



Arizona Department of Education
Office of Superintendent of Public Instruction John Huppenthal

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Superintendent of Public Instruction John Huppenthal's Official Statement on TUSD Violation of A.R.S. § 15-112

"Given the evidence that I have reviewed as of today, I support former Superintendent Tom Horne's decision that a violation of one or more provisions of A.R.S. § 15-112 (the statute created by passage of HB 2281) has occurred by the Tucson Unified School District (TUSD).

While I have read Superintendent Horne's finding of violations by TUSD, I have not had the opportunity to review all the facts and evidence he has compiled in this matter and, therefore, will not prematurely comment on specifics.

It should be noted that A.R.S. § 15-112 and its provisions went into effect as of midnight on December 31, 2010. The day before, on December 30, 2010, the TUSD Governing Board held a meeting and issued a resolution, the third of its kind, in support of the Mexican American Studies Program as it is currently structured.

Despite clear evidence to the contrary, the Board insisted that the program in question was already in compliance. Subsequently, in an interview with the *Arizona Daily Star* TUSD Governing Board Member Adelita Grijalva indicated that no changes to the Mexican Studies Program had been made since the passage of HB 2281.

A.R.S. § 15-112 A (3) states that "A school district or charter school in this state shall not include in its program of instruction any courses that include any of the following:

3. Are designed primarily for the pupils of a particular ethnic group.

As of today, sections of TUSD's website on their Mexican American Studies Program clearly indicate that the program is designed primarily for pupils of a particular ethnic group - Latino students. This is in clear violation of A.R.S. § 15-112 A (3).

Here is an excerpt from the Frequently Asked Questions webpage:

“Question: What students does the Mexican American Studies Department serve?

Answer: “...the Mexican American Studies Department was formed specifically to enhance the academic success of Latino students...”

Other website-derived evidence of this particular violation are available upon request.

I find the TUSD Governing Board's insistence on not changing the Mexican American Studies Program as it is currently structured particularly troubling given my own personal experience with TUSD's recently renamed Mexican American Studies Department. My, firsthand, classroom encounter clearly revealed an unbalanced, politicized and historically inaccurate view of American History being taught. If still present today, elements of this classroom's instruction would violate sections of A.R.S. § 15-112, particularly subsection (4) which prohibits a course that (4) Advocates ethnic solidarity instead of the treatment of pupils as individuals.

TUSD's administration and Governing Board have the responsibility to ensure their programs come into full compliance with A.R.S. § 15-112 within 60 days of Superintendent Horne's official finding. I extend to TUSD's administration my full resources and commitment, and those of the Arizona Department of Education, to help them accomplish this task.

At the same time we work to bring the District into compliance in this regard, I will also strongly encourage TUSD officials to take this opportunity to review all of their schools' programs and curricula, particularly in their schools which primarily serve minority students. Schools serving these students are among the worst performing schools in Arizona. Their minority students' academic growth, year after year, substantially lags behind other TUSD schools and Arizona peers. This is unacceptable. Every child needs access to a quality public education, and these children are being underserved.

In a world in which quality education holds the keys to opportunity and success, these minority students are being consigned to a lesser future. They deserve better.

As Superintendent of Public Instruction, I won't rest until every child, regardless of race, ethnic background or socio-economic status, receives the excellent education he or she deserves.”

- John Huppenthal
Arizona Superintendent of Public Instruction

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