiley & Wright, 2004). Scholars (Crawford, 2002; García & Kleifgen, 2010; Hinton, 2015; Menken, 2009) argued that the change in terminology related to the language in education policy had important consequences for the ELs identity and their education. For example, García and Kleifgen (2010) considered that labeling the ELs as LEP and omitting the bilingualism from the discussion reflected on the equity in the teaching of these students "when officials and educators ignore the bilingualism...they perpetuate inequities in the education of these students" (p. 3).

The approach to language education for ELs also transformed under NCLB. Bilingual education officially became English-only, even though research had continuously shown the benefits of bilingual education for the language minority students (Abedi, 2004; Anderson, 2009; Cummins, 2000; Crawford, 2000; Echevaria et al., 2008; Hornberger & Johnson, 2007; Menken, 2009, 2010; Nieto & Bode, 2012; Ovando, 2003; Schmidt, 2002; Suarez, 2017). NCLB's Title III required states, districts, and schools "to develop high-quality language instruction educational programs... to help ensure that children who are limited English proficient, including immigrant children and youth, attain

English proficiency, develop high levels of academic attainment in English” (Office of Elementary & Secondary Education, 2015, Title III, Part A, Section 3302, Purposes 1-2). Besides advancing negative notions of lacking (i.e., limited English proficient), the language of the above discourse proposed an agenda of assimilation and acculturation while connecting academic success to English proficiency and implicitly to educational programs tailored to a monolingual agenda. In other words, NCLB advanced a “language-as-a problem” approach to the education of ELs (Ruiz, 1984, p. 16), which is built on a deficit perspective on linguistically minority students, and understands bilingualism as social problem (Ruiz, 1984, p. 19).

Thirdly, for the English learners, the accountability mandate of the NCLB was double-tiered. With this legislation, the ELs were required to take English proficiency tests to measure their acquisition of English in conjunction with the requirements of passing the content area tests given to their native English speakers. As mentioned above, the law required each school to set and meet AYP goals for student performance by developing “annual measurable achievement objectives” (U.S. Department of Education, 2003, p. 7). Starting with NCLB, English learners had to be included in the school’s AYP for academic content and English proficiency. As the U.S. Department of Education (2003) states:

The primary goals of Title III are to help ensure that limited English proficient (LEP) children attain English proficiency, develop high levels of academic competence in English, and meet the same challenging State academic content and student academic achievement standards that all children are expected to meet. Title III holds States, LEAs, and individual schools accountable for meeting these goals (p. 5).

Although these goals seem to address the lack of quality educational opportunities available for the ELs and to raise national awareness about this student population, they brought “language” to the forefront of the discourses related to the “war with diversity” by making language a problem, not a resource: ELs lacked the English language proficiency necessary to be academically successful and to contribute to the success of their school i.e., meeting the AYP (Crawford, 2000, 2004; Menken, 2010; Ruiz, 1984; Thomas & Brady, 2005). Through its accountability mandate, NCLB put pressure on the states’ school districts to increase, among many indicators, their high school graduation and attendance rates, or the scores of a standardized test. Schools were particularly pressured to teach the ELs English as quickly as possible as a *sine qua non* condition for the state high-stakes testing (Wiley & Wright, 2004). Therefore, schools serving ELs were more likely to be labeled failing (Menken, 2010), which probably tipped the balance towards adopting English-only programs for the education of the ELs. Moreover, the U.S. Department of Education's regulations (2003) mandated that the ELs, regardless of the time of their arrival in the U.S., ought to take high-stake state testing administered in English, a language that they have not yet mastered (Crawford, 2007; Menken, 2008), and to prove “development and attainment of English proficiency” in the four domains of speaking, reading, writing, and listening (U.S. Department of Education, 2003, p. 5).

The fact that “school districts are under immense pressure to teach LEP students English as quickly as possible” (Wiley & Wright, 2004, p. 157) associated with the fact that ELs, in general, attend high-poverty schools with limited resources and with a small percentage of teachers trained to teach them, had consequences for bilingualism and bilingual programs in schools. As Menken (2010) observed, “perhaps no group has been

more punished by NCLB than ELLs” (p. 127) see also Crawford (2000, 2002, 2007); Menken (2008); and Ovando (2003). Researchers have noticed a steady diminishing of bilingual programs after the adoption of NCLB. For example, Wiley and Wright (2004) and Menken (2010) considered that high-stakes testing and fear of losing federal funding or fear of school closure had a twofold effect: it pushed many schools away from exploring bilingual models and towards English-only approaches.

Crawford (2007) emphasized a significant insight about this gradual but historical development related to the bilingual education in the U.S. He argued that the precipitous decline of bilingual programs started with the passage of the English-only school initiatives adopted by voters in California (Proposition 227) (Legislative Analyst’s Office, 1998), Arizona (Proposition 203 in 2000), and Massachusetts (Question 2 in 2002) and continued with the passage of NCLB’s accountability mandates (i.e., high-stakes testing in English). He reported that the number of ELs in California’s bilingual classrooms declined immediately after the adoption of Proposition 227, from 29.1% to 11.7% in the first year. Menken’s (2008) data from New York City showed a similar relationship between testing and bilingual education programs: the schools “increased English language instruction as a result of testing mandates” (p. 109). Menken (2008) also found that the enrollment in bilingual programs decreased from 39.7% in the 2002-2003 school year to 25.2 % by the end of the 2006-2007 school year.

NCLB brought a period of reform that enacted the “language-as-problem” approach, which was in stark contrast with the 1994 reauthorization of ESEA that utilized a “language-as-resource” approach (Ruiz, 1984). On a more pessimistic note, Crawford (2002) considered that NCLB was a setback in the U.S. language in education:

Title VII of the Elementary and Secondary Education Act, which transformed the way language minority children are taught in the United States - promoting equal access to the curriculum, training a generation of educators, and fostering achievement among students - expired quietly on Jan. 8, 2002. The law was 34 years old. Its death was not unexpected, following years of attacks by enemies and recent desertions by allies in Congress (p. 1).

In sum, during the NCLB period, (1) language diversity goes through the process of English-only therapy (Santa Ana, 2002) during which the emergent bilingual students become monolingual; (2) the educational language planning is perceived as a panacea destined to cure the EL language problems (Wiley & Wright, 2004); (3) the enacting of ESEA as NCLB, a 180-degree reversal in language policy, and (4) 2002 the year of the death of the BEA.

2.1.6. Every Student Succeeds Act of 2015

In 2015, President Barack Obama signed the reauthorization of the ESEA as Every Student Succeeds Act (ESSA) (U.S. Department of Education, 2015). The current law entered into effect in the fall of 2017. It also included the reauthorization of Title III as the Language Instruction for English Learners and Immigrant Students. As with every other reauthorization of ESEA, the current federal legislation and, in particular, Title III that has several significant changes: a shift in terminology: English Learner replaced the Limited English Proficient label for diverse language students; a higher the emphasis is placed on teachers, principals, and other school leaders as key change agents for ELs' successful education; a subtle, but significant change of the phrase "parent involvement" (NCLB) with "parent, family, and community engagement," indicating broader and more inclusive

outreach efforts towards parents, family, and community (Forte & Tiedeman, 2017, p. 29). On the other hand, as a part of the accountability mandate that required annual English proficiency testing in grades 3-8 and once in high school, ELs' test scores were consequently included in the schools' report cards (Association for Supervision and Curriculum Development [ASCD], 2015).

Notwithstanding all these notable changes, Suarez (2017) considers that ESSA “failed to address the value of bilingualism;” the policymakers had the opportunity to “formally promote bilingualism,” and they did not seize it (Suarez, 2017). Given that the term bilingualism is still absent from the 2015 reauthorization of ESEA, it is important to underline that bilingual education is again part of the conversation through various approaches and programs adopted at the state, district, and school level. For example, California adopted *Proposition 58* in 2017, allowing school districts to bring back bilingual and dual-language immersion programs (Suarez, 2017).

Another example is the Seal of Biliteracy (SOB): “an award given by a school, school district, or state in recognition of students who have studied and attained proficiency in two or more languages by high school graduation” (Seal of Biliteracy, 2022, bottom). As of the 2020-2021 school year, 40 states have adopted the program, two states are working on its early stages of adoption, and six states are ‘under consideration’ of adopting it (Seal of Biliteracy, 2022). The overwhelming enrollment of the states in the program can signal a new shift for the language in education policy and programs. On the one hand, it can increase the support for bilingualism and bilingual programs; it can be an opportunity for the ELs to maintain their native language while acquiring English, or it can also be an opportunity to revisit the deficit view attached to the English learners. On the other hand,

the program has clearly defined requirements that mandate the achievement of a specific level of language proficiency in a language other than English (Qualification 1) and in English (Qualification 2) during their junior or senior year. These may limit the number of ELs who can enroll in the program for several reasons: they need to exit their ESOL program, they need to be literate/proficient in their native language or another language, it also requires strong school support as the path to the SOB involves a well-planned goal across multiple levels of schooling.

I will not elaborate in this section on the content of the last two legislations – Title III of both NCLB (2001) and ESSA (2015), as they are the focus of my discussion in the latter chapters of this study.

2.2. Significant Literature

In this section, I examine relevant literature on English learners' identity construction within the field of language planning and policy (LPP). Two perspectives informed my discussion of the literature: (1) the role of the ideology, discourse, and power at the macro-, meso-, and micro-levels of LPP (Stephens & Cassels Johnson, 2014); and (2) Ricento and Hornberger's (1996) LPP onion, a metaphor intended to depict the examination of policy activities across multiple layers. At the core of Ricento and Hornberger's (1996) approach is the assumption that top-down policies are constantly interpreted, negotiated, and perhaps resisted at the meso- and micro-levels. In short, policy appropriation is a key aspect of implementation. Both these lenses helped me peel off the various levels of policy activities that make the context of this inquiry and established a theoretical and conceptual framework for my study.

In Section 2.2.1, I present work exploring the power of language in educational policy in marginalizing the speakers of other languages (Stephens & Cassels Johnson, 2014). I consider studies that examined English learners' identities in various educational contexts by focusing on the power of language policy agents and users in Section 2.2.2. I examine literature that focused on the aims and benefits of bilingualism in Section 2.2.3. In Section 2.2.4, I conclude by reviewing work on identity and terminology related to ELs.

2.2.1. The Power of Policy to Marginalize Minority Languages and Their Users

Language planning and policy scholars agree on the fact that the field has progressed through a series of “transformations and reconceptualizations” (Hornberger & Johnson, 2007, p. 510; Ricento & Hornberger, 1996; Langer-Osuna & Nasir, 2016; Stephens & Cassels Johnson, 2014). The progress has moved from studies focused on national language planning to critical approaches that brought attention to the ideological nature of language policy as “a social mechanism that marginalizes minority languages and their users” (Stephens & Cassels Johnson, 2014, p. 2), to ethnographies and discourse-analytic studies of language policy that focus on how local LPP agents (particularly teachers) negotiate language policy. They also acknowledge that various forms of social inequalities are embedded in and sustained by language policies. This notion of language policy as a mechanism of power able to create and sustain inequalities is central to the discourses and examinations of the ideology in language policy (Johnson & Rincento, 2013), and therefore it defines this study as well. Ruiz's (1984) orientations to language planning: language-as-problem, language-as-right, and language-as-resource are such examples.

Ruiz's (1984) framework that was developed to address the need for meta-models designed to draw attention to the main concepts in language planning, is both an alternative discourse to the deficit perspective on linguistically minority population and a heuristic approach to critically analyze the societal perspective on language (Ruiz, 1984; Hult & Hornberger, 2016). He considered them as contextually bounded: "one orientation may be more desirable than another in any particular context" rather than "incompatible approaches" (p. 18). The language-as-problem orientation is built on a "monolingual ideal and assimilationist mindset" (Hult & Hornberger, 2016, p. 30). It is synonymous with social problems related to language minority population and bilingualism, with the notion that language minority groups have "a handicap to be overcome" (Ruiz, 1984, p. 19), or that multilingualism means lack of social consensus, and therefore monolingualism is the solution to unity. NCLB (2001) is one example of a federal language policy that was developed within the language-as-problem orientation framework: terms such as "limited", "lacking", "non-English", "monolingual", and "assimilation" are governing the policy's discourse, while concepts like cultural and linguistic identity, diversity, bilingualism are concepts that are missing from it (*NCLB, Title III, Annex* in this research). Arizona's Proposition 203, English for Children, or California's Proposition 207 are examples of local policies that fall under the umbrella of the monolingual and assimilationist model of the language-as-problem orientation.

Language-as-right approach is compensatory in nature and gravitates around the constitutional rights of the 14th Amendment. Ruiz (1984) considered that the nature of the U.S. legal system, the concern for language rights at the global level, and the emergence of ethnic researchers are the factors that led to the development and the persistence of this

orientation. Nevertheless, he noted, the terminology that is part of language-as-right paradigm – "compliance", "enforcement", "requirements" – is confrontational in nature and can lead to non-compliance, legal manipulation, and impunity (Ruiz, 1984, p. 24). *Lau v. Nichols* case, *the Lau Remedies*, and all of the court decisions discussed above, in Section 2.1.1., are illustrative examples of the ongoing debate over language rights in education in the United States.

Ruiz (1984) believed that many of the problems related to bilingual education in the U.S. arise because of the hostility and division inherited in the language-as problem and language-as-right orientations (p. 15); as a result, he proposed a third orientation-language-as-resource, which he considered a possible solution to “alleviating some of the conflicts emerging out of the other two orientations” (p. 25). This approach was articulated as a “counter-narrative to the U.S.’s dominant deficit discourse on linguistic and cultural diversity” (Hult & Hornberger, 2016, p. 38). Therefore, concepts like multilingualism, language maintenance, additive bilingualism, cultural diversity, cultural integration, linguistic expertise are part of the discourse. Ruiz (1984) suggested that, under the auspices of the language-as-resource orientation, the perspectives on language and language groups could be altered in several ways: ELs’ identity may be constructed in positive ways- e.g., using the term “emergent bilingual” instead of “limited English proficient” (cf. Garcia & Kleifgen, 2010), the cultural and linguistic capital of the minority groups is valued and “seen fully compatible with national unity” (Hult & Hornberger, 2016, p. 38), it may accommodate an additive discourse in which language is not only a personal resource but a national one as well (cf. Crawford, 2007; Cummins, 2000; Nieto & Bode, 2012; Wright, 2010). Bilingual Education Act (1968), New Mexico's Bilingual Multicultural Education

Act of 1973 (New Mexico Public Education Department, 2022), Hawaii's English Plus Resolution (1989) and 'Aha Pūnana Leo (1983) are several examples of federal and state language in education policies that are situated within the language-as-resource orientation.

The three approaches to language in education proposed by Ruiz (1984) were intended to help “determine the basic questions we ask, the conclusions we draw from the data, and even the data themselves” (p. 16). Since he articulated them in 1984, they have been “elevated to the level of paradigm”, used to inform the analysis of LPP, and criticized that they “do not map onto the political reality of the policy situation” (Hult & Hornberger, p. 30). Johnson and Ricento (2013) considered that Ruiz's (1984) post-structural ideas are integral to the critical language policy that started to develop during the 1990s. Ricento & Hornberger (1996) argued that language-as-resource approach has the potential to promote policy that can help the revitalization of indigenous languages, yet, also it adds, the “forces of history can overwhelm ANY policy attempt” (p. 452). Her studies in the Brazilian Amazon, post-apartheid South Africa, and the Welsh Isle of Anglesey showed that not the number of speakers of a particular language helps maintain and revitalize the language, but the way the language is integrated and used in the community and society at large. She noted that while our language positions us in social and power hierarchies, there are also sites of possible language negotiation and transformation.

In addition to these studies, other researchers revisited Ruiz's (1984) framework, unpacked the ideas aligned with each orientation, and considered applying the three approaches as investigatory tools for LPP. Hult and Hornberger (2016), examining research that Ruiz's (1984) framework has influenced, found that his framework can be used as (1) *etic* and *emic* concepts to guide analysis about the values that emerge from “policy debate

and negotiation [or] in situations when people do express their beliefs about language” (p. 42); (2) it can guide policymakers and educational actors at different levels in creating programs that serve the needs of ELs and foster sustainable societal multilingualism; and (3) the framework can function as a “discourse analysis of language policy approach which seeks to identify and interrogate the discourses that mediate policy and its implementation” (p. 43). This investigation builds conceptually on these findings as it aims to understand how actors from diverse educational settings (i.e., federal, state, and district) discursively construct the identity of the ELs during the appropriation of new educational policy (i.e., ESSA of 2015).

Other researchers questioned Ruiz's (1984) framework and considered developing alternative discourses related to the language-as-resource and language-as-right orientations. Using the language-as-resource lens, Ricento (2005) examined texts produced by advocates of heritage languages such as the University of California Los Angeles, the Center for Applied Linguistic, and the National Foreign Language Center. He claimed that many of these discourses tend to advance a perspective of language as an instrument rather than “language as an identity marker” (Ricento, 2005, p. 357). The heritage languages in the U.S., he notes, are de-linked from the ethnicity and race, displaced from their historical contexts, and instead are promoted as commodities, positioned to have values as serving “dominant socio-political agendas of national security, trade, and law enforcement” at the expense of the language minority communities and their speakers (p. 361). Ricento (2005) considered that the language-as-resource approach to heritage languages needs to develop alternative discourses that "advocate programs in which the 'other' cultures and languages are positioned as *American*-not foreign, promoting a deeper understanding of languages

and cultures outside the United States" (p. 364). Skutnabb-Kangas (2001) also pointed to the need for an alternative discourse as he questioned the language-as-right orientation. While Ruiz (1984) suggested thoughtfulness in using the language-as-right frame considering that it could have a negative effect on language minority groups (see the discussion above), Skutnabb-Kangas (2001) argued that we need to reassess the discourses related to the human rights approach to LPP in order to promote equity for heritage language speakers and communities. She also adds that we can eliminate the "negative traits" still present in minority education and provide the legal space for the language-as-resource (Skutnabb-Kangas, 2001). This view of language-as-right and language-as-resource as complementary orientations is shared by both Ruiz and Skutnabb-Kangas (Hult & Hornberger, 2016).

In this section, I focused my review on analytical frameworks for the study of identity, in particular on Ruiz's (1984) work and on other scholars whom he has inspired as I consider that "any policy document or national policy situation may have tendencies that lean towards one or more of the orientations" (Hunt & Hornberger, 2016, p. 16). The work included in this section contributes to the theoretical framework of this inquiry (i.e., DHA), and provides contextual discourses and analytical lenses for examining my research data. For example, by incorporating Ruiz's (1984) framework into the analysis, I want to see within which orientation the participants in my study constructed their discourses related to ELs' identities.

2.2.2. The Power of Policy Agents and Languages Users on Identity

So far, I positioned my literature review on the outer layer of the LPP onion⁹; in this section I place my examination on its inner layers (see Ricento & Hornberger, 1996, in this section); therefore, I consider studies that examined English language learners' identity in various educational contexts by focusing on the power of language, policy agents and users.

While critical language policy research reviewed in the previous section provides conceptual and theoretical support for this study, the empirical work that I discuss next explored the power and the agency exerted by language policy agents, that is, how the text and discourse of the language policy were appropriated and implemented at the different levels of language policy processes (Johnson & Johnson, 2014; Ricento & Hornberger, 1996). All the studies examined for this review were conducted during the NCLB period. As shown in the Historical Overview section of this chapter, NCLB's Title III discourse and its regulations had shaped the language in education policy in the U.S. for more than 15 years.

Helping to situate my research within the field of critical studies, the research discussed here reports on different conceptions of identity and different processes of identity negotiation as a socially constructed, locally situated, and culturally reified construct (Lee & Anderson, 2009; Danzak, 2011; Danzak & Wilkinson, 2017; Hafner, 2013; Hornberger & Johnson, 2007; Kubota, 2001; Langer-Osuna & Nasir, 2016; Nasir & Perez, 2015; Violand-Sanchez & Hainer-Violand, 2006; Washington, 2016). The

⁹ Ricento and Hornberger (1996) considered that policy activity occurs across multiple levels. The public text of the educational policy is situated at the macro-level, whereas the meso- and micro-levels include the policy agents and users.

researchers used different methodological and theoretical approaches to examine the ELs identity construction in relation to variables such as literacy (Danzak, 2011), race (Washington, 2016), academic success (Violand-Sanchez & Hainer-Violand, 2006), multiple identities (Danzak & Wilkinson, 2017), at various educational levels- classrooms (Hafner, 2013), schools, districts, countries, and from the perspectives of various educational agents- students, teachers, and policymakers. Yet, the scholars have paid limited attention to the study of the discursive construction of ELs identity within the text of the educational policy. This inquiry aims to fill that gap in the literature.

In their meta-analysis of linguistic and cultural identities construction and negotiation, Lee and Anderson (2009) examined conceptual and empirical literature to highlight the links between social practices and the perceived risk, equity, and educational opportunities for ELs. To understand the negotiation process of linguistically and culturally diverse students' identities, they (1) discussed theoretical, epistemological, and methodological issues related to the concept of identity; (2) considered how educational literature and public discourse associate ELs' identities with socially constructed categories such as minority status and at risk, and (3) reviewed empirical work that has examined different paths to identity construction and their relation to academic performance. In terms of identity negotiation, Lee and Anderson (2009) concluded that the process of identity construction is reciprocal: the identities shape and are shaped by the social constructs across multiple timescales and spaces, and the meanings and consequences of particular identity choices are locally situated and constrained, yet, agency and affiliation may also be accommodated within one's identity development. Complementarily, they found that (1) assimilation, opposition, and straddling were the most common paths to identity

negotiation. For example, studies in their analysis showed that the assimilation path to identity construction “can come to the expense strong end of ethnic identity and lost learning opportunities” (Lee & Anderson, 2009, p. 195); (2) public discourses and educational literature often use the concept 'linguistically and culturally diverse learner' interchangeably with 'immigrant' and 'English-language learner.' This terminology is frequently synonym with low socio-economic status, at-risk, culturally deprived, and low-achieving experiences; and (3) there is an ideological gap between social theory, research, and educational policies and practices regarding the conceptions of linguistic, cultural, class, and racial differences. This gap can both lead to deficit discourses and position the ELs as at risk, therefore, it is essential to expand the currently available binary categories between norm/mainstream and the 'other' with a more inclusive repertoire.

Similar findings are shared by Langer-Osuna and Nasir (2016) and Nasir and Perez (2015). Examining literature on the relationship between cultural, racial, and linguistic identity and schooling, the authors found that: (1) identities are shaped by the structural realities within the school contexts, but localities offer limited racial, linguistic, and ethnic identity options; (2) in highly stratified schools, academic achievement comes at the cost of the ELs ethnic identity; (3) curricula developed on a language-as-resource approach lead to the development of positive identities: "students' lived experiences can become pedagogical tools rather than obstacles to overcome" (Langer-Osuna & Nasir, 2016, p. 734). These findings complement Lee and Anderson (2009) conclusions that identities are locally situated and constrained; however, the school contexts and curricula can open the space for diversity.

On the same note, Hornberger and Johnson (2007) sliced thorough various layers of the LPP to reveal how local educational actors, in particular teachers, exert agency; that is, how they “implement, interpret, and perhaps, resist policy initiatives in varying and unique ways” (p. 509). For example, Hornberger and Johnson show how teachers and administrators exercise language policy power through their pedagogical decisions and policy interpretation. In their study, two administrators, Emily and Lucia, holding different beliefs about bilingual education, interpreted and implemented Title III differently: while Emily considers that Title III gives her enough flexibility to implement bilingual developmental programs, Lucia chooses to implement transitional bilingual programs. Similarly, Johnson and Johnson (2014) found that how the NCLB language policy was “interpreted, appropriated, and instantiated across multiple levels” in the two states varied greatly. At the same time, Washington's Office of Superintendent of Public Instruction supports the Transitional Bilingual Instruction Program- the state of Arizona implemented Structured English Instruction. Kubota (2001) found a “colonial dichotomy” of self-representation vis-a-vis the Other (p. 28). For instance, while research in the field of applied linguistics and revisionist discourses presented “idealized images of U.S. classrooms,” studies on classroom instruction in mainstream contexts presented “negative images similar to applied linguistics’ images of Asian classrooms” (Kubota, 2001, p. 9). Kubota (2001) argued that the discursive construction of ELs’ language and culture as the Other leads to the treatment of self as the norm while the “Other is an insignificant category until it poses a challenge to the Self” (p. 23). Kubota (2001) pointed out, as Lee and Anderson (2009) did as well, the need to engage in a critical analysis of cultural and linguistic differences to reveal the power exercised in such dichotomy.

The above-reviewed literature used different methodological and theoretical approaches to examine the ELs' identity construction at various educational levels and from the perspectives of an array of educational agents. Their studies show that the multilayered ethnographical approach to LPP can open up alternative ideological spaces for those closed by the top-down policies (Ricento & Hornberger, 1996) and that educational actors at the diverse levels of the educational spectrum exercised language policy power through their pedagogical decisions and their policy interpretation. Yet, limited attention has been paid by the scholars to the study of the text of the educational policy per se, and, in particular, the study of the discursive construction of ELs' identity within the text of the educational policy. This inquiry was designed to fill this gap in the literature by focusing on the examination of the text of educational policy (i.e., Title III of ESSA, 2015) and on the ELs' identities. Furthermore, even fewer studies have used critical discourse analysis methods to investigate the discursive construction of EL's identity or the process of appropriation and implementation of a new educational policy. Several such examples include Alford's (2014) investigation of dominant discourses of deficit about English language learners in senior high school English; Andrew's (2013) exploration of the identities enacted in recently arrived Mexican students' descriptions of their views on the language used in the various educational context; Lawton's (2007) critical analysis of English-only discourse in the language policy in the United States; Lawton's (2007) discursive construction of immigrants and immigration in the United States; Fernsten's (2008) discursive analysis of an EL writer identity negotiation and construction; or Hornberger and Johnson's (2007) and Johnson and Johnson's (2014) studies on the process of implementation and appropriation of educational language policy. This study intends to contribute to the

literature that uses critical discourse analysis methods (i.e., Wodak's 2002 Discourse Historical Approach) to investigate the discursive construction of EL's identity during the process of appropriation of a new educational policy.

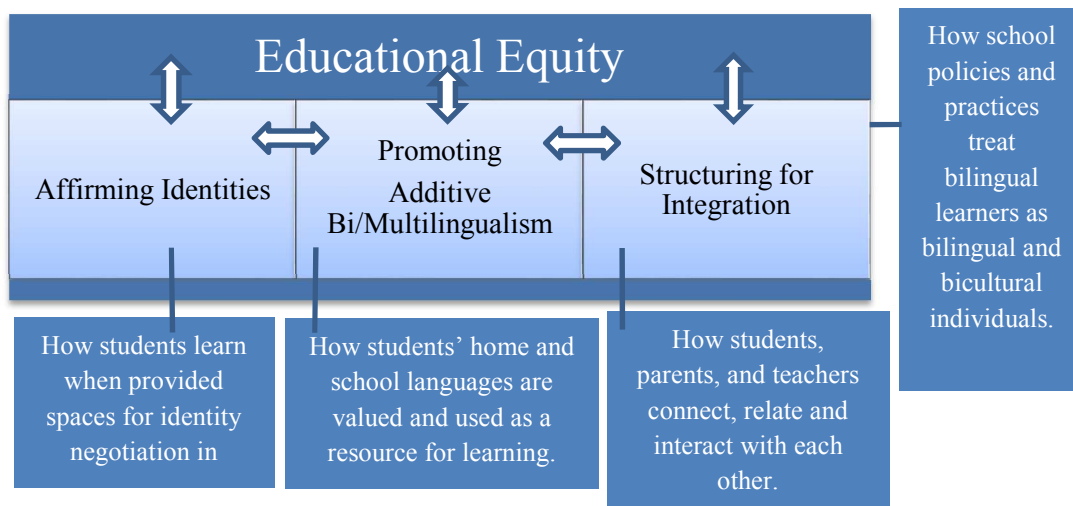
In this section, I reviewed literature that examined English language learners' identity in various educational contexts by focusing on the power of language, policy agents, and users. In the next section, I will review work that focused on the aims and benefits of bilingualism.

2.2.3. Equal vs. Equitable Treatment: The Space for Bilingualism

Researchers agree that bilingualism and bilingual education in the United States have constantly been debated and reformulated. The successive reauthorizations of BEA from 1968 to the present best reflect these aspects (see the above Historical Overview). Bilingualism in the United States has a dual role: on the one hand, it defines the approach to language in education policy and implicitly to the type of language programs advocated or mandated by it; on the other hand, it is shaped by two contrasting discourses which de Jong (2013) described as the assimilationist (monolingual) and pluralist (multilingual) views which ascribe the role of linguistic and cultural diversity in schools.

To achieve educational equity for ELs, researchers have proposed alternative discourses and frameworks focusing on principles such as affirming identities, additive bilingualism, the societal power relation, and identity negotiation in schools. For example, de Jong (2013) analyzed policy discourses and U.S. language in education policies and concluded that (1) the assimilationist and pluralist views of linguistic and cultural diversity in schools are somewhat different from opposites; and (2) the field of LPP needs an alternative discourse crafted to "affirm cultural identities, promote additive multilingual

learning environments, and support an integrative approach to the schooling of logistically and culturally diverse learners" (p. 98). Therefore, she proposed a pluralistic approach framed in terms of four principles that guide educational decision-making at all levels, teachers included.



Source: de Jong (2013). Policy discourses and U.S. language in education policies. *Peabody Journal of Education*, 88(1), 98-111.

Figure 2.2. *An Alternative Framework for Equity in Language Education*

In Figure 2.1, I created a graphic illustration of her framework that shows how the four principles equally work together, reinforcing each other to achieve educational equity and positive academic outcomes for ELs. De Jong (2013) believed that her model can be applied to “all students who bring different diversities to the classroom” (p. 108).

A similar example of an alternative discourse focusing on additive bilingualism and identity negotiation in schools is Cummins, Mirza, and Stille’s (2012) Literacy Engagement Framework. Their model resulted from a meta-analysis of empirical research and theoretical concepts focused on “bilingual and biliteracy development, the nature of academic language, and the roles of societal power relations and identity negotiation in determining the academic achievement of English language learners” (Cummins et al.,

2012, p. 25). They wanted (a) to emphasize the implications of the research and theory for policy at multiple levels of the educational system, and (b) to offer a valuable framework for collaborative inquiry among educators interested in developing school-based language policies (p. 28).

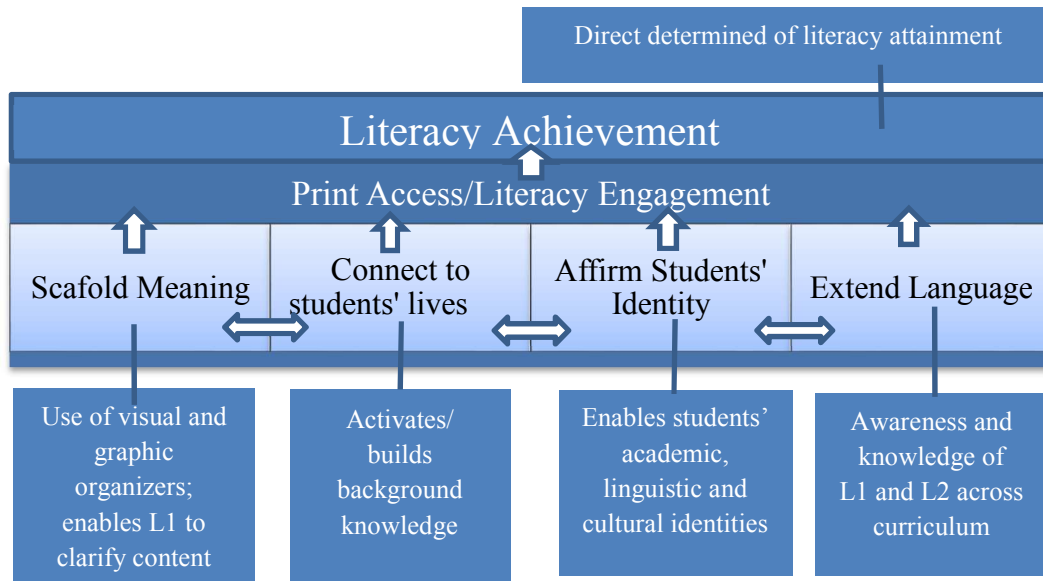


Figure 2.3. *Literacy Achievement Framework for Equity in Language Education*

The framework rests on three theoretical concepts proposed by Cummins in his earlier work (2000): bilingual development, the nature of language proficiency, and the societal power relations and identity negotiation in schools. The result contains “four broad instructional strategies” that work together to enable students to engage actively with literacy. In Figure 2.2, I adapted the original model by adding another layer with examples of instructional strategies and approaches to incorporating students’ home language in the classroom to achieve academic success and educational equity for “all students-and particularly those from socially marginalized groups” (Cummins et al., 2012, p. 33). I considered that the extra stratum better illustrates how ELs’ linguistic, personal, and academic identities can be used as resources for academic achievement. The two frameworks discussed in this section are useful lenses for the conceptual framework of this

study. They can help understand if the participants in my study (i.e., educational actors situated at various levels of the policy appropriation) construct the ELs identities in relation to bilingualism; and if they open up the educational spaces to include ELs' language and culture, and to affirm their identities. De Jong (2013) and Cummins, Mirza, and Sille (2012) considered identity and bilingualism to be *sine qua non* components of a discourse related to the English learners' academic achievement and equitable education, which resonates with the literature reviewed in the previous sections (e.g., Crawford, 2000, 2002, 2007; Menken, 2009, 2010; García & Kleifgen, 2010). These are two ubiquitous constructs in an educational context, yet the "current educational policies in Canada and elsewhere make virtually no mention of power relations as a relevant variable affecting bilingual/ELL students' academic achievement" (Cummins et al., 2012, p. 31).

Other researchers built their case for bilingualism by investigating qualitative and quantitative empirical work in the field of bilingual education. One example is García and Kleifgen's (2010) study on English learners' policies, programs, and practices. The authors examined theoretical frameworks and empirical findings that support using student home language in the classroom. Their review shows that bilingualism (1) contributes to cognitive development- the bilingual students have a greater metalinguistic awareness, more creative thinking, and communicative sensitivity; (2) develops linguistic interdependence- a student's home language can support the development of the target language (cf. Cummings, 2000); (3) helps the development of the academic language and literacy- enables students to build upon their existing language skills; and (4) opens the classroom space for translanguaging- creates a space where "the teachers and the students are engaged in complex discursive practices in order to 'make sense' of, and communicate

in a multilingual classroom" (García & Kleifgen, 2010, p. 45). They concluded that making one's home language part of the educational process "is crucial for their long-term cognitive growth and academic achievement in English" (p. 50). Similarly, Crawford (2000) pointed out that "when language-minority fail, it is more likely from too little instruction in their native language than too little in English" (p. 7). He also considered that educational approaches inclusive of native-language instruction can positively affect poverty, family literacy, and social stigma associated with minority status.

Drawing upon a pluralistic discourse, the work discussed in this section advocates for educational practices that "make linguistic diversity visible in schools and that support the development of bi- and multilingualism through a dynamic," language-as-resource approach (de Jong, 2013, p. 101). Although the current language in education policy (i.e., ESSA's Title III) did not reinstate *de jure* bilingual education, research shows that educational actors at meso- and micro-levels (i.e., districts and schools) can create spaces for bilingualism and bilingual programs. They can embrace an additive approach to the student's home language by opening their classrooms to linguistic diversity and affirmative identity. As Menken and Garcia (2010) argued, educators can create "ideological and implementational spaces for multilingual education" (p. 28) that take into consideration the linguistic and cultural strengths and needs of English learners (de Jong, 2013). Researchers also noted that bilingual education is organized around the "significant link between bilingual education and equity" and that bilingualism may have positive secondary effects such as reducing the dropout rate, making school more meaningful and enjoyable, or strengthen the relationships among children and their families (Nieto & Bode, 2014, p. 223) also see Menken (2010).

2.2.4. Terminology and Identity

As a reminder, the topic of this research is ELs' identity construction; therefore, a brief discussion about the ELs' terminology as it relates to the concept of identity is a necessary part of this inquiry's conceptual and analytical framework. The overarching principle of this inquiry is that language, and implicitly terminology, has the power to shape one's identity. This section discusses work that investigated the relationship between the terminology related to linguistically diverse students and their identity.

"White", "African-American", "Special Education", or "English Language Learner" are just a few of the terms used in the field of education to group students in specific categories by "common or seemingly related characteristics" (Webster & Chunlei, 2012, p. 83). Nonetheless, the current terminology used to identify the ELs is, as the same authors put it, "perplexing" and "loosely defined" (p. 83). A vast number of scholars in the field tabulated and critically analyzed several of the most used labels to identify the ELs such as language minority students, limited English proficient (LEP), English language learner (ELL), English learner (EL), Long Term English Language Learners (LTELL), and heritage language speakers (e.g., Flores et al., 2015; Garcia, 2009b; García & Kleifgen, 2010; Harklau, 2000; Lee & Anderson, 2009; Menken, 2010; Ruiz, 1984; Webster & Chunlei, 2012; Wright, 2010). They found that: (1) fourteen different terms are used to identify the ELs with "English Language Learner" (ELL) having the highest frequency (i.e., 398 in Webster & Chunlei, 2012, p. 89); (2) the terms are defined in the literature "with key criteria that places varying emphasis on the value of languages, intellect, development, and intervention" (Webster & Chunlei, 2012, p. 89) such as "Language Minority Students", "Culturally and Linguistically Diverse Student", or "Limited English

Proficient”, or have various degrees of limitation with regards to describing this student population (Webster & Chunlei, 2012; Wright, 2010); (3) the terminology attributed to the ELs is correlated with the idea of inequitable education (García & Kleifgen, 2010); and (4) how the terms ESL and LEP are constructed and understood across institutional settings affect ELs' experiences (Harklau, 2000; García & Kleifgen, 2010).

These terms do not include all of the necessary key criteria descriptors or acknowledge the student as a person; the emphasis rests on English-language ability as a primary characteristic of the student (Webster & Chunlei, 2012, p. 89). Referring to linguistically diverse students as LEP, or even as ELLs, "signals the omission of an idea that is critical to the discussion of equity in the teaching of these children" (García & Kleifgen, 2010, p. 2). One such example is the LEP label, present in the language policy documents since its adoption in 1968 and 2015. Although sporadically, it is also present in the theoretical and empirical literature until late 1990, and in several supporting policy documents analyzed for this research (Appendix F, Document 5; Webster & Chunlei, 2012; Wright, 2010). Researchers oppose the word “limited” because of its negative connotation: "it suggests a deficit in the students themselves or that their lack of proficiency in English is a permanent condition" (García & Kleifgen, 2010, p. 3). For example, Flores, Kleyn, and Menken (2015) investigated how the Long Term English Language Learners¹⁰ (LTELL) in New York state see themselves "through the lens of their lived experiences as (emergent) bilinguals, students, family/community members and transnational individuals" (p. 113). They argue that prior research on this issue failed to criticize "the negative positioning of

¹⁰ The LTELL is a subgroup of ELs that has been in US public schools for seven years or more and, as determined by the standardized testing, were not able to "test out" after six years; as a result, they are labeled as LTELL (Flores et al., 2015, p. 115).

students labeled LTELLs as linguistically deficient” (p. 115), and positioned their inquiry as an attempt to address this “cognitive dissonance by offering a more complex understanding of the identities of students labeled LTELLs and of the powerful ideologies that position them as deficient in current schooling practices” (Flores et al., 2015, p. 115). They claim that the discourse around LTELL perpetuates a white practice of racialization and marginalization of the language practices of communities of color.

