

## 'There are no excuses for the learning gap'

As new team takes over, departing school board members offer words of wisdom

*At Tuesday night's school board meeting, departing members offered their colleagues some advice.*

*Lindalynn Kakadelis, who represented District 6, spoke at length. A few excerpts:*

This system is massive, and the reason we exist – teaching and learning – many times seems to

fade with the vast overwhelming view of buildings, transportation, food services, lawsuits, committee meetings, budget, zoning, pupil assignment, political correctness, and even board members who micromanage at times...

"Student assignment was, and is, the single most divisive factor in our county and on this board.

The pupil assignment hearings as I know them hopefully will never happen again. It is the responsibility of this board and its superintendent to create successful learning environments in each and every one of our traditional public schools. Not the parents, not the guardians or the volun-

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### Happy Holidays

Educate! will return Jan. 6. We will publish in the interim if there are court case developments.

## 6-5 and 5-4

Judges rule out legal fees, stay of unitary status decision; new school board begins with split vote on leadership

Last week, judges in Richmond declined by 6-5 to reconsider two key issues in their September desegregation ruling. But there were indications that closure is far from near on the court front.

At the school board, a leadership change passed on a 5-4 vote.

The holiday period – or perhaps the national spirit since Sept. 11 – seemed to give these divided rulings a bitter taste.

The judges left the case's plaintiffs to pay their own legal bills. Chief Judge Harvey Wilkinson, in an opinion reprinted on page 4, explained that the majority felt the law required their decision. The court also ruled against a stay of their September ruling that declared CMS unitary. School officials lauded that one, interpreting it as permission to pursue the choice student assignment plan already in progress.

But the schools confirmed late in the week that lawyers for the Grant and Belk plaintiffs had

obtained an extension for filing appeals to the Supreme Court until Jan. 22. And if extensions were sought, could filings be far behind?

After re-electing Arthur Griffin as chairperson, the school board installed Wilhelmenia Rembert as vice chair. Sitting vice chair John Lassiter was not nominated for either post, but the 5-4 votes for both positions spoke volumes about the off-camera action. Media comment focused in Lassiter's endorsement of Louise Woods' opponent in November's election.

In a short comment, Rembert thanked her supporters and said she hoped she could win the respect and support of those who voted against her.

Griffin said that "all of the elements for an educational renaissance are in place.... There is vision, there is leadership, there is talent, there is a commitment.

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To new readers of  
***Educate!***

a free community journal  
on public education in  
Charlotte-Mecklenburg

Welcome to this week's edition. Our aim is to supply information useful to you in your role as student, parent or citizen interested in the welfare of Charlotte-Mecklenburg Schools. To be removed from mailing list, message educate@educateclt.org with "unsubscribe" as subject

***Educate!*** is published by The Swann Fellowship, 1510 E. 7th St., Charlotte, NC 28204. Voice: 704-342-4330 Fax: 704-342-4550. E-mail: SwannFello@aol.com Lucy Bush, president; B.B. DeLaine, vice president. Published since September 2000. Six-week average circulation through last issue: 2,422.

**The name:** The Swann Fellowship was named for Darius and Vera Swann, who on behalf of their son James became the lead plaintiffs in *Swann vs. Mecklenburg* in the 1960s. Darius Swann was the first African American Presbyterian missionary ever assigned outside of Africa. His experiences in India led him to appreciate the value of an integrated society for human development.

**The vision:** As people of faith, our vision is that all children in the Charlotte-Mecklenburg school system will have excellent educational opportunities which are both equitable and integrated.

**The background:** Formed in 1997 out of several Charlotte religious congregations, the Fellowship focuses on being a witness to the value of diversity, and educating the public on public school issues as they relate to this and allied subjects. The Swann Fellowship is a nonprofit organization exempt under Section 501(c)(3) of the Internal Revenue Code 56-2106776. Financial information about this organization and a copy of its license are available from the State Solicitation Licensing Branch at 1-888-830-4989. The license is not an endorsement by the state.

## Imam Mohammed to address young people next Sunday

Next Sunday, Dec. 23, at 1 p.m., the leader of 2.5 million Muslims in the U.S. and abroad will speak to young people about issues surrounding the Muslim community and how they can become better Muslims.

Imam W. Deen Mohammed, leader of the Muslim American Society, will be at the fourth annual conference of the society's National Young Adult Association Friday through Sunday at the University Hilton.

The association expects about 500 people to attend from across the U.S.

The imam, who has been leading the Muslim American Society for nearly 27 years, will address young adults and the public on Sunday. The event comes in the

wake of the events of Sept. 11 and the ensuing release of the Osama Bin Laden videotape as well as the remarks of Rev. Franklin Graham about Islam.

Imam Mohammed was born to the Honorable Elijah and Clara Evans. After the 1975 passing of his father, who was the founder of the Nation of Islam, he has represented Muslims in America in Oxford at the World Parliament of Religious Leaders for the Survival of the Earth, and at the signing of the Williamsburg Charter along with former U.S. presidents.

Serving on the Advisory Panel for Religious Freedom formed by former Secretary of State Madeline Albright, he has helped to promote religious freedom in the U.S. and abroad.

### *Sound off!* for quality education

*Your words in support of a quality, equitable, integrated education can help make the case for community support of Charlotte-Mecklenburg Schools. Pick up your pen! Or get your mouse in motion! Here's information on how to submit your letters to area media.*

**The Charlotte Post:** By e-mail: thepost@clt.mindspring.com; by fax: 704-342-2160; by mail: Editor, The Charlotte Post, 1531 Camden Road, Charlotte, NC 28203-4783.

