

Inequalities in Latino Education: Legal Action Demanded

The future of Latino children and our State are in jeopardy because of continuing bad decisions from our Legislators. On December 13, 2011, the Mexican American Legal Defense and Education Fund (MALDEF) filed a lawsuit against unequal funding of public education in Texas.¹ David Hinojosa stated, "The State has left many Texas children behind by blatantly defying its constitutional duty to fully support their education. Every Texas child should have the opportunity to go to college and this lawsuit will ensure that opportunity."

MALDEF's first (1980) school finance case, *Edgewood v. Kirby*, the Texas Supreme Court declared that our Texas Constitution mandates: "children who live in poor districts and children who live in rich districts must be afforded a substantially equal opportunity to have access to educational funds. Mr. Hinojosa noted, "The Texas educational system has fallen woefully short of this mandate particularly with respect to providing equal educational opportunities to Latino students who now account for one out of every two students and low income students who account for three out of every five students."

Adding to this injustice, the recent 82nd Texas Legislature's 4 billion public school budget cut will severely impact the *bienestar* (well-being) of Latinos. Children can overcome hardships and prosper when they are supported with a quality education and presented with opportunities guided by top-notch educators. However, the State's decision to cut the public school education undermines the future of our children. Further, it will exacerbate poverty, perpetuate income inequality, engender higher health risks, and exclusion.

The Legislature's failure to tap the Rainy Day fund, have essentially communicated to our children that some individuals are preferred over others. It also further embeds the State's history of social injustices and marginalization in educational opportunities. Instead, Legislators must be ensuring our educators are the best in the nation by training and attracting top-notch teachers. Equalized funding across all public schools is a contributing imperative to its achievement.

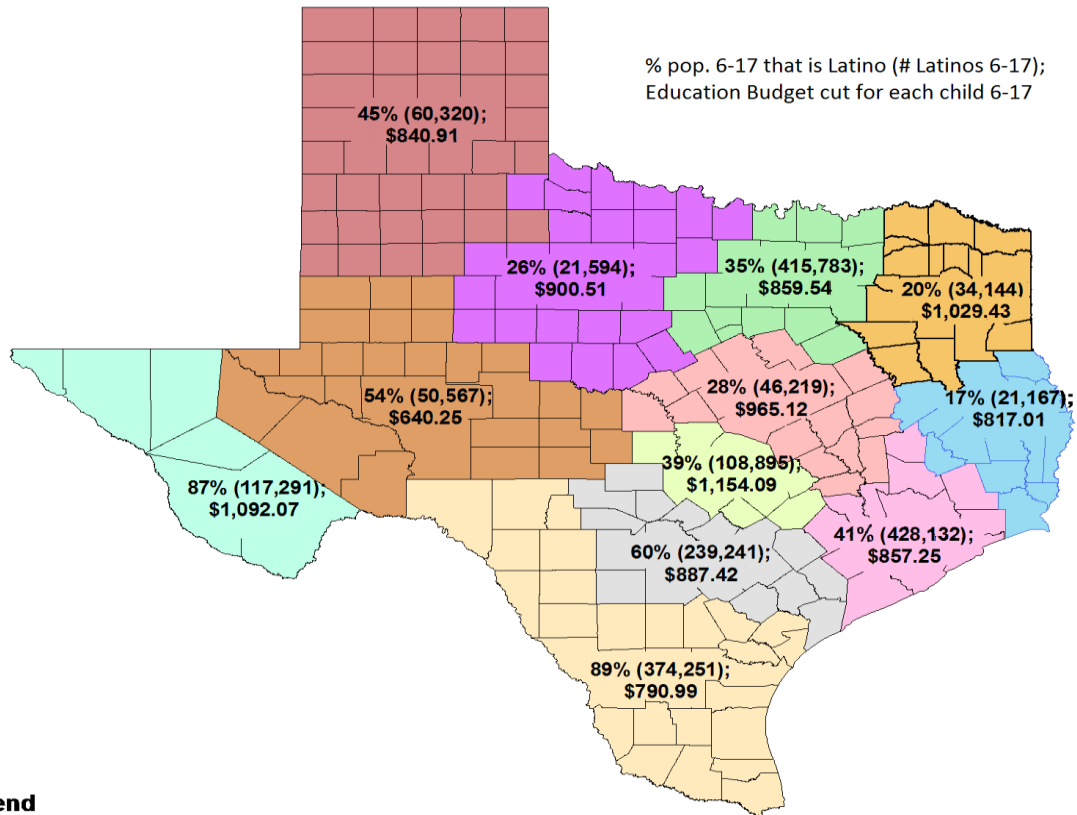
The Equity Center² reports for 2010-11:

