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Affirmative Action, People and Education in the Monterey County By Juan José Gutiérrez

In this article Gutierrez explores the recent controversy on Affirmative Action Programs in the context of the school performance in the Monterey County. The article calls for attention to educational deficits as the best alternative to the controversial use of Affirmative Action.

If this value of having everybody in a mix with people of other races is so significant to you, just lower your qualification standards. You don't have to be the great college you are. You could be a lesser college, if this value is important enough to you. -Justice A. Scalia commenting on Michigan University's Affirmative Action Policy. March 3, 2003

The Supreme Court has recently heard arguments challenging the constitutionality of affirmative action. The position of the United States Solicitor General was that such programs violate basic rights of citizens by discriminating on the basis of race. It's a compelling position. After all, who wants to be discriminated, especially because of their race? Upon hearing the argument in the abstract one may be excused from wondering if there is any room for affirmative action programs in the post-civil rights era United States.

Discrimination, in its wider sense, is a social action, based on a given parameter, such as race, ethnic origin, or religion, conducive to an unequal distribution of resources. It is always relative to a socially or culturally defined sense of what is fair. The equal protection guarantee of the United States Constitution prohibits government entities — including public universities — from discriminating based on race, except where the discrimination is narrowly tailored to serve a compelling governmental interest. The standard

under Title VI of the 1964 Civil Rights Act — which applies to private as well as public universities — is similar.

Affirmative action proponents have pointed to the existence of substantial inequalities of opportunity between poor and rich, brown/black and white in the United States education system as the originating factor of affirmative action policies in universities. The case against affirmative action that, in abstract, seems so easy to address — after all, no one wants to support discrimination based on race — becomes a very complex riddle in the specific: Are there really equal educational opportunities for all children, regardless of their race, origin or socio-economic status? More specifically, what is the state of elementary education today in the case of school districts in the Central Coast of California?

The University of Michigan does not deny that it is discriminating against white, Asian, and Arab applicants, but says that it is doing so to further what it claims is a compelling interest in having a diverse student body. That interest is served by the institution's use of preferences to remedy the effects of its own past discrimination. In the numbers that follow, I want to try to show why the children from elementary schools today in the Monterey area will be likely to need continuing affirmative action, in

order to aspire to be students of a great college.

If we were to agree in principle that affirmative action is a race-driven quota system that should be banned, there should be an associated acknowledgment that the current distribution of resources in school districts like those on the Central Coast is a structurally driven anti-affirmative action program that results in less opportunities for children coming from certain ethnic groups and socioeconomic strata.

Education and (lack of) Resources

The last couple of years have been particularly dramatic ones for parents and educators of the schools in the Monterey Peninsula School District. Despite extraordinary efforts to keep the district financially viable, internal budgetary measures coupled with state budget cuts have placed an incredible strain on the district. Difficult budget decisions have been made. All eyes have been on the bottom line. At the same time, the public has an expectation that every child will be granted equal access to quality education. This is a formidable challenge to administrators and educators alike: How has the ideal of equal access to quality education fared in the midst of contemporary economic constraints? To address this question, I review some basic elements that determine the quality of education in the district. Those indicators are (a) teacher experience (b) teacher preparation, (c) socio-economic status, and (d) the existence of second language learners.

Let me begin with a couple of figures to provide a context for the discussion. In the year 2000, the US

Census Bureau indicated that the total population in Monterey County was 401,763, of which 114,000 were children under 18 years of age. For this segment of the population, the largest ethnic group in the county is Latino, accounting for 62% of the total. Whites were the second largest group with 27%. The remaining 11% was comprised of all other ethnic groups. The population in the county is geographically segregated, with communities in the Salinas Valley being predominantly Latino and communities on the Monterey Peninsula largely white.

The Academic Performance Index (API)

Schools are rated according to the Academic Performance Index. What exactly does the API measure? The API basically includes the results of two types of assessment. One is the Stanford 9; the other is the California Standards Tests in English, Language Arts, Mathematics and Social Science. I have talked to different school principals in the area and many feel strongly that the API is not a true reflection of what really happens in the schools. That is, it doesn't measure the real effort and relative success of schools and the children. Notwithstanding the validity of these perceptions, the reality is that the API is part of a system created in an attempt to provide a relatively objective measurement of progress. The intent of the system is to reward those schools that perform according to established targets and to generate solutions for schools that lag behind. The API is also perceived as a tool to measure and compare the performance of the different schools against state and national standards. The policy of the program is as follows:

If a school meets participation and API growth criteria, it may be eligible to receive monetary awards. [But] if a school is ranked in the bottom half of the statewide distribution and does not meet or exceed its growth targets, it may be identified for interventions (<http://www.cde.ca.gov/psaa/api/fallapi/apiinfo.pdf>).

