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The State of Black Arizona: Education and the Law

Penny L Willrich, Arizona Summit Law School

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the state of black arizona:
education and the law
by Judge Penny L. Willrich, J.D. (Retired)

Ms. Willrich has practiced law in Arizona for 22 years and served as a Superior Court Commissioner and Judge. She is currently an Associate Professor at the Phoenix School of Law.
Since the early days of African American migration to Arizona, equal opportunity in education has been a primary goal for the Black citizens of Arizona. Almost 100 years of activism has been instrumental in lifting (but not eradicating) the stigma of slavery, Jim Crow laws, de facto and de jure segregation, racial discrimination, and Black citizens being treated as second class citizens. Some proponents of desegregation of public schools merely pushed for African American children to be educated in the same schools, with the same curriculum, and by the same teachers as White students.

Proponents of social equality through desegregation were fighting de facto and de jure laws, customs, and practices that wanted education for African Americans to produce an “industrious but contented workforce” or “subordinated and controlled to perpetuate a separate and unequal social order grounded in White fear and greed.”

As early as 1827, Black citizens across the United States pushed for educational equity. The philosophical underpinning for integration is the belief that if children of African descent are exposed to the same educational opportunities as White children there would be recognition of Black children’s intellectual abilities and an expectation of success would follow. In reality, integration served as the Americanization process for African Americans because by sending Black children to school with White children, Black parents had to relinquish the idea that Black children would be educated by persons sensitive to the needs and values of Black people. Desegregating schools in essence was the laboratory for exploring whether African Americans had adopted the White language, customs, standards, and culture in order to realize the advantages of living in a homogenous community. Segregation created a caste system “to preserve race identity, purity of blood, and prevent amalgamation.” Despite the milestones reached through dismantling the doctrine of separate but equal, the institutional and psychological structures of forced desegregation have not created a more equitable educational community for many African Americans. Arizona’s schools “function as centers for education, sites of socialization, and as reflections of the city or town’s values.”

Immediate equalization of the socio-economic playing field through an educational policy of assimilation was defeated by residential covenants that restricted where African Americans could live. Proponents of integration recognized education as a requisite part of the formula for social equality of African Americans. Yet, the concept of “social equality” presented a difficult dilemma for Blacks in Arizona. Many argued for social equality because they knew that “separate could never be equal.” Others were quick to point out that social equality with Whites was a foreign concept to African Americans. The push for desegregation was based upon the financial consequences to Arizona taxpayers. Establishing separate school systems based on race was not justifiable based on Arizona’s population of African Americans.

The central theme of this essay is that the very laws designed to end segregation and bring about equalization in education without regard to skin color have not closed the achievement gap between Black children and White children. Moreover, the achievement gap between children of color and White children is yet one more vestige of a system of education replete with a continued

…”They shall segregate pupils of the African race from pupils of the White race, and to that end are empowered to provide accommodations made necessary by such segregation.”

- 1913 Arizona Legislature
legacy of racial discrimination and subtle, but modern, perverse practices that thwart real educational opportunity for Black students in Arizona.

Overt and subtle practices within Arizona's education system label Black children as under-achievers; purposely hamper their learning by labeling them behaviorally disordered; group them according to ability to maximize achievement on standardized testing; use exclusionary discipline consequences of suspension and expulsion; unwittingly contribute to high dropout rates, illiteracy, and the pipeline to prison; and pair the least trained teachers with the students who have the most significant educational needs. This is a call to raise the bar toward educational achievement through competence, quality teaching, a culturally relevant education curriculum and parental involvement.

**Separate but Unequal**

"Democracy rejects any theory of second-class citizenship. There are no second-class citizens in Arizona." (Judge Frederick Struckmeyer, 1953)[10]

Many impediments have been thrown in the paths of African Americans seeking equal education opportunity in Arizona. School segregation was not a new phenomenon to Arizona, particularly since the Arizona Territorial Legislature enacted the segregated school doctrine as part of the state law in 1909.[12] Professor Matthew Whittaker states that the atmosphere of "...White supremacy, racism and racial segregation was firmly established" in Arizona in that it was "the atmosphere one breathed from day to day, the pervasive irritant, the chronic allergy, which made one uncomfortable and jumpy."[12] African Americans who migrated to the southwest did not expect to find the extensive segregation and discrimination by law, custom and practice.[13] Some African Americans thought that the exodus to the southwest offered a haven as the "racial promise land," when in reality, the struggle for racial justice was even more imminent in a state where the total population of African Americans has not risen above five percent.[14]

