

# The Black English Lawsuit In Retrospect: A Participant's Postscript

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On July 12, 1979, after a long and often contentious litany of legal proceedings, Judge Charles Joiner ruled in the Federal District Court in Detroit on what was to become known as the "Ann Arbor Black English Case." The fact that all but one of the charges were dismissed was lost on most people. Instead, they turned their attention to the one indictment that Judge Joiner sustained: The charge of plaintiffs that the school system had permitted teachers to create a potential language barrier with plaintiff children, all of whom were black children of low income families from the Green Road Public Housing development and most of whom were purported to speak some variation of Black Vernacular English.

Since then, much has been written about the politics and legalities of the case. I do not propose to retrace that ground. Rather, I would like to share briefly what the Ann Arbor School System did to comply with the Judge's order, what has happened since, and what I have learned from the experience.

## A Program of Compliance

As a result of that federal court order, the school district developed and implemented a program that had as its central focus the in-service education of the King Elementary School teachers. In his Memorandum Opinion and Order, Judge Joiner seemed to focus on two issues. First was the extent to which the King School teachers had knowledge and understanding of the linguistic and socio-linguistic features of the non-standard English dialect Black Vernacular English (BVE). Extensive study of this dialect in the 1960's and early 1970's showed it to be a pervasive dialect among black people, but especially among urban lower socio-economic black children, many of whom were labeled under-achievers. Second, Judge Joiner pointed to the instructional barrier that could be created by classroom teachers who lacked an understanding and an appreciation of BVE. Consequently, the in-service program we developed and implemented sought to relate to both the linguistic and pedagogical issues raised by the court.

The in-service program itself took place during the 1979-80 school year and involved all classroom teachers, special teachers, and consultants who were assigned to King Elementary School. The first semester of that school year was devoted to 20 hours of workshop learning spread over five separate sessions. Instruction was provided by local school district staff in cooperation and consultation with Bill

Hall and Roger Shuy, nationally recognized scholars in linguistics and dialectology. Upon completion of this formal workshop phase, it was the hope of the planning committee that in-service participants would:

- 1) be able to describe in general the concept of a dialect and dialect differences within the English language;
- 2) be sensitive to the value judgments about dialect differences which people often make and communicate to others;
- 3) be able to describe the basic linguistic features of Black Vernacular English as it contrasts with standard English;
- 4) have appreciation for the history and background of Black Vernacular English;
- 5) be able to identify without prompting the specific linguistic features by which they recognized a speaker of Black Vernacular English;
- 6) be able to discuss knowledgeably the important linguistic issues in code switching between Black Vernacular English and standard written English;
- 7) be able to identify possible instructional strategies that can be used to aid children in code switching between Black Vernacular English and standard English;
- 8) be able to distinguish between a dialect code switch and a decoding mistake when analyzing an oral reading sample;

Instructional activities were designed to help participants master each of the objectives above.

The focus of the second semester of 1979-80 was implementation of what had been presented during the first semester. With the help of a full-time language arts consultant, follow-up visits by Drs. Hall and Shuy, and the support of the building administrator and central administrative team, the teaching staff began to put into action what they had been taught during the first semester. Again, it was the hope of the planning team that by the end of the second semester in-service participants would:

- 1) be able, using a variety of informal and formal techniques, to identify students in their class who speak Black Vernacular English;
- 2) be able to recognize specific code-switching problems encountered by individual Black Vernacular English speakers attempting to read standard English material;
- 3) be able, in the classroom setting, to distinguish between a dialect code switch and a decoding mistake as

a student speaking Black Vernacular English is orally reading from standard English material;

- 4) use a variety of possible instructional strategies to help students speaking Black Vernacular English overcome code-switching barriers as they are learning to read standard English;

At the close of the school year a comprehensive evaluation was undertaken to assess the effectiveness of the program. That evaluation included an independent field assessment by Drs. Hall and Shuy, including classroom observations and 30-minute interviews with participating staff; an analysis of a questionnaire responded to by all King School staff; and case studies of the academic performance of each of the plaintiff children. As a result of this evaluation as well as our own "gut" feelings, many of us concluded that the in-service program had been quite useful in helping us to better understand and help the speaker of the BVE who was an under-achiever. We also concluded that the "court-ordered" attempts to assess student progress in light of the in-service program were premature and inconclusive. Finally, we confirmed what we had sensed all along: That, like any group of learners, there were individual differences among us participants with respect to the in-service program, its content, and its application. Some participants were already knowledgeable and enlightened. Others acknowledged a need to learn more. Some were prevented from learning by their own linguistic and cultural attitudes. Still others who had been stung deeply by the accusatory tone of the lawsuit and court trial viewed the whole in-service drama as punishment and were not equipped to learn effectively.

