



forth. So the courts really failed to enforce the Brown decision and the Supreme Court didn't tighten it enough so that it really made a whole lot of difference."

Late in 1963, the nation's schoolchildren gained a new champion: a former schoolteacher, now president, named Lyndon Johnson. As a young man in Texas, Johnson had taught at a public school that served the impoverished children of Mexican American laborers. In 1966, he returned to that school. "Thirty-eight years have passed, but I still see the faces of the children who sat in my class," he said. "I still hear their eager voices speaking Span-

*Student walks
off school bus in
Lamar, South
Carolina, in front
of armed National
Guardsman, 1970.*

"Why Don't You Go to School with Us?"



President Lyndon B. Johnson signing the Elementary and Secondary Education Act of 1965 with his Texas grade-school teacher looking on.

to desegregate their schools. The Civil Rights Act, then, was the stick, the threat of losing federal funds. The carrot was a significant increase in federal funds that came in the form of the Elementary and Secondary Education Act of 1965."

In its first four years, the Elementary and Secondary Education Act provided an unprecedented \$4 billion to aid disadvantaged students. Johnson signed the bill in Texas with his grade-school teacher looking on. "It represents a major new commitment of the federal government to quality and equality in the schooling that we offer our young people," he declared. In the South, Johnson's actions forced the issue of integration. "Most

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southern school systems [had] ignored the 1954 Brown decision," says historian Joel Spring. "But suddenly when money got involved in it, the federal government had the power then to police local school systems. They could go in and say, Are you integrated? And if you are not integrated, we're going to cut off your funds."

With this pressure from the president, new federal laws, and the civil rights movement, the South finally gave way. By 1972, 91 percent of southern black children attended integrated schools. Gary Orfield notes the enormity of this change: "In that period, in the middle 1960s and early 1970s, we took a society that was like South Africa, an apartheid society where everything was defined by race, in seventeen of our states and we made it the most integrated part of the United States. That was a huge accomplishment, an accomplishment very few democracies have ever done in peacetime. And we kind of take that for granted now, but we should never forget what we did in just a few years of serious effort."

In the 1960s, changes in the economy and technology placed growing importance on education. "To get a good job," a 1964 advertisement on television told young people, "get a good education." In affluent communities like suburban Webster Groves, Missouri, 85 percent of high school sophomores in 1966 planned to go to college. As one boy said, "My main goal is to become financially a success, and by this I mean, so I can support my family handsomely and have two cars, have a two-story house, and have sort of

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a high status with my friends." A female student agreed: "I think I want to be about twenty when I get married. Or else wait until I'm out of college. Because I plan to go to college. And the kind of husband I want, he has to be able to support me because I've already picked out the house that I want to live in. It's right across the street where I live now and I just love it." Yet many students didn't have such choices. "We were told by some of our teachers, 'You Mexicans are never going to amount to anything,'" remembers Severita Lara, who attended public school in Crystal City, Texas, and later became mayor. "We wanted to go to college and we wanted to take different classes [and the counselors] would tell us, 'No, you are not going to go to college.'" In the late 1960s, the struggle to equalize opportunity would also help to redefine public education in a multicultural America.

In Crystal City, Texas, 87 percent of high school students in 1968 were Mexican American, many of them the children of farmworkers. The high school principal and three out of four teachers were Anglo, as were most school board members. Whites made most decisions about student activities and the curriculum. "The textbooks did not reflect the Mexican American at all," says Lara, a student leader. "The only thing it talked about was the Mexican *bandido*, having a siesta all the time. And there was nothing positive. We couldn't see good role models about ourselves there." Another former student, Jose Angel Gutierrez, adds, "We were not allowed to speak Spanish. We would be given an option. Three days suspension, or three licks with a paddle for speaking Spanish.