**The Charlotte Observer:** By e-mail: opinion@charlotteobserver.com; by fax: 704-358-5022; by mail: The Observer Forum, The Charlotte Observer, P.O. Box 30308, Charlotte, NC 28230-0308.

**The Charlotte World:** By e-mail: warren.smith@thecharlotteworld.com; by fax: 704-503-6691; by mail: 8701 Mallard Creek Road, Charlotte, NC 28262-9705.

**The Leader:** By e-mail: editor@leadernews.com; by fax: 704-347-0358; by mail: 800 E. Trade St., Charlotte, NC 28202-3014

**Creative Loafing:** By e-mail: charlotte@creativeloafing.com; by fax: 704-522-8088; by mail: P.O. Box 241988 Charlotte, NC 28224-1988.

**La Noticia:** 6101 Idlewild Road Suite 328, Charlotte, NC 28212.

**Educate!:** By e-mail: educate@educateclt.org; by fax: 704-342-4550; by mail: 1510 E. 7th St. Charlotte, NC 28204-2410.

## Transition Time

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teers. This board is ultimately responsible – not the customer.

“The choice plan will hopefully accomplish what I have always believed. Not one parent or guardian should ever feel trapped or required to send their child to an educational provider which they feel uncomfortable, not one. We should never make that most important decision from the fourth floor of the Education Center. The decision should be made in the family room of the home of the child....

“There are no excuses for the learning gap between races or socioeconomic status. We must make every member of the child's team responsible for his or her role: first the parent and guardian, second, the student and the child, and then the teacher and principal.... Reporting of our academic status must be done with clarity and candor. Grade inflation and low expectations must become extinct....

“There's a few challenges that will continue.

“Be persistent to encourage parents and guardians to take responsibility for their student. Schools are not orphanages. Most parents will rise to the expectation, if drugs and alcohol or other dependency problems are not present. And in those cases the institutions of faith need to partner, again to provide safe homes for the true victims of evil – the children....

“Remember that equity may look totally different from school to school.... You will know that equity has been achieved by the end product of achievement levels. The only common denominator is student achievement.

“Please concentrate on teachers.... Measure how well students, all students, learn that sit under their instruction.

“Resist the overwhelming push for schools to become all things to all people.

“Resist the temptation to become codependent with irresponsible behavior. You will lose your focus trying to rescue, and become weak in your purpose for academic preparation....”

— — —

*Bob Simmons, appointed to the board to represent District 1, first read a letter sent by George Washington to Thomas Jefferson and Alexander Hamilton, who were then feuding.*

“Dr. Smith faces the difficult transition from a supervised system of long duration to a new system where we are responsible to bring equal opportunity and excellence to every child in every school without supervision.

“Just as Washington valued differing voices ... Dr. Smith needs to hear all opinions. But I hope this board can make Washington jealous by avoiding the failure of Jefferson and Hamilton, by continuing to seek compromise and consensus to support Dr. Smith in his work for the education of all of our children.”

## 6-5 and 5-4

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And there is a keen recognition that we all must work together... for our children's future.... We stand right at the threshold ... on our theme of greatness, and to prove once and for all that public education can work... for all students in a fantastic manner.

“As a member of the board of directors of the Council for Great City Schools and as a member of the board of directors of the Council of Urban Boards of Education nationally, I can tell you that school districts around this country are desperate for examples of school systems with high standards, and for school systems that can deliver high quality education to all of its students and not just a few.

“We demonstrate that each and every day. It passes over folks’

## Choice at 50%

CMS officials last week marked the half-way point in their drive to hear from all parents about student assignment decisions for fall. While the deadline is not until Jan. 18, and parents can change their minds and submit new choices until then, the system is pressing to hear from parents before schools close Wednesday, so teachers won't have to be enlisted next month in the effort to collect the forms.

“It is important that we do the homework assignment, and get the homework in,” Supt. Eric Smith told parents watching the school board meeting Tuesday.

Board member George Dunlap urged Smith to return to the board with his plans for how the administration will reach those parents who have not been heard from by Jan. 18.

heads because the media don't accent that. But to have all your high schools AP certified... speaks volumes to what we have accomplished in this district. Others know it. Perhaps more of us at home will....

“It is my hope and my dream that we can come together as one family committed to a single mission ... to assure that all of our students acquire the knowledge, skills and values to live rich and full lives as productive and enlightened citizens of our society....

“Too long we have expected too little from too many. We still have too many students who have dropped out or have low expectations. There's too wide an achievement between some of our students. But I am absolutely optimistic that the doom-and-gloom forecasts will not paralyze this board, or me, or this community....”

# Judges rule against legal fees, stay

## Text of Friday's Court of Appeals ruling in long-running desegregation case

*Following is the text of Friday's order from the 4th Circuit Court of Appeals. The court declined to reconsider its earlier refusal to award legal fees to the Grant intervenors, and also refused the Belk plaintiffs' request for a stay of the judges' earlier ruling finding CMS a unitary school district that no longer requires court supervision.*

December 14, 2001

ORDER: The Grant-Intervenors-Appellees and the Capacchione-Intervenor-Appellee each filed a motion to reconsider the issue of attorneys' fees and a motion to stay the mandate pending resolution of the motion to reconsider.

The motion to reconsider is denied by a vote of 6-5 (Chief Judge Wilkinson and Judges Niemeyer, Michael, Motz, King, and Gregory in the majority).

The motions to reconsider effectively stayed the mandate, but that stay is now lifted.

Chief Judge Wilkinson filed an opinion concurring in the denial of rehearing. Judge Traxler filed an opinion dissenting from the denial of rehearing in which Judges Widener and Wilkins joined.