Acknowledging the lack of agreement about which term best describes the linguistically diverse student, researchers’ proposed alternative terminology. Webster and Chunlei (2012) suggested using the term Learner of English as an Additional Language to categorize the ELs. According Webster and Chunlei (2012), this identifier could bring several significant changes in the way that images, attitudes, and beliefs about this particular group of students are formed by: (1) placing the emphasis “on the person, rather than their abilities:” (p. 83) (2) making use of respectful, culturally sensitive language; and (3) acknowledging the cultural and linguistic diversity. On the other hand, García and Kleifgen (2010) proposed the use of “emergent bilingual” (Webster & Chunlei, 2012, p. 2). Thinking of these students as emergent bilinguals, they noted, allows teachers, policymakers, and the community to see them from a different perspective: as learners of another language with bilingualism recognized as a resource. Finally, Flores et al. (2015) considered that there is a need to address this cognitive dissonance by offering “a more complex understanding of the identities of ELs (i.e., the LTELLs) and the powerful ideologies that position them as deficient in current schooling practices” (p. 115).

In sum, how one is defined and classified is not a haphazard process but a function of a larger societal and political context. The underlining premise of this inquiry is that

“language is performative, that is, it is always doing something with consequence” (Lester et al., 2017, p. 3). The studies examined in this section showed that language (i.e., terminology) has the power to ascribe identities to others, to position them, to (re)produce and sustained inequalities (Lester et al., 2017, p. 3). The discourse analysis conducted for this study intends to contribute to the research focused on investigating the talk and text that inform and constitute the understanding of ESSA policy related to the ELs’ identity construction.

2.3. Chapter Summary

In this chapter, I first presented a historical overview of the U.S. language in education policies to contextualize the policy text analyzed in this thesis. Secondly, I examined work that studied (1) the ways policies work to marginalize minority languages and their users; (2) English language learners’ identity in various educational contexts by focusing on the power of language policy agents and users; (3) the literature on the aims and benefits of bilingualism; and (4) the work that explored the relationship between terminology related to ELs and identity.

The analysis of relevant literature was informed by two defining elements of this inquiry: attention to the role of ideology in creating shared identities and in establishing, maintaining, or transforming the unequal relations of power through discourse (Wodak & Meyers, 2016), and an examination of policy activity across multiple layers. The literature included in this chapter is essential in several ways: (1) it contributes to the conceptual framework of the study (i.e., DHA); (2) it situates this inquiry within the field of language and policy studies; (3) it helps to establish the significance of this investigation; and (4) provides analytical lenses for my data.

The examination included in this chapter showed that, despite a substantial body of theoretical and empirical work on the power of the educational policy to marginalize the minority languages and their users, limited attention has been paid by scholars to educational-policy text per se, and, in particular, to the study of the discursive construction of ELs' identity within the text of the educational policy. Moreover, fewer studies used the critical discourse analysis approach and the discourse historical approach particularly, in studying the ELs' identity related to the macro-and meso levels of the educational policy. While reviewing significant literature for this research, I could not locate any study that examined the discourse construction of ELs' identity within the text of NCLB or any past legislation related to this group of students (i.e., BEA from 1968 to 1981). This inquiry seeks to fill this gap in the literature.

CHAPTER 3

THEORETICAL FRAMEWORK

My purpose in this chapter is to introduce the theoretical framework—the discourse historical approach—I used to analyze the ELs' identity construction within both the policy documents and the participants' discourses. The chapter has three sections: in Section 3.1. I provide an overview of the critical discourse analysis (CDA) approach followed by Section 3.2, which is a discussion of Wodak's (2002) discourse historical approach to language analysis. The focus of Section 3.3 is to introduce my perspective on both identity as a discursive construct and language policy.

3.1. Critical Discourse Analysis Approach: A Brief Overview

The theoretical and methodological orientation that guides this study is the discourse historical approach, one of the main approaches to critical discourse analysis. Therefore, I started my chapter with an overview of CDA (i.e., a brief historical development of the approach, its main concepts, and terms and its basic principles) as a necessary preamble to my discussion of the DHA.

CDA is a multidisciplinary and multi-methodical approach for critically analyzing, understanding, and explaining social phenomena, particularly, the ways social inequalities are constructed, maintained, and legitimized in discourses, be they written, spoken, or visual (Wodak & Meyers, 2016; Fairclough & Wodak, 1997; van Dijk, 2012; Wodak, 2002). CDA is a Foucauldian-inspired paradigm that stemmed from rhetoric, text

linguistics and sociolinguistics, and applied linguistics and pragmatics in the late 1970s (Wodak, 2007). A group of Hallidayan linguists (e.g., Fowler, Hodge, Kress), acknowledged the role of language in structuring power relations in society, adopted a more critical perspective on language and started to apply the term “critical linguistics” in their work (Wodak, 2002, p. 13). Concisely, CDA rests on the premise that language is not a neutral medium that reflects reality objectively and unproblematically. However, it is rather "a form of ideological practice that mediates, influences, and even constructs our experiences, identities, and ways of viewing the world" (Benwell & Stokoe, 2006, p. 44). By the 1990s, a shift of focus and theory developments led to what is presently called CDA, “an umbrella term [applied to describe] an interdisciplinary set of qualitative approaches used to study talk and text in social life” (Lester et al., 2017, p. 3). Teus van Dijk’s Socio-Cognitive Approach, Norman Fairclough’s Critical Approach, Theo van Leeuwen and Gunther Kress’s Multimodality Model (2011), and Wodak's (2016) Discourse Historical Approach have significantly contributed to the emergence and the development of the CDA as an established discipline.

As a paradigm, CDA is characterized through a heterogeneity of methodologies and theoretical approaches (van Dijk, 2012; Wodak, 2002). Wodak (2002) considered that CDA “has never been and has never attempted to be or to provide one single or specific theory” or methodology (p. 7). On the contrary, the studies under the CDA umbrella are diverse, derived from different theoretical backgrounds, and oriented towards very different data and methodologies. Additionally, van Dijk (2012) argued that CDA offers a “different ‘mode’ of theorizing, analyzing throughout the whole field" (p. 354) which is distinct among the other approaches in discursive studies.

Despite the fact that the CDA approaches rely on a variety of theories, methods, and grammatical approaches, they generally share the eight following characteristics (adapted from Fairclough & Wodak, 1997). First, they address social problems; beside focusing on language and language use, they also pay attention to the linguistic characteristics of social and cultural processes. Second, they view power relations as being discursive (i.e., power relations are performed and constructed in and through discourse); and consider that discourse constitutes society and culture (i.e., they are “mutually constitutive,” p. 272). CDA theorists claim a dialectical relationship between “particular discursive acts and the institutions and social contexts in which they are embedded. In other words, discourse constitutes social practice and at the same time is constituted by it” (Wodak et al., 2001, p. 8). For example, Blommaert (2005) noted that CDA's dialectical relation between language and social structure is also manifested in the practitioners' research agenda: political discourse (e.g., Wodak, 2002), media language (e.g., Fairclough, 2003), institutional discourse (e.g., Wodak, 2002, 2011), national and institutional identity (e.g., Benwell & Stokoe, 2006; Wodak et al., 2001), ideology (e.g., Kwauk, 2012; Lawton, 2007), or education (e.g., Alford, 2014; Benwell & Stokoe, 2006).

CDA studies also consider that discourse does ideological work. The discursive practices have ideological effects through their linguistic representation: they can help produce and reproduce unequal power relations between genders, social classes, ethnic/cultural minorities, and majorities. Thus, one of the CDA's aims is to investigate critically and to unmask the social inequalities "expressed, constituted, or legitimized" by language use (Wodak & Meyers, 2016, p. 12). The fifth, the CDA theorists view discourse as being historical; in other words, to understand a discourse we need to take into

consideration its context. Sixth, CDA studies consider that the link between text and society is mediated. CDA is concerned with both making connections between sociocultural processes and structures and the properties of texts (Wodak, 2002; Wodak & Meyer, 2016). Seventh, the discourse analysis is interpretive and explanatory. It goes beyond the textual analysis, and it is dynamic and open to "new contexts and new information" (Wodak & Meyer, 2016, p. 279). Finally, discourse is a form of social action. The aim of CDA is "to uncover opaqueness and power relationships" (Wodak & Meyer, 2016, p. 279). CDA is a socially committed scientific paradigm that attempts to change communicative and socio-political practices (Wodak & Meyer, 2016).

The multifaceted characteristic of CDA's approaches extends to its main concepts as well. As Wodak (2009) noted, the definitions of the terms discourse, critical, ideology, and power are manifold; nevertheless, CDA's researchers adhere to a shared perspective on doing (i.e., framing) discourse analysis (van Dijk, 2006). Below, I briefly describe these operational terms as they are the pillars on which the CDA models rest.

3.1.1. Discourse

CDA scholars consider discourse as a "form of social practice," which entails the existence of a dialectical relationship between a particular discursive event and the situation(s), institution(s), and social structure(s) that frame it (Fairclough & Wodak, 1997, p. 258). In other words, CDA perceives discourse as constitutive in the sense that it sustains and reproduces the status quo (Fairclough & Wodak, 1997). Subsequently, the discursive practices have ideological effects as they can contribute to the production and the reproduction of unequal power relations between different groups of people (e.g., social classes, ethnical/cultural majorities, and minorities) through how they represent and

positions these groups of people (Fairclough & Wodak, 1997). For example, the discourses are used to express dominance and to influence people's minds with the representation of the Other: the positive representation of one's group and negative representation of the Other, or in Wodak's words, the "Us and Them discourse" (2009, p. 195).

3.1.2. *The Critical Aspect*

The term "critical" in CDA can be traced to the Frankfurt School and Jürgen Habermas (Wodak, 2002). Wodak noted that "critical" in CDA implies that "having a distance to the data, embedding the data in the social context, taking a political stance explicitly, and having a focus on self-reflection as scholars doing the research" (p. 9). Thus, the application of the results is also an important aspect of the CDA and its critical facet.

3.1.3. *Ideology*

One of the aims of CDA is to "demystify discourses by deciphering ideology" (Wodak, 2009, p. 187). That is, to critically investigate social inequalities as they are expressed, constituted, and legitimized in discourse. Because CDA sees ideology as an essential tool in establishing and maintaining unequal power relations, CDA scholars are particularly interested in the ways in which language mediates ideology in many social institutions (e.g., schools) by placing texts (or discourses) in their context. An important assumption of CDA is that all discourses are historical and can therefore only be understood in reference to their context (Wodak & Meyers, 2016). In this sense, for the CDA researchers, social context becomes an analytical construct.

Another concept central to CDA is *power*. CDA perceives power in the Foucauldian sense, where texts are seen as sites of struggle within which various discourses and ideologies are competing for dominance (Wodak & Meyers, 2016). Thus, CDA is

interested in the analysis of both the linguistic manifestation of power (i.e., how discursive differences are negotiated in text), and of the "intertextuality and recontextualization of competing discourses in various public spaces and genres" (Wodak & Meyers, 2016, p. 12). For CDA, language is not powerful on its own; it becomes powerful by the use powerful people make of it (Wodak, 2002). Wodak (2002) argued that power is interwoven in social power in various ways. Language is a measure of power, expresses power, and is present where power is challenged and where there is a struggle over the power. Therefore, CDA is interested in how linguistic forms are used in "various expressions and manipulations of power" (Wodak, 2002, p. 11).

In sum, the defining aspect of CDA is "its concern with power as a central condition in social life" (Wodak & Meyers, 2016, p. 12; Wodak, 2002; Wodak, 2016). CDA's agenda focuses on how knowledge, identities, and power relations are constructed, reproduced, and transformed within the discourses and employs various methods to analyze texts in context. CDA approaches have been extensively used in education to analyze underlying issues of power, social inequality, (re)production of dominance or formation of identities within policy "talk" and/or legislative texts (Lester et al., 2017, p. 2)¹¹. This study falls under this broader research agenda.

3.2. The Discourse Historical Approach (DHA)

Wodak's (2002) method of CDA was selected to frame this inquiry as its theoretical and methodological characteristics are relevant to the purpose of my dissertation. This section provides a brief overview of the DHA, its key concepts and terms, a summary of the analytical tools, and its general principles. Before I proceed to a detailed discussion, I

¹¹ An entire issue of the *Educational Policy Analysis Archives* is dedicated to critical discourse analysis and education policy: EPAA. (2016), 24(102).

need to emphasize an essential aspect of the DHA that shaped the structure of this thesis. Considering that the DHA is an eclectic approach within the critical discourse studies that helps to uncover the ideological nature of language policy, it is not possible to delineate its theoretical dimensions from the methodological ones (Wodak & Reisigl, 2016). Therefore, in this chapter, I focus on the aspects of the DHA pertaining to the theoretical dimensions, whereas the methodological aspects of the study. Rationale, participants, sites, data collections, and analytical tools, are discussed in detail in Chapter 4.

3.2.1. *DHA Overview*

The Discourse Historical Approach has its origins in the Vienna School of CDA. Its focus is on investigating the language used in the institutional settings in conjunction with racism and anti-Semitism, identity constructions, and changes of identities at the national and transnational levels (e.g., Wodak, 2002; Wodak et al., 2001). DHA resulted from an interdisciplinary study of anti-Semitic stereotype images during the 1986 presidential campaign in Austria (Wodak et al., 2001). It was further elaborated in a number of later studies that focused on racist discrimination against immigrants from Romania and the discourse about the nation and national identity in Austria (Wodak, 2002). DHA emerged as a problem-oriented, interdisciplinary, and abductive approach (i.e., the researcher was engaged in a constant movement back and forth between theory and empirical data); its categories and tools of analysis are specific to the problem under investigation, and an application is aimed at (Wodak, 2002).

One of the main features that distinguishes the DHA from other CDA approaches is its principle of triangulation: interdisciplinary and multimethodological work based on various data and background information. It aims to go beyond the “pure linguistic

dimension” specific to all of the CDA studies by including, among others, the historical, political, or sociological dimension (i.e., context) in the analysis and the interpretation of the discourses (Wodak & Reisigl, 2001, p. 383). Because bringing together the textual and the contextual level of analysis is an important tenet of the DHA, Wodak (2009) suggests a four-level model of context as part of the DHA analytical apparatus. Table 3.1 (adapted from Wodak, 2009; Lawton, 2016, p. 110) shows how the four-level context model is applied in this particular educational language policy study.

Table 3.1

The DHA’s Four-Level Context Model applied in ESSA’s Educational Language Policy

Levels of Context for the Analysis of ESSA and its Supportive Documents	
The immediate language or text internal co-text.	Discourse topics (e.g., Us-Them), themes and arguments, discursive strategies, linguistic realizations (e.g., metaphors, topoi, or synecdoche).
The intertextual and interdiscursive relationship between utterances, text, genres, and discourses.	Past texts and discourses (e.g., Title III of NCLB, 2001 or BEA of 1968); interdiscursive connections to other discourses (e.g., Lower River and High River Districts’ Manuals and supportive documents); texts that represent multiple genres (e.g., interviews and webpages) and time periods (ESSA, 2017; NCLB of 2001).
The extra-linguistic social or sociological variables and institutional frames of a specific context or situation.	Contexts in which ESSA and NCLB were created, interpreted and appropriated: legislative, educational, everyday life (e.g., Lower River and High River Districts’ contexts).
The broader sociopolitical and historical contexts, within which the discursive practices are embedded and related to.	Sociopolitical and historical context, the impact of ESSA’s Title III on ELs identity, institutions involved, and the beliefs and actions of the language policy actors at different levels of the educational spectrum.

In this thesis, I followed the DHA’s triangulatory, context-based approach by conducting a historical analysis of the past texts related to educational language policy in the U.S. (e.g., ESEA, 1965, BEA 1968, or NCBL, 2011), by collecting data from various sources and

through various methods (e.g., documents, webpages, supporting materials, interviews), or by including the contexts of my data in the overall discourse analysis.

As with any other CDA approach, the DHA rests on three main constitutive concepts: critique, ideology, and power; yet, as previously mentioned in Section 3.1 in this chapter, researchers differently use CDA's main operational concepts. Next, I plan to explain how the DHA conceptualizes them.

3.2.2. Critique, Ideology, and Power

According to the Discourse Historical Approach, three interconnected aspects define the concept of *social critique*: that of “text or discourse immanent critique” intended to discover, among others, inconsistencies in text-internal structures; that of “socio-diagnostic critique,” which is concerned with exposing the manipulative character of discursive practices; and the “prospective critique” concerned with the ethico-practical dimension that seeks the practical application of the results of the research (Wodak & Meyers, 2016, p. 25). Included in the DHA's understanding of social critique is also the notion of transparency related to the object of investigation and the researcher's position within the study. According to Wodak (2009), transparency helps justify, theoretically, the interpretation of the data and its validity.

Within DHA, ideology is a system composed of related mental representations, convictions, opinions, and attitudes shared by the members of a particular social group. It serves as a significant means on different levels: (1) creates shared social identities; (2) establishes and maintains unequal power relations through discourse; and (3) it can transform power relations (Wodak & Meyers, 2016). DHA is interested in how linguistic and other semiotic practices mediate and reproduce ideologies in a variety of social

institutions; it aims to decipher the ideologies that serve to establish, perpetuate, or resist dominance (Wodak & Meyers, 2016). Ideology and power relations are aspects situated at the core of this thesis. It aims to study how linguistic and other semiotic practices construct the ELs identity within the educational institutions at macro-, meso, and micro-levels.

In the DHA view, is closely related to the notion of language. It is legitimated or de-legitimated in discourses (Wodak, 2009). Texts, from this perspective, are seen as sites of social struggle in which linguistic forms are used as various expressions and manipulations of power. Language, therefore, is not powerful on its own; it is the use that powerful people make of it to gain and maintain power (Wodak, 2009). Wodak and Meyer (2016) argue that power is realized in discourse by both grammatical forms and by a person's control of the social occasion through the genre of a text or by regulating access to specific public spheres (p. 26). In this thesis, I mainly follow the conceptualization of the critique, ideology, and power outlined by the DHA (Wodak, 2009; Wodak, 2011; Reisigl & Wodak, 2001) and discussed in this section.

3.2.3. Discourse, Text, and Context

Acknowledging the importance of power and power relations in language, DHA's researchers focus on the notion of discourse, text, and genre (a triangulatory approach based on the four-level model of context mentioned above). These terms, alongside intertextuality, interdiscursivity, and recontextualization, are the salient terms of any discourse historical approach study, and the main operational terms of my research. Thus, in this section, I will provide a brief overview of each of them.

The concept of discourse is a bundle of context-dependent semiotic practices situated within specific social action fields, socially constituted, and socially constitutive.

It is related to a macro-topic and linked to argumentation about validity claims involving several social actors with different points of view (Wodak & Meyer, 2016; Reisigl & Wodak, 2001; Wodak, 2009; Wodak, 2011). Unpacking this definition of discourse reveals several distinctive features of the DHA. Firstly, DHA makes the difference between discourse and text; in this case, discourse is “a form of knowledge and memory of social practices [and text refers to] concrete oral utterances or written documents” (Wodak & Meyers, 2016, p. 27). More specifically, the text is seen as a unique realization of discourse that connects the two different speech situations of production and reception. Texts are durable over time and assigned to a genre. The genre is considered a social and conventional use of language associated with particular activity- a specific social purpose in a specific social context (Wodak & Reisigl, 2016). Overall a discourse is realized through a range of texts and genres.

The connection between discourse and macro-topic is another distinctive aspect of DHA. Wodak and Reisigl (2005) pointed out that other CDA approaches do not explicitly connect the “discourse” with a macro-topic or with more than one perspective as the DHA does. For example, a macro-topic such as “language policy” allows for many sub-topics like "minority", "academic achievement", "English-only", or "culture." These sub-topics can be also be detected when an argument for a discourse on identity is constructed. Within the DHA, the discourse as an object of investigation is not viewed as a closed unit but rather as a semiotic entity open to reinterpretation and continuation through intertextuality and interdiscursivity, new sub-topics can be created, and new fields of action can be added (Wodak, 2009).

Segments of social reality that constitute and shape the “frame” of a discourse represent “fields of action” (Wodak, 2009, p. 156) also see Wodak and Reisigl (2005). For the DHA, different fields of actions are defined by different functions of discursive practices (Wodak, 2009). Wodak (2009) noted that a discourse about a specific topic can have its starting point within one field of action and proceed through another one: “discourses and discourse topics ‘spread’ to different fields and discourses. They cross between fields, overlap, refer to each other or are in some other way sociofunctionally linked to each other” (p. 177). Within the DHA, these relationships are conceptualized in terms of intertextuality and interdiscursivity. Reisigl and Wodak (2016) argued that present and past texts are linked (i.e., intertextual or interdiscursive relationships) to other texts in different ways such as through explicit reference to a topic or main actor; through references to the same events; by allusions or evocations; by transfer of main arguments from one text to the next. Additionally, they note that intertextuality and interdiscursivity can also occur through the process of re-contextualization—the transferring of given elements to a new context or de-contextualization—the process of taking out of an element from a specific context. Analyzing the EL's identity construction across multi-levels of educational policy and from the perspectives of various educational actors, I used interdiscursivity and intertextuality to chart the changes (1) in the discourses within a single genre (e.g., legislation texts), and (2) across semiotic modes (e.g., interviews, legislation texts, webpages, etc.).

In sum, discourse, text, context, as well as interdiscursivity and intertextuality, are the main operational terms of the DHA. Among these, context provides the foundation for

its theoretical triangulatory approach. Interdiscursivity and intertextuality help conduct a multifaceted analysis of the object of study (in this study, the ELs' identity construction).

3.2.4. DHA's Key Principles and Analytical Tools

Thus far, in the preceding sections, I have provided an overview of the DHA and discussed the main concepts and terms underpinning the approach. I now turn to the key principles and analytical apparatus that provide the tools for language analysis that will be elaborated on in Chapter 4. Wodak and Reisigl (2005) suggested that several defining principles should inform any DHA analysis's theoretical and methodological choices. They also recommend that analysts determine which conceptual tools are relevant for their particular study and proceed accordingly. Table 3.2 (adapted from Wodak & Meyers, 2016; Lawton, 2016) illustrates the way I adapted and integrated the DHA's key principles in this educational language study and how they shaped its theoretical and methodological choices. While all these features overlap with the CDA's main principles, in the DHA, great importance is placed on the historical context. For Wodak (2009), it is an inherent part of the analysis (an aspect that was already discussed above, in Section 3.2).

Table 3.2

The DHA's Key Principles: An Educational Language Policy Study

Key Principle of the DHA	Application in This Study
Approach is interdisciplinary in theory, methods, and practice	Different data sets: multiple public texts that represent layers of educational language policy for ELs are investigated
The approach is problem-oriented Various theories and methods are integrated.	The study of ELs identity is a complex phenomenon that can be regarded as a social problem with an important historical dimension The overall approach follows the DHA's theoretical and methodological frameworks.
Approach is abductive	The research moves recursively between the theory, empirical data (public texts and interviews), and the analysis and interpretation of the data.

Key Principle of the DHA	Application in This Study
Multiple genres and public spaces are studied.	Texts belonging to multiple genres (e.g., legislation, webpages, and interviews data) and public spaces (e.g., state department of education and districts) are studied to capture the multi-layered nature of language policy.
Intertextual and interdiscursive relationships are studied.	The discourse on ELs identity draws on several layered discourses: language legislation at various levels of implementation as well as interviews. These discourses are linked to each other in various ways; therefore, intertextuality and interdiscursivity are particularly important to reveal the connective tissue among discourses.
The historical context is taken into account when interpreting texts and discourses	A historical overview of the U.S. language in education policy related to the ELs was needed to understand how ELs' identity is currently constructed. Thus, I conducted a historical overview of the ESEA, Title III, and BEA, which will be considered when interpreting this study's data.
Categories and tools for analysis are selected according to the problem under investigation.	The categories and tools for analysis were selected following the steps and procedures outlined in Chapter 4 (i.e., the DHA's discursive strategies, see Table 4.5).
The application of the results is an important aim in changing discursive and social practices.	Results are intended to be shared with the educational actors at the different levels of the language implementation process.

While the above brief overview is further detailed and discussed in Chapter 4 of this study, Research Design and Methodology, I want to underline the significance that intertextuality and interdiscursivity aspects of the DHA have for the analytical apparatus of this thesis. The purpose of this research is to trace the ESSA's Title III across multiple contexts of policy activity and to analyze the concept of identity as is (inter)discursively formulated and constructed by the educational actors situated at various levels of the educational process spectrum. By investigating the intertextual and interdiscursive relationships between the different texts of my data, I can explore how the discourses, genres, and texts change in relation to one another and in relation to their contexts.

The final aspect of this section concerns the DHA's eight-step programme. Building on the above key principles, Reisigl and Wodak (2016), recommended that an in-

depth, typical discourse-historical approach should follow an eight-step programme, usually implemented recursively.

1. Select a discourse related to a social-problem (i.e., ELs' identity constructions) and activate the prior theoretical and empirical knowledge related to the topic of interest: Chapters 1 and 2 in this study.
2. Systematic collection of data and context information (i.e., identify the articles of law and the supporting materials related to the ELs; identify my participants and conduct the six semi-structured interviews).
3. Select and prepare the data for analysis (i.e., transcription of the interviews' recordings; downsize the data, upload the data into the ATLAS.ti program).
4. Formulation of assumptions based on the literature review and "first skimming of the data:" the DHA's five constitutive questions were adapted and included among the questions that guide this research.
5. Pilot analysis, context analysis (both micro- and macro- analysis): a historical overview of the ESEA, Title III, and BEA, and a brief document analysis of NCLB, Title III.
6. Detailed study of a whole range of data: analyze the text from the public sphere and the semi-structured interviews.
7. Explanation and interpretation of the results.
8. Application of analytical results "targeting some social impact," share the results with educational actors

The eight-step discourse historical approach outlined above was tailored to reflect the steps I adopted to design this study. Although my research does not follow all of the stages *ad*

litteram, it follows Reisigl and Wodak's (2016) recommendations for determining which conceptual tools are relevant for my particular study and how to proceed accordingly. For example, I could not conduct a pilot study or incorporate ethnographic work due to time constraints. Yet, I included a brief document analysis of NCLB's Title III, and I conducted a historical overview of the language in educational policy in the U.S.

Following the models presented above (Sections 3.2.1 and 3.2.2), the DHA works with a three-dimensional analytical frame: firstly, identify the specific *content* or *topic(s)*¹² of a specific discourse; then, investigate the *discursive strategies*; and lastly, examine the *linguistic means* and context-dependent *linguistic realizations* (Wodak & Meyers, 2016). The DHA clarifies the distinction between contents, argumentation strategies, and forms of linguistic realization as analytical levels. The discursive strategies are seen as systematic ways of using language that operates consciously or unconsciously at different levels of communication. They are the result of five constitutive questions that address the analysis of texts related to race, ethnicity, nations, or identity: How are the persons, objects, phenomena/events named and referred to linguistically? What characteristics, qualities, and features are attributed to social actors? What arguments are employed in the discourse in questions? From what perspective are these nominations, attributions, and arguments expressed? Are the respective utterances articulated overtly, intensified, or mitigated? (Wodak & Meyers, 2016; Wodak & Reisigl, 2005). According to these questions, Wodak and Meyers (2016) suggested five discursive strategies that are involved in the positive self-, negative-, and other-presentation: nomination, predication, argumentation, framing, and mitigation strategies. It is also important to note that in terms of the forms of linguistic

¹² Emphasis in the original text.

realizations, the DHA analytical apparatus also makes a clear distinction between texts, sentences, and word levels.

3.2.5. *Criticism to CDA and DHA*

In the remainder of this section, I briefly address the criticism of CDA and DHA. The core criticism against CDA is related to (1) its methods, methodology, analytical approaches; and (2) to its potential of being a critical study of language (Blommaert, 2005). For example, Widdowson (1995) argued that CDA does not make a clear distinction between concepts (e.g., discourse and text), disciplines, and methodologies, while Schegloff (1998) considered that critical discourse analysts project their own political biases and prejudices onto data and analyze them accordingly. Finally, Chilton (2005) considered that although characterized through a heterogeneity of methodologies and theoretical approaches, CDA needs to include the language's cognitive theory to show how discourse influences social cognition.

Referring specifically to DHA's analytical approach, Fairclough (2013) considered that it lacks "systematic analysis and evaluation of argumentation" (p. 5). He argued that DHA is focused on representation issues rather than decision-making and action. For example, he claimed that in DHA, the actual analysis tends to be focused on the differences in the representation of *Us* and *Them* – positive self-representation and negative representation of the other rather than how representations serve power. These critical aspects are relevant to this study as the main focus of this inquiry the representation of the other which is based on *Us* and *Them* binary. Therefore, I addressed the critical aspects in several ways: I clearly stated my positionality within the study by addressing my assumptions, beliefs to make my agency in the production and interpretation of the texts

transparent (see Section 4.7). I also intend to expand my analysis and discussion of the data to address the construction of identity in relation to power.

By bringing together the textual and contextual level of analysis and by establishing interconnections between various texts and discourses, my study can grasp the intertextuality and interdiscursivity of various discourses on ELs' identity construction (Wodak, 2009). More specifically, by employing the DHA theoretical and methodological frameworks and understandings of discourse, ideology, and power, this thesis aims to: (a) identify the range of discourses evident in the data collected from public documents, website pages, and interviews; (b) suggest ways that these discourses convey how ELs' identities are constructed; and (c) consider how these discourses are shaping and are being shaped by the processes in the educational contexts in which they are embedded.

3.3. Identity and Language Policy

In this section, I discuss the concepts of identity and language policy and the way they relate to my research. Mainly, I look at the discursive construction of identity and its relation to language and language policy. The purpose of this thesis is to trace ESSA's Title III through layers of interpretation to educational practices to understand how ELs' identities are discursively constructed by various educational actors positioned along the educational spectrum. Thus, it is important to offer a more in-depth definition of the two concepts, clarify how they are used and understood in this project, and how they shape my understanding of identity.

3.3.1. Identity

The concept of identity has been subject to a large number of usages and definitions within the field of social sciences. For example, Gee's (2001) model includes four

interwoven aspects of identity: nature identity (acquired through birth), institutional identity (ascribed to or achieved by individuals), discourse identity (a trait of the individual), and affinity identity (group of people with shared practices). Blommaert (2005) argued that a semiotic approach to identity can show how a wide variety of commonly used concepts such as culture, ethnic group, language community, society, and nation can be reconceived and reconceptualised as analytical tools. In this section, I discuss only those theoretical interpretations of identity that informed my own conceptual understanding of the construct: CDA and Wodak's (2011) perspective on language and discourse in relation to identity.

The underlining premise of CDA and implicitly of this research is that "language is performative, that is, it is always *doing* something with consequence" (Lester et al., 2017, p. 3) [emphasis added]. CDA sees language as a form of ideological practice that mediates, influences, and even constructs our experiences, identities, and viewing of the world (Benwell & Stokoe, 2006). Therefore, within CDA, identity is constructed interdiscursively in "the grammar of language" related to both the level of representation as well as to the expressive dimension (Benwell & Stokoe, 2006). On the same note, Lester et al. (2017) argued that "it is through language that one goes about *constructing their identity, ascribing identities to others, positioning others*¹³... it is through language (broadly defined) that inequalities are (re)produced and sustained, particularly as taken-for-granted discourses and practices become naturalized" (p. 3). Consequently, the CDA researcher's role is to unmask and deconstruct these opaque discourses by (1) studying the functions of language; and (2) by including the social and cultural contexts of the texts in

¹³ Emphasis in the original text.

the analysis. It is important to underline that, on the one hand, critical discourse analysis studies rest on the Foucauldian-inspired view of identity, they are the product of dominant discourses related to social practices and structures and inscribed in the available discourses, thus, reproducing the social inequalities (Foucault, 1972; Benwell & Stokoe, 2006). On the other hand, they describe the identity as capable of destabilizing the discursive order. For example, Butler (2004) and Foucault (1972) reconfigured Foucault's view of identity by adding agency and performativity. In Butler's (2004) view, identities are produced, enacted, and performed in discursive practices (Blommaert, 2005).

In the same vein, Wodak's (2011) perspective on the discursive construction of identities rests on the assertions that language is a part of identity construction, that all human identities are social in nature, and that language and identity have a dialectic relationship. Drawing on her extensive research that incorporates different genres (e.g., media and policy discourses or interviews/voices of migrants and immigrants across EU) and contexts (e.g., Austrian public media, EU's legal frameworks for language policies). Wodak (2011) advanced the following assumptions about the identity:

- Everyone has multiple identities (they can be fragmented, dynamic, or changeable).
- Identities are always re/created in specific contexts.
- Identities are “co-constructed” in interactive relationships.
- Identity construction infers inclusionary and exclusionary processes (e.g., Us vs. Others).
- Identities (i.e., individual and collective, national and transnational) are also re/produced and manifested symbolically.

Building on these premises, she proposes a model that positions identity as a part of a complex, dialectical relationship alongside language and power. In Figure 3.1 below, I created a visual conceptualization of Wodak's (2011) model. Identity, in this case, is continually re- and co-constructed, negotiated, and constrained by politics, economy, and legal frameworks, which for example, could determine the multilingualism or monolingualism of an educational language policy. Identity is also shaped by the following three dimensions of power- "power in discourse, power over the discourse, and power of discourse" (Wodak, 2011, p. 217). The first dimension means the struggle over meaning and interpretation of terms and discourses (Wodak, 2011); the second one refers to the extent to which some actors become seen and heard.

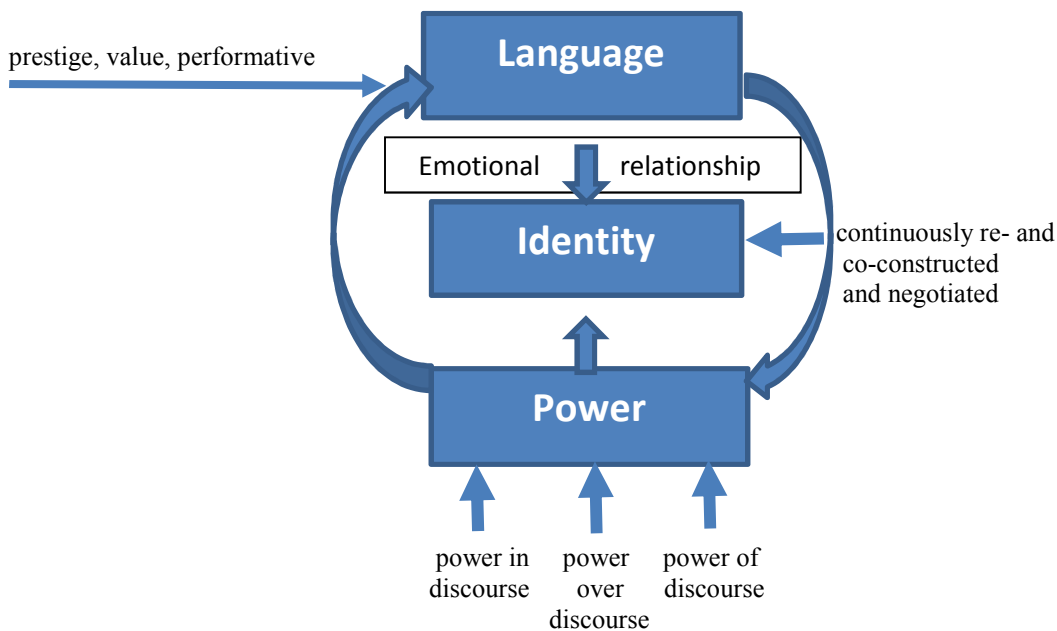


Figure 3.1. *A Dialectical Model of Identity*

The power of discourse denotes the influence of the macro-structures of meaning. Wodak (2011) pointed to the fact that these dimensions are not always visible. However, they can determine, among others, whether languages, linguistic behavior, and identities are accepted or the status of a language.

3.3.2. Language Policy

My perspective on language policy is informed, among others, by works of Wodak (2011), Hornberger and Johnson (2007), Johnson and Ricento (2013), or Johnson and Johnson (2014). I view the concept of language policy as every public influence on the communication radius of languages, the sum of those "top-down" and "bottom-up" political initiatives through which a particular language is supported in its public validity, functionality, or dissemination. Like any other policy, it is subject to conflict and must regularly be re-ordered through constant discussion and debate (Wodak, 2011). Moreover, Wodak (2011) argued that language policies (1) are invested with ideologies; (2) are instruments of hegemony, imposition, and exercise of power over individuals or social groups; (3) can enable the dominant language to be perceived as the only essential language for success; and (4) invest the "gatekeepers" (i.e., the decision-makers at different levels) with power. Added to this perspective on language policy is the concept of language ideology expressed by the above-mentioned scholars, especially by Wodak (2011). In this case, language ideologies are articulated at macro-and micro-interactions as cultural ideas, beliefs, and presuppositions with which different social groups articulate, frame, and evaluate linguistics practices (i.e., at the macro-level); whereas at the micro-level, language ideologies are produced, "re-constructed and negotiated in debates" (Wodak, 2011, p. 220)

by means of discourses, policy texts, news media, etc. A detailed discussion on how this perspective is incorporated in this research is included in Chapter 4.

Critical discourse approaches have been used in education and education policy extensively. Rogers and Schaenen (2013) conducted a comprehensive literature review of literacy studies from 2004 to 2012 that used CDA as a framework. Their examination of 76 literacy-focused empirical studies showed that critical discourse approaches were employed to conduct studies in policy, curriculum design, professional development, or bilingual education. In the same vein, Lester et al. (2017) note that education policy scholars have used CDA "to investigate both the substance and role of language in each phase in the life cycle of a given policy from the construction of a policy problem to, through various aspects of the policy-making process, to the reaction, representation, implementation and critique of existing policy" (p. 5). This research uses the discourse historical approach to analyze the talk and texts that inform and constitute the understanding of ESSA policy related to ELs' identity construction. The DHA offers me a comprehensive toolkit to study the language of the educational policy (i.e., *ESSA, Title III*, and its supportive documents) and the discourses of the educational actors at the meso- and micro-levels during the period of appropriation and implementation.

This chapter has outlined the key theoretical aspects that frame this study and has shown their relation to one another and the research aims. The next chapter provides a detailed account of the design, methodology, and tools used in this project based on this conceptual framework.

CHAPTER 4

RESEARCH DESIGN AND METHODOLOGY

In this chapter, I provide a detailed account of the design and methodology of my study. Section 4.1 explains the rationale for selecting the DHA as my overall methodological and analytical approach; next, I discuss the participants and sites selection process (Section 4.2). Document selection and data collection methods are then outlined in Section 4.3. In Section 4.4, I show how DHA applies to my study and how I intend to use the DHA's tool kit to analyze my data. The validity and reflexivity are discussed in the next two Sections (i.e., 4.5 and 4.6), followed by the last Section of this chapter, which discusses the limitations of my study (4.7).

4.1. Design Overview and Rationale

The purpose of this research is to trace ESSA's Title III through the layers of interpretation to educational practices in order to understand the way ELs' identities are discursively constructed during the process of implementation and appropriation. I selected DHA to explore the topic of ELs' identities for several interconnected reasons. First, DHA emphasizes the role of language in the transmission of knowledge. According to Benwell and Stokoe (2006), DHA is built on, among other influences, Habermas's premise that language is not a neutral medium, but rather "a form of ideological practice that mediates, influences and even constructs our experiences, identities, and ways of viewing the world" (p. 44)

see also Wodak and Meyer (2016). Through their linguistic representation, the discursive practices have ideological effects: they can help produce and reproduce unequal power relations between genders, social classes, ethnic/cultural minorities, and majorities (Fairclough, 2003, 2015; Wodak, 2016; Wodak & Meyers, 2016). Thus, one of DHA's aims is to investigate critically social inequalities as they are "expressed, constituted, or legitimized" by language use (Wodak & Meyers, 2016, p. 12) and unmask them.

