

PURE Testimony on the Modified Desegregation Consent Decree

May 2006

The federal court hearing on the Modified Desegregation Consent Decree scheduled for Monday, May 15, 2006 at 1:00 PM in the courtroom of Chief Judge Kocoras, Federal Plaza, 219 S. Dearborn, Chicago, was cancelled by Judge Kocoras because the parties reached a settlement. This is the full testimony PURE prepared; the judge only allowed 2 pages to be submitted.

Testimony by Wanda Hopkins, Parents United for Responsible Education (PURE)

PURE is here to say that discrimination and segregation are alive and well in the Chicago Public Schools. We oppose the lifting of the Desegregation Consent Decree in the strongest possible terms. In fact, the lives of our most vulnerable children depend on continuing this order. 25 years after the original decree was imposed, Chicago continues to take even the little money and support meant for the poorest of our children, giving it to the most advantaged.

Personal experience

I know what I am talking about. The Rev. Jesse Jackson and Oprah might have shown the world the difference between a high school in Naperville and Harper High School in the Chicago Public Schools (CPS). It looked like the difference between heaven and hell.

But those shocking differences exist within CPS, too, not just between Chicago and the suburbs, and the differences are created using the desegregation money that is supposed to help level the playing field.

My three oldest children attended neighborhood public schools in Cabrini Green. My youngest daughter attends a magnet school. She is in first grade. The difference between these schools is also shocking. Despite being a school activist in Chicago for over 30 years, I have NEVER seen a school like this magnet school. It is wonderful - I'm so blessed to have her there and she is doing well. But my eyes are now opened to the system where affluent and middle class families within Chicago can send their children to wonderful schools and the poor children are given the crumbs off the table.

At the magnet school, my daughter is already learning a foreign language. There are three adults in every class room. There is a separate art lab, music lab, computer lab, and science lab. We parents sign a contract that we will work with our child at home every day, and the school provides all the materials we need to do that. This school receives over \$1400 per child in

desegregation funds, yet the poverty rate was well below the Chicago average and there was not even ONE black child in the third grade last year, according to the 2005 school report card.

My daughter's school looks beautiful and is in excellent repair. Compare that with the typical neighborhood school such as the one where I serve as an LSC community member, Leslie Lewis Elementary. That school is overcrowded. Any labs we might have can't be used as labs because every room must be used for a classroom. Right now we have broken windows that have been broken for over a year. The gymnasium roof needs a major renovation. The lunchroom is too small to serve all the children. That's a problem across the system, but the magnet school my child attends has an adequate lunchroom, and any time that school needs a repair, someone comes out right away.

How is that difference in service and resources supposed to help end segregation and unfair treatment of minorities?

Lewis receives no desegregation funds. We have Title 1 funds and we have SGSA or State Chapter 1 funds. For the last ten years CPS has frozen SGSA funds which follow the child based on poverty. The SGSA formula is about \$700 per child. Remember, my child's magnet school with only 40% low-income children gets over \$1400 per child, or twice as much money, in desegregation funds.

***Catalyst* analysis shows systemwide inequities**

A February, 2005 analysis by *Catalyst* Magazine supports my personal experience. "From the perspective of student-based budgeting, schools with the fewest poor students and schools with selective enrollments have padded budgets. At the other end of the funding scale, large and overcrowded schools, many of which are mostly Latino, are likely to be shortchanged.

***Catalyst* found that schools with the fewest poor students are likely to get more funding than the district average (emphasis added).** Roza notes this finding indicates that federal and state poverty funds are not giving schools with more poor students a clear financial advantage—a violation of federal law.... (S)elective enrollment and magnet schools are also likely to get more funding. Almost half of the schools with more students from middle-income families are either selective or magnet schools, compared to only 10 percent in the schools with higher concentrations of poverty. Selective and magnet schools typically offer a suite of special classes that tend to attract a diverse—and often wealthier—set of students. This relatively small group of schools also gets nearly a third of the \$60 million for desegregation programs that was analyzed by

Catalyst. At the opposite end of the scale are large and overcrowded schools, which are likely to receive less district funding per pupil. Many of these schools are predominately Latino.”

