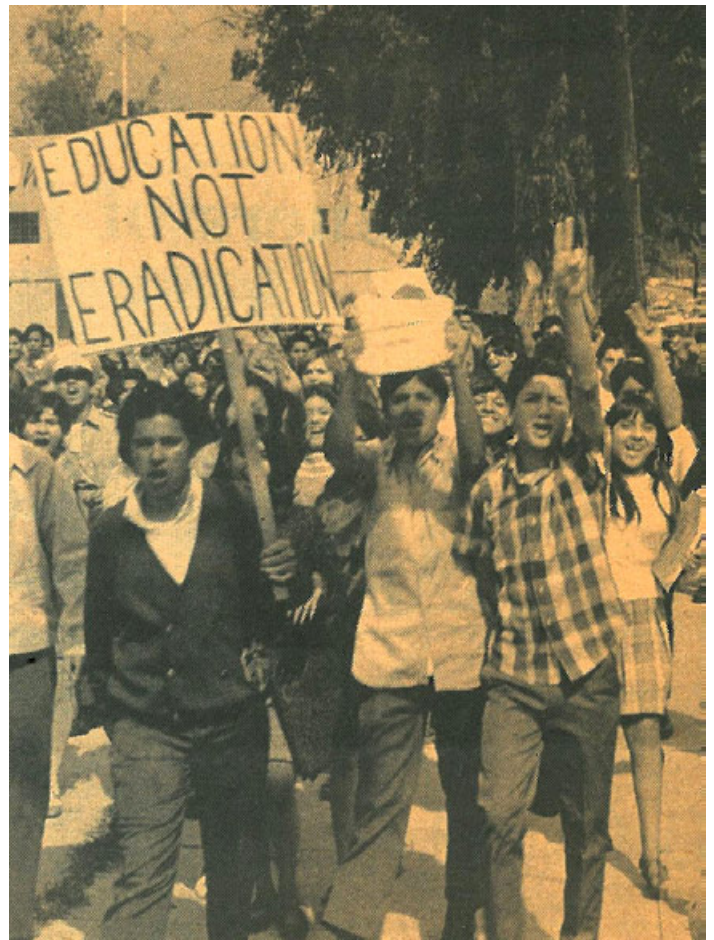
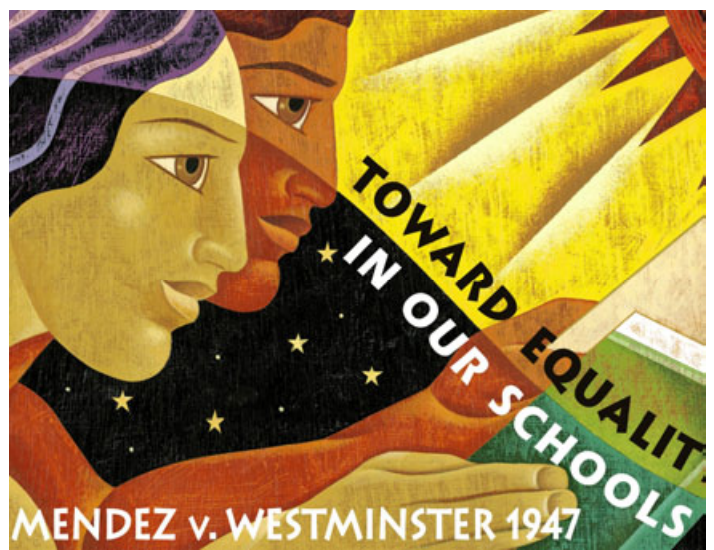




Clockwise from top left:
 Roosevelt Tower, University of Puerto Rico, San Juan Puerto Rico [University of Puerto Rico]; Students protesting during the East Los Angeles High School Walkouts, 1968, California [Los Angeles City Historical Society]; Education Rights Protest led by Concilio de Organizaciones Puertorriqueñas e Hispanas, 1963, New York, New York [The Historical Archives of the Puerto Rican Migration]; Mendez vs. Westminster commemorative stamp [US Postal Service]; First grade class at the "Mexican" Wilson School, 1943, Orange County, California [Orange County Historical Society]



Demanding their Rights: The Latino Struggle for Educational Access and Equity

Victoria-María MacDonald

The historical and contemporary purposes of public education in the United States are tri-fold: to create an educated citizenry for the democratic process, assimilate immigrants to American culture and language, and prepare a stable workforce for a productive economy. As a nation of immigrants, many newcomers, particularly northern Europeans, have been successfully integrated with full citizenship into the U.S. polity. Spanish-descent peoples in the U.S., by contrast, have often had to exercise their First Amendment rights to free speech, peaceful assembly, and to petition for relief from the government to secure equity in schooling. Through consistently and continuously insisting upon treatment as full citizens, Latinos have reminded the nation that “equal treatment under the law” is a democratic concept that is not contingent upon land, territory, country of origin, language, or skin color.

Schools have often been sites of political, racial, and linguistic conflict between the majority population and Latino groups.¹ Latinos today are underrepresented in key indicators of school achievement such as high school and college graduation rates, standardized tests, and college entrance examinations. Most experts agree that these indicators are not a reflection of ability; rather, as explored in this essay, Latinos have faced social, economic, and political barriers embedded in their historic presence in the U.S. Despite these obstacles, Latino communities have always demonstrated the capacity to act independently and to make their own choices in the struggle to gain access to quality schooling. Latino parents, students, and communities have fought for education rights and schooling opportunities through the

creation of advocacy organizations, the establishment of independent private schools, by enrolling their children in Catholic schools and colleges, through litigation, walkouts, and by leveraging political and economic power for equitable or appropriate legislation.

The Colonial Era

The unique educational histories of the various Latino subgroups in the U.S. are reflected through a historical chronology from the presence of European Spaniards in the 16th century to the later acquisition of Spanish territories through war, colonization, and annexation in the independent United States

of America.² Latino peoples are the descendants of a complex mix of Europeans, indigenous peoples, and Africans brought to the America’s as slaves during the colonial period.³ During the earliest decades of Spanish colonization in the territories that would eventually become the modern day U.S., three general forms of schooling emerged. As historian David Weber expressed, Spaniards arrived in the New World with the sword and the Catholic cross.⁴ The first schools served Spanish children of settlers and soldiers. These settlers’ schools represented a cultural and linguistic continuation for Spanish children. Spanish language, religion, and culture were maintained through the school curriculum by teachers and via conformity to religious and political themes reflecting Old World culture. Among the earliest settlers schools established during this era was a Franciscan classical school and preparatory seminary founded in 1606 in St. Augustine, Florida. In 1634, the Spanish crown issued a *cédula* (document or charter) to open a second school in St. Augustine, but historians have not yet discovered records from that institution.⁵

Latinos in the Americas have always placed a high value upon education as a means of economic, political, social, and upward mobility.

Mission schools often represented forms of cultural and linguistic genocide. Native Americans placed in missions, at times voluntarily to avoid warring tribes, and often involuntarily, were taught Catholic doctrines, the Spanish language, and a curriculum of handicrafts and skilled labor to match Spain's views of the Native American's role as subordinated colonial workers. Initially Spanish priests were ordered to learn native languages and created numerous scholarly works on Native American traditions and language. These bicultural efforts lessened and were eventually abandoned as the result of events such as the Pueblo Revolt of 1680. Further, as male *mestizo* (Native American/Spanish offspring, sometimes called *ladinos*) were being trained at higher academic levels for leadership or the priesthood, they utilized their educational skills to rebel against the colonizers. Consequently, education for this group was increasingly viewed negatively as reflected in the Spanish colonial *dicho* (saying), "*mestizo educado, mestizo colorado*" (an educated mestizo is a red devil).⁶

