Assembly Concurrent Resolution No. 146

Introduced by Assembly Member Weber
(Principal coauthors: Senators Anderson, Block, and Hueso)

February 29, 2016

Assembly Concurrent Resolution No. 146—Relative to commemorating the 85th anniversary of Roberto Alvarez v. Board of Trustees of the Lemon Grove School District.

LEGISLATIVE COUNSEL'S DIGEST

ACR 146, as introduced, Weber. Civil rights: Roberto Alvarez v. Board of Trustees of the Lemon Grove School District.

This measure would commemorate March 30, 2016, as the 85th anniversary of the historic ruling in the case of Roberto Alvarez v. Board of Trustees of the Lemon Grove School District, which invalidated that district's attempt to restrict its pupils of Mexican heritage to an inferior, segregated educational experience.

Fiscal committee: no.

WHEREAS, The history of the struggle for school desegregation in the United States is not often associated with the Mexican community in southern California, and is usually thought to have begun with the landmark 1954 United States Supreme Court case of Brown v. Board of Education of Topeka (1954) 347 U.S. 483; and

WHEREAS, The earliest court cases concerning school desegregation actually occurred in the Southwest and California in the 1930s; and

WHEREAS, In these early school desegregation cases, Mexican immigrants and their communities were the groups targeted for segregated treatment by school officials; and

WHEREAS, A case of particular importance, which has begun to take a special place in the social history of civil rights, took place in San Diego County during the 1930s, in the then-rural community of Lemon Grove; and

WHEREAS, This important case is Roberto Alvarez v. Board of Trustees of the Lemon Grove School District, which was the first successful case challenging school segregation in the United States; and

WHEREAS, The Alvarez case is important because it was an historic first, and because it was an example of a community taking action and establishing the rights of their children to equal education, despite the local, regional, and national sentiment of that era that favored not just segregation, but the actual deportation from the United States of persons of Mexican heritage; and

WHEREAS, In January 1931, the principal of the Lemon Grove Grammar School, acting under instructions from the school district trustees, stood in the schoolhouse door and refused to admit Mexican pupils, who had previously constituted almost half of the school's student body; and many of the excluded children were American citizens by birth who came from families that had lived in Lemon Grove for many years; and

WHEREAS, The school district trustees directed the Mexican pupils to attend school in a substandard, two-room building; and

WHEREAS, The parents of the excluded pupils refused to accept this injustice, and organized themselves into the Comite de Vecinos de Lemon Grove (the Lemon Grove Neighbors Committee), sought help from the local Mexican community at large, and eventually obtained the professional services of distinguished San Diego attorneys Fred C. Noon and A.C. Brinkely; and

WHEREAS, A petition for a writ of mandate was filed in the San Diego County Superior Court challenging the actions of the Lemon Grove School District in segregating the Mexican pupils, and a young pupil named Roberto Alvarez was chosen as the lead plaintiff because he was an outstanding student with excellent proficiency in English; and

WHEREAS, The actions of the Lemon Grove School District, and the policy of segregating Mexican and Mexican American

pupils, had significant support in San Diego County as well as other parts of the state; and in January 1931, a bill was introduced in the State Assembly by a member from Santa Barbara County that would have legalized the segregation of Mexican and Mexican American pupils in California schools; and

WHEREAS, Ultimately, however, the Honorable Claude Chambers', Judge of the San Diego County Superior Court, issued a ruling granting the writ of mandate sought by the parents of the excluded pupils; and

WHEREAS, Judge Chambers' order, issued on March 30, 1931, deemed the separation of the children to be an illegal segregation that had no basis in California law, and he ordered the school district to immediately reinstate the pupils who had been excluded; and

WHEREAS, The Lemon Grove School District did not appeal Judge Chambers' order, and it duly readmitted the excluded pupils; now, therefore be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California recognizes and commemorates March 30, 2016, as the 85th anniversary of the historic ruling in the case of Roberto Alvarez v. Board of Trustees of the Lemon Grove School District, which invalidated that district's attempt to restrict its pupils of Mexican heritage to an inferior, segregated educational experience; and be it further

Resolved, That schools and community organizations throughout the state are encouraged to acknowledge this historic anniversary with appropriate activities; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

O