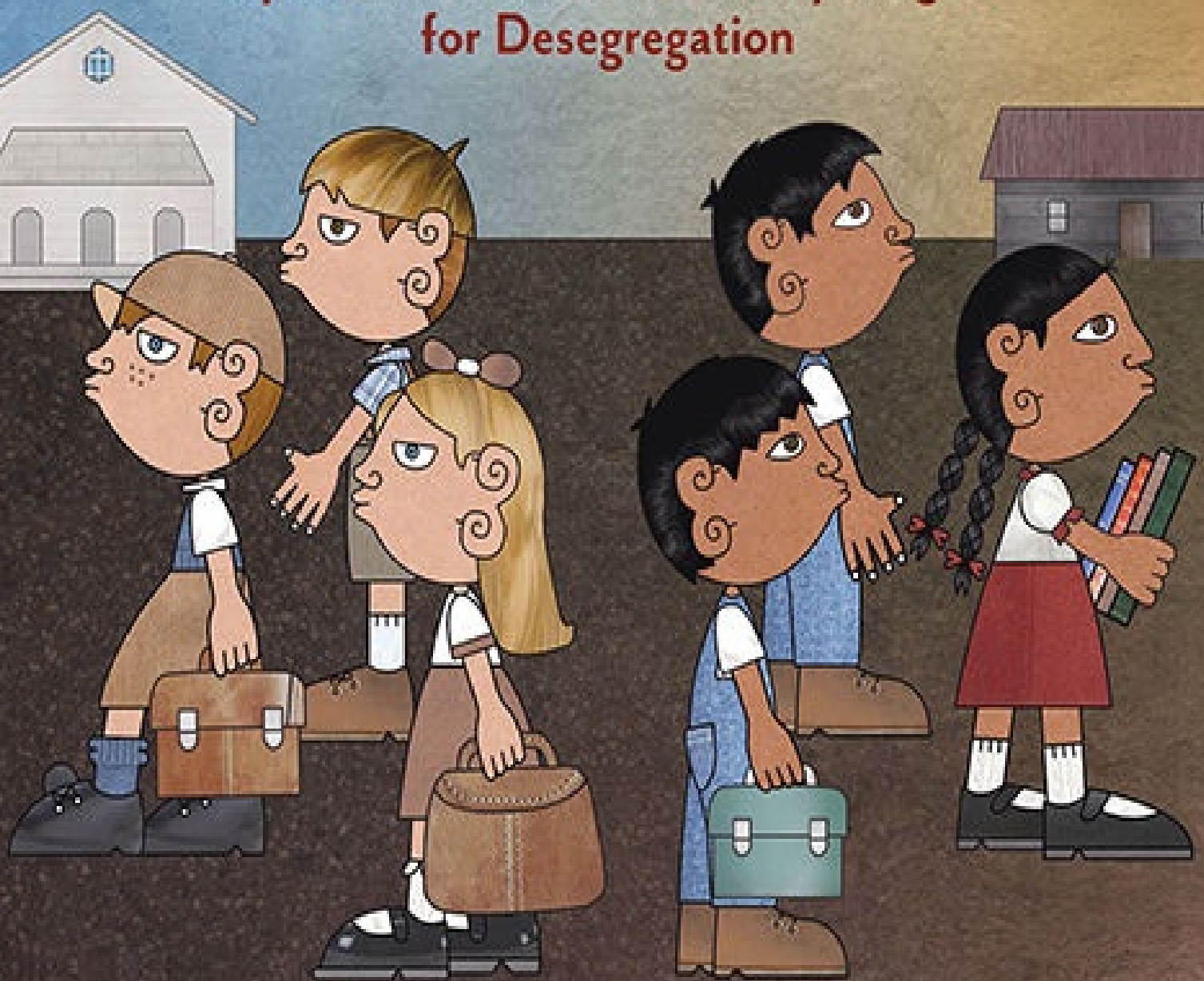


SEPARATE IS NEVER EQUAL

~ Sylvia Mendez & Her Family's Fight ~
for Desegregation

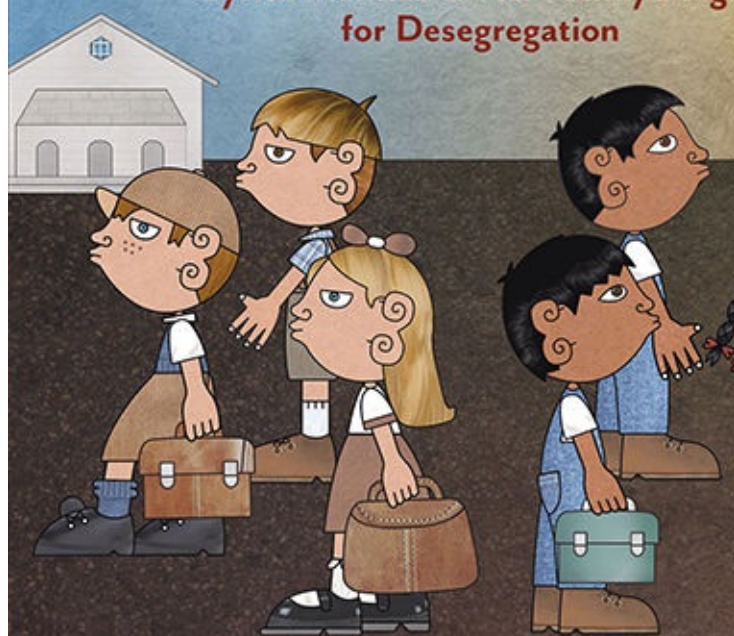


DUNCAN TONATIUH

WINNER OF THE PURA BELPRÉ AWARD

SEPARATE NEVER EQUAL

Sylvia Mendez & Her Family's Fight
for Desegregation



DUNCAN TONATIUH

WINNER OF THE PURA BELPRÉ AWARD

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— Sy



ABRAM

SYLVIA HAD ON HER BLACK SHOES. They were shiny-new. Her hair was perfectly parted in two long *trenzas*. It was her first day at the Westminster school. The halls were crowded with students. She