

**Curtis Acosta:** Maybe on a level of being Mexican in, in, in this United States and what that is, being told you're illegal, being told go back to where you came from when it's ahistorical and you are where you're from, also hits different when you're talking about hearing attacks on who you love. Often, people critique thinking that it's talking about victimization just because you're studying oppression. It's anything but that. It's liberation studies. It's freedom studies.

**Sam Fuqua:** That's Curtis Acosta, and this is Well, That Went Sideways! A podcast that serves as a resource to help people have healthy, respectful communication. We present a diversity of ideas, tools, and techniques to help you transform conflict in relationships of all kinds.

In this episode, we talk with Curtis Acosta about conflicts over ethnic studies and about humanizing education. He taught high school for over 20 years in Tucson, Arizona, and developed a groundbreaking Mexican-American studies program. The state of Arizona banned that program in 2010, despite several years of positive academic outcomes. The ban was later ruled unconstitutional. Curtis Acosta currently works as an educational consultant and teaches at the University of Arizona. We spoke with him at the 2023 White Privilege Conference in Mesa, Arizona.

I'm Sam Fuqua, co-host of the program with Alexis Miles. Hi, Alexis.

**Alexis Miles:** Hi, Sam.

**Sam Fuqua:** Curtis Acosta, welcome to Well, That Went Sideways!

**Curtis Acosta:** Thank you. It's an honor to be here.

**Sam Fuqua:** We're so happy to spend some time with you here at The White Privilege Conference, where Alexis and I both heard your keynote address this morning. And we're going to get into the background of your struggle in the Tucson schools, but as you think about it now, I guess we're over a decade removed, what happens inside you when you think about it? Are you still carrying trauma from that even?

**Curtis Acosta:** Yeah, that's a great question. It's also, need to think about it's been over a decade, you're accurate. I'm like dang, I'm getting old in this. I'm earning these 'canas,' these gray hairs. Um, yeah, there's a lot of trauma still there. I think I was joking with you right before we recorded it. My partner and I were not of the generation that knew about self-care and therapy, but maybe we should have done that as far as, you know, the ways we had to, you know, navigate after losing something that was so important to our community and so vitally important to us both as, you know, educators and, and as, um, as human beings and as, as, as Chicanas and Chicanos and Chicanx people. And so, sharing it is part of the, um, responsibility, and I think the gift of surviving is like to think about our ancestors and what they had to survive. And so, I want to show other teachers, unfortunately, teachers are still going through similar microaggressions, but also like direct attacks. Like we, we face, especially policy attacks, and there's just a, there's just a real vibe out there for teachers of, of, um, that's not safe. And so, I think by sharing the story, showing that we can stay strong, and it's worth the fight, and to our, our youth are worth the fight and, um, our ancestors, our cultures, everything that we, that we celebrate in this country is, is worth standing up for when it comes to, you know, dehumanizing attacks, um, and, and facing up to them. And that you can get on the other side of it and still sleep well at night and, uh, and not feel the need to, to cower or to be

submissive or to, um, or to assimilate, or as we say, sell out, right? Be a 'vendido' or 'vendida.' You don't have to go those routes. So, there's a lot of healing to this story, too.

**Sam Fuqua:** Well, we do want our listeners to hear the story. Tell us a little bit about Tucson and the conditions that led to the development of this groundbreaking Mexican American studies curriculum.

**Curtis Acosta:** Yeah, well, sometimes when I try to define ethnic studies and people ask, what's ethnic studies, I go, ethnic studies is, is, handed to us by our ancestors. It wasn't just something that was developed, you know, after a, you know, a wonderful moment of student agency and activism, San Francisco State University in '68 and the Third World Liberation Front. That's huge history, and still we're trying to live up to what they did in creating the first College of Ethnic Studies at SF State. But really, it was how was that history at all held on to before then? And, and that was simply, you know, that was people did it to, you know, um, as a resistance, you know, as a, as a way of affirming themselves and had to do it silently often, it was illegal many ways. So, that's part of, you know, a hot tip to those generations that came before us.

But in the nineties, the mid-nineties, where I became a teacher in the late nineties, when we were given the opportunity to like actually have a program, and not just a program that was going to be, like, dropout prevention or, um, supplemental to instruction, but actually our community wanted actual classes taught, we thought our first intervention should be in the quality of the teaching and an opportunity to learn who you are and where you're from and, and, and to work through the, the impact of colonialism upon our community, upon the way we see ourselves as human beings, right? There's a lot there that our young people still to this day, unfortunately, have to digest, you know, about beauty images and body images and, um, and shame and, um, and, and their, their gender, their sexuality, all these different tentacles of colonialism really wreak havoc upon our young people's spirit and minds. And so, we wanted to open up a space to heal all that. And, until we had that opportunity, I did it through literature. Most of my colleagues were social studies teachers, but we were all cooking together and it was a real powerful time for over a decade, for sure.

