



Advocates for Children's Services

The Racial Achievement Gap in the Wake County Public School System

By Jason Langberg & Cary Brege



“The numbers do not lie. While ethnic background by no means determines how well a child will perform in class, on average our African-American and Hispanic students are not performing as well on the state's End-of-Grade and End-of-Course assessments as our white and Asian students.”

- *William (Bill) McNeal, Former Superintendent of the Wake County Public School System, 2001¹*

“The community has to align all of our resources whether its the school system resources, the Wake County Human Services and we have to decide how are we going to communicate exactly what the gap is and then to have courage and commitment and consistency in terms of working together to eliminate the gap.”

- *Darryl Fisher, Senior Director, WCPSS Prevention Services, 2006²*

“WCPSS has made gains in student success, but there remains an achievement gap between high achieving students and those from differing ethnic, socio-economic and special-needs backgrounds. WCPSS must eliminate that gap.”

- *The WCPSS Curriculum Management Audit,
listing closing the achievement gap as its number one recommendation, 2007³*

“Our schools and I are held accountable for ensuring that every child...is challenged and succeeds...Meeting this goal is simply the right thing to do; our schools must not ‘write off’ any child.”

- *Dr. Adelphos John (Del) Burns, Superintendent of the WCPSS, 2008⁴*

“We have an achievement gap. One that is significant. Too many of our children are falling behind.”

- *John Tedesco, member of the Wake County Board of Education, 2009⁵*

Introduction

The North Carolina Department of Public Instruction defines the “achievement gap” as “a persistent, pervasive and significant disparity in educational achievement and attainment among groups of students as determined by a standardized measure. When analyzed according to race and ethnicity, achievement disparities negatively impact educational outcomes for poor children and children of color on a consistent basis.”⁶ Unfortunately, despite years of talk about closing the racial achievement gap and some efforts to join talk with action, North Carolina public schools have made precious little progress in this critical area. Indeed, if anything, state efforts to close the gap have slackened in recent years.⁷

In North Carolina’s capital county of Wake, considerably large and unacceptable disparities remain stubbornly entrenched between the academic success of Asian and Caucasian students on the one hand and that of African American and Latino students on the other. Given the high achievement levels of Asian and Caucasian students in the Wake County Public Schools System (WCPSS), these racial achievement gaps are even larger and more striking than the statewide averages.

Ironically, right now in Wake County, competing sides are engaged in a pitched battle over the future of the county school system (and, in particular, one of the tools used by the system to combat the achievement gap: socio-economic diversity in school assignments). Unfortunately, this debate has given rise to the misperception in the mainstream media and some other circles that only two options exist: either abolishing the diversity policy (a policy under which WCPSS strives to cap the percentage of poor children in any one school at 40%, but on which there has been considerable backsliding in recent years) or simply maintaining this imperfect *status quo*. Neither will work.

A third option has failed to win much attention in the public debate—namely, that Wake County needs greater investment in the system and more socioeconomically balanced schools. As outlined below, such improvements will raise achievement levels of African American and Latino students.

It should be noted that this issue brief is not intended to be a blanket criticism of WCPSS teachers (most of whom are very passionate, committed, and highly effective in the face of immense challenges), parents (most of whom are lovingly raising their children well), or administrators and policymakers (most of whom are dedicated to serving the best interests of children). Nor is it meant to be a tool to be used for cheap political gain in the current diversity policy debate in Wake County, which has, in many places, devolved into a false dichotomy. The purpose of examining the situation in Wake County is not to denigrate or belittle the county’s achievements, but to lift Wake County up; to challenge its residents and elected officials to play a leadership role for the rest of North Carolina on this most difficult of issues. In

short, this brief is intended to promote the “third option” alluded to above—that is, to: a) turn the focus to the stubborn and sizeable racial achievement gap that plagues WCPSS; and b) propose concrete, results-oriented solutions that can serve as a model for the entire state.

Racial Achievement Gap

Though faring slightly better by some measures than their African-American and Latino peers in other parts of the state, African-American and Latino children in Wake County perform significantly worse than their Asian and Caucasian peers in the WCPSS on every measure of educational success. This gap is widened by the fact that Asian-American and Caucasian students in Wake County perform notably better than Asian-American and Caucasians elsewhere.

