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Featured Speaker: Maya I. Arce - "Victory in Arizona"

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LEAD Original Programming

Maya I. Arce: "Victory in Arizona" (2018)

START – 00:00:00

[Music]

>> Bienvenidos and welcome to the next installment of LEAD media programming, from Studio 54 Campus of California State University San Bernardino, the digital media platform for inspired educators, leaders and community activists and Advocates taking our message directly to the people, to the gente. Thank you for sharing our common interest in the analysis, discussion, critique dissemination and commitment to the educational issues that impact Latinos. I'm your host, Dr. Enrique Murillo, and this episode is a syndicated replay from season nine of LEAD Summit 2018. The theme that year was Viva la mujer and the strands and design of the summit that year were all planned and led by the mujeres of LEAD. Although our communities and nations' strength continue to depend to a large extent on the positive educational outcomes of Latino students in general, it is the educational attainment of Latinas, the female students in particular, that is essential to our well-being and success. Simply, Latinas define the future. Maya Arce, at the time a sophomore student at the University of Arizona majoring in computer science and a Mariachi performer since the age of seven, was a plaintiff in the Arce v. Huppenthal, Douglas case in the U.S. District Court, District of Arizona and in the ninth circuit Court of Appeals for the United States, which helped lead the successful constitutional challenge to Arizona's anti Mexican-American studies law. While being denied the opportunity to take Mexican American studies courses while in high school, because of the state of Arizona's elimination of the program, Maya, nonetheless in the tradition of strong Chicana education Advocates, chose to be a plaintiff in this precedent setting case. Having been intimately involved in this case since 2010, Maya remained steadfast in her convictions that studying Chicana, Chicano History and culture is a basic human right. Testifying in the U.S. District Court, in June 2017, "I believe in standing up for what I think is right and I believe that I am a voice for those who otherwise may not be heard. For my ancestors, for my community members and for generations to come." Continue and enjoy the full value and complexity of this episode. We extend our appreciation to our LEAD sponsors and partners, planners, volunteers, speakers and panelists, production team, affiliates in town hall chapters and commend them all for lifting their voice and uplifting the plight of Latinos in education. Thank you. Gracias. Tlazohcamati.

>> Our next speaker will be introduced by Aurora Vilchis. First of all, this can graduate Aurora on her new position on campus. She is now -- She is now the early start and Coyote First Step coordinator for the office of undergraduate studies. She's a -- There you go. And she is a doctoral candidate, cohort 10. There you go. In the educational leadership program here at Cal State, ok? So all yours, Aurora.

>> Thank you, Dr. Murillo. I want to also say, you know, the reason why I started the doctoral program was really because of events like LEAD, really is a platform to inspire me to really continue research and be that small percentage of number and see that grow of Latina doctors. We need more of them, right? And so I was really really inspired and moved and Dr. Murillo is going to service my dissertation committee chair. So thank you very much Dr. Murillo. So I have the wonderful privilege of being able to introduce our next speaker and the topic that she's going to talk about and share her story is so important and such a historical moment for Ethnic Studies, for Mexican American Studies, for our Latinax [phonetic] use in high school system. So she comes to us from Tucson, Arizona. I was sharing with her yesterday -- Yes, that my grandfather was born in Bisbee, Arizona, as well, near the border, near where his father came from, Sonora, Mexico, and he was a copper Miner. So I felt my connection to her with her Arizona Roots. But Maya is currently a student at University of Arizona. She's majoring in Computer Science and she has a real passion for communications and technology and being part of this momentous and historical case has her thinking about Law school. So we're going to encourage her, right? Grad school. Yeah, Maya. So she currently also is performing as a Mariachi singer. She is wonderful. You can look her up on YouTube, which I did and heard her and I want to encourage her to continue that passion of sharing her art. But really, she's going to come in and talk about some of the issues that were going on in the Tucson Unified School District and a really terrible decision that was made, but we're so glad that there has been now victory, that she will share about the victory in Arizona. And so, with that, I would like to introduce Maya Arce.

>> Hello, everybody. Once again, my name is Maya Arce. I, first off, I want to thank everybody for being here and thank everybody from the LEAD conference for inviting me to speak at this great event. I'm really thankful for that. I'm just going to share my personal experience with being a plaintiff and a historic lawsuit that challenged the State of Arizona and ARS 15 - 112, the law that was created by state officials to target and ban the Mexican-American Studies program in the Tucson Unified School District. So for those of you who may not be familiar with this law, here is a little summary of it. According to the State of Arizona, the Mexican American studies classes were found in violation of these provisions, which included promoting the overthrow of the government, promoting resentment towards a race or class of people, design for pupils of a particular ethnic group and advocating ethnic solidarity rather than treating people as individuals. So these provisions here were listed, listed were believed to be the things that were going on in the Mexican American studies courses at Tucson Unified School District, when no State official had even made a visit to one classroom. They were just so bothered that Latinos are reading classic Latino literature like Occupied America or many others like that. So this was just an attack on my community and my family. This is just a timeline of the legal challenge. When I became a plaintiff, I was in 8th grade. So it was right before I was going to high school, right before I would have been able to take a Mexican American studies course and I was denied that. It was in 2012 when the case became Maya Arce versus Huppenthal, State of Arizona, which challenged the Law's constitutionality based on the 1st and 14th Amendment. From there, the case had he moved to the ninth Circuit Court of Appeals in San Francisco which then remanded the case back to the U.S. District Court for trial. This trial was this

