the ct mirror

DO MAGNET SCHOOLS NEED WHITE STUDENTS TO BE GREAT?

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October 15, 2018

LaShawn Robinson's teenage son wasn't being challenged at school and it was clear it was only a matter of time before he would drop out. She needed for him to finally win a seat in one of the nearby high-performing magnet schools.

Desperate, she picked up the phone and called the University High School of Science and Engineering where her son Jerod was first in line on the school's wait list for a seat.

LaShawn Robinson *CTMIRROR.ORG*

"How is he number one and never got picked?" the Hartford mom remembers asking. "I was told, 'Well, white kids from the suburbs have to apply for him to get in.'… My son was crushed."

More minority students from the neighborhood couldn't be let in because the school has to be integrated, meaning no more than three out of every four students could be black or Hispanic.

That's because University High is part of a network of 40-plus themed magnet schools in the Hartford region that were designed to lure white, middle-class children to voluntarily enroll in schools with city youth. The schools were opened after the Connecticut Supreme Court found 22 year ago in the landmark Sheff vs. O'Neill case that poor and minority students in Hartford "suffer daily" from inequities caused by severe racial and economic isolation.

On Tuesday, a federal judge in Bridgeport will hear arguments from lawyers who represent parents like Robinson who believe the state's lottery is enforcing discriminatory racial quotas because it is designed to limit black and Hispanic enrollment to 75 percent of a magnet school's enrollment. The federal court will consider whether to dismiss the case, leaving it to the state courts to decide.

The state case is occurring in the context of increased scrutiny by the Trump administration and other conservative groups over race-based admission policies for schools and colleges. Last month, the U.S. Justice and Education Departments launched a civil rights investigation to determine whether Yale's affirmative action admissions policies discriminate against white and Asian students. In a similar lawsuit at Harvard, the administration supported Asian students challenging the univeristy's affirmative action policies.

In the Hartford case, a difference in philosophies about whether segregation contributes to poor educational outcomes divides parents, educators and lawmakers.

While the bulk of the region's magnet schools have no problem attracting enough white students from the suburbs to go to school with city kids, some struggle. This means seats in some schools are left open to maintain diversity – a reality that is causing a rift among neighbors about what should happen next.

"Why don't they offer those seats to some of the kids in the neighborhood? Because they think it would make the schools fail," said Robinson, who has five children, two of whom have never won the school choice lottery. "I don't believe that. That's discrimination to say, 'Oh, we can't have too many kids with special needs. We can't have too many kids who are English language learners because that will mess up the whole school. That's not fair.

"There are children waiting, hungry to learn. Just let them in. Give them a chance," she said. But doing so could overwhelm teachers and staff, since it would be difficult for them to address so many needs successfully, advocates of desegregated schools say.

“You have to understand what makes it a high-performing school,” said Shontá Browdy, a parent of two students in magnet schools, member of the Hartford Board of Education, and education committee chairwoman of the Greater Hartford NAACP. “If you open the seats, it’s not going to be the same school. I am just going to be honest. I am never going to pretend like our Hartford schools – because of poverty – don’t struggle. Other schools just don’t. A magnet school does not face those same set of issues.”

In Hartford, three out of every four students come from a low-income family and receives free school meals. For a single mom, that’s less than $21,400 a year in annual income. One out of every forty students are homeless. One out of every five speak and understand limited English.

A remarkably different student population attend the magnet schools, and better reflect the state’s school-aged population. One out of every 250 students attending magnets operated by the Capitol Region Education Council (CREC) are homeless. Half come from a low-income family and one-in-18 are English language learners.

The wealth of the families living in a particular school district is extremely important in Connecticut since local taxpayers pick up the majority of the costs to operate public schools. Connecticut relies more on local taxpayers to pay for public K-12 schools than 43 other states, federal data show.

The outcomes of these high-need students are starkly different, depending if they enroll in a magnet or the neighborhood school they are zoned to attend. Just 20 percent of Hartford’s students from low-income homes reached grade-level on the state’s standardized English test last year – compared to 35 percent in CREC’s magnet schools. Statewide, 35 percent of students were at grade level in reading and writing.

Shontá Browdy, a member of the Hartford Board of Eduction, and mom of magnet school students.

More than half of Hartford’s students are multiple grades behind.