was looking for her locker when a young white boy pointed at her and yelled, "Go back to the Mexican school! You don't belong here!"

For the rest of the day, Sylvia kept herself in her room. She kept her head down. When she got home that afternoon, she didn't want to go back to that school.

"Sylvia," said her mother. "Don't you know that is why we





Three years
brothers, Jer
and Gonzalo
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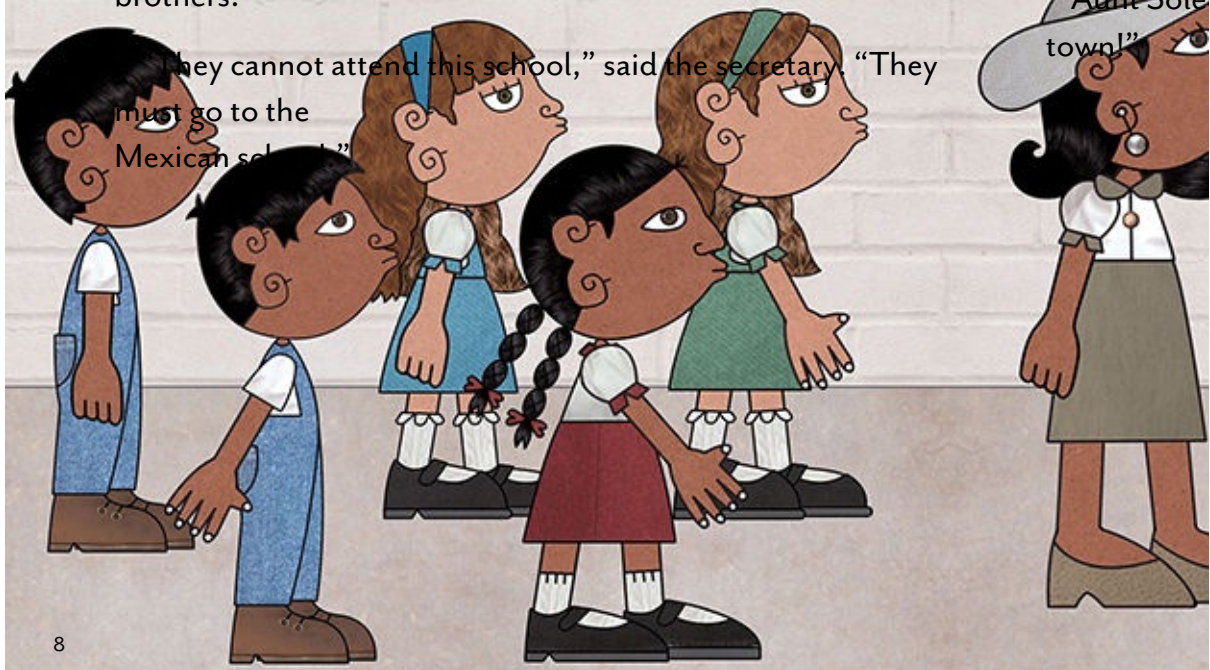
"I'm here to enroll the children in school," said Aunt Soledad when they arrived at the principal's office.