When Black people were enslaved throughout the United States, there was very little effort made and in many cases it was illegal to educate Black children.[15] Though 1865 brought freedom from involuntary servitude, this newfound freedom provided little if any impetus toward adequate
educational facilities for Blacks even if it were legal to do so. Even though most southern Whites did not want Blacks to be educated at all, there were Blacks and Whites willing to risk the sanctions of law to educate Blacks in clandestine schools.[16] The objection by Whites to Blacks being educated is that southern Whites did not want to pay taxes for Black children’s education.[17]

The 1896 decision in Plessy v. Ferguson reinforced the barriers to educating Black children under the separate but equal doctrine. Mary Melcher writes that “In Arizona, racist attitudes perpetuated by southerners, including many former Texans, led to a harsher form of segregation for Blacks.”[18] Melcher characterizes mandated segregation in Arizona as “unusual” for a Rocky Mountain and Pacific West state, attributing its existence to southerners from states that mandated segregation serving in the Arizona legislature and the increased migration of African Americans to Arizona. Some Whites in Arizona were accustomed to having Blacks as servants, not as equals. The customary position of a servant was to be invisible and the general belief regarding Black children was an assumption that they were illiterate.[19]

As African Americans migrated to Arizona, they walked into a combustible discourse. Integration of the public schools was an issue that was disruptive to the White social order. Yet, for many school districts in Arizona, especially in the rural counties, the enrollment numbers were insufficient to warrant separate schools. In Phoenix and Tucson, the separation of African American students from White students was wholeheartedly adopted, particularly in elementary and middle schools. Public schools in Arizona were organized and maintained by a plan of segregation promulgated by a White Legislature for White school districts.

The adoption of “Jim Crow” laws in Arizona officially separated the races in health care facilities, public transportation, hotels, marriage, voting, restaurants, theaters, and any other establishment that served Whites.[20] Arizona’s Jim Crow statutes and the de facto practices that followed “constituted a complete system of segregation designed to isolate and degrade Blacks; and the segregated education for African Americans that was grudgingly accepted was a means to obtain a trained yet subservient, industrious but content, work force,”[21] regardless of the cost.

Unlike other people of color
In the most populous counties of Arizona, (Maricopa, Pima and Pinal) a diverse and multi-cultural group of citizens who recognized the inherent inequality and unfairness of segregation took it upon themselves to challenge the educational mandate of segregation.

who were subjected to “Americanization” programs, African Americans’ involuntary arrival in the United States as chattel introduced them to subservience throughout domestication programs. Americanization programs were designed to “instill (White) American values in the new immigrant such as: love for family, the right work ethic, patriotism, citizenship, allegiance to country, moral qualities to include duty, obedience, proper dress, service, honor, truth, and uprightness;” African Americans must have been deemed exempt from the Americanization process based upon their experiences during a 400 year history of serving as subservient plantation workers or indentured servants and the domestication process in place when they disembarked from the slave ships.

School districts and state legislators in Arizona ignored the financial impact of establishing “separate but equal schools” even though the cost rose to more than three times that of educating other students. Arizona Governor John Kibbey vetoed the 1909 school segregation law but the Legislature overrode the veto and school segregation became a fixture in the enacted law of Arizona. A challenge to Arizona’s racial segregation of African American children came as early as 1912, when Samuel Bayless sought injunctive relief against the Phoenix Elementary School District Board of Trustees because his children had to travel a greater distance to attend an all Black school. Superior Court Judge Edward Kent issued an injunction finding that “…the educational facilities for African American children and White children were not substantially equal.” The victory for Mr. Bayless and his children was short-lived because the Arizona Supreme Court sent the case back to the Superior Court with specific orders to vacate the injunction and dismiss the case. The Arizona Supreme Court upheld the constitutionality of Arizona’s segregation laws based on the United State’s Supreme Court’s decision of Plessy v. Ferguson.

