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# Preparing for America's Future: Latinos in Education

**Keywords**

Latino students, Higher Education Act, HEA, Developing Hispanic Serving Institutions, HSIs, Minority Science and Engineering Improvement Program, Undocumented immigrants, Plyler v. Doe

# PREPARING FOR AMERICA'S FUTURE: LATINOS IN EDUCATION

By Roopa Nemi\*

Latinos represent the largest minority in the United States and their educational success directly impacts the achievements of the nation as a whole.<sup>1</sup> However, a recent report noted Latinos generally lag behind in education when compared to other racial or ethnic groups. This article will analyze reports on Latinos in education and will conclude with the federal government's response to the issue.

## LATINOS IN EDUCATION

According to a recent Pew Hispanic Center report, Latinos are experiencing an increase in the proportion of school-aged youths in their population.<sup>2</sup> In the next twenty-five years, this population is expected to grow by 82%. Furthermore, Latino enrollment in higher education institutions has been growing.<sup>3</sup> Higher education includes the traditional method of attending college full time after graduating high school and the nontraditional approach of working for some time before attending college or enrolling at a community college.<sup>4</sup> The report shows that in general, a majority of Latino youths adopt the nontraditional approach.<sup>5</sup> While there is an increasing number of Latinos attaining an undergraduate degree, only 9% earn an associate's and 6% earn a bachelor's degrees. These numbers fall behind other ethnic groups, such as African Americans, of whom 11% and 9% earn associate and bachelor's degrees, respectively.<sup>6</sup>

The Latino parents surveyed in the report identify several reasons as to why Latino students are not performing as well as their peers: (1) the schools are too quick to label Latino kids as having learning problems; (2) too many non-Latino teachers may not know how to address cultural differences; (3) many Latino students may have weaker English language skills; (4) stereotypes may have perpetuated teachers' lower expectation of them; and (5) parents may not push their children to work harder.<sup>7</sup> Interestingly, the majority of whites and African Americans surveyed attributed Latino students' performance to weak English skills.<sup>8</sup>

Latinos know that higher education is very important to success.<sup>9</sup> Similar to other ethnic groups, Latinos point to money as the main reason why many students either do not attend college or fail to finish.<sup>10</sup> In addition, they also point to discrimination and the desire to stay close to family as other reasons for not attending college.<sup>11</sup> Such beliefs may help explain why many Latino students choose the nontraditional path of attending a community college nearby or working to support the family.<sup>12</sup>

## FEDERAL LEGISLATION AND JUDICIAL ACTION

Federal legislation should strive to increase access to education for Latinos.<sup>13</sup> The Higher Education Act (HEA) authorizes federal programs to support access to higher education.<sup>14</sup> In terms of institutional support, there are two programs directly serving Latino students, the Developing Hispanic Serving Institutions (HSIs) and the Minority Science and Engineering Improvement Program (MSEIP).<sup>15</sup> Both programs operate similarly to provide grants to institutions that either have large Latino populations or try to attract more Latinos into specific fields.<sup>16</sup> The grants provide funds for institutional development through initiatives to improve the quality of education and faculty development.<sup>17</sup> These types of programs have been quite successful as evidenced by the fact that 45% of Latinos in higher education are enrolled in an HSI.<sup>18</sup>

Another way the HEA attempts to increase access to higher education for Latinos is through preparatory programs such as the Gaining Early Awareness and Readiness for Undergraduate Program (GEAR-UP).<sup>19</sup> This program seeks to prepare middle school students in low-income neighborhoods for higher education.<sup>20</sup> The program works with the students through high schools to establish partnerships with postsecondary institutions, which may result in college scholarships for the students.<sup>21</sup> While this program does not aim directly at Latino students, studies have shown that many Latinos have benefited from GEAR-UP.<sup>22</sup>

The most significant way the HEA seeks to help minorities is through grant and loan programs.<sup>23</sup> This aspect is extremely important considering that Latino parents identified money as the main obstacle to their children's enrollment in college.<sup>24</sup> Such

grants include Pell grants, federal supplemental educational opportunity grants, and additional programs for students that have families involved in seasonal farm work.<sup>25</sup> While the federal government offers a variety of funding, Latinos tend to receive the lowest average amount compared to other ethnic groups<sup>26</sup> regardless of the

form of aid.<sup>27</sup> As a result, these programs have not fully addressed a need that, according to Latinos, is the main reason their children do not attain higher education.<sup>28</sup> Future education reform needs to address the deficiency of funding to remedy the larger problem.

