

Texas Education Review

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Unequal Funding, School Closures, and Dropout Status**

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Volume 3, Issue 1, pp. 38-43 (2015)
Available online at www.txedrev.org

Disparate Impact on Immigrant and Latino/a Students in Texas: Unequal Funding, School Closures, and Dropout Status

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Educational trends illustrate that the academic performance of immigrants exceeds their co-ethnic and native-born counterparts. For example, when examining cognitive test scores of Mexican-origin students by generational status the highest achievements belong to first-generation (i.e., immigrants) students, followed by second-generation (i.e., students with one or two immigrant parents), and lastly third (i.e., native-born) and later generations, accounting for socioeconomic status, English proficiency, and institutional factors (Morales & Saenz, 2007). Indeed, if the Mexican-origin population resembled (non-Hispanic) whites in terms of generational status the white-Mexican educational gap would widen (Morales & Saenz, 2007). Even though the immigrant population has demonstrated that they can exceed academically there are several structural factors working against their educational integration. Below we discuss the disparate impact of unequal funding and school closures that disproportionately impacts marginalized populations such as immigrant students, institutional decision-making encouraging the “pushing out” of immigrants from the educational system, and we use census data to show the high percentages of immigrants represented among people between the ages 16 to 24 who dropped out status in Texas.

Unequal Funding and School Closures

Despite their potential for educational success, youth living in immigrant communities continue to struggle for educational equity in terms of unequal funding and higher propensity for school closures in their neighborhoods. Structurally, unequal funding across public schools creates a situation where middle-class children are most successfully educated, while children living in poor neighborhoods—many who are disproportionately Latina/o, Black, and/or immigrants—are being underserved. Nationally, U.S. public schools are funded through three sources: about 47% from the state although this varies from state to state; about 44% from local property taxes; and 9% from federal funds (Eitzen, Baca Zinn, & Eitzen-Smith, 2013). In 2013-2014, the Texas Comptroller of Public Accounts showed that funding allocations for Texas public schools included— 32.9% state, 9% federal, 1.7% equity transfers, 17.1% local bonds and sales of real property, and 35.9% local taxes for 2012–2013 (Hegar, 2013). Since over 50% of public school funding in Texas is based on local resources, this translates to unequal financial support across schools. Because immigrants are over concentrated in low-paying labor sectors, where they are victims of wage theft, they tend to live in poorer neighborhoods with lower revenue generated for neighborhood schools. Some of the issues resulting from underfunded public schools include: limited access to technology (e.g., computers and other classroom materials); underpaid teachers; schools in need of repair, renovations, and modernization; and higher pupil/teacher ratios (Eitzen & Baca Zinn, 2007).

Contemporary issues surrounding unequal funding in Texas have not gone under the radar. They are at the center of intense legal battles. For instance, *Rodriguez v. San Antonio ISD* (1972) addressed one case of unequally funded public schools. In 1973 the Rodriguez plaintiffs lost in the U.S. Supreme Court (Palomo Acosta, 2010; *San Antonio ISD v. Rodriguez*, 1973).

Eleven years later, the Mexican American Legal Defense and Educational Fund (MALDEF) filed a lawsuit concerning public school funding. Filed against the commissioner of education, William Kirby of Travis County, on behalf of the Edgewood Independent School District in San Antonio resulting in the landmark case of *Edgewood Independent School District et al. v. Kirby et al.* (1989). This case cited discrimination against students in poor school districts due to the state's reliance on local property taxes and highlighted the inequality in funds available to educate students across the state. In 1989 the Texas Supreme Court noted disparities in property wealth per student across different districts in the state, as well as higher tax rates in property-poor districts compared to wealthier districts. As such, not only did the pupils in poor neighbors have less educational funding, their families and communities were taxed proportionally more than residents in wealthier districts (Palomo Acosta, 2010).