The state each year sets growth targets that students must achieve if they are to reach grade level in a few years. In Hartford, 30 percent of students from poor homes reached their target for reading and writing, compared to 36 percent in the magnet schools.

Courts to decide next steps

Whatever the federal court decides, it could have a far-reaching impact. In Connecticut, there are many other regional magnet schools located outside the Hartford area that enroll thousands of students and are funded by the state in the Bridgeport, New Haven, New London, Stamford, Waterbury and other regions. State law also requires they enroll no more than 75 percent black and Hispanic students.

State officials questioned how much diversity these schools need to succeed, and asked a state judge last Spring to allow them to fill some of the empty seats with black and Hispanic city children eager to attend when not enough white students enroll.

Under the rules worked out for implementing the Sheff decision, 75 percent minority enrollment has been the upper limit allowed for a school to be deemed desegregated. The state wanted to raise the limit to 80 percent, but Hartford Superior Court Judge Marshall Berger rejected that request.

“Further isolation – particularly, without any defined plan for the future – constitutes irreparable harm for which there is no adequate remedy at law. Furthermore, equity cannot favor more segregation,” Berger ruled.

Robinson and other Hartford families who are disheartened by a school choice system that doesn’t have enough seats in high-quality schools and is leaving seats empty, are looking for the federal courts to mandate a color-blind lottery. “There shouldn’t be a cap. It shouldn’t be, ‘They all have special needs so we can’t let them in. Our kids can learn,” said Robinson.

“I think that education should be the same for everyone, with race and color not mattering,” Natalie Delgado, who lives in the South End of Hartford, said in Spanish. “My annoyance is that why is there a division of race? We have the right to a good education for our children.”

Natalie Delgado with her two daughters, Ivaneliz and Dianeliz Manon.

There were 6,513 Hartford black and Hispanic students – 31 percent of city students – who attended integrated magnet schools with thousands of suburban students last school year.

The chances are better for Hartford youths to win the lottery, since at least half the new students enrolling in a magnet school each year must attend them by state law. Forty-nine percent of the 5,900 city youth vying for a seat won one last year, compared with 36 percent of the 13,248 suburban students who entered the lottery, a review of state data by The CT Mirror shows.

While Hartford residents accounted for 30 percent of lottery applicants, 38 percent of the available seats were offered to city children.

Delgado moved to the city from Puerto Rico three years ago because of her health issues and because her daughters, who were in second and third grade, were struggling to learn to read.

In Hartford schools, she said her children were bullied, resulting in "issues that affected them emotionally and kept them from sleeping. And the public school system didn't offer me any help for my daughters." She doesn't believe the magnet schools they attend this year will suffer if more minorities are allowed to enroll.

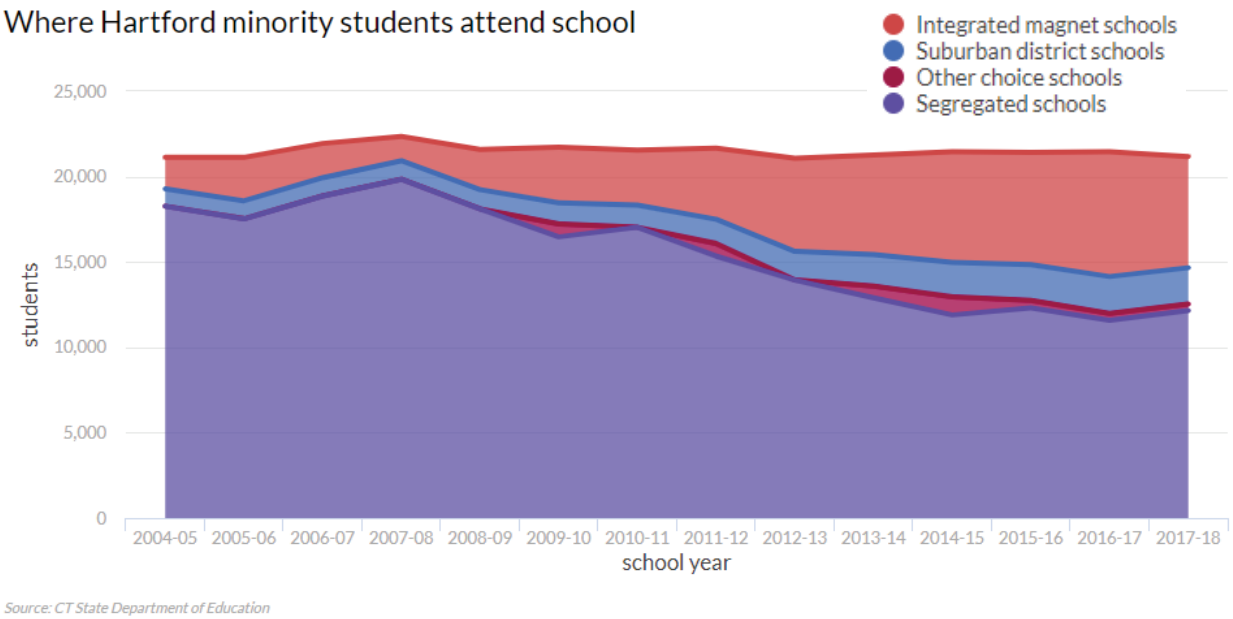
The Pacific Legal Foundation, which is representing the Hartford families for free in the Robinson vs. Wentzell case, has argued against affirmative action in lawsuits across the country.

