

**Q5: What is your fair share of what someone else has earned?**

John Locke once wrote to a friend, “I think I may say that of all the men we meet with, nine parts of ten are what they are, good or evil, useful or not, by their education.”<sup>1</sup> Access to an Education is a hallmark of any just society. Without a suitable education, individuals cannot properly contextualize and come to understand the world,<sup>2</sup> and are, as Rawls notes, hindered from enjoying “the culture of his society,” taking part in its affairs, and in this way developing “a secure sense of self worth.”<sup>3</sup>

We all are deserving of access to Justice in society, and the inalienable right to education it entails.<sup>4</sup> This consumed my mind as I nervously paced the Stanford Law School campus waiting to meet with my legal team. In order to understand how at just 14, I was partnering with an elite institution to expand the educational access of thousands of students, we must first take a step back and learn the stories of those who came before me. In this essay, I will explain how I came to this understanding of fairness and how I acted in light of it.

**The Story of Gonzalo Mendez**

In 1919, six-year old Gonzalo Mendez and his family emigrated from Mexico to Westminster, California.<sup>5</sup> Gonzalo attended a public school that was comprised largely of immigrant farmworkers’ children. At the Hoover School, students were not instructed in subjects like math or science; instead they were taught limited vocational skills to aid in field work.<sup>6</sup> Despite the under-resourced learning environment, Gonzalo still excelled academically and was transferred to the well-funded “white” Seventeenth Street School. Here Gonzalo’s love of learning thrived, and he maintained stellar grades.<sup>7</sup>

Although Gonzalo exhibited a keen intellect and passion for learning, the type Locke believed, “ought to be encouraged” in children,<sup>8</sup> his family faced financial hardships that forced him to abandon his education and follow his parents to work in the fields<sup>9</sup>—a recurrent theme for children of immigrant farmworkers. In fact, for many generations my own father, and “Abuelos” have worked as undocumented migrant farmworkers, and journeyed from Mexico to the western United States to toil in central California’s fertile fields near where I was raised—hoping that someday their children would have opportunities they never had. Today, I benefit from my share of what they earned.

**The Story of Felicitas Gomez:**

In 1926, 10 year-old Felicitas Gomez and her family immigrated to Arizona.<sup>10</sup> The Gomez’s, like other hispanic cotton-pickers, were subjected to harsh, unsanitary, and dangerous working conditions, as well as pervasive racial discrimination.<sup>11</sup> In response to their mistreatment, the Gomez’s protested alongside the rest of their hispanic laborer community. Together they stood outside the Arizona Cotton Growers Association offices and “asserted their rights as US citizens and laborers.”<sup>12</sup> This demand for justice left a formidable impression on young Felicitas.

Unfortunately, the discrimination continued and became intolerable for the Gomez's. Her family relocated to Orange County, California and assimilated into the large Mexican laborer community.<sup>13</sup> For the first time, Felicitas experienced a novel sense of belonging within this tightly-knit agricultural community.<sup>14</sup> Like Felicitas, I too reside in a small, supportive, hispanic Californian agricultural center.

It was on Orange County's humid fields where Felicitas's and Gonzalo's first crossed paths. In 1935, they married and continued working in the fields together for years, until they saved enough money to relocate to Santa Ana. Here, they had three children and opened a small restaurant.<sup>15</sup>

When World War Two began, the Mendez family returned to Gonzalo's hometown to care for the Munemitsu family's farm until their release from Japanese internment camps.<sup>16</sup> In Westminster, the Mendez's sent their three young children to attend the local public school that Gonzalo had once attended. However, now his children were denied entry to The Seventeenth Street School based solely on their surname and skin color.<sup>17</sup> Gonzalo and Felicitas were rightfully incensed by this brazen act of discrimination against their children.<sup>18</sup> They repeatedly sought to resolve this issue directly with the Orange County school district. First they were turned away by the school, then the school board, then they were rejected by many members of their own community.<sup>19</sup> However, their yearning for justice was not broken. Gonzalo began searching earnestly for a lawyer willing to represent his children. Meanwhile, Felicitas single-handedly ran the farm to fund their impending lawsuit whilst simultaneously organizing the local hispanic community to rally together, just as her parents taught her.<sup>20</sup>

Gonzalo hired a lawyer, David Marcus. The Mendez's came to a crossroads, they had to choose: either fight only for their children's educational justice, or to include the broader hispanic community.<sup>21</sup> Although Gonzalo never received a formal education, he nonetheless recognized his moral duty to defend not just his children's rights, but the rights of other children in his community who were all disenfranchised by the same district policy, which deemed Mexican-American students undeserving of an equal education to the white students.<sup>22</sup> With this duty in mind, Gonzalo and his attorney gathered four families from different districts to serve as additional plaintiffs on the case on behalf of "roughly 5,000 children."<sup>23</sup>

