



Teacher Notes:
Mendez v. Westminster (1946)

The Background of the Case (00:00-1:00)

1. What areas of the economy had allowed California to prosper after becoming a state in 1850?
Oil, mining, railroads, construction, and farming.
2. What role had many Mexican American citizens played in the growing California economy after it became a state in 1850?
Many Mexican Americans had immigrated to California and became involved in the expanding agricultural economy of the state.

Gonzalo Mendez (1:01-5:40)

3. Who was Gonzalo Mendez and what had been his experience in the California school of Westminster Main?
Mr. Mendez was a Mexican American who had come to the United States as a child and attended the Westminster Main Elementary School. He had difficulty in completing his education due to the fact he was often pulled out to work in the fields. He dropped out when he was 14 to help support the family.
4. Describe Mr. Mendez's life as an adult?
Mr. Mendez became a successful farmer and a naturalized American citizen. After marrying a woman from Puerto Rico, he settled down to raise his three children in the community of Westminster.
5. What happened when Mr. Mendez tried to enroll his three children in Westminster Main Elementary School?
He was told that his children would have to attend Hoover Elementary which was an elementary school outside the Westminster district established for Mexican American children.
6. How did Mr. Mendez and his wife react and what was his main reason for reacting in this manner?
He spoke with the principal and the school board trying to get his children enrolled in Westminster Main. He said that Hoover Elementary was created for Mexican American children who were learning English and his children were already fluent in English, as it was their primary language.
7. What happened when his children were still refused enrollment in the Westminster schools?
He traveled around the county and discovered that other school districts were segregating Mexican American children even though they spoke English. There was no law requiring the segregation of Mexican American children in California based on race at this time since they were considered Anglo. He and other Mexican American fathers decided to file a class action suit.

Stop and Think: What problems do you see with the policy of segregation as it was being carried out in the district?

Question Brought to the U.S. District Court (5:41-9:14)

NOTE—This case is not a U.S. Supreme Court case. It was decided in the District Court and then appealed to a U.S. District Court of Appeals.

8. What was the question brought before the U.S. District Court with regards to this case?
[Formula for issue=Yes/No question + facts of the case + part of the U.S. Constitution in question]
Did the school district's segregation policy violate California law, and in the absence of a segregation law, violate the equal protection of the laws clause of the 14th Amendment to the U.S. Constitution?
9. What did attorney David Marcus argue?
Mr. Marcus argued that since California did not have a law requiring segregation of Mexican American children as it did for African American, Asian, and American Indian children, this policy was based on discrimination. Discrimination was a violation of the equal protection clause of the 14th Amendment.
10. How did the school districts answer this argument?
They argued that it was necessary to segregate the Mexican American children since they often missed long periods of time to help in the fields. By having a school all their own, they would not feel inferior and fall further behind.
11. What was wrong with this assumption?
Not all of the Mexican American children missed time to work in the fields and many spoke English. Yet, they were all lumped together with others who may have needed the extra help.

Stop and Think: What is your opinion of the policy segregating Mexican American children from Anglo students being used by several of the school districts in Orange County at this time?

The Ruling (9:15-11:24)

12. How did the court rule?
The court ruled that the four school districts had to cease the practice. There was no law stating that segregation of Mexican Americans was required and by practicing it, the school districts were violating the equal protection clause of the 14th Amendment.
13. What did Judge Paul McCormick mean when he said, "[This policy had]...a clear purpose to arbitrarily discriminate against pupils of Mexican ancestry..."?
Judge McCormick noted that children of Mexican ancestry who spoke English were sent to the Hoover school. Therefore, the policy was not trying to help the children catch up with English speaking students, but was meant to discriminate and the practice had to end.

Stop and Think: Do you agree or disagree with the ruling of the District Court Judge? Explain your answer.

14. How did the school districts respond to the decision?
The four school districts appealed to the 9th Circuit Court of Appeals and argued that the schools for Mexican American children were equal to those of Anglo students and therefore the 14th Amendment had not been violated. The 9th Circuit Court upheld Judge McCormick's decision.
15. How did the California Legislature respond?
The California Legislature then passed a law ending segregation in the state's public schools.

Impact of the Case (11:25-End)

16. Why was this case important in the struggle to end segregation?

Even though it only ended public school segregation in the state of California, it was a step toward ending the practice in other areas. The 9th Circuit Court ruled that the whole idea of separate but equal was unconstitutional because it was too hard to measure. Rather than just having equal facilities, schools should aim for social equality and allow the races to interact. This case inspired others across the nation to attempt to achieve equality.