

Education

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disproportionate number of minority students being removed from the general classroom setting. Moreover, Ali says the department is evaluating why white and Asian students are overrepresented in gifted and talented programs, while blacks and Latinos are overrepresented in special education classes.

Based on an NAACP complaint, the OCR is investigating the Wake County (N.C.) Public School System for planning to assign students to schools based on their neighborhoods of residence. Critics contend that the plan would kill diversity in the school system and concentrate poor students, effectively resegregating the district.

Ali says “housing patterns and the correlation between race and poverty” also cause resegregation of school districts. “The federal government is working to end that kind of resegregation,” she says. “We’re very much trying to end discrimination no matter where students go to school or who they go to school with, if they go to school with kids who look like them or to an integrated school.”

Owatonna (MN) Senior High School is a case in point. The OCR received a complaint that the mostly white school had not acted sufficiently to stop racial harassment of East African students. When racial tension erupted in 2009 and white and Somali students brawled, school officials disciplined the African students more severely.

Due to the OCR investigation, Owatonna Public Schools agreed in April to take measures to prevent Somali students from being bullied. School officials issued an anti-harassment statement to students, parents and staff while training the school community on what constitutes discrimination and harassment, and meeting with Somali students to review their concerns.

The district must also submit annual compliance reviews to the OCR and the U.S. Department of Justice for the next three years. The case is the most recent race-related Title 6

investigation that the OCR has resolved.

The resolution was a coup for the Minnesota chapter of the Council on American-Islamic Relations (CAIR), which filed the complaint on behalf of Owatonna’s largely Muslim Somali population. Many Somali refugees have settled in Minnesota over the past two decades, and the state houses almost 40 percent of all Somalis in the United States.

Taneeza Islam, civil rights director of CAIR-MN, says none of the 30 CAIR chapters nationally had filed such a complaint. “We just took our chances,” she recalls. “I had no idea how many cases they had and what their investigation findings looked like. Thankfully, we picked the right [presidential] administration to work with. The process has been really easy. It surprised us how proactive the investigators were.”

Resolving the complaint took about a year, Islam says. Since the resolution, CAIR has heard no more concerns about treatment of East African students at Owatonna Senior High. CAIR-MN has also filed a complaint to stop reported harassment of Somali students in St. Cloud, Minn. That case, under investigation for 18 months, is pending.

The Owatonna situation exemplifies racial disparities that persist regarding discipline in public schools. For instance, the OCR has reviewed schools in North Carolina’s Winston-Salem/Forsyth County system and Louisiana’s St. James Parish for infringing on civil rights of black students by disciplining them more severely than other students.

“There’s a national trend of students of color being suspended from school for minor actions,” Browne Dianis says. “When we think about discipline, it was originally intended to cover violent acts.” Data show that African-American students without disabilities are more than three times as likely to be expelled as their white peers.

Too often, Browne Dianis says, schools remove minority children from class for minor infractions such as tardiness or talking back to teachers. She adds that in today’s schools, where standardized test scores are emphasized, a child can easily fall behind academically, and the likelihood of dropping out increases. “Once you drop out, the more likely you are to end up in the criminal justice system,” she says.

In 2008, Browne Dianis worked with Baltimore schools on their discipline code to reduce the suspension rate. After the number of student offenses punishable by removal from class was narrowed, the suspension rate plummeted from 26,000 to 9,000 the following year, she says.

John H. Jackson, president and CEO of the Schott Foundation for Public Education, urges the OCR to address racial disparities in several education areas.

Jackson is concerned, for instance, that some local school districts remove unqualified teachers from poor schools but replace them with substitute teachers. He also says states must stop uneven funding of black and white schools.

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