The secretary gave Aunt Soledad two enrollment forms, one for Alice and one for Virginia. But she did not give her enrollment forms for Sylvia and her brothers.

"They cannot attend this school," said the secretary. "They must go to the Mexican school."

Why do I h
She was not
Mexican—sh
father was fr
Mexico, but
from Puerto
which was a

Aunt Sole
town!"



Sylvia looked at her cousins. They had light skin and long auburn hair, and their last name was Vidaurri—their father was Mexican, but of French descent.

Then she looked at her brothers, and at her own hands and bare arms. She wondered, *Is it because we have brown skin and thick black hair and our last name is Mendez?*

“Rules are
have to go to
the Mexican

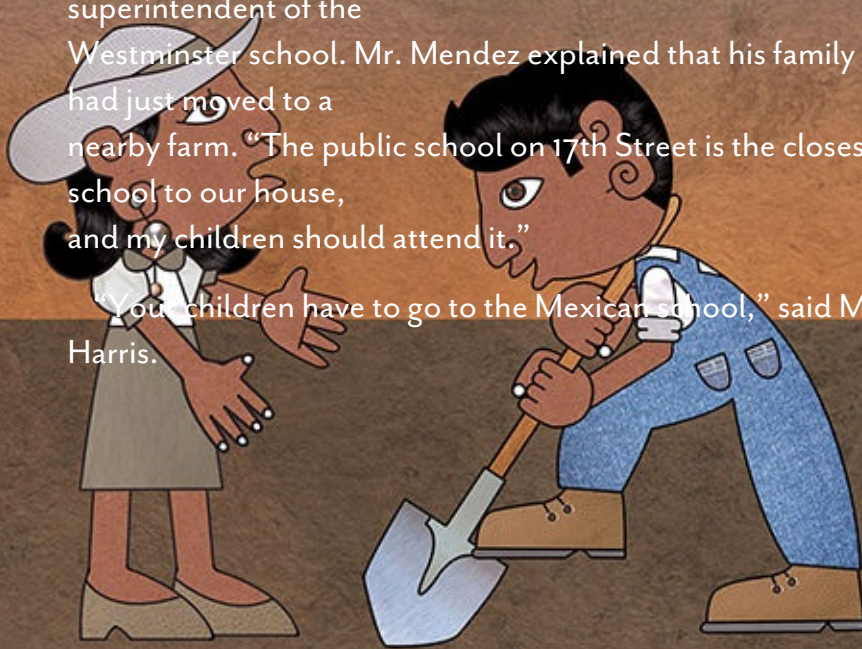
“I will not
Soledad, and
stormed out
with her.



When they arrived home, Aunt Soledad told Sylvia's father what had happened. Mr. Mendez told her not to worry—it had to be a mistake. He would take care of it. He was a businessman, and he was used to dealing with people.

The next day, Mr. Mendez met with Mr. Harris, the superintendent of the Westminster school. Mr. Mendez explained that his family had just moved to a nearby farm. "The public school on 17th Street is the closest school to our house, and my children should attend it."

"Your children have to go to the Mexican school," said Mr. Harris.



"But why?"

He was no
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"But why?"

