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Focus: Equity Matters

Families Insist on Equitable School Funding Rodríguez v. San Antonio ISD Ruling 50 Years Ago Has Lasting Effects

by Christie L. Goodman, APR

Demetrio Rodríguez, lead parent plaintiff in the original Texas school finance suit in 1969, said simply: "I wanted to have adequate schooling."

By 1994, his dream having slipped away for his children and his grandchildren, he still held out hope: "I want my great-grandchildren to have adequate schooling."

Rodríguez was among the Concerned Parents Association who filed suit against the Edgewood school district and five other districts in Bexar County. The parents' concerns were sparked by students who walked out of schools across south Texas, including Edgewood students. They protested curricula that pushed them away from college and toward manual labor, and they protested crumbling facilities and inadequate funding.

The parents' concerns also came from seeing their children's experiences in school that fell dramatically short of their dreams for their families.

The parents went to court in 1968.

IDRA's founder, José A. Cárdenas, Ed.D., was appointed superintendent of Edgewood ISD in 1969. He offered to testify on the family's behalf and to support their case. He worked with them and their attorneys, advising them to redirect the case. Instead of suing other nearby

poor districts, who (1) were in the same boat and (2) had no influence on the state's school funding system, the parents shifted to take on the State of Texas.

A few months after the lawsuit was filed, the U.S. Commission on Civil Rights' six-day hearing in San Antonio on the civil rights issues of Mexican Americans. The hearings highlighted the low levels of education for students of color with averages of only 6.2 years for Latinos and 8.7 years for Black students.

The disparities in per-student funding glared. In 1970-71, Edgewood ISD could spend only \$418 per pupil while Lipscomb CSD, a property-wealthy school district, spent \$7,332. And Edgewood wasn't even the lowest. That moniker went to nine other districts down to Myrtle Springs at \$328 per pupil. These low-wealth districts were forced to tax at much higher rates than property-wealthy districts to even generate what little they could. (IDRA 1973)

Students experienced the effects of these funding disparities every day. Demetrio Rodriguez's son Alex recalled that the third floor of his elementary school was condemned. When it rained, water poured down the stairs. Several students had to share a single old textbook. (Barnum, 2023)

Albert Cortez, Ph.D., IDRA's former direc-(cont. on Page 2)

"The Rodríguez decision is seen by many legal scholars as one of the worst Supreme Court decisions in the last century and a real betrayal to the promise of Brown v. Board of Education."

- Celina Moreno, J.D., IDRA President & CEO



1997 Archives: Dr. José A. Cárdenas (right) presents a copy of his new book, Texas School Finance Reform: An IDRA Perspective, to Demetrio Rodríguez (left), lead litigant in the Rodríguez vs. San Antonio ISD case, with Dr. Albert Cortez (center), IDRA director of policy and school finance expert. The textbook is out of print but is available from IDRA free online: https://idra.news/TSFRbook

Focus: Equity Matters

(Families Insist on Equitable School Funding, continued from Page 1)

tor of policy until his retirement, recalled his days as an Edgewood ISD student in the 1960s and early 1970s: "I remember being in a typing class, and there were not enough typewriters for all the students who were taking the class. The keyboard was painted on some of the desks for those students who couldn't work with a typewriter."

The three-judge federal court panel issued its ruling the day before Christmas Eve in 1971 when schools and institutions were closed. *Ro-dríguez v. San Antonio ISD* had been a sleeper case until that moment – until the ruling declared the Texas system of school finance unconstitutional, and by implication and precedence, most other state systems of school finance.

Dr. Albert Cortez explained, "The State of Texas didn't do a very good job of defending something that frankly was indefensible." The federal judges saw all the evidence that was presented and agreed with the plaintiffs – the families – that education and access to educational opportunity was a fundamental right under the 14th Amendment to the U.S. Constitution. The court also ruled that the level of inequity that existed in the state of Texas was unconstitutional, essentially mandating the state to make major changes.