Prelude to the Mexican American War: Schooling under Mexican Independence

When Mexico declared independence from Spain in 1821, its many democratic reforms, ironically, narrowed the number of educational options previously available under the colonial regime. The Mexican government's secularization of the missions greatly weakened the Catholic Church's role in schooling. The Mexican government withdrew subsidies for missions and ordered the return of church-controlled lands to the public domain.⁷ The Republic of Mexico's 1824 Constitution stipulated public education, but the isolation of the far northern territories, coupled with limited finances and political instability in the new government, compromised the ability of the fledgling country to carry out its democratic educational reforms.⁸ Some of the government's efforts, however, were successful. In 1834, for example, the Mexican government sent 20

teachers to open schools in Alta California. In addition, the Young Ladies Seminary in San José, run by The Sisters of Charity and the Church of Saint Francis School in San Francisco were also active.⁹ Overall, an estimated one thousand children in California were being educated during the Mexican Era in a variety of Catholic, private, and public schools.¹⁰

The Republic of Texas, established in 1836 and annexed to the U.S. in 1845, also created ambitious plans for public education, condemning the Republic of Mexico for its failure to establish public schools. Economic difficulties and political instability, however, also constrained Texas from carrying out a concrete or systematic public school system.¹¹ Overall, the Mexican Era revealed the persistence of Catholic schools as favored educational institutions and the beginning, at least on paper, of public support for schools in the Republic of Mexico and the short-lived Republic of Texas. The long intertwined history of Catholicism and schooling would clash with the more secularized forms of public education introduced when the Southwestern territories became part of the U.S. Furthermore, limited funds for public schooling during the Mexican Era gave Anglo settlers coming from the Eastern part of the U.S. the false impression that education was little valued. These beliefs led to the marginalization and dismissal of alternative forms of education in favor of the Anglo-Saxon Protestant, middle-class, public school reform movement of the mid-19th century.¹²

Americanization and Resistance, 1848-1930s

American society witnessed considerable social, economic, and political shifts during the decades after the Mexican American War, through the Civil War, World War I, and the Great Depression of the 1930s. Westward expansion and immigration from Europe and then from Mexico after the 1910 Revolution, triggered conflicts between more established

European Anglo and English-speaking U.S. citizens and newly arriving groups. The involvement of the U.S. in international imperialism in Latin America, World War I, and concerns over Anglo Protestant “race suicide,” prompted xenophobic measures against immigrants resulting in passage of the restrictive 1921 and 1924 Immigration Acts and English-only statutes in schools.¹³ Although Mexico was exempt from the strict numerical quotas placed upon other countries, anti-immigrant sentiments resulted in increased measures to segregate Mexican-Americans from so-called “white” public institutions such as swimming pools, parks, schools, and eating establishments.¹⁴

During the Great Depression, purposeful campaigns to repatriate Mexican Americans, many of whom were U.S. citizens, to Mexico strained the already difficult circumstances of Mexican Americans.¹⁵ As the “common” or public school idea moved West in the 1840s and 1850s, its role as an assimilationist institution clashed with the values of the former Mexican citizens who viewed their Spanish language, land, and citizenship as rights protected through the 1848 Treaty of Guadalupe Hidalgo. Politically, socially, and economically the status of elite *Californios*, *Tejanos*, and *Hispanos* eroded during this period, affecting the ability of the former Mexican citizens to shape and maintain a culturally and linguistically compatible form of public schooling for their children. During the period between 1848 and statehood for the last portion of the former Mexican territories in 1912 (Arizona), contests over language and religion and between local communities and state agencies dominated the era. The widespread and accepted view of public schools as vehicles of Americanization among Anglo-Saxon Protes-

tant education reformers ultimately triumphed in the Southwest but not without decades of compromise, resistance, and fluidity.¹⁶

Educational policies during this era varied depending upon the local economic and political power of the Mexican descent population. For example, the new states of Texas (1845) and California (1850) experienced more rapid Americanization and English-only policies from Anglo settlers pushing east and bringing with them distinct schooling traditions and policies. In the remotely settled territories of New Mex-

ico and Colorado, inhabitants identified more with original Spanish settlers and called themselves *Hispanos*. In these territories, Latinos wielded more economic and political power and could more readily maintain bilingual/ bicultural public schools for a longer period of time.¹⁷



*A sign in Dimmitt, Texas, 1949
(Center for American History, The University
of Texas at Austin)*

The state of Texas established a permanent system of common public schools

in 1854 with the Common School Law. In 1856 and 1858, the law was amended to stipulate, “no school shall be entitled to the [monetary] benefits of this act unless the English language is principally taught therein.”¹⁸ The amended law, targeted at both German immigrants and former Mexican citizens, attempted to impose English as the primary language in public schools. Mexican American parents with resources responded to this and the virulent anti-Catholic sentiments that Protestant Anglo settlers brought with them to Texas, by enrolling their children in Catholic schools or establishing their own independent private schools.¹⁹

Unlike the strict *de jure* segregated schooling for African Americans in the South based upon

race, Mexican American children in Southwestern and Midwestern states such as Iowa and Kansas, were placed in “Mexican” classrooms or schools as a result of “color of the law” or “custom” beginning in the early 1900s.²⁰ Anglo administrators defended this practice, saying that it was a result of English language deficiencies, although many “Mexican” students spoke only English. Furthermore, Anglo parents objected to their children being schooled with what they called “dirty and diseased” Mexicans.²¹ Underlying the rationales provided for separating most Mexican American students from Anglo students was an ideology among the white elite that Mexican American children belonged to a different and lower class system based upon the political economy of the Southwestern agricultural system.²² Basic levels of education were viewed as a necessity for literacy and workforce skills. Higher levels such as secondary schooling and college, however, would permit Mexican American children access to a segment of society Anglos reserved for themselves.²³ Nomenclature of schools is telling in this regard. Particularly in Texas, schools with mostly white children were called “American” while schools designated for children of Spanish or Mexican descent were called “Mexican.”²⁴

As will be documented in the following pages, white parents, in particular, were determined to keep “Mexican” children out of their “American” schools, even if these were third generation Mexican American who were U.S. citizens. Not all Mexican Americans, however, were blocked from the upper grades or entrance into the white schools. Rather, porous opportunities existed for a slim segment of Mexican Americans who possessed honorary whiteness.²⁵ This honorary whiteness was often extended to children with American surnames

(typically those with an Anglo father), children possessing light complexions, members of the older “elite” Spanish families in certain locales, and others who possessed economic/social capital or connections with school board members. However, access, even among Mexican Americans with these characteristics, was not guaranteed but subject to school-by-school’s or district by district’s unwritten practices. As University of Texas professor George I.

Sánchez described in 1948, the decision to be placed in either a white or a Mexican school was “arbitrary and capricious.”²⁶

The Aoy Preparatory School in El Paso, Texas is illustrative of the shift of Spanish language schools to public schools which stressed “American” values. Subsequently these schools became segregated “Mexican” schools within the public school system. Mexican parents founded the Aoy Preparatory School in 1887 as a bilingual private school for Spanish-speaking pupils and hired teacher Olives Villanueva Aoy.²⁷ In 1888 the El Paso public school board incorporated the school into its system. The bilingual nature of the school shifted over time, and by 1905 students were sent to the school by directive: “All Spanish speaking pupils in the city who live west of Austin Street will report at the Aoy School, corner of 7th and Campbell, English speaking Mexican children will attend the school of the district in which they live.”²⁸ “Mexican” schools such as this one, originally created to preserve the Spanish language and Mexican culture, were utilized as a means of cultural, linguistic, and social subordination in the Anglo dominant society.

The Treaty of Guadalupe Hidalgo (1848) established that Mexicans in the newly acquired territories of the U.S. would be racially classified

“In El Paso, the Mexican Aoy Preparatory School boasted the best attendance of any of the city’s public schools in the early 1900’s.”