The Arizona Supreme Court did not consider it a danger that Mr. Bayless’ children had to cross a railroad track to get to school nor did the Court conclude that separate but equal included substantially the same traveling distance for Black children to go to school as compared to White children. In the 1912-1913 Arizona state legislative session the Arizona Code was revised to allow school districts to segregate those groups of students that the school district “deemed necessary.” This enactment changed segregation from a mandatory legislative principle to a permissive school district determination. In 1921, the Arizona legislature amended the statutes to allow school districts to segregate high school students under the Rule of 25 (if 25 or more African American pupils were enrolled). Phoenix, Tucson, Casa Grande and Douglass segregated Black and White high school students; Gila Bend did not allow Black high school students to attend their schools at all; some communities erected a “tent house” for Black school children and provided a half day of schooling; and, other communities built a one-room “colored” school – often placed on the grounds of a White school, but with barriers to prevent the Black and White children from associating with one another (even during recess).

Though the origin of educational segregation laws were to prohibit African American children from attending school with White children, often times, other children of color, particularly Hispanic students or students of Mexican or Spanish descent, were victims of discrimination based on race and language. For Hispanics and children of Mexican or Spanish descent, the decision to segregate them from White students often rested on whether or not the children were monolingual in Spanish. Until 1951, Hispanics and students of Mexican or Spanish descent in Arizona were required to attend separate schools or were denied admittance into White schools within the school districts.

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regating students based upon their Spanish last name, or because of the perception that students who spoke Spanish lacked the requisite English-language skills.[33]

Throughout the country a legal strategy was developing to challenge the constitutionality of the separate but equal doctrine. In Arizona, though that legal victory would come before the United States Supreme Court pronounce-

ment, little attention had been given to the underground movement of desegregation occurring in counties throughout Arizona prior to the court challenges. In the most populous counties of Arizona, (Maricopa, Pima and Pinal) a diverse and multi-cultural group of citizens who recognized the inherent inequality and unfairness of segregation took it upon themselves to challenge the educational mandate of segregation. Eulalia Bourne, a teacher in Pima County, frequently disobeyed the educational policy of English only by allowing the students to speak in their language of birth and by facilitating teaching in their language.[34] Merrill C. Winds-

or, principal of the Casa Grande Central Grade School, enrolled an African American student in 1923 despite his conflicted emotions and extreme opposition from the local community.[34] Louise Henness, a Casa Grande High School District Board member, was determined to integrate the high school in Casa Grande. She diligently pushed this agenda from 1946 to 1949 and was ultimately successful.[35] Addie Hankins worked diligently and successfully to garner transportation for her children to the one-room school in Casa Grande and she met with county and state officials urging that schools be desegregated.[36] In Maricopa County, Herb Finn, Hayzel B. Daniels, Lincoln and Eleanor Ragsdale, Ralph Estrada, Greg Garcia, Ruth Finn, William P. Mahoney, Herb Ely, Stuart Udall, William Crump, and many others pursued equality in education.[37] Ironically, even after segregation was declared unconstitutional in 1953 and 1954 by Arizona courts and the United States Supreme Court, Casa Grande maintained de facto segregated grade schools until 1962.[38]

In Arizona, as in many other states in the United States, the law was the systemic nucleus for denying protection and opportunities to Black people. Segregation laws coupled with miscegenation laws and literacy tests for voting were enacted with callous disregard for the mandate of equality through the Constitution of the United States. Equality for African Americans in Arizona was a mere fiction. Lawyers Hayzel B. Daniels, Herb Finn, and Stuart Udall challenged Arizona’s public school segregation laws based on the precedent established in the federal cases of *Mendez v. Westminster*, a 1947 California case and *Minerva Delgado v. Bastrop Independent School District*, a 1947 Texas case, both of which declared segregation of Mexican Americans in public schools as violations of state law and unconstitutional under the Fourteenth Amendment as a denial of due process and equal protection.[39]