When considering performance on state standardized tests, African American students’ rates of proficiency range from 23% - 45% lower than Caucasian students. Latino students’ rates of proficiency on state standardized tests range from 9% - 45% lower than Caucasian students. When considering the reading and math portions of the SAT, African American students score 211 points lower than Caucasian students. Latino students score 99 points lower than Caucasian students.⁸ When considering enrollment in Advanced Placement (AP) courses, Caucasian students are twice as likely to enroll in these classes as are African American and Latino students. These disparities begin early. A recent report revealed that in comparing all seventh grade students with a high likelihood of reaching proficiency in Algebra I, 20% fewer African American and Latino students were enrolled in Algebra I than their comparably prepared Caucasian counterparts.⁹

Moreover, compared to Caucasian students, African American students are retained/held back four times as often,¹⁰ have a three times higher drop out rate,¹¹ have a 26% lower four-year graduation rate,¹² and are 14% less likely to plan on going to a four-year college.¹³ Similarly, compared to Caucasian students, Latino students are retained/held back four times as often,¹⁴ have a four times higher drop out rate,¹⁵ have a 38% lower four-year graduation rate,¹⁶ and are 30% less likely to plan on going to a four-year college.¹⁷ Even in comparing the racial achievement gap in the WCPSS with the overall racial achievement gaps in North Carolina, the WCPSS racial achievement gap is wider than the already-egregious statewide achievement gap. See the appendix for additional data.

Denial of an Opportunity to Receive a Sound, Basic Education

Large percentages of African American and Latino students in the WCPSS are not receiving their fundamental constitutional right to the equal opportunity to receive a sound basic education,¹⁸ as demonstrated by various measures of achievement. The Supreme Court of North Carolina stated that “output” measurements—such as student test scores, grades, and graduation rates—are reliable contributing evidence that students are not obtaining their constitutionally-mandated sound basic education.¹⁹

Shockingly, during the 2008-09 school year, fewer than half of all WCPSS African American and Latino students in grades three through eight could read and do math at a proficient level. During that same year, only 59% of African American high school students and 66% of Latino high school students were proficient on all of their standardized end-of-course tests. Additionally, African American and Latino students often do not graduate on time, if at all.²⁰ In the WCPSS, one out of every three African American students will not graduate on time from high school. For Latino students, this number drops to approximately one out of every two students. See Table 3 in the Appendix for citations and additional data on students’ classroom grades.

Disproportionate School Exclusion

One issue that appears to be a significant contributor to the achievement gap is the prevalence of school suspensions. Suspension rates affect the achievement gap because all suspended students in the WCPSS receive either inadequate or no alternative educational services. Long-term suspended students in the WCPSS face three grim options: 1) no educational services at all; 2) on-line courses;²¹ or 3) two to six hours per week of homebound services for students who qualify for special education.²² Last year, the WCPSS eliminated its contracts with the four remaining alternative schools that serve non-disabled, suspended students.

School exclusion also affects the achievement gap because of the other negative consequences of school exclusion, which include:

- accelerating the course of possible delinquency by providing youth with little supervision and more opportunities to socialize with deviant peers;
- increasing conduct detrimental to the safety of families and communities (when children are out of school, they are more likely to engage in physical fights, to possess a weapon, and to use alcohol, tobacco, and drugs);
- generating feelings of alienation and failure that lead excluded students to unemployment, gangs, and crime;

- leading to isolation, suicidal ideation, and substance abuse;
- intensifying conflicts with adults;
- creating a self-fulfilling belief that a student is incapable of abiding by schools' social and behavioral codes;
- decreasing motivation to learn;
- worsening academic performance (including failing grades and retention); and
- increasing the likelihood of dropping out.²³

During the 2007-08 school year, the WCPSS was made up of 26.5% African American students; 5.4% Asian students; 52.6% Caucasian students; and 11.1% Latino students. That same year, Wake County public schools handed down 22,707 short-term suspensions and 1,103 long-term suspensions. African American students received 64.0% of the total short-term suspensions and 72.3% of the total long-term suspensions, in contrast to 20.2% and 16.1% for Caucasian students and 0.9% and 0.5% for Asian students, respectively.²⁴ Moreover, a total of twenty-five students were expelled by the WCPSS over a three year period—and twenty-four (96.0%) of them were African American.²⁵ Suspension rates for Latino students—10.9% of short-term suspensions and 7.2% of long-term suspensions—are slightly lower than their representation in the WCPSS as a whole.