- That 2,914,916 (59.1%) of all students in the state were considered economically disadvantaged students. An increase of 45.5% from the 2000-01 school years, and double the State's 21.5% total student enrollment increase for the same period.
- White student enrollment decreased while Latino enrollment increased by 81,316 from 2009-10 to 2010-11. Latinos represent 50.3% of total public school enrollment, versus White (31.2%) and African-American students (12.9%).
- Students receiving bilingual ESL instructional services increased by 56.4% over the same period and the number of students identified as limited English proficient grew by 45.8%; with 831, 812 students having limited English proficiency in 2010-11. Additionally, 797,683 students were enrolled in bilingual or ESL programs or classes.

The map below illustrates the impact of the budget cuts by economic regions of the State and related enrollment of Latino children. The cuts across regions do not illuminate the full depth of their impact on poorer school districts that retain the highest number of Latino enrolled children.

The Intercultural Development Research Association (IDRA) suggests that there is \$1450 education support gap per student between the poorest and the wealthiest 100 school districts (\$5524 vs. \$6974).⁵ The irony (if not hypocrisy) is believing legislative budget cuts will help us manage our State budget and economy; when in fact it will only undercuts future economic growth.

Latino Children 6-17 by Economic Regions and Education Cuts Per Child



Legend

Economic Region/ Total Education Cuts Over 2 years

Upper East Texas	\$179,622,869.00
West Texas	\$59,804,243.00
Southeast Texas	\$99,841,145.00
South Texas	\$334,250,922.00
Northwest Texas	\$74,435,938.00
High Plains	\$113,931,121.00
Alamo	\$354,670,158.00
Gulf Coast	\$886,315,127.00
Capital	\$325,936,720.00
Central Texas	\$161,349,065.00
Upper Rio Grande	\$147,296,238.00
Metroplex	\$1,020,215,428.00

The impact on the future of Latino children is self-evident as also reflect by their population growth (2000 to 2010) in every regions of the State.



Legislators must be held accountable for their failure to equitably fund public education and their recent budget cutting decisions which only worsen the problem and perpetuate inequalities. We must begin to act now, and not just wait for the 2013, 83rd Legislative Session to organize our action too adequately and equitably fund our public schools.

IDRA has coordinated a statewide series of ‘kick-off’ roundtables in collaboration with the Texas Center for Educational Policy (TCEP), League of United Latin American Citizens (LULAC), and National Association for the Advancement of Colored People (NAACP), and the Mexican American School Board Members Association (MASBA). If your concern for the future of our children and State, join the [Fair Funding Now! Initiative](#) now!

¹ MALDEF Lawsuit: Texas’ School Funding System Unlawfully Shortchanges Many Districts and Students, Including Low Income and English Language Learner Children, Press Release: December 13, 2011. <http://www.mysanantonio.com/news/education/article/MALDEF-files-school-finance-lawsuit-against-state-2400788.php>

² Should School Districts Go Back to Court?, InDepth Summer Newsletter, Vol 1 Number 2 Page 5, Equity Center <http://www.equitycenter.org/images/stories/PDFs/summer%202011%20indepth.pdf>

³ Fund Texas Schools Now!, Intercultural Development Research Association, Page 8, http://www.idra.org/images/stories/Fair_Funding_Now_9292011.pdf