The chairman of the State Board of Education, Ben Howell, stated: "What the federal court gave us on December 23 was no Christmas present; it was a bomb. In fact, it was an atomic bomb!" (Cárdenas, 1997)

Dr. Cárdenas reported that much of the reaction was hostile: "The Texas tradition, at least among the individuals and groups with the greatest wealth and political power, is to detest

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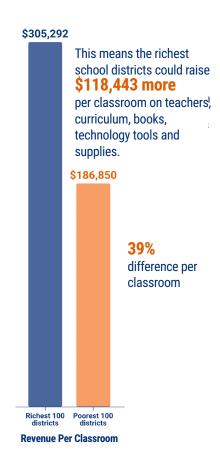
interference by the federal courts in 'the way we run our schools." (1997)

But in other circles, he says this period was "characterized by extensive activity, interest and optimism. It seemed that everybody wanted to know what the court decision implied." Thus, he gave countless interviews and made frequent presentations about the school finance system, the court case and recommendations to achieve equitable funding.

He and the families made such a stir that a superintendent from a high-wealth school district "had been asked to inform me that if I could get the plaintiffs and the district to back off from the *Rodríguez* case, I would be guaranteed a long, successful and lucrative professional career in the high wealth districts of Texas." He responded by asking if he could take the 24,000 children of Edgewood with him. Crickets. (1997)

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But finally, the media, public officials and the general public started to see the disparities affecting students.

Then came the U.S. Supreme Court's reversal: a 5-4 ruling that, despite the observation that the Texas system was "chaotic and unjust," it did not violate federal equal protection requirements. The ruling left it up to states to decide if all students should have well-funded public schools – a task that states did not rush to do. The ruling effectively shut down pending school finance cases in other states like California and New Jersey. (*cont. on Page 7*)

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How to Know if Your District Needs an Equity Audit

by Hector Bojorquez

Public education is currently facing significant challenges, with many accusing it of being influenced by so-called "woke" policies. The phrase attempts to demean some of the most basic, non-partisan education issues that students, teachers and families care about in a diverse society. Chief among these is education equity.

Backed by decades of experience and research, IDRA defines *equity* as a measurable concept grounded in the following: the ability of schools to provide excellent, well-funded, educational opportunities for all students evidenced by teaching quality, student engagement, safe and welcoming schools, rigorous courses, and family and community engagement.

Equity audits are useful tools to help districts evaluate their efforts, target their resources, hold themselves accountable, and better serve their students and communities.

What is an Equity Audit?

An equity audit is a comprehensive analysis of a school district's policies, practices and outcomes to identify areas where disparities exist and to develop strategies to address them. Equity audits examine school climate, student discipline, curriculum, resource allocation, teacher quality and student outcomes.

The only way to identify areas to target attention is to disaggregate data based on race, ethnicity, gender, sexual orientation, socioeconomic status, disability status, and other factors. Additionally, this disaggregation must take place at all levels: district, feeder patterns, neighborhoods, magnet vs. non-magnet campuses, etc. Not doing so risks inaccurate results.

The goal of an equity audit is to identify and address the root causes of disparities to ensure that every student has equal access to highquality education. IDRA has worked with a number of clients to conduct or support equity audits at their request. Our intention is not to create a list of failures. The point is to uncover *opportunity* gaps, which is the first step in developing a plan to address them.

There are many equity indicators to consider when asking the question: "Does my district need an equity audit?" This article concentrates on achievement gaps and disproportionate discipline as two indicators that school leaders should think deeply about when deciding to conduct an equity audit.

Consider Persistent Achievement Gaps

Achievement gaps are the differences in academic performance between groups of students, such as racial or ethnic groups, students in families with low incomes, students of different genders and students with disabilities. Persistent achievement gaps, where the gaps occur over time and across grade levels, are a strong indicator that an equity audit may be useful. Due to accountability measures of the past several decades, this is the most basic indicator that drives districts to conduct equity audits.

However, simply closing gaps on accountability measures is not a high enough standard. To prepare all students and redress inequities, we must achieve college and career readiness that prepares students for ever-shifting economic futures. All students must be prepared to attend college.

Thus, it is important to look at achievement gaps beyond accountability measures and examine college readiness. This does not exclude career goals but assumes that students cannot be career ready without being college ready. It is irresponsible to only prepare students for a single vocation without building their capacity to (*cont. on Page 4*) The intention of an equity audit is not to create a list of failures. The point is to uncover opportunity gaps, which is the first step in developing a plan to address them.

Focus: Equity Matters

(How to Know Your District Needs an Equity Audit, continued from Page 3)

adapt to a changing world. Schools cannot force students to choose between technical trades or college preparation. It is not an either/or situation and to assume so violates all principles of equity in our democracy.