In December 2008, a member of the WCPSS Board of Education, stated: "All we're doing is sending these students out for a year where they're getting into drugs and gangs."²⁶ It was also reported in the *News & Observer* that "a team of administrators and teachers is reviewing how to lower suspension rates as a way to improve academic performance and graduation rates."²⁷ Furthermore, another member of the WCPSS Board of Education, said: "And then in the schools, we have to do more to try to be more innovative, creative, and thinking outside the box, and trying to figure out how we can keep kids in a learning environment."²⁸ Clearly, WCPSS leaders are beginning to recognize the suspension crisis and its devastating impact on student achievement; yet much more needs to be done and it needs to be done now.

Time to Take Decisive Action

The negative social and economic impacts of the achievement gap are well-documented.²⁹ The issue has been recognized for years: from the White House to state houses to local levels. The North Carolina Department of Public Instruction has an Advisory Commission called "Raising Achievement and Closing Gaps," which was formed a decade ago.³⁰ June Atkinson, the North Carolina Superintendent of Public Instruction, said: "Trends show us that the achievement gap is narrowing. However it's not narrowing as fast as it needs to do. We have to make sure that *all* of our children are prepared for the competitive workplace and further education and life in the 21st century. And so

consequently we have to accelerate our efforts, we have to bring to the forefront again and again the importance of *all* students achieving at high levels.”³¹

The WCPSS has followed the state’s lead when it comes to committee formation and rhetoric. It formed a “Raising the Achievement and Closing the Gaps Committee,” a thirty-five member group that met four times a year.³² As demonstrated by the first pages of this issue brief, WCPSS leaders regularly speak of the achievement gap and the need to close it. The WCPSS Board of Education’s goal uses the phrase “*all* students,” and its mission uses the phrase “*each* student.”³³

While it is encouraging to know that federal, state, and local policymakers are aware of the achievement gap, and some intermittent, conventional steps have been taken to close the gap, it is time to move beyond the rhetoric and take decisive action. African American and Latino students in the WCPSS need concrete, effective, comprehensive, expeditious solutions. The answer is not re-segregation, high-stakes testing, or zero tolerance policies, all of which further widen the racial achievement gap.³⁴ Rather, closing the gap involves thinking “outside of the box,” creating a shared vision, making difficult decisions, and acting boldly.

Blueprint for Reform

The WCPSS must accomplish the following in each of its 150-plus schools:

- 1) Increase teaching capacity by:
 - a. setting high expectations for school personnel, as well as families and students;
 - b. recruiting the most effective, highly qualified teachers;
 - c. improving teacher and administrator preparation and training;
 - d. decreasing the emphasis on high-stakes standardized testing;
 - e. reducing school and class sizes; and
 - f. improving the availability of instructional aides, resources, and supports.

- 2) Increase youth development by:
 - a. creating more high-quality early childhood education and intervention programs;
 - b. increasing the number of highly-effective, highly-qualified guidance counselors, social workers, and psychologists;

- c. creating more extracurricular activities, such as sports teams, community service opportunities, academic clubs, student organizations, and field trips;
- d. creating more afterschool and summer programs; and
- e. extending the school day and school year.

3) Bring communities, families, and schools together by:

- a. welcoming parental involvement and constructive criticism;
- b. placing school-parent-community coordinators at each school;
- c. encouraging home visits by school personnel, parent-teacher contracts, family nights, and other methods of improving communication and collaboration;
- d. creating independent achievement gap advisory committees at each school made up of school staff, students, parents, and advocates;
- e. building partnerships with existing community resources, such as health services, mental health services, arts and recreation, food banks, afterschool and summer programs, and mentoring programs—and bringing those resources into schools (i.e., “co-locating”);
- f. conducting needs assessments and filling voids where resources are not otherwise available for free or for low-cost in the community (e.g., school-based health clinics);
- g. providing parent programming, such as parenting, fitness, health and wellness, GED, financial literacy, job skills, and English language learner (ELL) classes; and
- h. creating evening and weekend activities, such as, performances, cultural celebrations, meals, and movies, that make schools the center of communities.