Secondly, I adhere to Wodak's (2009) view of language policy as "every public influence on the communication radius of languages, a sum of 'top-down' and 'bottom-up' political initiatives through which a particular language or languages are supported in their public validity, their functionality, and their dissemination" (p. 170). Thirdly, the DHA's framework and, in particular, its emphasis on multiple levels of context best fits my purposes of (1) connecting policy text at the macro-level (federal policy text) with its interpretation at the meso- (state) and micro- (districts) levels; and (2) obtaining an in-depth understanding how the state's and districts' educational actors (i.e., the participants in my study) interpret and appropriate the educational policy text. Finally, Wodak's (2009) "multimethodical" approach to issues related to language policies that employ the analysis of different genres, public spaces, methods, and different perspectives on the phenomena under investigation provides the backbone for my research design (p. 171). Additionally, I incorporated Stephens and Cassels Johnson's (2014) call for "multi-layered" analysis in educational language policy research through the examination of "policy texts, discourses and practices across multiple contexts of policy activity" (p. 2; see also Hornberger & Johnson, 2007; Tollefson, 2013). Specifically, I analyzed the concept of identity as is (inter)discursively formulated and constructed by educational actors at the macro-

(national), meso- (state), and micro-levels (district). Thus, my study focused on both the power of policy and the power of policy agents by “combining a critical analysis of macro-level policy text with empirical data collection” (at the meso- and micro-levels) on the way these texts are appropriated in practice (Stephens & Cassels Johnson, 2014, p. 2).

In sum, my research design rests on a multi-leveled, multimethodical framework that (a) is informed mainly by Wodak's (2009, 2016) Discourse Historical Approach to the analysis of language policies; and (b) intends to "metaphorically speaking, slice through the layers of the LPP onion to reveal varying local interpretation, implementation, and perhaps resistance" to the educational policy (Hornberger & Johnson, 2007, p. 510). This dissertation research uses qualitative data to investigate the discursive construction of ELs' identities across multiple layers of data sources and perspectives. DHA's framework offers the possibility to organize and interpret my data across macro-, meso-, and micro-levels of language policy formation, interpretation and recontextualization. Figure 4.1 below displays a graphic illustration of my multimethodical framework that incorporates different genres (e.g., policy documents, webpages, and interviews), multiple public spaces (e.g., federal, state, and two districts), various methods (e.g., document, visual text and interview analyses), and range of perspectives of educational actors situated in different educational contexts. It also shows the interconnectivity and interdiscursivity among the three contextual levels and the educational actors positioned at various levels. In the following sections of this chapter, I discuss in detail each element of this chart.

Before I proceed to a detailed discussion of the methodological aspects of this study, I need to mention two essential characteristics of DHA that shaped the design of my research. Firstly, considering that the DHA is neither a theory nor a method, but an eclectic

approach within the critical discourse studies designed to uncover the ideological nature of language policy, it is not possible to clearly delineate its theoretical dimensions from the methodological ones.

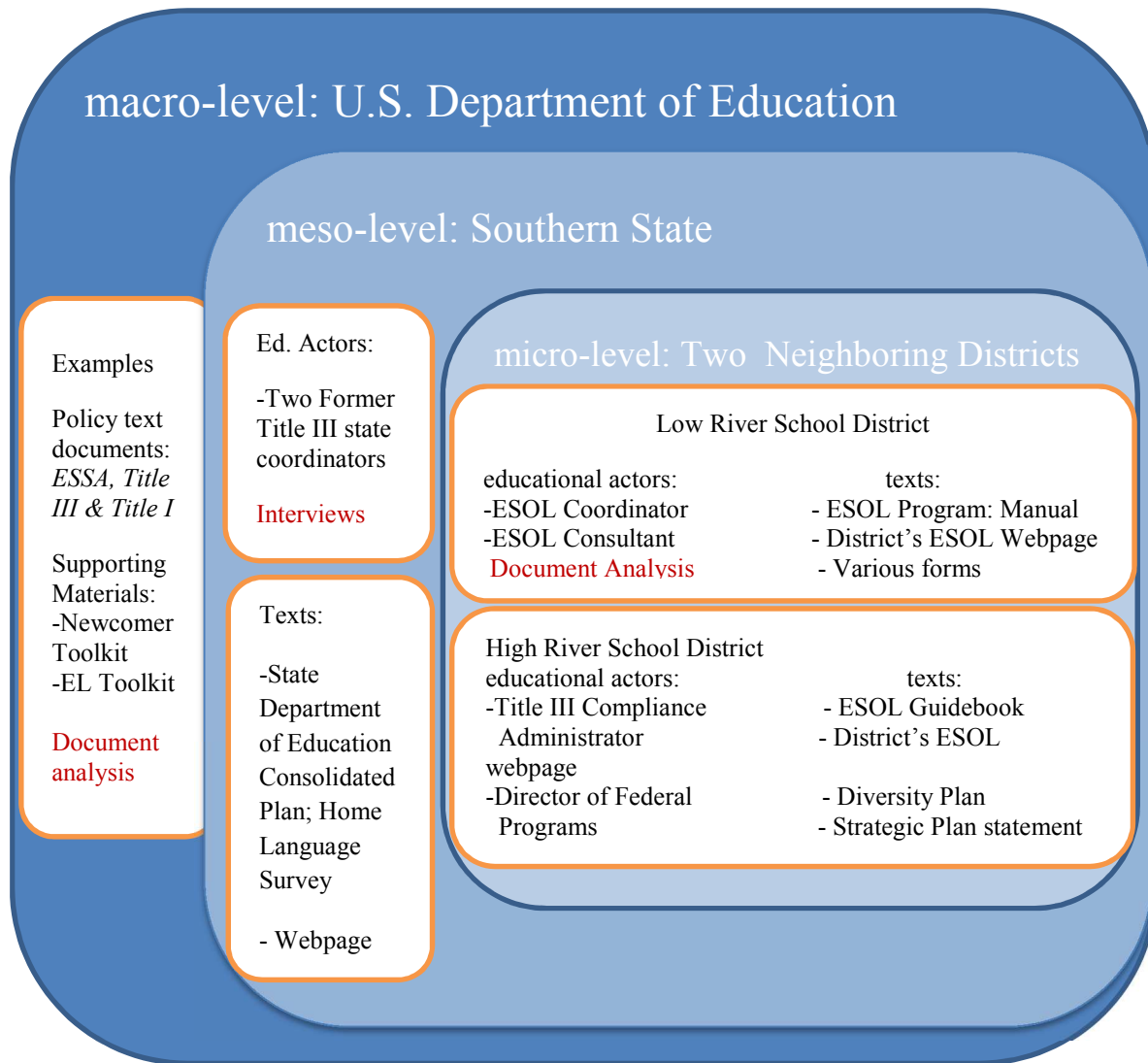


Figure 4.1. *Multimethodical Framework to Discursive Construction of EL's Identity: public spaces, genres, and data collection methods.*

In this chapter, I focus on the aspects of the DHA about the methodology of the study participants, sites, data collections, and analytical tools. The theoretical dimensions were

discussed in Chapter 3. Secondly, although I followed Wodak's (2009) recursive eight-step programme in investigating language policies (see Chapter 3 for a detailed discussion), I had to make specific choices about which features of the DHA to include or to omit. Wodak (2009) underlined that the eight-step programme is an "ideal-typical programme" suitable for a "large-scale interdisciplinary project." Research that has "sufficient resources in terms of time, personnel, and money" (Wodak, 2009, p. 34). She also acknowledges that smaller studies (e.g., Ph.D. theses) are also "useful and legitimate," but explicit choices should be made when such a project is designed (Wodak, 2009, p. 34). This study falls under the latter category of research, and therefore, adjustments were made. For example, due to time constraints, I could not conduct a qualitative pilot study or incorporate a larger array of educational contexts and actors (e.g., another state and district or school sites as an additional layer to the policy process). I discuss possibilities to build on these adjustments in Chapter 8. When possible, I implement and discuss the abovementioned ten steps of the programme throughout the chapters of this study (e.g., Chapters 1 and 2 constitute step one, this Chapter includes steps 5 through 7).

4.2. Sites and Participants

Both processes, the selection of the sites and the participants, as well as the data collection, were shaped by the scope of this inquiry: how the concept of ELs' identity is (inter)discursively formulated and constructed by educational actors across multiple levels and institutional contexts (see Figure 4.1 above). As a result, I used a purposeful sample method to select the sites and the participants. I considered that this specific sampling method best fits my purpose of examining the educational language policy created,

interpreted, and appropriated within and across multiple levels and institutional contexts (Johnson & Johnson, 2014).

These particular sites (the Southern State and the Lower and High School districts¹⁴) were selected for several reasons: contextual knowledge, geographical proximity, and the unprecedented increase in the number of ELs in the Southern State's public schools (see Chapter 1 for more detailed information). On the one hand, these are the state and the districts for which I have the best contextual knowledge required to carry out several of the phases of my discourse-historical analysis. For example, being an ESOL teacher, facilitated my access to the participants in my study. On the other hand, the two neighboring districts meet the criteria for the horizontal axis of study design, which includes comparability of student demographics and programs for ELs across sites.

4.2.1. Participants

Johnson and Johnson (2014) argued that policies are first “created as a result of intertextual and interdiscursive links to past and present policy text and discourses” (p. 3). Once the policies are put into motion, they are open to interpretations by those who created them and by those who are expected to appropriate them in practice. Thus, for my study, I identified the educational actors who, due to their position within the policy process (i.e., *ESSA's Title III*), have “the agency to shape policy decisions” (Johnson & Johnson, 2014, p. 2). The participants in this study are six educational actors positioned at the meso- (two participants) and micro- (four participants) levels of the language policy processes, as indicated in Table 4.1 below. They are the stakeholders responsible for the appropriation and implementation of the *ESSA's Title III* and its supporting documents at the state and

¹⁴ The names of the state, districts, and participants are pseudonyms.

district levels. The macro-level (i.e., federal level) includes only “object-actors,” policy text documents (Vavrus & Bartlett, 2009, p. 13).

Table 4.1

Educational Actors within the Language Policy Processes

Level of Educational Process	Educational Actor's Position	Responsibility
macro-level	'object=actors'	Creates the language education policy
meso-level	Southern State Current Title III Coordinator for the Southern State's Department of Education (Silvia)	Implementation of ESSA's Title III, Part A Oversees all federal funds for Title III Oversees all 86 School Districts plans and approves the activities that go along with them Works on developing Sate's ESSA Plan as it relates to Title III and Els
meso-level	Southern State Former Title III Coordinator for the Southern State's Department of Education (Lucia)	Implements ESSA's Title III, Part A Oversee all federal funds for Title III Oversee all 86 School Districts plans and approved the activities that go along with them Works on developing Sate's ESSA Plan as it relates to Title III and Els
micro-level	High River School District Director of Special Projects and State's Federal Programs (Rodrigo)	Oversees ESSA's Title I, Title III, and Title IV funding Oversees the development and implementation of special programs for students in poverty, intervention, remedial programs, summer programs as well as programs for ELs
micro-level	High River School District Former Title III Compliance Administrator (Patricio)	Writes The District's Title III Plan Gets extra District funds for ESOL Programs Prepares documentation for the District's ESOL Audit Oversees compliance with the OCR
micro-level	Low River School District ESOL Coordinator (Mike)	Oversees the District's Title III funds Develops and provides Professional Development for ESOL teachers Oversees the curriculum development
micro-level	Low River School District District's ESOL Consultant (Samuel)	Supports ESOL teachers and schools to develop programs that are effective and compliant with the Federal Regulations Carries out coaching and training of ESOL and content area teachers Ensures compliance with the requirements of the Federal Regulations related to ELs Prepares documentation for the District's ESOL Audit

During the first stages of planning for this research (i.e., Fall of 2018), the participants were unofficially approached, informed about the purpose of the study, and asked for their consent to be interviewed as part of the data collection process of my dissertation. Once I received permission from the Institutional Review Board to conduct the study, I officially contacted the participants via email to request an interview. I could get easy access to the participants due to my professional familiarity with ESOL programs in the two districts. Because qualitative research generally calls for change to any identifiable information related to participants (Bowen, 2009; Marshall & Rossman, 1995; Meriam et al., 2002), the names of the state, districts, and participants are pseudonyms. Additionally, all documents and pictures retrieved from the state and districts' websites are not referenced with links to protect the anonymity of the participants and the confidentiality of their statements.

Table 4.2*Participants' Demographics*

Participant	Age	Race/ Ethnicity	Home Language	Languages	Education	Years Taught	Subject(s) Taught	Teaching Abroad
Samuel LRSD	39	White	English	Spanish, Russian	M.A. Teaching: ESOL	11	ESOL ELA	Russia
Mark LRSD	37	Hispanic/ Latino	Spanish	English, French, Japanese	M.Ed. in Leadership	15	ESOL Spanish French	Colombia
Patricio HRSD	41	White	English	Spanish	M.Ed.in ESL and Intercultural Studies	16	Biology Anatomy Physiology ESOL	Brazil & China (Internship)
Rodrigo HRSD	41	African- American	English	English	Ph.D.	18	Counselor Principal Graduate Instructor	N/A
Silvia SS	38	Black Hispanic	English	Spanish	Masters	13	Science Coach for 1 st and 2 nd year teachers Co-Taught Science with an ESOL Teacher	N/A
Lucia SS	49	White	English Italian	English Spanish	Masters + 30	17	3 rd Grade Journalism ESOL Reading (recovery course)	N/A

As shown in Table 4, the six participants are racially diverse, with two of them having a bilingual home environment, half of them have experience in teaching abroad, and five out of six (co)taught ESOL. While all of the educational actors at the micro/district levels are males, the two Title III Coordinators (current and former) at the meso/state level are females. The current Title III state deputy, Silvia¹⁵, had been in her current position for merely six weeks when interviewed, while the former state deputy, Lucia, held that position for four years. Low River SD had new ESOL leadership as well. The ESOL coordinator, Mark, took the position in 2016, while Samuel shifted from being an elementary ESOL teacher to the ESOL consultant position in 2017 (the consultant position was newly added to the department that year). High River SD took a different path in 2019. They eliminated the Title III Compliance Administrator (Patricio's former position) and added the Title III responsibilities to that of the Director of Special Projects and State's Federal Programs (Rodrigo's position). They also created a second ESOL Lead Teacher position. Rodrigo has been in his current position for five years, while Patricio held the Title III Compliance Administrator for four years.

4.2.2. The Meso-level: The Southern State Department of Education

The Southern State's Department of Education identified 46,979 out of the 782,638 public school students as ELs during the 2019-2020 school year (approximately 6%). They were enrolled in the 1,262 public schools of the state's 86 school districts. A decrease of 1.2% since the 2018-2019 school year (data published on the state's Department of Education website).

¹⁵ Since my interview, Silvia has moved to another position and the Southern State restructured its ESOL department: the districts were divided in two cohorts and two coordinators were hired to manage them as Title III Multilingual Education State Coordinators.

As I have already noted in Chapter 2, the Southern State is one of the ten states that experienced the highest growth increase of EL population between 2000-2001 and 2010-2012: a staggering 610% from 5,121 to 38,986 (Voices in Urban Education, 2013). The growth continued steadily to reach more than 46,000 in 2019 and 63,885 in 2021 (SC School Report Card, 2017-2018). This unprecedented increase of ELs posed a challenge for the state for several reasons such as lack of experience in educating a large number of ELs, funding, teacher training, and school capacity. It is worth mentioning that Southern State does not provide any state funding for educating its EL population; it relies mainly on federal funding (*ESSA's Title I and Title III*).

The state formally identifies its ELs in a two-step process. First, parents of all newly-enrolling students (first time enrolling in the state public school system) must complete the Home Language Survey; it applies to all grade levels from 3K/4K through twelfth grade. The survey asks a series of four questions to determine eligibility: “What is the language the student first acquired? What language is spoken most often by the student? What is the primary language used in the home, regardless of the language spoken by the student? In what language do you wish to have communication from the school?” If a language other than English is indicated for questions one to three, the student participates in the second step of the identification process: the assessment screening; the student takes the K W-APT or Kindergarten MODEL (Kindergarten through 1st semester first grade), WIDA Screener or WIDA MODEL (2nd semester first grade through grade twelve). The Southern State is part of WIDA (2022), which is the consortium, a member-based organization “dedicated to the research, design, and implementation of a high-quality,

standards-based system for K-12 English language learners” (n.p.). More than 40 U.S. state departments of education are WIDA members.

The racial diversity of the state’s student population has also increased to the point that it accounts for 50.46 percent of its total student body enrolled in the public-school system. As of the 2019-2020 school year, there were 32.64% Black/African-Americans, 0.31% American-Indians, 1.67% Asians, 10.94% Hispanic/Latinos, 0.13% Hawaiians, 4.78% of 2/more races, and 49.54% White. More than 57% of the students in the state’s public schools are labeled as “in poverty.”

The most common languages spoken by ELs in the Southern State are Spanish (81.8%), Russian (2.3%), Vietnamese (1.9%), Chinese (1.5%), and Arabic (1.5%)¹⁶. The legislation and the guidance for serving English learners are located under the Federal Programs, *ESEA Title III*, and *ESOL PreK-12* tab on the State’s Department of Education website. The person in charge of running the program is listed as State Title III Coordinator. This department has had three coordinators in the last five years (i.e., 2014-2019).

4.2.3. The Micro-level: High River School District (Site 1)

High River School District (HRSD) is located in the heart of the Southern State and had 28,344 students enrolled for the 2019-2020 academic year. According to the District’s ESOL Department, in 2019-2020, 1800 are identified as ELs by the State and federal guidelines. They speak 60 different languages and represent 65 different countries and/or territories of the United States. The top five languages spoken in the district are Spanish, Korean, Mandarin Chinese, Vietnamese, and Arabic. The district has used predominantly

¹⁶ All data retrieved from the Southern State’s Department of Education Website; the websites are not referenced in order to protect the anonymity of my participants and the confidentiality of their statements (Meriam et al., 2002).

the “pull-out” instructional approach for its elementary ELs, and elective credits for the middle and high school ELs. However, for the 2019-2020 academic year, the district opened a “newcomer accelerator center” crafted especially for the high school ELs to help them learn English and subject area content at a more accelerated pace. They spend the morning with their base school, and they come in the afternoon to learn with highly trained ESOL teachers. The district also has a Diversity and Multicultural Inclusion Department and a *Diversity and Multicultural Inclusion Plan*, developed and published on the district’s website in October 2016. It covers the areas of instruction, communication and partnership with multilingual and multicultural parents and community organizations, recruitment and retention of underrepresented teachers, and climate.

4.2.4. *The Micro-level: Low River School District (Site 2)*

Low River School District (LRSD) shares county lines with the previous district. It has a population of 23,250 students (2019-2020 school year), out of which 1,185 (+ 54 in pre-kindergarten) were identified as ELs by the State and federal guidelines. They represent 57 countries and 26 languages spoken. Students' national and linguistic backgrounds range from Spanish speakers from Mexico, Guatemala, Honduras, Spain, Colombia, to speakers of Arabic from Iraq, Yemen, and Lebanon, to speakers of Persian (Iran), Portuguese (Brazil), Mandarin Chinese, Romanian, and Polish. Similar to the HRSD, the Low River SD also instructs its EL population predominantly using the “pull out” approach for the elementary age ELs and elective credits for the middle and high school ELs. Until 2019-2020 school year, the district clustered all of its ELs in three high schools, five middle schools, and eight elementary schools, with the highest concentration at the elementary level (i.e., 620 students). Starting with the 2019-2020 school year, they expanded the ESOL

program across the district; it now covers five out of seven high schools, six out of nine middle schools, and 13 out of 28 elementary schools.

Although the two districts belong to the same county and have many similarities in terms of instructional approaches to educating their EL population, they differ regarding students' ethnicities and socio-economic backgrounds (see Table 4.3 below). Based on the most recent data available on the state department of education website (2019-2020 school year), only 8 out of 46 schools in LRSD have less than 50% of their student population labeled as “in poverty,” whereas the HRSD has 13 out of its 32 schools with less than 50% of their student population labeled as “in poverty.” In other words, more than 85% of the students in 36 schools in LRSD are in poverty, while HRSD has only in 19 of its schools with the same percentage.

Table 4.3

*HRSD and LRSD Headcount by Ethnicity and Students
in Poverty During the 2019-2020 School Year*

Ethnicity	LRSD	HRSD
Black/African-American	16, 085	17,052
American-Indian	7	42
Asian	232	785
Hispanic/Latino	1418	3293
Hawaiian	33	60
2/more races	1081	1429
White	4401	5674
Total Students	23,250	28,344
Students in poverty	17,573	15,629

As a result, the entire Low River School District provides free school lunch for its students through the National School Lunch Program.¹⁷ Finally, as indicated in Table 4.3 above, the

¹⁷ NSLP is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions that provide low-cost or free lunches to children each school day (program established in 1946, <https://www.fns.usda.gov/nslp>). All public schools in the Southern State participate in

two districts differ in their ethnic headcount as well. HRSD had a higher number of Asian, American-Indian, and Hispanic/Latino students than LRSD. For example, there were 3,293 Hispanic/Latino students in HRSD compare to 1418 in LRSD.

4.3. Methods of Data Collection

As mentioned above, this research employs the Discourse Historical Approach framework to examine EL's identity construction across educational levels. It will be recalled that the main question of this research study is:

How do diverse educational actors at the macro-, meso-, and micro-levels discursively construct the identity of the English learners during the current period of new educational policy appropriation?

Two main sources generated the data necessary to answer the research's question: texts from the public space and the semi-structured interviews (see Table 4.4 below). Using the two types of data collection, I aimed to capture both a more comprehensive picture of language policy development and the power of human agency during the process of language planning (Ricento & Hornberger, 1996). Johnson and Ricento (2013) argued that "the locus of power is not just contained in the policy text alone," nor is it imposed merely by the will of the state, but it is enacted (or, perhaps performed) by educational practitioners (p. 13).

the NSLP, 58% of the lunches were provided free or at a reduced price during the 2008-2009 academic year (data retrieved from the state's department of education website).

Table 4.4

Overview of Data Sources

	Level of Educational Process	Data
Texts from the Public Sphere (Data Set I)	macro: U.S. Department of Education	<ul style="list-style-type: none"> • <i>ESSA of 2015, Title III, Part A</i> • <i>ELs Definitions Section 8101 of ESSA, 2015</i> https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-legislation-table-contents/title-viii-general-provisions/#TITLE-VIII-PART-A • ESSA, Part 200. 6-Title I- Improving the Academic Achievement of the Disadvantaged, Subpart A.200.6. Inclusion of all students. https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=c0508b0d25b77c0918c788ce9b90443d&mc=true&n=sp34.1.200.a&r=SUBPART&ty=HTML#se34.1.200_16 • ESSA, SEC. 3201. Definitions https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-legislation-table-contents/title-iii-part-a/#TITLE-III-PART-B • <i>ENGLISH LEARNER TOOL KIT for State and Local Education Agencies (SEAs and LEAs), 2017</i> • <i>Non-Regulatory Guidance, 2019</i> • <i>Newcomer Tool Kit, 2017</i> • <i>ELs Accountability Tool Kit, 2017</i> • <i>ELs in Public Schools, 2021</i> https://nces.ed.gov/programs/coe/indicator/cgf • <i>Who are the ELs?, 2017</i> https://www2.ed.gov/datastory/el-characteristics/index.html#three • <i>Office of English Language Acquisition OELA WEBPAGES (2021)</i> https://www2.ed.gov/about/offices/list/oela/index.html Resources - Office of Elementary and Secondary Education <p>main webpage https://www2.ed.gov/datastory/el-outcomes/index.html https://www2.ed.gov/datastory/el-experiences/index.html https://www2.ed.gov/about/offices/list/ocr/ellresources.html</p>
	meso: Southern State's Department of Education	<ul style="list-style-type: none"> • The Southern State's Department of Education: Title III and ESOL Programs website page (2020) • State Consolidated Plan (2020) • State's English Learner Identification and Guidance Doc (2021). • Documentation related to Title III and ESOL Programs: Home Language Survey (2019); Parent Notification (2019) • Coding of ELs (2020) • ESEA, Title III (webpage, 2021) • State Testing: Appendix D (2021) • Memoranda (EL enrollment & services,2019; EL, Migrant & Homeless Students, 2016; ELs in Special Education, 2019)

	Level of Educational Process	Data
	micro: HRD	<ul style="list-style-type: none"> • High River School District's ESOL webpage, 2020 • District's ESOL Guidebook, 2020 • Strategic Plan Statement, 2020 • Diversity and Multicultural Inclusion Plan, 2019 • District's Inclusion webpage, 2020 • Annual Report, 2020
	micro: LRSD	<ul style="list-style-type: none"> • Low River School District's ESOL webpage, 2021 • About the ESOL Program webpage, 2021 • ESOL Program: Services and Procedures Manual, 2018 • Forms related to the ESOL Program: <ul style="list-style-type: none"> -MTSS- Special Education Procedures for ELs, 2019 -Individualized Modification and Accommodation Plan, 2019 -Parent Notification of ACCESS Results (Exiting Letter), 2019 - Continuing placement in ESOL Letter, Waiver of ESOL Services Letter), 2018 • Memos: Placement into ESOL Programs Services for Schools principals; Policy and Support Procedures for ESOL and non-ESOL Students for school principals, 2018.
Private Texts: Interviews (Data Set II)	meso and micro levels: SS, HRSD, and LRSD	Six semi-structured interviews analyses: 10 open-ended questions related to ESSA's Title III and EL's identity

Having multiple data sources contributes to the validity of this study (discussed below), and it also reflects the DHA's framework (Lather, 1986; Wodak, 2009). Wodak (Wodak & Meyers, 2016) suggested that numerous genres and public spaces as well as intertextual and interdiscursive relationships to be studied. The first step in collecting the text from public space started at the macro-level with ESSA's (2015) Title I and Title III and all the supporting materials related to EL's education available on the U.S. Department of Education website. I applied the same selection criteria at the meso- and micro-levels. After identifying and locating all the available documents, forms, memoranda, webpages, I read and sorted them for redundancy, intertextuality, re-contextualization. For example, I

decided not to include the documents at the meso- and micro-levels that were integral adoptions of macro-levels documents.

In sum, the public texts selected and analyzed in this research are composed, on the one hand of legislation, websites content, official ESOL forms, ESOL programs' manuals, plans, and guidebooks; and on the other hand, of discourses representing perspectives and attitudes of educational actors positioned at various levels of the implementation of the language policy process. The texts analyzed in this study represent the multi-layered aspect of language policy (Wodak, 2009).

4.3.1. Data Set I: Texts from the Public Space

The first phase of data collection consisted of the systematic collection of official texts from the public sphere (a top-down process). To collect these texts, I researched the U.S. Department of Education's website to locate ESSA's Title III legislation and its supporting documents. Once I determined which texts to include at the macro-level, I continued the process at the meso- and micro-levels by examining the official websites belonging to the Southern State Department of Education and the two school districts. The key terms used to locate the relevant language education policy texts and the supporting documents were: Title III, ESSA, "English Language Learners," EL, ELL, ESOL Program. The websites' search was not limited only to policy documents (e.g., *ESSA's Title III*, or ESOL Programs' Guidebook). When available, I also included visuals or any other type of text present on the website and related to the research topic (ELs' identity) such as various official forms used for the appropriation and implementation of *ESSA's Title III* (e.g., the Home Language Survey form). Screenshots of the main webpages were taken and added to the data in an attempt to capture a broader understanding of the content of the ESOL

programs and, along with the available images, to capture a visual aspect of the ELs' identity as proposed by the educational agencies included in this study.

During the first stages of my data collection, I included all of the texts associated with ESSA's Title III and ESOL Programs that were available on the websites of the four sites (i.e., U.S. Department of Education, Southern State Department of Education, and Low River and High River School Districts) in order to document a trail of the language education policy from the macro- to the meso- and finally to the micro-level of the implementation process. I then began the downsizing of this large corpus of data to prepare it for the analysis by considering the representability, intertextual or interdiscursive scope, salience, uniqueness (Wodak & Meyer, 2016). This was done following steps two and three of the DHA eight-step recursive programme of systematic collection, selection, and, prior to the analysis, downsizing of data based on relevant criteria (see Section 4.2 above). Table 4.4 above provides a complete list of the texts from the public sphere that were included in data set I; the texts were later analyzed (see Chapter 5 for a detailed discussion) for their discursive and interdiscursive content, subjects, and relations of power embedded and constructed within (Fairclough, 2003; Wodak, 1996, 2001).

4.3.2. *Data Set II: Semi-structured Interviews*

The second data set came from six semi-structured, topic-oriented qualitative interviews with educational actors responsible for the appropriation and implementation of the *ESSA, Title III*, at the meso- and micro-levels. Wodak et al. (2001) argued that topic-oriented interviews are effective tools in Historical Discourse Analysis as they allow us to observe the process through which important concepts such as "identity" are reformulated and recontextualized in different contexts. Therefore, I intended to use interviews' data to

look at how different types of discursive strategies are employed to construct the EL's identity. I described these strategies using a "hermeneutic-abductive approach" (Wodak et al., 2001, p. 3). Because I had already addressed the participants in Section 4.2.1, in this part, I focused my discussion on the interview's data collection process and interview protocol.

The interviews were approximately sixty minutes each¹⁸ and were conducted during June and July 2019, in the participants' work offices, at a time negotiated with them. In order to maximize the interview sessions to the fullest, a demographic questionnaire was sent via email to the participants prior to the interview; it included questions about their age, education, ethnicity/race, language(s), teaching experience (see Appendix A). I emailed the questionnaire upon receiving their agreement to be participants in my study, and I used this set of data to create a profile of my participants, as shown in Table 4.4 above.

The six interviews were audio-recorded (with the participants' permission) and transcribed using *Transcribe*, a computer-based application. I then checked them against the audio files for accuracy, and I added transcription conventions to capture features that can help the analysis, high peaks, emotional expressions, and pauses. For example, short pauses were marked with three dots, "hmmm" shows an expression of thinking, and a tab marks a longer pause between the parts of a complete thought (see Appendix B for an example). The raw transcripts of the interviews, with minimal markup by me, were emailed back to the participants; they were invited to review them and provide feedback. Appendix

¹⁸ With one exception: Samuel's interview was 1:44 minutes long. At the end of each interview, I posed the same question: "Is there anything else that you would like to add/share with me that you consider important for me to know?" Samuel was one of the five that voluntarily offered to elaborate or to add content to his interview.

C offers a sample of a participant validation of his interview. In the last step, the interviews were subject to a content analysis using a compare-contrast technique and focusing on the discursive construction of EL's identity. I shared my final analysis with the participants in the study.

4.3.3. The Instrument

In designing the semi-structured interview's instrument, I considered my research questions, the main topics identified in the literature review for this study, and the content of my texts from the public sphere. I also followed Wodak's (2016) proposition of viewing the whole interview as "coherent texts" consisting of "question-and-answer sequences" (p. 173). The instrument entailed a series of ten open-ended questions centered on the participants' educational experiences, their perspectives on ELs' identities, labeling/terminology, instructional approaches, and educational programs for ELs. The interviews followed a semi-structured protocol to compare participants and leave space for flexibility of responses and follow-up questions (see Appendix D for the interview protocol). The same set of questions and in identical order were administered to all six participants. However, at times, the interviewees tied together a couple of topics in one answer or anticipated topics; three of the participants (i.e., Samuel, Silvia and Lucia) returned and added to their previous answers at the end of their interviews. When necessary, I also asked the interviewees to elaborate, explain or add to their answers.

In order to ensure the trustworthiness of the interview protocol, I enlisted expertise from two research professors to review it using my study's questions as a reference point (i.e., against sub-questions 2-4). I asked them to look for ambiguity, lack of clarity, bias (i.e., leading questions), and most importantly, to ensure that my interview protocol

addresses my research questions. Additionally, I asked one of my teacher colleagues (i.e., ESOL teacher) to both be my virtual interviewee to pilot the questionnaire and provide feedback by looking at any question that seemed to be unclear or difficult to answer. For example, based on their feedback, item number 9 went through several changes until it reached its final draft: from “In your experience, given the diverse cultural and linguistic background of our ELs, which one is the most important- the students’ cultural or linguistic background - and why?” to “In your experience, given the diverse cultural and linguistic background of our students, which one influences their identity the most- the student’s cultural or linguistic background - and why?”

The final draft of the interview protocol is the result of their pertinent feedback (see Appendix D). All of the changes were made before the actual interviews were conducted.

4.4. Discourse Historical Approach as Analytic Method: The Analytical Tool Kit

As discussed in the first section of this chapter, to examine the ELs’ identity construction, I drew on DHA’s methodological framework, which entails a three-dimensional analytical apparatus: identifying the content or topic of a specific discourse; investigating the discursive strategies; and examining the linguistic means and content-dependent linguistic realizations (Lawton, 2007, 2013; Titscher, 2000; Wodak & Meyers, 2016; Wodak et al., 2009). Although the three analytical dimensions are completed independently, the strategies and the linguistic realization, once identified, are applicable to other discourses. It is also equally important to underline that the discourse-historical analytical method is hermeneutic and interpretative (Wodak, 2016); therefore, it occurs as a recursive process during which the three analytical levels are "systematically related to the totality of contextual knowledge" (Titscher, 2000, p. 158). In the following, I describe

Wodak's (2016) discourse-analytical tools to analyze discourses on language policies that I adapted for this study. This analytical apparatus was developed to account for the analysis of "Us" and "Them" in the context of discourses about language policies in the European Union (p. 178) and rests on the premise that the discursive construction of "Us" and "Them" is the "basic fundamentals of discourses of identity and difference" (Wodak, 2007, p. 195), which I considered to be most appropriate for the context of this research.

The categories of analysis for "Us" and "Them" rest on five constitutive questions. These questions served my study in two ways: I applied them as categories of analysis (Wodak et al., 2009; Wodak, 2009, 2016), and I adapted and included them among the questions that guide this research.

- How are the ELs named and referred to linguistically? (referential/nomination strategies).
- What traits, characteristics, qualities, and features are attribute to ELs? (predication strategies).
- What arguments are employed to justify or legitimize the assimilation or the integration of the ELs? (argumentation strategies).
- From what point of view are these labels, attributions and arguments expressed? (framing strategies).
- Are the respective utterance articulated overtly, intensified or mitigated? (mitigation strategies).

Based on these questions, Wodak (2009) developed five types of discursive strategies¹⁹ (listed above in parenthesis) as part of “the positive self- and negative other-presentation” (p. 195); each of these strategies has specific objectives achieved through linguistic devices as shown in Table 4.5 below (adapted from Wodak, 2009). As already mentioned, these discursive strategies were also adapted and integrated into my research design as part of the analytic apparatus.

Table 4.5

Discursive Strategies, Objectives, and Linguistic Realizations

Discursive Strategy	Objective	Forms of Linguistic Realization
Nomination	The discursive construction of in-group and out-group	Membership categorization Metaphors Metonymies/ collectives Synecdoche
Predication	Labeling of social actors (positively or negatively, deprecatorily or appreciatively)	Evaluative attributions Negative/positive traits
Argumentation	Justification of positive or negative attributions	Topoi used to justify the attributions (e.g., claims of truth)
Framing/ Discourse representation	Positioning speaker’s point of view	Description, narration Deictics, direct or indirect speech
Mitigation	Modifying the epistemic status of an utterance	Diminutives, modal particles Hyperboles Subjunctives Verbs of saying, feeling, thinking, etc.

Finally, because Wodak (2009) suggested that the analytical methods be selected according to the text analyzed, I also used the text analysis program ATLAS.ti to identify the data sets' topics and analyze them in more depth. ATLAS.ti is a content analysis software

¹⁹ Wodak (2016) describes the concept of ‘strategy’ as: “a more or less intentional plan of practices (including discursive practices) adopted to achieve a particular social, political, psychological, or linguistic goal” (p. 179).

designed for the qualitative analysis of large bodies of textual, graphical, audio, and video data. It enables the researcher to identify relevant topics and concepts from the data and analyze them more deeply. It provides a range of tools to organize and analyze data such as coding, identifying content topics and their argumentative development, or constructing networks of meanings (Wodak, 2009). The many features, such as quotation level analysis, offer the possibility of conducting inductive and interpretative research approaches like discourse analysis, which I considered an adequate tool for my study. For example, after I uploaded all of my documents, forms, webpages, and transcribed interviews on ATLAS.ti, I created groups such as federal, state, LRSD and HRSD, and interviews. During the first level of analysis, I read all the documents; I created codes, and, when necessary, I added notes to the codes. In the end, I had one hundred and twenty-four codes. I read the documents again, this time to consolidate the codes in themes and topics. I used my notes and the quotes that the codes were attached to identify the major themes and topics. Examples of the graphic output generated by ATLAS.ti are included in the Chapter 5, Data Analysis.

Thus, by adapting the DHA's analytical tools and integrating ATLAS.ti as a container for my data and a workspace for my data analysis, I developed an analytical framework suitable for analyzing the discursive construction of EL's identity shown below in Table 4.6. It rests entirely on the DHA framework as DHA informs this study at all levels, and it has several layers: macrostructure (content topics), microstructure (discursive strategies and forms of realization), and context analysis (Wodak & Meyers, 2016).

Table 4.6

The Relationship Between the Research Questions, the Collected Data and the DHA Framework for the Analysis of Discursive Construction of ELs' Identity

Us and Them Discourse				
Research Questions	Data Sources	Content Topics examples	Discursive Strategies	Form of Linguistic Realization
How are the ELs' identities constructed discursively by the text of the educational policy (<i>ESSA of 2015</i>) and its supporting materials?	1. Texts from Public Space			
Which traits, characteristics, qualities, features are present or absent from the discursive construction of ELs' identity?	- <i>ESSA of 2015, Title III</i> - <i>ENGLISH LEARNER TOOLKIT for State and Local Education Agencies (SEAs and LEAs)</i>	Assimilation Assessment EL characteristics Stigma Identity English-only Accountability Integration Language Programs (Mis)Representation Deficit Us/Them	Nomination Predication Argumentation Framing Mitigation	Anthroponym sMetaphors Deictics Topoi Member Categorization Passivization, Analogies Allusions Vagueness Lexical units indicating difference Verbs of saying or thinking
What are the perspectives promoted by diverse educational actors? ²⁰ concerning the ELs' identities?	- Webpages - Forms - Southern State's Consolidated Plan			
How is the language of their discourses employed to represent what we ²¹ know, believe, and think about the ELs?				
Which traits, characteristics, qualities, features are present or absent from the discursive construction of ELs' identity?	2. Private Texts Six semi-structured interviews			

²⁰ *i.e.*, the various stakeholders responsible for the appropriation and implementation of the *ESSA, Title III* and its supporting documents at the national, regional, and local level such as the associate director for ESOL and Title III of the Southern State Department of Education; it also includes "object-actors" such as the policy text (Vavrus & Bartlett, 2009, p. 13.)

²¹ "*We*" intends to include all the educational stakeholders at the national, regional, and local levels.

The macrostructure of the analysis relies on the main discourse topics of the texts, while the microstructure (micro-analysis) helps to understand how the ELs' identity is constructed in the discourse. For instance, in order to construct the ELs as "Them," the discursive strategies of nomination and predication may be employed. The objectives of these strategies are to construct social actors (i.e., ELs) positively or negatively, and various tropes (e.g., metaphors) or stereotypical attributions may be used as linguistic realizations of the micro-strategies. In their study of the discursive formation of national identity, Wodak et al. (2009) also proposed several more discursive strategies such as constructive strategies, transformation strategies, or destructive strategies. Serving these strategies are various others; two of them, the assimilation and dissimulation strategies, are highly relevant for this study. Depending on their function, these strategies (i.e., the assimilation and the dissimulation strategies) can be constructive, destructive, or justifying. For example, argue Reisigl and Wodak (2016), the strategy of difference is linguistically constructed through strategies of dissimulation, and it is usually employed "in reference to the marginalized groups of others" to portray them as "deviance from a preferred norm" by "affixing of undifferentiated and usually derogatory labels on the group concerned (p. 33).

Finally, the linguistic means employed in the discursive construction of ELs' identity constitute an essential part of the micro-analysis. The linguistic representation of the English Learners is at the core of this study; therefore, I focused my attention primarily on lexical units and syntactic devices, which serve to construct sameness, difference, assimilation, accommodation, etc. (Wodak et al., 2001). The DHA suggests that the most important of these are personal references (anthroponymic generic terms, personal pronouns, and quantifiers), spatial references (toponyms, adverbs of place, and spatial

references through persons) or temporal references. Moreover, the authors propose to also look at the phenomenon of vagueness, euphemisms, linguistic hesitations, allusions, rhetorical questions, and the mode of discourse representation.