When considering an equity audit, schools should ask themselves the following questions related to achievement gaps.

1. Are there consistent patterns of disparities in academic performance among student groups? A basic analysis of standardized test scores, graduation rates and other performance measures may show trends or patterns indicating persistent disparities. However, this should be the most basic of considerations.

2. How well do our schools prepare students for college and careers, regardless of their background or chosen path? Schools should assess the effectiveness of their college and career preparation programs, ensuring that they provide all students with the skills and knowledge needed for success in various economic futures. This analysis should lead to implementing rigorous curricula for all students.

3. What support do our schools provide to create the best opportunities for success? We cannot be satisfied with the notion that access alone to college preparation courses – regardless of race, ethnicity, national origin or gender – will guarantee equity. The issue is much deeper than providing access. We must ask how a school is increasing opportunities by providing high levels of support that increases graduation and college success.

4. Are our curricular and instructional approaches responsive to the diverse needs of students? Schools should examine how their curricular and instructional approaches accommodate diverse learning needs and promote equal opportunities for success. This involves evaluating the cultural relevance of the curriculum, the effectiveness of teaching strategies, and the availability of resources and support systems for different student groups.

Consider Disproportionate Discipline

Disproportionate discipline in K-12 schools refers to the unequal treatment of students in disciplinary actions, often based on their race or ethnicity. This disproportionality is evident through the over representation of certain racial or ethnic groups in suspensions, expulsions and other exclusionary disciplinary measures. This issue has been well-documented in the United States, where students of color, particularly Black and Latino students, tend to experience higher rates of exclusionary discipline compared to their white counterparts. Here are some questions to consider.

1. Can you tell from your data the kind of issues that create disproportionate discipline practices? Are there obvious patterns of racial and ethnic disparities by grade level or at specific campuses? While schools must gather data on school demographics, disciplinary actions and related outcomes to review this issue, the review should include information on student race, ethnicity, gender, disability status, and other relevant factors. The data collected should also include the types of disciplinary actions taken, specific reasons for these actions, and their outcomes. If these data alone do not provide you with clues to a root cause then you are in need of an equity audit with climate surveys, focus groups and interviews with teachers, administration, families and, most importantly, students.

2. Do school staff's understanding of a root cause place the onus of discipline issues solely and squarely on families of color or socioeconomic status? In order to avoid such a deficit understanding of discipline, an equity audit must analyze data to identify root causes of disproportionality, such as implicit bias, cultural misunderstandings, and systemic issues within the school's policies and practices. It is important to consider how these factors may interact and contribute to the observed disparities.

3. Do staff at the district and classroom level understand why current interventions are implemented to prevent disproportionate disciplinary practices? This is a basic question. Do staff understand why certain practices are implemented on your campus? The focus on race and ethnicity on disciplinary issues is not new, and many districts have successfully implemented restorative practices, Positive Behavioral Interventions and Supports (PBIS), etc. Yet, staff may not make direct connections to equity issues and or may have misconceptions of these programs as being "soft on" discipline. Districts can administer a quick three-question anonymous survey to get a preliminary indication. By asking these questions about achievement and discipline, schools can better understand the extent of gaps within their institution and determine whether an equity audit is necessary.

If so, the audit process involves data gathering and review, including input from administrators, teachers, students and parents through surveys and focus groups followed by a report with recommendations. Addressing the issues found and promoting an inclusive educational environment will help all students reach their full potential and help schools fulfill their mission to serve students and the community.

Resources

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Reveal Harmful Education Policies – Podcast Episode 202. IDRA Classnotes Podcast.

MAS Springs Youthfully Teacher and Student Advocacy of Mexican American Studies

by Aurelio M. Montemayor, M.Ed.

In a climate where the clouds of gloom and doom for diversity, equity and multicultural instruction shade debate about education, teachers and students are shining with rays of advocacy and valuing for ethnic studies. For example, in San Antonio area schools, supporters of Mexican American Studies (MAS) have formed a community of practice that nurtures educator and student leadership.

When the Texas State Board of Education approved a MAS elective high school course several years ago, school districts began to offer the class. An informal survey of schools that offer the course showed that a significant number responding that the class did not "make" for one of two reasons: no teacher could be found to teach it, or students did not enroll.