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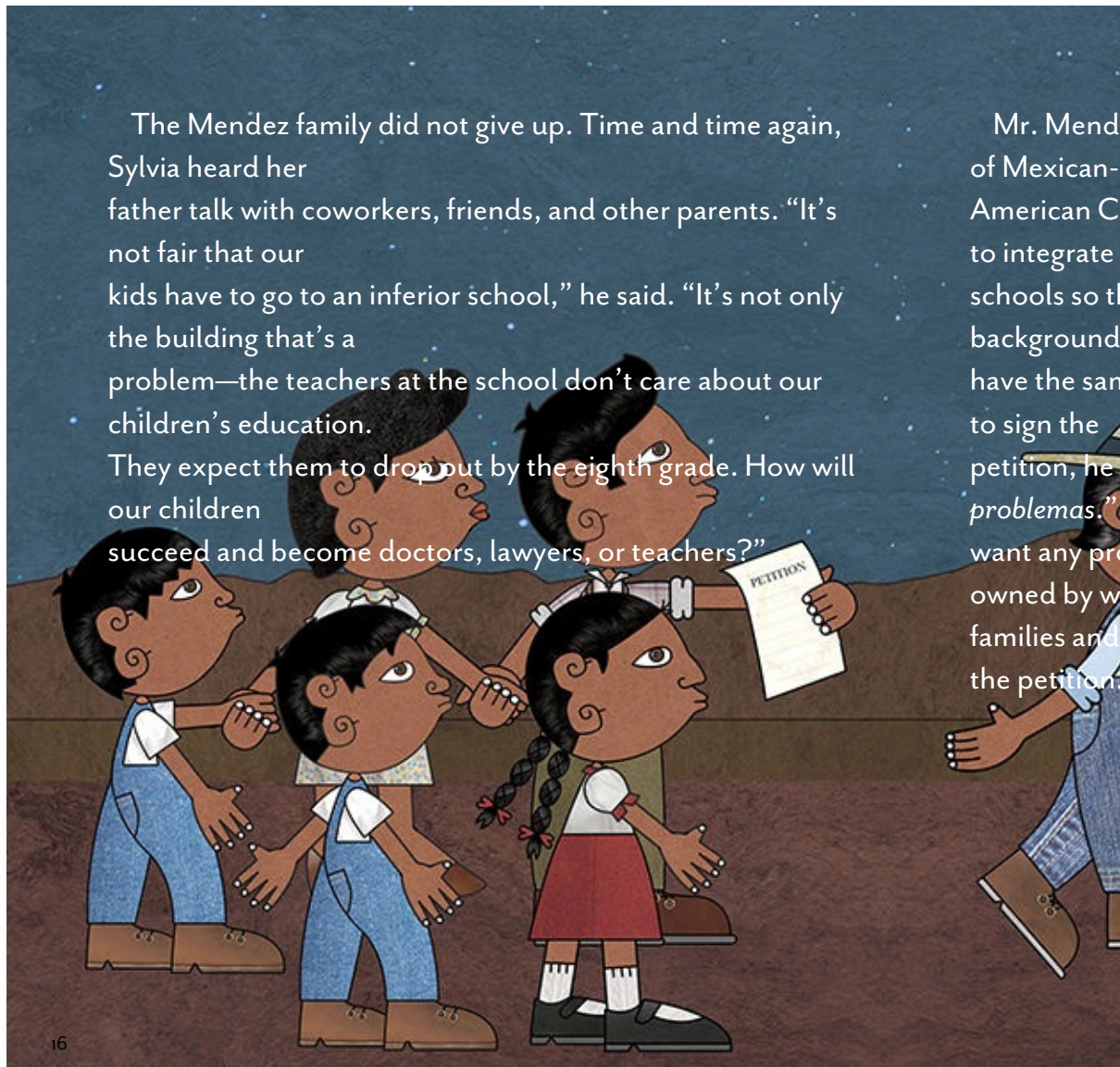


That fall, St. Joseph's Elementary, known as "the Westminster

The building was spacious and airy. A cow pasture was outside, and an electric wire surrounded the building. If you received a shock! The school was a swing.

The Mendez family did not give up. Time and time again, Sylvia heard her father talk with coworkers, friends, and other parents. "It's not fair that our kids have to go to an inferior school," he said. "It's not only the building that's a problem—the teachers at the school don't care about our children's education. They expect them to drop out by the eighth grade. How will our children succeed and become doctors, lawyers, or teachers?"

