



9-12 | Lesson 8



LESSON 8

TEXT TITLE

Castaneda v. Pickard (1981) and Plyler v. Doe (1982)

TEXT MAIN IDEA

Castaneda v. Pickard (1981)	Plyler v. Doe (1982)
The Raymondville Independent School District in Texas was not providing adequate language support for non-English speaking students. These students were primarily of Mexican origin. Castañeda v Pickard established a three-prong test used to evaluate language programs. This legislation set a legal standard for the quality of educational programming for multilingual learners.	A state law in Texas denied funding for the education of undocumented children in public schools. The state ruled that the denial of funding was in violation of the Equal Protection Clause of the Fourteenth Amendment. All children deserve equal educational opportunity regardless of legal status.

ESSENTIAL QUESTION

What opportunities and challenges exist for an education ecosystem experiencing an increase in its multilingual learner population?

CONTENT OBJECTIVE

By engaging in this lesson, students will know/understand that...

- Initiatives and policies can be developed across multiple iterations of legislation.

LITERACY OBJECTIVE

By engaging in this lesson, students will strengthen their ability to...

- Identify and examine similar trends across contexts.

STANDARDS ALIGNMENT

- Analyze the development of similar central ideas across two or more texts and determine how specific details shape and refine the central idea. (11-12.RN.2.2)

LAUNCH (5 MINUTES)

Teacher Note:

- Consider providing students with this Do Now to build background: Have students watch this [video](#). In this video, participants will hear about one of the cases they will be discussing from the perspective of a member of the family of plaintiffs.
- Divide students into groups. Some groups will examine the Plyler v. Doe (1982) case while other groups will examine Castaneda v. Pickard (1981).
- Provide each group with larger poster paper or a digital collaborative workspace. They will present their findings to a group working on the other case.

We are now going to continue to look at specific cases that not only have set precedents for legal decisions, but that have also significantly impacted our current educational landscapes.

Throughout your work today, you will work in groups to examine one of two focus cases for today's class. While reading, your group will examine how this particular case has helped promote language justice. You will then infer which legislation might have been affected by each case. This lesson will follow the format of yesterday's work.

READING ALOUD / ENGAGE (15 MINUTES)

Teacher Note:

At this time, pass out the assigned case to each group and the case summaries. Consider assigning the following roles to students:

- **Reporter:** Responsible for verbally reporting the groups findings to the class.
- **Recorder:** Responsible for synthesizing and consolidating ideas into written format on poster/digital workspace.
- **Timekeeper:** Responsible for keeping track of time and maintaining pace.
- **Focus Minder:** Responsible for redirecting off task behavior/divergent conversations

Let's begin today by watching two brief summaries of the laws before you dive into the case materials. We will start with Plyler v. Doe.

- *In what other law did we see the courts address issues of language support? If we saw this issue being addressed in earlier legislation, we can then infer that it will take multiple iterations of legal battle to rectify language justice.*

Now let's watch Castaneda v. Pickard.

- *I wonder if we have heard of the Castaneda test in any of our earlier discussions? If*

so, we can begin to see how legislation and cases tie together across time. Courts rely on earlier decisions and legal rulings to determine what actions they should take.

Have students read and then report on the central idea of each case. Once the class is aligned across all the groups, have students write the central idea on their poster/digital workspace.

Now, you will begin to work through the court cases as groups. As you read you will need to answer the following questions and find the following information:

- 1. What did the court rule in each case?*
- 2. What principles of language justice are evident in each case?*
- 3. What legislation have we examined which might have been influenced by this case?*
- 4. How did the case specifically aid in language justice work?*
- 5. What impact of this case do we see in our educational contexts today?*

DISCUSS (10 MINUTES)

Our discussion protocol is going to look different today. Instead of discussing the whole group, you are going to participate in a carousel. Each group will present the findings of their research with the class. We will then move directly into our writing prompt.

Teacher Note: Monitor and push students to answer/state all aspects of questions 1-5.

WRITE (10 MINUTES)

What are the key similarities and differences in how the courts addressed language access and educational equity for multilingual learners in *Plyler v. Doe* and in *Castaneda v. Pickard*?

Exemplar Response:

*In both cases, there was a recognition of the importance of providing language access. This access includes educational opportunities for all learners including multilingual learners. The courts acknowledge in both cases that language barriers may minimize a student's access to a quality education. However, *Plyler v. Doe* uplifted the significance of providing educational equity to all students regardless of immigration status while *Castaneda v. Pickard* created a three-pronged test used to demonstrate the validity of educational programming for multilingual learners. Both cases drew upon differing legal backgrounds. *Plyler v. Doe* relied on the Equal Protection Clause of the Fourteenth Amendment while *Castaneda v. Pickard* leaned on the Equal Educational Opportunities Act. Both cases might have approached language access from different legal perspectives, however, they both addressed language access and educational equity.*



EXIT TICKET

1. Explain the three-pronged test established in *Castaneda v. Pickard*.

Example:

The Castaneda test is a result of the court's ruling in Castaneda v Pickard. The test establishes whether or not an ELL program is sufficient in supporting multilingual learners. The first prong of the test asks if the implementation program of the school is based on sound educational practices. The second prong of the test assesses whether or not the programming is being effectively implemented. The final prong asks if the programming is producing results.

2. Which amendment was invoked in *Plyler v. Doe*?

- a. First Amendment
- b. Fourth amendment
- c. Thirteenth Amendment
- d. Fourteenth Amendment