On November 10, 1953, Arizona Superior Court Judge Fred Struckmeyer ruled on the African American parents’ challenge to separate but equal public schools, presented in the case of *Phillips v. The Phoenix Union High School District*. Judge Struckmeyer issued a judgment in which he said, “[T]here are no second class citizens in Arizona.” He ruled that the portion of the Arizona law that delegated the power to the board of trustees of school districts to determine whether to segregate or desegregate public schools as inherently unconstitutional. In a second Arizona Superior Court case, *Heard v. Davis*, decided on May 13, 1954 (days before the infamous *Brown decision*) and involving the Wilson School District, trial court Judge Charles Bernstein said that “...segregating members of the African and Caucasian races is unlawful and a violation of the Constitutions of the United States and the State of Arizona.” [40] In his memorandum decision, Judge Bernstein wrote:

The school is society’s chief agency for conserving and transmitting its culture; educational segregation has extra signifi-

nance. A segregated educative system is likely to transmit to each succeeding generation the superiority-inferiority value attitudes of a racially conscious society. Furthermore, it has be-

come the primary symbol of the Negro’s inferiority. ... There are intangible inequalities in segregation. These are more difficult to demonstrate. However, we know the impact on the child of the Negro Race. These children would seem either to be in conflict about their status or to have resigned themselves to inferior self-images. Our general experience as we observe human status each day, tells us that segregation intensifies rather than eases racial tension. In-

stead of encouraging racial cooperation, it fosters mutual fear and suspicion which is
Income inequality between the poorest families, the largest percentage being African American, and the wealthiest families, typically White, is a commonly referenced statistic, but does not tell the complete story. When the national net wealth of Whites is compared with that of African Americans, the net increase is significantly greater for African Americans, but there is still a huge disparity of net wealth overall. Wealth, or net worth, is a better indicator of a family’s ability to achieve economic security and upward mobility. When the statistics are viewed in this light, the gap is even wider....the median income for African Americans in 2004 was $28,000 versus $48,000 for Whites. The net worth held by African Americans, including home equity, was $11,800 or about 10% of the $118,300 net worth held by Whites. But when you subtract home equity, African Americans held only $300 in net financial assets, or less than 1% of the $36,100 in net financial assets held by whites (Dorsey & Lin, 2008). As summarized in more simple terms by Thomas Wilson, the vast majority of African American’s net wealth is equal to the value of their property less the current market value, which means that such value is either an addition to or subtraction from net wealth. The impact of the current housing crisis on local and national economies has been nothing short of devastating for individuals and families across the country....Based on figures released by the Federal Housing Finance Agency, the Phoenix Metropolitan Area posted a three month drop in values of over 7.5 percent and current values are down by more than 16.6 percent from a year ago. The bottom has dropped out of the housing market, and more and more Americans, particularly African Americans and other minorities, are upside down on their mortgages. African American homeowners who do not have funds in reserve to weather periods of unemployment or undertake necessary home repairs or equipment replacements are exposing themselves to even greater economic instability.

....What, then, are the implications of the housing crisis on wealth building through homeownership? While some researchers claim to be unsure about how this crisis will affect the wealth gap, the available data is sufficient enough to draw a logical conclusion. Since most of Black wealth is concentrated in home equity, it is logical to suggest that the wealth divide between Whites and Blacks in Arizona and across the nation will continue to widen.

A full version of this essay is available to download at www.stateofblackaz.org.
education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. ... It is the very foundation of good citizenship. Today it is the principal instrument in awakening the child to cultural values, in preparing him for later professional training and helping him adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity for an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

The Supreme Court recognized that discriminatory educational policies could affect the hearts and minds of Black children in a way that could not be undone. The Court failed to discuss how the hearts and minds of White children would be affected.

The law that had played such a central role in the denial of educational equity and equality was deconstructed with the stroke of a pen in a unanimous decision of the Court. While Brown represents a major shift in the Supreme Court’s opinion on human rights and a fundamental change for Arizona’s educational system, the Arizona courts after Brown took a more modest role in educational reform. Arizona’s legislative scheme of segregation by choice, the ultimate pre-Brown dismantlement of the option for segregated schools, and the low number of African Americans residing in Arizona caused the educational policies and programs in Arizona since Brown to receive only marginal scrutiny.