Victoria-Maria MacDonald (editor), Latino Education in the United States

as white.²⁹ However, the *de facto* exclusion of Mexican Americans from designated white spaces, particularly schools, was widespread, but particularly endemic in Texas. Of the five Southwestern states (Arizona, California, Colorado, New Mexico, and Texas) only Texas mandated, in its 1876 constitution, that public schools were to be racially separated (black and white) from elementary school through college. Arizona and New Mexico permitted local districts to decide whether they would segregate black and white students, but only at the elementary level. In these two states, black students were integrated at the high school level.³⁰ California state codes variously included and excluded “Negroes, Mongolians, and Indians” in separate or integrated spaces between the 1870s and 1940s.³¹ However, in none of these states were statutes or constitutional measures in place requiring or permitting the segregation of Mexican American students. Instead, the practice of segregating Mexican American pupils was conducted outside of the legal structure, rendering its identification and demise particularly difficult for litigators.³² As Ruth Tuck observed in 1946, the extra-legal nature of these practices posed a difficult challenge, “rather than having the job of battering down a wall, the Mexican-American finds himself entangled in a spider web, whose outlines are difficult to see but whose clinging, silken strands hold tight.”³³

Many Mexican American children were not only segregated in the K-8 level, but also barred extralegally from high schools. One of the earliest examples of *de facto* high school exclusion occurred in Kansas City, Kansas. Many Mexican American *colonias* (communities) formed in the Midwest and West along the railroad lines

as people were brought to work the railroads and to work as migratory laborers in the beet fields. Many of these migrants remained and formed permanent communities.³⁴ In one such community in Kansas City, a high school exclusion incident in 1925 rose to the international level when parents protested both school segregation and high school exclusion. Prior to the founding of civil rights organizations such as The League of United Latin American Citizens (LULAC) in 1929, many Mexican nationals and immigrants appealed to the Mexican consular office for relief from discrimination, employment disputes, and other injustices. They also formed mutual aid societies called *mutualistas* in order to have collective voices in matters concerning the community.³⁵ Thus, the Kansas City incident did not reach the court level; rather it was handled through various Federal Government, Mexican Government, and state offices.

The protest began when four Mexican American students in Kansas City registered for the 1925-1926 school year at the “white” Argentine High School. They were admitted, but white parents immediately began petitions and meetings with the school board to keep them out.³⁶ Determined to ensure that his sons Jesus and Luz, and the two other Mexican American students, Marcos De Leon and Victorina Perez, would be protected under their constitutional rights as U.S. citizens, Saturnino Alvarado began a campaign to allow the four students to attend the high school. The Kansas City Board of Education offered a separate classroom for the students, with their own teacher. Their parents refused. The Board then offered to pay tuition and transportation for the students to cross the state lines and attend a Kansas City,



Saturnino Alvarado
(Kansas City Kansas Public Schools)

Missouri, high school for Mexican American students. The parents again refused. Although it took a year of diplomacy between numerous stakeholders including the U.S. Department of State, the U.S. Secretary of State, the Mexican Ambassador and Consul, the Governor of Kansas, and the Assistant Attorney General of Kansas, at the start of the next school year the four high school students were finally admitted as full students and three of them continued to graduation.³⁷ Historians of Mexican American educational history have identified only a few instances of non-litigated protest earlier than the Argentine High School situation. One such instance occurred in 1910, when parents in San Angelo, Texas staged what they called a “blowout” protesting their children’s assignment to an inferior and segregated “Mexican” school. The boycott of the school lasted until 1915 without a satisfactory resolution to the Mexican American community.³⁸ Other such instances may have occurred as well, although with no documentation for historians to currently access.

Laura Muñoz, in her recent documentation of the Arizona case *Romo v. Laird* (1925), brought to light the only formal legal case of the 1920s in which Mexican Americans fought against educational segregation and/or exclusion in the U.S.³⁹ In *Romo*, a Mexican American parent sued the Tempe, Arizona school district for placing his children in the Tempe Normal Training School with student teachers instead of fully trained teachers. Judge Joseph S. Jenckes agreed that the school board’s practice of essentially segregating Mexican American students without giving them equivalent opportunities to attend the regular public schools violated the students’ rights and ruled for the plaintiffs.

“The case stands as a credit to the Mexican community of Lemon Grove who as immigrants used the public system of justice to test their children’s rights as U.S. citizens.”

Robert R. Alvarez, Jr., The Lemon Grove Incident: The Nation’s First Successful Desegregation Court Case

As a second-generation Mexican American middle class developed in the Southwest, they accrued sufficient political and economic power to push for their civil rights.⁴⁰ Most significantly for Mexican Americans during the decades of the 1920s through the 1940s was the creation in 1929 of the League of United Latin American Citizens (LULAC), in Corpus Christi, Texas. LULAC’s creation represented a turning point in educational rights for Mexican American children.⁴¹ It spearheaded several school desegregation cases decades before the *Brown v. Board of Education* decision of 1954. The first

case, *Del Rio (TX) Independent School District v. Salvatierra* (1930), alleged that children were unconstitutionally segregated by the “color of law.” The school district had sold a municipal bond to allow the expansion of a “Mexican”

elementary school for grades 1-3; however, the student’s parents believed that the district’s action meant that their children would be permanently segregated into “Mexican” schools. Although the case won at the District Court level, the Texas Court of Civil Appeals overturned the decision. Basing their decision on the right of a school board to utilize “educational reasons,” in this case, the language needs of Mexican American children, the court permitted the school district to continue segregating Mexican American students so long as it was not being done for reasons of race or color.⁴²

Utilizing the “special language needs” of Spanish-speaking children as a premise for segregation in the lower grades was a practice utilized throughout the Southwest. Influential leaders such as George I. Sánchez at the University of New Mexico utilized research funded by the General Education Board of the Rockefeller Foundation in the 1930s to document financial

inequalities between school systems. He stressed the negative impact of state-level decision making without local community input as a particular disservice to New Mexican natives.⁴³

In *Roberto Alvarez v. the Board of Trustees of the Lemon Grove (CA) School District* (1931), the first Mexican American class action suit, parents fought an attempt to segregate their children from the white children with whom they had been attending school.⁴⁴ In 1930, the board of trustees at the Lemon Grove School voted to segregate the school's students and to provide a two-room building for use by Mexican American students; of the 169 students at the school, 75 were Mexican American. These students were denied admittance to the Lemon Grove School and were instructed to attend the "new" school, an old building eventually referred to derisively as "*La Caballeriza*" (The Stable). Parents of the Mexican American schoolchildren formed a committee, *Comité de Vecinos de Lemon Grove* (Lemon Grove Neighbors Committee), hired lawyers, and successfully brought suit against the school district. Judge Claude Chambers, of the San Diego Superior Court, ruled in favor of the parents and found that school boards had no right under California law to segregate Mexican American children. Contrary to the school board's premise that the segregated school would provide opportunities for English language learning and Americanization, the judge reasoned that these goals could not be accomplished without integration among white non-Spanish speaking pupils.⁴⁵

The lawsuits and community organized protests of the 1920s and 1930s, whether success-

ful or not, demonstrated the esteem in which public education was held among Mexican Americans and their willingness to challenge the dominant community's resistance to integrate them fully as U.S. citizens with constitutional protections under the law. Each of these cases had only local jurisdictional powers; however, they represented the beginning of the long national civil rights journey in the 20th century for equitable schooling opportunities.

During the late 1800s until World War I, college participation in the U.S. among all adults was a small (less than 5%) proportion of the entire population. Among the elite classes of *Tejanos*, *Californios*, and *Hispanos* in the late 19th and early 20th centuries, the sons and daughters of the elite (but downwardly mobile) classes often attended private Catholic Colleges. These schools represented a smooth



Spanish-American Normal School, El Rito, New Mexico, c. 1910 (Northern New Mexico College)

continuity with the Spanish language, culture (sex segregation, for example), and religion distinct from the public universities emerging during this era. Many of these Catholic colleges started first as academies to provide high school preparation before students reached collegiate status and accreditation. The most prominent include Santa Clara College in San Jose, California (1851); Saint Michael's College in Santa Fe, New Mexico (1859), chartered again in 1874 as the College of the Christian Brothers of New Mexico; Notre Dame College in San Jose, California (1868); and Our Lady of the Lake in San Antonio, Texas (1895).