The motion of the Belk plaintiffs for a stay of the mandate is denied.

WILKINSON, Chief Judge, concurring in the denial of reconsideration:

The matter of attorneys' fees has been extensively debated in the en banc decision of the court [September 2001] and I have no desire to belabor it. In view of my good colleague's dissent, however, I shall briefly state the basis for my view that a departure from the American rule, whereby each side pays its own lawyers, is not warranted with respect to the unitary status determination.

Such a departure is not justified for the simple reason that Congress has not authorized it.

The Supreme Court has made clear that Congress has not "extended any roving authority to the Judiciary to allow counsel fees as costs or otherwise whenever the courts might deem them warranted." Under the American rule, "we follow a general practice of not awarding fees to a prevailing party absent explicit statutory authority." There is no such authority here.

The dissent attempts to analogize the unitary status proceedings to an action under 42 U.S.C. S 1983, for which attorney's fees would be available to prevailing parties at the discretion of the court under 42 U.S.C. S 1988. What we have here, however, is the exact opposite of a S 1983 action.

The essence of a S 1983 action is that the defendant has violated the plaintiff's federal rights under color of state law. In contrast, the entire point of a unitary status determination is to prove that the school district is in compliance with federal law. And Congress has simply not authorized us to impose attorney's fees on a party whose actions have been adjudged compliant with federal statutes and our Constitution.

While the dissent would have us believe that the Grant and Capacchione plaintiffs simply picked up where the Swann plaintiffs left off, this is simply not the case. The focus of their respective efforts was quite different.

The Swann plaintiffs sought to prove the school board in violation of the bedrock federal mandate that no student be denied an education on account of his or her race. The unitary status proceedings sought to determine, by contrast, that the rights of all school

children under federal law had been vindicated and achieved.

It is important that the judicial system not blow hot and cold with respect to the litigants who come before it. For many decades the courts impressed upon the Charlotte-Mecklenburg school district the singular importance of desegregating its public schools and affording each and every child an equal educational opportunity without regard to race.

Now that this goal of unitariness has been reached, it would be inconsistent in the extreme to punish the school board for doing the very thing the courts have all along insisted that it do.

My good dissenting brother urges us to view this matter as one of equity or policy. I readily agree that the Grant and Capacchione plaintiffs have performed a substantial public service in achieving the unitary status determination and in returning the school system to the control of local authorities.

As a matter of equity, however, there is also something to be said for looking to the future, putting this litigation behind us, and spending public funds on the education of schoolchildren rather than on opposing lawyers' bills.

The dissent predicts that unitary status proceedings will become unaffordable in the absence of fee shifting, but it is quite possible that school boards in other locations will be moved to free themselves from court orders on their own without the need for private intervenors to enter the suit.

In all events, these are questions of pure policy and underscore the inadvisability of courts debating the pros and cons of fee shifting in the absence of a congressional declaration. It is simply

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## Court won't reopen attorney fee issue

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untenable to impose a large fee obligation upon a public school district for desegregating its schools. Congress has not sanctioned such a course of action. It would mark a cruel sequel to the Brown decision if, at the end of the day, federal courts were to punish the successful completion of the desegregation process with an unauthorized departure from the American rule.

TRAXLER, Circuit Judge, dissenting:

I respectfully dissent from this court's denial of Capacchione's and Grant's motions to reconsider their claims to attorneys' fees for the role they played as private attorneys general in achieving a declaration of unitary status.

As a result of this declaration, CMS must have a race-neutral student assignment plan in place no later than the 2002-2003 school year unless its use of race is narrowly tailored to serve a compelling governmental interest.

The plaintiff-intervenors have prevailed against CMS and have obtained a decree that alters the conduct of CMS toward all children attending public school in Mecklenburg County.

Yet, this court vacates the district court's fee award on the ground that the plaintiff-intervenors have not prevailed. School desegregation cases are unique in the manner in which they proceed. There are two basic steps in the court process to obtain unitary status.

In the first part, the plaintiffs seek to impose federal court control over the school system and to have federal courts dictate procedures for the operation of the schools. When the court-ordered procedures have worked, the second part begins with the parties returning to district court to obtain a declaration of unitary status and the concomitant

removal of federal court oversight.

This case began in 1965 when the original Swann plaintiffs brought a S 1983 action to convert CMS "into a unitary nonracial system wherein educational opportunities offered by [the board] are made available to all students without regard to race or color."

The Swann plaintiffs succeeded in having CMS placed under court order and participated in proceedings whereby the district court adopted a sweeping desegregation plan. In 1975, the case was removed from the active docket and the Swann plaintiffs were deservedly and properly awarded \$204,072.33 in fees and costs for their service as private attorneys general in the first phase of the desegregation effort.

For the most part, this case remained inactive until 1997, when Capacchione challenged CMS's magnet schools program and, shortly thereafter, amended her complaint to seek a declaration of unitary status as well. Swann was reactivated and Capacchione intervened in that action. Grant then moved for a declaration of unitary status and also intervened in the Swann litigation. Thus began the second part of the process.

The Swann plaintiffs, however, did not want the second and final phase of the judicial process to occur, so they fought a finding of unitary status.

Capacchione and Grant had to step in and prove to the district court that what the Swann plaintiffs originally sought in their lawsuit under S 1983 had, in fact, been achieved – that what had been started in the 1960s had finally been completed and the vestiges of segregation removed to the extent practicable. And like the Swann plaintiffs, who received a fee award for work done before the case was removed from the active docket, the plaintiff-intervenors now seek, and are entitled to, their attorneys' fees.