In sum, the analytical apparatus described in this section (see Table 4.6 above) alongside the theoretical framework discussed in Chapter 3 constitute the analytical approach employed to analyze the data in the next chapter.

4.5. Validity

DHA adheres to the CDA's socio-philosophical orientation that asks the researcher to "make the object under investigation transparent" (Ricento, 2005, p. 174). According to Wodak (2009), the researcher should try to make choices at each point in the study, make those choices transparent, and should also justify, theoretically, why specific interpretations and readings of discursive events appear more valid than others. This implies, in part, a transparent view of researcher bias (e.g., articulation of researcher's positionality and subjectivity), "transparent view of whose reality is represented in the research" such as peer debriefing, asking for clarification, or member check (Mullet, 2018, p. 29).

The principle of triangulation is one methodical way to "minimized the risk of being biased" (Wodak, 2009, p. 171); it entails methodological triangulation, theoretical triangulation, or data source triangulation (e.g., variety of data sources and purposeful sampling strategy) as well as background information. My study followed the DHA's principle of triangulation by making use of mixed methods of collecting and analyzing data (e.g., documents from the public sphere and semi-structured interviews), by integrating available historical sources and background knowledge about the subject under

investigation (e.g., a historical overview of ESEA and the Bilingual Education Act of 1968 from 1965 to 2015), by analyzing the intertextual and interdiscursive relationship between texts and discourses or by applying the principle of accessibility (i.e., making the findings available to the participants).

The credibility of this study was also sought through the member checking of transcripts. After all six interviews were transcribed, the raw transcripts of the interviews, with minimal mark up by me, were emailed back to the participants; they were invited to review them and provide feedback (see Appendix C).

Validation of the interview protocol was another way to enhance the credibility of this research. I enlisted expertise from two research professors to review it using my study's questions as a reference point (i.e., against sub-questions 2-4). I asked them to look for ambiguity, lack of clarity, bias (i.e., leading questions), and most importantly, to ensure that my interview protocol addresses my research questions. Additionally, I asked one of my teacher colleagues (an ESOL teacher) to be my virtual interviewee to pilot the questionnaire and provide feedback by looking at any question that seems unclear or complicated to answer (see Section 5.3.2.1 for more details). The final draft of the interview protocol results from their pertinent feedback (see Appendix C). All of the changes were made before the dissertation-study interviews were conducted.

Finally, I sought to heighten my research's credibility through a transparent design and methodology (Sections 5.1 to 5.4), open-ended and intelligible nature of my interpretation and explanations (i.e., provide a straightforward way to arrive at my results). I also adhered to the DHA acknowledgment that the validity of research conducted under

its umbrella is not "absolute and immutable, but always open to new contexts and information which might cause the results to change" (Titscher et al., 2000, p. 164).

4.6. Reflexivity

The reflection on one's identity, perspectives, and assumptions is one of the key elements of a qualitative research design as culture, age, gender, class, social status, education, political praxis, language, and ethnicity act as personal lenses in rapport to one's research (Marshall & Rossman, 1995). These forms of subjectivity impact the process of "collecting, analyzing, and writing up" the research's data (Peshkin, 1988, p. 20); therefore, it is essential to be aware of, informed, and to disclose to the readers "where self and subject become joined" (p. 17) in order to build trustfulness and credibility for the study. Since DHA aims to investigate how linguistic and other semiotic practices mediate and reproduce ideologies across social institutions, the analyst should make his/her position transparent by incorporating them as an explicit part of the study (Wodak & Meyer, 2016). In this section, I reflected upon my position within this study by addressing my assumptions, beliefs, or knowledge of language and make my agency in the production and interpretation of the texts transparent.

In relation to my study, I position myself as both an insider and an outsider. This dual position is the result of "how those we study, view us as well as how we view them" (Brayboy & Deyhle, 2000, p. 163). In reflecting upon their dual position as researchers in American Indian Communities, Brayboy and Deyhle (2000) suggested that researchers "must be aware of their positionality in relation to their research participants, their lack of objectivity in getting, analyzing, and reporting data, and how 'traditional' methods may influence their work" (p. 168). Applying these lenses to my study, I reflected mainly upon

the following two questions: How does my “otherness” (i.e., hybrid identity) influence my role as a researcher? What does my own position as an ESOL teacher mean (i.e., insider) for my study?

Brayboy and Deyhle (2000) described the struggles that researchers who hold a hybrid identity encounter while becoming insiders in their own study and the risk of being “blocked” by participants who decide that the researchers cannot be trusted with local insider information (p. 163). My hybrid identity has several facets: I am an EL, an ESOL teacher, and white.

By virtue of my culture and native language, I am, according to the education policy documents analyzed in this study, an English learner (i.e., the insider perspective). I have been born, went to public schools, and received my B.A. in Romania; my native language is Romanian. The subjective *Is* that will be engaged in my analysis will be dominated by my cultural and linguistic *Is*. Being raised and educated as a Romanian shaped my identity. I perceive the world around me, and implicitly other cultures, through my cultural lens. I am conscious of my own cultural identity while working to understand the issue of identity in the United States (e.g., race, class, and culture). Whereas in Romania, I belong to the dominant culture, in the U.S. I am part of the cultural and linguistic minority (although I ought to acknowledge that being white places me into the majority group as well).

Secondly, besides the insider status that confers me as a linguistic minority student's point of view (i.e., EL point of view), I hold an outsider perspective. This perspective is based on my growing up in a country that, according to its Constitution, recognizes and guarantees the right of national minorities to preserve, develop, and express their ethnic, cultural, religious, and linguistic identity (The Romanian Constitution, 1991, Article 6:

“Right to identity,” 2003). Based on this amendment, the Romanian public school system offers *de jure* to its linguistic minority groups the possibility of being educated (K-12) in their native languages such as Hungarian, German, or Roma. *De facto*, only two of the ethnic minority groups benefit from it: the Hungarians and the Germans. Although Roma minority is Romania’s third largest ethnic group, this ethnic minority does not have any level of schooling in Roma language. This Romanian cultural background is another lens through which I will read, analyze, and interpret my research data.

Thirdly, as a researcher, I also have an insider position. As mentioned above (Section 4.2), I am an ESOL teacher, and I worked or collaborated with three of my participants, which conferred easier access to my interviewees and facilitated my data collection. Brayboy and Deyhle (2000) noted that a qualitative researcher’s intentions can be questioned by the research participants and therefore not trusted with the “insider” information; being part of the ESOL community provided me with access and trust. It also helped me locate and gain access to legislation documents and support faster: it is part of my responsibilities as an ESOL teacher to be familiar with these documents and law articles.

However, the dual status of being an ESOL teacher and an EL raised another tension: how to acquire the analytical space raised by the “over-rapport”? (i.e., the researchers’ close identity with the group they are studying; Brayboy and Deyhle, 2000, p. 165). In reflecting upon their own dual positions as researchers in American Indian Communities, Brayboy and Deyhle (2000) suggested that “insiders” writing ethnographic accounts of their own group have issues with which they must deal, but these issues do not mean they cannot conduct good, rigorous research. Instead, they must address the issues in

a manner that shows integrity and an awareness of some of the complicated issues facing them. In other words, I could say that my study is limited by the same factors that strengthened it: my cultural and educational background, my schooling experiences, and my profession. My cultural perspective on schooling, my native language, the use of cultural understandings, and my schooling experience as an EL/non-EL student are realities that I cannot remove. Living simultaneously in two worlds, that of participation and that of research (Brayboy & Deyhle, 2000), required me to monitor continually my subjective *I*'s using my cultural and educational lenses.

In conclusion, I needed to be aware of my positionality in relation to my research participants, the way I collected, analyzed, and reported my data, and how my dual position may influence my study (Brayboy & Deyhle, 2000) by making these decisions transparent and by incorporating them as an explicit part of my study. For example, because I was connected to my study along the line of being an EL myself, I was implicated in the texts that I read and analyzed. I believe that this shared experience helped me to understand and interpret the data of my study more clearly.

4.7. Limitations

Glesne (2006) argued that limitations are expected in any research study; thus, they are important to share to build the research's trustworthiness. The limitations of this inquiry reside on several areas. Firstly, as a single researcher, I could not incorporate a large variety of different empirical data as well as background information (Wodak, 2009). Wodak (2009) suggested that in investigating language policy and text, a DHA should integrate "a large quantity of available knowledge about the historical sources and background of the social and political fields in which discursive 'events' are embedded" (p. 175). For this

dissertation, I had to alter the large-scale feature of an interdisciplinary DHA study by making specific choices suitable for a small-scale study. For example, I had to limit my data collection to three genres: documents, interviews, and website pages.

Additionally, I could not conduct a qualitative pilot study or incorporate a larger array of educational contexts and actors (e.g., another state and district or school sites as an additional layer to the policy process). Therefore, this study represents a partial narrative of the EL's identity as it does include the last layer of the educational process (i.e., the schools) and the ELs' perspective on their own identity. However, it offers a detailed look at a particular phenomenon within one state, two school districts, and six educational actors (see Section 4.2.1 for a detailed discussion about the participants' selection criteria). Furthermore, my data set II depends on my participants' experiences and abilities to articulate their knowledge/attitudes.

As previously discussed in Section 4.7, my dual position as an insider/outsider in relation to my study and the cultural ramifications of these relationships shaped, among others, my data collection process and the analysis of the data.

Lastly, the study's design does not include the last layer of the educational ladder: school sites. Due to time constraints, this study does not include the perspectives of actors at the educational spectrum's ground level such as building administrators and teachers, and their policy appropriation.

Given all the limitations mentioned above, this study remains important as it shows how “the letter of the law or the construction and expression of the political ideas, ... it is often shaped and reshaped by policy actors and implementers in conversations that occur at multiple levels of the policy system” (Lester et al., 2017, p. 8). More specifically, this

inquiry offers a detailed account of a particular phenomenon that has received limited attention: how the texts of the educational policy and key educational actors responsible for the appropriation of ESSA, Title III, construct and position the identity of ELs in relation to power and knowledge.

CHAPTER 5

INTRODUCTION TO DATA ANALYSIS

5.1. Levels of Analysis

The underlying premises of this research are that "language is performative, that is, it is always *doing* something with consequence," and that meaning occurs in and through social practices (Lester et al., 2017, p. 3, emphasis added). Thus, it is through language that identity is constructed and ascribed to others and that "inequalities are (re)produced and sustained, particularly as taken-for-granted discourses and practices become naturalized" (Lester et al., 2017, p. 3). The formation of ELs' identity within policy text and "talk" falls under these premises, and it is the result of a complex, dialectical relationship alongside language and power (Wodak, 2011).

Starting with this chapter, I examine how diverse educational actors construct the ELs' identity through language and images. As discussed in Chapters 3 and 4, the approach to analyzing my data rests entirely on the DHA (Wodak et al., 2001; Wodak, 2016; Wodak & Boukala, 2015; Wodak & Myers, 2016) and its three-dimensional framework. Chapter 4, Research Design and Methodology, includes a detailed discussion of the analytical tools applied here; therefore, in Table 5.1, I provide an overview of the various layers of the analysis, including the discourse macro-topics. The levels and the categories included in the analytical approach are at the core of the representation of "Us" and "Them" (i.e., the

native-English speakers and the others), which underlies the discourse of identity and difference (Wodak, 2016). When analyzing the research's data sets, it is of great relevance to tracing the construction of "in" and "out" groups and the (re)presentation of the "other" (Wodak, 2016). Moreover, the analytical approach illustrated in Figure 5.1 rests on the five constitutive questions that guided this inquiry and provided the discursive strategies and their corresponding linguistic devices. Finally, these analytical layers structured the approach to my data sets.

Table 5.1

The Layers of Data Analysis

Steps to the Data Analysis	
The Discourses' Macro- Strategies of Identity Construction	<ol style="list-style-type: none"> 1. (Mis)representation through omission 2. The powerless representation <p>(These are content related macro-strategies which act as identity constructive strategies)</p>
The DHA's discourse strategies	<ol style="list-style-type: none"> 1. Nomination 2. Predication 3. Argumentation 4. <i>Framing</i> 5. <i>Mitigation</i>
Linguistic realization	<p>(strategies employed for the discursive construction and representation of "us" and "them")</p> <ul style="list-style-type: none"> - Metaphor - Evaluative modifiers - Topoi - Deixes - Passivation - Modality <p>(context-dependent linguistic devices used to realize the discursive strategies)</p>
<i>Note:</i> Inspired by Wodak (2016) and Lawton (2016)	

The analysis has two major sections corresponding to the data sets: the documents and the texts from the public space (Chapter 6), and the semi-structured interviews (Chapter 7). In line with the DHA framework, for each data set, I identified the macro-

topics and the related sub-topics, followed by the investigation of the discursive strategies, then I examined the linguistic means and the context-dependent linguistic realizations (Wodak, 2016). In Chapters 6 and 7, Figures 6.5 and 7.2 show how I integrated these steps for the analysis of each data set. When necessary, the analysis uses other discursive strategies, or linguistic devices, which are considered relevant for understanding the aim of the text producer.

I start my examination with a discussion of the macro-topics and sub-topics found in the discourses, and, preceding the Data Set 1 analysis, is a section investigating the intertextual and interdiscursive relationships between the texts from the public space (Chapter 5). The data of this inquiry (i.e., the public texts and documents and the semi-structured interviews) were introduced and discussed in detail in Chapter 4. Moreover, because the DHA considers the discourse a context-dependent semiotic practice (Wodak & Meyer, 2016) and situating the data in its historical and socio-political context an integral part of the approach, I included background information about the texts in two ways. Section 2.1 of this research contains a detailed discussion of the context of the data, and in this chapter, I provide more information when necessary.

5.2. Data Sets' Macro-Topics

The first step of the DHA analysis is to identify the specific contents, or the macro-topics, of the specific discourses. Thus, this section introduces a list of the most salient topics (presented as statements) that emerged from each data set and are significant to the discursive construction of ELs' identity.

5.2.1 Data Set 1- Macro-Topics

- English is the Only Path to academic success.

- Multilingual and multicultural integration is possible only through the acquisition of
- English proficiency.
- Multilingualism and bilingual education are tools for a monolingual education.
- Defining ELs:
 - ELs' status and identity depend on their English proficiency level.
 - The native language of the Other is a linguistic deficit.
 - Language is a tool.
 - ELs are perceived as a problem that needs to be fixed using elaborated toolkits.
 - ELs face cultural and linguistic challenges to integrating into U.S. society.
 - ELs' language and culture are impediments to their academic success.
- Accountability is a coercive means of academic success.

5.2.2 Data Set 2- Macro-Topics

- State's English-only laws constrain the opportunities for bilingual education for the ELs.
- ELs' identity construction is related to their culture, language, past experiences, public narratives, and pre-conceived perceptions of ELs.
- ELs' language and culture are assets that are not activated in the school context as educational resources.
- ELs are associated with a systematic deficit mindset.

- State's education of English Learners does not accommodate bilingualism and bilingual education.
- ELs are perceived as a burden on the public education system.

Although each data set has a slightly different list of topics, all of the above contents are present in the text from the public space and the semi-structured interviews; the difference is their salience. Additionally, each of these discourse topics encompasses many sub-topics and contents discussed in the sections of the analysis. Finally, whereas the DHA analytical dimensions were completed independently, the strategies and the linguistic realization, once identified, were applied to both discourses.

5.3. Intertextuality and Interdiscursivity

The most relevant features of the public texts and documents included in the Data Set I are the intertextual and interdiscursive relationships. Therefore, I decided to start the analysis of the first data set with these two categories as they are the *sine qua non* condition for the existence of each text that is part of this thesis' data.

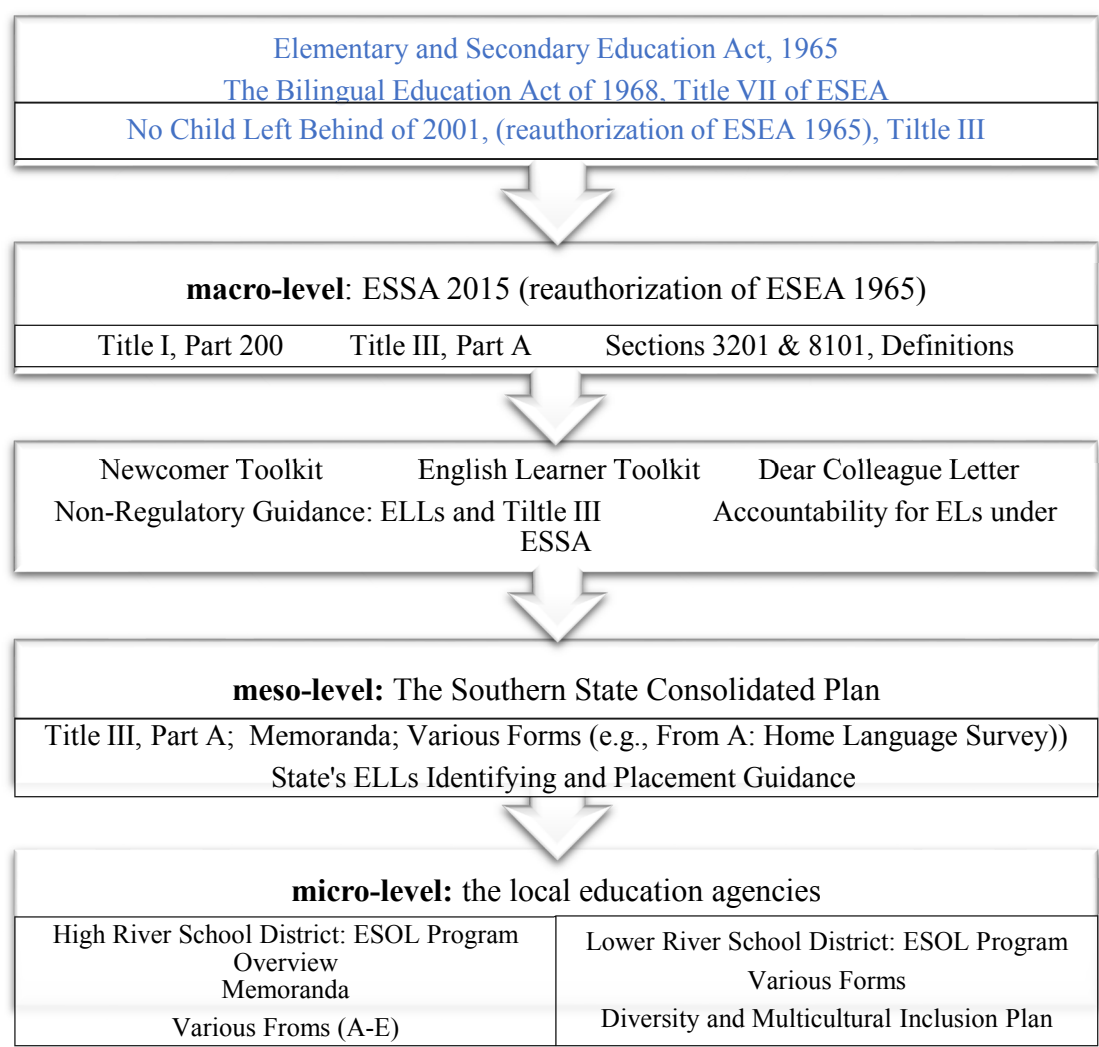
The DHA places great importance on the different layers of context as part of the analytical process (an aspect that was discussed in Chapters 3 and 4). The discourse of the language in education policy cannot be fully understood without considering the previous reauthorizations of ESEA of 1965 (the sociopolitical and historical context of this reauthorization I discussed in detail in Chapter 2) and the relationships with past and current legislation and supportive documents related to the ELs' education (Wodak, 2009). Intertextuality and interdiscursivity aspects of the DHA's analytical apparatus are of particular interest for two reasons: first, they allowed me to understand the linkages (i.e., via implicit or explicit references) between the texts across time and space; secondly, they

are an intrinsic part of this research as my purpose was to trace the ESSA's Title III across multiple contexts of policy activity and to analyze the concept of identity as is (inter)discursively formulated and constructed by the educational actors situated at various levels of the educational process spectrum. By investigating the intertextual and interdiscursive relationships between the different texts of my data, I also explored how the discourses, genres, and texts changed/or not in relation to one another and in relation to their contexts. Figure 5.1 shows how the texts included in the Data Set 1 of this research are discursively interconnected with past and current educational policies and supporting documents developed across the multiple levels of the LPP union (Ricento & Hornberger, 1996).

All of the text included in Table 5.1 are intertextually linked to ESEA 1965, which proceeds them since they were produced either as reauthorizations of the original education act (ESEA 1965) or as subsequent legislative texts and documents as layers of the LPP process. For example, the same core lexical items (e.g., terms such as limited, special needs, speaking ability, English proficiency, or English language acquisition) may be employed to define the ELs in all texts, although they were produced fifty years apart. The textual extracts below provide several illustrations. Extract 1 is from Title VII of BEA (1968), the first legislative policy addressing ELs' education:

1. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative

elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, 'children of limited English-speaking ability' means children who come from environments where the dominant language is other than English (ESEA 1968, SEC. 702.)



Note: The figure also shows the various layers of Ricento and Hornberger’s (1996) LPP onion (see Section 2.2)

Figure 5.1. *Intertextuality and Interdiscursivity of Data from Public Space*

In it, ELs are labeled as "children of limited English-speaking ability," having "special educational needs," and speaking a language "other than English." These lexical choices, present in each reauthorization of ESEA up to ESSA (2015), conveyed a negative representation of ELs, even when, for a short period, bilingualism was acknowledged as a core asset and resource for the language in education policy (i.e., the 1974 reauthorization of ESEA). The following extract (2) is an example of text in which cultural and linguistic heritage has a double role: resource and impediment. Although the lexical choices employed to construct the ELs:

2. (1) that there are large numbers of children of limited English-speaking ability; (2) that many of such children have a cultural heritage which differs from that of English-speaking persons; (3) that a primary means by which a child learns is through the use of such child's language and cultural heritage; (4) that, therefore, large numbers of children of limited English-speaking ability have educational needs which can be met by the use of bilingual educational methods and techniques; and (5) that, in addition, children of limited English-speaking ability benefit through the fullest utilization of multiple language and cultural resources, the Congress declares it to be the policy of the United States, in order to establish equal educational opportunity for all children (A) to encourage the establishment and operation, where appropriate, of educational programs using bilingual educational

practices, techniques, and methods (ESEA 1974; Title VII, BEA, 1968, p. 503)

identity used evaluative attributions of positive traits (i.e., cultural heritage, child's language, multiple language and cultural resources, bilingual educational practices), they all fall under the umbrella of a negative view of ELs' identities, which includes that of "children of limited English-speaking ability." Almost the same set of negative lexical terms has been perpetuated throughout each reauthorization of the ESEA and implicitly of the BEA (i.e., Title VII and, starting with NCLB, Title III). Figure 2.1 in Chapter 2 illustrates how the terminology employed to define the ELs has remained constant for almost fifty years. The traits and characteristics attributed to the ELs revolve around the same derogatory nomination: students with educational needs and limited English-speaking ability (extract 3):

3. children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet (NCLB, SEC. 3102, 2001)

ESSA of 2015 brings a notable change in this regard. For the first time since its adoption, ESEA replaces the LEP term with EL, although the emphasis on English as the main path to academic success is still present:

4. The purposes of this part are to help ensure that English learners, including immigrant children and youth, attain English

proficiency and develop high levels of academic achievement in English (SEC. 3102. [20 U.S.C. 6812] PURPOSES. ESSA, 2015).

Instances of the old terminology can be also found in several places in the texts and documents at all levels, at times with explicit references to the past label as in the following extract (5) from the U.S. Department of Education, Office for Civil Rights website:

5. The obligation not to discriminate based on race, color, or national origin requires public schools to take affirmative steps to ensure that limited English proficient (LEP) students, now more commonly known as English Learner (EL) students or English Language Learners (ELLs), can meaningfully participate in educational programs and services, and to communicate information to LEP parents in a language they can understand (U.S. Department of Education, 2020).

Below, the text from the "Dear Colleague" letter²² (2015; extract 6) contains an almost identical phrasing to the above text. It is also worth emphasizing the use of passivity as a linguistic device:

6. Ensuring that SEAs and school districts are equipped with the tools and resources to meet their responsibilities to LEP students, who are now more commonly referred to as English Learner (EL) students or English Language Learner students, is

²² Issued in 2015 by the Office of Civil Rights, it accompanies the legislation related to language in education and informs the SEA and the LEA about the ELs right to equal access and high-quality education.

as important today as it was then (U.S. Department of Justice (Office of Civil Rights) & U.S. Department of Education, 2015).

"known as" or "referred to as," which removes agency from the ELs' identity traits and positions them at a lower status as recipients of an identity attributed to them as part of *Us* (monolinguals, the English speakers) *Them* (the English learners) perspective (Wodak, 2016). Language is part of a person's identity; therefore, subordinating the language means subordinating the speaker of the language. Another problem with extracts 5, 6 and 7 is that although it seems to move away from framing the ELs in deficit terms, instead it emphasizes the language as problem perspective (Ruiz, 1984) by using the phrase LEP as the main nomination strategy (e.g., extract 5 uses the LEP term twice in the same paragraph). Furthermore, the use of the phrase "more commonly known as" can be perceived as a mitigation strategy that rather intensifies the illocutionary force of the term LEP and of English as the only valuable language: by omitting the agent of the passive phrase, the U.S. Department of Education emphasizes the unspecified audience and the term LEP.

The "Dear Colleague Letter" (U.S. Department of Justice (Office of Civil Rights), & U.S. Department of Education, 2015) also makes a direct reference (i.e., intertextual relation through *topoi of history and compliance*²³) to prior legislative documents, in this case, the *Lau v. Nichols* (1974) USSC decision, which led to the adoption of the "Lau Remedies" in 1975 (federal requirements and guidelines released by the Office of Civil Rights to address the education of ELs):

²³ When referring to an individual *topos*, I will use italics, which is also done by Wodak (2016).

7. Forty years ago, the Supreme Court of the United States determined that in order for public schools to comply with their legal obligations under Title VI of the Civil Rights Act of 1964 (Title VI), they must take affirmative steps to ensure that students with limited English proficiency (LEP) can meaningfully participate in their educational programs and services (U.S. Department of Justice (Office of Civil Rights) & U.S. Department of Education, 2015).

The *topos of compliance and legal obligation* is present throughout all of the data included in this research. This topos overlaps with the *topos of history* and contributes to the justification and legitimization of the EL's educational path through the language in education policy while supporting the "affirmative steps" of English-only programs for multilingual students, and by deterring schools from including the ELs in special education programs (an important outcome of *Lau vs. Nichols*, 1974).

All of the data analyzed for this inquiry relates to the same macro-topic of ELs' education and implicitly of their identity. Besides a comparable content, which is expected considering that all the texts listed in Table 5.1 address language in education policies, these discourses rest on similar argumentation strategies employed by the educational actors to justify their approach to the language in education policy and implicitly to the discursive construction of ELs identity. The following extracts from ESSA, Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement Act) and several supporting documents (extracts 8) show how the argument for English-only/monolingual education is built throughout the texts from the public sphere.

8. (A) The purposes of this part are - to help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English (SEC. 3102. [20 U.S.C. 6812] PURPOSES. ESSA, 2015).
- (B) The term “language instruction educational program” means an instruction course— in which an English learner is placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic standards (SEC. 3201. [20 U.S.C. 7011] DEFINITIONS. ESSA, 2015).
- (C) The U.S. Department of Education's Office of English Language Acquisition (OELA) provides national leadership to help ensure that English Learners and immigrant students attain English proficiency and achieve academic success. In addition to preserving heritage languages and cultures, OELA is committed to prompting opportunities for biliteracy or multiliteracy skills for all students ([U.S. Department of Education, 2021](#)).
- (D) The overall purpose of Title III funds is to ensure that students identified as MLs, including immigrant children and youth, attain English proficiency while achieving academically, allowing them to meet the same challenging state academic content and academic achievement as their non-ML peers.²⁴

Two main arguments emerge from these extracts:

²⁴ The Southern State Department of Education’s ESOL Guiding Principles, 2019.

Assertion: ELs have issues due to their native language and culture.

Assertion: ELs face challenges integrating into American society.

Conclusion: Multilingualism and multiculturalism might be an educational opportunity for ELs, however, they need to attain English language proficiency in order to overcome the challenges they face.

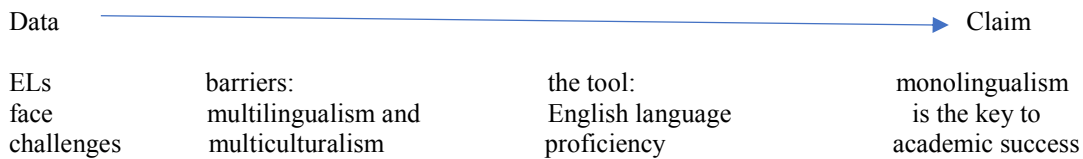
Assertion: The ELs need to meet the same academic standards as their non-EL peers.

Assertion: The only way to academic success is through English.

Conclusion: Competence in English is compulsory for academic success.

Several *topoi* contribute to the construction of the above arguments. The most salient is the *topos of English* used throughout these texts to argue that English proficiency is the only path to academic success and integration into American society. In this case, English is seen as the only relevant language while multilingualism is relegated to a lower status: the competence in English becomes compulsory for success (Wodak, 2011, p. 223). Although the OELA (extract 8.C) acknowledges heritage languages and cultures, it does not seem to consider them as suitable for academic success. The choice of verbs “preserving” and “prompting opportunities” suggest stagnation and possibility; it all depends on SEAs and LEAs and the local laws. Additionally, the *topoi of challenge and necessity* contribute to building the argument by claiming that due to their native language and culture, the ELs cannot meet the same academic requirements as their non-EL peers and that a monolingual education is a necessary path to academic achievement and integration in the U.S. society. Figure 5.2 summarizes, in a preliminary form, the macro-

argumentation scheme that structures the texts from the public space included in this section (a more detailed analysis of data is provided in the following sections of this chapter).



Note: Inspired by Wodak, 2016.

Figure 5.2. *Preliminary Macro-Argumentation Scheme Underlying the Texts from Public Space*

Finally, using metaphor as a linguistic device helps achieve the macro-discursive strategy that underlies Data Set 1. The LANGUAGE AS TOOL²⁵ and EDUCATION AS PATH are the predominant metaphors used to build the argumentation. Santa Ana (2002) noted that metaphors are "mental bricks" with which we construct our understanding of the social world (p. xvi). In this case, the metaphors are features structuring the domains of education and identity and the main linguistic devices employed to justify the construction of ELs' identities.

In sum, the intertextuality and interdiscursivity can be considered the most salient and overarching analytical categories of the Data Set I; therefore, equally important for understanding the various layers of the ESSA's Title III LPP onion. The complex linkage between the texts included in this thesis extends beyond the texts from the public sphere to the second set of data, the semi-structured interviews. Whereas different genres, the topics of the interviews were, in part, the result of a close content analysis of ESEA's Title III from 1965 to 2015. The intertextual and interdiscursive relationships helped understand

²⁵ The use of upper-case letters to show abstract thoughts that underlie metaphors is an accepted practice in cognitive linguistics (Wodak, 2016; Santa Ana, 2002). Therefore, I adopted this convention for my research.

how the perspectives promoted by the diverse educational actor regarding ELs' identities are interlinked differently. I provide a further discussion of these connections in the following sections of this analysis.

5.4. NCLB, Title III: Brief Document Analysis

The present dissertation explores the concept of identity as is (inter)discursively formulated and constructed by actors at the national (macro-), state (meso-), and district (micro-) levels during the process of appropriation of the *ESSA 2015* (i.e., *Title III*). DHA provides both the theoretical framework to the language and text and the methodological approach to analyze them. As aforementioned, a subsequent aim of this study is to shed light on policy transition and the link (or break) between current and previous EL policies (i.e., NCLB). Thus, I conducted a brief document analysis on three previous policy texts related to ELs: (a) No Child Left Behind Act of 2001, S. 9101, 25 of Title IX; (b) The Southern State Department of Education legislation for ESOL; and (c) the Lower River District's legislation for ESOL Program and Services Procedures Manual. This brief analysis aimed to get an *in nuce* perspective on ELs' identity construction within these texts. I consider that public discourses and, in particular, educational policy discourses can create programs that can validate or invalidate marginalized group identities and cultural capital (Abedi, 2004) see also Skutnabb-Kangas (2001); Mitchell (2005); Jimenez et al. (2003).

The findings of this brief document analysis informed my dissertation in two ways: (1) as a reference point for my data analysis of the current policy text (it shed light on the link or break between the NCLB and ESSA); (2) as a part of the historical context which is particularly significant for the discourse-historical approach.

In the end, I identified two major themes as being central to the understanding of how the prior educational legislation framed the English Learners at national, state, and local levels (i.e., NCLB Act of 2001, Southern State Department of Education, and Lower River School District legislation): language and identity. I considered them as essential not only because of their frequency, but also because they had the most supporting evidence within the content of the documents. By using critical qualitative and interpretive data analysis (Roulston, 2010), I was able to see (1) how these discourses operated in ways that supported a deficit perspective on English learners; and (2) the ways that they promoted the perspective of assimilation through monolingualism (i.e., English-only policy).

No Child Left Behind Act of 2001 (i.e., S. 9101, 25 of Title IX) defined the EL population as “limited English proficient” and constructed its identity in terms of age (i.e., “3 through 21”), birth place (“not born in the United States”), ethnicity (“who is a native American or Alaska Native, or a native resident of the outlying areas”) native language (“whose native language is a language other than English”), English proficiency level, (having deficiencies and lacking skills or “difficulties in speaking, reading or understanding English”), or possibly not being able to participate “fully in society” (see Appendix E). Although the Southern State’s Department of Education and the Lower River School District subscribed with no modification to the above criteria used to identify the ELs, they also showed variation in constructing the ELs' identity. For example, they added the following feature to the NCLB definition: “students with a wide range of educational needs concerning learning English” (see Appendix E).

As illustrated by these examples, the ELs’ identity was constructed in terms of *Otherness* (i.e., “whose native language is a language *other* than English” – which occurs

four times within the one-page document of NCLB, Title IX; my emphasis), where *Other* may be read as different from the mainstream, which was perceived as being the norm (Kubota, 2001; Stuart, 2006; Yosso, 2005). NCLB defined the norm linguistically, in terms of English proficiency (i.e., "who comes from an environment where a language other than English has had a significant impact on individual's level of English language proficiency"). In contrast, the Southern State Department of Education and the LRSD constructed the ELs' identity in terms of deficit (i.e., "students with a wide range of educational needs with respect to learning English"). The language of these discourses advanced negative notions of lacking and deficiency and implicitly positioned the ELs as inferior. For example, the Southern State's policy discourse used a high frequency of negative descriptors to identify and define the ELs "educational needs", "tested limited English proficient", not scoring "a composite 5", "exited students" or former LEP students.

Young (2004) argued that social justice requires not the melting away of differences but institutions that promote the reproduction of and respect for group differences without oppression. She considers that the language employed to describe and classify a specific group and the everyday practices of society (e.g., education) take the form of structural phenomena that immobilize or diminish a group's social status and lead to oppression. In other words, the discourses of the documents analyzed in this section constructed the EL population as inferior and deficient by presenting U.S. cultural patterns and English-only policy as being more desirable than their own ancestral cultures (Ovando, 2003). Moreover, as stated in NCLB and implicitly in the other two documents, English-only instruction is perceived as the only means for "opportunity to participate in the [U.S.] society fully."

In sum, the attributes used by the above-mentioned educational discourses to construct ELs' identity constitute expressions of (1) cultural imperialism and (2) marginalization. First, the language of these policies' discourses promotes an image of ELs' cultures as *Other*, while the U.S. culture and language is perceived as *Self*, the ideal norm (Kubota, 2001). For example, the goal of LRSD is "to help LEP students become contributing members of the society... by providing each LEP student the opportunity to acquire knowledge of American culture" (Appendix E). There is no mention in these documents of the ELs' cultures or native languages, leading to the second aspect of identity construction: marginalization. Constructing the image of this group by excluding their own culture and language means devaluing the core of their own identity. Throughout the three documents analyzed in this section, the language of the *Other* (i.e., ELs' native language) was mentioned only once, in Title III, Part B sec. 3202: "developing the English proficiency of limited English proficient children and, *to the extent possible*, the native language skills of such children" (emphasis added).

How one is defined and classified is not a haphazard process, but it is instead a function of larger social, political, and economic forces. In Fraser and Honneth's (2003) terms, the language of the above-discussed educational discourse is unjust. It constructs an image of devalued people who cannot participate equally in social life as long as at least two aspects of their personality are being disrespected: equal treatment in law and social esteem. As presented in the articles of law I examined, the language and the culture of the *Other* do not enjoy the same recognition and status as the language and culture of *Self* (i.e., English).

CHAPTER 6

“THIS PLACE DOES NOT RECOGNIZE WHO YOU ARE.” ANALYSIS OF DATA SET I: DOCUMENTS AND TEXTS FROM PUBLIC SPACE

The documents included in this section are situated at macro-, meso-, and micro-level of the language in the education policy spectrum. However, considering that each document of the data set I exists only in relation to another document (Figure 5.1, Chapter 5), shows their interconnectivity and interdiscursivity. I treated them as parts of one discourse. Additionally, the analysis of the federal documents (the macro-layer) is more extensive as the states' and districts' documents related to ESSA's Title I and Title III are fewer in number and show slight variation from the upper layer. Therefore, at the meso- and micro-levels, I mainly focused on the texts that brought new/different insights into understanding the legislative discourses related to ELs' identities.

The (mis)representation through omission emerged as the macro-topic/and discursive constructive strategy of this data set. Figure 6.1 shows the levels and the category of analysis applied here. I begin with a brief discussion of the context (the DHA rests on a context-dependent analytical framework), followed by the examination of the nomination and predication strategies²⁶ as they employ the process of categorization and evaluation of social actors in appreciatively or deprecatorily terms (Wodak & Reisigl

²⁶ Wodak (2016) notes that some nomination strategies could be considered predication strategies as well since they cannot be neatly separated from each other.

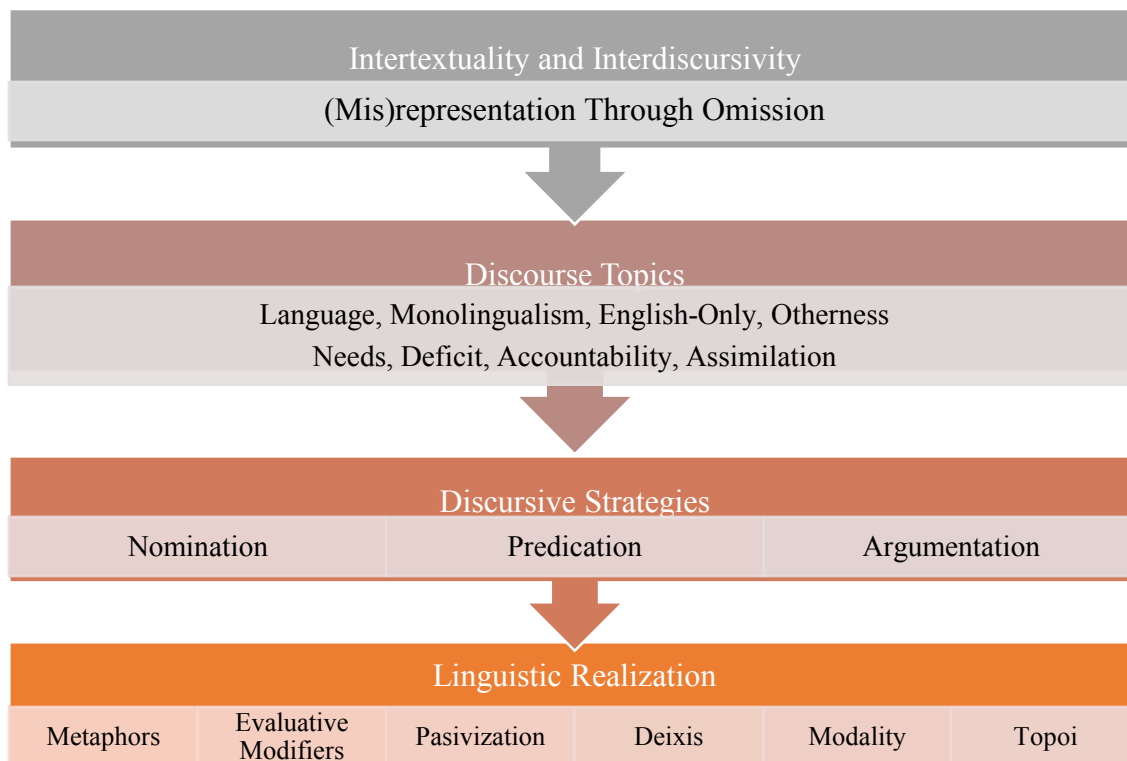


Figure 6.1. *Levels and Categories of the Analysis of Documents and Text from the Public Space*

2001). The next step focuses on the argumentation strategies used by the educational actors to justify and legitimize their discursive construction of ELs' identity (Wodak & Meyers, 2016). The last layer of the analysis includes other discursive strategies and linguistic realization.

