

Summary of Amicus Brief filed by LatinoJustice PRLDEF et al.

*Denying adequate civics education to Latinx students, who face “triple segregation,” bars them from full participation in the political process.*

Nearly forty years after *Plyler v. Doe* guaranteed undocumented Mexican school-age children a right to a free public education and sixty-seven years after *Brown v. Board* outlawed “separate but equal” schooling, Latinx students continue to receive constitutionally inadequate education in intensely segregated school districts in Rhode Island and across the United States. This brief is packed with a wealth of data demonstrating that when ethnicity, poverty and linguistic isolation are measured in tandem —denoted triple segregation— Latinx students are by far the most segregated community of color. This triple segregation correlates with inequitable achievement gaps documented in this brief that prevent Latinx students from being prepared to fully function in our participatory democracy, which is vastly more racially and ethnically diverse than ever before.

Denied a foundational level of literacy and civics education, Latinx students cannot effectively fulfill their civic duties or exercise their constitutional rights to free speech, vote and run for office. Court cases stretching back over a century and cited here show that Latinx students were subjected to a dual educational system reminiscent of that imposed on Black students, which reinforced notions of social inferiority. This historical exclusion not only belies any claim that contemporary educational inequities that beset Latinx students are adventitious, but it also augments Plaintiffs’ contention that education—its denial to some and provision to others—is deeply rooted in our nation’s history and traditions, and constitutionally protectable as a matter of substantive due process.