



## Teacher Notes: *Delgado v. Bastrop ISD (1948)*

### The Background of the Case (00:00-6:00)

1. How had the population of Texas changed during the first years of the 20th century?  
It had grown from 3 million to 4 ½ million in just a few short years.
2. What caused the population to increase in the border city of Del Rio?  
The economy was good because of the water supply for farming and ranching. Many Mexican families immigrated to the city to settle down and raise families.
3. What did the Texas Constitution of 1876 say about segregation?  
The Constitution provided for separate schools for Anglo and African American students, but nothing was said about segregating Mexican American children.
4. What was the practice concerning segregation in the Del Rio school district?  
The Mexican American children in the older part of town, called the San Felipe neighborhood, attended a school that only had students of Mexican American heritage.
5. What happened in the 1930s that alarmed Mexican American parents?  
The school district planned to expand an elementary school in the San Felipe area of town. They believed that the plan was to move all Mexican American children to this school for complete segregation.
6. Who was Jesus Salvatierra and what did he do?  
He was a Mexican American parent who, along with others, filed a lawsuit because of the unequal quality of education for their children and the segregation that was being established.
7. How did the school officials defend their policy?  
They said they were just trying to help Mexican American children by giving them extra help and attention so that they could catch up with Anglo students who might have been in class longer and did not have a language barrier.
8. What was wrong with this argument?  
There were no tests or interviews done to determine if a Mexican American child needed this extra attention. They were just all placed in the school.
9. How did the Texas Court of Civil Appeals rule?  
The court ruled that segregating the students based on their race was wrong because it did not take into account the individual abilities of the students. Additionally, the court noted that Mexican American students were considered Caucasian. However, the court also noted that Mexican American children might need extra help in learning English, and thus, segregation for this reason was permissible.
10. How did the decision change the policy of school districts?  
School districts were to group and classify students according to their individual needs. Therefore, Mexican American students could still be segregated if the school said it was for the students' benefit.
11. How did this ruling affect different school districts?  
The policy of segregating Mexican American students varied from school district to school district. Some districts determined that their Mexican American students needed extra help until the third grade, while others said they needed extra help until the fifth or eighth grade. It varied from community to community.
12. How did Jesus Salvatierra and other parents respond?  
They filed a suit with the U.S. Supreme Court, but it was turned down.

**Stop and Think:** How would you have felt if you had been a Mexican American parent of school age children in Texas at this time? A school official?

### Minerva Delgado (6:01-7:52)

13. How had the *Westminster* case in California affected Mrs. Delgado and other Mexican American parents?

They believed that since California had ended segregation of Mexican American children in California, they had a precedent to end it in Texas. Thus, they filed a law suit arguing that since Texas had no law requiring the segregation of Mexican American students since they were considered to be Caucasian, the practice was illegal.

### Question Brought to the U.S. District Court (7:53-9:12)

*NOTE—This is not a U.S. Supreme Court case. It was decided in the District Court and not taken to the higher court.*

14. What was the question in this case brought before the U.S. District Court?

[Formula for issue=Yes/No question + facts of the case + part of the U.S. Constitution in question]

If a public school district maintained separate schools for Mexican American students when there was no state law requiring the school district to do so, was the school district violating the students' rights as guaranteed under the "equal protection" clause of the 14th Amendment?

15. What did the attorneys for the Mexican American parents argue?

The attorneys argued that even though they were Mexican Americans, they were entitled to the same protections and rights as Anglos. They also noted that, at this time, the only Texas law on segregation involved African Americans.

**Stop and Think:** How would you have answered the question in this case had you been the judge?

### The Ruling (9:13-10:44)

16. How did the U.S. District Court rule?

The District Court ruled that Mexican American children could not be segregated because of race. However, the court ruled that it was permissible for a school district to segregate for educational purposes if it would benefit the child.

17. How did Judge Rice define how segregation for educational purposes could be used?

He ruled that all students were to be tested with regards to language proficiency. He also ruled that segregation for non-English speaking Mexican American students was only allowed for those entering the first grade.

**Stop and Think:** Do you agree or disagree with Judge Rice's ruling? Explain your answer.

### Impact of the Case (10:45-End)

18. What was the result of the ruling for local school districts?

Because of the loophole provided in the decision, some school districts continued to find ways to use segregation with regards to Mexican American students. The school districts said they were not segregating based on race, but based on what was needed to benefit the child.

**Stop and Think:** Explain your opinion concerning the statement in the video that says the *Delgado* case was only a small victory toward ending segregation in public schools in Texas.