In 2017, several ethnic studies advocates met informally to assess the status of Mexican American Studies in the area. About half of the 13 school districts in Bexar County offered the course and had the teachers to teach it but were challenged with student enrollment, often due to a lack of student and family knowledge of the course or to scheduling issues. This MAS group I am a part of began to organize the community of practice to bring together educators who were either teaching MAS or wanted to. Experienced teachers shared their materials, approaches and activities. They also designed packages for newbies who are interested in teaching ethnic studies classes.

Participants found that lacking a traditional textbook is not an obstacle thanks to the constantly increasing availability and accessibility of online digital resources, such as IDRA's School Resource Hub – We All Belong (https:// idraseen.org/hub). In fact, the textbook void has virtually (pun intended) accelerated creativity and flexibility in how ethnic studies courses can be taught. This increases student interest and even co-participation in creating the curriculum and informing the instruction.



Educator Communities of Practice Communities of practice such as this are powerful for several reasons.

Sharing Best Practices: Teachers of ethnic studies can come together to share best practices, resources and teaching strategies.

Building Community: Isolated teachers may feel disconnected from a larger community of educators who are similarly passionate about teaching MAS. Building a sense of community and support can help to reduce burnout and improve job satisfaction.

Advancing the Field: Participation can encourage new and innovative ideas about how to advance the field, leading to development of new curricular materials, teaching strategies and research.

Advocacy: Communities of practice can create a powerful advocacy network to promote the importance of teaching MAS and advocate for its inclusion in school curricula. This can help to increase awareness and support for MAS among students, parents, administrators and policymakers.

Empowerment: Participants can feel empowered as educators to take a more active role in advocating ethnic studies. *(cont. on Page 6)*

New!

5 Tips for Organizing Student-Led Ethnic Studies Group



https://idra.news/5TipsEthnicStudies

Read What Young People Have to Say About Ethnic Studies

IDRA is pleased to share these stories in the IDRA Newsletter.

- The Day I Taught My High School Peers, by Alyssa Diaz, August 2019
- We Are Important, and So is Our History, testimony by Quardasha Mitchell, June-July 2020
- Maybe One Day, the Pain Won't Feel the Same, testimony by Earl Williams, June-July 2020
- Mexican American Studies is American History by Josué Peralta de Jesús, October 2022
- Remove Obstacles to Ethnic Studies for Georgia Students, by Ruth Youn, February 2023

www.idra.org/services/cultural-and-ethnic-studies

Focus: Equity Matters

(MAS Springs Youthfully, continued from Page 5)

Students Take the Lead

After several meetings, now called *Cafecito y MAS* (a play on the word for *more* in Spanish and the acronym for the course), youth participation became an added focus for us.

First, we included high school and college students as participants. The sessions that followed were then led and facilitated by high school students who were either in a MAS class, had been in one or wanted to take it but their school did not offer it.

For example, at one meeting, a high school senior served as emcee. After a warm-up where table participants shared why they value MAS, a panel of six students gave brief presentations on the value of MAS and what needs to be done to advocate it.

Other examples of student engagement include a new large student organization, initiated and led by students, Mexican American Studies Student Association (MASSA is a cognate for the Spanish word for *dough*). To promote it, students created a poster that simulates a commercial bag of dough with the MASSA logo.

Another team of students who do not have ac-



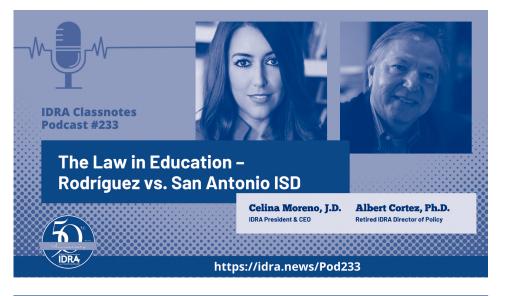
cess to a MAS course conducted a survey of over 100 students and some teachers. The results showed overwhelming support for the course. The principal put the course back on the schedule for the next fall, and

the surveying students were able to recruit 30 students to register for it.

Students and parents also presented testimony on the value, relevance and importance of ethnic studies. Student creativity blossoms in fliers and posters celebrating MAS. They held banners as they marched at the annual César Chavez Memorial Parade.

We used a set of key approaches to foster such student participation and leadership in advocating ethnic studies.

