INTERCULTURAL DEVELOPMENT RESEARCH ASSOCIATION

IDRA Newsletter

IDRA Focus:
Self-Renewing Schools… Changing Demographics

ISSN 1069-5672 *Volume XXX, No. 7 August 2003*

IDRA Marks 30th Anniversary

Inside this Issue:

Dear friends,

In the early 1970s, the U.S. Commission on Civil Rights issued a series of reports summarizing the dismal state of education provided to minority students in the Southwest. One report stated, "...Mexican Americans, Blacks and American Indians – do not obtain the benefits of public education at a rate equal to their Anglo classmates." The commission found that school systems had not recognized the rich culture and traditions of students and had not adopted policies and programs that would enable students to participate fully in the benefits of the educational process. Instead, schools used a variety of "exclusionary practices" that denied students the use of their home language, a pride in their heritage and the support of the community.

Today, these problems continue. For example, a new 50-state report by *Education Week* found that students in high-poverty, high-minority, and low-performing schools are less likely than other students to be taught by teachers trained in their subjects, and few states and school districts have designed specific policy strategies to close the gap. The report, *Quality Counts 2003*, states that "for states to end the achievement gap between minority and nonminority students and those from rich and poor families, they must first end the teacher gap, the dearth of well-qualified teachers for those who need them most."

IDRA is in classrooms every day working hand-in-hand with teachers and administrators to improve teaching strategies and school programs, making a difference for children. We know the challenges. We also have seen the excitement and pride of teachers, school personnel, parents and students when they work together and are successful. In April, IDRA began celebrating its 30th year of working for excellence in education for all children. We are taking a little time to reflect on relationships we have built and on some of the changes we have seen since 1973 when a small group of concerned citizens set out to change the world.

Thousands of classroom teachers, school principals, other educators, families, policymakers, community leaders, researchers and, of course, students themselves, have been a part of the IDRA story. As a result, millions of student lives have been powerfully affected by dramatically raising educational opportunities for all children. Today, we celebrate the progress we are achieving by working together and by taking a stand when no one else will.

María Robledo Montecel

Dr. María "Cuca" Robledo Montecel
IDRA Executive Director

Learning Through Teaching

New Patterns for Teachers of English Language Learners

by Jack Dieckmann, M.A.

With recent federal legislation calling for high-quality teachers and teaching, schools will have to explore new ways to enhance teachers' skills sets. Traditional teacher workshops have not been effective in engaging teachers, meeting their needs, or helping teachers transfer new practices into the classroom, especially those practices known to be effective with English language learners.

This is the final in a series of articles focusing on innovative teacher training designed to address traditional fragmentation in teacher training and learning. The training model described in this series links content and language with using real classroom teaching as a place for teachers to participate in professional development.

The first two articles reported on a demonstration lesson and teacher conversations about the lesson (Dieckmann, March 2003; Dieckmann, May 2003). This article describes the coordination needed from teachers and benefits for teachers, principals and central office staff as they work together to improve learning for all students, particularly English language learners.

Our strategy of "using practice as a medium for professional development" is one key strategy within a more comprehensive IDRA professional development project called ExCELS (Educators x Communities = English Language learners' Success), funded by the U.S. Department of Education. See box on Page 4.

New Thinking in Math Teacher Learning

Teacher knowledge both in content and pedagogy directly influences teacher effectiveness with students. This is especially critical in mathematics. It is only recently that systematic development of a practicing teacher's learning has received serious and wide-

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In This Issue...

***The Intercultural Development Research Association** (IDRA)* is a non-profit organization with a 501(c)(3) tax exempt status. The purpose of the organization is to disseminate information concerning equality of educational opportunity.

The *IDRA Newsletter* (ISSN 1069-5672, © 2003) serves as a vehicle for communication with educators, school board members, decision-makers, parents, and the general public concerning the educational needs of all children in Texas and across the United States.

Portions of the contents of this newsletter were developed under a grant from the U.S. Department of Education. However, those contents do not necessarily represent the policy of the Department of Education, and endorsement by the federal government should not be assumed.

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spread attention from the education research community. Professional development has traditionally been perfunctory and disconnected from the real work of teaching.