6.1. Macro-level

Title III, Part A- Language Instruction for English Learners and Immigrant Students, and Title I, Part 200, Improving the Academic Achievement of the Disadvantage, are the two sections of ESSA (2015) that regulate the main aspects of the language in education policy. Whereas Title III outlines the provisions to help ensure that ELs attain English language proficiency and meet state academic standards, Title I includes the accountability measures for ELs' educational programs (a change from NCLB). Beside

these two legislative documents, the U.S. Department of Education developed/or commissioned several supporting materials intended to assist States, LEAs, and other stakeholders in meeting their obligations under Title III²⁷ several of which are the subject of this inquiry's analysis²⁸.

The first extracts come from the ESSA's SEC 8101 (extract 1) and SEC 3201 Definitions (extract 2).

1. English Learner [is] an individual (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (C)(i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (iii) who is migratory, whose native language is not English, and who comes from an environment where a language other than English is dominant; and (D) whose difficulties in speaking, reading, writing, or understanding English may be sufficient to deny the individual (i) the ability to meet the challenging state academic standards; (ii) the ability to successfully achieve in classrooms

²⁷ Non-Regulatory Guidance: English learners and Title III of the Elementary and secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), p. 3.

²⁸ Table 4.4 in Chapter 4, contains a complete list of the documents part of the Data Set I.

where the language of instruction is English; or (iii) the opportunity to participate fully in society.

2. The term “immigrant children and youth” means individuals who (1) are aged 3 through 21; (2) were not born in any State; and (3) have not been attending one or more schools in any one or more States for more than 3 full academic years.

The Department of Education uses a plethora of nomination and predication strategies that belong to the semantic field of Us-Them to construct the ELs identity in terms of otherness discursively: somatization- aged 3 through 21, immigrant children and youth; collectivization “individuals,” the deixis “who” (repeated seven times in the first extract), “whose native language is a language other than English” (repeated four times); spatialization and de-spatialization, not born in the United States, resident of the outlying area (i.e., Puerto Rico, Hawaii, American Samoa, Guam, Palau, Marshall Islands, or the Mariana Islands); originalization and culturalization. Native American, Alaska Native, Hawaiian Native or Pacific Islander Native. Furthermore, the choice of verbs and related actions such as “has difficulties”, “to deny the ability”, “has had a significant impact” are not just simple identifiers, they contribute to the construction and the legitimization of a deficit discourse. For example, the noun phrase “significant impact” acts as an intensifier (i.e., mitigation strategy), adding a negative connotation to the narrative: it entails that speaking another language than English is an impediment and can dramatically affect one’s path to academic and social success. A similar phrase, “significant extent” is used in ESSA’s Title I six times in relation to languages other than English and to define the ELs:

3. Ensure that its definition of “languages other than English that are present to a significant extent in the participating student population” encompasses at least the most populous language other than English spoken by the State's participating student population²⁹.

In these paragraphs, the State Department employs various nomination and predication strategies through which the “others,” the ELs, are named, and specific characteristics are attributed to them. However, the terms bilingual and biliteracy are not included in the discourse. When the ELs’ native languages are referenced, they imply impediment, challenge, the possibility of failure, or an auxiliary tool for monolingualism: “providing to English learners ...intensified instruction, which may include materials in a language that the student can understand.” Nevertheless, the modal-“may”- and the indefinite modifier ascribed to the native language- “*a* language” can be seen as attributing a lower, therefore unimportant status to languages other than English.

The following extracts are part of the second layer of federal documents related to language in education policy. These texts, developed as non-regulatory guidance (U.S. Department of Education, 2019) for the States and LEA, are intertextually and interdiscursively connected with the above layer of the LPP onion. Compared to the ESSA’s (2015) texts, whose goals are to confer clear legitimacy to their discourse, these extracts use far more rhetorical strategies of metaphors, comparison, or argumentation to construct the ELs’ identity discursively.

²⁹ PART 200, TITLE I-IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED Subpart A—Improving Basic Programs Operated by Local Educational Agencies, 200.6, D, 4(i).

4. Who Are Our Newcomers? For the purposes of this tool kit, the term “newcomers” refers to any foreign-born students and their families who have recently arrived in the United States. Throughout our country’s history, people from around the world have immigrated to the United States to start a new life, bringing their customs, religions, and languages with them. The United States is, to a great extent, a nation of immigrants. Newcomers play an important role in weaving our nation’s social and economic fabric, and U.S. schools play an important role in helping newcomers adapt and contribute as they integrate into American society (U.S. Department of Education, 2017a, p. 1).
5. English learners are among the fastest-growing populations of students in our nation’s public schools. This diverse subgroup of approximately 4.5 million students brings important cultural and linguistic assets to the public education system, but also faces a greater likelihood of lower graduation rates, academic achievement, and college enrollment than their non-EL peers (U.S. Department of Education, 2017b, p. 4).
6. In the last several decades, English learners have been among the fastest-growing populations in our Nation’s schools. ELs comprise nearly 10 percent of the student population nationwide, and in many schools, local educational agencies (LEAs), and States account for an even higher percentage of the student

population. ELs also comprise a highly diverse group of students who bring with them valuable cultural and linguistic assets, including their home languages. Yet despite these many assets, ELs face significant opportunity and academic achievement gaps compared to their non-EL peers (U.S. Department of Education, 2016, p. 3)

A slightly different narrative emerges from the above texts: ELs are still predicated as “foreign-born,” “immigrants” facing “significant opportunity and academic achievement gaps,” however, the semantic field of their identity is more exhaustive and seems to be represented from a “language as resource” perspective (Ruiz, 1984) compared to the “language as problem” view from the Title III. Figure 6.2 lists the range of nominations and predications for ELs as presented throughout the texts in their entirety (U.S. Department of Education, 2016, 2017a, 2017b). Prevalent in these paragraphs are the strategies part of the Us-Them discourse: collectivization and actionalization- “refugee”, “recently arrived”, “asylees”, “newcomer”, “New American”, and culturalization: “diverse group”, “bringing their customs, religions, and languages with them”, “global learner”, “with important cultural and linguistic assets.”

Two of the intertextual reference from extracts 3, 4, and 5 are noticeable: the depiction of Us as *Our Nation*– “our Nation’s schools (extract 5), “our nation’s social and economic fabric” (extract 3), and “our nation’s public schools” (extract 4), and the predication of ELs as “as the fastest-growing populations.” NTK allocates half of its introduction section to present a detailed demographic account of the “foreign-born individuals that moved to the United States in 2014” (p. 2). The linguistic deixis “our” and

the metonymy “nation” represent the United States, a geographical space that seems to be overwhelmed by the number of newcomers arriving “from around the world,” and are employed to represent the in-and out- member categorization.

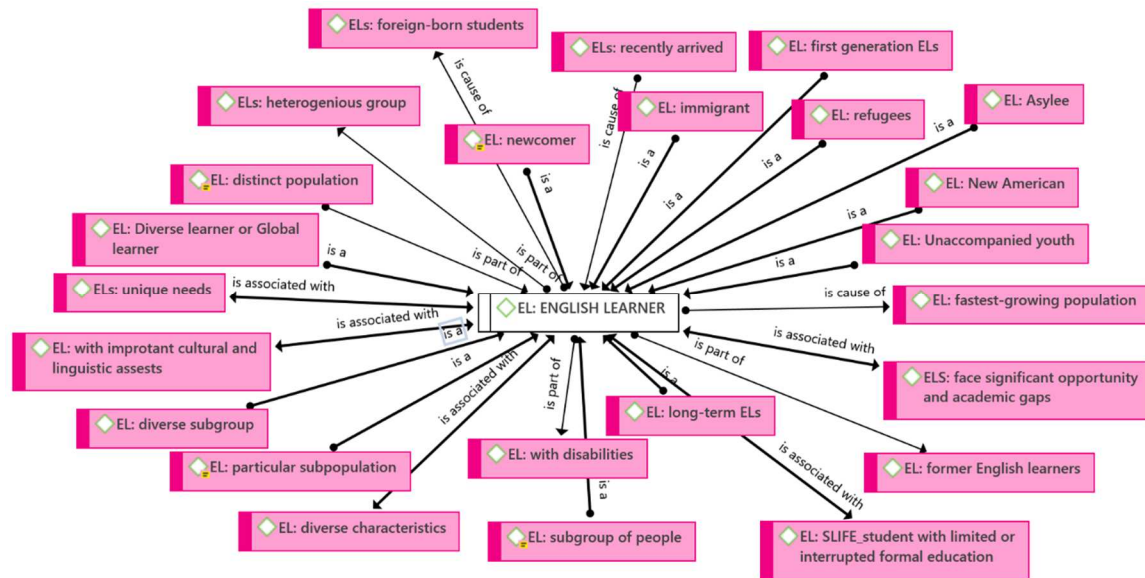


Figure 6.2. *Semantic Network of Nomination and Predication Strategies*

A summary of referential and predication strategies employed to construct the Us and Them discourse can be seen in Table 6.1, where Us represents the United States/the Nation, and Them is the other, the English Learner. As already stated, the distinction is realized through several rhetorical devices such as the choice of verbs and their related actions (transitivity), metaphors, comparison, deixis, or adversative conjunctions. For example, only one verb characterizes the U.S. schools– *help* [the newcomers] – while a series of verbs are attributed to the ELs – *foreign-born, arrived, bring, start, weave, adapt, contribute, and integrate*. The discourse seems to outline the path which the immigrants (i.e., EL) have to follow to assimilate or accommodate to the “their new home” (U.S. Department of Education, 2017a).

Table 6.1*Us and Them Discourse in the Text from Public Space*

Us	Them (i.e., ELs)
the United States; American society	foreign- born and migratory; highly diverse
a nation of immigrants- to some extent	people from around the world who have recently arrived in the U.S.
able to meet challenging State academic standards	a language other than English
successful in classroom	that require English proficiency
participates fully in society	face challenges integrating into American society
our [U.S.] country's history	bringing their customs, religions, and languages
our nation's social and cultural fabric	weaving our nation's social and cultural fabric
the U.S. schools/ our Nation's schools/ our nation's public schools	[ELs} are the fastest-growing population newcomers to U.S schools
helping	adapt and contribute as they integrate recipients of help/in need of help start a new life
non-ELs peers [experience academic achievement] in the public education system	EL equated with academic achievement gaps bring important cultural and linguistic assets face a greater likelihood of lower graduation rates, academic achievement, and college enrollment

Note: The examples included in this table are part of the texts analyzed thus far.

The contrastive rhetoric is further maintained through the presence of the adversative conjunctions *but* and *yet* convey a negative connotation to the “language as resource” perspective presented in the first part of the paragraphs: their “important customs, religions, and languages” considered thus far “cultural and linguistic assets” seem to become a burden, challenging their path to social integration and academic success (U.S. Department of Education, 2017a).

The numerous nomination and predication strategies identified in the analysis are relevant elements of texts' argumentation structure. Whereas they are linked to and form the basis for the argumentation schemes of the discourse of (mis)representation, they are also used to justify and legitimize the inclusion and exclusion of others (Wodak & Meyer, 2016). In Section 5.3 of Chapter 5, I discussed and provided the macro-argumentation scheme which structures the text from public space (i.e., Data Set I); therefore, in this section, I focus on detailed analysis on the *topoi* and other linguistic devices that help justify the discursive construction of EL's identity as emerging from these texts. Extracts 7 and 8 come from the "Dear Colleague Letter" and the U.S. Department of Education webpage (U.S. Department of Justice (Office of Civil Rights) & U.S. Department of Education, 2015).

7. EL students are now enrolled in nearly three out of every four public schools in the nation, they constitute nine percent of all public school students, and their numbers are steadily increasing. It is crucial to the future of our nation that these students, and all students, have equal access to a high-quality education and the opportunity to achieve their full academic potential.
8. For the last several decades, English learners (ELs) have been among the fastest-growing populations in our Nation's schools. ELs comprise nearly 10 percent of the student population nationwide, and in many schools, local educational agencies (LEAs) and States, account for an even higher percentage of the student population.

The *topos of number*, which is associated with continued influx of ELs and has implications for the SEAs and LEAs, their increasing number — the -ing ending suggests an unceasing movement, seems to become a burden for the whole nation. The *topos of burden* is often present in texts related to language, immigration, and multilingualism as a problem (Lawton, 2016). Using the *topos of authority*, the educational actors that produced the texts at the macro-level claim that by acquiring English—the only path to “the equal access to a high-quality education and the opportunity to achieve their full academic potential” this burden lessens. Us and Them discourse is also maintained here through the use of deixis “our” and “these students” (i.e., *Them*).

Complementary to the above paragraphs is the following extract from the Newcomer Toolkit (NTK) (U.S. Department of Education, (2017a, pp. 1-2). The first part of this text, extract 4, has been presented already; therefore, I will not include it here to avoid repetition. I considered this text to be illustrative for the macro-argumentation scheme of the public discourse; as a result, I decided to select a more extensive extract and analyze its parts (9 and 10).

A rhetorical question frames Chapter 1 of the NTK (extract 4) – “Who are Our Newcomers?”– which can be seen as a mitigation strategy where the illocutionary force of the answer is intensified because the educational actors who produced the text intend for the reader to perceive it in a specific way (Wodak & Meyer, 2016). The standpoint that follows relies on the *topoi of history and immigration*, which are recurrent in the argument that the U.S is a nation of immigrants; in this case, it consists of a reciprocal although unequal relationship: the U.S. schools help newcomers, but they have to adapt, contribute. and “integrate into American society” (U.S. Department of Education, (2017a, p. 1). The

topoi also support the discourse of cultural and linguistic otherness, which often employs metaphors to construct its argument. In extract 4, the metaphor OUR NATION’S FABRIC – “weaving our nation’s social and economic fabric” – highlights the complex process of assimilation or accommodation in the U.S. and it seems to suggest that by adapting and integrating into their new life, the newcomers’ languages and cultures are perceived as resources rather than problems. It is worth stressing the choice of metaphor: the authors did not use the most common metaphor found in the language policy discourse, the SOCIETY AS A MELTING POT (Lawton, 2016, Santa Ana, 1997) which signifies the process of assimilation of diverse cultures and languages into the U.S. society and culture; by selecting the NATION AS FABRIC metaphor, the NTK appears to confer legitimacy to multilingualism (U.S. Department of Education, 2017a).

The next part of this text elaborates on the argumentation from extract 4:

9. Kenji Hakuta (1986), who has researched and written extensively about issues related to newcomers and English Learners (ELs), criticized an early 20th century distinction between favored “old immigrants”—those who came in the early 19th century mainly from Germany, Ireland, and Britain, were overwhelmingly Protestant, and seemed to integrate easily into American life—and so-called “new immigrants,” who came between 1880 and 1910, primarily from southern and Eastern Europe, represented many religions (e.g., Catholicism, Orthodox Christianity, and Judaism), had more varied customs and cultures, and were not as readily accepted into American society. (Chinese and East Asians who

came as temporary laborers were not viewed in this schema as potential citizens or permanent immigrants.) Those for whom integration into American culture was not a choice (such as Native Americans and enslaved Africans) must, of course, be noted, but even those who have chosen to come here from abroad—nearly all immigrants and immigrant groups—have faced challenges integrating into American society.

The main arguments in extracts 4 and 9 can be read as follow:

Assertion: The U.S. is a nation of immigrants; the language of this country is English.

Assertion: The immigrants bring in their more or less different religions, cultures, and languages.

Conclusion: All immigrant children will need to speak English and all immigrant children and their families will need to integrate.

The *topos of history and authority* are present in this part of the argumentation as well (extract 9). The NKT develops its standpoint by offering a brief historical overview of immigration in the U.S., thus enrolling the collective memory and the expertise of several researchers such as Kenji Hakuta (1986) to elaborate on the many challenges that newcomers endure on their path to societal integration and of English language acquisition (U.S. Department of Education, 2017a, p. 2). The State Department of Education, however, fails to mention that Hakuta's (1986) study made a case for bilingualism and bilingual education; instead, it claims that the "varied customs and cultures" have always constituted

“issues” (U.S. Department of Education, 2017a, p. 2) for integrating into the American society. The *topoi* employ numerous analogies and comparisons between past and present contexts of immigration: “favored old-immigrants”, “new immigrants”, and “current immigrants.” They all went through various levels of hardships on their way to integration and of learning English. The *topos of example* intends to justify the fact that throughout the history of the U.S., the immigrants faced different levels of acceptance in relation to their languages, costumes, religions, and cultures.

This part of argumentation further expands the discourse of Us and Them by employing several linguistic devices such as (1) collectives– old-immigrants, new immigrants, all immigrants, immigrant groups, newcomers, English learners; (2) evaluative attributions– “overwhelmingly Protestant”, “temporary labors”, “enslaved African”, “not as readily accepted”; or (3) deixis. For example, the repetition of personal deixes and toponyms is one strategy that, on the one hand, delineates the in and out of group rhetoric; the semantic field of otherness (ELs, Immigrants, the newcomers) is populated with eleven personal deixes– “they”, “those”, “them”, “who” (i.e., “new immigrants, who”), and “their”– and with several toponyms for us– “to the United States”, “the American Society”, “our nation”, “American life”, “American culture”, or the deixis “here.” On the other hand, repetition helps justify change: integration in American society is more likely similar to assimilation than to accommodation (Taylor, 2007).

The argument that the immigrants face many challenges on their paths to integration and learning English is further built throughout the next paragraph:

10. Throughout the 20th and into the 21st centuries, immigrants to the United States have often arrived from war-torn or politically

unstable countries, whether in Europe, Asia, Africa, the Caribbean, Central and South America, or elsewhere. They have represented, and continue to represent, a wide variety of religions, cultural backgrounds, customs, and beliefs.

The challenge of integrating into their new home is compounded for newcomers who attend school, since they must learn not only how to navigate a new culture socially, but also how to function effectively in an education system and language that typically differs from their prior experience (Jacoby, 2004; Suárez-Orozco & Suárez-Orozco, 2009).

This standpoint also relies on *topoi* and linguistic devices that justify the inclusion and the exclusion of the other such as the *topoi of language, necessity and usefulness*, metaphors – “navigate a new culture socially” – and synecdoche – “their new home.” Although present in background, the *topoi of language and English* becomes the unifiers of the argumentation scheme: the access to the “new culture” occurs through language, and the language of U.S. is English; therefore, the challenge of integrating becomes “compounded.” This lexical choice attributes a negative connotation to the process of integration; it implies that the non-English language of the other is a handicap and their own languages are rendered invisible. The deficit discourse is developed through two other metaphors – LANGUAGE AS BARRIER and LANGUAGE AS TOOL (Santa Ana et al., 1998), which are employed to support the claim that newcomer’s own language is an impediment towards educational and social success. Therefore, the only viable tool is English. Constructing the educational process in evaluative terms, the metaphors attempt

to conceptualize the abstract and complex process of de-culturalization and assimilation: the ELs are engaged in an educational path whose end result is English-only. Along this path, the other languages are barriers and handicaps that can prevent the ELs from academic and social success.

It is also worth mentioning that the “Who Are Our Newcomers?” chapter (U.S. Department of Education, 2017a, p. 1-9) text has an ABA composition, where A consists of a discursive construction of ELs’ identity through nomination and predication strategies, and B offers an argumentation to justify the linguistics choices and the claims of truth (Wodak, 2016). The text concludes with a list of membership categorizations (nominations and predications) included in the “umbrella” term “newcomer: such as asylees, ELs, foreign born, New American, refugee, or unaccompanied youth.

The last extracts of the macro-level tests come from ESSA’s Title III, SEC. 3102. [20 U.S.C. 6812] PURPOSES, Title I, Part 200, the U.S. Department of Education website, and ELTK (in this order). They state the goals of the language in education policy and summarize the macro-argumentation scheme which structures the discourse of the texts from public space (Figure 5.4):

9. The purposes of this part (4)...to prepare English learners, including immigrant children and youth, to enter all-English instructional settings.
10. to determine the students' mastery of skills in academic content areas until the students have achieved English language proficiency consistent with the standardized, statewide exit procedures
11. ESSA strives to ensure that ELs and immigrant youth attain English language proficiency and meet the same academic standards as their peers.

12. The tool kit is designed to help state and local education agencies (SEAs and LEAs) in meeting their legal obligations to ELs and in providing all ELs with the support needed to attain English language proficiency while meeting college- and career-readiness standards.

The macro-argumentation that emerged from the public texts at the macro-level is structured as follows:

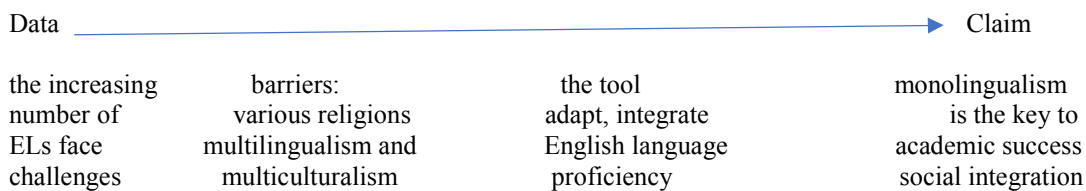


Figure 6.3. *Macro-Argumentation Scheme Underlying the Texts from Public Space*

In the above paragraphs, as well as throughout the texts that are part of Data Set I, the State Department of Education legitimizes a monolingualism-based discourse; that is, English is the only possible way to academic and social success. ELs need to achieve and “to attain English language proficiency” in order “to enter all-English instructional settings.” The *topoi of authority, necessity and academic success* are employed here to validate the strategy of legitimization: “to meet the same standards as their peers” by acquiring English and to meet “their legal obligations.” At the level of the discourse’s argumentation these *topoi* can also be seen as coercive: the SEAs and the LEAs receive “federal funds” to improve the education of ELs, which in turn asks them to meet the compliance requirements of ESSA’s (2015) Title III and Title I. The argument is further sustained by the metaphorical phrase “it is crucial to the future of our nation” conveying a sense of urgency and “cultural alarm” (Santa Ana, 2002, p. 78). The other (i.e., the ELs) might be a fiscal burden and a threat to the Anglo-American cultural hegemony (Santa-Ana, 2002, p. 78); therefore, the country needs to act by implementing a monolingualism

path in education. The ENGLISH-ONLY THERAPY which serves to remove legitimacy from the other languages (Santa Ana et al., 1998, p. 204). In the hands of ESSA's Title III, languages other than English are a problem that needs to be eradicated; although mentioned as assets in several of the texts (extract 5 and 6), they are not perceived as resources (Ruiz, 1984), but as possible tools for acquiring English.

6.2. Meso-Level

The process to implement Every Student Succeeds Act's (2015) started in the 2017-2018 school year. Overall, the federal education policy brought several significant changes: it increased the power of the states to set their education policy and to design accountability systems, interventions, and student support. It gave states more flexibility to work with local stakeholders to develop educators' evaluation and support systems; and it incorporated ELs into general requirements for school-level accountability. Extract 13 from the Resource Guide: Accountability for EL under ESSA (2017) states that clearly:

13. In particular, the ESSA requires States to more fully include ELs in school-level accountability systems under Title I instead of the separate district-level accountability systems required under Title III of the previous iteration of the ESEA.

These regulatory articles of law³⁰ lead to the development of the states' plans and a series of documents and supporting materials that help the LEA to meet the federal requirements such as ESOL Guiding Principles (2021) for ELs. This section analyzes documents developed and implemented as part of the Southern State's Consolidated Plan³¹

³⁰ See section 2.1.6 of this thesis for a more detailed discussion about the Title I's federal mandates for SEA and LEA.

³¹ A document intended to provide parents with transparent information about how ESSA (2015) will be implemented in their State (<https://www2.ed.gov/admins/lead/account/stateplan17/index.html>).

mandated by the U.S. Department of Education. I focused my analysis on texts that bring new or different insights to the discourse of ELs' identity construction.

Extracts (14 and 15) come from the Southern State Department of Education's Consolidated Plan (2018) and its website (2021):

14. The Office of Federal and State Accountability Special Populations, Title III is responsible for the oversight of the language instruction of limited-English proficient (LEP) and immigrant students. This program engages in the following strategies to ensure successful language instruction: • Administers grant programs that help children develop proficiency in English and achieve high content standards (p. 89).
15. The Office of Federal and State Accountability will take an asset-based approach by referring to English learners (ELs) as multilingual learners (MLs). A multilingual learner brings diverse cultural identities and new perspectives to strengthen our classrooms and communities. MLs achieve the Southern State College and Career Readiness Standards while navigating between native and instructional languages. MLs provide the global perspective that is needed of the Southern State Graduate and emphasize the advantages of bi-/multilingualism to honor students' identities as strengths rather than deficits.

A different narrative emerges from the above texts compared to the discourse at the macro-level. On the one hand, the ELs' identity acquires additional nomination and predication attributes that seem to highlight Ruiz's (1984) language as resource approach: "multilingual learners [having] diverse cultural identities and new perspective," and the acknowledgment of "bi-/multilingualism" as a strength (extracts 14 & 15). The terminology adopted at the state level is a departure from the deficit discourse in which "non-English proficient" was the dominant predication. However, it seems that the attributions still rest on the Us-Them binary: "a *multilingual learner* brings diverse cultural identities and new perspectives to strengthen *our* classrooms and communities" (my emphasis). On the other hand, this asset-based perspective (extract 15) coexists with elements of the deficit approach present in the State's Plan- "limited English proficient" and with the English-only path to academic success (extract 14).

The same dichotomy is present in the following paragraphs from the State's Test Administration Manual, Appendix D (2021) and ESOL Guiding Principles (2021) when defining the MLs:

16. Definition: Multilingual learners have not yet met proficiency in one or more of the domains of reading, listening, writing, or speaking according to Southern State reclassification criteria on the English language proficiency (ELP) assessment.
17. The term ML embodies the shared core values of diversity and inclusion which are integral parts of the Profile of the Southern State Graduate. The ESOL program will

continue to grow and reflect these values to increase MLs' opportunities.

Whereas in extract 16, the ELs are defined in relation to their English proficiency level and, therefore, receive negative predication—"have not yet met proficiency" in extract 17—they seem the epitome of global perspective and multilingualism that define the profile of the state's graduate. In the extracts from the Office of Federal and State Accountability's documents (extracts 15 and 17), it appears that the language and the culture of the other receive validation and legitimization alongside English. However, the texts also reiterate Title III's purpose of ENGLISH AS the only PATH to academic and social success, which may actually challenge the multicultural and multilingual perspective from extract 15 (see also extract 8 in section 5.3). Title III provides funds to districts that must use them to "increase language proficiency of MLs" (Southern State's ESOL Guiding Principles (2021), p. 6) i.e., of English, their native languages are not part of the academic success. In this case, multilingualism becomes a label added to the EL's educational path to monolingualism, and it may be seen as an example of a "cultural iceberg" (Hall, 1976): it changed the way the Southern state identifies the ELs; however, this is one of the 31 U.S. states that has English as its official language, therefore, as Hall (1976) notes this may be considered a form of superficial or powerless multiculturalism and multilingualism.

The intertextual connections between the documents at the meso- and macro-levels occur through the explicit reference to ESSA (2015) and its supporting documents, which helped build the argumentation for the transformational strategies that support the English-only path to education for ELs as illustrated in the following extracts:

18. Entrance and Exit Procedures (ESEA section 3113(b)(2)):
Describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status (Southern State Consolidated Plan (2018), p. 125).
19. The purpose of this survey is to determine the primary or home language of the student. This survey is given to all students enrolled in the school district/charter school...If a language other than English is recorded for ANY of the survey questions below, the appropriate identification screening assessment will be administered to determine whether or not the student qualifies for additional English language development support (Southern State's Home Language Survey (HLS) Form).

Two arguments emerge from the above texts:

Assertion: Multilingual learners have diverse identities and global perspectives.

Assertion: Multilingual learners have not met proficiency in English.

Conclusion: Multilingualism is an impediment; learners need to be assessed and enrolled in an English-only/monolingual program to be academically successful.

Conclusion: Native language is the criteria for enrollment in a monolingual program.

The argumentation scheme employs three topoi. First, the *topos of the other* is used in reference to multilingual learners; since academic success is determined by English proficiency, their cultural and linguistic background becomes an impediment. Although framed with positive attributes, it becomes clear that the ELs' diverse identities and global perspectives are reduced to auxiliary tools for learning English. The *topos of English* is also employed to argue that it is the only language for academic and social success and integration. Finally, the *topos of authority and expertise* gives legitimacy to English and removes it from multilingualism. The state's ESOL Guiding Principles acknowledges the ELs and their identities as assets; however, it adheres to ESSA's English-only path to education.

The last extracts of this section are from the Southern State Consolidated Plan (2018), extract 21, and one of the supporting documents, the Home Language Survey (HLS), extract 20. The HLS form is a questionnaire given to parents when they enroll their children in school. It is intended to help SEA and LEA identify the potential ELs. An HLS typically includes questions about "the language(s) the student first learned, understands, uses, and hears, and in what contexts" (U.S. Department of Education, 2017b). The answers included in this form determine the students' school status, classification, and entrance and exit from "a language assistance program" (U.S. Department of Education, 2017b)

Following federal guidance (i.e., ELTK, 2017), the Southern State created its HLS³², an integral part of a student school enrollment process. This form becomes part of a student's permanent records.

20. If a language other than English is recorded for ANY of the survey questions below, the appropriate identification screening assessment will be administered to determine whether or not the student qualifies for additional English language development support.

Your signature above certifies that you understand if a language other than English has been identified, your student will be tested to determine if they qualify for English language development services, to help them become fluent in English. If entered into the English language development program, your student will be entitled to services as an English learner and will be tested annually to determine their English language proficiency.

21. Exited students are required by the State DE to be monitored for four years to ensure that they are assimilated into the regular school environment without assistance. During the monitoring period, the students can be given additional services if required to maintain their EL proficiency.

³² ELTK (2017) offers guidance and three OCR0 and DOJ approved question required by law to be included in an HLS; therefore variation among the states in constructing a HLS may exist.

The subordinate clause beginning with the conjunction *if* (extract 20) structures the argumentation scheme used to justify the transformation strategy present in these paragraphs. Furthermore, the clause contains a *sine qua non* condition for the entire process of identifying, testing, monitoring, exiting, and categorizing. Figure 6.4 illustrates the various steps of this process as it emerged from the texts. The argumentation relies on what could be called the *topoi of language and necessity of English*, which in this context are used to claim that: (1) English proficiency is a necessary tool for the students to become a full member of the regular school environment; and (2) speaking a language other than English may prevent you from being an academically successful student.

The argumentation also rests on passivity as the primary linguistic device employed to illustrate the process of identifying, testing, categorizing, and enrolling the ELs in an English language program, which *is administered, is recorded, has been identified, tested, entered, monitored, assimilated, or exited*. Removing agency from the other is a common rhetorical device of *Us* and *Them* discourse (Wodak, 2016). The ELs become the objects

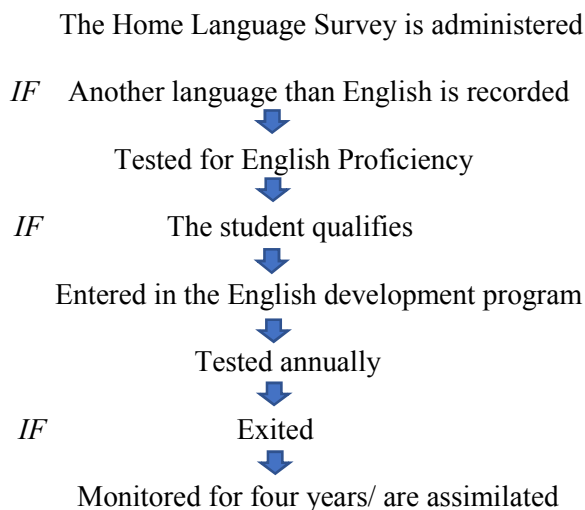


Figure 6.4. *HLS: The Strategy of Transformation and Its Various Steps*

of a discourse about their educational pathway and their own identity. Figure 6.4 illustrates the educational path of an EL as it emerged from the above extracts.

Finally, the choice of verbs and related actions in self and other representation supports the strategy of transformation which structures these texts (Wodak, 2016). The verb "are assimilated" characterizing the ELs may imply that the ultimate goal of the English-only policy is not the integration and acceptance of multilingualism and multiculturalism but inhibiting and suppressing the ELs' languages and cultures. The primary focus is assimilation and exit from support, which again renders invisible the holistic identity of a student who speaks languages other than English. The adjective-noun phrase "regular school environment" further substantiates the assimilation perspective. It entails that, due to their native language, they belong to an "irregular" out-group that can be seen as having negative attributes—they are different; therefore, they do not fit into the mold of monolingualism.

6.3. Micro-level

The last layer of public documents is situated at the district level. Similar to the state level and following federal and state guidelines, the districts had to develop their educational plans for the ELs. The analysis in this section focuses on texts that add new or different insights to the discourse of ELs' identity construction at the macro-and meso-levels.

The first extract comes from the High River (HR) School District's ESOL Program Guidebook (2019-2020, p. 3), a document designed to provide information and support to all district faculty and staff in accordance with federal and state mandates.

1. As a note about definitions, ESOL is the term used by HRSD to describe our program, teachers and even sometimes the students served in the program. It stands for English for Speakers of Other Languages. EL (English learner), ELL (English language learner), and LEP (Limited English proficient) are terms used to describe students in the ESOL program. These acronyms are used interchangeably throughout this document due to the fact that different federal, state, and local agencies use different terms.

The nomination and predication strategies that the HRSD uses to define the ELs revolve around the *topos of English* as the only measurable variable of academic success: LEP, EL, ELL, and LTEL (long term English learner³³). In this text, the ELs' identity is reduced to "acronyms," and the district uses the *topos of authority* to justify the various labels that define the ELs throughout the document. The direct reference to the federal and state agencies establishes a clear intertextual relationship between the HRSD and the upper or outer layers of the educational onion.

Overall, the discursive construction of ELs' identity at the micro-level (i.e., LRSC and HRSC public texts) accumulates an array of new referential and predication strategies. Table 6.2 illustrates the semantic field of *Them* (ELs) and *Us* (the LEAs) discourse that

³³ "LTELs are ELs in the fourth-grade year or higher who have been enrolled in US schools (and therefore an ESOL program) for more than five years who have not reached beyond the WIDA level 4.4 of proficiency or shown fluency on other standardized testing metrics. Starting at the sixth year of study, these students are labeled and may require special assistance and a program of study to help them overcome barriers in attaining academic proficiency" (HRSC, ESOL Guidebook, 2019-2020, p. 21).

emerged from these texts in their entirety. Several elements of this discourse stand out: (1) the *topos of language*, particularly *English*, is present in all but two terms – newcomer and SLIFE. The evaluative attributions attached to these topoi depict the ELs in deficit terms while validating the legitimacy of English as the only PATH to academic success: they are learners of *limited, new-limited, long-term, non-proficient* English abilities with cultural and linguistic needs; (2) the deixis *We* and its various forms construct the “we-group” which extends referentially to the entire district, in this context the HRSD. The repetition³⁴ and use of *We* reinforces the binary construction of *Us* – the district, the program, the school, the curriculum, *the regular education teachers* and the *general student population*, and *them* – “the culturally and linguistically diverse students *who* speak languages other than English and *who* are Limited English Proficient or Non-English Proficient (extract 2).

Table 6.2

Micro-Level: Nomination and Predication Strategies in the Us and Them Discourse

Low River School District: Definitions of Them	High River School District Definitions of Them	<i>Us</i> : the LRSD & the HRSD
newcomers	newcomers	our district
ELLs	ELLs	our program
ELs	ELs	regular education teachers
MLs	MLs	the general student population
SLIFE	SLIFE	our school
LTELs ³⁵	LTELs	
not bilingual students	with linguistic and cultural needs	
culturally and linguistically diverse students	growing population of linguistically and culturally diverse students	we make use of a curriculum
have a primary home language other than English	home language is other than English	we have a curriculum
who are LEP	LEP	we would hope
non-English proficient	potential ELL	we value
speakers of Other languages	speakers of Other languages	we want

³⁴ There are 12 occurrences of *we* and *our* on pages 3 and 10 of the LRSD’s ESOL Guidebook (2019-2020).

³⁵ See p. xiii for a complete List of Abbreviations.

new limited-English proficient	students who have met exit criteria	the district
ESOL students	sometimes described ESOL	complete mainstream instruction
ESOL families	their English needs	we expect
language-minority parents	national origin	
Spanish-speaking parents	immigration status	
them, their	them, their	We

Note: The examples included in this table are from the text analyzed at the micro-level³⁶.

The following extracts from the LRSC and the HRSC's websites provide the argumentation scheme which supports the above referential and predication strategies:

2. The goal of Low River SD's ESOL Program is to provide equal educational opportunities for culturally and linguistically diverse students who have a primary or home language other than English and who are Limited English Proficient (LEP) or Non-English Proficient (NEP). The primary focus of the instructional program is to provide an English-rich environment so that LEP and NEP students become proficient in English as soon as possible. The instructional program provides support while students transition into complete mainstream instruction.

The ESOL Program, [...] provides each LEP or NEP student with an opportunity to acquire knowledge of the US culture and to develop listening, speaking, reading, and writing proficiency in order to be academically successful in mainstream classes.

3. The English to Speakers of Other Languages program (ESOL) provides a learning environment that encourages student pride in

³⁶ See Table 4.4 for a complete list of documents included in the micro-level analysis.

cultural heritage and provides the cognitive and affective support for HRSD's growing population of linguistically and culturally diverse students.

This program, beginning in Kindergarten and continuing through high school, provides each Multilingual Learner (ML) the opportunity to be successful in academic areas and to become proficient in the English language

The main argument can be seen as follow:

Assertion: The linguistically and culturally diverse learners are LEP or NEP.

Assertion: The ELs need to become academically successful and English Proficient.

Conclusion: The ELs need to acquire knowledge of the U.S. culture and to learn English.

