

RESOLUTION NO. R-2017-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS DESIGNATING THE 3.0610 ACRE PROPERTY DESCRIBED AS FARM LOT 5 E M STREET, BASTROP, TEXAS, PURCHASED FOR PURPOSES OF ESTABLISHING A PARK, TO BE NAMED IN HONOR OF MINERVA DELGADO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, until the late 1940's, the public education system in Texas for Mexican Americans offered segregated campuses with often minimal facilities and a curriculum frequently limited to vocational training; and

WHEREAS, the 1950 census showed that the median educational attainment for persons over twenty-five was 3.5 years for those with Spanish surnames and, by comparison, 10.3 years for other white Americans; about 27 percent of persons over twenty-five with Spanish surnames had received no schooling at all; and

WHEREAS, in 1947 the Ninth Circuit Court in California found that separation "within one of the great races" without a specific state law requiring the separation was not permitted; therefore, segregation of Mexican-American children, who were considered Caucasian, was illegal; and

WHEREAS, the Texas Attorney General, following this ruling and in response to an inquiry by Gustavo C. (Gus) Garcia, a Mexican-American attorney, agreed that segregation of Mexican-American children in the public school system by national origin was unlawful and pedagogically justified only by scientific language tests applied to all students; and

WHEREAS, on June 15, 1948, League of United Latin American Citizens (LULAC) joined by the American G.I. Forum of Texas, successfully challenged these inequities of the Texas public school system by filing suit against the Bastrop Independent School District and three (3) other districts representing Minerva Delgado and twenty other Mexican-American parents claiming segregation of Mexican children from other white races without specific state law and in violation of the attorney general's opinion; and

WHEREAS, the suit accused these districts of depriving such children of equal facilities, services, and education instruction; and

WHEREAS, Judge Ben H. Rice of the United States District Court agreed and ordered the cessation of this separation by September 1949. However, the court did allow separate classes on the same campus, in the first grade only, for language-deficient or non-English-speaking students as identified by scientific and standardized tests applied to all; and

WHEREAS, the Delgado decision undermined the rigid segregation of Mexican Americans and began a ten-year struggle led by the American G.I. Forum and LULAC, which culminated in 1957 with the decision in *Herminca Hernandez et al. v. Driscoll Consolidated ISD*, which ended pedagogical and de jure segregation in the Texas public school system.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That the City Council of the City of Bastrop, Texas does hereby authorize the 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas, purchased for purposes of establishing a park, to be named in honor of Minerva Delgado once the purchase of the land has been executed by the City of Bastrop, TX.

Section 2: That said resolution shall become effective immediately upon its passage, and is accordingly so resolved.

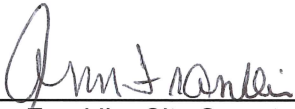
PASSED AND ADOPTED by the City Council of the City of Bastrop, Texas on the 9th day of May, 2017.

CITY OF BASTROP, TEXAS



Ken Kesselus, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



David Bragg, City Attorney