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MEXICAN AMERICANS AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITIES

In the early 1900s, large numbers of people crossed the border from Mexico into the United States. These new immigrants found a country where brown skin and lack of skills were not welcome. Public swimming pools were closed to them, education was separate and not equal, punishment was common for speaking Spanish in school or on the playground, and Mexican culture was denigrated. Access to equal educational opportunities for Mexican American children has been the subject of many court cases since that time. This entry describes the initial situation and the court cases that have sought to gain equity.

Historical Background

In the period from 1921–1930, when 3 percent of Mexico's population had moved to the United States, the strains of the Depression in the rural areas where

the immigrants sought work influenced the attitude of communities already so burdened financially that they had difficulty supporting their own children. As in John Steinbeck's novel, *The Grapes of Wrath*, the Mexicans came to the United States as did the Okies going to California—looking for a better life, but they found just the opposite.

Education for the Mexican American children stressed “Americanization,” cleanliness, vocational skills, and learning English, although there were some bilingual classes. The number of Spanish-surnamed children in the graduating classes continued to be significantly less than the numbers of that same cohort in the first grade. Until the latter three decades of the twentieth century, Mexican American schools existed. Separate classrooms were also common. The abuse of IQ tests led to segregating Mexican American children in special education classes. The few who reached high school were not encouraged to go to college. Although there has been improvement in the number of Mexican Americans graduating from high school, the dropout rate is still high.

Court Action

After World War II, litigation began that would start to force equity in educational opportunities to these children. The ruling in California's *Mendez v. Westminster* (1946) stated that Mexican Americans could not be segregated in school. In 1943, Sylvia Mendez was denied admission to a White school because she was Mexican American. By law, schools for Mexican Americans were separate. Also, they were not equal. The Westminster school district superintendent stated during the court hearing that Mexican Americans were segregated because of their lack of English and because of their lack of personal hygiene. In the final decision, the judge ruled that the children had been denied due process and equal protection under the Fourteenth Amendment. After this ruling, legislation was passed repealing all segregation laws affecting Mexican Americans. The legislation was signed into law by Governor Earl Warren, who later served as Chief Justice of the U.S. Supreme Court when *Brown v. Board of Education* was decided.

This case influenced attorney Gus Garcia and Dr. George I. Sanchez, who had written about the use of IQ tests to segregate Mexican American children. Dr. Sanchez and James DeAnda visited the schools in the Colorado Common School District in Texas, where they found such inequities between Anglo and Mexican American schools as busing for Anglos but not for Mexican Americans, separate and inferior schools or classrooms for Mexican Americans, and band only for Anglos. An agreed judgment was reached whereby the Texas State Board of Education passed a formal policy, giving credit to Garcia and Sanchez, that stated that children could not be segregated on the basis of their Spanish surnames. This policy was used in later court cases.

In the early 1950s, another case strengthened the cause for equity. This case involved a jury selection case. *Hernandez v. Texas* (1954) argued that over a period of twenty-five years, the community had never had a Spanish-surnamed person on the jury list; they charged that this was denying equity. This inequity would naturally expand to include all aspects of the community, including education. The case was lost on the local and state appeals level but was won unanimously when it was decided by the U.S. Supreme Court two weeks before *Brown v. Board of Education* (1954). *Hernandez* was the first case concerning Mexican American rights to go before the U.S. Supreme Court.

Throughout the 1950s, court cases continued to be fought on local levels to provide equity. During the latter part of the twentieth and early part of the twenty-first centuries, equitable treatment for Mexican American children has been sought by the American GI Forum, The League of Latin American Citizens, the Civil Rights Act, the Bilingual Education Act, *Lau v. Nichols* (1974), the United Farm Workers organization, the Mexican American Legal Defense Fund, and the increasing numbers of Mexican Americans holding public office and sitting on school boards. The voting power that Mexican Americans now have as the largest minority group may strengthen their position in matters of equity.

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See also Multicultural Education; Politics of Education

See Visual History Chapter 24, The Farm Security Administration's Photographs of Schools

Further Readings

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