### **The Verdict**

In 1945, their case went to trial.<sup>24</sup> Seven months later, Judge McCormick ruled in favor of the Mendez's and the plaintiffs. The districts still refused to concede, and instead doubled-down by appealing the ruling in a desperate effort to preserve their discriminatory policy.<sup>25</sup>

In 1947, the appellate court ultimately affirmed the lower court's decision, siding with the now-vindicated plaintiffs.<sup>26</sup> The Mendez family finally had resolution in knowing that their fight for educational access on behalf of the hispanic community had succeeded.

It is difficult to overstate the tremendous courage it took the Mendez family to challenge this unjust policy. They were by all accounts an ordinary family, who exceptionally recognized their moral duty towards others, and unflinchingly stood for justice. Though the family's experiences may have been arduous and filled with uncertainty, as Felicitas explained to her daughter, "it wasn't just about [her] or our family... The fight was so that *all* the kids would be treated equally"<sup>27</sup> (Emphasis added). In the end, what truly mattered to the Mendez's was advancing the common good for the hispanic community, including future students like *me*. The outcome of *Mendez v. Westminster* paved the way for *Brown v. Board of Education*, which finally ended generations of *De Jure* race-based educational discrimination in America.<sup>28</sup> Because of the Mendez's and their allies work, now I, and millions of other Americans have an expanded access to an education.<sup>29</sup>

### My Story

I was born in 2010 to a (previously undocumented) immigrant father, like Gonzalo. And just as young Felicitas's socially conscious parents exposed her to the injustices of America, so did mine. I was taught from an early age to understand America's complicated and sorrowful history, to care deeply for those around me, and, most importantly, to appreciate the fundamental value of education.

In America, Individualized Education Plans (IEPs) and 504's are legally enforceable learning plans that formalize and provide services to children with special learning needs.<sup>30</sup> These needs can range from a student with diabetes that needs to leave class on a scheduled basis for their injections,<sup>31</sup> to 1:1 teaching for students with severe learning disabilities. In my case, I was in my district's gifted program, and also had an IEP to address a speech impediment.

In 8th grade, I applied to my district's public competitive high school, Gilroy Early College Academy (GECA), ranked 86th in America.<sup>32</sup> However, instead of being able to apply to GECA normally like most students in the district, I was required to fulfill extra, unlawful, burdensome measures simply because I was on an IEP. This policy illegally required all students on special education plans (IEPs and 504s) to complete extra steps when applying, such as disclosing confidential health information, and calling a "transition meeting" in order to get "confirmation" GECA would be an appropriate placement.<sup>33</sup>

After encountering this blatantly discriminatory policy, I felt the same surge of righteous indignation that Gonzalo and Felicitas once experienced. These discriminatory policies created a chilling effect: of the 290 students enrolled at GECA, only three were special education students (See Table 1). This means that it is statistically harder for a student with disabilities in my district to get into GECA, then for a typical Oxford or Princeton applicant to be accepted into either school.<sup>34,35</sup>

### Table 1

*Enrollment Figures For GECA compared to Gilroy Unified School District as a whole*

School Year	Number of Special Education Students at GECA	Total Enrollment, GECA	Percentage of Special Education Students at GECA	Percentage of Special Education Students in Gilroy Unified	Total Enrollment, Gilroy Unified	Percentage of Special Education Students in GUSD
<b>2023-24</b>	3	290	1%	1475	10794	13.6%
<b>2022-23</b>	2	279	0.7%	1483	10972	13.5%
<b>2021-22</b>	2	298	0.7%	1509	11164	13.5%

Source: Koski, W. & Trillin A. (2024, November 7) *Re: Request to Rescind GECA's Admissions Policy for Students with Disabilities* [Letter on Behalf of Author to Principal of GECA & Gilroy Unified School District] Mills Legal Clinic, Youth and Education Law Project, Stanford Law School, Palo Alto CA, United States.

Like Gonzalo and Felicitas before me, I could either accept an unjust policy, or choose to challenge it—not just for myself, but also on behalf all of my friends and classmates with disabilities who were discriminated against, and therefore deprived of the fundamental good of education.