In contrast to the segregated practices in Texas and California carried out by white school officials who viewed Mexican Americans as racially inferior, unclean, and in need of Ameri-

canization, *Hispanos* in New Mexico and Colorado, emphasized their distinct heritage as something to be *affirmed* in the public schools, and extended that power to the newly emerging public teacher training institutions. *Hispano* descent school officials determined who taught and administered, and could shape the nature of social and academic environments.⁴⁶ One prominent example of the economic and political clout of *Hispanos* was the creation of a public bilingual teacher training institution. In 1909, the state legislature of New Mexico founded the Spanish-American Normal School at El Rito. The legislature charged the institution to educate "Spanish-speaking natives of New Mexico for the vocation of teachers in the public schools of the counties and districts where the Spanish language is prevalent."⁴⁷ The school continued through the 1930s as a normal school and then was absorbed into the New Mexico higher education system.⁴⁸ After several evolutions and levels of schooling, it is now (2012) known as Northern New Mexico College, an accredited baccalaureate institution.⁴⁹ Similarly, the New Mexico Normal School, founded in 1893 in Las Vegas, New Mexico, became New Mexico Normal University in 1902 and New Mexico Highlands University in 1941, which it is still named today.⁵⁰

In addition to teacher training institutions, junior colleges, now called community colleges, educated many Mexican Americans during the era of segregation. The first junior college opened in 1901 in Joliet, Illinois and quickly became a popular commuter institution for students as an affordable alternative to four-year residential schools. Parents of Latina girls preferred junior colleges because of the cultur-

al aspect, which permitted their daughters to live at home and study nearby. Some schools were vocational/technical in nature from their beginnings and others offered both academic transfer functions to four-year schools and skilled training programs. In Brownsville, Texas, a dominant Mexican American community, many high school students advanced to the Junior College of the Lower Rio Grande Valley, founded in 1926. In 1931, its name was changed to Brownsville Junior College and then Texas Southmost College in 1950, the appellation it utilizes today.⁵¹ In Corpus Christi, Texas,

the state founded Del Mar College in 1935 as a vocational/technical school, a role it has continued until the present. Catholic colleges, teacher training schools, and junior colleges/community colleges appear to have educated the majority of Latinos in the pre-World War II era; however, this is an area of research requiring further investigation.

The Morrill Land Grant Act of 1862 provided monies for each state to open land grant universities for all students. The 1890 Morrill Land Grant Act

provided federal funds to southern states to allow designation of separate land-grant institutions for persons of color. Similar to the K-12 public school system, Mexican Americans were not segregated legally from public colleges or universities, but *de facto*, their presence was discouraged. Extracurricular activities were another source of oppression and discrimination. For example, sororities and fraternities at public universities barred students of color from joining, except for a limited few who possessed honorary whiteness. Undeterred, many Mexican American and *Hispano* students formed their own organizations.⁵²



Sigma Iota Fraternity, Loyola University, 1928. Established in 1912 at LSU, Sigma Iota was the first Latino Fraternity in the U.S. (Phi Iota Alpha Archives)

Philanthropic organizations, the increasing numbers of middle-class Latinos, and their determination aided admittance to institutions of higher learning in the pre-World War II era. Local customs, the social and political clout of Spanish-speaking citizens, and other intangible factors, however, affected access and the nature of the college experience. Perhaps the greatest factor blocking college entrance was the insufficient number of Mexican Americans who could complete eighth grade and attend secondary schools. For most Mexican Americans during this era (1848-1940), eighth grade was the highest level reached due to segregation, racism, and a political economy based on the inexpensive agricultural labor of Mexicans.⁵³ The early Latino college students were pioneers. Unlike the late 19th century participation of Latinos from older elite *Hispano* and *Californio* families in higher education, students from middle and working-class Latino families were finally entering college.⁵⁴ In the 1930s, for example, the YMCA of Los Angeles provided funds and a social worker in the Mexican American community to provide youth with information about college admissions, scholarships, and networking. As an offshoot of the YMCA club, Mexican American students at UCLA created the first known Latino college student organization in the U.S. called the Mexican American Movement (MAM). Club member and student Felix Gutierrez founded the first Latino student newspaper at UCLA, *The Mexican Voice*, and was its editor from 1938-1944.⁵⁵ These pioneering Latino college students would later provide leadership and talent to aid the formation of the Chicano/Puerto Rican civil rights movement of the 1960s and 1970s.

Participation in Southwestern states' flagship universities was minimal during this era among Mexican Americans. The University of California, Berkeley opened in 1869 with 40

The early Latino college students were pioneers.

students. Between 1870 and 1872, the university established a college preparatory department for Mexican American and *Californios* students known as the "Fifth Class." Almost two dozen enrolled in the preparatory college program. According to historians León and McNeil, when the preparatory department was abolished two years later, it resulted in the "virtual disappearance of Spanish surnamed students at the University of California."⁵⁶ The

flagship University of Texas at Austin opened in the fall of 1883 and Manuel García was the first Mexican American to graduate from the University of Texas in 1894.⁵⁷ Little is

known about other Latinos in the Texas university system during this early era, although by the 1920s only one percent of the undergraduates in Texas universities were of Mexican descent.⁵⁸

The Mexican American War of 1848 brought the first subgroup of Latinos into the American politic; in the Spanish American War of 1898 the U.S. acquired, among other lands, the former Spanish colonies of Puerto Rico and Cuba. The Teller Amendment prohibited the U.S. from establishing permanent rule over Cuba, which became independent in 1902. Puerto Rico, however, has remained a commonwealth of the U.S. to the present day. The U.S. Government continued to believe that U.S. style public schools and the English Language would inculcate American values in Puerto Rico's teachers and youth. To implement these assimilationist measures, Puerto Rican teachers were required to teach all classes in English only and to teach U.S. history and culture. Because so few Puerto Rican teachers knew English, many of these drastic policies were eventually modified. Prior to the creation of the University of Puerto Rico in 1903, the colonial government provided college educations to over five hundred students. Students from rural areas and those who were darker-skinned were directed

to the historically black segregated institutions of Tuskegee and Hampton.⁵⁹

As small numbers of Puerto Ricans began to migrate to the U.S. mainland in the early 1900s, Puerto Rican parents formed organizations to support their children's experiences in the public schools. In New York City, for example, *Madres y Padres Por Niños Hispanos* (Mothers and Fathers for Hispanic Children), was created in the 1930s. Among other priorities, this organization exposed the bias within intelligence testing that confused English proficiency with knowledge of subject matter and channeled Puerto Rican students into classrooms for "backward" children.⁶⁰ Granted U.S. citizenship in 1917 through the Jones Act, Puerto Ricans occupied a liminal space as colonized peoples while receiving some advantages of citizenship, particularly the right to travel legally between the island of Puerto Rico and the U.S. mainland and to work in either place.

World War II and its Legacies: Stimulus for Latino Civil Rights

The harsh Depression Era slowly faded in the U.S. with the onset of the military defense industry build up for World War II, bringing with it a wave of patriotism across the country as citizens rallied to combat totalitarianism and fascism. Mexican Americans were integrated into the U.S. military (distinct from African Americans who were still segregated) and numbered an estimated 500,000.⁶¹ The global experiences of Mexican American soldiers serving abroad and fighting alongside white citizens outside of the *de facto* segregated Southwest stimulated a nascent civil rights movement. Veterans who had heroically risked their lives and seen family members' and

friends' sacrifices theirs for the larger cause of maintaining democracy abroad, recognized the hypocrisy of homeland discrimination. Imbued with a renewed sense of their rights as part of the U.S. politic, they were proactive in securing improved access to constitutionally protected rights and governmental services. Grassroots community organizing and litigation were particularly utilized in this era for equity and access to elementary, secondary, and higher education.



