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Review of 2013 AALL Diversity Symposium, Affirmative Action, Banned Books, and Mexican American Studies: The Current State of Diversity and Education in America

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REVIEW OF 2013 AALL DIVERSITY SYMPOSIUM, AFFIRMATIVE ACTION, BANNED BOOKS, AND MEXICAN AMERICAN STUDIES: THE CURRENT STATE OF DIVERSITY AND EDUCATION IN AMERICA

BY MICHELE A. LUCERO, LAC GROUP, DIRECTOR CLIENT DEVELOPMENT



The Diversity Symposium offered an overview of how affirmative action and multi-cultural studies affect diversity in the professional world. The Symposium began with Ulysses N. Jaen, Ave Maria School of Law Library's Head of Public Services, discussing how the need for diversity continues to be an element that the legal profession and library schools struggle with – with low numbers of diverse individuals within the profession. We have resources such as mentoring, scholarships, affirmative action, and ethnic studies, which help raise awareness but are not the definitive solution. Many people have differing viewpoints and ideas on what diversity is, with even the legal system focusing on the issue.

All eyes were on the expected U.S. Supreme Court decision in *Fisher v. University of Texas* that could eliminate the use of race-conscious admissions policies. On June 24, 2013, the U.S. Supreme Court determined that the Fifth Circuit Court of Appeals failed to apply strict scrutiny in its decision affirming the admissions policy. The decision was vacated, and the case remanded. Jaen highlighted another case, *Schuetz v. Coalition to Defend Affirmative Action*, set for argument on October 15, 2013. The issue in this case is whether a state violates the Equal Protection Clause by amending its constitution to prohibit race- and sex-based discrimination or preferential treatment in public-university admissions decisions. Be on the look out to see what is decided in this issue.

Next, the Diversity Symposium transitioned to discuss a very controversial topic in the Tucson Unified School District – the ending of its Mexican American Studies programs in order to comply with a 2010 Arizona law banning the use of books that teach "anti-American" values. Panelists and experts, Richard Delgado and wife Jean Stefanic both of the University of Alabama School of Law discussed their perspectives on how ethnic literature and history help students to develop into intelligent professionals with an understanding of America's unique history. In 1997, the school started a Hispanic Studies program and in 2002 renamed it Mexican-American Raza studies. The drop out rate was over 50% for Mexican Americans before the implementation of the program.

As Delgado explained, the Arizona law targeted school children to learn English-only, "American" values. There has been a significant amount of litigation in the area of rights of children in schools. Many laws look at these issues from *Brown vs. Board of Education*, but a new issue has emerged. What are the rights of children to learn about one's own history and culture? In Arizona, the state saw this as a threat to American values. Once the Mexican-American Raza program was in place, the graduation rate went from 50% to 90% -- an astounding increase. Textbooks were even banned in these schools because of the supposed content that they taught. The local community picketed and lawsuits were filed. Several of the banned books included Cisneros, Shakespeare and "Occupied America." The Latino community as Stefanic explained was in an uproar because the program was in existence for 11 years and produced high graduation rates, and high levels of admittance with many of the students going on to college which was highly unlikely before. The early lawsuits touched on many issues including freedom of expression, the right to pursue national unity, and a minority's right to understand history.



Delgado explained that opponents of the ethnic studies program said it was damaging school children because of its "negative" content and that its widespread discrimination of the Southwest. Children want to learn more, but do not have the opportunity or come from very poor and greatly oppressed homes where they may not even be able to go to college. Minorities live in small rundown homes with most parents, if any parental figures, in menial jobs. Arizona authorities were worried about the culture of "American values" and that the ethnic studies made it harder to teach these values. The Arizona authorities aimed to curtail Latino participation at all. Higher grades and increased graduation rates wouldn't stop them. The Latino school children in the Mexican-American Raza program were eager to learn and now had a reason to study and learn.

The Diversity Symposium shifted to add a perspective by Theresa Cooper, Chief Diversity Officer of Perkins Coie, to discuss the "pipeline" of future professionals and how diversity in education affects diversity in the legal working world. Cooper confirmed

that diversity is underrepresented in law. We need to rethink – instigate us to think about what we can do. Back to 1976, with the Bakke case affirmative action was viewed as a bad work. Diversity was not in the language yet. All eyes were on African Americans in classes. Years later, diversity in law schools is present. Diversity was an inheritance of Bakke. According to Cooper, there has been a shift from acquired diversity; meaning it is who you are being diverse. Diversity is change management. When there is diversity in the classroom, education is inadvertently better. Faculty has said that there is a direct impact on learning when diversity is present in the classroom. We can see how diversity in our law has shaped the Bar. Diversity is essential for international diplomacy. As our world has become global, corporations cannot survive without the appreciation of diversity. The only way our humanity will survive is with diversity.

FROM THE SANDALL BUDDIES PROGRAM:

Know a library school student interested in law librarianship? Want to mentor someone interested in law librarianship? Just want to have some really great pancakes? Come one, come all, to our combined B3 and SANDALL Buddies monthly brunch. Save the date, spread the word, and come on by.

Join us for our SANDALL Buddies kick-off event of 2013-2014!

Come have a hearty brunch at Studio Diner and meet people interested in law librarianship. SANDALL Buddies pairs library students, new librarians, and other types of librarians who are interested in the field of law librarianship with experienced law librarians. It's fun and you get the inside view from those in the know. Even if you can't participate in SANDALL Buddies this year, come anyway. We promise good food and good company.

When: [Saturday, September 21, 2013, 10 a.m.](#)

Where: [Studio Diner](#) 4701 Ruffin Road, San Diego, CA 92123, (858)715-6400

RSVP to Betsy Chessler at bchessler@mofo.com

What is SANDALL Buddies?

SANDALL Buddies is the San Diego Area Law Libraries Association's (a chapter of the American Association of Law Libraries) mentoring program launched in 2010 that pairs professional law librarians with library students, new librarians and other information professionals who are interested in the field of law librarianship. The program goal is to encourage and support mentees by providing real world information, advice and access to networks that are sometimes unavailable to those starting out in this field. More information at: <http://www.sandallnet.org/sandall-buddies>

Co-chairs, 2013-2014: **Betsy Chessler** and **Carol Hyne**