The two LEAs have similar goals for the ELs' education – English proficiency – and they employed three *topoi* to support their argumentation. First, the *topoi of usefulness* and *English*, which in this context are used to argue that learning English is useful for academic success and for integrating into U.S. society. Only an “English-rich environment” and “knowledge of the U.S. culture” ensure academic success. These two *topoi* substantiate the strategy of transformation underlying these paragraphs, as illustrated in Figure 6.5 below:

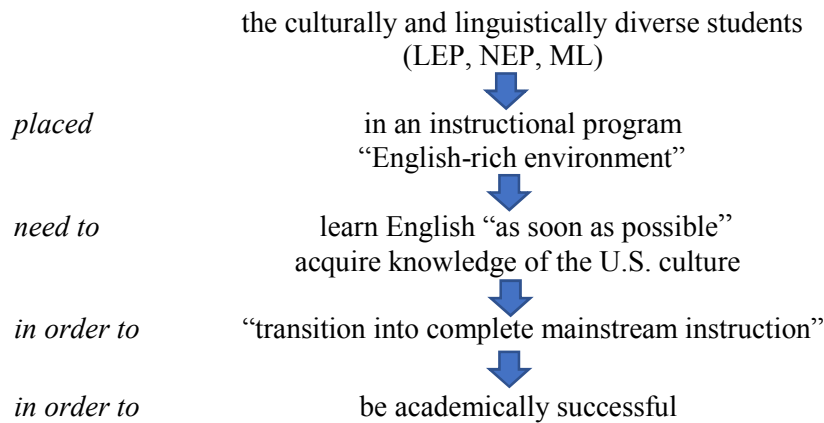


Figure 6.5. *The Strategy of Transformation at the Micro-level*

Second, the *topoi of culture and language* have a dual function for the argumentation scheme. On the one hand, it defines the ELs as “culturally diverse students” with “cultural heritage;” on the other hand, it dismisses their culture by giving legitimacy to the U.S. culture – the ELs need to “acquire knowledge of the U.S. culture.” Finally, the two districts attribute different predications and nominations to the ELs in the above paragraphs. Whereas the LRSD uses a deficit discourse – *limited English proficient, and non-English proficient*, the HRSD seems to emphasize the asset-based discourse, which is also present in the last paragraphs included in the micro-level analysis.

The following extracts are from the HRSD’s Diversity and Multicultural Inclusion Plan, first published in 2016 (extract 4), and from the Office of Diversity and Multicultural Inclusion’s website (extract 5). In 2015, the district created the program and hired its first Chief of Diversity, who is responsible for developing and implementing:

4. goals and strategies designed to infuse the principles of diversity and multicultural inclusion throughout all the work of the district.
5. Our goal is to help people identify what portions of their culture is important to them; to have people share why their culture is

important and, ultimately, to show that even though we are each unique, we have more in common than we have that is different. We value and embrace the contributions of the HRSD community that are characterized by differences and similarities in all areas including thoughts, abilities, race, ethnicity, gender, religious beliefs and ages.

The *topoi of culture and difference* are employed to support the argument for an inclusive and multicultural district in instruction, communication, recruitment, and climate. The choice of verbs and related actions such as *infuse, help, value, share, show, we are unique, we have more in common* create messages of a community of differences – “many cultures, one district, many voices, one message” (see Figure 6.6 below). The motto displayed on the HRSD’s Inclusion page seems to argue for acceptance and accommodation rather than assimilation. However, it is worth noting that the paragraphs display several features of *Us* and *Them* discourse such as the deixis *we, our, their*; or the



Figure 6.6. *HRSD’s Diversity and Multicultural Inclusion Webpage*

binary nomination and predication strategies- the district, the HRSD vs. the people, the community. Finally, the choice of the noun-adjective- *portion*, describing the noun culture

seems somewhat restrictive and emphasizes the absence of the language and multilingualism from the conversation.

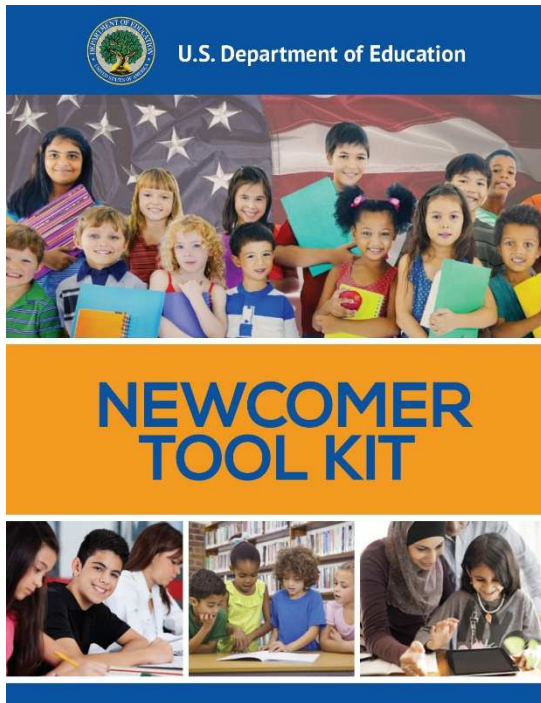
6.4. Visual Analysis

The construction of in-and out-group occurs beyond the linguistic characterization employing, among others, metaphors, metonymies, synecdoche, and implicit or explicit predicates (Richardson & Wodak, 2009). When examining multi-modal discourse genres, such as webpages, flyers, or documents with images, Richardson and Wodak (2009) recommend including the pictorial and visual discourse into the analysis to have a more complex account of how the standpoints are advanced/or derailed. Therefore, in this segment, I examine various images that are part of the two texts included in the first data set- the EL Toolkit (U.S. Department of Education, Office of English Language Acquisition, 2017) and Newcomer Toolkit (U.S. Department of Education, 2017a) to understand the role of the visuals relative to the linguistics aspects of the ELs' identity construction. Whereas in my prior sections, I analyzed the linguistic discourse of these texts (i.e., the content of the documents), the main focus of this visual analysis is the covers and their multiple images.

The two documents are part of the tools and resources developed by the U.S. Department of Education's Office of the School Support and Accountability (SSA) in collaboration with the Office of English Language Acquisition (OELA) and intended to provide support to the States in developing and implementing programs and services for ELs (U.S. Department of Education, 2021). More specifically, the National Center for English Language Acquisition (NCELA) developed a set of three toolkits: The Family Toolkit, The English Learner Toolkit (ELTK) (U.S. Department of Education, Office of

English Language Acquisition, 2017), and the Newcomer Toolkit (NTK) (U.S. Department of Education, 2017a) targeting two different audiences. While the first document is intended as a resource with information about the U.S public schooling for EL parents, the last two documents aim to help the educational actors at the meso- and micro-levels “in meeting their legal obligations to ELs” (U.S. Department of Education, Office of English Language Acquisition, (2017) p. iii). Among all the documents developed based on the requirements related to English Learners in the ESSA, the toolkits are the only documents with visuals added to their content. EL Toolkit contains thirty images, while the Newcomer Toolkit has twenty images. Figure 6.7 shows the covers of the two documents, which are the object of this section’s analysis. Most of the photographs included on the covers, are also present inside of the documents.

The two covers employ many features of the rhetoric of the “other” noticeable in both the documents' titles and the presence of visual metaphors and symbols such as the apple in one of the children's hands or the U.S. flag on cover A. Moreover, the authors – the U.S. Department of Education metonymically represents them – use nomination and predication strategies by which the ELs are categorized as the generic type. In both titles, the TOOLKIT metaphor is present alongside one of the labels assigned to this group of students throughout the first data set: English Learners and newcomers. In each case, the characteristics attributed to the ELs are inextricable parts of the nomination strategy (Wodak, 2009, notes that we cannot clearly separate the referential and predication strategies from one another).



Source: ncela.ed.gov website

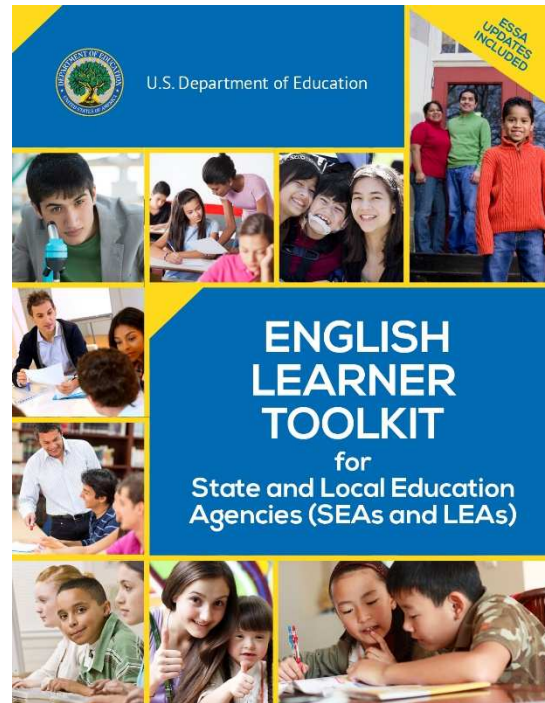


Figure 6.7 A: *Newcomer Toolkit's Cover*

B: *English Learner Toolkit's Cover*

In Figure 6.7.B, the students are referred to using the combination of adjective-noun *English* (evaluative trait) and the noun *learners* (membership categorization), while in Figure 6.7.A, a solid compound adjective-noun, *newcomer*, is used to construct the out-group association. Furthermore, these predication strategies intensify a different aspect of their attributed identity: they learn English (i.e., language is a problem) and have just arrived in the U.S. The title of cover A reduces their identity to a single generic characteristic, which paradoxically has a latent effect. It implies (i.e., presupposition strategy) that the reader knows that newcomer means foreign-born, speaking little or no English, having a different culture, and maybe different religious beliefs, and of course being students; in a word, newcomer means immigrant.

The second component of the titles, the TOOLKIT metaphor, is employed to refer to how a set of educational tools is designed to be used for a particular purpose, in this case,

to “fix” the issues of our ELs. The documents can be seen as technical manuals that can help the state and local agencies learn how the two groups of students, ELs and newcomers, work and how to repair any malfunction. The multiple illustrations on the covers seem to suggest that the kits provide a tool to help solve each of the problems.

The Newcomer Toolkit’s cover has a total of four images (Figure 6.7. A). The upper of the four pictures makes for half of the cover, and it shows a group of thirteen children – the majority of them seem to be elementary school age, smiling and holding various school supplies. From this, and the presence of the U.S. flag in the background, I can conclude that these are newcomers on their first day of school. The image has a very colorful palette due to the dominance of nuances of blue, orange, and yellow, and, along with the children's smiling faces, it conveys a sense of a happy occasion. Although the viewer's attention is directed to the students (the lower part of the frame), the photograph is composed so that the eyes also notice the presence of the Nation-metonymically represented by the U.S. flag. The blue banner at the top with the U.S. Department of Education's seal towers over the children and seems to be an organic part of the main image due to the use of the same shade of blue as one of the document's title.

The vivid palette continues throughout the last two sections of the cover: an orange background for the capital blue letters of the title (positioned in the middle of the cover) and pastel colors for the three images in the lower part of the cover. These latter frames depict the newcomers in the school environment involved in various learning activities such as taking notes, using an iPad, and group reading. The number of persons in these images varies from two to four.

Colors are also employed as part of the argumentation in cover B. The exact shade of blue that framed the previous cover is used here as the background for the two oversized frames, including the U.S. Department of Education's seal and the document's title (printed in capital bold white fonts). The title of this toolkit expands the referential strategy of actionalization and professionalization to include the name of the educational actors at the meso- and micro-levels: English Learner Toolkit for State and Local Agencies (SEAs and LEAs). The palette is less vibrant and rests on pastel colors. The content of the photographs is diverse as well: it includes children and adults of various ages, grade levels (elementary to secondary level), and roles in the educational field (learners, parents, and teachers). The cover's nine small size images are positioned around the title frame, and they can be viewed and interpreted together as a short pictorial where each image depicts an easily identifiable scene of the educational process. For example, in six of the frames, dyads³⁷ are engaged, smiling, in various learning activities, while in one image, two smiling parents and a child posed for the camera.

Overall, the ideational and linguistic content of the two covers address viewers in several ways: (1) the composition of the covers supports the layout proposed in the multi-modal approach – an ideal picture of the newcomers and the Nation is positioned at the top of the page (cover A), the frames with the title of the documents are situated in the center (cover A) or center-right (cover B); (2) the U.S. Department of Education's seal is placed in a position of power at the top of the covers; (3) the multiple educational actors who interact with these documents are also situated in a position of power relative to the social actors depicted on the covers and which are the subject of the toolkits; and (4) it is possible

³⁷ By *dyads*, I suggest familiar and close connected individuals.

to construct a particular EL identity as it emerges from the images and the titles of the two documents.

Thus, two main arguments emerge from the analysis of the covers:

Assertion: The Newcomers are immigrants.

Assertion: The ELs and the Newcomers have issues due to their native language and culture.

Conclusion: The toolkits help to fix the issues: the illustrations are examples of successful educational practices.

Several *topoi* contribute to the construction of the above arguments. The most salient is the *topos of transformation*: making use of the tools included in the two kits, the EL and the Newcomers become successful, happy students; the interplay of the images and textual elements emphasizes the transformative role of the toolkits for the educational path of the newcomers and the ELs. Connected to the *topos of transformation* is the *topos of authority and expertise*, which adds validity to the arguments. These two main *topoi* rest on several supporting ones: the *topos of immigration* (newcomers are foreign-born students who recently arrived in the U.S.), *topos of culture and difference* (as newcomers they have a different culture, language), and *topos of religion*. For example, racial and cultural diversity is explicitly acknowledged and depicted through the image of the young Muslim feminine presenting adult who watches her daughter using an iPad (Figure 6.7. A). It is immediately apparent that she is Muslim as she wears the hijab; this is also the lone image on cover A in which adults are present (a masculine presenting adult can be distinguished, out of focus, behind the young Muslim woman). However, assessing the role of the visuals relative to the linguistic aspects of the argument (Richardson & Wodak, 2009), I can ask

to what extent the students' faces included on cover A represent the newcomers' demographic? This question is critical when I considered the discrepancy between the demographic data included in the document and its representation on cover A; according to the data included in the NTK (p. 2), in 2014, forty-four percent of the newcomers were Spanish speakers, six percent were speaking Chinese, five percent Hindi or a related language, and so on. Nevertheless, the NTK's cover does not seem to align with the abovementioned data.

In this section, I adopted Richardson and Wodak's (2009) view that images can advance and defend standpoints, and as such, they should be considered complex visual arguments that integrate cognitive and emotional, rational and irrational (fallacious) elements. However, I do not assert that everybody who views the above-described covers will make the same connotations and will deconstruct the visual and linguistic information in the same way. Nevertheless, one cannot deny the intentionality beyond the images included in these texts: the authors (i.e., the educational actors at the macro-level) of the above documents added visual elements to construct and support their argumentation. Given the focus of this research, I suggest that the two covers represent visual examples of coordinately compound argumentation, in which pictorial and linguistic elements support each other, advancing a particular view of ELs' identity as the “other”: the newcomers struggling to speak/or speaking no English, therefore in need of a toolkit to educate (Richardson & Wodak, 2009).

6.5. Chapter Summary

The analysis of the texts and documents from public space is summarized in Figure 6.8. Intertextuality, interdiscursivity, and the macro-strategy of

(Mis)representation Through Omission can be seen as the broadest analytical categories, whereas the discursive strategies of nomination, predication, and argumentation, and their

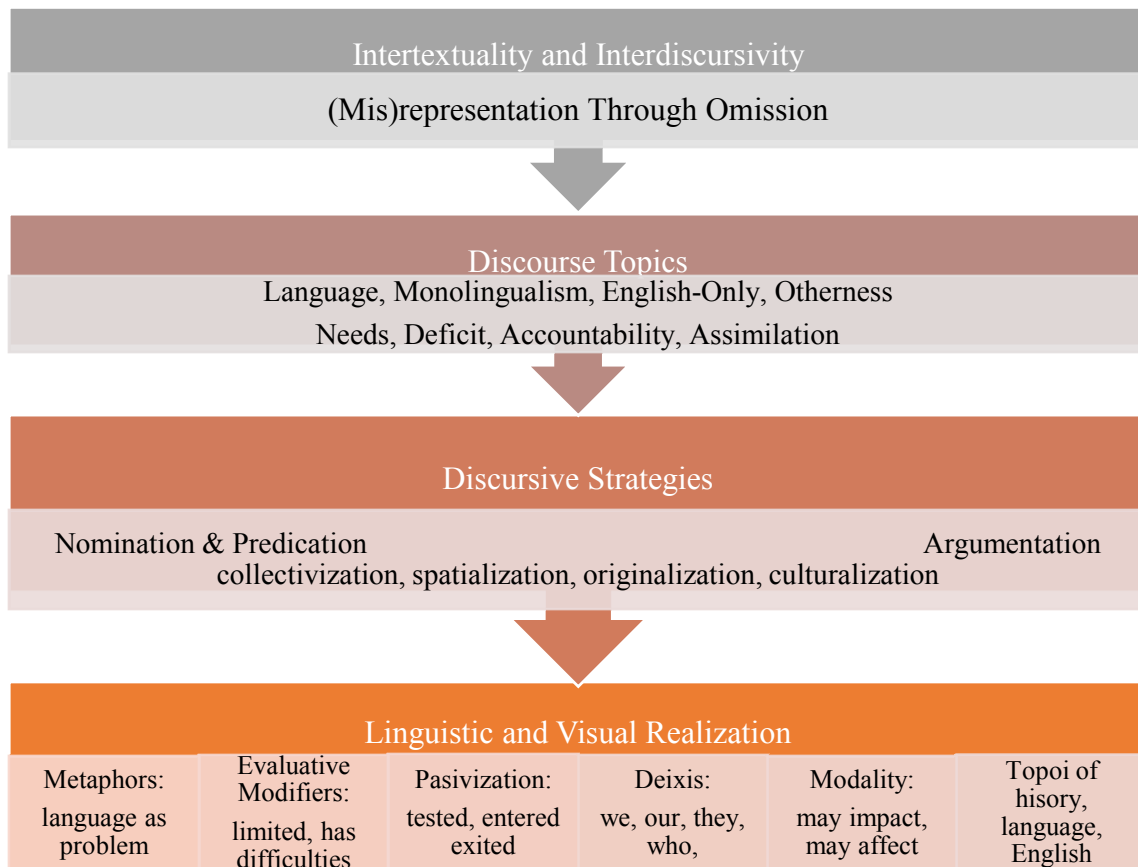


Figure 6.8. *Summary of the Levels and Categories of the Analysis of Documents and Texts from the Public Space.*

linguistic forms of realization are situated at the next level. I also included examples to illustrate each of the levels and categorie

CHAPTER 7

“WE ARE NOT GOING TO TALK ABOUT EMERGING BILINGUALS.”

ANALYSIS OF DATA SET II: SEMI-STRUCTURED INTERVIEWS

In this chapter, I analyze the strategies of representation within the texts of the semi-structured interviews. Although the analysis per se follows the same steps as Data Set I, I treated the six interviews as one discourse; therefore, I also employed a comparative approach to analyze Data Set II. As mentioned in Chapter 4, I considered the research questions and the contents of the public texts (i.e., Data Set I) to design, pilot, and then refine the interview protocol.

The data included in this set address factors impacting ELs’ identity, labeling/terminology, instructional approaches, and educational programs. The producers of these data are education actors situated at the meso- and micro-levels of the education spectrum (i.e., state and district levels) and, therefore, part of the contexts in which language in education policy is adopted and enacted. The intended goal is to triangulate (Wodak & Meyers, 2015) – to compare the two data sets as texts produced by various educational actors (i.e., objective for the public text and subjective for the semi-structured interviews) and gain further insights into the overall analysis and findings.

This data set contains almost ten hours of recorded interviews which I analyzed in their entirety. I selected the themes and topics that were: (1) supported by most codes; (2) most salient; or (3) found in the public text as well³⁸. Finally, the analysis' two parts corresponding to Data Set I analysis in Chapter 6. Because the macro-level includes only "object-actors," it is not part of this analysis (Vavrus & Bartlett, 2009, p. 13).

7.1. Meso-level

The two meso-level educational actors interviewed for this research, Lucia and Silvia, held the position of Title III Coordinator for the Southern State Department of Education³⁹ successively: Lucia from 2015 to 2019, and Silvia started two months prior to our interview, in April of 2019. They were responsible for overseeing the federal funds for Title III, reading, providing feedback, and approving the school districts' plans for ESOL programs, and planning professional development for the State's school districts⁴⁰.

In the following extracts, the two participants express their perceptions of ESSA (2015), the latest authorization of ESEA (1965), and its impact on ELs' education. From their discourse, two salient topics emerged in relation with ESSA (2015): accountability and bilingualism.

1. Lucia: One of the positives that I loved about ESSA it was that
it sort of to make student school districts really...and
principals and administrators see the importance of working
with this group of students and how those students when you
draw attention to the data that's going to impact them and can

³⁸ See section 5.2 for the Data Set II macro-topics.

³⁹ I interviewed Lucia and Silvia in 2019. In 2021, the State restructured its Title III/ ESOL Department and created two Title III/Multilingual Education State Coordinator positions to manage the department.

⁴⁰ See Table 4.1 for more details.

impact their funding people pay attention. And so that's what I think one of the most positive things that have come out of the ESSA plan.

2. Silvia: The way they have ESSA and the intent behind it is to level the playing field for students because they need opportunity...in this day and age...., it's crazy still we have to have a law that says this is a priority, but the reality is if we didn't have, you know, if it wasn't demanded by ESSA they would deprioritize. But to me that just shows you don't value it [00:42:22]. It's not a priority for you until someone makes it a priority for you, which is what I think ESSA is starting to do because before then, you know ELs' proficiency wasn't a part of accountability so they didn't pay that much attention. Now all of a sudden the conversation is happening because it's part of the accountability.

The overall argumentation scheme that develops from the above paragraphs can be represented as follows:

- Assertion: Prior to ESSA, the ELs' education was not a priority for schools' administrators.
- Assertion: ESSA included the ELs in the accountability plan of Title I.
- Conclusion: The ELs education became a priority due to Title III's funding.

Lucia (extract 1) and Silvia (extract 2) employ the *topoi of accountability and authority*, which makes an intertextual reference to ESSA, to claim that English learners' education gained attention and became important only by coercion (i.e., ESSA, 2015, a structure of accountability). In their view, ESSA's (Office of Elementary & Secondary Education, 2015) requirement of including the ELs' English proficiency scores in the schools' report cards, led to instantly refocusing the SEA's and LEA's priorities: "ELs' proficiency wasn't a part of accountability, so they didn't pay that much attention. Now all of a sudden, the conversation is happening because it's part of the accountability" (Silvia). The lexical choices that dominate the above extracts are part of the semantic field of (un)importance; on the one hand, are the positive terms —*priority, importance, value, impact, accountability, leveling the playing field, opportunity*—and, on the other hand, the negative terms –*deprioritized, didn't pay attention, ELs were not part of the accountability*. Finally, metaphors and deixes help build the argument of transformation through coercion present in the new authorization of ESEA (1965). For example, both participants employ the deixes *We* and *You* to express their (un)involvement in *Us* and *Them* discourse: Silvia seems to partially associate herself with the educational actors responsible for the ELs' education; however, the additional reference to "someone" with the power "to make it a priority for you," in this context ESSA, blurs the line between the inclusive and the exclusive categorization of the deixis *we*.

The ELs' education and bilingualism is the topic of extracts 3 (Lucia) and 4 (Silvia).

3. Lucia: I think bilingual programs are wonderful, but the State Department of Education doesn't want that as a method of instruction for EL...because The Southern State has a law that

says that we are an English-only state...it's legislature... I think one of the problems thatand the reason I think it will never probably be in Southern State is because if you offer [00:57:37] a bilingual type program immersion programs as part of your EL instruction, then you also have to develop assessments that are bilingual, you know assessment and there that's expensive and then the legislature won't pass that and so it's like I said, it's very politically driven. That's really the bottom line.

4. Silvia: I feel like that's what they're trying to do is make them fit into what society says. It's what the model person should be...does that make any sense?

Lucia and Silvia's arguments point to the fact that the language in education policy is politically motivated and therefore embedded with monolingual ideology; in the context of the Southern State, this happens at all levels of the educational onion. The Southern State has official language legislation, which affects the efforts of the SEAs and LEAs to circumvent the state's English-only law and offer bilingual education to their ELs. Moreover, the main impediment comes from the federal level: ESSA (2015) requires the SEAs and LEAs to enroll their unexited ELs in an English language instruction program, which does not fit into the dual immersion schooling schedule unless the EL exited the ESOL program.

Expanding on the previous extract, Silvia takes the issue of bilingualism outside the educational setting:

5. So if it's valuable in the business world, right? [00:15:03] Why is it that in the educational setting it's not as valued? It is looked upon as oh, well, they don't know English. They need to learn English. I think that there's like a mismatch there because if you go into the business world, oh, you can speak Korean, you can speak Spanish like you are an ideal candidate. Why is that not true an educational setting?

She begins with two rhetorical questions conveying a dialogical form to her argument (intensification strategy). The illocutionary force of her standpoint rests on the *topoi of language and usefulness*; it compares the value of languages (i.e., other than English) in the "business world" to the lack of importance attached to ELs' native languages in the educational settings. The binary construction of the argumentation also supports the discourse of in- and out-group and the status of one's native language: a growing number of students belonging to the in-group acquire a foreign language in dual-language bilingual programs; at the same time, a rising number of ELs go through a process of subtracting bilingualism (Hinton, 2016; Skutnabb-Kangas, 2009).

In the following paragraphs, Lucia (extract 6) and Silvia (extract 7) talk about terminology, labels and their relation to EL's identity construction.

6. I think right off the bat if you look at a list of students that you have in your classroom who you've never met and you say 'oh this one's a limited English ...Proficient student' the immediate thought even if you know nothing about the child is that they're not going to know, you know as much in my room and they're

going to have difficulty in understanding things. I'm teaching and that kind of thing and that might be the case [00:38:20] in some areas, but I think when you look through and you see words like English learner that makes you wonder or question. Okay, I wonder what where this child is. So if they've had gaps in their education and those on things so definitely it makes a difference in the way that you thinking about a student before you ever even meet them. So the terminology [EL] known as it gets us not as like I said derogatory maybe is...uh...just doesn't bring a stigma as much.

In extract 6, Lucia clearly points to the power of terminology and its impact on EL's identity, especially in schools at the ground level of the educational spectrum – "you see words like English learner that makes you wonder or question." The *topoi of language and framing* are employed to support the argument that the label attached to a student's name attributes negative predication to the student's identity: "it makes a difference in the way that you think about a student before you ever even meet them." Framing – attributing of discursive labels – influences our understanding of ideas they describe; in this case, our understanding of EL's identities (Harklau, 2000; Hinton, 2016). Labels are socially constructed and embedded with power relations. Inside schools, the terminology associated with the ELs institutionalizes discrimination against them (García & Kleifgen, 2010). In Lucia's words – "you look at a list of students ...who you've never met, and you say 'oh this one's a limited English ...Proficient student' the immediate thought even if you know nothing about the child is that they're not going to know." The metaphor *right*

off the bat and the adjective-noun phrase *the immediate thought*, which describe a projected scenario of a teacher's thinking, can entail the pre-existence of a mindset and its negative effect on ELs identities.

Complementary to the previous extract, is Silvia's argument:

7. I think that if you were to go ask the average person, you know, what is the English language learner? They would give you they would automatically think it's a Spanish person... and it's not they would probably automatically- that's an immigrant or they have all these mixed-up views of what an English language learner is; so yeah, they want to hold him into it because it's almost like who cares? This doesn't affect me. I'm an English speaker, you know? It's a lot of mindset shifts that have to happen for them to see English language learners as equal.

Silvia also considers that framing has a detrimental effect on ELs' identity. The argument relies on what could be called the *topoi of deficit mindset and stereotypical thinking*. These, in her view, are factors that impact ELs' identity: for the average person, an English learner is either an immigrant or a Spanish speaker. Although she structures her discourse on the *Us-Them* binary, she focuses more on the in-group, the school system, than on the ELs. The linguistic choices used to describe *Us- the average person* (vagueness), *English speaker, mixed-up views*, including the repetition of the deixis *they* (five times) and of its related collocations *I, me, who, them* (intensifying strategy), portrays the in-group as having a deficit mindset and being selfish: "It's almost like who cares? This doesn't affect

me. I'm an English speaker, you know?" The concluding standpoints of Silvia's argument are based on the *topoi of change and equality*, which are employed to achieve the strategy of transformation – "It's a lot of mindset shifts that have to happen for them [the educators] to see English language learners as equal." The noun phrase *a lot of mindset shifts* suggests that an ideological transformation is necessary for accommodating the other (i.e., the ELs) and perceiving the other (i.e., the ELs) as equal. Additionally, the adverbial phrase *a lot of* underlines that the path to the linguistic and cultural acceptance of differences seems to be challenging.

Silvia further develops the argument in the next extract. Considering language and cultural heritage as the main factors that shape ELs' identity, she employs an analogy to illustrate her perspective:

8. They make up that person like there's different facets of the just like your hair your eyes, you know. So, for me, that is a part of their past all of that gets there together to create whomever you are and you should be able to... take all of whom are everywhere that you go, right?, and so, yes, separate that combine to make a whole [00:36:21] for me. I think the world likes to think that they're further along in the acceptance than they really are, but we have a long ways to go.

She uses the metaphorical image of a human body to anthropomorphize the factors of culture and language: they are "like your hair, your eyes." Mitigation strategies such as the indirect question – "you should be able to... take all of whom are everywhere that you go, right?" verbs expressing opinions, and hedges – "I think," "you know" contribute to the

illocutionary force of her argument. Although not accommodated and accepted in school settings, ELs' culture and language are intrinsic to their identity; we silence a core part of ELs' identity by dismissing them.

In the last part of this section, I analyze the various construction of the English learners in contrast to *Us* and discuss the most salient linguistic forms employed to express them. The range of nomination and predication strategies used to construct the *Us* and *Them* discourse in Lucia's text can be seen in Table 7.1, where *Us* represents the U.S. and its educational system, and *Them* are the English Learners. Prevalent in her discourse are strategies of culturalization such as *of Hispanic cultures, mostly Hispanic (in the rural part of the State,) children of workers from Mexico, they speak another language at home, they aren't literate in their first language, they become literate in English, trying to maintain their first language*; social-problematization – *live in the same pocket of communities, living closer to the poverty level, students getting free and reduced lunch, if they [parents] are not legal, they don't feel comfortable being at school*; or collectivization and actionalization – *ELL, EL students, U.S. citizens, EL kids, who were born in the U.S., the number definitely increased significantly*. In almost half of the instances, the ELs are referred to based on their language ability (*topoi of language and definition*) through lexical devices such as verbs of saying and their collocations – *they speak, they don't read, communication, have difficulties in understanding, they don't read and write, they aren't literate; EL, ELL, and LEP*.

Lucia also uses the *topoi of culture and challenge* to support her argumentation: *students who are struggling, challenges that those students face, they are going to have difficulties in understanding things communication with their family is a huge challenge*.

Although the predications attributed to ELs create a narrative of struggle and hardship (*poverty, aren't literate, trying to maintain, don't read and write, if they are not legal, challenge, barriers*), she also acknowledges, indirectly, that they have various levels of bilingualism – *they speak another language at home, their first language, their native language*. Additionally, she constructs a more nuanced semantic field for *Us*. While the deixis *We*, encompassing the speaker and implicitly other educational actors, prevails, she also uses verbs and attributes that imply a lack of understanding or fear of the cultural and linguistic diversity of the other – “we don't talk about differences, teachers are scared, political figures who don't understand.” For example, the hyperbolical use of the verb in “we cripple people sometimes” suggests that the U.S. educational system's power over the discourse of the language in education policy has harmful consequences (Foucault, 1972; García & Kleifgen, 2010).

Table 7.1

Nomination and Predication in Lucia's “Us and Them” Discourse

Them	Us
EL/EL kids/ELL/EL students	we don't talk about difference
the number definitely increased significantly	the Southern State
live in the same pocket of communities	people's own bias
living closer to the poverty level	we give students every opportunity
students getting free and reduced lunch	the legislature
mostly Hispanic (in rural part of the State)	
children of workers from Mexico	
of Hispanic cultures	the State Department of Education
are coming to a new place/school for the first time	teachers are scared to allow students to speak their native language in the classroom here
who were born in the U.S.	
U.S. citizens	native peers
they speak another language at home	some [of those] communities (vagueness)
they aren't literate in their first language	school culture

Them	Us
they become literate in English	the principal
trying to maintain their first language	their beliefs (people in the state)
they may speak a dialect their native language	a state that's much more conservative
they may speak Spanish	our native speakers
they don't read and write in Spanish	mainstream teacher
so much growth is a real short number of times	political figures who don't understand
they may not be able to get support from their parents	we need to include
communication with their family is a huge challenge	politicians are older... they don't have the background to understand those things
if they [parents] are not legal, they don't feel comfortable being at school	we cripple people sometimes
challenges that those students face	we put so much pressure
barriers and communications	people
limited proficient student	native English speakers
they are going to have difficulties in understanding things	we are setting lofty goals
those populations of ELs	students who don't speak another language
students who are struggling	
it is important that they have equal access to programs	we don't incorporate them into programs
them, they, their, you	we, our, us

Similar to Lucia, Silvia constructs the macro-strategy of representation through a wide range of nominations and predications, which I included in Table 7.2; however, a slightly different narrative emerges from her discourse. Whereas she employs the same main referential sub-categories to describe the ELs – culturalization, collectivization, and professionalization such as *immigrant*, *Newcomers*, *LEP*, *EL*, and *Newcomers are students who come from their home country*, or *a large migrant Hispanic population*; she focuses less on the EL's socio-economic background and on the challenges that come with being a newcomer and more on the “dual language” aspect of their identity. For example, she uses the adjective-noun phrase “dual language” and its collocation four times: *dual language individuals*, *learning additional language*, *know another language*, or *dual language*

Table 7.2*Nominations and Predications in Silvia's "Us and Them" Discourse*

Them	Us
a large migrant Hispanic population	here in the Southern State
Newcomers EL	into this place
their first experience in a U.S. school	ESL teacher
who required a lot more support	they are all about providing support (ESSA)
support they needed for ELP	so many old school teachers
Newcomers are students who come from their home country	a lot of mindsets
they have limited to no English	mainstream classes
they predominantly communicate in Spanish	the average person
have higher [English] proficiency level	this law, ESSA
English proficiency 1st and some 2nd	the State Department of Education
they all for the most part have the desire to learn	in educational setting
they are important, capable and willing	you have this law
my Hispanic students	a person of privilege
LEP, EL	the model person
they need opportunity	in education nobody believes the best of children
these students know another language	they're trying to make them fit into what society says
they are learning an additional language	we just make try to fit in a mold
they are dual language individuals	we don't focus on that part that acknowledges that
the language they already know	we devalue what they bring as far as their language
dual language learner	a global citizen
their language	much people don't understand about the ELL
can have a wealth of knowledge in their home language	they choose not to or it's truly a lack of education for them
an immigrant	individuals who make the decisions
diverse learners, global learners	how much people don't understand about ELL
disenfranchised population	social norms and to what we expect them to be
they, them, those, their, these	we, they, our, my, you

Note: The table illustrates the semantic field for *Us* and *Them* as present throughout her text in its entirety.

learner. However, she does not predicate the ELs as bilingual. The choice of verbs and related actions attributed to the ELs emphasizes more the positive aspects of their experience in U.S. schools: *they all, for the most part, have the desire to learn, can have a wealth of knowledge in their home language, they are important, and capable and willing*.

The nomination and the predication of *Us* are also slightly different constructed than those used by Lucia. The most salient dissimilarity is the use of deixis. While in Lucia's texts, the deixis *We* was prevalent, Silvia uses it only a few times. It seems that she wants to dissociate herself from the in-group, which does not believe in "the best of children" and "devalues" the EL's identity. She uses "they" or "people" instead and many negative verbal forms or verbs with a negative connotation such as "*they chose not to try, or it's truly a lack of education for them, they are trying to make them fit into what society says, and much people don't understand about the ELs*." It is also possible that she does not see her part of the in-group yet, as she has been in the position for less than three months.

Finally, Silvia makes use of the *topos of example* to support her argument that language is a defining part of a person identity:

9. Language is the biggest thing because I can use myself for example, so, like I said, I am American and Puerto Rican. It wasn't until...a few years back that I even, like, acknowledged the Hispanic part by me; great! Because when you see me, when people see me, they instantly identify me as a black woman.

In this extract, Silvia employs modifying particles such as "so" and mitigation formulation and hedges – "like", "great", "like I said" which, on the

one hand, emphasizes the subjectivity of her utterance; on the other, intends to add support to the argument.

Lucia and Silvia's nuanced nomination and predication strategies are relevant elements of the Data Set II argumentation structure. They are linked to and form the basis for the argumentation scheme of powerless (mis)representation discourse.

7.2. Micro-Level

7.2.1. *Low River School District*

The two participants from LRSD are Mark, the district's World Languages and ESOL Program Coordinator, and Samuel, the ESOL consultant. They were classroom teachers prior to moving to the administrative position; they both have ESOL certification⁴¹.

7.2.1.1. Mark. In the first part of his interview, Mark refers to ESSA (2015) and its impact on ELs' state and local educational plans:

10. ESSA has a goal... and every state has accommodated to match with what ESSA wants so what we do is being in compliance to meet those targets; so, we are creating some monolingual students in English because it is restricted to develop English as *aaa* ...as the mean to acquire academic language and to be successful academically and there is no room for the native language that the kids are coming with.

In this extract (10), Mark argues that ESSA (2015) and its English-only language in education policy create "monolingual students as they limit the power of the SEA and

⁴¹ See Table 4.1 for more details.

LEA to implement their own educational plan for ELs.” He uses the *topos of coercion* to support his argument and employs lexical choices which denote obligation and authority such as “wants, compliance, restricted” and the metaphor “no room for the native language” to express it. According to Mark, ESSA (2105) legitimizes monolingualism.

The interconnectivity and intertextuality of the language in education policy union are also emphasized in his next stance, where the federal/macro-level is described metaphorically as “this big umbrella” of expectation, which allows the state “some wiggle room of what they can do, and then the state tell us what to do, and that's it. We cannot modify what the state goals are.” The multilayers of education policy act upon the LEAs and ultimately lead to an educational program characterized by subtracting bilingualism: “through the federal or state program, there is nothing that is encouraging us to work with bilingualism; we are not doing bilingual education in the Southern State.” As previously mentioned (Section 7.1), the efforts of the LEAs to offer bilingual education are further obstructed by the fact that English is the state’s official language.

Mark considers that the monolingual policy imposed by Title III is at odds with the “Profile of the State Graduate,” which aims to provide its students with world-class knowledge and skills such as multiple languages and global perspective:

11. We are aiming for a Global Society, we are trying to get kids to access more resources and more information, but we are just providing them English as the only means and way of accomplishing this... it is funny because the federal government is investing in security with minority languages, but they are not...they are trying to teach none.

He points to the existence of a paradox between the goals of the language policy at macro-level and the meso- and micro-level. His argument is based on the *topoi of language and usefulness* as he asserts that “we,” the in-group, aim for a bilingual or multilingual graduate, but we ignore the resources that ELs bring to school (Ruiz, 1984): “[for example] ignoring the already fluent Arabic students and not building upon them.” Moreover, he adds, for *Us*, the ELs are “empty vessels that need to be filled because we are ignoring everything that they are coming with as in terms of other languages.” Mark rests his argumentation on the *topoi of language and culture*, linguistic devices such as the metaphor “empty vessels,” the passive form of “need to be filled,” and the repetition of the deixis *we*. These rhetorical tropes portray ELs as the object of a discourse about their own identity (i.e., *Us* and *Them* discourse) in which they lack agency, and their cultural and linguistic background is silenced. In this case, ESSA (2105) does not accommodate, but instead assimilates the identity of the other, the ELs.

Mark develops this image in the following extracts:

12. The ELs are a different population who, in the beginning, they look lost, confused, fearful, but with all the desire of doing their best...But there are two categories that I have been working with, which are...first-generation ELs born here vs. Newcomers, who are a completely different story. The ones who have been born and raised in America and started the ESOL program at an early age gain some social language and adapt to some behavior of the mainstream students; and the newcomers come with different cultural

behavior and appreciation for the education; if they receive that in their other countries, and even when they didn't receive any education they come here and value it more because they are finally gaining that opportunity that makes a difference on how they behave and how they approach education.

13. How I see ELs is different from how ESSA sees ELs, so ESSA sees them like in need...They don't see them like an asset but like a disadvantage. I see them like as adventurous, I see them as confused, trying to find a place where they belong, I see them as adaptable, I see them as resilient because they're dealing with more than one *umm* and, in some cases, more than two cultures at once... Yes, ESSA's Title III sees them as the population who needs, not as the population who has to give; it sees them like recipients and do not like exchangers, so they need extra support, they need this, they need that, but we don't look at how much are they really bringing to the table from my perspective.