Concerns about selective enrollment high schools

There are also major, race-related differences among even the selective enrollment high schools (SEHS). First of all, white students are over-represented and African-American and Latino students are under-represented in these schools (white enrollment overall CPS 8%, SEHS 23%; African-American overall CPS 49%, SEHS 38%; Latino overall CPS 38%, SEHS 22% - data from *Chicago Magazine*, May 2006).

There is also both anecdotal and data evidence that the schools that serve significant numbers of white and middle-to-high income students are better equipped and supported than those in low-income communities.

PURE has heard from many parents concerned about the differences they see. Cathy Smith-Dale is a parent LSC member from Martin Luther King, Jr. College Prep, which is 91.3% African-American and 52.3% low-income. Ms. Dale testified many times at the Board of Education about the lack of resources and broken promises that school has suffered. At the January 2005 School Board meeting, she stated, “My son is a junior and he has not had the opportunity to have a relationship with IIT,” as the school had promised. Smith-Dale told the board. “King promised that students would have one-on-one [mentoring] with an architect, and it has not manifested.”

According to *Catalyst* magazine, “While King’s specialty programs never lived up to expectations, more importantly—especially for students’ college prospects—neither did its academics. Last year, fewer than half of students met state testing standards. Enrollment in Advanced Placement courses, a key measure of academic rigor, is only 6 percent; the school currently offers only three AP courses, according to 2005 statistics: biology, chemistry and U.S. government and politics. The 2005 schoolwide ACT score was 19—too low for most competitive colleges” (*Catalyst Magazine*, February 2006).

In contrast to King High School, North Side College Prep is 41% white, 29% Asian, 22% Latino, 7% African-American, and 30% low-income.

Unlike the bumps and starts King College Prep experienced, Northside Prep had a veritable banquet of high-quality programs from the day it opened. Its original brochure boasted of the

school's offerings of six world languages, Integrated Math, Accelerated Science, a new Adventure

Ed. course using "fitness and team-building activities in a supportive environment," Orchestra, Chorus, Painting, Drawing, Sculpture, Pottery and Print Making, many Advanced Placement courses, a Colloquium program which "allows students to investigate areas that are not connected with traditional curriculum...designed to promote in-depth investigation into various aspects of learning, and the Center for Arts and Humanities, which "presents established teaching artists from the Chicago area to the school community to provide a full spectrum of artistic and humanistic fields and disciplines." The school also lists 32 extracurricular clubs such as Equestrian Club, Horticultural Club, and Greek Club and teams "in most sports offered by the Chicago Public Schools' Athletic Association."

Northside students themselves recognize the inequities. To their credit, they carried out a successful book drive two years ago to collect books for the library at Vaughn Occupational High School, having learned how few books that school had. Vaughn is a Chicago Public High School designed to serve disabled students.

Race-based inequity pervades the entire selective high school system. The "haves" are all located in the predominantly white north and central areas (Lane, Payton, Northside, Jones, Young); the "have nots" are all on the predominantly African-American south side (King, Brooks, Lindblom). And the impoverished, majority-minority west side, where I live, has no selective enrollment high school at all.

History of broken promises at Brooks

"Chanting 'Be honest, keep your promise,' about 70 students from Brooks College Prep on Friday demanded the same facilities provided at Northside College Prep -- a pool, an auditorium, a full-sized gym and a fine arts space. At the downtown rally, students said former Chicago Public Schools CEO Paul Vallas promised them those facilities, pegged at about \$20 million, back in 1998 but the school at 250 E. 111th St. has yet to receive them" (*Chicago Sun-Times*, April 1, 2006). The enrollment at Brooks is 3% white, 77% African-American, 17% Latino and 66% low-income).

Meanwhile, renovations at Jones College Prep in the South Loop (26% white, 25% African-American, 30% Hispanic and 55% low-income) seem to be on track.

A recent article in *Chicago Magazine* (“Head of the Class,” May 2006) lays out the disparities among Chicago’s selective enrollment high schools in even more detail (copy attached).