Table 1 shows that regardless of prior point standing, some schools have gained points while others have lost them. A brief conversation with teachers or school principals will tell you that the many factors are at play in the education of children. Teachers and administrators alike would like to see an additional measuring instrument developed that would account for other major factors that both affect the quality of education, as well as its effectiveness. For example, one alternative might have the school district collaborate with the local university to generate an alternative and complementary instrument to measure

performance. This collaboration would be conducive to sound policy and good decision-making at the district level.

In the absence of such a tool, the API stands as the primary index used to compare school performance. Table 1 shows that, overall, point loses were more substantial than point gains.

Teacher Experience and Preparation

Consistently, teacher experience corresponds to higher API scoring schools. Table 2 shows that while class size does not show direct correlation with the API points, teacher experience does. The more experienced the faculty, the higher the API scores. Experience seems to matter, but this can be interpreted in different ways.

One interpretation is that what the API actually measures is the ability of a more experienced teaching staff to respond to the API instrument.

Table 1. Academic Performance Index Gains (2001-2002)

Elementary School Name	API	API Gain
Bay View	840	61
Highland	553	34
Del Rey Woods	631	13
La Mesa	870	9
Olson (Ione)	779	7
Foothill	805	5
Marina del Mar	655	4
Monte Vista	798	-10
Del Monte (Elementary)	645	-12
Marina Vista	690	-18
Crumpton (J. C.)	690	-21
Ord Terrace	589	-25
Marshall (George C.)	796	-50
Larkin (Thomas O.)	648	-76
Cabrillo (Juan)	433	

<http://www.cde.ca.gov/psaa/api>

Such a view, I do believe, is only partially true. I tend to agree with the Public Policy Institute report asserting that teacher experience is conducive to a richer, better environment.

Still, I the striking correlation between level of experience and API may only indicate understanding of the system, and not necessarily the quality of education. It is also important to note that the quality of an education ought to be thought of as relative to the needs and characteristics of the community. This is something difficult to account for in the design of standardized tests.

Coupled with experience is the preparation of faculty. Clearly reflected in table 2 is the fact that the schools with higher percentage of credentialed staff are also the best performing schools in the district. This is a fact that has dragged the quality of education down for many years, particularly for those

schools where chronically under-funded bilingual education programs have been or are an option for parents. It is well known to educators in the area that in most cases the instruction was done by well intended but ill prepared instructional aids, capable of speaking both Spanish and English but not knowledgeable of basic pedagogical theory and practice teachers must have to be successful.

Socio-Economic Status (SES) and Parent's Preparation.

A trend that should concern administrators, teachers, and parents as the school district copes with more and more budget cuts is the increasing distance between higher performing, richer, white schools and lower performing, poorer, minority schools.

Table 2. API Scores, Teacher Experience, Credentials and Class Size.

Elementary School	2002 API	Teacher Experience	% Full Credential	Class Size
La Mesa	870	26	100%	20
Bay View	840	28	100%	17
Foothill	805	24	100%	19
Monte Vista	798	22	100%	17
Marshall (George C.)	796	21	94%	19
Olson (Ione)	779	19	96%	20
Marina Vista	690	16	100%	20
Crumpton (J. C.)	690	16	93%	22
Marina del Mar	655	17	90%	19
Larkin (Thomas O.)	648	15	85%	14
Del Monte (Elementary)	645	10	90%	21
Del Rey Woods	631	17	87%	19
Ord Terrace	589	12	89%	19
Highland	553	15	77%	14
Cabrillo (Juan)	433	8	47%	19

Information aggregated from <http://www.greatschools.com> API scores for 2002.

After a presentation I made on the California data at a recent conference, one teacher commented to me, "... it is amazing how numbers show the reality that we teachers and our students face everyday and how those factors result in low scores."