No member of the court doubts that the Swann plaintiffs would

be entitled to fees under S 1988 had they been the ones to successfully move for a declaration of unitary status. Yet in spite of the same measure of success by the plaintiff-intervenors, we deny them their fees.

By judicial fiat, plaintiff-intervenors in school desegregation cases have been written out of S 1988. Should another case like this arise where the original plaintiffs and the school board are content to let the desegregation order remain in place long after the dual system has been dismantled, parents demanding a return of local control will be helpless. As the present case demonstrates, a declaration of unitary status can be expensive (\$1.49 million). I have no doubt that if our decision had been on the books in 1997 neither Capacchione, nor Grant, nor virtually any other public school parent in Mecklenburg County could have afforded to seek a removal of the federal courts from control of the school system.

I find it ironic that in affirming the district court's declaration of unitary status but denying the prevailing parties their fees, we simultaneously condemn other school districts in our circuit to prolonged and unnecessary federal court control.

Finally, while unfortunate that the school board should have to pay such a large award, this is a risk it took when it decided to fight the unitary status determination – not unlike the ill-fated decision it made in the 1960s to fight the desegregation effort to begin with, when we made it pay the fees of the original Swann plaintiffs.

For attorneys' fees purposes, this court has decided that one party can get its fees under S 1988 for forcing the school board to abide by the law while the other cannot. Therefore, I respectfully dissent.

Judge Widener and Judge Wilkins have authorized me to indicate that they join in this dissent.

# 2002-2003 Calendar

The school board Tuesday approved a calendar for school operations for 2002-2003. Two proposals went to public comment, and option B was recommended after a survey of teachers and principals.

## August

**12-16** Teacher work days  
**19** First day for students

## September

**2** Labor Day holiday  
**16** Teacher work day  
**27** Teacher work day

## October

**24-25** Fall break; teacher work day

## November

**5** Teacher work day  
**11** Teacher work day  
**27-29** Thanksgiving break

## December

**23-Jan. 3** Holiday break

## January

**6** Classes resume  
**20-21** King holiday, teacher work day

## February

**13-17** Teacher work days

## March

**28** Teacher work day

## April

**14-18** Spring break

## May

**26** Memorial Day break

## June

**10** End of school  
- - -

**First Quarter:** Aug. 19-Oct. 23

**2nd Quarter:** Oct. 28-Jan. 17

**3rd Quarter:** Jan. 22-March 27

**4th Quarter:** March 31-June 10

## Mid-Quarter Progress

**Reports:** Sept. 19-20; Dec. 2-3;  
Feb. 24-25; May 5-6.

**Report cards:** Nov. 6, Jan. 29,  
April 9, June 10 for elementaries,  
June 17 by mail for middle and high schools.

**Makeup days:** Jan. 21, Feb. 13,  
Feb. 14, Feb. 17, March 28, May 26

## More at Four: Who's at risk

Gov. Easley's More at Four statewide preschool program got off to a frenzied start this month, with state school systems given just a few weeks to put together their applications. The program is aimed at at-risk children, the same group CMS targets with its Bright Beginnings program (story, page 7). A statewide school program for 4-year-olds has been mandated by Judge Howard Manning in an N.C. constitutional case over school finance issues.

Below is an excerpt from the More at Four program guidelines. They represent the state's view of the conditions that put children at risk of educational failure. The guidelines might help area faith groups and nonprofits refocus their work on an endangered population.

The characteristics or factors of children (and their families) that makes them at-risk of academic failure are many; however, there is agreement around some of the most significant characteristics or factors. The following factors should be used as the criteria for identifying at-risk children for More at Four services:

- Family income appears to be the leading indicator that a student may be at-risk of academic failure. A family's inability to provide for the basic needs of a child will impact every area (physical, emotional, social) of a child's life.

- If a child is identified as having some type of chronic health problem or a special need (mental or physical), a child will be considered at-risk of academic failure. Typically, the Exceptional Children's Program or Title I will serve these students once they enroll in school but the Exceptional Children's Program must work with other programs (particularly public school pre-K programs) to provide inclusive options for children.

- The educational level of the mother (or primary caregiver) also impacts the academic achievement of children. The higher the educational level of the mother, the greater a child's chances will be for academic success. Conversely, children of mothers with minimal education are more at-risk of academic failure.

- The employment status of the mother (or primary caregiver) has a direct correlation with a child's potential for academic success or failure.

- Family composition, such as a single parent household, coupled with compounding factors (i.e. parental substance abuse, victim of abuse/neglect) or unstable housing may result in children being at-risk of academic failure.

- In order for a child to be successful in an American school, speaking English is essential. English proficiency is necessary for a child but also important for the parents. Parents and childcare providers must be able to communicate with each other regarding the needs of children.

- While minority status alone does not make a child at-risk, when coupled with other factors (i.e. poverty, limited English proficiency), it will cause a child to be at-risk of academic failure. Therefore, it is important to look at minority status as a factor only in connection with other factors.

- Finally, a primary stated goal of the More at Four program is that priority be given to serving first those at-risk children who have never had the opportunity to participate in a formal early education program such as child care, public or private pre-school, Head Start, Early Start, early intervention programs, or other such programs.

For this reason, at-risk children who have never been served shall receive the highest priority; second priority will be given to children who are eligible for financial assistance for services but are not receiving any assistance; and third priority will be given to children who are currently served in settings that do not meet the high quality More at Four program standards.