Selection process secretive

The selection process for all the magnet programs is easy to manipulate because it is so secretive, and none more secretive than the one for selective enrollment high schools. The criteria has changed several times since the program began. For parents and students, the process is now a frustrating combination of guesswork, betting the odds, and, for some, prayer. The reliance on standardized tests scores disproportionately disadvantages African-American and Latino students who historically score lower on such exams. Studies show that some standardized tests are designed in a way that disadvantages African-American and Latino students. Questions these students can answer are often rejected by the test makers while questions white students can answer are included.

Using scores on a set of standardized tests to make important decisions that affect both children and adults does a disservice to everyone. Tests are wrong too many times, and test-focused policies simply hurt children, as we have seen over the past several years of high-stakes testing and retention in Chicago. PURE filed a complaint with the Office for Civil Rights in 1999 charging that the Chicago Public Schools (CPS) standardized test-based promotion policy discriminated against and harmed African-American and Latino students. Resolution of our complaint led to the addition of other measures to the student promotion policy. Unfortunately, because of the secrecy of the selection process for selective enrollment schools, we can’t judge whether true multiple measures which are fairer to minority students are being used in this process.

CPS can’t be trusted

The most important reason not to lift this desegregation decree is that CPS has a history of saying they will comply – “Trust us” – and then going off and doing whatever they want.

A small example: even while this case was on the front burner, CPS played games with the Options application books. The application period for CPS magnet schools ends December 16, and this may have been the most secretive process yet. Parent access to the Options for Knowledge booklets was severely restricted by the small number printed and distributed, and the lack of Spanish and other language translations. In the past, PURE could always count on getting a couple of hundred Options books in English and Spanish to distribute to parents. This year we were told

that was not possible. What was behind this change? CPS's choice seemed to be blatant self-promotion over public access. The elementary school "CPS Choice" book rivaled the Abercrombie and Fitch catalog in its gloss and pretension. Printed on non-standard 11x14 inch paper, weighing in at over 2 pounds and 338 pages, the book is designed more as a showpiece for city politicians than a resource for families. At first when we asked when a Spanish-language version would become available, we were told that there were no plans for translations, that they had gone over the budget as it is with the English book. School counselors were sent a box of about a dozen books to hand out at their discretion. The average parent was been left in the dark.

A few days after we reported this situation to the Department of Justice, a booklet listing all the magnet programs in English was posted on the CPS web site, though even that was not easy to find. Eventually copies of this list in English and Spanish started showing up in the schools.

Keep in mind that the system has several other orders it must comply with right now concerning its violations of the McKinney Act (Homeless Children) and IDEA (Children with Disabilities).

Lack of compliance with Noyola agreement

In 2001 PURE settled our "Noyola v Chicago Board of Education " case on the misuse of State Chapter 1 funds with CPS. Much like the modified consent decrees, the terms called for reporting and training. While CPS has complied in part, they have failed to comply with certain of these agreements.

Specifically, CPS agreed to provide annual expenditure reports to each school for its State Chapter 1 (SGSA) funds; this has not been done.

In addition, CPS agreed to provide all schools with a list of all of the supplemental programs which CPS provides – these are programs provided to select schools. Again, this has not been done. In a subsequent meeting, then-General Counsel for the Chicago Board Ruth Moscovitch committed to adding the SGSA figures to the chart created to comply with this case, specifically this report:

Elementary - Per pupil education spending

http://www.cps.k12.il.us/AboutCPS/deseg_reports/Elem_PerPupil_Educ_Spending.pdf

and this report: High School - perpupil education spending.

http://www.cps.k12.il.us/AboutCPS/deseg_reports/HS_PerPupil_Educ_Spending.pdf

Despite this agreement, SGSA allocations were never added to these charts, which are now over 2

years old.

PURE's Recommendations:

1) Do not lift this Modified Consent Decree. CPS has not shown that segregation and inequity are a thing of the past, even "to the extent practicable".

2) Until CPS is able to prove to the satisfaction of the court and the public that African-American and Latino students compared with white students:

- ▶ receive their equal share of resources
- ▶ receive all the compensatory funds they are entitled to
- ▶ are not unfairly disciplined or improperly pushed out of school
- ▶ attend safe, clean, well-equipped schools in good repair and with adequate space
- ▶ are taught by highly-qualified teachers and
- ▶ are assessed using sound, multiple measures including assessments for selective enrollment

this Modified Consent Decree must remain in effect.

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