In mathematics, new ways of conceptualizing teacher learning are emerging, along with new structures that schools can use to help move teachers along a continuum of professional learning. They include lesson study, study groups, online learning and teacher video clubs, all of which have the practice of teaching at their core, with theory embedded in the experiences.

The ExCELS Classroom: A Learning Lab for Teachers

IDRA led a team of teachers as they observed and reflected on a math lesson with middle school students, including English language learners. The team observed students learning from math investigations while simultaneously acquiring and using language. As the students demonstrated learning, they reflected **excitement in their inquiry**.

Second, the team reported the focused conversations of the teachers reflecting on their observations of the modeled lessons and the implications for their own teaching (Bass, H., et al., 2002). The teachers were **enthusiastic** about the student breakthroughs, especially students learning English as a second language. The teachers were **intrigued** by the reflective and critical process of learning through real teaching rather than in a workshop away from their typical work setting.

The Process of Teacher Development Through Teaching

The process of teacher development through the practice of teaching is an important one. The practice of teaching as a medium for teacher development requires:

- A context of **high quality model teaching**:
  - High expectations of the teacher resulting in high student engagement and academic success;
  - An experience of well planned instruction that models integration of language and content objectives;
  - Small groups of teachers released from their classroom to observe and debrief; and
  - A class that includes English language learners (García, 2001).
- A process of **deep noticing**:
  - Observing teachers come together to share observations and insights; and
  - A professional development specialist guides the conversation through phases including reporting what happened, reactions and questions, implications for teaching, and possible application by the teachers (Mason, 2002).
- A critical result sought is **application appropriate to the observer's skill level** that leads to self-critique and self-improvement.

The positive reception to the process of teacher development through the practice of teaching points to a potential for greater impact on teaching and learning.

Teacher knowledge both in content and pedagogy directly influences teacher effectiveness with students. This is especially critical in mathematics.

Key Elements to Learning Through Teaching

There are several key elements in the process and benefits to the teachers, staff developers and the school district that facilitate integration of the process into the regular patterns of teacher learning on campus.

High Quality Model Teaching

The context is real-time teaching with a cross-section of students that includes English language learners. In this example, the IDRA professional development specialist modeled some lessons. The specialist also identified teachers who had experience and success in integrating language and content objectives and co-planned the lesson goals and activities that were modeled.

An effective lesson for English language learners includes:

- recognizing and drawing on student experiences (prior knowledge);
- allowing for multiple opportunities to demonstrate learning and mastery;
- aligning with state standards;
- demonstrating the use of language to develop content; and
- connecting to real-life application.

In our example described in the first article, the lesson was a microcosm of the larger organic teaching process, showing the relationship among content, language, management and assessment. Readers may recall some key themes of the lesson.

The students were exploring angles, "quadrilateral" was a cognate for the Spanish, *cuatro lados*. The formal comparison and contrast of the angles in the torn triangles brought informal concepts to the surface.

The warm-up activity was about patterns. The students drew on their experiences with patterns and naturally stated that patterns are predictable and can be described with words and pictures. Their informal outside-of-the-classroom pattern-full experiences were copious resources to focus on the graphically simple triangles and

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quadrilaterals. The lesson focused on how patterns grow and change but in predictable ways – a fundamental aspect of mathematics.

The students' home language and life experiences were powerful intellectual resources to understand that essential characteristic in math. In short, it was a slice of real-classroom life.

Deep Noticing

The teacher team reflectively observed the real-time class. In a follow-up conversation, each teacher's observations were deepened through interaction that seeks deeper and clearer understanding of each individuals' point of view. The observations provided the teachers with fresh responses to their own students.

The intentional, well-prepared instruction was observed and debriefed in a guided, expert way. The team noted critical incidents. The group was guided to differentiate the essential from the accidental, to separate surface instructional concerns from deeper and more critical ones (Mason, 2002).

The deep noticing happens because of the appeal to the teacher of situated learning. The observed classroom is an underutilized site for learning in professional development to the loss of the profession. The real-time class observation and reflection with peers is key to the ongoing process of self-assessment and improvement of a teacher's practice (Schon, 1987).

Application to Personal Skill Level

The teachers observed, debriefed and then had to sift out what applies to themselves. The experienced teacher will be able to notice deeper and more subtle aspects of the lesson, such as weaving disparate student ideas to connect with the lesson. In contrast, the novice teacher might notice the broader or more obvious issues in classroom management. Yet, both can learn much from the same experience.