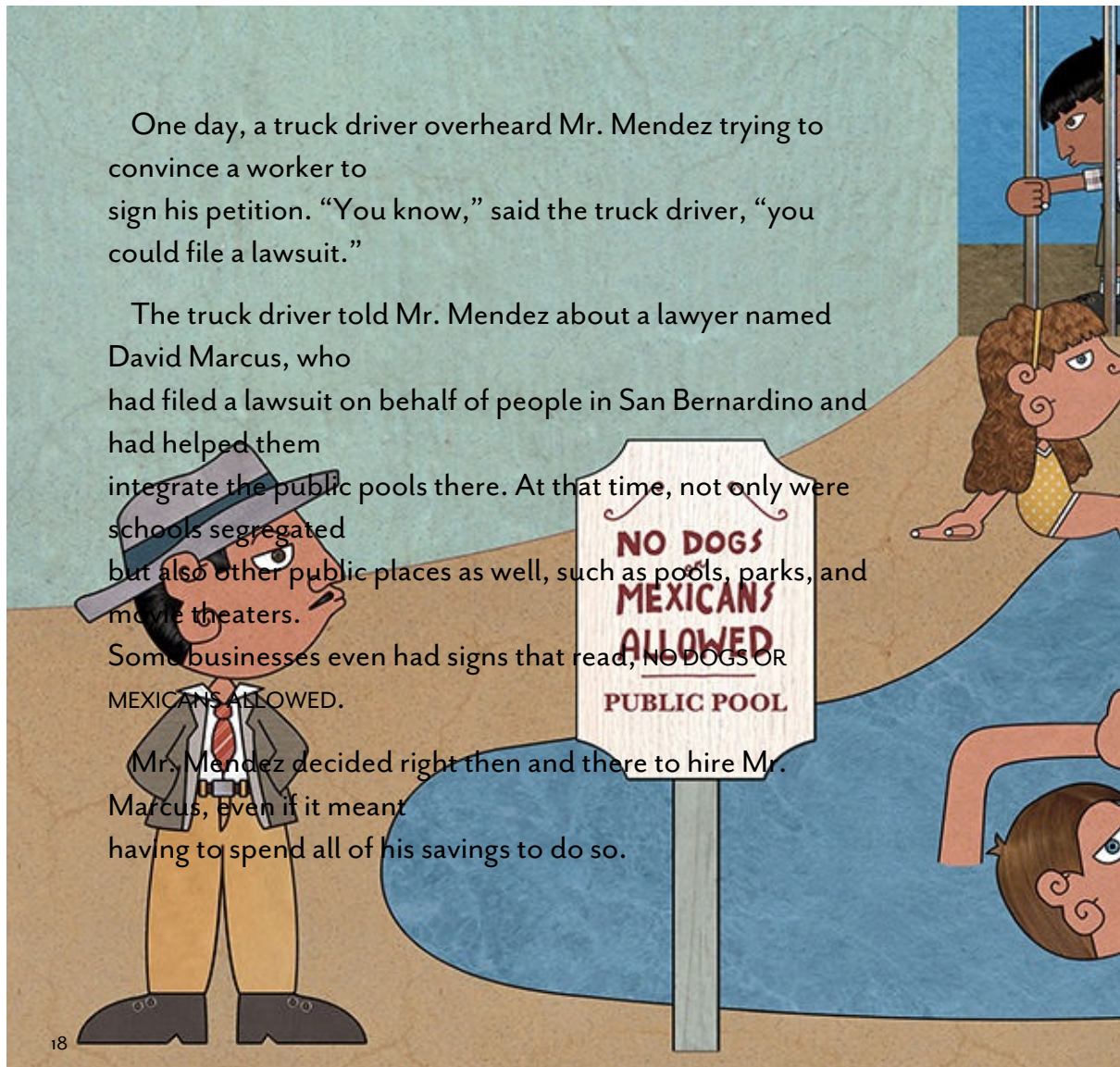
Mr. Mendez, of Mexican-American background, wanted to integrate schools so that all children, regardless of background, have the same opportunities. To sign the petition, he said, "no *problemas*." He wanted any parents who owned by word of mouth families and the petition.



One day, a truck driver overheard Mr. Mendez trying to convince a worker to sign his petition. “You know,” said the truck driver, “you could file a lawsuit.”

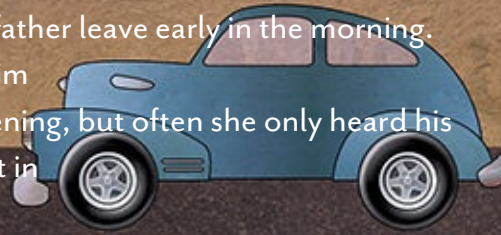
The truck driver told Mr. Mendez about a lawyer named David Marcus, who had filed a lawsuit on behalf of people in San Bernardino and had helped them integrate the public pools there. At that time, not only were schools segregated but also other public places as well, such as pools, parks, and movie theaters. Some businesses even had signs that read, NO DOGS OR MEXICANS ALLOWED.