In these paragraphs, he constructs *Us* and *Them* discourse by clearly distancing himself from the in-group: the binary in- and out-group becomes *I* and ESSA (2015), where the deixis *I* is repeated eight times. The referential strategies used to define the ELs such as *different population, first-generation born in the U.S., newcomers, from other countries*, belong to the semantic field of originalization and spatialization; he employs toponyms and

origonyms to construct the image of the other. The predications attributed to the ELs also form a binary semantic field. On the one hand, Mark uses adjectives and adjective-noun phrases that show the evolution of the ELs over time and the group's diversity, but he also compares them to the mainstream students. According to Mark, the ELs are *different, lost, confused, fearful*, but over time they become *adventurous, resilient, and adaptable* as they try to find a place where they belong. On the other hand, he considers that ESSA (2015) sees them “as the population who needs” and does not value the assets they bring to school. It is worth mentioning the shift in the prespectivation in his last standpoint: “We don't look at how much are they really bringing to the table.” The use of the deixis *we* seems to change the prespectivation of the discourse – Mark includes himself among ESSA (2015) and the educational actors who dismiss the “prior experiences, cultural knowledge, and the different perspectives of seeing the world” of the other. The macro-strategy of (mis)representation rests on the *topoi of language, culture, and difference* and Ruiz's (1984) conceptual model of language as resource (Mark's perspective) and language as problematic (ESSA's perspective).

The above macro-argumentation scheme is present throughout Mark's discourse in its entirety. Table 7.3 summarizes the nomination and predication strategies and their collocations used in Mark's *Us* and *Them* discourse. Prevalent in these examples is the semantic field related to language and culture. Whereas lexical choices such as *EL, LED, multilingual, bilingual, a language that maybe is dormant, minority languages, different languages, and heritage speakers, dealing with more than one culture* define the other, Mark uses attributes and verbs that are on the other side of the spectrum to define *us*: *monolingual, kids who are not ELs, no room for the native language, the language of the*

majority, ignoring, not building upon [ELs assets], teachers see them as hopeless, the administrators and the law seem them as in need. Additionally, the repetition of the deixis

Table 7.3

Nominations and Predications in Mark's "Us and Them" Discourse

Them	Us
they don't speak English maybe highly educated EL, LED Arabic speakers assimilate English multilingual students	we are creating monolingual students in English kids who are not ELs Federal government Southern State we could start working developing multilingual communities
their different countries empty vessels that need to be filled kid coming from another part of the world they do Math in different languages possibility for them to study abroad minority languages	we can really bring more into the classroom they are trying to teach none (minority language) here there is no room for native language we are not building up on them Federal and state programs we are not doing bilingual education in the Southern State
ELs are a different population who at the beginning look lost, confused, fearful, the desire of doing their best	the language of the majority in this context in the U.S. I have been working with
two categories: 1 st generation ELs and newcomers first generation of ELs newcomers are a completely different story a different cultural behavior ones who have been born and raised in America in their other countries	America the majority mainstream students we are forgetting that they have more tools than that [English] ESSA
adventurous, confused, trying to find a place where they belong, resilient dealing with more than one culture value education a different perspective	the majority, the rest of the school ignoring teachers can see the ELs as students in high poverty even if they are not the language of the majority comparing with the rest of the school
they have a different culture that they bring they bring in prior experiences, cultural knowledge, different perspective of the way we see the world a language that is maybe dormant friendly, challenging, playful, willing, in need of understanding	all this instruction in English teachers see them as hopeless
heritage speakers	the administrators and the law see them as in need ESSA's Title III treats them as the population who needs
bilingual they, them, their	they [ESSA's objective authors] I, we, here, you

we and of the adverb *not*, and the choice of verbs and related actions with negative connotation in *us*-representation can be seen as removing legitimization from the language and the culture of the other.

Finally, Mark considers that the terminology attributed to the ELs shapes their perceived identity at many levels. In the following extract, he talks about the change in terminology from NCLB's (2001) limited English proficient to ESSA's (2015) English learner and how that can affect the ELs perceived identity in schools.

14. With LEP, they just go to the most basic...*umm*...assumption that they are really just...they are not thinking about all the multiple levels of proficiency that could exist as an English learner...They just think that we need to simplify or I just need to talk to you louder (*he models for me*), or I need to enunciate because you're not smart enough...But when you use English learner...it gives you a better status...you could say that this kid is not just...unable to communicate, he may not have the same level to communicate in English, but he is pretty fluent in other languages...I felt it more empowering and the teachers they can see them as speakers of other languages which is not just Spanish kids in your classroom...is more on a plus side because the kids are speakers of other languages.

In this text, Mark compares the two labels (i.e., LED and EL) and argues that the terminology attributed to the students in school affects their perceived status (*topos of definition*) in many ways: EL label confers “a better status,” empowers, and, more importantly, makes a difference in the way teachers see the ELs. When talking about the

LED term, he used gesticulation and the tone of his voice to demonstrate how a teacher would speak to a student labeled as limited English proficient. However, he also uses a stereotype – “not just Spanish kids in your classroom” – to support his argument that the EL term would help teachers see multilingual and multicultural aspects of ELs’ identity.

7.2.1.2. Samuel. Similar to Lucia and Silvia, Samuel also considers that ESSA (2015) brought “a big change” in how the Southern State and its districts educate the ELs.

15. ESSA requires more, and then it puts ESOL, I guess, in more of a light, and so the district and then the state, when they drafted their ESSA plan, they specifically put English Learners and the ESOL, they put the mandate for everybody to be teaching language through their content classes. They put that directly into how we make schools accountable and how we report on schools.

The intertextual reference to ESSA (2015) and the *topos of coercion* support his argument that EL’s education gained “more of a light” due to the federal mandates. In this case, Title III and its accountability requirements “put that directly into how we make schools accountable and how we report on schools.” The lexical choices belonging to the semantic field of authority – *requires, federal mandate, make schools accountable, and report on schools*, add emphasis to his claim.

However, talking about the other significant change that ESSA (2015) brought for our ELs (i.e., the terminology used to define them), he acknowledges that replacing the LEP label with the EL is not enough as far as the “mindset of deficiency” does not change.

16. There are other more societal reforms and other more political reforms that I think are other ways that we could if you're looking

to try and help throughout time to change somebody's mind about what we should do as a system.

In this extract, Samuel links the educational system to the social and political context. He considers that a more significant societal and political-ideological reform has to happen first (*topos of ideological change*) to have a school system that changes its deficiency mindset to a “strength perspective.” Ideologies are essential means to creating power relations through discourse and establishing hegemonic identity narratives (Wodak & Meyer, 2016). From Samuel’s perspective, the discursive construction of ELs’ identity seems to depend on and to encompass all levels of society; terminology plays an important role in the deficiency versus asset perspective in schools⁴².

17. Okay immediately you're thinking these kids are different. So again, I make this point...that that's the place to start: the way we talk about these kids because there's a natural tendency for people to think of them as the opposite of this. We have to change that perspective right away, right? Because, I mean, otherwise, I don't think you see the full value in teaching them and in trying to figure out what is the best thing to do. So, I think that my next step would be to be very clear that these kids are not different, that these kids are not limited, that these kids are (*pauses*) I don't want to say not special in that way that you know, especially with quotation marks, right? There's probably a SAT word there. That's a little bit more appropriate, but they're not, they're not needy right over there. So,

⁴² Similar argument found in Lucia’s and Silvia’s discourse (Section 7.1 in this chapter).

I say that in regards to ‘they are not’ (*pauses*) I think that people focus on things kids can't do in general (*pauses*) and those are limitations, right? And (*pauses*) it's important, especially with these kids, because, I mean, everybody has things they can't do but with our kids *umm* you could that you can't see what they can do.

Formulating somewhat cautiously (modified by mitigation strategies: use of verbs of opinion and modifying particles such as “so,” “I mean,” “I think,” “right” or frequent pauses), Samuel argues that, due to terminology and labeling (*topos of framing*), the ELs’ identity is constructed in the terms of difference and deficiency instead of using an asset perspective. To support his argument, he attaches the adverb “not” to all the negative adjectives and creates a list of (reverse)-attributes of “they are not”: *these kids are not different, that these kids are not limited, that these kids are they're not needy*. It can be seen as an intent to undo all the negative attributes that are part of the semantic field of deficient mindset.

He also considers that this subtractive perspective (1) directly impacts the quality of the educational approach for ELs, therefore it needs to be changed: “otherwise, I don't think you see the full value in teaching them;” and (2) the way classroom teachers perceive them:

18. So, terminology plays into that perspective of asset, of a student being an asset, of a student having something valuable, of a student being welcomed in a place, welcome to school and not of a student being a deficiency.

The power of the terminology is further developed and illustrated in the following extract:

19. So, teachers perceive things about kids on paper... So, for example, you can have a teacher who, I mean, you can have a teacher who dislikes the students who are typically, like I said, labeled as... as English Learners, they are ESOL students. You can have a teacher who dislikes them, for political reasons, and then treat them in the classroom, you know, they're very good to them in the classroom, and they treat them as someone who has individual needs and individual strengths.

He employs the *topoi of example and ideological belief* to construct and support his argument that the way teachers think about ELs starts with the linguistic representation: “teachers perceive things about kids on paper.” It is worth noting the content of his causal phrase “for political reasons.” The standpoint is characterized by vagueness which allows many readings and interpretations (Wodak, 2009). Samuel does not specify what kind of political reason; however, it may indicate that he refers to the fact that ELs are often perceived as immigrants who were not always welcomed to the U.S. (see section 6.1 for a more detailed discussion). As with his previous text, Samuel uses modifying particles or mitigating formulations such as verbs of opinion and beliefs (e.g., “so,” “I think,” “I mean”), which generally express the subjectivity of the speaker (Wodak, 2009) throughout his discourse.

The nomination and predication strategies employed by Samuel to construct the macro-strategy of powerless representation are closely related to the issue of terminology. Although not all referential and predications are expressed in binary forms (the structure

of the in- and out-group discourse), they cover an expansive and detailed semantic field (summarized in Table 7.4). For *Them* discourse, Samuel employs lexical choices that:

1. Distinguish the ELs according to their cause of immigration and time in the U.S. – "refugees," "newcomers."
2. Delimits the in-group-out-group thought toponyms such as "from South Asia," "Vietnam," "Middle Eastern kids," "Hispanic kids."
3. Define the ELs' cultural and linguistic background – "English dominant kids," "they speak two languages," "they have "linguistic assets," "they speak a minority language in a majority culture."

Table 7.4

Nominations and Predications in Samuel's "Us and Them" Discourse

Them	Us
LEP, ELL, EL, very limited English to... zero English from working-class families undocumented, refugees, newcomers the kids with the most needs, the most limited English predominately Hispanic kids background of poverty, marginalized kids who get charity from the school deemed to be of need kids from South Asia and Southeast Asia, Vietnam Middle Eastern kids kids with more educated families born here in the U.S. some literacy in their first language a language other than English at home English dominant kids bilingual, emergent bilingual, multilingualism they do speak two languages; bilingualism fills the gap and bridges the two cultures. limited opportunities bicultural or multicultural	the program, the ESOL program, ESOL teachers just terminology that defines a program teachers perceive things about this kids school and National culture all of the legislation, all of the guidelines It's a deficiency, a mindset of deficiency a Title III school, Title I schools school are not necessarily places where critical questions get asked members of society schools look at the needs of kids our schools, our classrooms in the U.S. here, in the Southern State we should be focused on what students bring in people don't understand in public schools in the U.S. mainstream American schools that's not something that the programs really address at all we have self-contained ESOL we identify students based on a scale of proficiency

linguistic assets of these kids	we don't have bilingual brain, we as Americans don't value bilingualism
normal, sophisticated, intelligent, gifted, important	it's a natural tendency for people to think of them as the opposite of this
they are America	we don't do a lot for a lot of kids
these kids are not limited	we have to change perspective
you are a minority, you speak a minority language in a majority culture	we have teachers who are good teachers, but still see deficiencies in kids
kids who are just detached from the school	kids in our program get the short end of the opportunity
immediately language stands out	Americans value multiculturalism from a superficial perspective easily
	a lot of negativity is just systematic
they, their, them, themselves,	I, we, our, my, here, me

The ELs are predicated as “very limited English to ...zero English”, “some literacy in their first language”, “bilingual”, “multilingual” (*topos of language and English*). Samuel ascribes the ELs adjectives illustrating their socio-economic background and citizen status such as “from working-class families”, “background of poverty”, “kids with more educated families”, “undocumented”, “kids with the most needs.” He creates an image of the other that is “America” – in his terms, “normal, sophisticated, intelligent, gifted, important,” but who gets “the short end of the opportunity” in the U.S. schools.

The other side of the binary (i.e., *Us*) includes both the objective and subjective actors, such as "the ESOL program, the schools, and the National culture, the Southern State and its teachers, all of the legislation and the guidelines." The attributes selected as predication to *Us* (i.e., the educational system and beyond) emphasize the "mindset of deficiency" and the subtracting bilingualism perspective that Samuel discussed through his texts. It also entails a lot of negativity: "schools are not necessarily places where critical questions get asked" and "people don't understand." He believes that "a lot of negativity is just systematic." For example, deprecatory phrases describe the schools and their practices: "we don't have bilingual brain", "we have self-contained ESOL", "we have teachers who

are good teachers, but still see deficiency in kids", "kids in our program get the short end of the opportunity."

Finally, ELs' language and culture and the presence or the absence of a connection with the school context [the topic of extracts 20 and 21].

20. So, the idea that if we don't have value for, let's say, a Spanish kid who comes here and when they need to learn English, and there's no (*pauses*) or you let's talk about refugees, right? Like (*pauses*) so, we have Swahili speaking and tribal language-speaking refugees. It's like, we don't (*pauses*) those kids "you learn English. No one is ever going to even acknowledge the language that you speak!" and they lose that (*pauses*) and I don't know, so, that's my point. It's like, I've read a little bit more about this notion of losing your language and the influence that that has on your identity.

21. It would be great to have us as ESOL teachers, everyone exposed to this notion, these ideas just even the concept of you are a minority you speak of a minority language in a majority *umm* culture and what does that do to a student? In terms of their perceived identity and specifically the thing that really stands out to me (*pauses*) I understand that, like, this is definitely a piece of your identity. It's not associated with school at all. That's why you don't want to be in school, why you don't come to school? That's why you skip classes like this. This place does not recognize Who You Are.

Two main arguments emerge from these extracts:

Assertion: Immigrant and refugee students speak various languages that are not acknowledged in U.S. schools.

Assertion: The immigrant and refugee students need to learn English.

Conclusion: The immigrant and refugee students lose their native languages.

Assertion: Native language is part of EL's identity.

Assertion: Schools do not accommodate the ELs' native languages and identity.

Conclusion: The ELs do not want to be in a space that does not recognize them.

Several *topoi* contribute to the construction of the above arguments. The most significant are the *topoi of language and culture*. Samuel asserts that schools are spaces of assimilation not of accommodation, which implicitly includes the schools' acceptance of the ELs' identities (*topos of the other*) –“this is definitely a piece of your identity.” In this case, ELs' languages and identities are not seen as resources, but problems that need to be eradicated (Ruiz, 1984). Therefore, the ELs perceive schools as alienated spaces, detaching themselves from such a space.

In these paragraphs, Samuel uses several linguistic devices to support his standpoint. He expresses a high degree of involvement through the verbs of thinking and opinion, such as “I think”, “I don't know”, “that's my point,” the frequent pauses, and the modifying particle “so.” However, the salient feature of these texts is the range and the use of deixis. He employs both the speaker-inclusive and the speaker exclusive *We* to express

his association/dissociation with the educational actors that “don't have value” the ELs’ languages (Wodak & Meyer, 2016); this also can be seen as a pure formality considering that he has a different perspective on the issue and acknowledges the strong connection between language and identity: “I've read a little bit more about this notion of losing your language and the influence that that has on your identity” (*topos of authority*). Lastly is the use of deixis *you*, which confers illocutionary force to his stance.

7.2.2. High River School District

In 2019, when I interviewed Patricio and Rodrigo, HRSD eliminated the Title III Compliance administrative position and transferred its responsibilities to the Department of Special Projects and State’s Federal Programs.

7.2.2.1 Rodrigo. Counselor, principal at an elementary school, and now the director of Special Projects, which includes ESSA’s (2015) Title I and Title III, he is the only participant who does not have ESOL teaching experience. He worked with the ELs as a high school counselor and as an elementary school administrator. In his current position, he is responsible for Title I, Title III, and Title IV funding (e.g., special programs such as summer remediation courses).

In the following paragraph, he talks about the ELs from his experience as a counselor. This group of Somali students who moved to the U.S. with their families because “they were fleeing the difficult situation in Africa.” He uses a similar predication to describe their status as newcomers – “it was a difficult time for them” (*topos of challenge*).

22. I mean, the adjustment itself! I mean, yeah, coming from a different country, and coming to an American school, and, of course, there

are language barriers there...There are cultural differences, even though they're, they're, they're from Africa, and they may blend in with the student body; that didn't necessarily mean that they had the same experiences as African-American students who are from this country... to blend in because they had the same skin tone as everybody. Okay? Yeah, but the thing is, is that their, their religion was Muslim too, and so, they, the, the girls had to wear, you know, the heading, and sometimes they'll get picked on. I did not enjoy that at all. But anyway...so, they had to do, to make those... to make those adjustments due to their differences to a new environment.

Here, Rodrigo uses strategies of spatialization – “from Africa”, “to an American school” – de-spatialization – “from a different country” – ethnification – “Somalian students,” and reigionisation – “their religion was Muslim” to construct the in-and out-group discourse. Employing the *topoi of culture and difference*, he compares the Somali students to the African-American students “from this country,” and implies that although both groups have African roots, they belong to two different groups. Several linguistic devices support his argument that although they had “the same skin tone as everybody,” the Somali students had to make many adjustments (*topos of challenge*). The presence of the subjunctive in the metaphor “they may blend in” points to an impediment, which is expressed through another metaphor – LANGUAGE AS BARRIER (Santa Ana, 1997). The religious impediment, especially for girls, adds another layer to the challenge: “the girls had to wear, you know, the heading, and sometimes they'll get picked on.” Rodrigo concludes with, “they have to make those adjustments due to their differences to a new

environment” (*topos of necessity*). At this point, it is not clear what kind of adjustments the Somali students had to make, but based on Rodrigo’s prior standpoints, it can be inferred that they have to learn English to overcome the language barrier and to learn and adjust to the American culture and school system. It is worth noting that he is uncomfortable talking about the Somali girls being “picked on,” in his words – “I did not enjoy that at all. But anyway...so, they had to...” He abruptly ends his sentences and tries to change the topic.

Rodrigo continues by describing his experience as a principal at an elementary school with one of the largest EL population in the LRSD.

23. It was a wonderful experience! We saw great gains with them academically, especially when we had a myriad of different cultures. We had Mandarin, we had- ...*umm* but mostly students of Latino background, being from Central America, being from Mexico, but those students and the culture of their school was wonderful because we celebrated our differences because.... that was part ofyou know,the expectation was that we celebrated our differences.

24. Well, I think that the culture of the school... was that Hispanic families would try to move into our zone so that they can attend BES⁴³. That's how strong the culture was! *ummm* Great kids! Wonderful kids! Smart kids! I would also say that the parents felt welcomed because we had a welcoming environment and in some cases that's not always the case. I found out after I left there that we

⁴³ Pseudonym for the elementary school

were...I thought we were to expectation, but we were actually the exception because a lot of cases that were in a lot of schools that wasn't the case because they felt welcomed and wanted to be at BES and they felt loved.

In contrast with the previous extract (22), Rodrigo depicts a school environment that welcomes and celebrates diversity (*topos of difference*). He emphasizes the accommodating context of the school by using hyperbole “a myriad of different cultures,” superlatives such as “wonderful experience”, “the culture of their school was wonderful”, “phenomenal teachers”, “Great kids! Wonderful kids! Smart kids!” and the repetition of the deixis *We* and *I*. However, his examples are a mix of terms referring to language, ethnicity, country, and geographical region: “Mandarin and students with Latino background” from Central America and Mexico (*topos of culture*). Exclamatory clauses and phrases add to the illocutionary force of his utterance. Moreover, he supports his argument through a *topos of example*, which refers to the fact “that Hispanic families would try to move into our zone so that they can attend BES. That's how strong the culture was.” The deixis *We* (*speaker-inclusive*) is used when he talks about the welcoming diversity at the BES; however, he changes to *I* to emphasizes that this was a unique situation, and most of the time, the ELs languages and cultures are not accommodated in a school setting – “I thought we were to expectation, but we were actually the exception because a lot of cases that were in a lot of schools that wasn't the case.” The discursive construction of Rodrigo’s in-group (i.e., the U.S. educational system) and the out-group of other/ELs, the characterization of *us* and the ELs is summarized in table 7.5. The range of nominations and predications creates a contrasting image of both groups.

Table 7.5*Nominations and Predications in Rodrigo's "Us and Them" Discourse*

Them	Us
them, they, those	we, I, our, here
they were fleeing difficult situation in Africa	to be here
their transition	the culture of school
a difficult time for them	school is a government entity
the only population that need it ESOL	school district, leader
kind, very kind, wonderful children, very respectful, hardworking	
did whatever that was asking them	
coming from a different country	to an American school
cultural differences	I don't think that we're patient with people that come from different places
they may blend in	student body who are from this country
they had to make those adjustments	we treat people differently because they speak another language/ because they sound differently
a myriad of different cultures	we had preconceived notions that we created in our society
ESOL population	
Latino background	we had phenomenal teachers
from central America	we were actually the exception
from Mexico	we celebrated our differences
ESOL students in some cases ended up outperforming students that weren't ESOL	students that weren't ESOL
parents felt welcomed	
because of the culture they don't see the importance of graduating	we had a welcome environment
learning English which is a true statement of what they are trying to do in order to be successful in this country	our zone [school]; the system
EL, their goal is to learn English so they can be successful	we have to eliminate the barrier of the language
at risk due to the fact that they speak English as a second language	
people that come from different places	we have 60 languages
	we have a myriad of students
	we lack empathy sometimes in trying to understand where these kids are coming from
new to this country be it from wherever you're from	we have blinders
codeswitching	
live in both worlds which everybody can't do	

Similar to the content of the previous extracts, Rodrigo constructs an image of the ELs that acknowledges their culture and language; however, he gives legitimacy to English and removes legitimacy from the ELs' native languages (*topoi of language and English*). For example, he considers that English is the only path to academic and social success-

“ELs, their goal is to learn English so they can be successful.” In this case, the ELs are “at risk due to the fact that they speak English as a second language.” Moreover, he adds that “learning English which is a true statement of what they are trying to do in order to be successful in this country.” These statements somewhat contrast with the image of welcoming different cultures he illustrated in his previous extract. The predications that Rodrigo attributes to the ELs: “they live in both worlds which everybody can’t do”, “codeswitching”, “because of culture, they don’t see the importance of graduating”, “kind, very kind, wonderful children, very respectful, hardworking”, “did whatever that was asking them” define ELs as struggling and at risk in a school context that does not accommodate, but assimilate.

The discursive construction of *us* can be perceived as an explanation for the EL’s “difficult time” in U.S. schools. Rodrigo defines the in-group as the “government entity,” which includes the schools, the districts, and the educational actors. The choice of verbs and the related actions depict the “American school” in negative ways: “I don’t think that we’re patient with people that come from different places”, “we treat people differently because they speak another language because they sound differently”, “we have to eliminate the barrier of the language”, “we lack empathy sometimes in trying to understand where these kids are coming from.” Overall, he asserts that the in-group lacks empathy for diversity, and more importantly, they are not willing to accommodate bilingualism but to eradicate it.

7.2.2.2 Patricio. HRSD’s Title III compliance administrator for five years, working in the ESOL department for more than ten years, teaching abroad, and now the district’s Innovation Program designer. Patricio has been in education for more than sixteen years.

The day I interviewed him marked his first day in his new position. Beside being the district's Title III compliance administrator, he worked as the ESL Department Lead teacher and Technology and Innovation for almost twelve years.

Reflecting on the ELs, Patricio employed a nuanced array of nomination and predication strategies to illustrate the changes that occurred over time in the ELs' population enrolled in his district (extracts 25 and 26; Table 7.6).

25. The numbers of immigrants have been growing back then *umm* but not to the level that they have the past, you know, 5-7 years. We've really seen a lot of big increase *umm* but the numbers have been steadily rising.

26. But I mean you always see *umm* students come in *umm* from overseas or from, you know, from South of the Border usually willing, and willing to learn and ready to go, and I think, I've seen that consistency. I think, more recently which would be like the mid-range maybe, you know, seven years until the present just a lot more adolescent newcomers coming unaccompanied. So that would be a big shift.

The narrative constructed in these text rests predominantly on strategies of actionalization, spatialization and de-spatialization, and culturalization. Comparing and contrasting the ELs “from back then” (when he started teaching ESOL) with the ones from the last five years⁴⁴, Patricio refers to the ELs in terms of their immigration status and in relation to toponyms denoting their place of origin and their language and ethnicity such as “immigrants”, “from overseas”, “from South of the Boarder”. “from Honduras, Guatemala”, “U.S. born”, Arabic, Korean, and Spanish speakers. He succeeds in creating

⁴⁴ See Chapter 1, page 1 for more details.

the image of a “myriad of cultures” mentioned in Rodrigo’s discourse. However, in describing the “big shift” in the ELs’ characteristics, Patricio creates a semantic field of lacking: the newcomers are “without their families”, “undocumented and unaccompanied”, “living with relatives”, and young – “kids” “youth,” “adolescent” (they lack physical and emotional protection)

He considers that the current socio-economic⁴⁵ and political context contributed to the change in ELs’ demographics in U.S. public schools (*topoi of ideology and history*).

27. Yeah, and maybe just the nature of the political climate now, it's more complex and there's more fearwith families, then I think there was prior. I mean there's always been that fear and apprehension, but I think the past couple years have sort of ramp that up and *umm* a lot of students suffering from, you know, what I would say would be like PTSD kind of symptoms. There's just a lot more that seems to be at the forefront of their minds whereas in the past, it was more hidden. That's a riff that I think would be different.

The contrast between the two ELs population is further developed in the above paragraph, and it is supported by the lexical field of threat and fear (*topoi of danger and threat*): “fear”, “apprehension”, “suffering”, “PTSD”, “riff.” The anxiety and the fear (assumably of the undocumented students, which he previously mentioned) that was always present, but “hidden,” was “ramped up” by the political context and created “PTSD kind of symptoms” for the ELs and their families. I assume that he makes an intertextual

⁴⁵ He makes the distinction that the latest newcomers are from Guatemala, Honduras, and (assumably) Iraq, Syria, or Yemen (Arabic speakers). Places that are going through a socio-economic and political crisis.

allusion to President Trump's Executive Order on Immigration and Refugees (Center for Migration Studies, 2022).

According to Patricio, the socio-political factors and the increasing number of immigrants made the issue of the ELs and their families the main topic; in his words, it brought it "in the front of the conversation again."

28. So I think people may have their own perceptions on the families that are coming or the students that are here, whether it be positive or negative, because some folks might really celebrate the fact that people are here; and they're trying to make a better life for themselves, their families, and others might see it more as a, you know, there's sort of an invasion going on where these students and families are taking the resources away from, you know, true, you know, red-blooded Americans and so, that you know, those kinds of things can get into the mix because we have, you know, both sides, and any district is going to have both kinds of people, and, I think, both have valid viewpoints.

He considers that "people's perceptions" about the ELs and their families are divided and employs several *topoi* and linguistic devices to support his argumentation. The most salient are the *topoi of threat and immigration* expressed through the metaphor IMMIGRATION AS INVASION. In this case, he clearly shows that the ELs are perceived as a budgetary issue and cultural alarm by the "true, red-blooded Americans" (Santa Ana et al., 1998). Here, he adds another metaphor to define the in-group and show their distinct dissociation with the Other (*topos of ideology*). As Reisigl and Wodak (2016) and Santa

Ana (1998) argued, these are common *topoi* and metaphors used in *Us* and *Them* discourse to justify the exclusion or the inclusion of the other. However, like Rodrigo, he also acknowledges the in-group that celebrates and welcomes the Other (*topoi of culture and difference*).

The same *topos of burden* supports Patricio's next argument:

29. We have one school that's, you know, a quarter of their students are ELs who are still in the program taking ACCESS. So, of course, you know, if they're thinking about ESSA and they're thinking about the school report card, then 10% of their score is from just ACCESS test, and then that quarter students are also a quarter of all their other scores. So, I think that could definitely factor into how they see the students, which could either be like seen as like a burden of, like, oh no, like, we're like almost like a well. A newcomer is not going to pass all these tests anyway, so that's kind of like an automatic ding. So, I think that would be natural for someone to kind of sort of see it as I get a liability almost at the more ELs I have.

Although most of the participants considered that ESSA's (2015) new accountability mandates raised the importance of ELs' education in school, Patricio also illustrates, via the *topoi of example*, that the same requirements lead to the ELs being perceived as a burden (*topoi of number and burden*) – “that would be natural for someone to kind of sort of see it as I get a liability almost at the more ELs I have.” He punctuates his standpoints with modifying particles and verbs of opinions and beliefs such as “I think”,

“so”, “you know”, “like”, which confer a high level of subjectivity to his discourse (Wodak, 2009).

In the last extracts included in this section, Patricio considers the relation between labeling and the ELs’ identity. Similar to the other participants (Samuel in particular), he argues that “the deficit mindset can creep in pretty quickly like you know ... all these kids can't do this. They don't know that, or they don't understand this. I think that can be detrimental.” Moreover, in the following extract, he asserts that the many layers of the U.S. educational system can constrain the ELs’ identity

31. Kids coming from a completely different cultural background, language background, socioeconomic status could be very different and then...there's culture shock and mixed with that *umm* and we hope that the kids will maintain an optimism as they go through the system. But sometimes the system can be tough, you know, like ...the greater federal and state system and then the school system is its own thing and the ...school itself andthen the classrooms there's just a lot of systems at play.

In this text, Patricio illustrates (1) how the multilayered educational onion becomes a “tough system” for the out-group; and (2) how the cultural, linguistic, and socioeconomic differences act as impediments for the newcomers (*topoi of culture and language*). The *topos of burden* seems to support the argument that “a lot of system at play” overwhelms the ELs, and as the “kids go through the system,” it can be detrimental. In this case, the U.S. educational system becomes a burden for the out-group, for the ELs.

Table 7.6*Nominations and Predications in Patricio's "Us and Them" Discourse*

Them	Us
EL, ELL, ESOL	most teachers and administrators aren't savvy with ESSA and how terminology has changed compliance, ESSA's Title III
immigrants	teachers, principals, administrators
students from overseas	the deficit mindset can creep in pretty quickly
from South of the Border	District, ESL Program, State Department
willing to learn	They maybe had their preconceived notions of who the students [EL] maybe
adolescent newcomers	
unaccompanied youth	prior experiences of administrators and teachers with other ELs
a lot of just undocumented kids coming in without their families	some teachers really enjoy diversity; others are scared of it
less Korean, Chinese, Arabic speakers and obvious more Spanish speakers from Honduras, Guatemala. A lot of students from Mexico and Puerto Rico	underlying assumption
Asia, Asian students, Latino/Hispanic	
a lot of students suffering from PTSD	the nature of political climate now
different ethnicities or group of people	people
completely different culture background, language background, socioeconomic status	there's all these underlying assumptions
culture shock	
unique, multicultural, a lot of flexibility, grit or determination, optimism	new place
	the system, the greater federal and state system; the school system, the school itself, and the classroom
	a lot of systems at play
	the system can be tough
	we just see the language
a lot of experience and wisdom that these students possess	
U.S. Born, still in the program	our program
students are dealing with both the language and the broader culture	language barrier could be seen as a difficulty or annoyance
culturally and linguistically diverse students	a teacher or a staff member is not thinking culturally
bilingualism, biculturalism, biliteracy	besides DLI, you cannot instruct in other language
they, them, these	I, we, our, here

Finally, it is worth noting that Patricio negatively predicates the in-group. The *We*, the in-group, includes both objective and subjective educational actors such as ESSA (2015), the system, administrators, principals, and teachers. They are often referred to vaguely as "some teachers" and "other teachers," and the verbs and related actions attributed to them somewhat reflect the deficit mindset. They "aren't savvy", "they have

preconceived notions of who the students may be”, “some teachers are scared of diversity.”
In sum, the system has underlying assumptions, and “it is not thinking culturally.”

7.3. Chapter Summary

In Figure 7.1, I summarized the analysis of the semi-structured interviews.

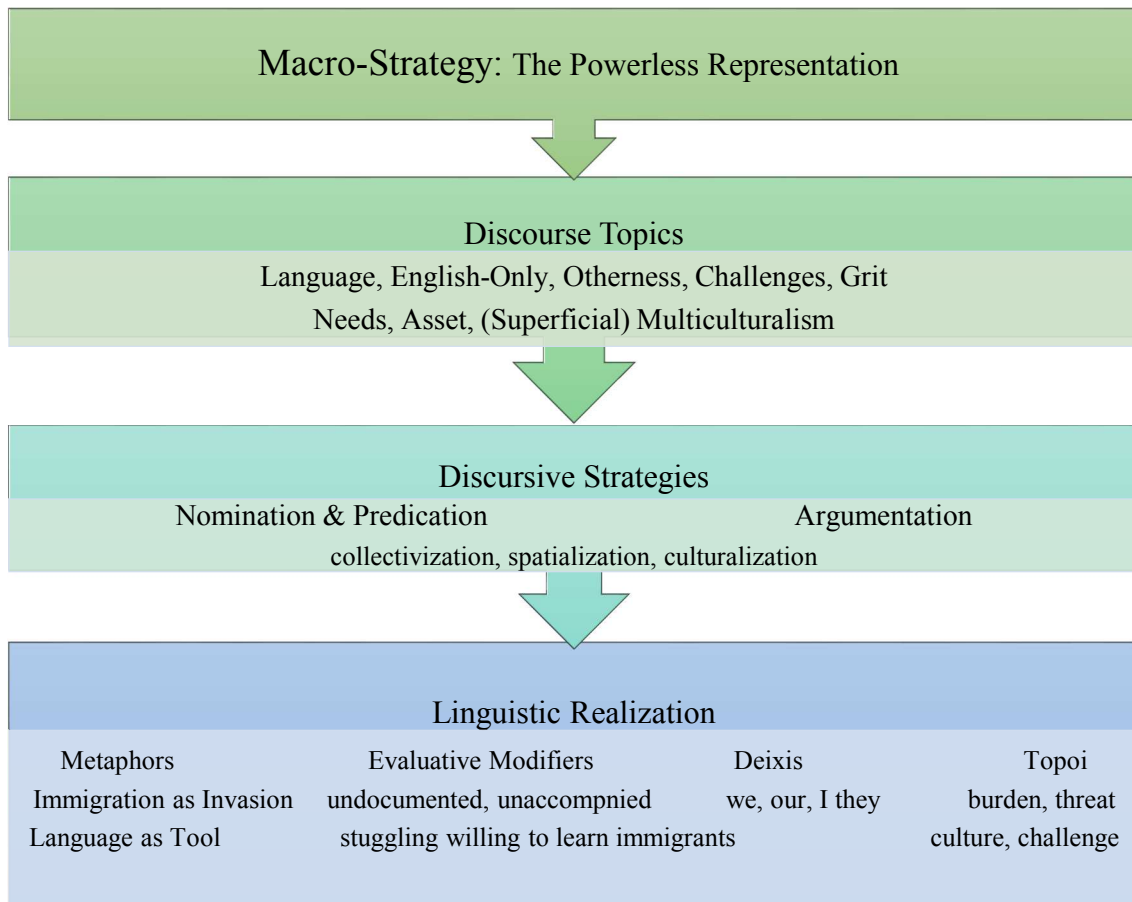


Figure 7.1. *Summary of Levels and Categories of Semi-Structured Interviews Analysis (Data Set II)*

The macro-strategy of Powerless Representation emerged as the overarching analytical category; the discursive strategies of nomination, predication, and argumentation and their linguistic forms of realization constituted the next level of analysis. To illustrate each level and category, I also included examples from the analyzed texts.

CHAPTER 8

DISCUSSION AND CONCLUSIONS

In the final chapter of this thesis, I summarize and discuss the findings from the analysis. I present the contributions this study makes to field of critical studies and future research. I share the limitations of this thesis, and I conclude with significant insights that emerged as a result of this inquiry.

8.1. The (Dis)connect Between Data Sets as Layers of the Education Language Policy: Findings and Discussion of Analysis

I organized my study's findings based on both the analytical categories and my research questions. The constructive and argumentation strategies analyzed in the previous chapters correspond to the questions that guided the thesis. Therefore, in this section, I provide a summary of the findings for each level of analysis, followed by a discussion.

8.1.1 *The Discursive Strategies*

Although the public and the private texts are two different genres, they constitute part of the same discourse about language in education policy. Figure 8.1 illustrates the main discursive strategies employed by the educational actors to construct the ELs' identity. The *(mis)representation* emerged as the overarching constructive macro-strategy (Wodak et al., 2001). It was used in both data sets to achieve the discursive construction of the ELs' identities, which I defined as *(mis)representation through omission* (public texts) and *powerless (mis)representation* (private texts). With two exceptions (the assimilation and transformation strategies), the two discourses rest on the same strategies, nonetheless

they used them to construct a divergent representation of ELs' identity (see Figure 8.1.). For example, the educational actors employed legitimization strategies in both data sets; whereas the public discourse used the strategy to give legitimacy to English, the private texts give 'powerless' legitimacy to ELs' languages.

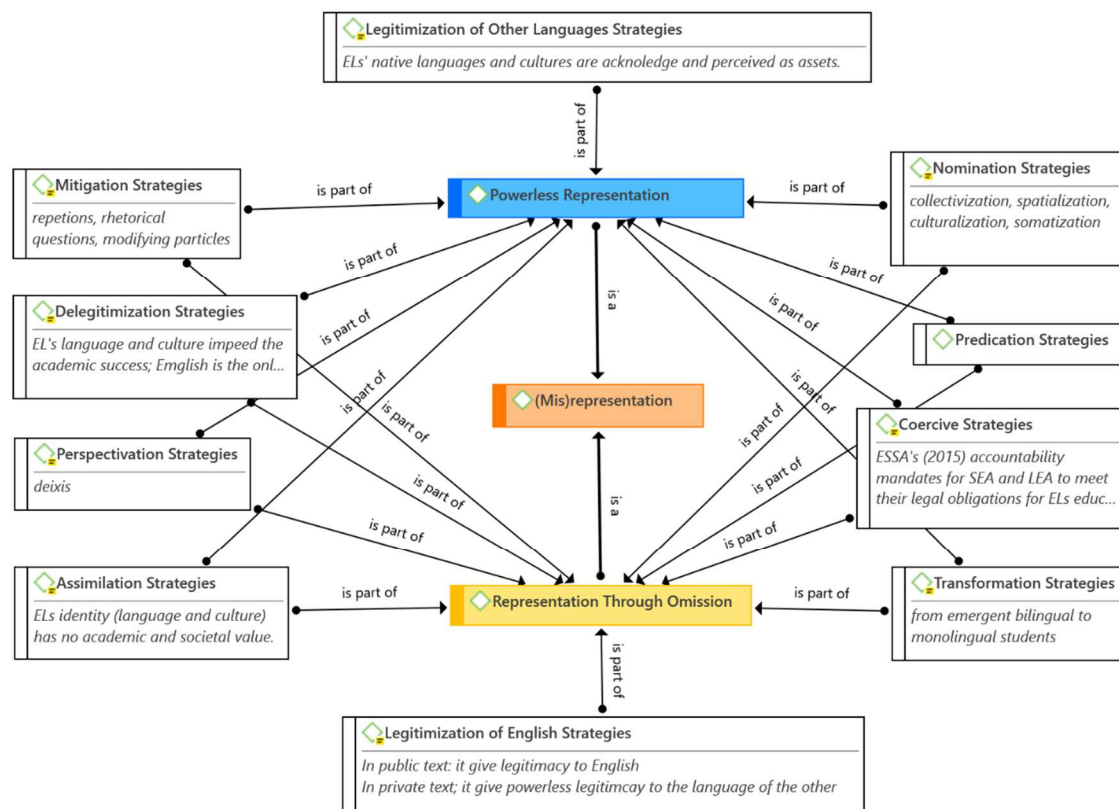


Figure 8.1. *Macro-Scheme of the Strategy of (Mis)representation*

I considered the private discourse and implicitly the strategies employed by its authors, to be “powerless” because the educational actors at the meso- and micro-levels have minimal power over the public discourse as it translates into legislation related to the ELs' education (Wodak, 2011)⁴⁶. As a top-down language policy embedded with a monolingual ideology, ESSA's Title III makes competence in English compulsory for

⁴⁶ A detailed discussion about Wodak's (2011) model is present in Section 3.3 of this thesis.

success and delegitimizes other languages (Wodak, 2011; Johnson, 2010, Ricento, 2003). Several other factors constrain the educational actors' power over the discourse: funding for ELs education, the Southern State's official language legislation (English is the official language of the state), and the legislators – those “who determine whether languages, linguistic behavior and identities are accepted” (Wodak, 2011, p. 216). In Patricio's words, it is “a lot of system at play.”

