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Contact:

Barb Grimaldi, Public Interest Law Center, 267.546.1304, bgrimaldi@pilcop.org
Tina Lawson, Concerned African American Parents, 215.327.7822

Parents ask U.S. Department of Education to investigate Upper Dublin School District's discriminatory practices against black students

Upper Dublin, Pa. – In a complaint filed today with the U.S. Department of Education, a group of African American parents in Upper Dublin contends that the local school district uses discriminatory practices that result in higher out-of-school suspension rates for black students and disproportionately place black students in lower level curricular programs. Concerned African American Parents (CAAP) alleges the district is violating Title VI of the Civil Rights Act and asks the Department to conduct a full investigation and require remedy of the problems. CAAP has also filed its complaint with the Pennsylvania Human Relations Commission.

According to the complaint, during the 2014-2015 school year, while just 7.3% of students in Upper Dublin School District were black, nearly 45% of out-of-school suspensions were issued to black students. Similarly in the preceding three years, black students received a disproportionately high share of the total number of out-of-school suspensions, from 48% in 2013-2014 to 63% in 2012-2013.

“The district’s policies have serious, immediate consequences for our children,” said Dawn Kelley, a leading member of CAAP, which has been working to eliminate the racial achievement gap in the district since 2008. “Higher suspension rates are putting black students at a severe disadvantage when it comes to college and career prospects.”

In addition, Upper Dublin disproportionately places black students into lowest-track courses, and places very few black students into gifted programming. Data obtained by CAAP demonstrates these disparities. In all four of the district’s elementary schools in 2014-2015, zero black students were in gifted education. Similarly at the middle school level, of the forty-two sixth-graders in gifted education, zero were black. Research shows that placement in a low-track course at the start of middle school typically means that the student will remain in low-track courses in that subject through high school, and will be at a greater disadvantage when it comes to competitively applying for college.

Damian (name changed for privacy) is an African American student in the district. During eighth grade, he maintained an A in his social studies class, but his teacher decided not to recommend him for an honors-level, ninth grade history class. When Damian’s parents challenged his placement in a lower-level class, the teacher noted that he based his decision on one test on which Damian received a B. Only after repeated parental requests did the district agree to place Damian into the honors-level history class. Damian did well in the honors-level class and is now in an Advanced Placement history class.

“The district’s practices reflect a national trend of excluding African American kids from higher level courses and feeding them into lower level or even special education classes,” said Sonja Kerr, attorney with the Public Interest Law Center, which is representing CAAP. “We’re asking the Department of Education to examine this trend in Upper Dublin.” The Public Interest Law Center participates in a national, federal disproportionality task force convened by the U.S. Department of Education.

CAAP has tried to work with the district to eliminate these tracking issues; however, the district has not fulfilled its pledge to eliminate tracking, even after admitting during a public presentation in November that “tracking has minimal effects on learning outcomes and profound negative equity effects.”

CAAP believes that a full investigation by the U.S. Department of Education, which can get access to more data sources, will reveal the disparities in starker terms. CAAP is asking the Department to perform compliance reviews of the district’s disciplinary proceedings, force the district to eliminate reliance on harsh out-of-school suspension practices, abolish the curricular tracking process, and require other corrective action as warranted by the investigation.

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About Concerned African American Parents (CAAP)

CAAP is a coalition of parents joined together to promote the development of and sustenance of excellence among African-American students in UDSD. The organization’s mission is to build a bridge between UDSD and the African-American community in order to help children achieve academic excellence. CAAP works to eliminate the achievement gap in UDSD by increasing parental and community involvement in the schools, and by advocating on behalf of students.

About the Public Interest Law Center

The Public Interest Law Center uses high-impact legal strategies to improve the well-being and life prospects of vulnerable populations by ensuring they have access to fundamental resources including a high-quality public education, access to health care, employment, housing, safe and healthy neighborhoods and the right to vote. For more information visit www.pubintl.org or on Twitter @PubIntLawCtr.