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In the American school they wanted to make Anglos out of all of us. And they [wanted] to take our Spanish away and teach us English. Well, you don't make anybody greater by making them less." Historian Gilbert Gonzales notes, "Educational theory at the time assumed that the persistence of the Spanish language constructed a barrier to educational achievement. And so the school system assumed that this was their burden to, in a way, 'civilize' or 'Americanize' the Mexican community—and the Mexican community recoiled at that."

After graduating from Crystal City High, Jose Angel Gutierrez earned a master's degree in political science and became a leader in the Chicano civil rights movement. In 1969, he returned to Crystal City, where he helped Severita Lara and other students draw up a list of demands to the local school board. They wanted teachers to stop calling them names like "animals" and "stupid idiots," and they wanted administrators to create an educational program that respected their lives as Mexican Americans. At the Crystal City school board meeting, parents gathered in support as sixteen-year-old Severita Lara tried to present the petition. She remembers, "People were saying, yes, let's listen to them, listen to us, we want to present our demands. . . . The school board president made a motion for adjournment. And it was seconded, and they just got up and left us there. And then I turned around and told the parents, see, this is what they do to us. They don't want to listen."

The next day, five hundred students stayed out of school.

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Within a week, more than two-thirds of Crystal City's high school students were on strike. "Crystal City was not unique. There were over two hundred walkouts across the nation, even in Los Angeles and other places," remembers Gutierrez. "We were trying to dramatize the unequal education that we had. Mind you, we were *for* education, which was incredible. Here you have these young kids saying, we want better education. We want more education." Students from Crystal City contacted the civil rights division of the U.S. Department of Justice, which sent federal mediators to

*Students seated
outside Crystal City
High School, Crystal
City, Texas, 1969.*



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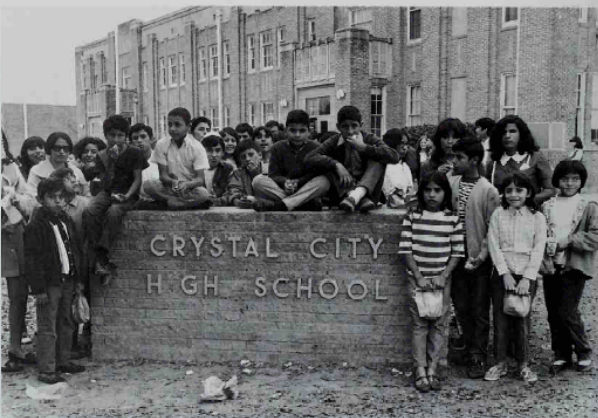


negotiate. Severita Lara recalls, "Every demand that we made on Mexican American books, on a Mexican American class, on Mexican American teachers and a counselor was, 'If there is funds for it, we will provide it; if there is no money, we will not.' I think that was the best lesson that I ever had in politics. That that school board controlled what went on in our schools. And that being part of that school board was very important."

Having gained some concessions, students returned to school. Protesters shifted their attention to the upcoming school board

Students walk out, demanding equal treatment in the selection of cheerleaders at Crystal City High School, Texas, 1969.

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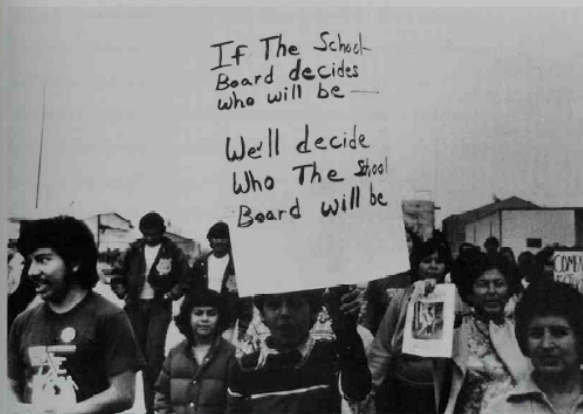


Students pose in front of Crystal City High School during 1969 walkout.

election, to be held in April 1970. Through their organizing efforts, Mexican Americans gained four of seven seats on the Crystal City school board. Jose Angel Gutierrez, the twenty-six-year-old activist, became school board president. "The Monday night meetings of the school board were more powerful than the football game, and the movies on television," he recalls. "People came to the school board meetings by the hundreds to see, because every meeting was like a reform. People had been waiting for centuries for some of these changes." Crystal City's schools were transformed. Chicano history and culture were celebrated, and Spanish was spoken freely.

