On September 24, 2010, N.C. H.E.A.T (Heroes Emerging Among Teens); Quinton White, a Wake County student; and the national, state, and local branches of the NAACP filed a complaint against the Wake County Board of Education (“Board”) with the U.S. Department of Education under Title VI of the Civil Rights Act of 1964. The complaint alleges that the Board’s student assignment and disciplinary policies have intentionally and disproportionately impacted non-White students and have denied Black and Hispanic students access to educational resources. The complaint particularly challenges the student reassignments approved by the Board in April 2010.

Since the filing of the Title VI complaint, the Board continues to demonstrate its intent to reassign students on the basis of race. This memo provides a summary of the Board’s student assignment actions since September 2010.

I. The October 5th Directive Abandoning Assignment Zones

At the time the Title VI complaint was filed, the Board majority had tasked its Student Assignment Subcommittee with the responsibility of developing a comprehensive Community Assignment Zone plan under which the majority of the district’s Black and Hispanic students would have been assigned to schools within the racially isolated, high poverty Central attendance zone located in southeast Raleigh. This committee consists of nine non-voting citizen advisors (each Board member appoints one citizen advisor from his or her district to the Committee), and three voting Board members (John Tedesco, Chair; Carolyn Morrison, Vice Chair; and Chris Malone). An analysis of the proposed Community Assignment Zone plan can be found in the original complaint at page 28.

On October 5, 2010, after a shift in the majority voting bloc, the Board voted 5-3 to abandon the plan to separate the district into zones and reassign students based on this model. The significance of
this vote is not that efforts to resegregate the district’s schools were abandoned, but rather that Board members disagreed on the details of a resegregative plan. The absence of a new comprehensive student reassignment plan that would effectuate the Board’s May 2010 vote to eliminate diversity and prioritize proximity in student assignment does not preclude more reassignments for the 2011-12 school year. However, any new “interim” reassignments, including those anticipated in the Multi-Year Assignment Plan (MYAP) for 2009-12 to populate new schools and manage growth and overcrowding at existing schools, will be subject to the revised student assignment policy (Policy 6200), which no longer prevents many of the challenges associated with high poverty schools. Since the percentage of students assigned pursuant to the diversity policy was assumed to be small (less than 3%), the interim reassignments for the 2011-12 school year were also presumed to be limited.

II. The November 30th Proposal to Reassign 6000+ Minority Students for 2011-12

After abandoning the comprehensive zone-based assignment model, Board members had their appointees on the Student Assignment Committee attempt to implement a piecemeal reassignment of Black and Hispanic students. In late November 2010, district staff released data indicating that Wake County is now a majority-minority school district, with White student enrollment dropping from 51.1% in 2009-10 to 49.5% in 2010-11. Hispanic students are the system’s fastest-growing demographic group, and low-income student enrollment has also increased, rising from 26.3% in 2009-10 to 32.4% in 2010-11. One week after learning about the increase of poor, minority students in the district’s schools, the anti-diversity Board members, using their appointees on the Student Assignment Committee as proxies, introduced a sweeping proposal to push thousands of minority students out of affluent suburban schools and into their “neighborhood” schools in southeast Raleigh. Following the trend of last year’s reassignments, this proposal would again disproportionately impact minority students and move them into more racially isolated schools.

The reassignment proposal brought forward at the November 30th Student Assignment Committee meeting would potentially impact more than 6,000 students at over 70 schools. At least 75% of the students in this reassignment proposal were non-White and many of the proposed node reassignments would result in high poverty, racially isolated schools in southeast Raleigh. Some of the proposed node reassignments merely called for the removal of non-White students from their current school setting, with no definitive receiving school even determined. This proposal further demonstrates the Board’s racially discriminatory intent to use its neighborhood schools policy to assign and segregate students on the basis of race and to deliberately create racially isolated and concentrated schools. A brief analysis of the proposed reassignments and supporting materials can be found attached to this memo as Appendix A.

Upon a review of the November 30 proposal, district staff presented an alternative recommendation at the December 7, 2010 general Board meeting. The December 7th staff proposal would affect 3,224 students at 57 schools, an increase in the number of students scheduled for a reassignment under the MYAP, but largely excluding the 6,000+ students in the November 30th
In a work session on December 14, 2010, the Board voted 5-3 to accept the majority of the staff recommendations, delaying any large-scale reassignment of southeast Raleigh students until 2012-13. This vote followed a tremendous amount of community backlash denouncing the 6,000+ reassignment proposal as racist, as well as the initial OCR investigatory visit to Wake County. The staff recommendations can be found at: http://ap2008.wcpss.net/assignment-proposal/index.html. The Board plans to hold community meetings in January 2011 about the new reassignment proposals and will vote on final revisions to year 3 of the MYAP on February 1, 2010.

The Board’s temporary retreat from the mass reassignment illustrates there is little or no educational necessity for this move, but rather that these proposed moves are motivated by the Board’s ill-intent to resegregate the district’s schools. Although community opposition to the November 30th reassignment proposal temporarily has delayed the Board’s plan to unfairly target minority students in southeast Raleigh, the number of discriminatory reassignments likely will climb again prior to the final vote in February. The Title VI Legal Team will continue to monitor the reassignments for next school year and will continually update OCR regarding any new Board attempt to create extreme racial isolation in the district’s schools.