After the Phillips and Heard cases, Arizona school districts simply closed the Black schools and Black students began to attend neighborhood schools or the closest school to their home. Thus, racial integration with White students in Phoenix was not immediately achieved because relatively few Blacks lived in traditionally White residential areas and few if any Whites lived south of Van Buren Street in Phoenix. As more African Americans moved to Phoenix and settled in the southern section of the city, “in almost every instance in education, employment, and housing, [African Americans] suffered some degree of deprivation.”

Subsequent legal decisions on busing, school finance, and court monitored desegregation plans were not significant to Arizona’s progress of voluntary desegregation. In Arizona, school desegregation gave the illusion of opening new doors to African American students in the 1960s and 1970s. “Optimistic integrationists believed that ending legally mandated segregation and exclusion would produce equality of opportunity.”

African Americans soon learned that active participation in the political, economic, and cultural life of Arizona was necessary to fight the humiliation of exclusion at all levels. Title IV of the Civil Rights Act of 1964 authorized the United States Office of Education to provide all necessary guidance to school boards constructing desegregation plans; empowered the United States Attorney General to initiate legal action against school districts to enforce desegregation; and allowed withholding of federal funding from school districts that were found to be racially discriminatory. Arizona as a whole was not the subject of a desegregation plan as a result of segregating African American children; no law suits were filed by the United States Attorney to enforce desegregation on behalf of African American children in Arizona. Federal funding for Arizona school districts was never withheld as a result of the treatment of African American children. However, Mexican American parents in Pima County, with the help of California activists, challenged the segregation continuing to occur in Tucson.

In 1969, citizens of Tucson, in a formal public protest, claimed that Superintendent Thomas L. Lee and the Tucson School Board were “ignoring the needs of students of color and perpetuating a paternalistic system that discriminated against them.” Their claims against the school district and its board included: “conditions of isolation and subordination;” “use of denigrating language toward students of color by teachers, coaches and other school personnel;” “denigration of student’s culture and language;” “exclusion from school activities such as student government;” “failure to meet with students to discuss and
In Arizona, school desegregation gave the illusion of opening new doors to African American students in the 1960s and 1970s. “Optimistic integrationists believed that ending legally mandated segregation and exclusion would produce equality of opportunity.” [49] African Americans soon learned that active participation in the political, economic, and cultural life of Arizona was necessary to fight the humiliation of exclusion at all levels.” [50]

acknowledge their complaints of alleged racism;” “a need for Spanish-speaking personnel;” “children attending school with little or no reading ability;” “students being tracked into low-ability and vocational education courses rather than college preparatory courses;” “failure to inform parents that their children were classified as in need of special education;” “children using outdated books and materials, poor facilities, poor curricula, and unqualified culturally insensitive teachers;” “state-adopted textbooks and social studies curriculum that presented the European-American experience rather than the experiences of children of color;” and a paucity of Mexican-American and Black teachers and counselors.” [53]

The Tucson Superintendent publically denied that the conditions outlined by the parents existed, which resulted in an investigation by the United States Department of Health Education and Welfare (HEW) Office of Civil Rights (OCR) as part of the United States Commission on Civil Rights investigation of education in the Southwest to ensure compliance with Title VI of the Civil Rights Act of 1964. [54]

Despite the key state and national court decisions of Phillips, Heard and Brown’s failure to bring immediate relief to the problem of segregation, the United States Congress continued to enact laws and the United States Supreme Court continued to issue decisions that affected educational equity. In 1965, Congress passed the Elementary And Secondary Education Act as a means to fund remedial education programs for disadvantaged children. Through this Act, Head Start programs were created throughout the country, including Arizona, primarily to provide poor children and children of color with opportunities for socialization and first-grade readiness. For African American children, Head Start meant race socialization. “Race socialization is the racialized experiences in the home and out-of-home context that children encounter, which help shape children’s views about themselves and their views concerning themselves in relation to others.” [55]

The Health Education and Welfare Office of Civil Rights found that the Tucson School District indeed discriminated against students of color on the basis of race and national origin by its “failure to have programs and services for Spanish speaking students;” “questionable recruitment and hiring practices;” “unequal educational programs;” “racially imbalanced schools;” “over-representation of children of color in emotional or mental retardation and special education classes;” and found that the “pattern of discrimination traced back to the 1870s.” [56]