Teachers become more aware of their own actual teaching through the observations of the effective modeling of the teaching approaches. They can become more clear about their own practice and have a common reference point for describing their teaching. This primes them for challenging and critiquing their own practices. Incorporation of new behaviors is a more extensive process for which this provides the motivation.

Adoption by the Institution

A staff development framework that has merit must demonstrate meaningful benefits for its stakeholders to flourish. Thoughtful staff developers hope to have influence that extends beyond the initial activities – the planning, training, demonstrations and conversations. This process, though demanding and non-traditional, has an appeal and the possibility of lasting influence.

The students are the primary stakeholders and were engaged in several ways including a self-assessment and sharing of perceptions about activities and opportunities for their success not reflected here.

For this process we will focus on three groups who must value it: teachers, staff developers, and the larger system or school district.

Teachers – This process has underlying assumptions about teachers, their intelligence and their desire to trust their own perceptions that increases the chances that they will apply what they learned and get attached to the process. The teacher is acknowledged as one who can change when powerfully moved to do so. The process focuses on the actual classroom, in a well-prepared and taught lesson. It assumes that the observing teacher has the ability to notice deeply.

There is a powerful appeal to teachers to move away from staff development processes that depend on the external expert for answers. This approach is especially appealing to teachers who are tired of training that infantilizes and patronizes. It appeals to those who want rigorous self-examination and a more focused lens on their own teaching. It also supports collegiality and dialogue about practice and cultivates the campus as a learning organization for the teachers (García, 2001; Rodríguez, 2002).

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Staff Developers – Staff developers want to bring rich context to staff development. They know that a simulation, video or demonstration modeled in a workshop is not enough. This more challenging, but more gratifying, modeling in a real classroom preceded and followed by dialogue about practice and deepening of the noticing, gives great hope to the trainer. This process can have extended ripples of influence on the observers and the campus.

Many staff developers are in that role because they were strong teachers, and this approach gives them the opportunity to return to teaching, only now they are observed by peers.

This process of teacher development through the practice of teaching is a part of the larger IDRA professional development and school improvement framework, called ExCELs, which has five major elements.

- *Training for Capacity Building*: Workshops on developing a knowledge base for English language acquisition; the role of language in content learning; and diversified forms of assessment.
- *Technical Assistance for Classroom Support*: Model lessons, designing instruction, planning meetings, guiding conversations; team problem-solving and success sharing.
- *Teacher Mentoring*: modeling, coaching and material sharing.
- *Teacher-Parent Partnership*: parent meetings; student/teacher/parent conversations.
- *ESL Learning Communities*: electronic communication with ESL experts and higher education resources.

School District – With the pressure of accountability and higher standards, schools have to conduct professional development that accelerates teacher improvement and reduces the time from introduction to application in teaching. An approach that makes the real classroom central to the method and happens on campus reduces logistical problems (i.e., travel time and moving staff to a central staff development location) and allows for more efficient use of the district resources.

The district needs to trust that the staff development models best teaching practices and there is a reasonable chance of transfer to the classroom. The possibility of transfer in this process is greater because it happens in the real classroom and is the closest simulation other than it happening with the teacher being coached with his or her own students.

An ongoing school district dilemma is the lack of teacher joint planning. A critical sore point is the separation of English as a second language and content specialists. This process demonstrates effective integration of language and content objectives.

In the lesson describe above, math and language lessons were skillfully and smoothly blended so that students participated in an organic and holistic lesson in math that was also a powerful language lesson without having to stop and do one first and then the other. This is not only efficient and cost-saving for the district, but also accelerates the adaptation of math teachers into language instructors, without sacrificing the content.

School districts are getting increased pressure for academic progress from the federal *No Child Left Behind* legislation, to the state accountability system, to the local school board dicta that all students must achieve. English language learners' performances are carefully monitored. The ExCELS process offers one viable approach to accelerate teacher skills and ultimately student success.

English language learners can succeed in learning language and core content. Teachers can learn how to help them succeed. These are patterns of success – concentric circles of students and teachers learning.

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Access At Risk

The Michigan Case

by Rosana G. Rodríguez, Ph.D., and Albert Cortez, Ph.D.

