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Schools Face Civil-Rights Probe

By Carol Kreck

Mar. 18, 2001 – Parents, teachers, students and leaders in Denver’s African-American community will visit neighborhoods this spring to conduct a civil rights investigation into why black students in Denver Public Schools do not perform as well as their white and Asian counterparts.

Denver lawyer Dale Sadler filed a petition last fall with the Colorado Civil Rights Commission asking it to examine why black students are not succeeding in greater numbers. The result is the broadest assessment the commission ever has undertaken.

While Denver Public Schools officials say resources are equally allocated in the schools, Sadler said that does not mean students receive equal chances.

“There’s no difference between racial profiling in law enforcement and racial profiling in education,” Sadler said. “There’s no difference between the way an officer reacts to people on the streets and how teachers react to people in the classroom.”

To see if there is indeed a problem, the Colorado Civil Rights Commission is appointing a task force that will look at possible discriminatory policies at George Washington, East, Manual and Montbello high schools. In addition to parents, students and teachers, more than a score of black organizations will participate, including the NAACP, the Urban League, the Black Chamber of Commerce, 100 Black Men, Sam Carey Bar Association and the Million Man Committee.

The task force will then gather public testimony in the neighborhoods and organize focus groups with parents, teachers and administrators.

Already the commission has posed a series of questions to DPS that the district has answered.

The first: “What data exists to indicate that African-American students at the four Denver high schools are given support to choose their career and educational endeavors?”

Each school principal responded with a list of programs. Manual had 11, including career coaches, summer internships, a college summit, a college counseling center and software to prepare students for the ACT.

Another question asked what plans were in place to address the disparity in performance of black students.

Again, schools responded individually. Montbello listed remedial classes, block scheduling to lessen student movement and plans for every student scoring at 50 percent or below on the Iowa Test of Basic Skills.

DPS interim Superintendent Bernadette Seick said that a different kind of resource should also be part of the discussion: parents. Parental involvement peaks in elementary school, she said. It drops at middle school and is “far, far too low” at the high school level.

Sadler said he’s been thinking about ways to address educational disparities for a long time. Two years ago, he took a trip to Milwaukee with a delegation of Denverites to get a firsthand look at that city’s voucher system for students in failing schools.

The Black Alliance for Educational Opportunity, for which he filed the civil rights petition, supports such a system.

More than a year ago Sadler tried to bring a case against DPS in Denver District Court, but in February 2000 the suit was dismissed because parents couldn’t show a contract was broken.

Then a story ran in September in the George Washington High School newspaper that said although the school was nationally ranked based on its programs for intellectually gifted students, black students there don’t do as well as white students.

Students there protested.

“As a civil rights attorney, that caught my eye,” Sadler said. “Black children made it clear that although it is an integrated high school, a nationally ranked high school, George Washington is a black high school separate and apart from a white high school.”

Sadler petitioned the Colorado Civil Rights Commission the following month to launch an investigation. His petition concluded: “Either black children are not academically capable of learning, or public high schools are failing to effectively educate black children.” In November, the commission accepted that charge.

It agreed to conduct an assessment that would gain insight from three perspectives: the gap in black/white academic performance, the disproportionately low participation of black students in Advanced Placement and International Baccalaureate programs, and disproportionate discipline of black students resulting in suspensions, expulsions and “other derogatory actions.”

Though Hispanic students aren't doing especially well compared with white and Asian students, black student achievement is the sole interest of the inquiry. "Blacks and Latinos have slightly different educational issues," Sadler said, among them, bilingual education.

Civil Rights Commission staff director Rene Ramirez said the commission fields 1,200 individual complaints annually, but has never before undertaken a such broad inquiry. "There is no precedent," he said, but it appears likely they'll apply what they learn on this foray to later assessment of Hispanic student achievement.