

# Challenges and Opportunities: My Personal Journey



*by* Rachel F. Moran

*TOMÁS RIVERA* LECTURE SERIES



AMERICAN ASSOCIATION OF HISPANICS IN HIGHER EDUCATION

# Challenges and Opportunities: My Personal Journey



The 27th Tomás Rivera Lecture

Presented at the Annual Conference of the  
American Association of Hispanics in Higher Education

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## PREFACE

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For the third consecutive year, Educational Testing Service (ETS) is proud to join with the American Association of Hispanics in Higher Education (AAHHE) to publish the annual Tomás Rivera Lecture.

The keynote speaker at AAHHE's annual conference, Rachel Moran, Dean of the UCLA School of Law, deftly combines her personal experience with an analysis of the pressing issues affecting educational opportunity for Hispanic Americans. Citing data on Latino educational attainment — including in law studies and the low number of Latino lawyers — she notes that investments in education are acts of optimism.

Dean Moran is the latest in a series of distinguished lecturers that dates to 1985. The lecture honors the memory of the late ETS trustee, Tomás Rivera, a noted scholar, educator, advocate and the first Hispanic Chancellor of a California University system institution.

Educators, administrators, policymakers and others will find this lecture to be compelling reading. It is a valuable contribution to public discourse on the critical need to educate all of our citizens and make them fully productive.



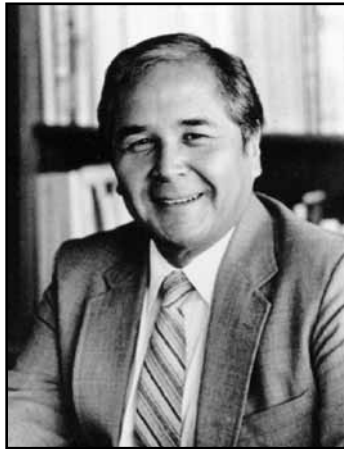
Kurt M. Landgraf  
President and CEO  
Educational Testing Service

## ABOUT THE TOMÁS RIVERA LECTURE

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Each year a distinguished scholar or prominent leader is selected to present the Tomás Rivera Lecture. In the tradition of the former Hispanic Caucus of the American Association for Higher Education, AAHHE is continuing this lecture at its annual conference. It is named in honor of the late Dr. Tomás Rivera, professor, scholar, poet, and former president of the University of California, Riverside.

### About Tomás Rivera



Author, poet, teacher, and lifelong learner, Tomás Rivera was born in Texas to farm laborers who were Mexican immigrants. Neither parent had a formal education.

He received B.S. and M.Ed. degrees in English and administration from Southwest Texas State University, and his M.A. in Spanish literature and a Ph.D. in Romance languages and literature from the University of Oklahoma. Rivera also studied Spanish culture and civilization at the University of Texas, Austin and in Guadalajara, Mexico.

He taught at Sam Houston State University and was a member of the planning team that built the University of Texas, San Antonio, where he also served as chair of the Romance Languages Department, associate dean, and vice president.

In 1978, Rivera became the chief executive officer at the University of Texas, El Paso, and in 1979, he became chancellor of the University of California, Riverside. Rivera was an active author, poet, and artist. By age 11 or 12, he was writing creatively about Chicano themes, documenting the struggles of migrant workers. He did not write about politics and did not view his work as political. He published several poems, short prose pieces, and essays on literature and higher education.

He served on the boards of Educational Testing Service, the Carnegie Foundation for the Advancement of Teaching, the American Association for Higher Education, and the American Council on Education. In addition, Rivera was active in many charitable organizations and received many honors and awards. He was a founder and president of the National Council of Chicanos in Higher Education and served on commissions on higher education under Presidents Carter and Reagan.