Our colleges would either reflect our growing diversity or be reduced to elite enclaves of privileged society. It was up to the U.S. Supreme Court this spring.

The court deliberated access to higher education for minority youth in its review of *Grutter vs. Bollinger* and *Gratz vs. Bollinger*. Both cases challenged University of Michigan graduate and undergraduate admissions policies that consider race as a factor in university admissions.

The Supreme Court ruling provided much-needed clarification on what is a divisive and controversial issue. The heart of the 14th Amendment's equal protection clause was at stake – providing equality of opportunity to all. In June, the court ruled that achieving diversity in higher education is a compelling state interest and that race and ethnicity can be used as one factor in making admissions related decisions.

Though focused on higher education, this ruling will have significant impact on elementary and secondary education issues as well as on the economic and social viability of communities throughout the country. This article examines the significance of the issues that were before the court, the opposing positions taken by critics and advocates, and the implications for institutions and communities.

Historical Overview of Access to Higher Education

Expanded access to higher education is a relatively new phenomenon in the United States. Previous generations believed that only a small number of elite individuals needed a college education and that most of the population could function very effectively with less than a high school education in our agrarian economy. Even with the evolution of more specialized skills in the industrial age, college was not seen as essential. Though expanded use of machinery did lead to an increase in selected skills, information acquisition and management skills were not central to worker performance.

But as demands of the workplace evolved, employers sought out increasing levels of skills and knowledge as pre-requisites for employment. In today's information and high tech economy, few people question the benefits of a college degree.

As a result, we have experienced a notable increase in the proportion of

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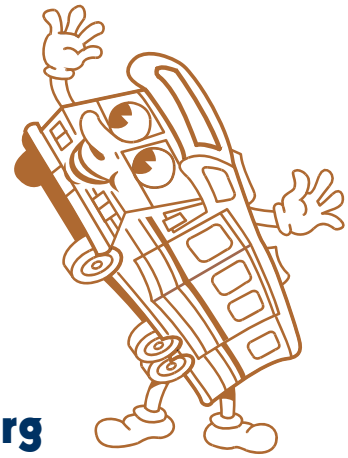

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the population pursuing and completing college degrees. However, not all segments of the population have had equal access to a college education.

White students enroll in higher education at a rate of 85 percent, while African American students enroll at only an 80 percent rate. The college enrollment rates of the country's Latino population lags even further.

More than half of Hispanic college students are enrolled in two-year institutions, compared to only 36 percent of White students and 42 percent of African American students. The majority of White students (64 percent) and African American students (58 percent) are enrolled in four-year institutions.

Furthermore, a higher percentage of Hispanic students (51 percent) are enrolled part-time, as compared to White students (40 percent) and African American students (41 percent).

Among the three ethnic groups, Hispanic students (35 percent) are more likely to take more than six years to receive a bachelor's degree (NCES, 1999). Despite their increasing proportion of the national population, minorities continue to be under-represented in the student bodies of most colleges and universities.

Beginning in the 1960s and through the 1990s, colleges were faced with a growing disconnection between their campus profiles and the profiles of the communities they served. They also were reassessing their roles in local communities. Many colleges modified the procedures they used to determine which students would be admitted.

The Evolution of Affirmative Action

Though seldom acknowledged, colleges and universities in the United States have historically provided preferences for selected sub-sets of the population. Family and acquaintances of large financial contributors were historically provided special consideration in the admissions process. Likewise, admissions procedures provided extra consideration for sons and daughters of alumni.

This practice of special consideration was eventually extended to athletes. Some institutions resorted to considering multiple criteria (especially, if it contributed to filling the quarterback position so badly needed to maintain the university's winning tradition in football).

Affirmative action at colleges and universities only became a national controversy when race and ethnicity were incorporated into the "special factors" that would be considered in college and university admissions, financial aid or scholarship decisions. Those individuals and organizations feeling that such approaches left them at a disadvantage were quick to challenge such practices in the courts.

The Bakke Case

One of the first cases challenging the use of race as a factor in college admissions originated in California. In that case a graduate student, Bakke, who was rejected for admission to a California graduate school program, challenged the university's admissions procedures, which considered race and ethnicity as one among several factors included in the decision process.