Consequently, several appeals back and forth from the state and on behalf of the plaintiffs led to a multi-option plan for reforming school finance. In 1993, each school district equalized funding through one of five options: (1) merging its tax base with a poorer district; (2) sending money to the state to help pay for students in poorer districts; (3) contracting to educate students in other districts; (4) consolidating voluntarily with one or more other districts; or (5) transferring some of its commercial taxable property to another district's tax rolls (Paloma Acosta, 2010). In 1995 the Texas Supreme Court ruled this plan constitutional, but recommended that the legislature needed to work on equalizing and improving school facilities across the state (Paloma Acosta, 2010). Twenty years later this issue continues to be legally contested. In February 2013, State District Judge John Dietz reaffirmed his ruling from the bench stating that the state's funding formula fails to meet the Texas Constitution's mandate to suitably provide for Texas public schools when providing equal access to educational funds (*The Texas Taxpayer & Student Fairness Coalition, et al., Calhoun County ISD, et al., Edgewood ISD, et al., Fort Bend ISD et al., Texas Charter School Association, et al. v. Michael Williams, Susan Combs, Texas State Board of Education [Texas Taxpayer, et al., vs. Williams, et al.]*, 2013). Moreover, Judge Dietz's proclaimed that the current system imposes property taxes in a manner that is equivalent to the state income tax, which is constitutionally prohibited (*Texas Taxpayer, et al., vs. Williams, et al.*, 2013).

Poorly funded elementary schools, and arguably student demographics, have led to school closures in immigrant neighborhoods. Although one can infer that school closures often occur as a way to modernize school infrastructure, particularly in underfunded and immigrant communities; residents, nonetheless, continue to contest school closures. An example is the El Paso Independent School District (EPISD), where seven elementary schools located in marginalized neighborhoods face school closures. While EPISD initiated community response about the closures through a survey, those efforts were unfruitful. Eric Murillo, a parent at one of the elementary schools targeted for closing argued that "the school closings have a negative effect on communities that are already marginalized, very little has been done to assure that the affected communities are heard" (personal communication, January 20, 2015). Parents are concerned that school closures will translate to long distance bussing of young students and an increase in the student-to-teacher ratio in classrooms. An additional concern is whether the low-income students will be well received in the new schools. In an effort to get community input EPISD conducted a survey, but the responses only included about 17% of the Spanish surveys, despite the fact that over 60% of the student body in the schools facing closures are English language learners (Anderson, 2015).

Table 1 illustrates the demographic characteristics of the schools selected for closure. For comparative purposes we include statistics of EPISD and Texas. All of the schools targeted for closing are over 81.3% Latino/a, which is above the school district’s average of 48.6%. Indeed, five out of eight schools have student populations that are over 95% Latino/a, which is almost twice as much as the Texas average. While this data does not capture immigration or citizenship status, Limited English Proficient (LEP) will be utilized as an indicator. We find that about half of schools have a student body that is over 65% LEP, which is over three times the Texas and over twice the EPISD averages. Table 1 also illustrates the overlap (or intersectionality) of ethnicity, socioeconomic status, and immigration and acculturation. For instance, the schools that have the highest percentages of LEP students are also the most economically disadvantaged and have the highest percentages of Latino/as. For example, 83.3% of the students in Beall Elementary School are LEP, 100% Latino/a, and 94% economically disadvantaged.

Table 1
Percent Distribution of Student Demographics of Public Elementary Schools Selected for Closure

	Limited English Proficient	Latino/a	Economically Disadvantaged
Beall Elementary	83.3	100	93.5
Zavala Elementary	79.3	98.2	98.2
Alta Vista Elementary	66.8	98.3	96.6
Roberts Elementary	57.1	96.8	93.3
Travis Elementary	51.3	72.9	85.2
Schuster Elementary	33.5	84.3	89.1
Fannin Elementary	24.8	76.5	83
El Paso ISD	28.9	81.3	68.9
Texas	16.9	48.6	59

Note. Public School Explorer, Texas Tribune, 2010

“Pushing” Immigrants Out of School

Another dire situation affect the educational achievement of immigrants concerns those who are “pushed out” of school in order to meet the demands implemented with standardized testing. The term “dropout” implies that an individual student willing and rationally made the decision to not continue their education, yet in many cases, the most appropriate term is “pushed out” of school when students are encourage to dropout or marginalized to the extent that the student does not see the point in continuing their education.