Felicitas and Gonzalo Mendez
(Creative Commons by J Milburn)

The first post-World War II victory for Mexican Americans was a constitutional challenge to school segregation. With the support of an *amicus curiae* brief from the National Association of Colored People (NAACP), *Mendez et al v. Westminster*

School District et al (1946) was a class action suit filed by Felicitas and Gonzalo Mendez against four Southern California school districts. The plaintiffs demanded an end to the segregation of more than five thousand Mexican and Mexican American students in the various school districts in Orange County. Of particular significance was Judge Paul J. McCormick's finding that the students' rights to equal schooling should be protected under the Equal Protection clause of the Fourteenth Amendment.⁶² The state of California required separate schools for "Negro, Mongolian, and Indian children," but the judge ruled that Mexicans were white and found the segregation of Mexican and Mexican American students to be unconstitutional and ordered that they be integrated into the "American" schools. Furthermore, the judge also ruled that separating Spanish-speaking children from their English-speaking classmates denied them access to learning the English language.⁶³ In particular, Judge McCormick invoked the democratic spirit of the post-World War II era, arguing that

separating children “fosters antagonisms in the children and suggests inferiority among them where none exists,” and that instead “commingling of the entire student body instills and develops a common cultural attitude among the school children which is imperative for the perpetuation of American institutions and ideals.”⁶⁴

Encouraged by the success of *Mendez et al*, activists in Texas backed the class action lawsuit of six-year-old Minerva Delgado. *Delgado v. Bastrop Independent School District* (1948) charged that Mexican descent students were routinely barred from attending public schools with other white schoolchildren in violation of the 14th Amendment’s Equal Protection clause. One of the primary figures involved in the case was George Isidore Sánchez, one of the most outstanding Mexican American educators, activists, and leaders of the era. One of the key points that lawyer Gus García had to demonstrate in court was that segregating Latino children, although not in statute, was a custom and could be tried in a court of law. Plaintiffs were successful in *Delgado*, although the judge ruled that Spanish-speaking children could still be segregated in the first grade for pedagogical reasons.⁶⁵ Although neither *Mendez et al* nor *Delgado* overturned the US Supreme Court case of *Plessy v. Ferguson* (1896), thereby ending *de jure* segregation throughout the country, the cases were notable for two reasons. First, they led to the legislative end of school segregation in their respective states of California and Texas. Second, the finding in support of the Equal Protection Clause of the Fourteenth Amendment in *Mendez et al* represented a successful test for the future litigators in *Brown v. Board of Education* (1954). Although these were cases with only district-wide or countywide jurisdiction, they helped, along with *Brown v. Board of Education*, to bring an end to *de jure* segregation in U.S. schools. Even after these rulings, however, historians have found that as late as the mid-1960s Mexican American students in

the Southwest were still clustered in predominantly “Mexican” schools.⁶⁶

On the East Coast and in Midwestern centers such as Chicago, Puerto Ricans migrated in increasing numbers from the island to the mainland in search of jobs during the 1940s and 1950s. The number of Puerto Rican children entering New York City schools increased from 29,000 to 300,000 between 1949 and 1968. In response to the influx, the city’s Board of Education commissioned the *Puerto Rican Study, 1953-1957*. One of the Study’s determinations was that extensive bilingual preparation for teachers and support staff was needed immediately. One response was to hire Puerto Rican women and former teachers on the island as Substitute Auxiliary Teachers (SATs) to assist in the classrooms.⁶⁷

During the 1940s and 1950s, a growing number of Latinos enrolled in higher education. The G.I Bill or Serviceman’s Readjustment Act of 1944 provided educational benefits and Latino (majority male) veterans took advantage of these perquisites. Some two-year colleges such as the San Luis Institute (1943) in San Luis, Colorado were created as a result of veterans’ demands.⁶⁸ At the University of Texas, Austin, Mexican American veterans who were excluded from fraternities formed their own clubs such as the Laredo and Alba clubs and used their status as veterans to advocate for educational and veterans’ rights.⁶⁹ Furthermore, the American G.I. Forum was established in 1948 to protect veterans who were not receiving benefits they merited. As professionally trained Latina and Latino professor began to teach in the universities in small numbers during the 1940s and 1950s, they served as mentors and role models for the coming generation of activists, further advancing the cause of Latino education.

The arrival of Cuban refugees in the late 1950s and early 1960s into Miami, Florida generated

its own educational policy response. Situated within the context of Cold War politics, school policies towards the refugees departed from the stricter Americanization assimilationist characteristics of earlier eras and permitted more flexibility and openness towards bilingual education. Through the creation in 1961 of the Cuban Emergency Refugee Center under the administration of the Department of Health, Education, and Welfare (HEW), federal funds were channeled to agencies throughout South Florida for the educational needs of newly arrived Cubans. Among the most notable creations (with assistance from the Ford Foundation) was the Coral Way Elementary School in 1963, the first bilingual public school in the post-World War II U.S.⁷⁰ Higher educational levels of the first wave of “Golden Exile” refugees from Cuba and generous government-assisted programs contributed to the fast growth of economic, political, and social capital of Cubans in South Florida.

Compared to the largely rural and working-class population of Puerto Ricans leaving the island for cities on the mainland, few resources were available for Puerto Rican youth still under the yoke of semi-colonial rule (Commonwealth status was not granted until 1952). In response to their particular needs, activists such as educator Antonia Pantoja created ASPIRA (aspire) in 1961 to prevent high school dropouts and promote the schooling of Puerto Rican children in New York City.

Fighting for Our Rights: The Chicano and Boricua Civil Rights Movement

The conservative climate of Cold War 1950s American society was slowly rocked, first by the beginning of the African American civil rights movement, then through a firestorm of

multiple social revolutions. The Free Speech Movement, launched at the University of California, Berkeley by Mario Savio in 1964, was followed by urban riots beginning in 1965 with the Watts Riot in Los Angeles, anti-Vietnam War protests on college campuses, and a series of ethnic, gender, and racial rights movements that followed the African American civil rights movement for equal rights under the law. Within these tumultuous decades, Mexican Americans and Puerto Ricans, politicized as Chicanos and Boricuas, drew from early developments in the World War II era to spark their own form of protest.



*Chicano Student News, 1968
(Southern California Library for
Social Studies and Research)*

The persistence of subtractive language policies and curricula, few Spanish-descent public school teachers, tracking of Mexican American and Puerto Rican students into vocational classes, and lingering segregation of schools led to the fight for widespread collective and legal rights for Latino educational equity during the 1960s and 1970s. Mostly a youth movement in both high schools and colleges, the new activists were impatient with the slow pace of reform begun by the World War II generation and organizations such as LULAC. As Juan Gonzalez explained in *Harvest of Empire*, these young activists concluded that the solution lay with “massive protests, disruptive boycotts, strikes, and even riots.”⁷¹ Among the most famous civil rights activities were the 1968 Los Angeles high school walkouts (also referred to as “blowouts”). During the spring of 1968, Chicano students at four East Los Angeles high schools staged massive walkouts, demanding better guidance counselors for college, Latino teachers, Mexican American history classes, smaller classes, bilingual classes for those who needed them, and parental advisory boards. Although the walkouts elicited a negative response from

the Anglo community, resulting in arrests and crackdowns, the city of Los Angeles eventually gave in to some of the demands and parents formed their own Mexican American educational committee to monitor reforms.⁷²

In response to community protests and agitation, private foundations and government agencies provided funds and official recognition and legitimacy to Mexican American and Puerto Rican demands. One of the broadest and most symbolic improvements was federal recognition of Mexican Americans as an identifiable ethnic group. With the election of Texan Lyndon B. Johnson to the U.S. Senate and his rise to the presidency after President John F. Kennedy's tragic assassination, Mexican Americans hoped that their needs would be recognized along with African Americans under the many programs created for both the War on Poverty and Affirmative Action.⁷³ An early significant piece of legislation was the U.S. Congress' passage in 1968 of the Bilingual Education Act (BEA), the first piece of federal legislation that recognized the needs of Limited English Speaking Ability students. Initially participation in BEA by school districts was voluntary. With the 1974 U.S. Supreme Court case, *Lau v. Nichols*, however, the provision of educational services for English Language Learners, of any nationality or ethnic background, was mandated.⁷⁴

While the level of federal recognition was initially slow, Latinos were able to garner political power through electoral means. The Mexican American Legal Defense Education Fund (MALDEF) was created in 1968 with the assistance of the NAACP and funding from the Ford Foundation. Similarly, the Puerto Rican Legal Defense Education Fund (PRLDF) was created

in 1972 and centralized community activists, providing more resources and funds to hire lawyers and file lawsuits against schools and other institutions that were denying Latinos equitable educational opportunities.