**Sam Fuqua:** What was at the center of that from a pedagogical standpoint?

**Curtis Acosta:** What made us a little different, I think, than, um, not every ethnic studies program before us, because there's, we learned it from somewhere, right? But it wasn't just a survey class, another history class. We were really intentional upon decolonizing that space, right? Talking, using our indigenous epistemologies that we were barely learning ourselves, that were held for gener, centuries, wow, in our own cultures that, that have survived. And so, as we learned it, we were sharing it and learning it with our students. And then we, us as a collective of teachers, we're trying to figure out how we, like, you know, there's, these are such non like spiritual words, but they're still important. How to operationalize this? How do we systematize, uh, some, this experience within a normal comprehensive high school or, or middle school or even our elementaries? We, we had ways of intervening there. And, uh, and we were successful in doing that. And it took a lot, it was a labor of love. We loved, that, our collective was super strong, brilliant people, and we hung out all the time.

Before there were like PLCs - Professional Learning Communities - we had our own, right? And we hung out on Saturdays, and you know, without any, like, benefit of, like, you know, time that you would get for certification or for a salary increase. We did it because that's what you're supposed to do for your community. That's the ethics and principles. And, and we were able to use some of that, those, that indigenous epistemologies to really layup, lay a groundwork for the pedagogy and, and highlight the

common humanity that we all have, but not like in a colorblind way. A common humanity that's, that is about deeply understanding who we are and how we, you know, where we're from and how we've come to be, right? The process of coming to be through this, you know, United States of America experi, experiment.

**Sam Fuqua:** So make that real for, for us in terms of, like, I'm a student, I'm in your class. How are you doing it that, uh, that really grabs me?

**Curtis Acosta:** Yeah, I said a lot of real heady stuff right there that, that, that, that's not, that's very teacher facing or, uh, or university, like, uh, college of education facing. That is another part of my, uh, my skill set or my hats I wear. But yeah, but in, in the classroom it looked really, it looked like a class that was alive and centered on the students, obviously, and the community cultural wealth of our students, and what they brought to the table, and, and being Chicano myself is really helpful because I, I knew, I knew a lot of the, not everything, right, because they're younger and I'm not from Tucson. I'm from the Bay Area, originally. So, you know, so I had to walk with a lot of humility to, uh, about where I'm at and who I am in this space, but we were, like, reading books and, and having them reflect on the world and, and see themselves in the text, but also the text should also be a mirror to other experiences.

So, the junior year for my students, when we finally got the classes, was a very much a spine of Chicano literature, right? Mexican American literature with some other Latino, uh, Latinx voices thrown in there. At the same time, we're looking at contemporary issues, right? Junior year, you do your research paper. So, I wanted them to learn about, like, let's, let's look at the education system. So, we're reading Jonathan Kozol, right? We're reading *Savage Inequalities*. We were, we're diving into the latest research. I was also getting some of my grad work at that point, so I was bringing in the things I was learning across the street at the University of Arizona. And, and we were, we were doing it through thematically as well as through the literature, looking at these, these themes culturally, but also through the social justice themes. And then the senior year, I got an opportunity because our students advocated for it, because what happened, they would have us for their junior year and then kick back to a normal senior class and their, their grades would tank because there was, there wasn't the engagement. There wasn't the, the, the expectations from the teachers. My co, some of my colleagues, not all of them, were lower, and there was a, still at, and to be very frank, with some of my colleagues at the time there was a combativeness, right, adversarial relationship instead of a familial one, and that's pedagogical.

And so, but the pedagogy and the curriculum work hand in hand. And so, you know, if you're reading about yourself and then you're, you're reading about yourself amongst, you know, your friends and you're creating this sense of community, you know, it builds upon himself almost exponentially. So, after our students demanded a class, a senior class, because they didn't want the same experience, they were watching their, the older cohort, right, and they're like they're seeing, like, them fall off the cliff again. We got a senior class and so, that one I made way more thematic. I wanted them, if they understood some of, like, they read *Zoot Suit*, they read *Always Running*, they understood, um, they read *So Far From God* from Ana Castillo. They were reading about the Chicana, Chicano, Chicanox experience. Then I wanted them to see, see if they can mirror that, they see it, you know, with other, um, struggles.