Curriculum Development: Ensure that the curriculum accurately reflects and represents Mexican American history, culture and contributions. Including diverse perspectives and voices in the curriculum also can help students feel seen and valued. (*cont. on Page 8*)



Legacy of Research through the IDRA José A. Cárdenas School Finance Fellows Program

IDRA established the José A. Cárdenas School Finance Fellows Program in 2013 to honor the memory of IDRA founder, Dr. José Angel Cárdenas. The goal of the program is to engage the nation's most promising researchers in investigating school finance solutions that secure equity and excellence for all public school students. Three fellows studied funding for bilingual education, school facilities and college readiness.

- Examining School Funding and Academic Achievement for Secondary English Language Learners in Texas, by Dr. Oscar Jimenez-Castellanos, 2015
- What about the Schools? Factors Contributing to Expanded State Investment in School Facilities, by Dr. Marialena Rivera, presented at AERA, 2017 (includes case study state highlights for Massachusetts, New Jersey, Ohio Texas and Wyoming)
- Texas is Not Financing College Readiness Wealth and Inequities Highlighted by the Civil Rights Data Collection, by Dr. Cristóbal Rodríguez, 2021

Coming soon!

Virtual Symposium Featuring Research by Two Fellows: April 19, 2023

- Dr. Vanessa Sansone, University of Texas at San Antonio (UTSA) assistant professor, conducting a comparative case study analysis of CARES Act spending patterns among selected Hispanic serving institutions (HSIs) within Texas.
- Dr. David Martínez, University of South Carolina assistant professor, analyzing South Carolina school finance priorities in high proportion Latino districts during COVID-19.

Advisory Committee Members 2021-2023

- · Jaime Chahin, Ph.D., Texas State University, Professor and Dean, College of Applied Arts
- Albert Cortez, Ph.D., Retired IDRA Director of Policy
- Edward García Fierros, Ph.D., Villanova University, Associate Professor and Associate Dean of Diversity, Equity and Inclusion
- Albert Kauffman, J.D., St. Mary's University, Professor of Law
- María "Cuca" Robledo Montecel, Ph.D., IDRA President Emerita

Learn more and register for the April 19 virtual symposium at https://www.idra.org/research_articles/fellows-program

(Families Insist on Equitable School Funding, continued from Page 2)

"The *Rodríguez* decision is seen by many legal scholars as one of the worst Supreme Court decisions in the last century and a real betrayal to the promise of *Brown v. Board of Education*," said Celina Moreno, J.D., IDRA President & CEO.

Less than a month later, Dr. Cárdenas reluctantly submitted his resignation as Edgewood ISD superintendent to pursue full-time what was to become a multi-decade quest for school finance equity.

He reflected: "When I started with Texans for Education Excellence in 1973 (which soon became the Intercultural Development Research Association), many people in positions of power - the Texas governor, legislators and school superintendents - said they would be happy to change the school finance system but did not want the federal government shoving it down their throats. Naive in my heart, naive in my soul, I figured in a few years, two maybe four, that we would devise a system that everybody would support and that the problem would be solved quickly. It was not until about four or five years later that it started to dawn on us that it was not going to be as easy as we thought." (Romero, 2001)

María "Cuca" Robledo Montecel, Ph.D., IDRA President & CEO from 1992 to 2019, stated: "When it comes to education, in America we have a society that still tolerates 'separate and unequal.' How else can we explain why school districts around the country with the most student poverty, have the least funding per student? In Texas and around the nation, highpoverty schools are under-resourced schools. They are most likely to have overcrowded classes, weak curricula, under-trained teachers, low test scores and high dropout rates... But the promise of quality education is America's promise not to the privileged few but to all our children. The success in keeping our word is America's success."

IDRA emerged as the only entity in the state at the time dedicated consistently to the reform of the public school finance system. IDRA conducted the necessary research to substantiate the claims made earlier by the plaintiffs in the *Rodríguez* case. IDRA provided state agencies and others with extensive information on the need for reform; prepared and distributed materials; and awakened educators, lawmakers, government officials and the general public to the inequities in the system of school finance and their implications for students' educational opportunities.

For years and years, IDRA led efforts to achieve school finance equity and was instrumental in the state-level *Edgewood* court cases, litigated by MALDEF and others, that followed the *Rodríguez* case. IDRA's research, legal strategy, expert witness testimony, legislative advocacy and community activism provided a blueprint for those interested in bringing about future reform in schools and other social institutions. Dr. Cárdenas literally wrote the textbook on Texas school finance (1997).

