

Parents appeal ruling on Catholic school's English-only policy

WICHITA, Kan. – The families of three Hispanic students have filed an appeal of a ruling upholding an English-only policy at a Wichita Catholic elementary school.

On Feb. 17, the three families filed their appeal of U.S. District Court Judge J. Thomas Marten's August 2008 ruling with the 10th U.S. Circuit Court of Appeals in Denver.

The students' parents had sued the Wichita Diocese on behalf of their children, claiming St. Anne Catholic School's policy created a hostile learning environment.

Judge Marten ruled it did not, but at the same time he harshly criticized both the school and the families for bringing the issue to federal court instead of resolving it themselves.

According to an Associated Press story, Judge Marten said 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.

The Wichita school adopted a policy in September 2007 requiring that only English be spoken during school hours, including lunch breaks and recess. It was discontinued last fall.

The policy stemmed from a disciplinary issue, according to Fred Solis, communications director for the Wichita Diocese.

He told Catholic News Service in a Feb. 18 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. ... It was not, is not and is not anticipated to be a policy against speaking Spanish" in Wichita diocesan schools.

He said that 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.”

The case was about a teacher’s or administrator’s right to discipline students in a private Catholic school,” Father Thomas Leland, St. Anne pastor, said in a statement after the ruling was issued.

He said the school policy was intended to allow “unity and discipline for learning and (spiritual) formation to take place.”

The priest acknowledged the issue had been divisive and hurtful to the parish. “In that regard,” he added, “there are no winners.”

The students of the three families who brought the case were in sixth grade at St. Anne when the policy was put into place, but they no longer attend the school.

Mr. Solis pointed out that the school, with a 35 percent Hispanic enrollment, has not experienced similar behavioral problems in the current school year.

He also said Wichita’s diocesan schools experienced a 6 percent increase in Hispanic enrollment this year. Mr. Solis said the increase shows that the Hispanic community has chosen to put the St. Anne case behind them “and move forward.”