In thinking about the issue and what to do, I was helped by taking Prof. Michael Sandel's Harvard Course, "Justice."<sup>36</sup> In this course, I was invited to consider whether Utilitarianism's maxim of delivering the greatest good for the greatest number was incompatible with the idea of human rights,<sup>37</sup> and whether Locke's state of nature was an accurate depiction of the formation of societies.<sup>38</sup> Rawls's ideas about justice as fairness, especially his difference principle, resonated with me most. The difference principle tells us that fair distribution requires us to focus on the well-being of the least advantaged group. Education, I thought, must be structured for the "least favored" (students with disabilities) to have extra resources in school, stipulating that a gifted program should only exist if it would be to the "least favored's" long term benefit.<sup>3940</sup>

Instead of submitting to GECA's policy, I chose to apply what I learned from the course,<sup>41</sup> and to apply to GECA while refusing to submit to their illegal requirements for students with disabilities. I partnered with Stanford Law School in order to challenge the policy directly—which brings this narrative full circle, and explains how I found myself nervously pacing Stanford's campus. This approach was extraordinarily risky: by choosing to challenge the policy, I jeopardized my own education. If I was rejected from GECA, instead of being prepared for college, I would be forced to attend my district's version of Gonzalo's "Hoover School", which focused on teaching students vocational skills to aid in field work.<sup>42</sup>

During my challenge to GECA, I underwent, just like Gonzalo and Felicitas, an arduous period of uncertainty. I had to balance school work, friendships, high school applications, and legal-strategy meetings.

Fortunately, GECA not only removed their unlawful requirements, but went so far as to “applaud” our “advocacy work...promoting the civil rights of all students.”<sup>43</sup> Just as the Mendez’s had once done for me, I expanded the educational access of thousands of future students with disabilities.<sup>44</sup>

### **My Next Chapter:**

My fair share of what someone else has earned is access to education. That access was the product of courageous advocacy of Gonzalo and Felicitas Mendez, who demanded educational justice for the hispanic community, by my Father and “Abuelos” who toiled in the fields for generations to expand their children’s opportunities. I was helped in understanding my fair share, by Rawls, who laid the philosophical framework that I adhere to, by my mentor Prof. Cohen, who provided me invaluable guidance,<sup>45</sup> and by countless others. By working with Stanford, I was able to secure that fair share for me and others, just as many others did for me, and why I now have the opportunity to attend the oldest college preparatory school in America, Phillips Academy Andover.<sup>46</sup> Attending Andover is an immense privilege that represents the cumulative effect of generations long progress. Because I will attend this remarkable institution, I now have an even greater moral duty towards others. So as Rawls wrote, I “may gain from [my] good fortune only on terms that improve the situation of those who have lost out.”<sup>47</sup>

**Endnotes**

<sup>1</sup> Locke, J. (1938). Some Thoughts Concerning Education. In *English Philosophers of the Seventeenth and Eighteenth Centuries* (Registered Edition, Vol. 37, Ser. Harvard Classics, pp.9–9). Essay, P. F. Collier & Son Corporation.

<sup>2</sup> *Ibid.*

<sup>3</sup> Rawls, J. (1999). In *A Theory of Justice (Revised Edition)* (pp. 87–87). Essay, Belknap Press.

<sup>4</sup> Rawls, J. (1999). In *A Theory of Justice (Revised Edition)* (pp.3-3). Essay, Belknap Press.

Rawls's expressing that: "Justice is the first virtue of social institutions," as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust."

<sup>5</sup> Hurtado, Melissa. "Unveiling Justice: The Mendez Family's Fight for Education Equality and Lasting Legacy (U.S. National Park Service)." National Parks Service, September 13, 2023. <https://www.nps.gov/articles/000/unveiling-justice-the-mendez-family-s-fight-for-education-equality-and-lasting-legacy.htm>

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> Locke, J. (1938). Some Thoughts Concerning Education. In *English Philosophers of the Seventeenth and Eighteenth Centuries* (Registered Edition, Vol. 37, Ser. Harvard Classics, pp. 104–104). Essay, P. F. Collier & Son Corporation.