The county as a whole has more than one hundred schools serving close to 7,000 students. As the non-white population of the schools grew steadily from 68% in 1994 to 70% in 1998, the number of low-income families qualifying for free or reduced meals grew similarly from 50% to 54% in the same period of time.

Table 3 shows the relationship between indicators of performance and percentage of students who receive free or reduced lunch. Assuming that free lunches are an indication of lower family income, there is a striking correlation between school performance and family

income: the lower the family income, the poorer the performance. I am aware that the correlation needs much elaboration. Nevertheless, I would point out the fact that comparisons between schools serving neighborhoods with different income levels and different levels of parental educational attainment leave little doubt that socio-economic status of the family affects API performance.

This suggests that the poorer the family, the poorer the education the children receive. This, in turn, has the potential to act as a drag the region since ill-prepared children will be less likely to be economically successful members of the community in the future. This is a cycle of poverty that challenges the central coast today in ways that I am not certain the communities involved fully understand.

Table 3. School Performance, Percentage of Students Receiving Free Lunch and percentage of English Learners (ELS) in 2002.

School name	API	Free lunch	ELS
Cabrillo (Juan) Elementary School	---	98%	85%
Highland Elementary School	531	93%	52%
Del Rey Woods Elementary School	623	84%	66%
Marina del Mar Elementary School	651	83%	41%
Ord Terrace Elementary School	584	81%	50%
Marina Vista Elementary School	685	66%	33%
Del Monte (Elementary)	660	62%	41%
Crumpton (J. C.) Elementary School	690	60%	19%
Larkin (Thomas O.) Elementary School	631	60%	33%
Olson (Ione) Elementary School	792	37%	14%
Marshall (George C.) Elementary School	775	31%	4%
Bay View Elementary School	844	26%	8%
Foothill Elementary School	810	21%	5%
La Mesa Elementary School	878	13%	9%
Monte Vista Elementary School	803	10%	8%

English Learners

English Learner (EL) students have increased at the county level during the past five years to become a 38.3 of all students. Table 3 also shows a correlation between the number of English Learners and school performance. Again, API score and the number of EL students show an inverse relationship.

Leveling the playing field

According to the Tellus Report's Kindergarten Readiness Survey, a large percentage of children in the Monterey County enter kindergarten without adequate preparation. The reading and the math test scores for Monterey County in grades 3 and 5 were below the state average. Monterey county scores

in reading and math fall well below the California statewide average. This is also consistent with the fact that only 28% of the students in the county completed the necessary course requirements for entrance into UC and CSU campuses. This trails the state average and continues to decline.

The average parent on the Central Coast is not an Ivy League graduate nor is his or her child the beneficiary of a top-quality, enriched educational environment that you often find in private schools. These children attend public schools in the Monterey Peninsula Unified School District and are likely to attend one of Justice Scalia's "lesser colleges."

Affirmative action is compelling and necessary today because the educational system is undermining the chances poor, minority children.

Table 3. School API and Ethnic Background

School name	API	Wht	Af.Am	His
La Mesa Elementary School	870	70%	8%	13%
Bay View Elementary School	840	64%	5%	21%
Foothill Elementary School	805	65%	4%	16%
Monte Vista Elementary School	798	73%	3%	10%
Marshall (George C.) Elementary School	796	66%	13%	10%
Olson (Ione) Elementary School	779	36%	12%	18%
Crompton (J. C.) Elementary School	690	29%	21%	21%
Marina Vista Elementary School	690	27%	9%	36%
Marina del Mar Elementary School	655	19%	15%	42%
Larkin (Thomas O.) Elementary School	648	41%	5%	46%
Del Monte (Elementary)	645	32%	6%	57%
Del Rey Woods Elementary School	631	15%	4%	73%
Ord Terrace Elementary School	589	15%	12%	55%
Highland Elementary School	553	9%	19%	60%
Cabrillo (Juan) Elementary School	433	1%	2%	94%

<http://www.greatschools.net/>

Affirmative action is compelling and necessary because the system that is now rejecting it as a remedy has failed to take into consideration the very fundamental and structural causes of discrimination that puts those kids seeking the benefits of affirmative action at a disadvantage in the first place. This uneven structural context needs to be addressed if the court or the nation is serious about eliminating affirmative action. But, while the University of Michigan's admissions policy is subject to court action, what of the structural conditions? For my part, I would much rather fix the uneven playing field today than resort to affirmative action tomorrow. 