So, we would read, like, I had an awesome, I loved it, awesome rhetoric unit that had everyone from Angela Davis to, to Malcolm, to Betita Martinez, and we're looking at all these different intersections. Um, we had a hip hop unit, we did some 'teatro,' short stories. We started looking at chicanisma, feminism through the black lens, feminism through third wave feminism, as well. And so, we tried to find, I tried to find short stories that were able to show these different types of, of, of oppressions. And the cleverness of literature

usually is an author trying to show you a different way through it. And so, they were able to analyze and then create, in their own minds, in their own actions, a way to transform their own community.

**Alexis Miles:** I wish I could have taken that set of classes. So, you've used two words and I'd like you to just unpack them: intersectionality and decolonize. Could you talk more about that for people who may never have heard those words?

**Curtis Acosta:** Yeah. So, I opened my talk today, right, with the, with, with the principle, uh, the Mayan principle of In Lak'ech, which, you know, translates to 'you are my other me' or 'tu eres mi otro yo,' and we read this beautiful part of a poem by Luis Valdez, a great, uh, Chicano, California playwright about the, the idea of, of, of empathy, the idea of solidarity, the idea of being expansive and learning about somebody. Well, that's how I see it as a teacher. You are my other me. So, a lot, often times how that manifests itself in the classroom is if we're reading a, a poem that was written or a story that was written about, with a character who was, let's say, a Chicana lesbian, or through the voice of the author themselves, if, you know, a normal, natural question from some of our students, well, before No Child Left Behind, you'd hear, "Why are we reading this?" Or, like, "Why is this important to me?" And that's curiosity, and, and I think teachers should always have a, have a response for that. For us, it was In Lak'ech, because that's you other me. So you get to learn, again, deeply about somebody else. So intersectionality is, is, is crucial.

And, one of the things we had to model, me as a cis hetero, Chican-O, right, emphasis on the O is how much inauthentic, uh, unearned privilege I, I gain. And so I, we'd have to talk about that, right? And I get to talk about, you know, everything from my age 'cause I was older than them. And that has weight. My degrees have weight. My maleness and my heterosexuality have weight. And if we're about our other me's, authentically, then, and, and I know that these systems are created, with imbalance and unfairness and inequity, then, then my job is to deconstruct my own privilege. And so, we would model that in front of our students. And we didn't proselytize, right? We would just say, it would come out in the actual literature we were reading. But I also think it's super important to understand my colleagues and I, back in the day, we were, we're sticklers about reading from the actual primary documents. So, we're reading Kimberly Crenshaw with our students. We're reading Gloria Anzaldúa, because she's one of our, like, you know, intersectional sheroes, right? Um, in our Chicana community and seeing that these, how important it is to understand and have that In Lak'ech towards, hey, maybe on a level of being Mexican and in this United States and what that is. Being told you're illegal. Being told go back to where you came from when it's ahistorical and you are where you're from, also hits different when you're talking about hearing attacks on who you love.

And we, in, that doesn't jive with In Lak'ech. And so it was, it was a space of, often people critique thinking that it's talking about victimization because, just because you're studying oppression, it's anything but that. It's liberation studies. It's freedom studies. It's, it's right in line with, with the tenets of the United States. The ones we hope, we wish, or were enacted more, but there's nothing but joy in those spaces. That's some cognitive dissonance that generations of Americans who've never had ethnic studies, classes, especially framed this way, they don't understand. It just seems like, it's like counterintuitive to them, you know? That's where the, the privilege, you have to back up, close your mouth, not, not in like a, I'm not trying to say that in a, like a, um, aggressive way, but like, be quiet and, and learn and listen and then maybe, you know, and sit in that space for a while, and then maybe ask some questions. But, um, that takes actually some unlearning to even get to that point. So, that's why intersectionality was so important.

But you heard, and even in my answer, it kind of weaves together with decolonial thinking, because we were sticking to those principles of humanity, those ideas of, um, we're all related, right, the Mitakuye

Oyasin that I, I was able to learn from our Lakota brothers and sisters is very similar to In Lak'ech, very similar to other indigenous, to this, this continent ways of thinking that allowed us to ground ourselves in these principles of humanity. And so, if we ever got outside of that humanity, we're able to reel ourselves back in lovingly and push ourselves forward deeply. And, that's why reading and writing is so important, and thinking about these ideas, and having our students grow in their own intellectual capacity was so critical, and they, they got it. They, they understood that intuitively, you know. But, but you do this, you know, through journal entries and you do this through little hip hop here and there, you know, and uh, you can't get this by, by using, um, and, and I, I love preachers, but you gotta learn it yourself, right? You can't just be told it. It has to be done in a way where you're at the center and a part of it, and that's what makes it special.