**Source:** More at Four Pre-Kindergarten Initiative, program guidelines, Nov. 20, 2001

# Schools keep tech high project on schedule

The Phillip O. Berry Technical Academy off Freedom Drive will fulfill a promise made to the community 32 years ago, that a school would be built to replace Second Ward High that was razed during urban renewal. Members of the current school board have taken the promise very seriously, and again Tuesday were determined to get the school open as scheduled next fall.

**Board Notes**

One company's default on \$2.8 million in work has caused delays that are rippling through the budget. The schools have hired another contractor, but in the short term they will pay twice for the original defaulted work. They will ultimately recoup some of the lost money by claiming bonds posted as surety, or through litigation. But that takes time.

Nothing in this whole scenario is uncommon in public or private construction. Similar defaults threatened to delay Hopewell and Waddell High openings a year ago.

Tuesday night, the administration's recommended finding the money to keep Berry on schedule by delaying heating and air-conditioning projects at Dilworth, Huntingtowne Farms and Pinewood. In fact, those specific projects were about to be scrapped in favor of more thorough renovations that will require new bonds.

By 6-3 vote, the board accepted the staff recommendation.

The action would have gone unnoticed as part of the board's consent agenda but for Molly Griffin's questions about where the money would come from. John Lassiter led the questioning of the decision, observing that to delay projects at the three schools was a violation of promises to voters about use of bond money.

Lassiter said he too wanted Berry to open on time, but suggested that the football stadium

at Berry be delayed until new bond money could be approved by voters. Berry students would then use nearby Harding University High facilities temporarily. It appeared from discussion, however, that delay of the football stadium would not cover all the bills. And of all the board's building projects, Berry undoubtedly carries the most historical baggage.

**Ed Center:** The board voted to state a preference for staying in its current 2nd Street building.

The decision puts the schools in conflict with planners who envision a high-density residential district on the property.

**Culture change:** The National Association of Partners in Education, in an award to CMS director of volunteers Debbie Antshel, cited her work to create "a culture and policy change in the Charlotte business community, where leaving your workplace to go volunteer for a school is respected and valued..."

## Toward Brighter Beginnings

A report to the school board last week tracked how the children most in need of Bright Beginnings fared this fall when, as kindergartners, they were tested on learning skills. These children, whose scores are in the middle column below, gave 25% or fewer correct answers in a screening test for Bright Beginning a year ago. CMS compared this group's scores this fall to two other group: all Bright Beginning students entering kindergarten, and (in the far right column) students who had similar screening scores for Bright Beginnings but did not attend the program.

Skill	All Bright Beginners	Bottom 25% in Pre-Test	
		In program	Not in program
Book and print awareness	3.92	3.84	2.48
Phonemic awareness	2.37	2.25	1.71
Decoding word recognition	37.53	36.76	23.18
Language comprehension	8.31	8.27	7.84
Spelling and writing	3.15	3.10	2.67
Numeracy	25.91	25.18	22.60
Geometric Ideas	2.71	2.65	2.42
Behavioral adjustment	10.73	10.70	10.51
Social Interaction	8.15	8.12	7.85

"The students who participated in Bright Beginnings," said CMS staffer Dr. Susan Agrusso, "did significantly better than those students who scored like them but were not able for some reason to take the program. That is an indication to us that the program is working, that it is giving these children who come to us with poor literacy skills, skills that we consider to be less than what we'd like to see for 4-year-olds, and at the end of this one-year program they have made substantial progress, and in fact are beginning kindergarten on a par with all other students in the district."

# No barrier to achievement

## U.S. foundation makes case that high-poverty schools can score in top third on tests

Wednesday's release of data on schools that work didn't depend on new data. The Education Trust merely looked at old data – and mounds of it – to make a useful point:

Schools that are entrusted with some of the children in most need of an education are delivering the education these children need.

Charlotte-Mecklenburg had 23 schools on the Trust's list of 4,577 "high-flying" schools.

Trust director Kati Haycock said the list was meant to counter arguments that the schools that succeed with minority or poor kids are a fluke – a result of a star principal or an unusual staff. Haycock says the Trust believes "that poor and minority children can achieve at high levels when they are taught at high levels."

Some of the Trust's more narrow arguments, however, may not apply to CMS.

For example, the Trust says fewer than 8% of the highlighted schools nationwide are magnet or charter schools. But the box at the right shows that half of the CMS elementaries on the list, and 60% of the middle schools, host magnet programs. Magnets tend to enroll smart kids and among the most-involved parents.

To obtain its list of high-flyers, the Trust sorted schools several ways. All of those on the list have at least 50% of their kids on subsidized lunch, a common indicator of low family income.

But in addition, schools had to be in the top third of their state's schools in their percentage of low-income OR minority children. Some schools qualified both ways.

Then, those schools had to have test scores in the top third of schools reporting numbers for that test that year.

In CMS, for example, Albemarle Road Middle is not majority low-

### Mecklenburg's 23 on the list

*The Education Trust examined high-poverty and/or high-minority schools, then highlighted those schools on the list whose math and/or reading scores were in the top third of all schools in the state in the year 2000 -- not just the top third of high-poverty or high-minority schools.*

*While the Trust says "the overwhelming majority of schools in the analysis are regular neighborhood public schools," that is not the case for the CMS schools. Half the CMS elementaries, and 60% of the middle schools, on the list host magnet programs. Magnets, in part because they require parental action for entry, tend to attract superior students.*

*The 20 schools on the list from CMS, and the test scores (math=M; reading = R) that put them on list. Magnets are shown in italics:*