## Tomás Rivera Lecturers

- 2011* Rachel F. Moran
- 2010* Charles B. Reed & Jack Scott
- 2009* Marta Tienda
- 2008* Jaime Merisotis
- 2007* Sonia Nazario
- 2006* Michael A. Olivas
- 2005* Raúl Yzaguirre
- 2004* Angela Oh
- 2003* Piedad Robertson
- 2002* Harold L. Hodgkinson
- 2001* Félix Gutiérrez
- 2000* David Hayes-Bautista
- 1999* Jim Cummins
- 1998* Samuel Betances
- 1997* Albert H. Kauffman
- 1996* Rolando Hinojosa Smith
- 1995* Ronald Takai
- 1994* Norma Cantú
- 1993* Gregory R. Anrig
- 1992* Henry Cisneros
- 1991* Toni Morrison
- 1990* Tomás Arciniega
- 1989* David Hamburg
- 1988* Arturo Madrid
- 1987* Ann Reynolds
- 1986* Alfredo G. de los Santos Jr.
- 1985* John Maguire

## ACKNOWLEDGMENTS

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At Educational Testing Service, editorial and production direction and support were provided by Sally Acquaviva, Shanay Bell, Eileen Kerrigan, Richard Coley, Frank Gómez, Marita Gray and Bill Petzinger. The authors gratefully acknowledge the guidance and support of AAHHE and particularly its President, Loui Olivas, in the publication of the lectures by ETS. Errors of fact or interpretation are those of the author.

## INTRODUCTION

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First let me begin by thanking Loui Olivas and the American Association of Hispanics in Higher Education for inviting me to speak today. It is truly an honor to follow in the footsteps of such distinguished predecessors and to deliver a lecture named for Dr. Tomás Rivera. Dr. Rivera was a pioneer in the academy who used his own talents and educational opportunities to move from the fields where he worked as a child to the chancellorship at the University of California at Riverside. He was the first person of Mexican origin to hold such a position in that prestigious system of public higher education (Abbott, cited in Lattin et al., 1998). Before his life was tragically cut short at the age of 48, he had written a novella entitled *... y no se lo tragó la tierra* (*... and the earth did not devour him*) (Rivera, 1996), which drew on his own life experiences and won the first Premio Quinto Sol Award (Abbott, cited in Lattin et al., 1998). His was a life of striving and achievement, but even as Tomás Rivera advanced in the world, he never lost sight of his origins and he tried to ensure a better future for other members of his community (Hinojosa, cited in Lattin et al., 1998).

In that spirit, I hope to have a conversation with you about an issue of tremendous importance to our nation: the educational attainment of Latino students. In talking about these issues, I will use some of my own experiences as a way to think about the statistical picture and the structural problems that Latinos confront in the educational system. I feel fortunate to be able to share this story with so many leading Latino academics, who undoubtedly can offer their own unique insights into these concerns.



## THE ELEMENTARY AND SECONDARY SCHOOL YEARS

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When I was an elementary school student, I was walking down the hall one day when I overheard a teacher say, “Such a bright girl. Too bad there’s no future for her.” Even then, I knew that her prognosis was all wrapped up in perceptions of my Mexican ancestry and identity, a status that would leave me on the outside looking in, no matter what my abilities or efforts were. What I don’t think that teacher appreciated, though, was how devastating it felt to be written off before I had reached eight years of age.

But America was a greater country than she had imagined. At night, I would go home to watch scenes from around the nation on a remarkable new invention called television. I saw the images of people chanting, being pulled apart and coming back together, facing down force by meeting violence with non-violence and, in the process, demanding that America live up to its promise as a democracy rooted in principles of equality and liberty. As a child, I did not realize that those brave individuals would change my life by redefining the structures of opportunity through social activism and legal struggle. These efforts would redefine the parameters of my future, making it possible for me to stand here today as the dean of UCLA School of Law.

But the process of social change takes time, and meanwhile, there were other people who reached out to me, nurtured me, and helped me to love learning for its own sake. My parents were the most important role models I had. They loved me unconditionally, and they prepared me for a fulfilled life. But they were not alone by any means. At the same time that one teacher was bemoaning my fate, another one — Mrs. Lola Clevenger — was convincing me that I had potential. She instilled in me an excitement about ideas, and she made me feel that I fully belonged in her second-grade class. At a time when I wondered about my place at school, she reached out and showed me how I could transcend the pettiness of the moment by transporting myself with books and projects. I don’t think we ever forget the people who mentor us when we need it the most. I certainly have not. In fact, when I won a Distinguished Teaching Award at the Berkeley campus, I mentioned Mrs. Clevenger as a role model. She had shown me that, for all of us, learning is a search for meaning, and a validation of who we are and why we are here. When asked about my own teaching style, I knew that any success that I had enjoyed stemmed from that early experience of connection and possibility. In my essay, I recalled that “though there are times when I am tired and when I fail, at my best moments, I reach out to the sad, lonely child in each of us still searching for Mrs. Clevenger.”