Undocumented immigrants create special issues when evaluating the needs of Latinos and education.<sup>29</sup> While not all illegal aliens are Latinos and vice versa, a sizable population of foreign-

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*Latinos tend to receive the lowest amount of federal aid.*

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born Latinos remains undocumented.<sup>30</sup> Proponents of the reform measures addressing the needs of illegal aliens, specifically their children's needs, point to the United States Supreme Court decision in *Plyler v. Doe*<sup>31</sup> as a significant step forward. The Supreme Court invalidated a Texas statute that prevented illegal alien children from attaining a free public education.<sup>32</sup> The Court reasoned that children could "affect neither their parents' decisions nor their own status."<sup>33</sup> Additionally, the Court noted the value of education while stressing that, as a nation, it is important not to discriminate against the children since most of them will remain in the United States.<sup>34</sup>

With this in mind, Senator Orrin Hatch (R-Utah) drafted the DREAM Act and introduced it to the 108<sup>th</sup> Congress.<sup>35</sup> This legislation sought to address the hardships faced by undocumented youths brought to the United States by their parents who have since grown up in the United States, continued their education in the United States, and have otherwise been model citizens.<sup>36</sup> Specifically, the DREAM Act would grant legal residence to certain youths for up to six years in which the student must graduate from a two-year college and complete two years at a four-year institution or serve in the military for at least two years.<sup>37</sup> Gaining legal status has significant implications, the most important of which for education is the opportunity to receive in-state tuition.<sup>38</sup> Generally, states are strongly discouraged from providing such tuition to illegal aliens, but the DREAM Act strives to restore this capability.<sup>39</sup>

Opponents have dubbed the bill as a hidden amnesty program under the guise of education.<sup>40</sup> They fear that the DREAM Act will cause increased competition with scarce opportunities to attend college to the detriment of United States citizens.<sup>41</sup> Kathy McKee, State Director for Protect Arizona Now and opponent of the DREAM Act, articulates her opposition to this Act by stating "it is placing a burden on the American taxpayers that is not fair... Most colleges are raising tuition now, limiting enrollment more and more. I don't think we need to add to the problem of having more people wanting higher education when there's really no money for it."<sup>42</sup>

Members of the Latino community have also voiced their opposition to the DREAM Act.<sup>43</sup> They question the feasibility of attending college when compared with the option of serving in the military.<sup>44</sup> As discussed earlier, Latinos tend to bear the responsibility of supporting their families, and therefore, may not have sufficient time or monetary resources to perform the educational requirements the DREAM Act requires in lieu of military service.<sup>45</sup> More importantly, many Latino students are reluctant to assume debt in the face of rising tuition costs, which

also diminishes the possibility of attending college.<sup>46</sup> Consequently, some members of the Latino community see military service as the only viable option.<sup>47</sup> They support their opinions by highlighting the Pentagon's publicly stated goal of doubling the number of Latinos in the armed forces by 2007.<sup>48</sup> In addition, the army has new recruitment tactics including campaigns in public schools and colleges where Latinos feel that their students would be most vulnerable to recruitment.<sup>49</sup> While many Latinos support the educational provisions of the DREAM Act, they worry that a majority of the Latino youth will inevitably have to choose military service. As an opponent stated "[d]oes

our desire to protect undocumented children by securing their legal residency override the likelihood that many of these children will fill the lowest ranks of the U.S. military? Is getting a green card worth the risk of young Latinos and Latinas losing their lives on foreign soil?"<sup>50</sup>

Senator Feinstein, co-sponsor of the DREAM Act, argues "[t]he DREAM Act would benefit young people who have earned the privilege to remain in the United States... it does not offer amnesty, nor is it an entitlement."<sup>51</sup> Some members of the Latino community have expressed their support for the bill.<sup>52</sup>

Latino students have participated in protests and mock graduation ceremonies where they recount their personal experiences and success stories.<sup>53</sup> As one student declared, reinforcing what the Supreme Court has already held, "[w]e are not criminals... we only want better lives... we want to give to society."<sup>54</sup> Despite the opposition, the proposed legislation received a favorable response in the Senate.<sup>55</sup> Sponsors plan to reintroduce the bill in 2005 and expect as much support as it received in 2004.<sup>56</sup>

## CONCLUSION

Ultimately, the main problem facing Latinos in accessing education is a lack of money.<sup>57</sup> Latinos, whether native- or foreign-born, state that rising costs prevent their children from obtaining a higher education.<sup>58</sup> While the federal legislature has implemented programs trying to deal with this very issue, it has fallen short in addressing the specific needs of the Latino community.<sup>59</sup> This is evident from statistics showing that Latinos receive the least amount of all the various type of financial aid.<sup>60</sup> While legislation like the DREAM Act seeks to improve the situation for undocumented Latinos and illegal aliens in general, the government still needs to focus directly on the Latino community as a whole.<sup>61</sup> Overall, the Latino community is improving in the field of education, an improvement from which the nation as a whole will benefit.

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*"Does our desire to protect undocumented children by securing their legal residency override the likelihood that many of these children will fill the lowest ranks of the U.S. military? Is getting a green card worth the risk of young Latinos and Latinas losing their lives on foreign soil?"*

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## ENDNOTES

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<sup>1</sup> Richard Fry, *Latino Youth Finishing College: The Role of Selective Pathways*, The Pew Hispanic Center Report 1, 5 (2004), at <http://pewhispanic.org/files/reports/30.pdf>.