Elementaries	Test	Middle Schools	Test
Allenbrook	5th M	Albemarle Road	7th R
<i>Chantilly</i>	5th M, R	Coulwood	7th R
<i>Collinswood</i>	5th M	<i>Hawthorne Trad.</i>	7th R
<i>Druid Hills</i>	5th R	Kennedy	7th R
<i>First Ward</i>	3,4,5 M	<i>Martin</i>	7th R
Greenway Park	3rd M, R	Northridge	7th R
Highland	4th M	<i>Randolph</i>	7th R
<i>Lincoln Heights</i>	4th M, R	<i>Ranson</i>	7th R
Merry Oaks	5th M	<i>Sedgefield</i>	7th R
<i>Nations Ford</i>	3rd M, R	<i>Smith</i>	7th R
Piney Grove	4th M, R		
Winding Springs	3rd R		
<b>Source:</b> The Education Trust		<b>Program</b>	
		Teen Age Parent	6th M, R

income (it was reported at 47%), but it had a combined 59% minority population (47% black, 7% Latino, 5% Asian). Its 7th-grade reading score in 2000 was listed in the top third of N.C. schools' scores.

In the Trust's demographics tables, Mecklenburg has no low-poverty schools that are majority white. But Kannapolis' Fred L. Wilson Elementary qualified on those grounds, and its fourth-grade math and reading scores drew praise.

Eleven CMS schools qualified on both low-income and high-minority grounds. The school assignment plan to be implement-

ed in the fall may leave the system with twice as many such schools.

While the Ed Trust's efforts shed light on many schools making a difference, the methods used may well develop over time.

One key problem with the compilation is that a single test score, from a single grade, could land a school on the list. Is that a broad enough indicator to consider an entire school successful?

Another problem is that testing from only a single year was considered. "High-flying" suggests sustaining a high-altitude path over time. The Trust's work does

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## No barrier

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not yet support those conclusions.

The Trust's database, online at [www.edtrust.org](http://www.edtrust.org), should be very useful for parents and educators to explore other issues they face.

The database is sortable by a variety of standards. It is from the database, for example that the list below was produced.

The list is a reminder that attention must not only be paid to the "high-flyers" but to the overall educational challenge this state and others face.

Below are the N.C. elementaries in the Trust's database that reported 70% or more minority students and 50% or more low-income students. The category was chosen because schools with

those demographics figured prominently in last spring's debate over whether the new neighborhood-based student assignment plan would produce schools that would fail their students.

Those schools are ranked in the list below by relative ranking among all N.C. elementaries, using their reported 4th-grade reading scores. Thus, Lincoln Heights, the first CMS school on the list, was reported as 70% or more minority, 50% or more low-income, and had a 4th-grade reading score that was in the 66th percentile among all N.C. elementaries reporting such scores.

The results are startling, at least for two reasons:

First, the high-flyers don't necessarily rank well overall.

Allenbrook, one of CMS's high-flyers, is in the 9th percentile in overall 4th-grade reading scores (its fifth-grade math score made it a high-flyer). Other high-flyers' rankings for 4th grade: Highland, 22nd percentile; Collinswood, 35th; Druid Hills, 46th; First Ward and Lincoln Heights, 66th.

Second, the list graphically illustrates how many dozens of schools across North Carolina that have high-poverty and high-minority student populations are still reporting troubling achievement scores in the lowest reaches of the relative rankings among all N.C. schools.

Gains are being made. CMS' Thomasboro Elementary, ranked here in the lowest 1%, saw scores rise the next year. Perhaps the Ed Trust's list will spur further accomplishment statewide.

## N.C. elementaries 70%+ minority, 50% poor, ranked by 4th-grade reading scores

Source: Education Trust's "Dispelling The Myth Revisited" database, [www.edutrust.org](http://www.edutrust.org)

School Name	County	Relative Rank in Percent	School Name	County	Relative Rank in Percent
Wells	Wilson	70	Carver	Vance	31
Bluford	Guilford	69	Edna Andrews	Martin	29
<b>Lincoln Heights</b>	<b>Mecklenburg</b>	<b>66</b>	Winstead	Wilson	29
Oxendine	Robeson	66	D. S. Johnson	Nash	27
<b>First Ward</b>	<b>Mecklenburg</b>	<b>66</b>	Hunter	Guilford	27
J. T. Barber	Craven	65	South	Person	27
David D. Jones	Guilford	63	Baskerville	Nash	27
Speas	Forsyth	61	Ceasar Cone	Guilford	26
Wiley Accelerated	Guilford	60	Sadie Saulter	Pitt	26
S. W. Snowden	Beaufort	58	William H. Owen	Cumberland	26
John P. Law	Bertie	54	Siler City	Chatham	26
Dawson	Halifax	52	William H. Blount	New Hanover	26
Vinson-Bynum	Wilson	52	Brentwood	Wake	25
Falkland	Pitt	52	Williford	Nash	25
Pearsonstown	Durham	49	Wagram Primary	Scotland	25
<b>Oaklawn</b>	<b>Mecklenburg</b>	<b>48</b>	Alger B. Wilkins	Cumberland	24
Southwest	Durham	47	Inborden	Halifax	24
<b>Druid Hills</b>	<b>Mecklenburg</b>	<b>46</b>	Margaret Willis	Cumberland	23
Pittman	Halifax	46	Rex-Rennert	Robeson	23
Hollister	Halifax	42	Old Town	Forsyth	23
Everetts	Halifax	41	Pembroke	Robeson	23
Pollocksville	Jones	40	<b>Winterfield</b>	<b>Mecklenburg</b>	<b>23</b>
Merrick-Moore	Durham	39	<b>Highland</b>	<b>Mecklenburg</b>	<b>22</b>
Holt	Durham	38	Club Boulevard	Durham	22
Sedgefield	Guilford	38	Northside	Warren	22
R. B. Dean	Robeson	36	J. H. Sampson	Lenoir	21
<b>Montclair</b>	<b>Mecklenburg</b>	<b>36</b>	West Bertie	Bertie	21
Cliffdale	Cumberland	36	Garysburg	Northampton	21
Cyrus P. Frazier	Mecklenburg	36	James Love	Shelby City	21
<b>Collinswood</b>	<b>Mecklenburg</b>	<b>35</b>	Magnolia	Robeson	21
Fayetteville St.	Durham	35	R. Homer Andrews	Alamance	20
Southside	Robeson	35	Union Chapel	Robeson	19
E. M. Rollins	Vance	34	Squire	Northampton	19
South Greenville	Pitt	33	Sedgefield	Mecklenburg	19
Aurelian Springs	Halifax	33	Piney Grove	Robeson	19
Ponderosa	Cumberland	32	<b>Briarwood</b>	<b>Mecklenburg</b>	<b>19</b>
Rose Hill	Duplin	31	Mineral Springs	Forsyth	18