*“When I was an elementary school student, I was walking down the hall one day when I overheard a teacher say, ‘Such a bright girl. Too bad there’s no future for her.’”*

*“Today, Latinos’ educational success continues to depend on early intervention, high-quality teachers, and systems of mentoring and support.”*

Although much has changed since the days of the civil rights battles of the 1960s, there is no doubt that having motivated teachers and mentors at an early age still matters deeply. Latino students today often live in segregated neighborhoods in households that are marked by poverty (Frankenburg et al., 2003; Gándara, 2010; Reardon and Galindo, 2009). Though these may be loving homes, parents often have low levels of educational attainment that prevent them from sharing information about the pathways to school success and higher education (Gándara, 2010 and Zárate and Gallimore, 2005). In some cases, language can be an added barrier to participation, and immigration status can leave parents feeling vulnerable and ill-equipped to speak out on behalf of their children (Reardon and Galindo, 2009). At times, families may plant the seeds of aspiration, but not know exactly how to cultivate these seeds so that they grow into attainment.

In their book “Dream in Color,” Linda and Loretta Sánchez — who are, I believe, the first and only sisters to be elected to the U.S. House of Representatives — recall how their parents nurtured hopes for their daughters’ future (Bosman, 2008). Loretta remembers that one of her father’s favorite sayings was “Don’t let anybody ever tell you you’re a dumb Mexican” (Sánchez and Sánchez, 2008). She realized that he must have heard this phrase often as an immigrant from Mexico with a very limited education and with Spanish as his first language (Sánchez and Sánchez, 2008). When Loretta received an assignment that had her stumped, both of her parents — despite their own lack of extensive schooling — stepped in to help her think about solutions. She learned an important lesson: “If you defeat yourself, nothing will get done. But, if you remain calm, look at every possibility, and work with other people, you’re sure to come up with a solution” (Sánchez and Sánchez, 2008). Even so, when the time came to make decisions about college, Loretta’s parents could not offer her concrete advice, and so she was left to rely on a school administrator, who was not particularly committed to making certain that Loretta made the most of her opportunities (Sánchez and Sánchez, 2008).

Today, Latinos’ educational success continues to depend on early intervention, high-quality teachers, and systems of mentoring and support. According to a study of a universal preschool program in Oklahoma, Latinos benefited more than any other group from access to this early enrichment experience. For the effects to endure, however, it is key that preschool lead to a strong program of elementary and then secondary education (Gomley Jr. 2008). Yet, Latinos are now the group most likely to attend schools that are hypersegregated by race, ethnicity and poverty, and they tend to be taught by teachers with less impressive credentials in schools with fewer resources than those their white peers attend (Reardon and Galindo, 2009).

Latino students are more than twice as likely as white students to be poor and are more likely to grow up in the most intensely poverty-stricken families (Gándara, 2010). As a result, Latino children suffer from the effects of material want, including lack of health care and poor nutrition. Indeed, when I went to elementary school in Calexico, California, I remember that many of my Latino classmates showed up hungry. I could hear their stomachs growling until mid-morning when trays with cartons of milk arrived, part of a federal nutritional program and our own childhood version of a “coffee break.” After we had our milk, the classroom felt different with the hunger pangs stilled. I suspect that the learning process felt different, too.