In its 1981 ruling in *California vs. Bakke*, the U.S. Supreme Court upheld the use of race as one of a number of legitimate factors that could be used in the college admissions process. That decision struck down racial quotas but held that race could be one factor used in considering admissions.

The Hopwood Case

Bakke stood as the legal standard for 15 years until a Texas student challenged the University of Texas law school's practice that also considered race and ethnicity as a factor in the admissions process. In that 1996 ruling, in *Hopwood vs. The University of Texas Law School*, a Texas Federal Court and a subsequent District Federal Appeals Court ruled that such procedures violate the U.S.

The U.S. Supreme Court chose not to reverse the ruling, in essence letting stand the lower court's ruling. This created confusion among legal scholars and set up inconsistent legal standards in different regions of the country.

The Michigan Case

The latest challenge to affirmative action admissions policies surfaced in Michigan where two distinct cases challenged the University of Michigan procedures that considered race and ethnicity as one among several factors considered in undergraduate and graduate admissions decisions. The admissions system in Michigan's undergraduate college awards 20 points on a 150-point scale to Latino, African American and Native American students, while the graduate school considered race and ethnicity in a more complex assessment of student admissions prospects.

The Michigan case was one of several pending before the U.S. Supreme Court, but it was the case many believed would serve as the vehicle for a final ruling on affirmative action plans in higher education. Once the high court announced its intent to review the Michigan case, the battle between advocates and opponents of affirmative action in colleges and universities was in the forefront again.

University of Michigan President, Mary Sue Coleman, was joined by more than 300 organizations filing more than 60 *amicus* (friends of the court) briefs in support of the university's position on affirmative action.

Those groups included colleges

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and universities, faculty, more than 13,900 law students across the country, more than 63 Fortune 500 corporations, the AFL-CIO, the UAW, the National Education Association, the American Bar Association, the Association of American Medical Colleges, dozens of civil rights and religious organizations, 23 states, many members of Congress, and more than two dozen high-ranking military and civilian defense officials. (The *amicus* briefs submitted to the Supreme Court in each Michigan case are available from the *Chronicle of Higher Education* online at http://chronicle.com/extras.)

One *amicus* brief bore signatures from more than 100 Democratic members of the U.S. House of Representatives and leading members of the Congressional Black Caucus, the Congressional Hispanic Caucus, and the Congressional Asian-Pacific American Caucus. It argued that a decision to strike down race-conscious college admissions could adversely affect federal programs in education and other areas that consider race for the sake of overcoming discrimination and its negative effects. A pro-Michigan brief was also signed by 12 Democratic members of the Senate, including the minority leader, Senator Thomas A. Daschle, and Senators Hillary Rodham Clinton, John Edwards, and Edward M. Kennedy.

Among the many briefs filed by civil rights organizations was one submitted on behalf of "veterans of the civil rights movement and family members of slain civil rights activists." The brief said that the signers are seeking to "warn the court of the great threat that the attack on affirmative action poses to the enormous (if imperfect) progress made as a result of the great freedom struggles of the 1950s and 1960s" (Walsh, 2003).

Less Effective Options

Opponents of Michigan's actions proposed that race should not be one of the factors among many that colleges could use to achieve diversity in admissions. Yet there was precedence that we have recognized the use of race in a variety of settings. To do so, is an investment in the egalitarian and more representative society in the future.

Consider the following: admissions policies like the Texas 10 percent plan and the California 4 percent plan that guarantee admission to students based on high school rank were being posited as alternatives to affirmative action programs. Yet, when we examine the results of these supposed race-neutral admissions policies, the reality is that Hispanic and African American admission percentages were *smaller* than before the inception of affirmative action policies.

Research conducted by the Harvard Civil Rights Project reveals that percentage plans have failed to markedly affect enrollment of minorities at flagship state universities (Horn, and Flores, 2003). Moreover, the data found that success of percent plans depends on the existence of highly segregated school settings, making them less effective in states where minority populations are more dispersed among the general population. In addition, critics have noted that these programs do not even purport to reach graduate or professional schools or private colleges, all of which would be affected by the Supreme Court's ruling.

Until more comparably effective options are implemented and validated, policies that include race and ethnicity among the selection factors are the most effective means for supporting enrollment of diverse students at colleges and universities.