The U.S. Supreme Court first recognized Mexican Americans as an identifiable ethnic group in *Hernandez v. Texas* (1954). Significantly, before Mexican Americans could seek relief against discrimination in court, *Hernandez* affirmed that the Fourteenth Amendment extended "beyond the racial classes of white or negro."⁷⁵ This ruling opened the way for *Cisneros v. Corpus Christi (TX) Independent School District* (1970). As historian Guadalupe San Miguel, Jr. pointed out, when school districts attempted to utilize Latino children to achieve racial balance in Black schools, the original strategy of Mexican American lawyers classify students as "white" finally backfired.⁷⁶

In *Cisneros*, the judge ruled that Mexican Americans were "an identifiable ethnic minority group," and could thus benefit from *Brown v. Board of Education* school desegregation cases. In a subsequent ruling, *Keyes v. School District Number One, Denver, Colorado* (1973), the U.S. Supreme Court stated that Mexican Americans had the constitutional right to be recognized as a separate minority. The work of Chicano activists in the Southwest had a parallel among Puerto Rican leaders in the Northeast and the urban Midwest. Building on the work of pre-1960 groups such as the Puerto Rican-Hispanic Leadership Fund (1957), community-based organizations such as the United Bronx Parents, Inc. (1965) pushed for bilingual schools and teachers.

The outcome of the civil rights movement among Puerto Ricans and Chicanos affected



United Bronx Parents, New York, New York, c. 1965 (United Bronx Parents, Inc.)

most areas of society, including higher education. One tangible result was the creation of Chicano and Puerto Rican studies and research centers on college campuses. Scholars organized to ensure that social science research on Latinos was included in traditional research agendas and that more Mexican, Puerto Rican, and other Spanish-descent faculty were hired.⁷⁷ The Latino experience is now a legitimate field of study and there are academic journals, courses, and university departments devoted to research on Latino history and culture. The Ethnic Studies Department (encompassing African/Native American/Asian and Raza Studies) at San Francisco State University is generally considered the first such entity in higher education history, established in 1969.⁷⁸ Before 1970, the number of Latino youth entering college was disproportionately smaller than that of white or African American youth.⁷⁹ Latinos took advantage of greater access to higher education during the 1970s, pouring into community colleges, state universities, and Ivy League campuses. The first generation of Chicano and Puerto Rican Ph.D. scholars entered the academic field in the early 1970s, teaching Mexican American and Puerto Rican history classes and writing books from a culturally specific perspective.⁸⁰ The number of Latino faculty at the nation's universities remained small at the turn of the 21st century (less than four percent), but should increase as new generations of Ph.D. students matriculate and enter the academy.

Post-Civil Rights to the Present

In the post-Civil Rights era, Latinos have had to maintain vigilance to avoid a rollback of the hard won advances of the 1960s and 1970s. At least two broad factors have negatively affected educational progress for Latinos in the post-1980 era, although none have brought Latinos back to a pre-1970 level. First, the 1965 Immigration and Nationality Act (Hart-Cellar Act) which removed national origin numerical quotas in place since the 1920s and favored

reunification of family members and workers with needed skills, led to the second largest wave of immigration to the U.S., particularly of persons from Latin America and Asia. Second, after decades of liberal reforms, economic and political pressures ushered in a new wave of conservatism in the U.S., represented by the election of President Ronald Reagan for two terms from 1981 to 1989. Under the Reagan Administration, severe cuts in taxes and government agencies resulted in reduced support for student grants, among other beneficial programs, and the number of Latino students in college began to level off after years of gains in the 1960s and 1970s.

These two macro societal shifts, coupled with economic stagnation and debt from the long Vietnam War, resulted in negative repercussions towards Latinos, whether new arrivals or long time descendents of Spaniards. In Miami, Florida, angry individuals fought against the federal government's decision in 1980 (under President Jimmy Carter) to permit additional Cuban refugees, "*Marielitos*," to enter the U.S. Approximately 125,000 Marielitos were allowed to enter. Distinct educationally, socially, and economically from the earlier "Golden Wave" of Cuban exiles admitted during the height of the Cold War, the new refugees were viewed as inferior, possessing few skills, and possibly criminals or mentally ill.

Latinos also experienced forms of backlash through English-Only movements, which sprang up at the local, state, and federal levels throughout the country. For instance, in 1983 Senator S.I. Hayakawa of California formed an organization called U.S. English calling for English to be the official language of the country. In other forums, non-Hispanic individuals and groups argued that bilingual education programs were merely employment agencies for Latino teachers and launched other accusations based upon nativist sentiments rather than documented information. In Texas, the

state's attempt to pass legislation which would deny public school entrance to undocumented children was successfully challenged and stopped by the U.S. Supreme Court in *Plyler v. Doe*, 457 U.S. 202 (1982). As of 2012, *Plyler v. Doe* remains the law of the land, despite recent efforts in several states to challenge the Supreme Court case.

As the number of Latinos grew dramatically between the 1990 and 2010 censuses, not only in historically familiar states, but also into the American South, the Far West, and the Mid-Atlantic, anti-immigrant groups fueling nativist rhetoric passed exclusionary legislation. Voters in 1990s California, for example, eradicated bilingual education in the state and also voted for measures requiring teachers to report students whom they believed were undocumented to federal immigration authorities.⁸¹ Latinos responded to these measures with several counter efforts learned through a long history of demanding their rights. Communities marched in rallies during the 1990s and early 2000s, asserting their rights as citizens in a democracy to be in this country, have their children receive English language services without denigrating home languages, and resist marginalization at all levels of school and university systems. Organizations such as MALDEF and the National Council of La Raza, in existence since the 1960s, were able to quickly file lawsuits against discriminatory legislation. In newer areas of the country, Salvadoran immigrants in the Washington, D.C. area founded advocacy organizations such as Casa de Maryland in 1985. In a parallel move, organizations that had previously identified with only one Latino sub-group, such as the Puerto Rican Legal Defense Education Association (now LatinoJusticePRLDEF) have changed their names and

Spanish-descent peoples in the U.S. have often had to exercise their First Amendment rights to free speech, peaceful assembly, and to petition for relief from the government to secure equity in schooling.

orientation to be more inclusive of all Latinos and also leverage collective action.

The latest challenge to educational opportunities and access for youth resides in the phenomenon of children brought to the U.S. as babies or young children who remain undocumented. As they reach high school age, and discover that they are not documented, they see little future for themselves and are at risk for deportation along with their undocumented parents. In order to offer hope and opportunities for these children, the Development, Relief, and Education of Alien Minors (DREAM) Act was introduced in the U.S. Senate in 2001. The DREAM Act would allow these minors to enroll in college or enlist in the

military and have a pathway to permanent residency. In most states, the DREAM Act also permits undocumented students to pay in-state vs. international student tuition, a significant savings. The requirements for the DREAM Act are lengthy and strict. Currently (as of 2012) 13 states have passed their own forms of the DREAM Act, but the U.S. Congress has failed to pass the bill despite attempts since 2001.

From the earliest days of their arrival in the Americas—Anglos, Mexicans, Puerto Ricans, Cubans, and other members of the Latin American diaspora—have placed a high value upon education as a means of economic, political, social maintenance, and upward mobility. Equitable opportunities and access to quality educational facilities have posed a formidable challenge to Latinos throughout U.S. history. The Latino community has displayed persistence, courage, sacrifice, and heterogeneity in its response to discrimination. Whether the issue concerns undocumented students' ability to receive in-state college tuition, if Spanish can be utilized in the schools without punish-

ment, or resisting the eradication of Mexican American history courses (such as has recently happened in Tucson, Arizona), Latino communities have never taken for granted their constitutional rights. Through collective action, lawsuits, lobbying, petitions, and other measures, they have not remained silent, but reminded the U.S. that all of its citizens, not only a select few, must be a part of the polity in order for a healthy democracy to function.