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In response, most white teachers and students left. But in the year after the takeover, 170 Mexican Americans who had dropped out returned to school. "We gave people pride," says Gutierrez. "We showed people that community groups can organize and take power and determine their destiny, and the destiny of their kids, that they can control the schools and the curriculum. I think also the kids themselves feel good that that they are part of the movement that made change. . . . It legitimized Chicano studies, with a focus on Chicanos and Mexican Americans and our contributions. And we legitimized bilingual education. It began to push from here into many, many areas and it became a national program."

Protester demands control of school board during Crystal City, Texas, walkout.

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An outgrowth of President Johnson's War on Poverty, the Bilingual Education Act offered federal money to meet the needs of children whose first language was not English. Education advisor Julian Nava says, "I was happy to be among the earliest supporters of the idea that children who could not understand the language of instruction receive instruction in the language they understood in order that they not fall behind their peers while getting special instruction in English. And then hopefully, within a year to three, a child should be able to transfer into English instruction."

In 1974, bilingual education got a boost from the U.S. Supreme Court. Lawyers had sued the San Francisco school district on behalf of eight-year-old Kenny Lau and 1800 other Chinese American elementary students. Their school held classes in English only, which few of the children understood. Jay Heubert explains: "The San Francisco schools made the argument, 'Hey, we are treating everybody here the same, what is the problem, where is the discrimination?' The Supreme Court finds that there is discrimination. Where children are different, sometimes equality of treatment requires that you treat them differently in ways that respect their educational needs."

In 1974, the federal government published teaching materials in nearly seventy languages, and allocated \$68 million for bilingual programs. But the purpose of bilingual education continued to be debated. Was it to bring non-English speakers into the mainstream, as the government wanted? Or was it to preserve diverse

languages and cultures, as activists in Crystal City advocated? The issue remains unresolved.

Discrimination against girls and women was another focus of school activism during this period. Less than 1 percent of all medical and law degrees awarded in 1970 went to women. "It was perfectly legal for a law school—for any institution of higher education and any professional school—to say, 'We don't need to admit women, we won't admit women,'" says Leslic Wolfe of the Center



"At Home." Gender roles portrayed in grade-school reader.

Linda and Mother Work

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for Women Policy Studies. "After Title IX was passed, that was the battering ram that opened the door."

Closely modeled after the Civil Rights Act and ratified in 1972, Title IX prohibited federal grants to schools or programs that discriminated on the basis of gender. "Passing the law was the first step; the next step was getting that law enforced," says Marcia Greenberger. "And we saw that it was going to take a lot to get the government to enforce that law."

Fourteen year old Dorothy Raffel was a plaintiff in a class-action suit filed in 1974 by the Women's Equity Action League. "What I was really interested in doing was playing basketball," Raffel says. "I mean I don't think I was really interested in larger issues, I wasn't interested in women's issues per se. I was really just interested in playing basketball, because that's what I enjoyed doing." As a junior high school student, Raffel spent most of her free time playing pickup basketball with older boys at the local college gym. "There wasn't any girls' after-school program," she explains. "There was nothing for the girls other than cheerleading, I believe. And so in eighth grade, I decided that I would try out for the boys' basketball team. And that wasn't viewed very receptively by the coach or anyone else. There were all kinds of wonderful comments, like if I were to try out I would have to take showers with the boys, and other sorts of enlightened comments."