In Mecklenburg		
School Name	Relative Rank in %	Pct. Minority
Allenbrook	9	81
Briarwood	19	95
Collinswood	35	80
Derita	12	78
Devonshire	5	93
Druid Hills	46	71
First Ward	66	75
Hidden Valley	8	99
Highland	22	90
Idlewild	13	81
Lincoln Heights	66	73
Merry Oaks	10	82
Montclair	36	77
Oaklawn	48	83
Pawtucket	16	71
Sedgefield	19	85
Shamrock Gardens	11	77
Sterling	12	76
Thomasboro	1	91
Westerly Hills	8	91
Windsor Park	15	73
Winterfield	23	78

Bethesda	Durham	18
Diggs	Forsyth	18
J. W. McLaughlin	Hoke	18
Archer	Guilford	18
Hallsboro	Columbus	17
Central	Stanly	17
Margaret Hearne	Wilson	17

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# High-minority, high-poverty schools

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School Name	County	Relative Rank in Percent	School Name	County	Relative Rank in Percent
Rocky Mount Charter		17	Sallie B. Howard School		7
Fair Bluff	Columbus	17	School Street	Wayne	7
Pines	Washington	17	Sunnyside	Cumberland	7
Rosenwald	Robeson	17	South Warren	Warren	7
Warrenwood	Cumberland	16	West Hoke	Hoke	7
Union	Robeson	16	L. B. Yancey	Vance	7
Mclver	Halifax	16	Kimberly Park	Forsyth	7
North	Person	16	Eastlawn	Alamance	7
<b>Pawtuckett</b>	<b>Mecklenburg</b>	<b>16</b>	Morven	Anson	6
South Hoke	Hoke	16	Bakers	Halifax	6
Lucile Souders	Cumberland	16	W. M. Hampton	Guilford	6
North Drive	Wayne	16	Manchester	Cumberland	6
Phase Academy of Jacksonville		15	East End	Martin	6
Erwin Open	Guilford	15	Montlieu Avenue	Guilford	6
<b>Windsor Park</b>	<b>Mecklenburg</b>	<b>15</b>	Lakewood	Durham	6
Prospect	Robeson	15	W. G. Pearson	Durham	6
Clara J. Peck	Guilford	15	<b>Devonshire</b>	<b>Mecklenburg</b>	<b>5</b>
R. N. Harris	Durham	15	Warsaw	Duplin	5
Children's Village Academy		15	Teresa C. Berrien	Cumberland	5
B. O. Barnes	Wilson	14	George Watts	Durham	5
Vandalia	Guilford	14	Westarea	Cumberland	5
Robert L. Vann	Hertford	14	Fairgrove	Robeson	5
Andrew Jackson	Weldon City	14	Carver Heights	Wayne	5
Parkview Village	Guilford	14	Roberson	Edgecombe	5
<b>Idlewild</b>	<b>Mecklenburg</b>	<b>13</b>	C. G. Woodson School of Challenge		5
C. S. Brown	Hertford	13	Candor	Montgomery	5
Seaboard-Coates	Northampton	13	N.E. Raleigh Charter Academy		4
Rankin	Guilford	13	Wadesboro	Anson	4
<b>Derita</b>	<b>Mecklenburg</b>	<b>12</b>	West Lumberton	Robeson	4
<b>Sterling</b>	<b>Mecklenburg</b>	<b>12</b>	Daniels Advance	Wilson	4
Peterson	Robeson	12	Forest Park	Forsyth	4
Latham	Forsyth	12	Omuteko Gwamaziima		4
Edwin A. Alderman	Guilford	12	West Martin	Martin	4
Burton	Durham	12	Ashley	Forsyth	4
Colerain	Bertie	11	Aulander	Bertie	4
Ferguson-Easley	Cumberland	11	Clark Street	Vance	4
Deep Branch	Robeson	11	New Hope	Vance	4
Washington	Guilford	11	Hall-Woodward	Forsyth	3
<b>Shamrock Gardens</b>	<b>Mecklenburg</b>	<b>11</b>	Central Primary	Scotland	3
Bessemer	Guilford	11	Julius I. Foust	Guilford	3
Mariam Boyd	Warren	11	Sheep-Harney	Pasquotank	3
Belvoir	Pitt	11	Fairview	Guilford	3
Knuckles Montessori	Robeson	10	Weldon	Weldon City	3
Graham	Shelby City	10	East	Union	3
E. K. Powe	Durham	10	Pauline Jones	Cumberland	3
<b>Merry Oaks</b>	<b>Mecklenburg</b>	<b>10</b>	Petree	Forsyth	3
Sumner	Guilford	10	Lillian Black	Cumberland	3
Phillips Magnet	Edgecombe	10	Pinkston Street	Vance	2
East Arcadia	Bladen	10	C. C. Spaulding	Durham	2
Easton	Forsyth	9	Cook	Forsyth	2
D. F. Walker	Edenton/Chowan	9	Harnett Early Childhood		2
Jackson-Eastside	Northampton	9	North Hills	Forsyth	2
Y. E. Smith	Durham	9	Glenn	Durham	2
B. T. Washington	Bladen	9	Healthy Start Academy		2
Union Hill	Guilford	9	Walter J. Bickett	Union	2
Scurlock	Hoke	9	James C. Braswell	Nash	2
O. R. Pope	Nash	9	Woodhill	Gaston	2
<b>Allenbrook</b>	<b>Mecklenburg</b>	<b>9</b>	Sugar Creek Charter (Mecklenburg)		2
Windsor	Bertie	8	Rowan Academy		1
<b>Westerly Hills</b>	<b>Mecklenburg</b>	<b>8</b>	Eastway	Durham	1
Irving Park	Guilford	8	Sparc Academy		1
Swift Creek	Nash	8	Carter Community Charter		1
Riverview	Hertford	8	<b>Thomasboro</b>	<b>Mecklenburg</b>	<b>1</b>
North Laurinburg	Scotland	8	Turning Point Academy		1
Plain View Primary	Bladen	8	East Winston Primary		1
<b>Hidden Valley</b>	<b>Mecklenburg</b>	<b>8</b>	Maureen Joy Charter		1
Rich Square	Northampton	8	Research Triangle Charter		0
Kirkman Park	Guilford	7	Walker-Spivey	Cumberland	0