The result of the HEW investigation led to a threat to withhold $5.5 million in federal funds from the school district. HEW required the Tucson School District to implement a ‘desegregation plan that ensured all students’ access to high quality academic programs, reduced educational disparities, reduced academic segregation, and reduced the drop-out rate.” [57] When the threat of withholding federal funds failed to cause the school district to take action, a group of Mexican and African American parents sued the Tucson School District and Board in class action suits, Mendoza, et al. vs. Tucson School District No. 1 and Fisher, et al. v. Lohr, et al. The 1978 consolidated decisions reflect a finding by the court that
many of the Tucson schools were racially imbalanced. The federal court found that the school district had failed to a limited extent to dismantle the dual system but had converted Black schools to minority schools. The judge found that the school district was in compliance with Title VI and there was no indication of intentional discrimination despite the school district’s de facto segregation.

Finally, the Court found that a school district can not pair minority students from different races to demonstrate desegregation. This was a mixed victory, a finding that de facto segregation existed in Tucson; however a finding of no intent to discriminate did not really reflect the reality of the condition for the Tucson school children.

The Illusion of Educational Equality

“A strong and effective system of education is one of the fundamental ways to strengthen our economy and raise living standards.”

Overt, inherent institutional racism did not subside with the Court decisions calling for the dismantlement of segregated schools. Integration became much more palatable to its foes who agreed with the philosophy of Booker T. Washington, the founder of Tuskegee Institute, and an African American leader to Whites and some Blacks. Washington’s philosophy, although ideologically different from many African Americans, called for a “special kind of education for African Americans designed to allay White fears and to adjust Blacks to a subordinate caste.”

This philosophy supported the notion that “Black education was meant to train African Americans to perform manual labor, to serve the needs of Whites.” Perhaps, Senator John McCain’s recent reference to Booker T. Washington’s meeting with President Theodore Roosevelt, during his November 4, 2008 concession speech, is symbolic of White Arizona’s philosophical adoption of the Booker T. Washington philosophy that “Black education was neither to upset White supremacy nor challenge the racial order, and all involved knew it.”

If indeed Washington’s philosophy has been in operation in Arizona as more and more African Americans entered the educational system, the traditional barriers to educational equity continue to exist and the expectations for African American children’s progress has been marginalized by the very system altered by law to ensure that they were equally educated. Educational equality depends not on Black children merely passing through the school house doors to sit next to little White boys and White girls, but must be a philosophical value ascribed to by those operating the school and teaching in the classroom. In many cases in Arizona, exclusion by segregation has been replaced with exclusion by discipline, special education, tracking, standardized testing, teacher beliefs and the No Child Left Behind Act. In the interest of space, I focus on the first two subcategories below. For the complete discussion of these points, please read the entire essay on the website, www.stateofblackaz.org.

Discipline

African American students are five percent of the 1.1 million students in Arizona’s schools, yet for every 100 Black students enrolled in school, there are nine suspensions. School districts with the highest rates of suspension for Black children are located in Maricopa County Arizona. The overall state rankings and the comparative national educational achievement of Arizona’s Black students serves as a magnifying glass that brings into focus all types of disparities, both institutional and contextual. The state and national rankings depict the reality of being Black in an institution controlled by institutional racism. Institutional racism is defined as laws, policies, procedures and practices that appear neutral on their face but have a disproportionately negative affect on Black students.

Where in the past the primary justification for discriminating against Blacks in education was perceived inferiority, today it is perceived criminality. Thirty years of research has shown that African American students are over-represented in suspension and expulsion as education-related discipline. Research further shows that there is a direct link between exclusionary discipline and the pipeline to prison. And the rate of expulsion has increased as the pressure for academic achievement through standardized testing has increased. In the last 15 years, even though crime rates have decreased, incarceration rates of African American youth have increased substantially. Research shows a direct correlation between school suspension and poor academic preparedness.