<sup>9</sup> Hurtado, Melissa. "Unveiling Justice: The Mendez Family's Fight for Education Equality and Lasting Legacy (U.S. National Park Service)." National Parks Service, September 13, 2023. <https://www.nps.gov/articles/000/unveiling-justice-the-mendez-family-s-fight-for-education-equality-and-lasting-legacy.htm>.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> Jauregui, Eddie A., and Barbara A. Martinez. "Mendez v. Westminster: The Mexican-American Fight for School Integration and Social Equality Pre-Brown v. Board of Education." Federal Bar Association, June 16, 2021. <https://www.fedbar.org/blog/mendez-v-westminster-the-mexican-american-fight-for-school-integration-and-social-equality-pre-brown-v-board-of-education#:~:text=The%20petition%2C%20notably%2C%20did%20not,said%2C%20not%20race%20or%20ethnicity.>

<sup>19</sup> Hurtado, Melissa. “Unveiling Justice: The Mendez Family’s Fight for Education Equality and Lasting Legacy (U.S. National Park Service).” National Parks Service, September 13, 2023. <https://www.nps.gov/articles/000/unveiling-justice-the-mendez-family-s-fight-for-education-equality-and-lasting-legacy.htm>.

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*

<sup>27</sup> Reyes, Raul A. “A Latino Family Paved the Way for School Desegregation. It’s Still ‘unknown’ History.” NBCNews.com, September 20, 2021. <https://www.nbcnews.com/news/latino/latino-family-sylvia-mendez-pivotal-desegregation-fight-rcna2068>.

<sup>28</sup> Jauregui, Eddie A., and Barbara A. Martinez. “Mendez v. Westminster: The Mexican-American Fight for School Integration and Social Equality Pre-Brown v. Board of Education.” Federal Bar Association, June 16, 2021. <https://www.fedbar.org/blog/mendez-v-westminster-the-mexican-american-fight-for-school-integration-and-social-equality-pre-brown-v-board-of-education#:~:text=The%20petition%2C%20notably%2C%20did%20not,said%2C%20not%20race%20or%20ethnicity>.

<sup>29</sup> *Ibid.*

<sup>30</sup> Schultz, Sharon. “Differences between a 504 Plan and an Individualized Education Program (IEP).” National Education Society, 2022. <https://www.nea.org/professional-excellence/student-engagement/tools-tips/differences-between-504-plan-and-individualized-education-program-iep>. Also see <https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/section-504-rehabilitation-act-of-1973> for legal basis.

<sup>31</sup> *Ibid.*

<sup>32</sup> “Overview of Dr. T.J. Owens Gilroy Early College Academy.” U.S. News. Accessed July 21, 2025. <https://www.usnews.com/education/best-high-schools/california/districts/gilroy-unified-school-district/dr-t-j-owens-gilroy-early-college-academy-2271>.

<sup>33</sup> This was GECA’s prior admissions policy which has since been changed due to my legal challenge.

<sup>34</sup> Details that over 23,000 undergraduate students applied, and 3,300 applicants were accepted: “Admissions Statistics.” University of Oxford. Accessed July 21, 2025. <https://www.ox.ac.uk/about/facts-and-figures/admissions-statistics>.

<sup>35</sup> “Princeton University Admission Statistics.” U.S. News . Accessed July 21, 2025. <https://www.usnews.com/best-colleges/princeton-university-2627/applying>.

<sup>36</sup> “Ten Pillars of The John Locke Institute.” John Locke Institute. Accessed July 21, 2025. <https://www.johnlockeinstitute.com/our-principles>.

<sup>37</sup> “Justice.” Harvard University, January 16, 2025. <https://pll.harvard.edu/course/justice>.

<sup>38</sup> *Ibid.*

<sup>39</sup> Rawls, J. (1999). In *A Theory of Justice (Revised Edition)* (pp. 87-87). Essay, Belknap Press.

<sup>40</sup> For more information See: Beattie, Catherine. "Rawls and the Distribution of Education." *Canadian Journal of Education / Revue Canadienne de l'éducation* 7, no. 3 (1982): 39–50. <https://doi.org/10.2307/1494694>.

<sup>41</sup> "Justice." Harvard University, January 16, 2025. <https://pll.harvard.edu/course/justice>.

<sup>42</sup> Gilroy High School's: Future Farmers of America: <https://gilroyhs.gilroyunified.org/our-school/ag-program-ffa#:~:text=Gilroy High's Agriculture Program/FFA,business and technology of agriculture>.

<sup>43</sup> Letter from GUSD to YELP accepting our demands.

<sup>44</sup> This calculation is based on Table 1.

<sup>45</sup> Professor Joshua Cohen is a Marta Sutton Weeks Professor of Ethics in Society and Professor of Philosophy and of Law, Emeritus who has mentored me and acts as the referee of this essay.

<sup>46</sup> Phillips Academy's website: <https://www.andover.edu/>

<sup>47</sup> Rawls, J. (1999). In *A Theory of Justice (Revised Edition)* (pp. 87–87). Essay, Belknap Press.