The Larger Issue: Equal Opportunity and Equal Access

Former University of Michigan President, Lee Bollinger, notes that if initial efforts to dismantle affirmative action in admissions are successful, the efforts to rid campuses of diversity "will move on to challenge other educational programs, especially the awarding of scholarships using race as one criterion" (Valverde, 2003).

A 2002 study by the College Board reports state universities are already raising tuition to compensate for a bad economy and declining state funding and that federal loan amounts to students are currently inadequate to the rising cost of college education (College Board, 2003).

The issues at stake here regarding race conscious policies are not just about college admissions. These issues will influence our future as a nation. Diversity in workforce and leadership in all areas are essential to our nation's future economic, social and political strength. This can only come about by ensuring access to quality higher education by a diverse pool of talented people.

Commitment to ensuring diversity in higher education, as at all educational levels, exposes all students and educational systems to creative and open exchanges of ideas, opinions, cultures, languages and faiths that comprise the bedrock of America and civil society. Failure to include the nation's increasingly diverse population among college populations bodes political and economic disaster.

Apparently the U.S. Supreme Court concurs, noting in its most recent opinion, "The court agrees with Justice Powell's (earlier) view that student body diversity is a compelling state interest and can justify the use of race in university admissions" (*Grutter vs. Bollinger*, 2003).

In addition, the court noted, "The law school claim is also bolstered by numerous expert studies and reports showing that such diversity promotes learning outcomes and better prepares students in an increasingly diverse

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workforce for society and for the legal profession."

It is not surprising that many college and university-based individuals are at the forefront of efforts to diversify and expand access to the nation's minority students. Closest to the challenges, post-secondary staff and faculty have a vested interest in ensuring that the changing student pool does not convert to diminishing levels of student enrollment. But it is not only colleges and universities that will suffer from the effects of possible future declines in post-secondary education participation.

Writing on the future prospects for Texas, demographer Steve Murdoch projects that unless the state of Texas improves its educational track record, the median level of education for income for the average Texan will decline. More importantly, as the earning power diminishes, the median income for the state will decrease by approximately $3,000 per household (Murdoch, et al, 1999).

The Benefits of Diversity

Some argue that affirmative action helps unqualified students. But the reality can be seen in the success of these students as measured by their rates of graduation, success in professional and graduate schools, and success in future careers and as community leaders is well documented. Affirmative action has helped to make progress in reducing gaps in income and employment.

By providing educational opportunities to youth of color, affirmative action programs help benefit every segment of society. Schools benefit from the diversity of their student bodies, communities benefit from lower poverty rates and higher income and employment rates.

Research has shown the benefits of diversity on the overall campus success. An example is the study of the Intercultural Initiative at Loyola Marymount University, where students, staff and faculty participated in intercultural activities. Focus groups and surveys of students, staff and faculty were conducted in the first and third years of that project. Findings showed that the intercultural interventions and diversity led to many positive outcomes.

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Highlights of Recent IDRA Activities

In May, IDRA worked with **3,761** teachers, administrators, parents, and higher education personnel through **76** training and technical assistance activities and **145** program sites in **11** states plus Mexico and Brazil. Topics included:

- Coca-Cola Valued Youth Program Valley Leadership Day
- Fair Funding of Schools
- College Access and Completion
- Reading and Writing Lesson Demonstrations
- Student Focus Group Interviews

Activity Snapshot

IDRA is holding a series of live interactive video conferences for hundreds of Coca-Cola Valued Youth Program tutors in schools in multiple cities. IDRA's Coca-Cola Valued Youth Program is an internationally-recognized cross-age tutoring program in schools across the United States and Brazil. By connecting students in up to four separate cities at a time, these events give tutors the opportunity to meet each other across state boundaries and across continents. Many of the students communicate with each other via fax and as key pals (electronic pen pals) prior to their video conference as well. The program's video conference model is designed to build students' literacy and skills related to state and national academic standards. It also supports key components of this highly successful dropout prevention program.

Participating agencies and school districts included:

- Brownsville Independent School District (ISD), Texas
- Union School District, California
- Mission ISD, Texas
- Tolleson Union High School, Arizona

Regularly, IDRA staff provides services to:

- public school teachers
- parents
- administrators
- other decision makers in public education

Services include:

- training and technical assistance
- evaluation
- serving as expert witnesses in policy settings and court cases
- publishing research and professional papers, books, videos and curricula

For information on IDRA services for your school district or other group, contact IDRA at 210-444-1710.