"What is good for the children of the most powerful in our society must be the expectation we set for all students," said Celina Moreno. Prior to IDRA, she served as the Mexican American Legal Defense and Educational Fund's trial and appellate co-counsel in the challenge against the inequity and inadequacy of the Texas school finance system. "While the Supreme Court hasn't recognized education as a fundamental right, we know that it is a human right. And a series of Supreme Court decisions, from *Brown v. Board of Education* to *Plyler v. Doe*, reflect its importance" (2020).

In 1987, a Texas state court found that the state's unequal school finance plan did in fact violate the Texas constitution. In the historic *Edgewood vs. Kirby* case (which came to be known as *Edgewood I*), the state's supreme court required Texas to modify its school funding plan in a way that provided every school district equal return for equal tax effort, instituting a process for equalizing school funding throughout the state. But it would take more lawsuits and political shenanigans to push the state to get serious.

Dr. Cortez described one of the times he testified in a school finance trial: "I remember the state's lawyer hammering away at me, asking how close to equity is close enough? 'How close to equalization would you all be willing to accept' – to, essentially, settle for. I told the lawyer: It's either equal or it's not. It's either an equitable funding system or it's not."

He added: "It was insulting to be asked how many children you are willing to sacrifice so that you can 'compromise' to reach a reason-

All Pianos Have Keys & Other Stories – Serial Re-release

As we celebrate IDRA's 50th anniversary this year, we are rereleasing chapters from our founder's popular memoir, *All Pianos Have Keys and Other Stories*, that is



now out of print. Watch our social media accounts and the webpage below for each new release.

- Stories released to date:
- All Pianos Have Keys
- · Silence of the Lambs
- The Epidemic that Never Was
- Jesus Christ Was Not Bilingual
- The Shape of the World

https://idra.news/AllPianosHaveKeys

able settlement. At IDRA, we were never interested in being reasonable. As a matter of fact, we were often called unreasonable and unrealistic because we had the audacity to believe that it was possible to have an equitable school funding system for all kids. I believe that. I still believe that. I still think it's possible."

In the last five decades, IDRA and many with us have learned the critical importance of persistence. It has taken persistence in the courts and in the state capitol. It has taken the persistence of organizations like IDRA, MALDEF, the Equity Center and Every Texan. It has taken the persistence of school board members, superintendents and advocates.

And, most importantly, it has taken the persistence of families – mothers, fathers, grandparents – and students who insist that the state do its job to fund schools fairly and provide an excellent, college-ready education to every student. There's nothing unreasonable about that.

Resources

Barnum, M. (February 27, 2023). The racist idea that changed American education. *Chalkbeat*.

(cont. on Page 8)



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Focus: Equity Matters ____

(MAS Springs Youthfully continued from Page 6)

Culturally Responsive Teaching: Adopt a teaching style that acknowledges and values the culture and experiences of students. Creating a safe and inclusive classroom environment helps students feel comfortable and supported.

Community Engagement: Encourage students to engage with their local Mexican American community and to participate in cultural events and celebrations. This helps students feel connected to their community and develop a sense of pride in their cultural heritage.

Mentoring and Role Models: Provide students with access to Mexican American mentors and role models. This can be encouraging student support for MAS and helps students see themselves represented in leadership positions and inspire them to pursue their own goals.

Extracurricular Activities: Provide opportunities for students to participate in extracurricular activities related to MAS, such as clubs and volunteering. This can help students develop a deeper understanding and appreciation of Mexican American culture and history. **Family Engagement:** Involve family members in the educational process to support student success and engagement. This can include parent-teacher conferences, family nights, guest speakers from the community and other opportunities for family involvement.

Supportive Resources: Give students resources and support systems, such as tutoring, counseling and mentorship programs to support their academic success and well-being. These resources help ensure students feel supported and valued within the school community.

Our community of practice continues to support itself by strengthening peer connections, inviting other educators to join the cause, and encouraging student leadership.

These strategies naturally work for any type of ethnic studies course. I encourage any community to create such a powerful educator and community network. Student voices and actions might be the strongest influence on education policy and practice.

The spring of MAS/mass content.

Aurelio M. Montemayor, M.Ed., is IDRA's family engagement coordinator and directs IDRA Education CAFE work. Comments and questions may be directed to him via email at aurelio.montemayor@idra.org.

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achieving equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college