Special Education

Research through the Goldwater Institute in 2003 found that the criteria outlined in the Individuals with Disabilities Education Act...
of 1975 have been subjectively used to segregate and neglect the education of African American and Hispanic students in Arizona.[72] Matthew Ladner states that race is the primary factor in assigning a disability label to children of color who attend school in predominately White school districts.[73] “Black (student) underachievement reinforces stereotypes that Black students cannot compete in intellectual pursuits.”[74]

Conclusion and Summary

“We are our histories. What we think, what we believe in and the choices that we make are products of our histories.”[75]

From the State of Black Arizona 2009 Community Forums, citizens’ words of wisdom and reactions to the presentation of this historical backdrop on education and the law in Arizona provided the following five recommendations:

1. African American students in Arizona must be treated fairly, with appreciation of their culture, in a learning environment that nurtures their abilities to succeed, and through a curriculum that values diversity;

2. African American children should not be placed in “tracked-based” educational settings because it lessens their entire school experience and reinforces negative learning stereotypes;

3. Teacher bias toward students of color must be eliminated in order to have a school environment conducive to learning for all, regardless of race or ethnicity;

4. Overrepresentation of Arizona’s African American students subjected to disciplinary expulsion and suspensions must be eliminated in order to eliminate the cradle-to-prison pipeline; and

5. For Arizona’s educational system to ensure that no child is left behind, parents must be involved in critical decision making regarding their child’s achievement.

Desegregation of public schools in Arizona has not brought the gains for African American achievement or closed the achievement gap that was envisioned by parents and activists. Perhaps it was naïve for so many to believe that integrated schools would offer wholesale improvement to the plight of African Americans. As so aptly stated by Lasana Hotep in State of Black Arizona, Volume I, “African Americans have a long journey ahead … in raising the education proficiency of our students.”[76] While we celebrate Arizona’s educational achievements since 1909, our celebration must not be a void, and we must recognize the pressing issues that are still thwarting Black children’s achievement at the same level as White children. In Arizona, race relations will not improve as long as the education of any disadvantaged group of people are frustrated by law, policies, and programs; or when the institution serves as a vehicle for oppression that shatters the aspirations of achievement for any child.

Endnotes


[2] The terms “African American” and “Black” will be used interchangeably throughout this article, with both having the same meaning of referring to children or people of African descent.


[8] Id. at 134.

[9] Id. at 134.


[14] Id. at 17.


[17] United States Department of Interior, at p. 27.

Americanization is defined as the process of unifying native and foreign born in perfect support of the principles for which America stands, namely liberty, union, democracy, and brotherhood. In Alfred E. White, Americanization, the Mexican Group. San Francisco, Ca: R & E Research Associates, (1971, p. 3).


The Underground Museum in Cincinnati, Ohio aptly has on display a "slave pen," a 10 by 10 room in which newly purchased slaves were chained together, beaten, denied the use of their own language, taught a cryptic from of English, and assigned to either being a field-hand or house servant.

Melcher, at p. 5.


Id., citing to Plessy v. Ferguson, 163 U.S. 537 (1896).

Arizona Code of 1913, section 2750.

Id. Melcher, pp. 6-7.


Luckingham, pp. 133-143.


Melcher at p. 1.


Melcher, p. 8

Id. at 7-8.

Luckingham, pp. 133-143.

Melcher, p.10

United States Department of Interior at p. 67.


Brown, p. 494.

Brown, p. 493.

Brown, p. 494.

Luckingham, at p. 162

Id. at p. 163.

Id. at p. 164.


Luckingham at pp. 145-146.

United States Department of Interior, at p. 80.


Id. at pp. 210-219.

Id. at p. 220.


Trinidad, at p. 228.

Id.

Id.

Id.


United States Department of Interior, at p. 30.

Id. at 31.

Senator John McCain in acknowledging his defeat and conceding that Senator Obama had won the bid to be the 44th President of the United States said, “This is a historic election, and I recognize the special significance it has for African-Americans and for the special pride that must be theirs tonight. I’ve always believed that America offers opportunities for all who have the industry and will seize it. … A century ago, President Theodore Roosevelt’s invitation of Booker T. Washington to dine at the White House was taken as an outrage in many quarters. America today is a world away from the cruel and frightful bigotry of that time.” Retrieved from www.forbes.com/2008/11/05/mccain-concession-phoenix-biz-beltway-cx.

United States Department of Interior, p. 31.