Immigrant Students' Rights to Attend Public Schools

The National Coalition of Advocates for Students (NCAS) has launched its annual *School Opening Alert* campaign to reaffirm the legal rights of all children who reside in the United States to attend public schools, regardless of immigration status. The fliers provide information for immigrant parents about the rights of their children to attend local public schools this fall. IDRA is working with NCAS to make this alert available. NCAS can also provide a camera-ready copy of the alert in English and Spanish to be reproduced and distributed by schools and community groups. The copy of the alert below and on the following page may be reproduced and used as well.

School Opening Alert

In 1982, the U.S. Supreme Court ruled in *Plyler vs. Doe* [457 U.S. 202 (1982)] that undocumented children and young adults have the same right to attend public primary and secondary schools as do U.S. citizens and permanent residents. Like other children, undocumented students are required under state laws to attend school until they reach a legally mandated age.

As a result of the *Plyler* ruling, public schools ***may not***:

- deny admission to a student during initial enrollment or at any other time on the basis of undocumented status;
- treat a student differently to determine residency;
- engage in any practices to "chill" the right of access to school;
- require students or parents to disclose or document their immigration status;
- make inquiries of students or parents that may expose their undocumented status; or
- require social security numbers from all students, as this may expose undocumented status.

Students without social security numbers should be assigned a number generated by the school. Adults without social security numbers who are applying for a free lunch and/or breakfast program for a student need only state on the application that they do not have a social security number.

Recent changes in the F-1 (student) Visa Program ***do not*** change the *Plyler* rights of undocumented children. These changes apply only to students who apply for a student visa from outside the United States and are currently in the United States on an F-1 visa.

Also, the Family Education Rights and Privacy Act (FERPA) prohibits schools from providing any outside agency – ***including the Immigration and Naturalization Service*** – with any information from a child's school file that would expose the student's undocumented status without first getting permission from the student's parents. The only exception is if an agency gets a court order (subpoena) that parents can then challenge. Schools should note that even requesting such permission from parents might act to "chill" a student's *Plyler* rights.

Finally, school personnel – especially building principals and those involved with student intake activities – should be aware that they have no legal obligation to enforce U.S. immigration laws.

For more information or to report incidents of school exclusion or delay, call:

NCAS	Nationwide	(866) 603-8507	(English/Spanish/French/German)
META	Nationwide	(617) 628-2226	(English/Spanish)
META	West Coast	(415) 546-6382	(English)
NY Immigration Hotline	Nationwide	(212) 419-3737	(English/Spanish/Chinese/French/Korean/Polish/Urdu/Haitian Creole/Hindu/Japanese/Russian)
MALDEF – Los Angeles	Southwest/Southeast	(213) 629-2512	(English/Spanish)
MALDEF – Chicago	Illinois	(312) 782-1422	(English/Spanish)
MALDEF – San Antonio	Southwest	(210) 224-5476	(English/Spanish)
MALDEF – Washington D.C.	Nationwide	(202) 293-28-28	(English/Spanish)

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This flier is available in English, Spanish, Haitian Creole, Portuguese, Vietnamese, and Hmong at 1-866-603-8507 or http://www.ncasboston.org/alert.htm)

National Coalition of Advocates for Students *100 Boylston Street, Suite 737, Boston, MA 02116*

Llamada Urgente al Comienzo del Curso Escolar

En 1982, El Tribunal Supremo de los Estados Unidos dictaminó en el caso *Plyler vs. Doe* [457 U.S. 202] que los niños y los jóvenes indocumentados tienen el mismo derecho de asistir a las escuelas públicas primarias y secundarias que tienen sus contrapartes de nacionalidad estadounidense. Al igual que los demás niños, los estudiantes indocumentados están obligados a asistir a la escuela hasta que llegan a la edad exigida por la ley.

A raíz de la decisión *Plyler*, las escuelas públicas **no pueden**:

- negarle la matrícula a un estudiante basándose en su situación legal y/o inmigratoria, ya sea a principios del curso o durante cualquier otro momento del año escolar;
- tratar a un estudiante en forma desigual para verificar su situación de residencia;
- efectuar prácticas cuyo resultado sea obstruir el derecho de acceso a los servicios escolares;
- requerir que un estudiante o sus padres revelen o documenten su situación inmigratoria;
- hacer interrogatorios a estudiantes o padres que pudieran revelar su situación de indocumentados;
- exigir que un estudiante obtenga un número de seguro social como requisito de admisión a la escuela.

