

# Families drop appeal over Catholic school's English-only policy

WICHITA, Kan. – The families of three Hispanic students have dropped their appeal of a judge's ruling last summer that upheld an English-only policy at a Wichita Catholic elementary school.

The 10th U.S. Circuit Court of Appeals in Denver March 16 granted the motion by the families asking the court to dismiss their appeal, according to The Associated Press.

The students' parents initially sued the Wichita Diocese on behalf of their children who had been in sixth grade at St. Anne School when it adopted a policy in the fall of 2007 requiring that only English be spoken during school hours. The parents claimed the school's policy, no longer in effect, created a hostile learning environment.

In August 2008, U.S. District Court Judge J. Thomas Marten sided with the 10th U.S. Circuit Court of Appeals in Denver by ruling that the school policy by itself was neutral and did not foster a hostile educational environment because it had neither been implemented long enough nor had it been stringently enforced.

Judge Marten harshly criticized both the school and the families for bringing the issue to federal court instead of resolving it themselves.

The three families, whose students no longer attend St. Anne School, filed an appeal of the judge's ruling in mid-February. The English-only policy was discontinued last fall.

The policy in question stemmed from a disciplinary issue, according to Fred Solis, communications director for the Wichita Diocese. In February he told Catholic News Service in an e-mail that some students had been "misusing the Spanish language to bully, intimidate and make derogatory comments about administrators and other non-Spanish-speaking students."

He added that the policy “was not, is not and is not anticipated to be a policy against speaking Spanish” in Wichita diocesan schools.

He said if the students in question had “expressed similar comments in English, it would not have been acceptable and the students would have been subject to disciplinary action.”