The Latino population is the fastest growing in the United States, but it continues to lag behind in educational attainment. Between 1987 and 2007, the number of Latino students in public schools doubled from 11 percent to 21 percent, and the Census Bureau predicts that by 2021, one in four pupils will be Latino. In states like California and Texas, the numbers are even larger. Latino children already make up nearly half of the public school population (NCES, 2009: 24). Yet, in 2005, only 58 percent of Latinos graduated from high school on time compared to 78 percent of whites (Alliance for Excellent Education, 2009). This disparity correlated with an ongoing achievement gap as measured by standardized tests in reading and mathematics. For example, according to the National Assessment of Educational Progress, 86 percent of Latino eighth graders scored below grade level in reading, as compared to 62 percent of white eighth graders in 2007 (U.S. Department of Education, 2007). (I should add that the statistics are alarming because of the overall poor student performance, too.)

These numbers reveal that a growing segment of the population (and in California, the single largest racial or ethnic group) is not developing the human capital necessary to participate in an economy predicated on technology and complex services. Faced with these facts, the state sadly has disinvested in the education of Latinos in various ways. First, in the wake of Proposition 13, California’s fiscal investment in kindergarten through 12th grade (much less preschool) has faltered. These are developments that have hurt all public school students, but those in less affluent districts have the fewest options to fill the funding gap (Levinson and Stern, 2010 and Merjian, 2010).

Second, although Latinos today are by some measure the most segregated student body in America, the federal courts have retreated from any commitment to integration. Not only are court-ordered desegregation decrees drawing to a close, but a recent U.S. Supreme Court decision now makes it difficult for local

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communities to adopt even voluntary integration plans — should they have the political will to do so (Orfield, 2011).

Third, the state has adopted policies that hamper the schools’ flexibility to deal with the needs of Latino students. So, for example, with Proposition 227, California adopted a single method of addressing the needs of English language learners (a substantial segment of the Latino student body), thereby limiting teachers’ options to tailor instruction to the particular needs of the children they teach (Moran, forthcoming, 2011).

Finally, there are fewer avenues for parents to participate in educational reform at the school level. Although federal laws try to capitalize on the role of parents as teachers and mentors for their children, the provisions do not engage parents in questions of policy (Johnson, 1997). Moreover, federal courts have consistently narrowed the ability of parents and children to bring private lawsuits to enforce educational access and equity (*Horne v. Flores*, 2009 and *Alexander v. Sandoval*, 2001).

I acknowledge that these problems, both separately and cumulatively, are serious and especially intractable in the current budgetary climate. Even so, there is much that can be done at an individual and collective level. As individuals and members of organizations, we need to publicize these issues through the outlets available to us. As leading academics, you have many ways to make your voices heard. But we also need to reach beyond the academy to raise awareness among members of the general public. Each of you can be an ambassador for improving educational attainment among Latinos. You can talk to people you know, you can participate in organizations that address these concerns, and you can write op-eds and blogs on the topic.

At an individual level, you also can be a mentor to someone who needs your help. Abel Jiménez, the son of immigrant parents, describes how he struggled at UC Irvine until he joined an organization called Mexican American Engineers and Scientists (MAES) (Jiménez-Silva et al., 2009). He had been on academic probation, but by joining peers in study groups, looking at previous tests and notes from other club members, and enjoying their company as friends and colleagues, he was able to stay in the engineering program and graduate (Jiménez-Silva et al., 2009). He describes joining MAES as “the turning point of my academic focus at UCI” and highlights the importance of having a mentor who understood the balance he was trying to strike between work, family obligations and his studies (Jiménez-Silva et al., 2009). Ricardo’s story shows that you can be a resource and make a difference in someone’s life, much as Mrs. Clevenger did in mine.

At a collective level and despite the seemingly long odds, Latino community groups, educational organizations, and civil rights advocates must continue to press for reform. For example, the Obama Administration has appropriated an unprecedented amount of funds to support public education. Substantial monies are being allocated through the Race to the Top program. In the first round of the competition, only two states received grants: Delaware and Tennessee (Dillon, 2010). In the second round, awards were made to the District of Columbia, Florida, Georgia, Hawaii, Massachusetts, New York, North Carolina, Ohio and Rhode Island (Dillon, 2010). Although New York and Florida are high immigrant receiving states with significant Latino populations, notably missing from the list are states in the Western region of the United States, where many Latino children reside. In particular, California and Texas have not received any support through this program, even though they educate about half of all Latino students — almost 20 million of the 41 million Latinos in the United States in 2005 (Dillon, 2010). If the Latino educational crisis is to be addressed in a meaningful way, the solutions will have to begin in states like these.