<sup>2</sup> *National Survey of Latinos: Education*, The Pew Hispanic Center/ Kaiser Family Foundation Summary and Chartpack 1, 1 (2004) [hereinafter *National Survey of Latinos: Education*], at <http://pewhispanic.org/files/reports/25.pdf>.

<sup>3</sup> Santiago & Brown, *Federal Policy and Latinos in Higher Education*, The Pew Hispanic Center Report 1, 3 (2004) [hereinafter Santiago & Brown], at <http://pewhispanic.org/files/reports/32.pdf>.

<sup>4</sup> *Id.* at 2.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 4.

<sup>7</sup> *National Survey of Latinos: Education*, *supra* note 2, at 8-9.

<sup>8</sup> *Id.* at 9.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 10.

<sup>11</sup> *Id.*

<sup>12</sup> Santiago & Brown, *supra* note 3, at 2.

<sup>13</sup> *Id.* at 1.

<sup>14</sup> *Id.* at 6.

<sup>15</sup> *Id.* at 7.

<sup>16</sup> *Id.*

<sup>17</sup> Santiago & Brown, *supra* note 3, at 7.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at 9-10.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> Santiago & Brown, *supra* note 3, at 10.

<sup>23</sup> *Id.* at 8.

<sup>24</sup> *National Survey of Latinos: Education*, *supra* note 2, at 10.

<sup>25</sup> Santiago & Brown, *supra* note 3, at 8.

<sup>26</sup> *Id.* at 8-9.

<sup>27</sup> *Id.*

<sup>28</sup> *National Survey of Latinos: Education*, *supra* note 2, at 10.

<sup>29</sup> Lowell & Suro, *The Improving Educational Profile of Latino Immigrants*, The Pew Hispanic Center Report 1, 15(2004), at <http://pewhispanic.org/files/reports/32.pdf>.

<sup>30</sup> *Id.*

<sup>31</sup> *Dream Act*, Executive Council Actions, 1, 1 (2003), at <http://www.aflcio.org/aboutaflcio/ecouncil/ec02262003a.cfm>.

<sup>32</sup> *Plyler v. Doe*, 457 U.S. 202, (1982).

<sup>33</sup> *Id.* at 220.

<sup>34</sup> *Id.* at 221.

<sup>35</sup> *Dream Act*, National Council of La Raza: Policies, 1, 1 (2005), at <http://www.nclr.org/content/policy/detail/1331>.

<sup>36</sup> *Dream Act: Basic Information*, National Immigration Law Center (2005) at 1, at [http://www.nilc.org/immlawpolicy/DREAM/DREAM\\_Basic\\_Info\\_0205.pdf](http://www.nilc.org/immlawpolicy/DREAM/DREAM_Basic_Info_0205.pdf).

<sup>37</sup> *Id.*

<sup>38</sup> *Dream Act*, National Council of La Raza: Policies, *supra* note 35, at 1.

<sup>39</sup> *Dream Act: Basic Information*, *supra* note 36, at 1.

<sup>40</sup> *The "Dream Act": Hatch-ing Expensive New Amnesty for Illegal Aliens*, Federation for American Immigration Reform, 1, 2 (2003), at <http://www.fairus.org/Media/Media.cfm?ID=2194&c=34>.

<sup>41</sup> *Id.* at 1.

<sup>42</sup> *Horizonte Arizona Issues Through A Hispanic Lens*, Transcript with Emilia Manuelos and Kathy McKee, (2004), at [http://www.kaet.asu.edu/horizonte/transcripts/2004/july/july8\\_2004.html](http://www.kaet.asu.edu/horizonte/transcripts/2004/july/july8_2004.html).

<sup>43</sup> Jorge Mariscal, *Interpreting 'Dreams': Green Card Bill Has Hidden Dangers*, (2004) [hereinafter Mariscal], at [http://news.pacificnews.org/news/view\\_article.html?article\\_id=6936db82e841a6bed03af81cc5c0602f](http://news.pacificnews.org/news/view_article.html?article_id=6936db82e841a6bed03af81cc5c0602f).

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> Mariscal, *supra* note 43.

<sup>50</sup> *Id.*

<sup>51</sup> *Senator Feinstein Co-Sponsors "The Dream Act"*, U.S. Senator Dianne Feinstein, 1, 2 (2003), at <http://www.senate.gov/~feinstein/03Releases/r-dreamact.htm>.

<sup>52</sup> Shaun Bishop and Charles Proctor, *Dream Act Rally Held*, (2004), at <http://www.dailybruin.ucla.edu/news/articles.asp?ID=29400>.

<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup> *Dream Act: Basic Information*, *supra* note 36, at 1.

<sup>56</sup> *Id.*

<sup>57</sup> *National Survey of Latinos: Education*, *supra* note 2 at 10.

<sup>58</sup> *Id.*

<sup>59</sup> Santiago & Brown, *supra* note 3, at 9-10.

<sup>60</sup> *Id.*

<sup>61</sup> *Dream Act: Basic Information*, *supra* note 36, at 1.