As a result of that evaluation, the central administrative team in the autumn of 1980 recommended that all professional staff, but especially those who teach the language arts, be encouraged to receive in-service training comparable to that received by the King School staff. To that end, the Director of Language Arts for the Ann Arbor Public Schools and his staff were directed to develop during the 1980-81 school year a set of instructional modules that can be used by each school to effectively study the issues and concepts raised in the King in-service program. Implementation will begin in October of 1981, hopefully as part of what can be a larger in-service effort in our school district to improve educational opportunity and to implement the "effective school" research findings currently receiving national attention.

### Some Reactions

The insights gleaned from the in-service program and, more generally, from the entire dramatic episode are many and diverse. However, among them are four observations that stand out in my mind from all the rest. Let me conclude by sharing them briefly with you.

(1) In the final analysis there is no evidence that the agony of the under-achieving low-income, black students is a univariate problem. The linguistic and socio-linguistic is-

suues raised in the law suit can make an important contribution to our search for answers to the under-achievement of students. However, they are not "lynch-pin" issues; attention to them alone will not suddenly dissolve the agony of black students' under-achievement. Disproportionate attention to or commitment of resources to the issue of the language barrier to the exclusion of other equally important alterable variables would be tragic and undeserving of the public trust we all hold. We have a multi-variate problem for which we must seek multi-variate solutions; hunting for panaceas is no longer fashionable and should never have been. The rhetoric during and after the lawsuit has failed to recognize this critical reality.

(2) Contemporary scholarship suggests that the dominant issues surrounding school-based learning for a child who speaks BVE may be socio-linguistic rather than linguistic. There is little concrete evidence that anything inherent in the linguistic process of moving from BVE to standard English or back again is inhibiting to the process of learning to read. There is some evidence that unwitting but well-meaning educators, by their attitudes toward non-standard language and by their ignorance of dialect variations such as BVE, may contribute to what is really a learning barrier, not a language barrier. If as teachers we unconsciously accept the prevailing societal view that non-standard dialects are inferior and that they are symptomatic of other inferior features and characteristics in people, and, moreover, if we communicate that belief to our students who speak those dialects, then we may contribute to the under-achievement of those students. If we associate Black Vernacular English with a reduced intellectual capacity, with laziness, with slowness, or with learning problems, and if we communicate those attitudes to black students in a variety of subtle ways, we have become part of the very problem we are conscientiously trying to resolve. All this is by way of suggesting that for *all* educators, a view of language and language development based on contemporary scholarship is important, even though it is not the only variable.

(3) Our in-service program set out to help all of us, teachers and administrators, examine and modify, as necessary, our attitudes toward language as a social phenomenon. In retrospect that was probably a mistake. Any kind of self-examination of attitudes and values is risky and threatening. To examine our attitudes toward language, and more particularly toward non-standard dialects under the accusatory pressures of a nationally highlighted lawsuit is totally unrealistic. Issues can be more profitably examined in the framework of teacher classroom behavior rather than attitude. If certain teacher classroom behaviors with respect to students' language patterns evoke certain responses from students that reduce learning, then we should spend our time apprising teachers of what those behaviors are and ask them to avoid those behaviors. We are not asking teachers to change an attitude; we are asking them to examine and, if necessary, change a behavior. In a sense we are saying irrespective of what you believe about language and non-standard dialect, it is in the best interest of *all* your students

to avoid those teaching behaviors and foster these." We say that, knowing full well that as people modify their behavior, their attitudes cannot help but follow.

(4) Finally, as the controversies swirled around me, I could not help but be concerned by the prevailing attitudes toward language and dialect that emanated from the media, from other educators, and from the larger society. Some observers of the case to this day will insist that we were teaching teachers to speak BVE so that they could communicate better with BVE speakers and provide instruction in BVE. Even though we vehemently denied these assertions repeatedly, the misunderstanding persists. I was

amazed to find some educated people who openly placed moral judgments and values on BVE as a dialect and others who openly felt that learning to communicate in standard English was not important. There were even a few from across the country who, in their written communications to us, strongly implied that anyone who "spoke that Black English" was inferior, ignorant, and illiterate. If these are widespread attitudes about language and its function in our society today (and I believe they are), then we who educate have failed our students and our society more generally. But where will the leadership to move our society toward an enlightened view of language and dialect come from if not from those of us who educate? Maybe we need a new beginning.