## COLLEGE AND BEYOND

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The problems in elementary and secondary education are compounded by the lack of support for Latinos who do graduate from high school and want to make the transition to college. As I mentioned before, in her memoir Loretta Sanchez describes the lack of counseling she received about choosing a college and seeking financial aid, even though she was a gifted and highly successful student. Nor is her story an isolated one. I myself received advice about going to college not from my guidance counselor but fortuitously from Dr. Edmund Deaton, the director of a summer program in mathematics sponsored by the National Science Foundation. If Dr. Deaton had not taken an interest in me, I very much doubt that I would have applied to Stanford University. In fact, he not only suggested that option to me, but insisted on meeting my parents to share his views on why this mattered so much. Dr. Deaton’s advice was critically important to me in making strategic choices that I did not fully understand at the time. Only after I arrived at Stanford would I come to appreciate the intensely hierarchical nature of higher education.

Apparently, many Latinos are in a similar situation. According to a 2010 study, Latino applicants often had academic credentials that would have permitted them to enroll in colleges and universities that were more competitive than the ones they ultimately chose. Despite the fact that Latinos are in some sense overqualified, they nonetheless have lagged in college completion rates (Fry, 2004 and Kelly, 2010). The problem is particularly serious at less competitive institutions where already low overall rates of graduation dip even lower for Latinos. At the bottom 10 schools, only 17 percent of Latinos matriculated within a six-year period (Kelly, 2010). There is a gap even at selective institutions, though the overall numbers are considerably better. Consider, for example, the University of California at Berkeley, where 88 percent of whites graduate within six years but only 79 percent of Latinos do — a gap of 9 percent (Kelly, 2010).

An even bigger problem in California is that many Latinos enroll in two-year rather than four-year colleges and then never transfer to an institution that will permit them to earn a bachelor’s degree. The state has sought to invest in community college as an accessible and affordable way to pursue higher education. In the late 1990s, California added 800,000 seats at two-year institutions, but expansion at four-year institutions came to a halt (Carnoy, 2010). Reflecting this trend, the bulk of Latinos have enrolled in community colleges. In fact, the proportion of Latinos in California who attended a four-year college in 2005 was only 20.3 percent (Carnoy, 2010). Perhaps more chilling, however, is the fact that of the large numbers of Latinos who enrolled in community colleges, fewer than 8 percent eventually transferred to a four-year institution (Carnoy, 2010).

According to a recent College Board® survey, our country now ranks 12th among developed nations in the number of 25- to 34-year-olds with college degrees when once we were first (Lee Jr. and Rawls, 2010). Recently, President Barack Obama has expressed a desire for the United States to resume its place at the top of the list (Lewin, 2010). The Obama Administration largely has focused on reforming the student loan program and increasing Pell grants (“Helping students, not lenders,” *The New York Times*, 2009). Clearly, given the large number of students who are working to pay for the rising cost of a college education, these are important steps. They are particularly critical in keeping the pathways of opportunity open for those with limited resources, many of whom are Latino. Yet, standing alone, these measures are not enough. Until depressed college completion rates for Latinos are addressed, it will be very difficult for the United States to reclaim its number-one ranking. Steps targeted at this population’s special needs are vital. For example, the federal government might consider rewarding schools based not just on how many students they enroll, but on how many they graduate. Several scholars have suggested that retention of Latino students become a criterion for designation as a Hispanic Serving Institution and the additional federal dollars that come with that status (Kelly, 2010).

The situation in California is especially urgent because, as Martin Carnoy writes in a report for PACE at the University of California at Berkeley, without an improvement in Latino college graduation rates in the state, “California’s economy could suffer down the road, making the state government’s future financial problems even worse” — a prospect that some might not even think possible, given current conditions. The post-war promise of California was rooted in higher education as a critical engine of economic expansion. But that promise is fading, just as Latinos need it the most. Demographics alone cannot account entirely for the shift. At least until recently, the state of Texas seemed to be adopting this model for developing human capital at the same time that California is dismantling it (Carnoy, 2010).