A telling case is that of Bowie High School (EPISD), located right along the U.S.-Mexico border, where immigrant students were being “pushed out” of school. Bowie’s demographic profile is representative of schools located in immigrant communities. It is 9% Latina/o, 95% of students are economically disadvantaged, it has approximately 27% more at-risk students than state averages and twice the number of LEP students than Texas as a whole (Saenz & Morales, 2015). Administrators feared that LEP students would lower standardized test scores used to gauge not only students’ knowledge but the proficiency of the school itself. Consequently,

administrators held some students back, promoted others, and/or altered students' transcripts so that they would not take the Texas standardized test in 10th grade, therefore artificially inflating test scores to meet standards. In other situations truant officers visited some at-risk students and told them they were better off dropping out of school (Stanford, 2012). Concerns from a counselor and immigrant students sparked a federal investigation that found that immigrant students were being pushed out of several schools within the EPISD. The accusations also involved fraud. Indeed, the superintendent is now serving time in federal prison for pleading guilty to paying himself and others with bonuses from federal *No Child Left Behind* funds intended for at-risk students (Michels, 2012).

As a proxy for dropping out of school in Texas, Table 2 presents the percentage of persons between the ages of 16 and 24 years who do not have a high school diploma and who are not currently enrolled in school. The case of EPISD raises concerns about the extent to which immigrant youth in Texas are being pushed out of public schools. The percentages are sorted by sex and nativity (foreign-born vs native-born).

Table 2
Percentage of Persons 16 to 24 Years of Age in Texas who are Pushouts /Dropouts by Race/Ethnic Group, Sex, and Nativity Status, 2009-2013

Race/Ethnic Group	Total	Male		Total	Female	
		Native-Born	Foreign-Born		Native-Born	Foreign-Born
Latino	16.2	11.9	40.9	15.4	11.3	39.2
Asian	9.5	6.4	10.9	13.4	6.9	15.7
Black	11.3	15.5	11.4	13.1	13.1	12.0
American Indian	27.5	---	---	25.6	---	---
White (non-Hispanic)	8.3	8.3	8.3	8.1	8.0	11.0

Note. 2009-2013 American Community Survey Public-Use Micro-Data Sample

When comparing native-born to their foreign-born racial/ethnic counterparts, immigrants have higher percentages of people who dropped out across racial and ethnic groups (with the exception of male and female Blacks and male non-Hispanic whites). Of particular concern are the 40.9% of Latino immigrant males and 39.2% of Latina immigrant females that are dropping out in Texas. Indeed, foreign-born Latino/a or first-generation immigrants (males, 40.9%; females 39.2%) are nearly five times more likely to dropout of school compared to whites (males, 8.3%; females, 8.1%). While a study based on California showed that monolingual English speakers, who tend to be native-born, have lower grade point averages than bilingual students who tend to come from immigrant families (Rumbaut, 1995) this pattern is not replicated in terms of education attainment (or years of education) in Texas as evident in the dropout status. Foreign-born/first-generation Latino males are over 3 times more likely than native-born (second and later generations) Latino males to drop out. Similarly, foreign-born/first-generation Latinas are about 3.5 times more likely to dropout than their native-born counterparts.

Conclusion

In spite of educational trends illustrating that immigrant students outperform their native-born peers (Morales & Saenz, 2007), they continue to face uncertainty in terms of equity in the distribution of educational resources, schools closing in their communities, and being “pushed out” of schools. As such, if immigrant students have demonstrated that they can learn and apply themselves in school, if granted the opportunity, the uncertainties in the educational system point to discriminatory patterns towards immigrant students. It has been over sixty years since *Brown v. the Board of Education*, and legal battles for equitable distribution of educational funds continue in Texas. Elementary schools continue to be segregated by socioeconomic status, race, and immigration status, which contribute to inequality in funding, due its ties to property values. In El Paso, these structural conditions are at the center of community debates on the closing of elementary schools that are located in marginalized immigrant neighborhoods.

Another pressing issue is that immigrant students are getting pushed-out of schools. This is particularly the case for immigrants who are also linguistic minorities. Instances, such as the EPISD scandal, provide a telling case of immigrant students who are underserved by educational institutions due to fear that these students would jeopardize their state/national academic standings. Data from the U.S. American Community Survey parallels such concerns. Particularly startling is that based on data from the U.S. Census Bureau American Community Survey 2009-2013 about 40% of Latino immigrants are getting “pushed out” or have dropped out of school in Texas. Since Latina/os represent about 37.5% of the Texas population and their numbers are steadily increasing, this is a concern not only for Latina/os, but also for the well being of the state as a whole. As such, educational institutions in Texas need to devise better ways of serving the educational needs of Latina/o immigrants.

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