I'm still, like, upset that we didn't get to do, you know, finish the job, right? Because we hadn't got to wrapping around to the body kinesthetic learning. We were under so much attack to show that our, that our academic outcomes were far surpassing anybody else in this state, and it's been in the American Educational Research Journal, highest vetted, you know, educational journal in the world. Our academic, you know, outcomes were vetted there. They were eventually vetted in court, right, at the Federal and the Ninth Circuit level. So, like, you know, we were so busy with that energy, we didn't get to use our creative energy towards, well, okay, what do we do about, like, where's the dance that could be a part of this? And so, one of the things that my, the high school I taught at, where my son is about to graduate, my oldest son's about to graduate from, so we had this emerging yoga program that was also really grounded in indigenous from, from South Asia, right? Indigenous ways of thinking and knowing. And so, our students that were taking those courses, they were being able to make those connections and you could just see that they were processing the attacks on us in so much more of a healthy way than we were, their teachers, because they were living their practice, if you will, in such a, such a beautiful way. And, and we got got before that all came to fruition.

**Sam Fuqua:** So, we have to talk about how you got got and the, uh, the backlash that occurred. Was it a change in the composition of the Tucson school board or what, what happened?

**Curtis Acosta:** That's a great question.

**Sam Fuqua:** Because you're going along having success for, for many years.

**Curtis Acosta:** Yeah, and doubted internally, um, and then, you know, in our own district, and, uh, I'll never forget the research and development folks, the folks that kind of audit courses. They don't audit a ton of courses, but they certainly audited ours. They actually apologized to our directors, because they, like, we thought this was, like, some cold, multicultural, like, feel good kind of class, but we've never seen numbers like this. And their, their analysis of our numbers weren't even as good. It didn't show the, the, the strength of the outcomes as well as more rigorous and probably more skilled, hate to talk mess about anybody, but, like, more skilled, uh, researchers down the line once we got into that, that, that deeper water of institutional battling. Really, you know, we came to, um, to light because, um, Dolores Huerta would come to Tucson almost every, every late March to honor Cesar Chavez, and she was married obviously to, um, at that time to Richard, uh, Cesar's brother. Um, and they'd come to Tucson and they, they would, they would meet with our students. They would do stuff around the community and, uh, for years and years and years. I mean...

**Sam Fuqua:** Noted leader of the Farm Workers Union.

**Curtis Acosta:** Right.

**Sam Fuqua:** Dolores Huerte.

**Curtis Acosta:** Exactly. And so we had the, the, these, these heroes, I like to say, here in town and our, and our students got to, like, touch history. Also, a woman who's very much still a part of things, right? She was, she's an amazing force herself. She came and gave a speech and, and, and our program was, was getting more and more internal, like, notoriety in Tucson, in our school district. And uh, we opened it up. We decided to open up Dolores' visit to whomever wanted to come in our school and, um, and it was packed. And at that time, that was, I don't know if you remember the 2006, there was a, a series of immigration marches because, in response to the, the Sensenbrenner bill, which was, um, in essence, a way of, like, you know, a, a, a, a national bill to quell immigration even, even further than it was to, to, to, right now. It's, still to this day, 20 years later, it's still very much, the states have the most, have, have a lot of autonomy over that. That might have changed, especially since the pandemic.

But anyway, so Dolores came to talk to our, to, to the youth and she was saying that some of the attacks through legislation on immigrants is a distraction from the war effort. And at that time in Afghanistan, and I think, believe we're still in, in, in Iraq. And so, she was, she was in, she was ramping up, and she was in her fervor, and she said Republicans hate Latinos because she was talking about, like, the, the, she made the, the connection, the genealogy, right? Like, who's whipping up this, this, this, uh, this rhetoric towards, you know, dehumanizing rhetoric, and who's also the ones that are backing this legislation, and, and then she said that phrase, "Well, that got out!" And our state superintendent at that time saw it as a political moment. And so, his name is Tom Horn. He again is our state superintendent like almost 20 years later, and he decided to use us as a political football. I do think that's his ideology. I think he's very much against the type of programs and who we are.