These hard truths have consequences for Latino participation in graduate and professional schools. According to a 2006 report by UCLA’s Chicano Studies Research Center, for every 100 Latina children who begin school, 54 will graduate from high school, 11 will graduate from college, and four will pursue graduate or professional education. The statistics for Latinos are slightly lower (Huber et al., 2006). By contrast, for every 100 white female children who begin school, 84 will graduate from high school, 24 will graduate from college, and eight will pursue graduate or professional education. The statistics for white male completion of college and graduate or professional school are slightly higher (Huber et al., 2006).

*“Until depressed college completion rates for Latinos are addressed, it will be very difficult for the United States to reclaim its number-one ranking.”*

*“As the incoming dean at UCLA School of Law, I must grapple with the fact that the enrollment of students of Mexican origin in law schools across the country has stagnated in recent years, even as the population grows by leaps and bounds.”*

The disparities in attainment are even more striking when the comparison is between Chicano and white students (Huber et al., 2006).

As the incoming dean at UCLA School of Law, I must grapple with the fact that the enrollment of students of Mexican origin in law schools across the country has stagnated in recent years, even as the population grows by leaps and bounds. As a result, Latinos make up 3.7 percent of all California lawyers, though they comprise 34 percent of the state’s population (Reynoso, 2005). (I say this not because only Latinos can serve a Latino population, but because this is a measure of how underrepresented Latinos are in the profession, given their general numbers.)

This is not to say that there has not been progress. Today’s numbers, though small, are better than when I went to law school. At Yale, I was the only person of Mexican origin in my entering class, and I joined a group called LANA (Latinos, Asians and Native Americans) because there were not enough of us to field separate organizations. The co-chair at the time was a third-year law student whose name you may recognize: Sonia Sotomayor, the first Latina justice on the U.S. Supreme Court (Felix, 2010). Her high-profile success and that of others shows how far Latinos have come in the legal profession.

The good news is that, though the numbers remain small, Latino attorneys are doing very well by all accounts. In California, it is clear that most Latinos who practice law are doing so in the Los Angeles area — 53 percent, according to a 1991 California bar survey. This compares to the general bar, one-third of which practice in Los Angeles County (Reynoso, 2005). (This statistic apparently was the most recent information available when former California Supreme Court Justice and now Professor Cruz Reynoso included it in a 2005 article on Latinos in the legal profession.) (Reynoso, 2005). Based on a survey that Professor Reynoso conducted, he found that Latino lawyers have achieved considerable financial success and are highly committed to giving back to their communities in a variety of ways (Reynoso, 2005). The good news for me is that they also are very engaged with their law school alma maters (Reynoso, 2005). Recently, I attended an annual Gala and Scholarship Awards Ceremony sponsored by the Mexican American Bar Foundation in Los Angeles. The amount of money raised to support law students, including many at UCLA, has grown tremendously over the year, and the turnout that night included leading attorneys from all sectors of practice, judges and other public officials, deans and professors, as well as students and their families. For me, the event was an inspiring example of the mentoring and support that one generation can offer to the next. I, for one, left feeling energized and affirmed by the event.



## CONCLUSION

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In the end, investment in higher education is an act of optimism. It demonstrates a faith in the future and in the possibilities of coming generations to achieve even more than their parents and grandparents. Lately, in the media, there have been comments that America has lost its mojo, that it has gone from being a can-do country to a make-do nation. There is some notion that we simply cannot afford high-quality education anymore; it's too expensive. Unfortunately, we may find that we have paid a very high price because we confused a necessity with a luxury. Latinos have a special stake in this debate as a young population dependent on education to prepare them for work and citizenship. But the stakes are high for everyone. We must make sure that our nation remains competitive in an increasingly global market for human capital. Together we can work to preserve educational opportunity, and we can recognize that mojo is not something handed down from on high, but a power that we find within ourselves.

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## NOTES

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## About ETS

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