Mr. Mendez decided right then and there to hire Mr. Marcus, even if it meant having to spend all of his savings to do so.



Over the next few months, Mr. Mendez and Mr. Marcus traveled all over Orange County looking for people who had experienced similar problems.

Sylvia watched her father leave early in the morning. Sometimes she saw him come home in the evening, but often she only heard his footsteps when he got in late at night.



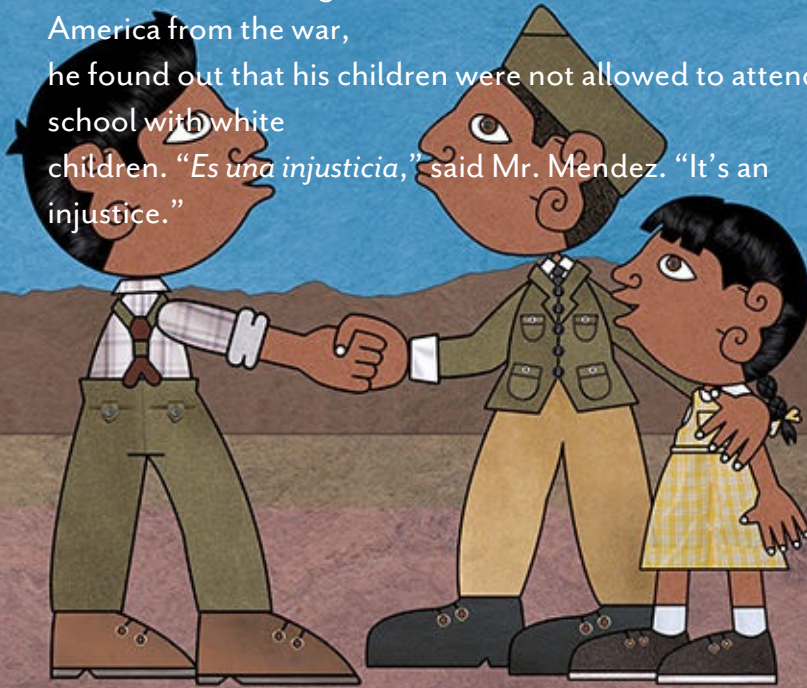
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workers, and



With the help of Mr. Marcus, Mr. Mendez found and talked with other families who were dealing with segregation. One of them was the Estrada family.

Mr. Estrada had fought in World War II. He had risked his life next to Americans

of all races and backgrounds. But when he returned to America from the war, he found out that his children were not allowed to attend school with white children. “*Es una injusticia*,” said Mr. Mendez. “It’s an injustice.”



The Estrada family and more families in Los Angeles County:

Westminster and Santa Ana. Mr. Marcus affected not only Sylvia and her family in the public school system all over

On March 1942, Mr. Mendez filed the lawsuit.



The trial was held at a courthouse in Los Angeles. Sylvia and her family dressed in their best clothes and sat in the courtroom to listen. The hearing lasted five days. Each day, Mr. Marcus called to the stand parents from the different districts in Orange County, and the superintendents from each district too.



On the first day, Mr. Marcus called to the stand parents from the first district. The superintendent for the first district was questioned about the school to help improve the quality of the education for the children.

That is a lie, Mr. Marcus. The English of all the children in the first district is the same as the English of all the children in the other districts.

"Do you agree, Mr. Marcus?"

"For what other reasons do you send children to the Mexican school?" asked Mr. Marcus.

Sylvia and her family braced themselves to hear what Mr. Kent would say next.

The Mendez family and others in the room stared at Mr. Kent in disbelief.

What he was saying was not true! It was degrading and insulting to their social behavior. They need to learn cleanliness of mind, manner,

and dress. They are not learning that at home. They have problems with the How many of the two hundred ninety-two children at the Mexican school are inferior to whites in personal hygiene?" asked Mr. Marcus.