The transformation strategy is used in the public text to achieve “the English-Only therapy” (Santa Ana, 2002, p. 204). ESSA's Title III gives ideological privilege to English and denies the validity of other languages. The ELs' native languages are perceived as a problem and considered “inessential” for academic and social success (Santa Ana, 2002). The emergent bilingual students become the subjects of monolingual treatment.

Supporting the English-only goal of ELs' education is the coercion strategy. It is present in the public texts at all levels of LPP union, and it was perceived as both a burden and an improvement. The participants in my study considered that, on the one hand, the new mandates “prioritize the importance of ELs and their education” (Silvia); on the other hand, the new accountability requirements are “unfunded mandates” (Samuel): the federal government provides Title III grant money for ELs supplemental literacy materials, or for school-family partnership and professional development for teachers, but the LEAs have to fund the ESOL programs in their schools (e.g., ESOL teachers and instructional assistants).

As expected, the nomination and predication were the main discourse strategies employed in both data sets. They correspond to the central question of this inquiry: how

Table 8.1

Summary of the Main Nominal and Predicational Strategies Employed in the Data Sets

Strategy	Us	Them (public texts)	Them (private texts)
Collectivization	<ul style="list-style-type: none"> - we, us, our, my, you, I - our Nation's schools - all children, the majority - the U.S. public schools and public education system - their peers - not ELs - a nation of immigrants - our native speakers - kids who are not ELs - the mainstream students - members of [the U.S.] society - student body who are from this country 	<ul style="list-style-type: none"> - them, they, who, their, those - ELs, ELLs, MLs, LEPs, LTELs, SLIFEs - individuals, new-limited English proficient - ESOL students and families - not-bilingual students - non-English proficient students - speakers of other languages - culturally and linguistically diverse students 	<ul style="list-style-type: none"> - them, they, their, you, those, these, themselves - ELs, LEPs, MLs, - dual language learner/ individuals - newcomers EL - diverse learners/global learner - bilingual, emergent bilingual, they speak two languages - they are America - people who come from different places - speakers from Honduras, Guatemala, - a lot of students from Puerto Rico and Mexico or Asia
Spatialization/ De-spatialization	<ul style="list-style-type: none"> - the Southern State - into this place [the Southern State] - America - in this context - here - in the U.S. - American society - the U.S. 	<ul style="list-style-type: none"> - not born in the U.S. - resident of the outlying area (i.e., Puerto Rico, Hawaii, American Samoa, Guam, Palau, Marshall Islands, Mariana Islands) - new place 	<ul style="list-style-type: none"> - who were born in the U.S. - their different countries - who were born and raised in America - children of workers from Mexico - from other countries - kids coming from another part of the world - kids from South Asia and Southeast Asia, Vietnam - fleeing difficult situations in Africa - coming from a different country - from central America - from the overseas - from South of the Border

Strategy	Us	Them (public texts)	Them (private texts)
Actionalization/ Professionalization	<ul style="list-style-type: none"> - the U.S. educational system - the State Department of Education - SEA, LEA, schools, districts, leaders - administrators, principals, teachers - the legislature - politicians and political figures who don't understand - a person of privilege - federal and state programs - ESSA (2015), the ESOL program - mainstream America public schools 	<ul style="list-style-type: none"> - refugees - recently arrived - asylees, - newcomers - New American 	<ul style="list-style-type: none"> - U.S. citizens - newcomers - first generation Els - undocumented - students - learners - minority - new to this country be it from wherever you're from - unaccompanied youth
Somatization		<ul style="list-style-type: none"> - aged 3 through 21 - immigrant children and youth 	<ul style="list-style-type: none"> - kids - children - adolescent newcomer
Culturalization and Originalization	<ul style="list-style-type: none"> - the U.S. public education system - nationwide - the U.S. States - the American society - the school culture - native peers - native English speakers - [the U. S.] social norms - the culture of school 	<ul style="list-style-type: none"> - diverse group - Native American, Alaska native - Hawaiian Native, Pacific Islander native - global learner 	<ul style="list-style-type: none"> - Hispanic cultures - pockets of communities - a large migrant Hispanic population - my Hispanic students - different population - first generation born in the U.S. - Korean, Chinese, Arabic speakers - heritage speakers - Middle Eastern kids - bicultural or multicultural kids - students with cultural differences - Latino Background - different ethnicities or groups of people - complete different cultural background

Strategy	Us	Them (public texts)	Them (private texts)
Social-problematization	<ul style="list-style-type: none"> - how much people don't understand about the ELs - they are trying to make them fit into what society says 		<ul style="list-style-type: none"> - closer to the poverty line, students getting free and reduced lunch - disenfranchised population - background of poverty, marginalized - who get charity from school - the kids with the most needs - deemed to be of need - at risk due to the fact that they speak English as a second language

do diverse educational actors at the macro-, meso-, and micro-levels discursively construct the ELs' identity. Table 8.1 contains an overview of the significant referential strategies found in the analyzed texts. As already illustrated in the analysis chapters, the two discourses strands supported the realization of two contrary perspectives of ELs' identity: *(mis)representation through omission* and *powerless (mis)representation*. Overall, the public texts legitimized a deficit discourse of ELs identity, whereas the private texts promoted an asset-based discourse (Ruiz, 1984).

Several aspects of the two ELs' representations are worth noting. First, the public texts entailed a discourse of assimilation and Americanization (Ricento, 2003) by employing nominations and predications that create a semantic field of lacking, need, and frame the ELs in relation to English such as ELs, ELLs, LEPs, LTELs (Ruiz, 1984). Second, missing from the public discourse, with one exception, are the terms bilingual and bilingualism; therefore, I considered that the public texts misrepresented the ELs' identity through omission. The only time the term bilingual is present, it has a negative attribute: LRSD used the term "students who are not-bilingual" as a criterion for the testing and enrollment in the ESOL program based on the HLS report. Third, the lexical analysis indicated many EL-related terminologies in both data sets. These terms proliferated as though there were a need to lexically replace the absence of bilingualism (van Leeuwen & Kress, 2011; Santa Ana, 2002); moreover, the ELs are referred to mainly through their English-speaking ability as most of the terminology used to define them is based on compound nouns where English is one of the terms: EL, ELL, LEP, LTEL or non-English proficient. Finally, the participants expressed what I framed as "powerless support" for bilingualism and criticism towards the monolingual goal of ELs' education present in the

public discourse; overall, the private texts' authors supported bilingualism more so as acknowledgment as opposed to a state or district program due to the Southern State's official language laws and ESSA's (2015) accountability requirements.

Another important finding is the predication *We* as part of the in-group and out-group discourse. In Table 8.2, I summarized the choice of verbs and related actions attributed to *we* in the private texts because they provide essential insight in the discursive construction of the in-group as the author of the discourse about the other, the ELs. In this case, the in-group has both the "power in discourse" and the "power over discourse" and therefore determines the "power of the discourse"⁴⁷ (Wodak, 2011, p. 217).

Although, at times, the participants distanced themselves from the speaker-inclusive *We*, they all constructed a negative image of the educational system and its actors.

Table. 8.2

Summary of Referential Strategies for "Us" in Data Set II

Referential Strategy	Linguistic Means	Realization
Collectivization	Deixis: WE	We don't talk about differences.
		We need to include.
		We put so much pressure.
		We are setting lofty goals.
		We cripple people sometimes.
		We devalue what they bring as far as their language.
		We are creating monolingual students in English
		We are not doing bilingual education in the Southern State.
		We have self-contained ESOL.
		We don't have a bilingual brain.
		We have to change perspectives
		We have teachers who are good teachers, but still see the deficiencies in kids.

⁴⁷ See Figure 3.1 in Chapter 3 in this study for a detailed discussion.

Referential Strategy	Linguistic Means	Realization
		I don't think that we are patient with people who come from different places.
		We treat people differently because they speak another language.
		We have preconceived notions that we created in our society.
		We lack empathy sometime trying to understand where these kids are coming from.
		We have blinders.
		We have to eliminate the barrier of the language.
		We just see the language.

These attributions align with findings and standpoints raised by other scholars such as Crawford (2000), Cummins (2000), García & Kleifgen (2010), Lawton (2013), and Schmidt (2000). They argue that English-only ideology, the linguistic and cultural diversity of the ELs, political and economic interests are several factors that fuel the debate over language in education in U.S. public schools and contribute to the deficit discourse related to the ELs' identity. In other words, the discussion about ELs' identities and bilingualism encompass the debate about the use of power and control over language use within the broader society (Johnson, 2010).

8.1.2 *The Argumentation*

The *topoi* were an intrinsic part of the argumentation employed by the educational actors of the analyzed texts to support their standpoints. In Table 8.3, I included a list of the main *topoi* identified during the analysis and a brief discussion of their usage/definition.

Table 8.3

Topoi Found in the Analyzed Texts

<i>Topos of</i>	Definition
history and immigration	Past immigrants have faced different levels of acceptance and integration; therefore, the current immigrants may face the same challenges.
history and legal obligation	Legislation was necessary in the past to address the ELs' educational needs; thus, ESSA (2015) follows the same path.

<i>Topos of</i>	Definition
compliance and legal obligation	The legitimization of ELs' educational path through legislation; using federal funds requires compliance to the federal mandates.
challenge and necessity	Native language and culture impede academic requirements; therefore, monolingual education is the necessary path to academic achievement.
burden (for the ELs)	Native language, culture, and religion are not accommodated in school; Because it does not value their identities, the U.S. educational system is a burden for the ELs who need to give up their language to be academically successful.
number	The influx of ELs constitutes a fiscal burden for the SEAs and LEAs and a cultural threat to the Anglo-American cultural hegemony.
burden (for the U.S.)	The immigrants and the ELs are a financial burden for the U.S. educational system; they need to learn English as fast as possible (5 years).
language	Language is a tool for integration and academic success.
danger and threat (for the ELs)	Due to their immigration status, the ELs and their families are not always comfortable in school.
ideology	It represents the current socio-economic and political context which is not favorable to the change in the U.S. demographics.
other	Linguistic, cultural, and religious diversity are the attributes of the out-group.
ideological change	The educational system has a mindset of deficiency regarding the ELs' identity; therefore, it has to change; it is only possible if the socio-political perspective on immigrants changes because the language in education policy is politically motivated.
framing	The deficit perspective attached to ELs' identity impacts their learning; therefore, it has to change to more complex and asset-based identifiers.
religion	Because they wear a hijab, they [girls] are Muslims.
accountability and authority	The SEAs and the LEAs did not pay much attention to the ELs education; therefore, ESSA (2015) coerce them to make that a priority.
academic success	English-Only is the path to academic success; therefore, the ELs need to
transformation	The ELs have issues learning English and integrating in the U.S society; therefore, the NTK and ELTK can help.
authority	English-Only is the goal of U.S education; therefore, ESSA (2015) give legitimacy to English and removes it from other languages.

The educational actors of both texts used some of these topoi to support opposing arguments. For example, the *topos of burden* was used in public text to express financial burden for the U.S. schools due to the “fastest growing population of students” (U.S. Department of Education, 2017b, p. 4). In contrast, the private text expressed the ELs' psychological and emotional burden of daily navigating two linguistic and cultural contexts. The *topos of threat and danger* were also used unusually. This case supported the

argument of the current social and political context being a constant threat for ELs and their family due to their residential status. All participants drew on their experiences as educators to build their argumentations and challenge the public discourse.

8.1.3 *The Linguistic Forms of Realization*

Metaphors, deixis, and passivity were the most used linguistic forms of discourse realization in both data sets. As Stoeckner and Wodak (2015) argued, they are power-dependent semiotic means used to construct the positive self and negative other presentation. The metaphorical language in the analyzed texts can be placed in two categories. The metaphors present in both discourses were employed to justify the nominations and the predications attributed to the ELs and to their languages and cultures (Table 8.4). These metaphors are part of a conceptual system that contributes to view of English as the normal and natural medium of human communication, while other languages are impediments (Santa Ana, 2002, p. 238). The public discourse on language in education constructs English as the only language adequate for social and academic success, thus silencing or relegating the other languages to a lower status. Consequently, the ELs' identity is constructed in deficit or negative terms by omitting their languages and cultures from the public discourse.

It is worth mentioning that, although the metaphors employed in the public texts instead promote a discourse of assimilation, the SOCIETY AS MELTING POT metaphor, ubiquitous in the *Us-Them* discourse, was not present (Ricento, 2003). The texts (i.e., NTK) used the NATION AS FABRIC metaphor instead, which conveys an image of the U.S as a nation that accommodates rather than assimilates. However, this perspective contradicts the ideology present in the English-only discourse of ESSA's (2015) Title III.

Table 8.4*Summary of the Metaphors Found in the Analyzed Text*

Metaphor	Public Texts	Private Texts	Argumentation
LANGUAGE AS TOOL	√	√	The tool to achieve academic and social success
LANGUAGE AS BARRIER	√	√	Languages other than English are impediments to their educational success.
LANGUAGE AS HANDICAP	√	√	EL's native language prevents them from being academically and socially successful.
EDUCATION AS PATH	√	√	It represents the ELs' journey from emergent bilingual to monolingual student. Their identity is an obstacle to academic success.
LANGUAGE and CULTURE AS HAIR AND EYES		√	Language and culture are an organic part of a person's identity.
NATION AS FABRIC	√		A society in which immigrants' languages and cultures are accommodated, not assimilated
EDUCATION AS TOOLKIT	√		A set of educational tools to fix the problems that the ELs have because of their native language and culture.
ENGLISH-ONLY AS THERAPY	√	√	Learning English is the only path to academic and social success (i.e., the goal of language in education policy).
IMMIGRATION AS INVASION	√	√	The increasing number of ELs/immigrants enrolling in U.S. schools.

Alternatively, the metaphorical phrases present only in the private discourse were used to describe both the in- and out-groups and their related actions (Table 8.5). The examples included in Table 8.5 create interconnected metaphorical images related to ELs, their language and education, and the negativity of the education system; overall, it depicts an image of a school context that does not accommodate the EL's identities and where their languages are problems (Ruiz, 1984).

Table 8.5*Summary of the Metaphorical Phrases Found in Private Texts*

Metaphor	Argumentation
we cripple people sometimes	The education system harms ELs' identity.
[EL] are empty vessels that need to be filled	Lack of agency; The educational system ignores ELs' linguistic and cultural background.
Kids in our program [ELs] get the short end of the opportunity	Subtracting perspective affects ELs regarding the quality of their education, teachers, and perception of their identity.
ELs try to fit the mold of normal	The ELs want to fit in at the cost of their native language and culture most of the time.
we have blinders	The prejudice attached to the identity of the other.
when we peel back all these layers	The complexity of ELs identity
living in two worlds, which everybody cannot do	The effort the ELs have to make daily to navigate two different linguistic and cultural spaces.
negative mindset creeps in very quickly	The stigma and prejudice based on race, language, and culture.
no room for native language	The schools and classrooms are spaces that do not acknowledge or accommodate the language of the other.
this place does not recognize who you are	The school contexts do not validate ELs' identity
they [the ELs] are America	The ELs are an intrinsic part of the U.S. identity.

8.1.4. Intertextuality and Interdiscursivity

The intertextuality and interdiscursivity can be considered the most salient and overarching analytical categories of the two data sets. Therefore, they are equally important for understanding the various layers of the language in education policy. The complex linkage between the texts included in this thesis extended beyond the texts from the public sphere to the second set of data, the semi-structured interviews. Whereas different genres, the intertextual and interdiscursive relationships helped to understand how the perspectives promoted by the diverse educational actor regarding ELs' identities are interlinked differently. For example, the participants in this study contested the ideology promoted by

the public texts. However, they built their counterarguments by intertextually connecting them to ESSA (2015) and its supporting materials. As expected, interdiscursivity is another category that connects the two data sets: the public and private texts are topic related. However, the participants expressed contrasting perspectives about the topics found in public texts.

8.1.5. *Visual Analysis*

The visual analysis of the NTK's (2017) and ELTK's (2017) covers suggested that images can advance and defend standpoints. As such, they can be considered complex visual arguments that integrate cognitive and emotional, rational and irrational (fallacious) elements (Wodak, 2016). The two covers represent visual examples of coordinately compound argumentation, in which pictorial and linguistic elements support each other, advancing a view of ELs' identity as the 'other': the newcomers struggling to speak/ or speaking no English, therefore in need of a toolkit to educate (Richardson & Wodak, 2009).

Ricento (2003) asserted that how a group “comes to have an identity” is a complex process (p. 630). Yes, discourses can be fruitfully “studied as sites in which the work of ...identity construction is revealed. Language (and a text of that language) both (re)produces and reflects social relations and practices” (Ricento, 2003, p. 630). In this section, I summarized and discussed two discourse strands represented in the texts analyzed in the previous chapters: the (mis)representation through omission and the powerless (mis)representation. In sum, the findings of this study showed that:

1. The educational authors of public and private texts constructed the ELs' identity differently, which led to a (dis)connect between the two discourses;

this missing link negatively impacts the ELs' identity and educational opportunities.

2. All participants acknowledged that ELs' need to maintain their native language and become bilingual, whereas ESSA (2015) and its supportive materials only promoted English as the only language.
3. ESSA (2015) changed the label used to define the ELs; however, it promotes the same monolingual narrative of ELs' identity as the NCLB. Moreover, the nominations and the predications used in the public discourse to describe the ELs' identities rest on the negative attribution of "not," need, and language as problem (Ruiz, 1984).
4. To support the improvement of ELs' educational outcome, ESSA (2015) reshaped the accountability system by including them in the school-level accountability system; however, it missed the opportunity to include bilingualism and bilingual education as one of the main components of ELs' language acquisition plan.
5. Due to federal mandates and the Southern State's official language laws, bilingualism and bilingual programs are not an option for the State's education of ELs.
6. The actors engaged in the educational process (at meso- and micro-levels), challenged the public discourse and endorsed it through powerless compliance.
7. The ESSA's supporting documents are powerful discursive tools with dual objectives. For example, the Home Language Survey is, on the one hand,

used to identify the ELs that need English academic support; and, on the other hand, it seems that it rather punishes multilingualism and reinforces monolingualism.

8. Any language policy discourse leads to an ideological issue (Johnson, 2010). This study showed that discursive practices could (de)legitimize and (mis) represent the identity of a group, in this case, the ELs, through language policies.
9. The participants in this study argued that labeling and the existence of a systematic deficit mindset have a negative impact on ELs' perceived identities and their academic performance; additionally, schools (i.e., of the LEAs included in this study) were described as spaces that do not accommodate linguistic and cultural differences.

8.2. Contributions to Research

This thesis contributes to educational research in several ways. First, by employing the critical perspective and the theoretical and the methodological orientation of the discourse-historical approach it contributed to the field of CDA. In this case, the dissertation research showed that the DHA's framework is suitable for unpacking the ideologies used to construct the ELs' identities in both written and oral texts. It also helped to make more pronounced the intertextual and interdiscursive connections between the various layers of the educational policy, the present and past language in education policies, and the two data sets.

Researchers used different methodological and theoretical approaches to examine the ELs' identity construction in relation to variables such as literacy (Danzak, 2011;

Cummins, 2000) and academic success (Hafner, 2013), yet, they have paid limited attention to the educational policy text and in particular various educational actors' discursive construction of the ELs' identity. This inquiry fills that gap in the literature, both theoretically and methodologically; on the one hand, it contributes to the body of literature on identity, and, in this case, on the identity of the learners of English as an additional language (Lee & Anderson, 2009, Danzak, 2011; Langer-Osuna & Naser, 2016); on the other hand, it adds to the body of studies that have used DHA as a method to investigate the ELs' identity during the process of appropriation of a new education policy (Alford, 2014).

More specifically, it adds to the understanding of the language in education policy and how it (mis)represents the identity of the ELs by silencing their language and culture renders it invisible, and of the various educational actors' perspectives on LEALs' identities. The study showed the (dis)connect between the public discourse and private discourse in the textual construction of ELs' identity. Whereas both discourses employed the same strategies to construct a "language as problem" perspective on ELs identity, the private discourse uses it as a means to create a counter-narrative – the "language as resource" perspective (Ruiz, 1984).

Taylor (2007) notes that CDA and DHA's emphasis on discursive construction of power relations and their commitment to social change are powerful tools for the understanding of language policy. This research reiterates that DHA's key features – text, discourse, and strategies, are in particular relevant to the understanding of the construction and argumentation of the discourse of inclusion and exclusion and its impact on identity (Wodak & Boukala, 2015).

Finally, my analysis adds to this field of research on visual rhetoric. Richardson and Wodak (2009) suggested that the analysis of complex rhetorical discourses require the examination of differing layers of text. Therefore, I expanded the empirical and analytical foci from linguistic discourse, both spoken and written, to include pictorial and visual data (Section 6.4). I used the DHA to analyze the implicit argumentative structures of the images included in two of ESSA's (2015) supportive documents - the NTK (2017) and the ELTK (2017). Although the examination of visual discourse is not new, applying it to study language in education policy documents is yet to be fully developed and explored.

8.3. Suggestions for Practice and Future Research

This research has shown that language and culture are the defining features of ELs' identities. More importantly, the participants argued that labeling and the existence of a systematic deficit mindset have a negative impact on ELs' perceived identities and on their academic performance; additionally, schools were described as spaces that do not accommodate linguistic and cultural differences. Several implications for practice arise from this study: it emphasizes the need to challenge the systematic deficit mindset, to move from the practices of English-Only discourse, and from subtracting schooling by creating a discourse that destabilizes monolingual ideology and opens the door to the acceptance of another language and culture as a norm (Hinton, 2016, p. 35), also see García & Kliefgen (2010). Teacher preparation programs and professional development in schools could provide the knowledge and the necessary understanding of the nature of the language and its role in social life, that is, the relationship between language, identity, and power relations (García & Kliefgen, 2010, p. 122). For example, including courses on how

language is learned and how it is used in different content areas; and, more importantly, adding a language immersion course as a requirement for teacher preparation programs.

The directions for future research spring from the limitations and the findings of this study. The main aim of this thesis was to understand how objective and subjective educational actors discursively construct and position the ELs' identity in relation to power and knowledge. However, as a single researcher, I had to alter the large scale of a DHA study by making choices suitable for a small-scale study such as limiting the data collection to documents, interviews, website pages, one state and two districts. Due to time constraints, I did not conduct a pilot interview and I did not incorporate the school site as a layer of data.

Considering all these aspects related to the limitation of my research, I suggest that future studies related to this topic might:

1. Include additional meso- and micro-level sites; different state and districts might reveal a similar (dis)connect between the public texts and private texts as emerged in this study.
2. Explore the context of school and include administrators, counselors and teachers as part of the ground level analysis. By adding their perspectives, we can have a better understanding of the discourses related to ELs' identity.
3. Include the ELs' narratives (i.e., the students' narratives) about their ascribed identity. In this research, I explored their identity from the in-group perspective; therefore, it is an account of a single story (Adichie, 2009).

Future research could add the ELs as participants in the study to provide (at least) a two-sided narrative: the ELs will have a place to tell their own story.

4. Create an asset-based discourse that captures the omitted aspects of ELs identity from the current discourses. I propose to adopt Webster and Chunlei's (2012) term "Learners of English as an Additional Language"⁴⁸ (LEAL) as it signifies that they are speakers of at least two languages and they bring to school valuable knowledge about another culture and language (Ruiz, 1984; Santa Ana, 2002). A perspective based on an additional language should be seen as an asset for the "global student" and acknowledge the resources that the LEALs bring to school (Santa Ana, 2002, p. 308; Ruiz, 1984). This would also align with the perspectives voiced by the participants in this study that bilingualism can "fill the gap and bridge the two cultures" (see Section 7.2.1.2., Samuel, in this study).

Secondly, based on the findings of this research future research should consider including focus group interviews with the educational actors from various levels of educational spectrum (macro-, meso-, and micro-levels) to better understand the (dis)connect between that exists between the discursive construction of LEALs' identity in public texts and private text. Thus, educational actors at the macro-, meso-, and micro-levels have the possibility to look critically at the ways language learners are described, and evaluated in the text of the language policy, in their schools and communities; and to consider the implications of these discursive practices on the LEALs' identities and academic success (Wright, 2010, p. 5).

⁴⁸ Webster & Chunlei (2012) proposed the term to challenge the "structures of disempowerment" as it acknowledges the existence of another language competency. (p. 90); also see Alford (2016).

Adhering to Wodak and Forchtner (2014) and Richardson and Wodak's (2009) perspective that images are also able to advance and defend standpoints, I suggest that more research focusing on visual rhetoric related to education policy could make an important contribution to the visual argumentation and to the field of DHA. The visuals included in a language policy document or in one of its supporting materials are part of the discourse; therefore, they should be part of the analysis to be able to have a better understanding of the text in its entirety.

8.4. Concluding Remarks

Menken (2008) argued that language policies in the U.S. are negotiated and interpreted at every level of the educational system. Employing the DHA's eclectic approach to analyze language in education policy, this study aimed to understand how diverse actors, situated at the various levels of the educational process, discursively constructed the identity of the learners of English as an additional language. The questions guiding this analysis focused on LEALs' identity as described in the interviews (i.e., private texts) and enacted in language texts in education policy and its supporting materials. The (mis)representation was the overarching macro-strategy employed to construct the LEALs' identity.

The educational authors of the public texts largely portrayed the LEALs in a negative manner. Moreover, across all of the public texts analyzed in this study, English is constructed both as a commodity (i.e., the most important tool for academic success), and a measure of identity. When LEALs are defined in these texts, they are portrayed as lacking, in need of, and their languages are described in terms of "not" or "other than English." In contrast, the private text's view acknowledges multilingualism and

multiculturalism, but it is powerless. The contrasting discourses are relevant because they show (1) the disconnect between the layers of the educational policy; (2) how various educational actors position difference and otherness; and (3) how they “differently represent power and responsibility (i.e., who are agents, who are objects, and who has the power to decide);” The detailed analysis of the texts demonstrated that discursive construction of the LEALs’ identity is” ideologically varied” (Ricento, 2005, p. 633).

I hope that this study will help educational actors at all levels of the LPP union to understand that languages are not just “the media of communication... [they are] the central symbol of individual and collective identity, the central symbol which represents belonging to a certain ethnic group, to a certain language community” (de Cilla, 2002; p. 8; Wodak, 2009, p. 188). Therefore, as Wodak (2009) suggested, the emotional relationship between language and identity should be part of the political and educational policy decisions made every day.

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APPENDIX A
DEMOGRAPHIC QUESTIONNAIRE

(it was sent to the participants via email)

Name: _____

Best Contact (email, phone and/or address): _____

Age: _____

Race/Ethnicity: _____

What are your home languages?

Which languages did you learn in school?

What is your highest degree? Where did you obtain it?

How many years of teaching experience do you have?

Have you taught in a country other than U.S.A/ your native country? Where?

What subject(s) have you taught?

APPENDIX B

EXAMPLES OF TRANSCRIPTION'S ANNOTATIONS

“NH: Would you like to add something else besides what you just said?

I think, *hmmm* I would I think I would try to be as cognizant as possible about trying to frame it in a positive way... because I think the deficit mindset can creep in. pretty quickly, like you know ... all these kids can't do this. They don't know that or they don't understand this. I think that can be detrimental.

[00:14:35] Even if there are ... there is a long way to go for some students, because they may have come from places where their education truly is deficient” (excerpt from Patricio’s Interview).

APPENDIX C

PARTICIPANT VALIDATION OF RAW INTERVIEW DATA

“I am looking forward to reviewing this. From what I have observed so far, my initial response is to apologize for the rambling nature. I look back and see things that I said then that I am glad I said. I wish I had a more concise description of my job. I think I could do a better job with that now. But in terms of the naming, labeling, and identity discussion, I continue to change how I feel about that. Thanks for allowing me to jump back in time a little.

If you have any further questions, I am happy to answer them. If I notice anything further, I will be in touch.” (Samuel, via email)

APPENDIX D
INTERVIEW PROTOCOL

Open-Ended Questions

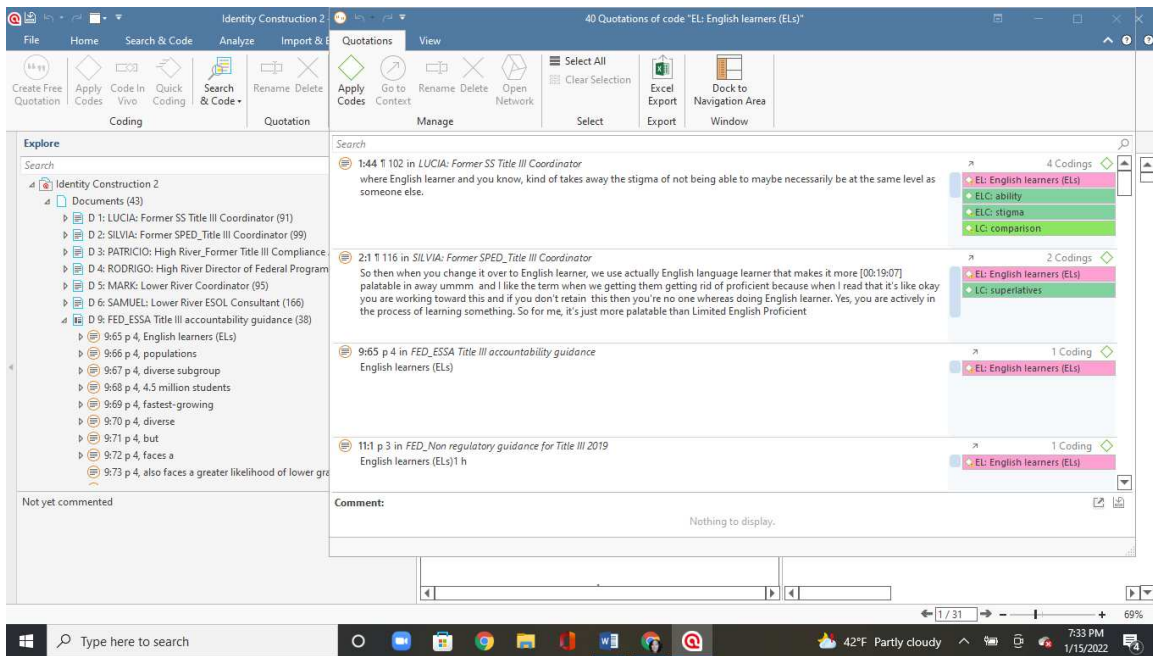
1. What is your current position? What was your prior position?
2. How many years have you been working in the current position/prior position?
3. Briefly, describe your current/prior position. How is/was your current/prior position related to *ESSA's Title III*?
4. How would you describe the students you had in your first years of teaching in terms of demographics? How did they change since then?
5. What words would you use to describe the students that are the subjects of ESSA's Title III?
6. The terms used in reference to the students described by Title III of ESSA have changed over time: from Limited English Proficient to English Learner. What do you think about this change?
7. Do you believe that using a specific term versus another may have an impact on students' perceived identity? Please explain (whether the answer is yes or no).
8. What factors do you think shape/contribute to their perceived identity and why?
9. In your experience, given the diverse cultural and linguistic background of our students, which one influences their identity the most- the student's cultural or linguistic background - and why?

10. Which instructional approach do you believe is most effective in the education of our students? Why?

Is there anything else you would like to add/share with me that you consider important for me to know?

APPENDIX E

EXAMPLE OF DOCUMENT ANALYSIS AND CODING USING ATLAS.ti



NCLB (2001) - EXAMPLES OF DOCUMENT CODING

NCLB - Act (value)

Language and Educational Policy 12

Annex A

other than mainstream

1. The linguistic-minority student population identified and defined by No Child Left Behind Act of 2001, S. 9101, 25 of Title IX.

(25) LIMITED ENGLISH PROFICIENT- The term limited English proficient, when used with respect to an individual, means an individual —

(A) who is aged 3 through 21;

(B) who is enrolled or preparing to enroll in an elementary school or secondary school;

(C) (i) who was not born in the United States or whose native language is a language other than English;

(ii) (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and

(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

(iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

(D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual —

(i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);

(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or

(iii) the opportunity to participate fully in society.

characteristics/have is the ELL framed by NCLB - policy

age

school level

birth place

ethnicity

native language

Engl. prof.

migratory

difficulties

Lang as

impediment (belief)

ELL identity

language

codes 1-12 → descriptor 1-9

missing abilities

negative attributes

read - not able to

diff. from mainstream

not being able to ...

not mentioned in society

meeting state standards

achieving in sch.

fully part in

is never mentioned these doc.

NB. • bilingual (attribute)

NCLB - Act (value)

Language and Educational Policy 12

Annex A

other than mainstream

1. descr. code +
In Vivo Coding

1. The linguistic-minority student population identified and defined by No Child Left

Behind Act of 2001, S. 9101, 25 of Title IX.

framed

(25) LIMITED ENGLISH PROFICIENT- The term limited English proficient, when used with respect to an individual, means an individual —

1. (A) who is aged 3 through 21;

age

2. (B) who is enrolled or preparing to enroll in an elementary school or secondary school;

school level

3. (C)(i) who was not born in the United States or whose native language is a language other than English;

3 birth place

(ii) (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and

4 ethnicity

(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

5 native language

6 Engl. prof.

8. (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

9

10. (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual —

7 deficient

11. (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);

8 lacking skills

Engl. only bilingual → one lang orient.

(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or

9 not being able to ...

(iii) the opportunity to participate fully in society.

characteristics / how is the ELL framed by NCLB - policy

Lang as

impediment (belief)

1. ELL identity
2. language

"identified + defined"

codes: 1-12 → descriptive 1-9
(In Vivo)

NB. • bilingual (attribute)

diff. from mainstream
missing abilities
negative attributes
read - not able to meet state standard
- is never mentioned in these doc.

ELL - student IDENTITY

2. Southern State Department of Education and Low River District Programs for ESOL

The State Department of Education subscribes with no modification to NCLB

definition of LEP and adds the following:

The LEP/ELL definition includes students with a range of educational needs with respect to learning English for Speakers of Other Languages (ESOL). Examples include the

following students:

- Children of recent immigrants who speak no English and who had no formal training in written language.
- Children of highly-educated immigrants who have had formal training in English during formal schooling.
- United states-born children whose primary language is not English and who have had limited formal education through English language.

ELL identity
"ed. needs"
↓
negative descriptors
describe as
"missing" deficit?

1) descr. cod. +
In Vivo

2. lang.
value

1st R. Question addressed.

2. The linguistic-minority student population identified and defined by

For the purposes of the

English for

Speakers of Other Languages Program and Services Procedures Manual:

- LEP students include those who have tested limited English proficient on a state approved language assessment test (ESOL Codes 1-4 and A-D).
- LEP students also include students until they have scored a composite "5" on the English language proficiency test (ELDA) in grades 3-12 (ESOL Code 5).
- After students have scored a composite "5" on the ELDA, the students will be identified as exited students (ESOL Codes 6 and 7).

value
lang.
test

identity
ELL
value
← limited Engl. prof.
not scoring a comp. 5 (belief)
exited/former LEP
(negative descriptors)

- Students who are no longer monitored will be identified as former LEP (ESOL Code 8).

Annex B

English for Speakers of Other Languages Program and Services,

Goals and Objectives

The Goal of the ESOL program is to provide equal educational opportunities to culturally and linguistically diverse students who have a primary or home language other than English and who are limited English proficient. The primary focus of the ESOL Program is to provide an English-rich environment so that LEP students become proficient in English as soon as possible. The ESOL Program provides support while students transition into complete mainstream instruction.

creates a learning environment that provides the cognitive and effective support to help LEP students become contributing members of society. The ESOL

Program, beginning with kindergarten and continuing through high school, provides each

LEP student the opportunity to acquire knowledge of America culture and to [be] academically successful in mainstream classes.

framed by
ELL - 713
(value)

framed as

missing other not proficient in English as soon as possible
missing - "knowledge of Am. culture" (belief)
"LEP" "need → transition into mainstream"
"other than English"
"to become proficient in English as soon as possible"

v. descr. coding + In Vivo code

The State Department of Education subscribes with no modification to NCLB

definition of LEP and adds the following:

The LEP/ELL definition includes students with a range of educational needs with respect to learning English for Speakers of Other Languages (ESOL). Examples include the following students:

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- Children of highly-educated immigrants who have had formal training in English during formal schooling.
- United states-born children whose primary language is not English and who have had limited formal education through English language.

ELL
identity
"ed. needs"
↓
negative descriptors
describe as
"missing" deficit?

1. user-cod. +
In Vivo

lang.
value

1st R. Question addressed.

2. The linguistic-minority student population identified and defined by

For the purposes of the

English for

Speakers of Other Languages Program and Services Procedures Manual:

- LEP students include those who have tested limited English proficient on a state approved language assessment test (ESOL Codes 1-4 and A-D).
- LEP students also include students until they have scored a composite "5" on the English language proficiency test (ELDA) in grades 3-12 (ESOL Code 5).
- After students have scored a composite "5" on the ELDA, the students will be identified as exited students (ESOL Codes 6 and 7).

lang.
test
value

identity
ELL
value
← limited Engl. prof.
not scoring a comp. 5 (belief)
exited/former LEP
(negative descriptors)

APPENDIX G

HOME LANGUAGE SURVEY

Home Language Survey (HLS)

The Civil Rights Act of 1964, Title VI, Language Minority Compliance Procedures, requires school districts and charter schools to determine the language(s) spoken in each student's home in order to identify their specific language needs. This information is essential in order for schools to provide meaningful instruction for all students as outlined in *Plyer v. Doe*, 457 U.S. 202 (1982).

The purpose of this survey is to determine the primary or home language of the student. This survey is given to all students enrolled in the school district/charter school. The HLS is administered once, upon initial enrollment in *Southern State*⁴⁹, and should remain in the student's permanent record.

Please note that the answers to the survey below are student-specific. If a language other than English is recorded for ANY of the survey questions below, the appropriate identification screening assessment will be administered to determine whether or not the student qualifies for additional English language development support.

Please answer the following questions regarding the language spoken by the student:

1. What is the language that the **student** first acquired? _____
2. What language(s) is spoken most often by the **student**? _____
3. What is the **primary language used in the home**, regardless of the language spoken by the student? _____
- *4. In what language do you wish to have communication from the school?

Student Name: _____ **Grade:** _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____ **Date:** _____

Your signature above certifies that responses to the questions above are specific to your student. You understand that if a language other than English has been identified, your student will be tested to determine if they qualify for English language development services, to help them become fluent in English. If entered

For School Use Only:

School personnel who administered and explained the HLS and the placement of a student into an English language development program if a language other than English was indicated

⁴⁹ Pseudonym

into the English language development program, your student will be entitled to services as an English learner and will be tested annually to determine their English language proficiency.

Name: _____ Date: _____