Endnotes

- ¹ In this essay, “Latino/os” will be utilized to reference both male and female genders. When there is a specific reference to girls or women, “Latina” will be utilized. If a specific reference is to boys or men, then the word will be prefaced with the appropriate indicator.
- ² J.H. Elliott, *Empires of the Atlantic World: Britain and Spain in America 1492-1830* (New Haven, CT: Yale University Press, 2007).
- ³ Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans* (Austin: University of Texas Press, 2001).
- ⁴ David J. Weber, *The Spanish Frontier in North America* (New Haven, CT: Yale University Press, 1992).
- ⁵ Records on colonial schools in Florida include, “Royal Orders Establishing Schools in Spanish America,” trans. Carlos Castañeda and Mattie Austin Hatcher, in Frederick E. Eby, *Education in Texas: Source Materials* (Austin: University of Texas Bulletin, no. 1824, April 1918), 4-7; “Cedula of March 12, 1634,” in *Documentary History of Education in the South Before 1860*, vol. 1, Edgar Knight, ed. (Chapel Hill: University of North Carolina Press, 1949), 666. Cedula of March 12, 1634 from *Statutes Relating to Florida in the Diocesan Synod Held by his Majesty’s Command*, by the Right Rev. Dr. John Gareidae Palacios, Bishop of Cuba, June 1864, John Dawson Gilmary Shea, trans; and “Rules of a School in St. Augustine, 1786,” in Knight, *Documentary History of Education*, 728-732.
- ⁶ For example, according to records from the 1680 Pueblo Revolt, a mestizo named Frasquillo, trained to read and write both Spanish and Latin, turned on his mentor, “When the conspiracy was formed and the day for the massacre was fixed, this precocious boy entered ardently in it.” Rev. J. A. Burns, *The Catholic School System in the United States*, 209-210. For discussion of “ladinos” and other aspects of this era see James F. Brooks, *Captives and Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002); Bernardo P. Gallegos, *Literacy, Education and Society in New Mexico, 1693-1821* (Albuquerque: University of New Mexico Press, 1992), and Richard C. Trexler, “From the Mouths of Babes: Christianization by Children in 16th Century New Spain,” in *Religious Organization and Religious Experience*, J. Davis, ed. (London: Academic Press, 1982), 122-123.
- ⁷ Jerome J. Martinez and J. C. L. Alire, “The Influence of the Roman Catholic Church in New Mexico under Mexican Administration, 1821-1848.” In *Seeds of Struggle/Harvest of Faith: The Papers of the Archdiocese of Santa Fe Cuarto Centennial Conference: The History of the Catholic Church in New Mexico*, Thomas J. Steele, Paul Rhett, and Barbe Awalt, eds. (Albuquerque: LPD Press), 329-344.
- ⁸ Max Berger, “Education in Texas during the Spanish and Mexican Periods,” *Southwestern Historical Quarterly* 51 (1947): 41-53.
- ⁹ Martha Menchaca, “The Treaty of Guadalupe Hidalgo and the Racialization of the Mexican population,” in *The Elusive*

- Quest for Equality: 150 Years of Chicano/Chicana Education*, ed. Jose F. Moreno, (Cambridge: Harvard Education Press, 1999), 3-29.
- ¹⁰ "Historical Sketch of the Public School System of California," in First Biennial Report of the Superintendent of Public Instruction of the State of California for the School Years 1864 and 1865. State of California. (Special Collections, Monroe C. Gutman Library, Harvard Graduate School of Education).
 - ¹¹ Max Berger and Lee Wilborn, "EDUCATION," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/khe01>), accessed May 13, 2012. Published by the Texas State Historical Association.
 - ¹² Victoria-María MacDonald, "Hispanic, Latino, Chicano, or 'Other'?: Deconstructing the Relationship between Historians and Hispanic-American Educational History," *History of Education Quarterly* 41 (2001): 365-413.
 - ¹³ Ngai, *Impossible Subjects*; Carlos K. Blanton, *The Strange Career of Bilingual Education in Texas, 1836-1981* (College Station: Texas A&M University Press, 2004).
 - ¹⁴ David G. Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (Berkeley: University of California Press, 1995).
 - ¹⁵ Mae Ngai, *Impossible Subjects*; Abraham Hoffman, *Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939* (Tucson: University of Arizona Press, 1974).
 - ¹⁶ Victoria-María MacDonald, *Latino Education in the United States, 1513-2000: A Narrated History* (New York: Palgrave/Macmillan, 2004).
 - ¹⁷ Rubén Donato, *Mexicans and Hispanos in Colorado Schools and Communities, 1920-1960* (Albany: State University of New York Press, 2007); Lynn Marie Getz, *Schools of Their Own: The Education of Hispanics in New Mexico, 1850-1940* (Albuquerque: University of New Mexico Press, 1997); and John Nieto Phillips, *The Language of Blood: The Making of Spanish American Identity in New Mexico, 1880s-1930s* (Albuquerque: University of New Mexico Press, 2004).
 - ¹⁸ Frederick E. Eby, comp., *Education in Texas: Source Materials*. Austin: University of Texas Bulletin, No. 1824 (April, 1918), 336; H. P. N. Gammel, comp., *The Laws of Texas, 1822-1897* (Austin, TX: The Gammel Book Company, 1898), 998-999.
 - ¹⁹ Guadalupe San Miguel, Jr., *"Let All of Them Take Heed:" Mexican Americans and the Campaign for Education Equality in Texas, 1910-1981* (Austin: University of Texas Press, 1988).
 - ²⁰ According to David Montejano, the first segregated "Mexican school" was established in 1902 in Central Texas (Seguin) but this point has not been confirmed. See *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: University of Texas Press, 1987), 160.
 - ²¹ Guadalupe, *"Let All of them Take Heed."*
 - ²² Montejano, *Anglos and Mexicans*, 178.

- ²³ David G. Gutiérrez quotes Texas Congressman Olger B. Burtness stating in 1928, "I am not going to stand here and tell you that [Mexicans] are the best people on the face of the earth, or that they will have made wonderful citizens or that in a few years their sons and daughters will be graduating from our high schools...If they were going to do that I don't know that we would want them," *Walls and Mirrors*, 50.
- ²⁴ Ngai, *Impossible Subjects*.
- ²⁵ López, *White by Law*, 152.
- ²⁶ George I. Sánchez and Virgil Strickland "Spanish Name Spells Discrimination." *The Nation's Schools* 41, no. 1 (January 1948): 22-24.
- ²⁷ Guadalupe San Miguel, Jr. "Let All of Them Take Heed:" *Mexican Americans and the Campaign for Education Equality in Texas, 1910-1981* (Austin: University of Texas Press, 1988), p.11.
- ²⁸ *Reports of the Public Schools of El Paso, Texas, 1903-1904 for the Scholastic Year Commencing September 6th, 1903, and ending May 20th, 1904*, 13-14. ; and *Report of the Public Schools of El Paso, Texas, for the Scholastic year, Commencing September 4, 1905, and Ending May 5, 1906*, 35-36. Monroe C. Gutman Library Special Collections, Harvard Graduate School of Education.
- ²⁹ Richard Griswold del Castillo, *The Treaty of Guadalupe Hidalgo: A Legacy of Conflict* (Norman and London: University of Oklahoma Press, 1990).
- ³⁰ Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (New York: Vintage Books, 1977), 634-635.
- ³¹ Charles Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975* (Berkeley: University of California Press, 1976), 108-123.
- ³² To date (2012) no court cases in the pre-1954 era have been identified concerning segregation and high schools. Richard Valencia, *Chicano Students and the Courts: The Mexican American Legal Struggle for Educational Equality* (New York: New York University Press, 2008).
- ³³ Ruth Tuck, *Not with the Fist: Mexican-Americans in a Southwest City* (New York: Harcourt Brace, 1946), 198.
- ³⁴ Zaragosa Vargas, *Proletarians of the North: a history of Mexican industrial workers in Detroit and the Midwest, 1917-1933* (Berkeley: University of California Press, 1993); and Dionicio Nodín Valdés, *Barrios Norteños: St. Paul and Midwestern Mexican Communities in the Twentieth Century* (Austin: University of Texas Press, 2000).
- ³⁵ Francisco E. Balderrama, *In Defense of La Raza: The Los Angeles Mexican Consulate and the Mexican Community, 1929-1936* (Tucson, AZ: University of Arizona Press, 1982); and Francisco Arturo Rosales, *Pobre Raza!: Violence, Justice, and Mobilization among Mexico Linda Immigrants, 1900-1936* (Austin, TX: University of Texas Press, 1999).
- ³⁶ A detailed account of this case may be found in Victoria-María MacDonald, "The Fractured Pipeline: Mexican American Access to High Schooling, 1920-1954,"

manuscript submitted for publication, April 2012.