"Here she was, a young girl living in State College, Pennsylvania, who had enormous skill and talent as an athlete, who wanted to play and who was simply being denied a chance to let her God-

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given talents come through," says attorney Marcia Greenberger. "Her school was getting federal funds. The government was responsible for giving her an opportunity and it was doing nothing." Rather than let Raffel play on the boys' team, her school created a separate program for girls. "One of the gym teachers would come and sort of stand in the gym and you could play basketball if you wanted," remembers Raffel. "So it certainly wasn't a comparable program."

Gender bias was deeply entrenched in American education, beginning with the earliest readers. "The worldview that girls and boys learned from those early textbooks was one in which girls and boys didn't do the same kinds of activities," states Leslie Wolfe. "Boys were strong, boys were masters, boys were active. Girls were sweet, girls were passive, girls watched, girls helped. . . . And even though you were just using that little cute book to teach a child to read, you were teaching the child what to think of the world." In upper grades, girls were often steered away from high-level courses in science and math. Boys were encouraged to excel in sports. In fact, some school districts spent up to 450 times more for boys' sports than for girls'.

Dorothy Raffel's story was one of many in the suit filed in 1974, which charged the federal government with failure to enforce Title IX. The legislation covered more than sports, but the issue of equality in school athletic programs posed one of its toughest challenges. Historian James Anderson explains, "Title IX says you can't have one basketball team and tell men and women to

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come out for it. And we simply take the best players. Title IX said yes, you should have sports for women, you should invest public resources in their development.”

As the case wound its way through the courts, students and parents pressured schools to comply. Gradually, bias-free textbooks and readers appeared. Vocational courses became coeducational. With more doors open to them, women began earning more than half of all undergraduate and master's degrees. And by the early 1990s, 40 percent of all high school athletes were female, up from just 1 percent in 1970. Dorothy Raffel went on to receive an athletic scholarship to college, one of the first granted to women. She eventually earned a doctorate in economics and is now a professor at Fordham University. “I’m pleased with the fact that I had the opportunity to make things easier for my daughter,” Raffel says. “[So that] she won’t have to sort of refight that battle.” Adds Leslie Wolfe, “It’s very exciting when you think that this one civil rights statute was able to generate a real movement toward equality, in not just education, not just public schools, not just K through 12, but in the professions. Because that then has an impact on the workplace.”

The sweep of civil rights legislation was extended to children with disabilities, nearly 3.7 million students, in 1976. As with Title IX and bilingual education, it wasn’t enough to simply treat everyone equally. Schools had to provide the resources and training to make learning possible. The changes were often costly and

controversial but nonetheless widely implemented. "Efforts to achieve equality education for children with disabilities were based very heavily on Brown and the common school idea," notes legal expert Jay Heubert. "Disabled students who had been excluded said, 'Separate is inherently unequal and we deserve to be included in the same schools and classrooms as non-disabled students.' The courts accepted that argument and moreover Congress accepted that argument and enacted legislation that provided a great deal of support for the judicial decisions on the question. And in part because there is that legislative support, the rights of students with disabilities in many ways are stronger and better enforced today than the rights of any other groups."

Even as civil rights gains were made, activists in the 1970s were frustrated by an ongoing and, in places, intensifying problem. The Brown decision of 1954 had overturned segregation where it was mandated by law. But segregation was also the result of policies that governed neighborhoods and local school systems. "All northern cities were engaged in discriminatory practices," says desegregation policy expert Gary Orfield. "Historically almost all of them had been engaged in massive discrimination, both in the way they ran their schools and in the way that they ran their policies that shaped the residential pattern of their neighborhoods." Historian James Anderson notes, "Northern school boards, for instance, would zone schools, which means they would locate schools in areas to intensify segregation. At the same time there

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were no policies, no regulations, no laws that compelled them to do that. And so because you have this kind of institutionalized form of discrimination, it is very difficult to change it.”