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## Briefs

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**Education bill:** The U.S. House has passed, and Tuesday the Senate will begin work on, an education bill that promises big changes in school operations and achievement. Some fear that Uncle Sam won't be paying for what he mandates.

Annual testing is part of the package, as is a mandate that groups of students that have often been left behind be doing math and reading on grade level within 12 years. Children at schools that are not improving would be allowed to transfer with free transportation, and schools that failed to improve over a multi-year period could be reconstituted. Writing in the *New York Times*, Vermont independent Sen. Jim Jeffords wrote, "I am deeply concerned that this bill with further saddle our school systems with federal requirements they cannot afford to meet."

[www.nytimes.com](http://www.nytimes.com)

**Unprepared:** California's push to lower class size, begun in 1991, has put more uncredentialed teachers in the classroom, the *Sacramento Bee* reported. A report from the Center for the Future of Teaching and Learning says half of all teachers now being hired haven't completed training. The report's author, Patrick Shields, was quoted as saying, "A low-performing student has a five-time greater chance of having an unqualified teacher than a high-achieving student."

[www.sacbee.com](http://www.sacbee.com)

**Reshaping high school:** Last week the Carnegie Corporation and several nonprofits teamed up to announce a \$60 million project to test new ideas for high school. The five-year effort in seven cities is the latest step in a process that began 15 months ago with planning in Boston; Chattanooga; Providence, R.I.; Sacramento; San

Diego; Worcester, Mass.; and Houston. Carnegie said the projects are to address two key issues: About half of ninth-graders are not fluent readers, and about a third are not now graduating.

While initiatives vary, most of the projects as outlined by Carnegie focus on raising students' expectations, training teachers, and breaking down huge high schools into more personal-scale teaching units. Providence seeks four-year academies with career themes at each high school. Sacramento wants 200-student "autonomous learning communities" in each of its 1,600-student schools.

[www.carnegie.org](http://www.carnegie.org)

**No speaking:** A panel of judges for the 5th Circuit Court of Appeals has voided a 1999 Louisiana law that took the word "silent" out of a 1992 law allowing silent prayer in public schools, the *Times-Picayune* reported. The

panel ruled that dropping the "silent" came out of a "wholly religious purpose" in violation of the First Amendment.

[www.nola.com](http://www.nola.com)

**Unfit:** A California Department of Education study found just 23% of children it tested were physically fit, the *Los Angeles Times* reported. Low-income children are least fit; access to teams and facilities was blamed. But for all kids, "there is a tie between healthy minds and healthy bodies," the *Times* quoted consultant Debbie Vigil as saying. "Kids are probably going to be more sluggish in the classroom if they are unfit."

**Blue ribbons:** South Charlotte Middle was among 13 N.C. schools recommended last week to receive the national Blue Ribbon Award. Still ahead: site visits and the final cut. About 3,400 schools have been honored for excellence in the program since 1982.

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## Calendar

- 17** Exceptional Children choice meeting, 6:30 p.m., Central United Methodist Church, 6030 Albemarle Road.
- 18** Joint lunch with school board, city council and county commission, noon, Government Center room 267. Personnel and Policy Committee, 3 p.m., Board Conference Room.
- 19** Last day of school for the year. Resumption date: Jan. 2, 2002. Elizabeth Traditional departs its building for renovations and expansion. The school will be housed for 18 months at the old Druid Hills building at 2801 Lucena St.
- 23** Imam Mohammed addresses young people at the fourth annual conference of the Muslim American Society's National Young Adult Association, 1 p.m., University Hilton.

## January

- 10** Community Relations Committee's Religious Forums on Public Education.
- 14** Final meeting of Student Advisory Oversight Committee, 7:30 a.m., Board Room. The citizen oversight and auditing aspects of this committee will be handed off to a newly constituted Equity Committee.