- ³⁷ MacDonald, "Fractured Pipeline," and "Saturmino Alvarado," History of the Public Schools of Wyandotte County," www.kckps.org/...arg-salvarado.html, accessed May 6, 2012.
- ³⁸ Arnolde De León, "Blowout 1910 Style: A Chicano school boycott in West Texas," *Texana* 12 (2001): 125-140 cited in Valencia, *Chicano Students and the Courts*, 10.
- ³⁹ Laura K. Muñoz, "Separate but equal?: A case study of *Romo v. Laird* and Mexican American Education." *OAH Magazine of History*, 15 (2001): 28-34; and Valencia, *Chicano Students and the Courts*, 13-15.
- ⁴⁰ Mario T. García, *Mexican Americans: Leadership, Ideology, and Identity, 1930-1960* (New Haven: Yale University Press, 1989); and George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford Press, 1995).
- ⁴¹ MacDonald, *Latino Education in the United States, 1513-2000*, 119-20.
- ⁴² Richard R. Valencia, *Chicano Students and the Courts: the Mexican American Legal Struggle for Educational Equality* (New York: New York University Press, 2008), 15-18.
- ⁴³ Lynne Marie Getz, "Extending the Helping Hand to Hispanics: The Role of the General Education Board in New Mexico in the 1930s," *Teachers College Record*, 93 (Spring 1992): 500-515.
- ⁴⁴ A 1905 image of Lemon Grove's schoolhouse that Mexican American children would be barred from after two decades of integration found at <http://www.sandiegohistory.org/journal/86spring/images/p128.jpg>, accessed June 1, 2012; Roberto Álvarez, "The Lemon Grove Incident: The nation's first successful desegregation court case. *Journal of San Diego History*, 32 (1986), 116-135.
- ⁴⁵ Álvarez, "The Lemon Grove Incident," and Valencia, *Chicano Students and the Courts*, 19-22. A documentary entitled *The Lemon Grove Incident* was produced in 1985. <http://www.espinosaproductions.com/productions/lemon.html>, accessed June 1, 2012.
- ⁴⁶ MacDonald, *Latino Education in the US*, 66-73 and 19-20.
- ⁴⁷ *Nineteenth and Twentieth Annual Reports of the Territorial Superintendent of Public Instruction to the Governor of New Mexico for the Years 1909-1910* (Santa Fe: The New Mexican Printing Co., 1911), 19 and 144; *Twenty-seventh and Twenty-eighth Annual Reports of the State Superintendent of Public Instruction to the Governor of New Mexico for the Years of 1917-1918* (Albuquerque, NM: Central Printing Co., 1918), 30.
- ⁴⁸ Victoria-María MacDonald & Teresa García, "Historical Perspectives on Latino Access to Higher Education, 1848-1990," eds Jeannette Castellanos and Lee Jones, *The Majority in the Minority: Expanding the Representation of Latino/a Faculty, Administrators, and Students in Higher Education* (Sterling, VA: Stylus Press, 2003), 24-27.

- ⁴⁹ An unverified history is on the school's website, <http://site.nnmc.edu/page/history-nnmc>, accessed June 1, 2012.
- ⁵⁰ University archives, 1893.
- ⁵¹ Alberto Rodriguez, "The Making of the Modern Lower Rio Grande Valley: Situating and Reframing Race, Class, and Ethnicity in Urbanizing South Texas, 1930—1960." (PhD diss., University of Houston, 2011).
For the complicated evolution of relationships between this college and the public higher education system, see one version at <http://www.utb.edu/Pages/History.aspx>, accessed June 1, 2012. The two schools (University of Texas at Brownsville and Southmost) are dissolving their unification formed in 1991 and the split will be finalized in 2015.
- ⁵² Victoria-María MacDonald, "Beyond 'El Movimiento': Latino Student Culture Building in the Pre-Civil Rights Twentieth Century," paper presented at annual meeting of the Organization of American Historians, Houston, TX, November 2011.
- ⁵³ Rubén Donato, *The Other Struggle for Equal Schools: Mexican Americans During the Civil Rights Era* (Albany, NY: State University of New York Press, 1997); Gilbert González, *Chicano Education in the Era of Segregation* (Philadelphia, PA: Balch Institute Press, 1990); MacDonald, "Fractured Pipeline," 2012.
- ⁵⁴ MacDonald & García, "Historical Perspectives on Latino Access to Higher Education, 1848-1990."
- ⁵⁵ Armando Navarro, *Mexican American Youth Organization: Avant-garde of the Chicano Movement in Texas* (Austin: University of Texas Press, 1995); Mario T. García, *Mexican Americans: Leadership, Ideology, and Identity, 1930-1960* (New Haven: Yale University Press, 1989); George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford Press, 1995).
- ⁵⁶ D.J. León and D. McNeil, "A precursor to affirmative action: Californios and Mexicans in the University of California, 1870-72," *Perspectives in Mexican American Studies* 3 (1992), 194. For an overview of pre-World War II higher education for Latinos, see Christopher Tudico, *Before We Were Chicanas/os: The Mexican American Experience in California Higher Education, 1848-1945* (PhD diss., University of Pennsylvania, 2010).
- ⁵⁷ Nicolas Kanellos, *Hispanic Firsts: 500 Years of Extraordinary Achievement* (Detroit: Visible Ink Press, 1997).
- ⁵⁸ Thomas P. Carter, *Mexican Americans in School: A History of Educational Neglect* (New York: College Entrance Examination Board, 1970), 30.
- ⁵⁹ MacDonald and García, "Historical Perspectives on Latino Access to Higher Education, 1848-1990."
- ⁶⁰ Virginia E. Sánchez-Korrol, *From Colonia to Community: The History of Puerto Ricans in New York City* (Berkeley: University of California, 1983, rpt. 1994).
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War II and Mexican American Civil Rights (Austin: University of Texas Press, 2008). In 1963 Raul Morin published *Among the Valiant: Mexican Americans in WWII and Korea* (Alhambra, CA: Borden Publishing, 1963), one of the first works to document the participation of Mexican descent peoples in either war.

⁶² Richard R. Valencia, "The Mexican American Struggle for Equal Educational Opportunity in Mendez v. Westminster: Helping to Pave the Way for Brown v. Board of Education," *Teachers College Record* 107 No.3 (March 2005): 389-423.

⁶³ *Méndez et al. v. Westminster School District of Orange County et al.* Civil Action No. 4292. 64 F. Supp. 544 District Court, S.D. California, Central Division, February 18, 1946. A recent documentary of this case is "Mendez v. Westminster: Desegregating California's Schools." Teachers' Domain. 22 Dec. 2004. Web. 20 Apr. 2012. <http://www.teachersdomain.org/resource/osi04.soc.us.h.civil.mendez/>, accessed June 1, 2012.

⁶⁴ *Mendez et al vs. Westminster School District et al.*, 549.

⁶⁵ *Minerva Delgado, et al v. Bastrop Independent School District of Bastrop County, Texas, et al.* Civil Action no. 388 United States District Court Western District of Texas, Austin Division, June 15, 1948. An unrecorded case, it may be found in the National Archives and Records Administration, Southwest Region, Fort Worth, Texas.

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⁶⁷ Virginia Sánchez-Korrol, "Toward Bilingual Education: Puerto Rican Women Teachers in New York City Schools, 1947-1967," in *Puerto Rican Women and Work: Bridges in Transnational Labor*, ed. Altagarcía Ortiz (Philadelphia: Temple University Press, 1996), 82-104.

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⁷⁶ Guadalupe San Miguel, Jr., *"Brown not White": School Integration and the Chicano Movement in Houston* (College Station: Texas A & M University Press, 2001).

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