summer and it was ten long days. Preparing for this trial included me being deposed for three hours by the state attorney on the side of Arizona and it was really intense and a high-pressure process for me and my lawyer, Richard Martinez, you know, prepared me. And he was like, she's going to be mean, she's going to try to make you nervous, she's going to just want you to say anything that could sound wrong. So just be calm and tell the truth because you have nothing to hide. And she was. She was pretty scary but I knew that -- I knew that we would win because I couldn't imagine how the state could prove that Mexican American studies courses were harmful to students in any way. This is just a piece of a transcript from my testimony in trial this summer. This was also really nerve-wracking because this case had been going on for almost eight years and this was like the last step and I just really wanted all of, not only my hard work but my family's and the whole community's to, you know mean something. I'll read a little bit of what I said. I decided to become a plaintiff because I believe in standing up for what I think is right and I believe that I am a voice for those who otherwise may not be heard, for my ancestors, for my community members and generations to come. And it says sorry there because I choked up, I started crying. I was looking at my papa on the front row and he was [inaudible] and -- He, him, and my grandparents grew up in segregated classrooms in Tucson, Arizona, same schools that I went to. They have their Mexican American culture and language, literally, beaten out of them in school. And that's why they didn't teach my parents Spanish because they have that fear, they were discouraged from speaking Spanish or discouraged from embracing their own culture and that's just really sad to me. That's -- That was one of the main driving forces that I had continuing to be a plaintiff in this case. Next, I want to take a little time to speak about one woman who inspired me and continues to inspire me. Just my grandmother, Anita Padilla Markham [phonetic] and she recently passed away, but this one story she had told me about when she was at Stafford Elementary School, which is where I went to middle school, she had started and only spoke in Spanish and they -- All the kids who spoke in Spanish were in one classroom, it was called like easy or something like that. And one time she said something in Spanish because that was the only language she like knew and her teacher had thrown her in a trash can, her six-year-old body in a trash can, and her knees were like hurting and she couldn't even get out and she was humiliated in front of her classroom. Another story. My great grandmother on my mom's side, Carmen Sanchez, who'd also gone to Stafford earlier said that they would throw nets over the Mexican-American elementary students and pour lice powder all over them because they must be dirty. They all must have lice because they're just dirty. And these stories are part of why it's so important to teach this history in our schools and why it's so important to have ethnic studies, because people living today are still dealing with this trauma. Students today deal with their own trauma from experiencing racism and Ethnic Studies is one way to begin to heal that particular communities. We need it. I'm going to take this time to dedicate a song, I'm a singer in a Mariachi, to dedicate this song to both of my grandmothers. Is there a wireless microphone? It Is What A Difference A Day Makes by Dinah Washington, but it's going to be in Spanish. Eydie Gormé, which was one of my grandmother's favorite artists at the time, redid the song in Spanish. So, yeah. Here it goes.

[Music]

Cuando vuelva a tu lado, no me niegues tus besos, que el amor que te he dado no podrás olvidar. No me preguntes nada, que nada he de explicarte. Y el tiempo que negaste ya no lo puedes dar. Cuando vuelva a tu lado y estés solo conmigo, las cosas que te digo no repitas jamás. Por compasión, une tu labio al mío y estréchenme tus brazos y cuenta los latidos de nuestro corazón. Thank you. So, some evidence that allowed our judge Tashima to see that this law was driven by racial animus was that John Huppenthal, who was the superintendent of schools at the time of the banning, had written anonymous blog posts using a fake name and talking about all of the teachers saying racist things about our program. And, of course, he was under oath, so he had to admit that that was him. And that was just really great for us because they got to see what these people were actually thinking when they wrote this bill. He said things like Mexican American studies equals KKK in a different color, the rejection of American values and embracement of the values of Mexico en la raza classrooms is the rejection of success and embracement of failure. So those are all things that he said. And that just goes to show that so many people who are in charge of our schools, who are involved in education think this way. And maybe they're just not vocal about it. And this is the same anti-mexican sentiment that we are experiencing right now with our president. So, finally the law was ruled unconstitutional and confirmed that there was racial animus. The -- Our judge ruled this on August 22nd, 2017, and it set a legal precedent for the first time for Chicano, Chicana studies in the federal courts. Ensured that K12 Chicano studies are proven effective in engaging Raza youth, closes the achievement gap, increases graduation rates as recorded in the trial and this is decision has allowed for the expansion of Ethnic Studies, just like how we are witnessing here in California. Another cool thing is that this case served a precedent recently allowing DACA to move forward in response to Donald Trump's attack on DACA, as well as serving precedent in denying Trump's Muslim ban in the courts. So that was just a little bit of my experience and I want to thank you all for taking the time to listen and viva la mujer.

END – 00:20:57