I really believe he, uh, likes domesticated students and submissive students. It got on Fox News, and lo and behold, they were national news, and, and then they started going, well, what, who brought them? Who brought her here? And he said a bunch of dehumanizing things about Dolores. He called her Cesar's girlfriend, so he obviously didn't even know who she was, and her importance in America, and even, it's, it's a more of a violation when you know that, that, that's like, not only she is a hero in her own right, but that's also, Cesar was her brother-in-law. So, I mean, to call her Cesar's girlfriend is even, is nasty. But these folks don't even know what they don't know. And they don't care. And, and he's very much one of those folks. So, he, along with other folks from right in this neighborhood where we're at right now in Arizona, um, a handful of legislators and, and, uh, Arizona state officials, just a handful, um, decided to attack our program through legislation. Took three different legislation attempts, they finally got it. At that time, actually, if President Obama doesn't select Janet Napolitano to be the first director of Homeland Security, we probably would have been saved because she was pretty good about, like, uh, the first legislative attempts. She's like don't even bring that to my desk. This is ridiculous. But, but she left.

**Sam Fuqua:** She was governor at the time.

**Curtis Acosta:** She was governor. She was a Democrat. And who replaced her was Jan Brewer. And, uh, very much, they used to call them tea party. Um, now I don't know what we call them. I call a lot of it white nationalism in action. Because a lot of these same politicians, we found out later, have relationships with militias and white nationalist movement here in Arizona. And they back 'em. So, that's what we got ourselves caught up in and we became like a very much a political football to be kicked around. And, we hung in there tight and sued the state because, and I make a joke all the time with teachers like, like, that's

what you do. You learn this in teacher preparation school, right? How to sue the state that's giving you the license. And so, but we knew it violated the, we knew it violated the Constitution. We lost originally. We appealed to the Ninth, the Ninth Circuit Court of Appeals in San Francisco. We won there. They remanded it down for a full trial, because everything was summary judgments between lawyers. But we had a full trial.

I was, I was the first witness, so I was one of the key witnesses. There's only two of us that were actually in the program that were witnesses, myself and Dr. Sean Arce, who's my compadre, but he was also our director at the time. And we held it down, and we did what we needed to do, and we were lucky enough to have a wonderful law firm, uh, partner up with our original lawyer, uh, Richard Martinez, who had us from the start, and, uh, we had justice and vindication all in one, one massive victory in 2017. Which is why, Sam and Alexis, this is so maddening to me to live in this moment now. Because, we won. We, we proved, like, we proved, like, all this alarmist type of language towards what teachers are doing and the, and the, the state trying to intervene with the way things are taught to that point when they don't really have any standing to do so. States do have a right to select the curriculum, but these laws actually were written with racial animus to stop a certain type of citizen, a certain type of student, youth, beyond citizen too, to hear their own history.

And so, our victory was, is a shield for all the programs that can come. The problem is when it's a legal shield, you have to go to court to use it. So, what we see is bully tactics that happened in Arizona, and so what you're, what you're going to have to see with, say, Florida, for example, or, or different parts of the country where they're banning books like they banned our books, where they're outlawing certain types of teaching, whether it's gender, sexuality, ethnicity, is you're going to have to organize and you're gonna have to fight them, and then use our legal precedent, but, but they can still abuse their power. They can still bully and, and that's the tactics that are winning the day. Even though we, in 2017, I was like we did it. And, and I thought we'd win. I really did. I mean, so many people left our, left us and said no, no chance and moved on. But we kept going five years after we lost our program. But I never, I didn't think we get vindicated. But Judge A. Wallace Tashima, in the response he, he, he listened to actually my, um, testimony. He put it in his ruling about how differently we were being treated and thus the students themselves, because the students have a right to hear this history. They have a right to hear this, this content, this curricular content. And so we had vindication.

If you would have told me like 2018, January 1, when the, when the state knew this, this state knew it couldn't appeal, they would lose. They couldn't even get it to the Supreme Court that this was a loser and they walked away. This state, this state of Arizona took their L, which is, like, unbelievable, right? It was a huge moment because I thought they'd keep fighting. I thought they'd keep losing, but they, they try to wear you out. But if you would've told me after the capitulation of the state to take its loss, that we would be talking about, like, banning critical race theory and all these other things, that, that was still prevalent, that not only, not only was alive, but prevalent to the, the, the mood of the country, I, I would've been shocked because it's antithetical to, to, to what the courts found in our case. So, this is where we are.

**Sam Fuqua:** Well, Curtis Acosta, it's a pleasure to talk with you and we hope to have you back for more insight. Thank you.

**Curtis Acosta:** Absolutely. Thank you very much.

**Alexis Miles:** Thank you, Curtis.



## PODCAST TRANSCRIPT

### S4E7: WORTH THE FIGHT WITH CURTIS ACOSTA

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