In 1971, the U.S. Supreme Court ruled that busing schoolchildren within city limits was a lawful remedy for segregation. Busing was used successfully to create more racially balanced schools in many cities. “Most people with children that have been bused say it was a very satisfactory experience,” says Gary Orfield. “About two-thirds—blacks and whites and Latinos—all say that. . . . The people that are most opposed to it are older people who have never had any direct contact with it.”

But in Detroit, Michigan, busing within city limits was not seen as an effective remedy. Years of white and middle-class flight to outlying suburbs had left a citywide school-age population that was 70 percent minority and a school system—supported by an eroding tax base—in difficult straits. By contrast, just across the Detroit line, a healthier tax base supported lavish suburban schools. “You had over fifty suburban school systems surrounding Detroit,” says Jay Heubert. “And in those schools there were almost all white kids. And you know, the facilities and the educational opportunities and the school funding were all much better.” In 1972, a federal judge ordered a radical remedy: bus suburban students into the city and Detroit students out to the suburbs. Nearly 800,000 students would be affected.

The decision was instantly appealed in a landmark case known as *Milliken v. Bradley*. Even as it made its way to the U.S.

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Supreme Court, the political climate was shifting. Busing aroused growing controversy and became a popular target for politicians, including President Richard Nixon. "We have found that where we have heavy reliance on cross-city busing of schoolchildren, it has failed to meet either of its intended purposes," he said. "It has failed to promote quality education for all, and it's failed to end the racial isolation which we all agree must be ended." In 1974, a conservative Supreme Court reversed the Detroit decision, finding that the suburbs bore no responsibility for conditions in urban schools. Any plan to desegregate would be limited to the city itself. Two decades after *Brown*, Thurgood Marshall, now a Supreme Court Justice, sharply dissented in the Detroit decision: "In the short run, it may seem the easier course to allow our great metropolitan areas to be divided up into two cities—one white, the other black. But it is a course, I predict, our people will ultimately regret. For unless our children begin to learn together, there is little hope that our people will ever learn to live together."

According to Jay Heubert, the Supreme Court's decision "sent a message to parents that if they could simply leave the urban district and make it across the district lines into the suburbs, they would not be part of any kind of desegregation plan involving the suburbs. The long-term consequences of this in my view have been catastrophic. They have increased significantly the concentrations of minority people and especially poor people in our urban centers even as our suburban districts become wealthier and whiter in many places." Gary Orfield believes that school desegre-

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gation will have to be pursued nationwide despite the recent retreat from the policy. "The census bureau projects that the majority of school-age children in the United States will be non-white by about 2030," he says. "The majority of all people in the country will be [non-white] by about 2050. It's not going to be an option about whether or not we mess up the incorporation of one-tenth or one-eighth of our population into the mainstream; we are talking about a situation where whites will be one of a number of different minorities in a society where there isn't any majority. And we have to live together and figure out how to make that work. How we do that without living together in neighborhoods or going to school together is a mystery to me."

In 1980, the campaign for equality in America's schools was not yet complete. Yet in just thirty years, radical change had occurred, in part due to the intervention of the courts and the federal government. Educators then as now would argue the consequences. Historian David Tyack says, "We have had many debates about affirmative action, about desegregation, about what is feminism anyway, about are special needs children getting too much money—but I would argue that to have debates and action is precisely where we should be in a democratic society, instead of sweeping disadvantages under the rug and social injustice under the rug. We sometimes forget where we were in 1954 and I see a net gain for the society." Chester Finn, assistant secretary at the Department of Education under Reagan, states, "I don't doubt that some things are better off and I think that not being

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able to discriminate against kids on the basis of their skin color is progress for the society—but it sure led to a lot of litigation and lawsuits and busing programs and white-flight activities and a whole slew of other things that many people would regard as having been harmful to the quality and performance of education and the health of the democracy.” These issues, along with the introduction of new, free-market strategies, would help drive the reforms of the next two decades.