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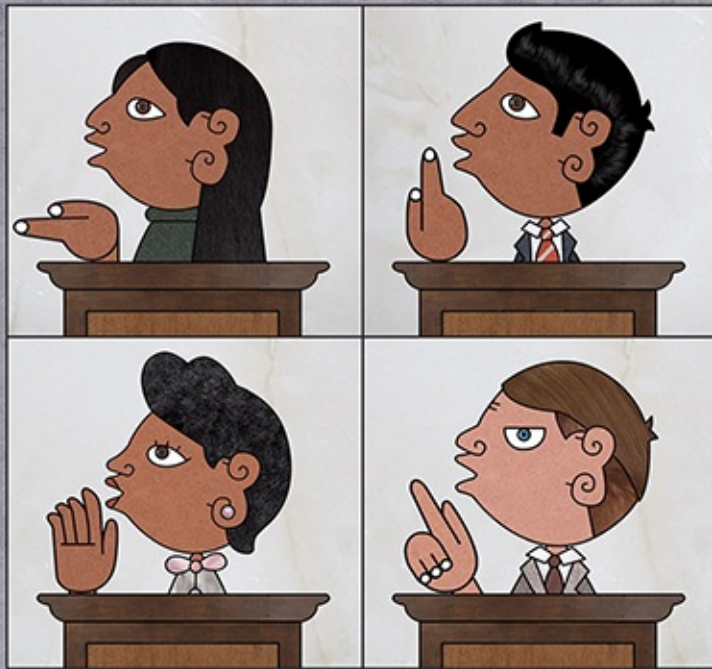
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On the second day, Mr. Marcus called to the stand a fourteen-year-old student from the Mexican school in El Modena. Her name was Carol Torres.

She spoke perfect English. It was clear that she had not been in the same school as the other students. She was called to the stand on the fourth day, and so was Mr. Harris, the superintendent of the Westridge school. Saying the language was called to the stand, but she was ready to testify as the defense lawyers claimed. She tried

looking her I would answer. On the fifth day, she was called to the stand. She was a two educationally segregated children of different schools. It was inferiority. It was have the people it is necessary for them to live in a mechanism of children of a

The judge

Judge Paul McCormick took almost a year to give his decision ... but when he did, he ruled in favor of the Mendez family! In his ruling, he said that “public education must be open to all children by unified school association regardless of lineage.” This meant that everyone must be allowed to attend school, no matter what his or her race or background.

The Mendez family was excited.

But they didn't stop there. The school board appealed the ruling, and her family had to go to the state court.



In the new trial, the Mendez family received support from the League of United Latin American Citizens, the National Association for the Advancement of Colored People, the Japanese American Citizens League, the American Jewish Congress, and other organizations. These groups sent letters with information relevant to the case and asked the judge to rule in favor of the Mendez family.

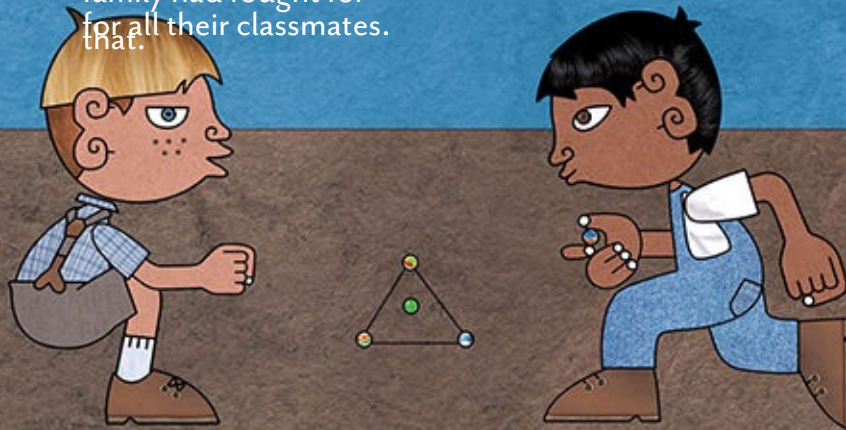
case and try
causa es justa
On April 11, 1947, the court ruled in favor of the Mendez family.

That June, the Mendez family moved to California where all children would be treated equally regardless of race, ethnicity, or language.



“So, remember,” said Sylvia’s mother, “we fought to make sure you could attend a good school and have equal opportunities.”

Sylvia thought long and hard about what her mother said. The next day, she returned to the Westminster school. This time she did not listen to any whispers. Looking around, she saw that other children were smiling at her. By the end of the day, she had made a friend. And by the end of the school year, she had made many friends of different backgrounds. She knew that her family had fought for that.



AUTHOR'S NOTE

In the 1940s, segregation based on race or national origin was common throughout the United States. The *Mendez v. Westminster School District* case paved the way for the desegregation of schools in America. After the Mendez lawsuit, similar suits were filed and won in Texas and Arizona. In 1954, seven years after the Mendez victory, the landmark case *Brown v. Board of Education* desegregated schools in the entire country.