La escuela debe de asignar un número de identificación a los estudiantes que no tienen tarjeta de seguro social. Los adultos sin números de seguro social quienes están solicitando que a un estudiante lo admitan a un programa de almuerzo y/o desayuno gratis, sólo tienen que indicar que no tienen seguro social en el formulario.

Los últimos cambios del Programa de Visado F-1 (de estudiantes) ***no cambiarán*** las obligaciones antedichas en cuanto a los niños indocumentados. Se aplican sólo a los estudiantes que solicitan del extranjero un visado de estudiantes y que están actualmente en los Estados Unidos en un Visado F-1.

Además, el Acta Familiar de Derechos y Privacidad Escolar *(Family Education Rights and Privacy Act - FERPA)* le prohibe a las escuelas proveerle a cualquier agencia externa – ***incluyendo el Servicio de Inmigración y Naturalización*** *(Immigration and Naturalization Service – INS)* – cualquier información del archivo personal de un estudiante que pudiera revelar su estado legal sin haber obtenido permiso de los padres del estudiante. La única excepción es si una agencia obtiene una orden judicial – conocida como una citación o subpoena – que los padres pueden retar. Los oficiales escolares deben estar conscientes de que el mero hecho de pedirle tal permiso a los padres podría impedir los derechos *Plyler* de un estudiante.

Finalmente, el personal escolar – especialmente los directores de las escuelas y los secretarios generales – deben saber que no están bajo ninguna obligación legal de poner en vigor las leyes de inmigración de los EE.UU.

Para más información, o para denunciar incidentes de exclusión escolar o retraso en la admisión a clases, favor de llamar a:

NCAS	Nacional	(866) 603-8507	(Inglés/Español/Francés/Alemán)
META	Nacional	(617) 628-2226	(Inglés/Español)
META	Costa Oeste	(415) 546-6382	(Inglés)
NY Línea de Urgenciade Inmigración	Nacional	(212) 419-3737	(Inglés/Español/Chino/Francés/Coreano/Polaco/Urdu/ Haitiano Criollo/Hindú/Japonés/Ruso)
MALDEF – Los Angeles	Sudoeste/ Sudeste	(213) 629-2512	(Inglés/Español)
MALDEF – Chicago	Illinois	(312) 782-1422	(Inglés/Español)
MALDEF – San Antonio	Suroeste	(210) 224-5476	(Inglés/Español)
MALDEF – Washington D.C.	Nacional	(202) 293-2828	(Inglés/Español)

Favor de copiar y distribuir esta hoja informativa.

Esta información está disponible en inglés, español, haitiano criollo, portugués, vietnamita, y hmong al 1-866-603-8507 o (http://www.ncasboston.org/alert.htm).

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Access At Risk *– continued from Page 9*

When students, staff and faculty have access to multicultural settings and activities, they feel more comfortable discussing ethnic issues with others in the campus community, are more likely to have positive interactions with people from different ethnic backgrounds, believe race relations are good on campus, and experience enhanced feelings of control over campus policies.

Tanaka states: "When there is high university commitment to interculturalism, faculty and staff indicate higher satisfaction with the environment for teaching and learning, and their intercultural understanding and skills were improved over the previous year" (2001).

Emerging research also suggests that employers benefit from a diverse workforce, with greatest productivity and related creativity reflected in work environments with extensive staff diversity.

As educators, we have a responsibility to take steps to lessen the ways in which categories define and trap groups of people. We need to open doors of access and equity for all students to participate in shaping a future that is productive for them and for our society as a whole. We have a responsibility to help students move beyond the limits that society falsely sets for them.

The shame and hypocrisy of the Michigan case had the potential of re-opening the painful chasms that have divided us as a nation, where access is only for a select and privileged few. It reminds us of the courageous leaders in civil rights who have given their lives to open doors of access to schools and universities for minority youth. And it mandates that we reaffirm our stance to ensure that *all* children will have access to quality education from pre-school through college and beyond.

Resources

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