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Parent-Led Coalition Welcomes Long-Awaited Release of U.S. Department of Education Civil Rights Data

Georgia – The Snellville, GA-based Gwinnett Parent Coalition to Dismantle the School to Prison Pipeline (Gwinnett STOPP) welcomes the long-awaited release of U.S. Department of Education Civil Rights Data Collection (CRDC). The CRDC contains key education data collected from our nation's public schools for use by the Department of Education's Office for Civil Rights (OCR) in its enforcement and monitoring efforts.

"GCPS has always had this data. Now the community has it also. This data release shines light on the fact that Gwinnett County Public Schools is a separate and unequal education system for student with disabilities, ELL and non-white students. When coupled with the discriminatory GCPS IE² achievement contract, black, brown and special education students can be assured of experiencing an opportunity gap in Gwinnett County schools. The IE² performance contract and discipline are local control issues. Given the results of this policy and discipline practices, this is local control out of control," said Marlyn Tillman, of Gwinnett STOPP.

The CRDC discipline findings show that in Gwinnett County, students with disabilities and students of color are disproportionately disciplined. For the first time OCR has collected information on students subjected to restraints and seclusions and school-related arrests. Hispanic and African-American youth in GCPS represent over 72% of students involved in school-related arrests. Students receiving special education services are over twice as likely to receive one or more out-of-school suspensions. The CRDC also reveals unequal access to higher level learning opportunities and teacher quality. All of these factors contribute to the school to prison pipeline.

Gwinnett STOPP filed a discrimination complaint in the Office for Civil Rights of the Department of Education against Gwinnett County Public Schools (GCPS) regarding its Investing in Educational Excellence Partnership (IE²) contract in July 2011. The parent-led coalition contends that the IE² contract is discriminatory against students with disabilities, English Language Learners (ELL), and students according to race and national origin.

The complaint alleges that Gwinnett County Public Schools' (GCPS) IE² contract violates Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act of 1964, Title 34-Education of the Code of Federal Regulations, the Individuals with Disabilities Education Act (IDEA), and No Child Left Behind (NCLB).

The accountability and performance objectives featured in the IE² contract, which allow GCPS to bypass several existing state laws — regarding education certification requirements for teachers, class size requirements, expenditure controls, and ELL program requirements, among others -- are dependent upon different aggregate performance benchmarks segregated by race.

The Gwinnett STOPP complaint contends that the methodology used to establish increased aggregate performance targets over a five-year period is discriminatory for each subgroup of students defined in the contract because it compares subgroups against themselves while students with disabilities and ELL students are held to separate flattened performance targets. Because of the term of this contract, the effects will be ongoing through the 2013-2014 school year with an auto-renewal clause for five additional years. "It is our hope that the data release will be a catalyst for GCPS to have an open dialogue with the community to work on these inequities," said Sharon Capers of Gwinnett STOPP.

The IE² legislation, HB1209, was signed by Governor Perdue and approved during the 2008 session of the Georgia Legislature. In December 2008, Gwinnett County Public Schools pursued an IE² contract with the Governors' Office of Student Achievement (GOSA) and the Georgia Department of Education (GDOE). The contract is to include accountability for each school within the district that exceeds performance requirements of No Child Left Behind (NCLB) in exchange for flexibility across educational rules established by GDOE. By 2015, over 180 Georgia school districts are required to "opt in" or "opt out" of this legislation. If you "opt out", a district's ability to obtain educational waivers from the GDOE rules is significantly restricted.

As in *McLaurin v. Oklahoma Board of Regents of Higher Education* (1950), Gwinnett County Public Schools and the Georgia Department of Education expect students to enter the same building yet sit at separate academic tables. Different academic standards for subgroups amount to state-sponsored segregation in public schools, which is counter to Title VI of the Civil Rights Act of 1964. The academic achievement gap that the IE² contract purports to close will never happen.

Gwinnett STOPP is a grassroots parent-led, community-centered organization in Gwinnett County. Members of the coalition, in addition to parents, include the ACLU of Georgia, the Georgia State Conference of the National Association for the Advancement of Colored People (NAACP), the Rho Kappa Lambda Chapter of the Alpha Phi Alpha Fraternity, Inc., and other community stakeholders. Gwinnett STOPP is an active member of the Dignity in Schools Campaign (DSC) and regularly partners with other state and local organizations.

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