Sylvia (b. 1936) and her brothers attended the Westminster school involved in the case. Her family moved back to Santa Ana. Sylvia graduated from Earl Warren Integrated High School and attended California State University where she studied people, even though she had a fear of blood. She worked for thirty-three years in a medical device firm in Los Angeles and then retired to the lake area of San Diego. Sylvia remembers that before Felicitas passed away, she brought her to Earl Warren. It was the first time Sylvia knew about the Mendez case and the family's fight for equality. California the Mendez case is seldom taught in

was issued by the U.S. Postal Service to celebrate the fiftieth anniversary of the Mendez victory. In 2009, a high school in Los Angeles was named the Felicitas and Gonzalo Mendez Learning Center. And in 2011, Sylvia Mendez received the Presidential Medal of Freedom from President Barack Obama. It is the highest civilian award a person can receive in America.

According to a 2012 study by the United States, segregation has increased significantly in recent years. Thanks to the efforts of courageous people like the Mendez family, the segregation of public students and 38 percent of black schools is illegal in the United States. Unfortunately, a great deal of the segregated family went to fight white. The study, which analyzes data from the Department of Education, almost seventy years ago about their fight is relevant today. As the also reveals that Latino and black education specialists in the trial children are twice as likely to be in argued, the segregation of children school where the majority of students creates feelings of superiority in one are poor. Therefore, their schools are likely to have fewer resources and less need to be able to interact and experienced teachers. All too often I mingle so that prejudices break down, so that we can learn from one in different parts of the country to another, and so that everyone has a fair shot at success.

My hope is that this book will help



Top left: Sylvia as a young girl.
Freedom.

Bottom left: Sylvia's portrait.

GLOSSARY

American Jewish Congress: an association that protects Jewish interests in the United States and other countries	attorney: a person educated in the law who advises others on legal matters
appeal: to request, after a trial is finished, that a higher court review the outcome	League of United Latin American Citizens: the largest Latino civil rights organization in the United States
brief: a legal term that refers to a summary prepared for a lawyer at a trial	National Association for the Advancement of Colored People: an association that works for equal rights and to eliminate racial discrimination
case: a dispute between opposing parties, resolved by a court	citizen: a person who owes allegiance to the government and is entitled to full civic rights and privileges
court: a judge or a judicial body that makes decisions in cases according to the law	opportunity: a chance to advance
equal opportunity: a policy of treating others without discrimination, especially on the basis of their gender or age	petition: to request or ask for something
courthouse: a building where a case is tried	public official: a person or group in authority
court of appeals: a court that reviews decisions made by lower courts	public school: a school that is open to all children
ethnicity: a group of people who have a common national or cultural tradition	public housing: housing provided by the government
courtroom: a room within a courthouse where a case is tried	public pool: a pool that is open to all people
field-worker: an agricultural laborer, often working in a rural area	public space: a place that is open to all people
decision: a judge's conclusion after hearing both sides of a case	public works: projects that improve public infrastructure
hygiene: conditions relating to health, especially personal well-being	public works department: a government department responsible for public infrastructure
degrading: causing a loss of self-respect	public works project: a project that improves public infrastructure
impetigo: a skin disease	public works program: a program that improves public infrastructure
inferior: of lesser quality	public works system: a system that improves public infrastructure
injustice: something that is not fair	public works unit: a unit that improves public infrastructure
integrate: to open to members of all races, ethnicities, and groups	public works worker: a worker who improves public infrastructure
Japanese American Citizens League: an association of Japanese Americans that works for civil and human rights and works for social change, particularly for the Asian-Pacific American community	superintendent: the head of a school district. States and authority of a school superintendent in different ways.
judge: a public official, appointed or elected, who oversees cases in a court	superior: of greater quality
lawsuit: a dispute brought to a court for a decision to be made	trial: a formal examination of evidence by a judge or jury, in order to make a decision in a case
	tuberculosis: a potentially fatal disease of the lungs
	U.S. territory: an area, such as Puerto Rico, that is governed by the United States but is not a state

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TO THE MEMORY OF GONZALO AND
 FELICITAS MENDEZ
 AND TO PATTY, FOR ALL HER LOVE AND
 SUPPORT

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 and then
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