"The point that we are trying to make is that the government should not be discriminating on the basis of race," Wen Fa, an attorney with the Pacific Legal Foundation, said during an interview about the Hartford case. "I think a world-class school that is 100 percent black or Hispanic would still be a world-class school. Frankly, it's appalling for people to suggest otherwise. "… I think our clients would thrive in these magnet schools just like everybody else is thriving. At the very least, they should get the opportunity to show they can thrive in these magnet schools."

But **lawyers from the NAACP Legal Defense Fund, the ACLU, and the Center for Children's Advocacy say that if the federal courts bar the state from conducting a lottery that is tailored to enroll no more than 75 percent black and Hispanic students in a school, the schools would cease to be diverse.**

That, in turn, means the state Supreme Court's order to desegregate schools would be almost impossible to accomplish.

"They just want to destroy what we have and move on to another state," Cara McClellan, a NAACP attorney representing the Sheff plaintiffs. "This



Source: CT State Department of Education

case is a threat for our country. Pacific Legal Foundation would have us just stick our heads in the sand and say, 'These things will work themselves out'."

"These schools are quality, integrated schools which makes them successful. There is a multitude of research to show that," said Martha Stone, the executive director of the Center for Children's Advocacy.

Student segregation is a national trend, but Connecticut is somewhat ahead of the pack. Connecticut is in 13th place in the U.S. for the segregation of its Hispanic students and in 14th place for segregation of black students in public schools, according to a 2016 report by the UCLA's Civil Rights Project. The center reports that this segregation often coincides with the segregation of students from poor families.

A national report by the Brookings Institution, a liberal think tank, ranked Connecticut among the worst in 2012 for its housing, zoning and school assignment policies.Among the 100 largest metropolitan areas in the country, the school districts in the Bridgeport region had the largest gap in test scores between low-income students and their better-off peers, the Brookings report found. The Hartford region had the second largest and New Haven the fourth.

If not diversity, then what makes magnets better?

The talking point regularly recited to explain why magnet schools are outperforming the neighborhood schools is that they get more money than Hartford. But it's not accurate.

During the 2016-17 school year, Hartford spent $19,140 per student on average compared to $16,397 for CREC. Hartford's figures are an approximation since the district still gets the per-student funding from the state's Education Cost Sharing grant even when a student leaves the district to enroll in a magnet school. Also, Hartford is responsible for picking up the special education costs for city students attending magnet schools that require special supports.

Those factors aside, state funding is set up so that money is funneled to the most needy students, so it is not surprising that Hartford would be spending more per-student.

Asked what makes the magnet schools so great if it's not their diversity, Fa – the attorney with the Pacific Legal Foundation – said it's a host of things.

"It's funding. It's world class facilities. World class teachers. It's the ability to have a more flexible curriculum in some cases," he said.

The state has spent billions building new school facilities to lure suburban students. The state also has spent billions building new schools in Hartford and other struggling cities.

The 75-25 ratio target is not the only thing preventing some of the 42 magnet schools from accepting more black or Hispanic Hartford students. That's because Gov. Dannel P. Malloy's administration has capped the number of student seats it will fund and is unwilling to open any additional schools to meet the demand.

That lack of available seats means students are left waiting.

Jerod – Robinson's son who was struggling in school – has since dropped out of Hartford High School. He now participates in an adult education program.