



Special school programs for blacks: racist or essential?

The Pinellas board's depositions for an upcoming trial turn on the question of access vs. outcome.

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For decades, school districts have organized around a simple idea: Whatever you give to white students, give it to black students, too.

Put both groups of students in the same schools. Expose them to the same teaching. If they struggle, give them the same help.

In the Tampa Bay area and across the nation, this was how educators atoned for the long-ago sin of relegating black children to inferior schools.

Now, in a class-action lawsuit that has Pinellas County's top educators on the defensive, the plaintiffs say the policy of equal access has failed the school district's 20,000 black students.

Black kids, they contend, will need uniquely tailored programs if the district ever hopes to erase an education gap that has them lagging behind every other ethnic group in school performance.

The case of William Crowley vs. the Pinellas County School Board - seven years old and finally headed for trial - may be the only one of its kind in the nation.

"What's unique about it is the unadorned claim that if you have an achievement gap, you are violating the law," said Michael Kirk, a Washington, D.C., lawyer hired to help

defend the district. If that were true, he argued, then every district with a significant number of minority students would be liable.

The call for a unique set of programs to help black students has been a central theme in recent days as lawyers prepare for a two-week jury trial starting July 9. The plaintiffs' attorney, Guy Burns of Tampa, has summoned the entire Pinellas School Board for depositions, as well as superintendent Clayton Wilcox and his top deputies.

In the four depositions to date, Wilcox and three board members have stayed on message: The district provides equal opportunity for all students to learn, they said. What students make of that opportunity is up to them.

If the district does any tailoring, they said, it's with an eye toward individual student needs, not race. They said the causes of the gap are too varied and complex to be solved by a single program or set of programs for black students.

At one point as he appeared to choke back emotion, Wilcox argued that giving black students something special would imply they are, by nature, less able than their peers.

"I know a lot of people want to ascribe things to us, but I will tell you I think we go out of our way to look at kids as kids in this district," he said. "I know we do at the highest levels. I know we do."

He added: "We don't just go into a school and say, 'You know what? We got a bunch of black kids here so we've got to teach (a different way).' I think that would be racist behavior. I absolutely won't do that. You can't make me do that."

The lawsuit was filed in August 2000 by William Crowley on behalf of his son, Akwete Osoka, then a 7-year-old student at Sawgrass Elementary School in St. Petersburg.

The boy, who is black, had faced academic problems that were "typical of those difficulties commonly faced by students of African descent," the lawsuit said. It alleged Pinellas failed to provide an adequate education to black students, in violation of Florida law and the state Constitution.

The case has since become a class action, meaning the plaintiffs include all black children who attend or will later attend Pinellas public schools.

Initially supported by the International People's Democratic Uhuru Movement, an activist group in St. Petersburg, the challenge has come to be embraced by a broader segment of the black population, Burns said.

It is a case grounded in numbers, none of them flattering.

Last year, 67 percent of black public school students in Pinellas scored below their grade level on the reading portion of the Florida Comprehensive Assessment Test - nearly twice the percentage of low-scoring whites.

The graduation rate for black students was a dismal 46 percent in 2005, and black students perennially are more than twice as likely as nonblacks to be suspended.

In a three-hour deposition this month, Burns asked School Board member Nancy Bostock if the district had addressed the gap with any programs designed for black students.

"Our programs are designed to address a student's academic needs, not their skin color," she answered.

Did she think the numbers warranted special programs?

"No, I don't."

Did she think Pinellas black students received a high-quality education?

"I believe many black students in Pinellas County do receive a high-quality education."

What did she think of a system that failed to graduate more than half its black students?

"I think it would depend on what those students availed themselves of while they were in the system," said Bostock, whose black son is officially considered a plaintiff in the lawsuit.

In other questions, Burns suggested that the district's current methods weren't working with the 19 percent of its students who are black. He also played off the district's contention that it is legally obligated to provide every student an opportunity for a good education, not a good outcome.

He asked board member Linda Lerner whether there was some flaw in the way the opportunity was being presented to black kids.

"No," she answered.

Everyone agrees the gap is large and troublesome, Burns said in an interview. They differ on who is responsible for it and how far a school district should go in trying to fix it.

"There's a big philosophical rift," Burns said.

Part of the difference is in how the two sides interpret the numbers.

While Burns has pointed to aggregate numbers that show the gap in stark relief, Wilcox points to subsets of numbers that show smaller groups of black kids making modest gains.

While Burns points to the graduation rate, Wilcox says the statistic "is not a fair measure of all that goes on in a system."

Another example: Last year, 13,105 black students took the reading FCAT. Burns focuses on the 8,780 who scored below grade level and sees a huge problem. District officials see the problem, too, but point to the 4,325 black students who did well in reading.

How can that be, they ask, if the district is systematically discriminating against black students?

For district officials, the debate is nothing new. They've had many of the same arguments among themselves.

At a retreat with the School Board in January, Wilcox found himself in the minority when he argued that the district should be making a special effort to improve the performance of black students. He wanted it stated prominently as a goal in the district's strategic plan.

Several board members said they did not see why black students should be highlighted over other kids.

"That is the one group right now that we really have to be publicly focused on," Wilcox responded. "It's 20 percent. That's one out of every five kids in this district."

But the superintendent found himself making the opposite case in the deposition with Burns.

"I don't look at kids based on their race; I look at individual kids based on their needs," he said. "Eighty percent of my kids are some other race."

Kirk, the district's lawyer, explained that the district and Wilcox find themselves caught between two positions.

Legally, they are "only responsible for putting a good education out there," he said. But as educators they want to do more.

He said of Wilcox: "He feels like they need to do everything in their power to get good results."