4) Reduce the number of school suspensions and school-based delinquency and criminal complaints by:

- a. creating an independent school discipline oversight committee made up of school staff, students, parents, and advocates;
- b. working with local law schools, community-based organizations, and government agencies to create alternatives to suspension (e.g., quality alternative schools, mediation and dispute resolution, community service, drug treatment, restitution, and mandatory counseling);
- c. eliminating zero tolerance policies;
- d. mandating that administrators use graduated interventions and consequences prior to giving students suspensions;
- e. limiting the use of out-of-school suspensions to certain, more serious, offenses;

- f. limiting administrators' discretion to suspend students for committing offenses off-campus;
- g. limiting administrators' and school resource officers' discretion to file school-based delinquency and criminal complaints (e.g., no complaints for minor offenses, no complaints for offenses that are manifestations of students' disabilities, etc.); and
- h. providing students with greater due process protections (e.g., right to appointed counsel, open discovery, limitations on hearsay evidence, impartial decision-makers, etc.).

5) Raise minority student achievement by using research-based strategies that:

- a. avoid or eliminate high concentrations of low-income students in schools (i.e., assure that low-income children do not exceed 40% of the enrollment at any individual school), which disproportionately affect African-American and Latino students;
 - i. The WCPSS' Evaluation and Research Department published a report stating: "A high concentration of low-income students in a school...appears to have negative effects on students, teachers, and the school, and these effects extend beyond the effect of the individual students' economic condition." The report ends with the following statement: "Students are most likely to be successful when they are in heterogeneous classes in socio-economically diverse schools in which concentration of poverty is kept as low as possible."³⁵
 - ii. African American and Latino children disproportionately live in poverty and therefore are disproportionately affected when schools have high concentrations of low-income students. While African American and Latino students make up 26.1% and 11.5%, respectively, of students in the WCPSS, they represent 50.7% and 30.1%, respectively, of all students receiving free and reduced (F&R) lunch.³⁶ During the 2008-09 school year, 55.2% of African American students and 68.3% of Latino students received F&R lunch.³⁷
 - iii. Despite the WCPSS diversity policy that individual schools reflect a F&R lunch ratio no greater than 40% of its student population,³⁸ approximately one out of every three schools in Wake County is out of compliance with the policy. During the 2008-09 school year, 31.3% of elementary schools (31 out of 99) and 33.3% of middle schools (10 out of 30) had more than 40% of students receiving F&R lunch. On average, 28.4% of WCPSS students received F&R lunch. However, eleven elementary schools had more than twice the district average. Finally, the percentage of elementary schools with more than 40% of students receiving F&R lunch has increase by 13.7% since 1999-2000.³⁹
 - iv. Among the forty-one elementary and middle schools that were non-compliant with the WCPSS' 40% F&R lunch goal, all but three had disproportionately high percentages of African American students and all but five had disproportionately high percentages of Latino students.

- b. follow the recommendations of education experts concerning poverty and school performance; and
 - i. The WCPSS' Evaluation and Research Department cites more than ten studies conducted by national experts which show that high poverty schools have lower student achievement and more difficulty hiring and retaining quality, experienced teachers.⁴⁰
 - ii. According to a report by the Wake Education Partnership: "A large body of research, gathered over 40 years, provides irrefutable evidence of an inescapable correlation between poverty and school performance. The single most important predictor of academic achievement is family income, followed by the socioeconomic composition of the school that a student attends."⁴¹
 - iii. According to Richard Kahlenberg, a senior fellow at The Century Foundation and one of the nation's foremost education policy experts, the additional benefits of socioeconomic diversity include:
 - more orderly schools;
 - more stable student populations;
 - more motivated peers who value achievement and encourage it among classmates;
 - more higher achieving peers, whose knowledge is shared informally with classmates;
 - more parental involvement;
 - greater teacher quality;
 - higher teacher expectations of students;
 - promoting social mobility; and
 - training tolerant citizens and promoting social cohesion.⁴²
- c. honor the WCPSS' historic commitment to educational success for all students, including minority students.
 - i. The Raleigh Public Schools and Wake County Schools merged in 1976 to prevent racial segregation and concentrated poverty. In the early 1980s, the WCPSS sought to avoid court-ordered busing by adopting an extensive magnet school program, designed primarily to draw white students into schools located within the Raleigh "beltline." Then, in 2000, the WCPSS shifted its emphasis of school integration from race to socioeconomic status.⁴³
 - ii. Today, the WCPSS is more diverse than most districts in the state, and low-income and minority students, on average, perform better than those students in other North Carolina districts.⁴⁴ The school district leaders who crafted the "diversity policy" should be praised for their efforts to integrate schools by socioeconomic status, rather than by trying to make "separate but equal" work.⁴⁵

Schools Must Have High Expectations and Meet the Needs of All Students, Regardless of Race or Socio-Economic Status

It is undeniable that African American and Latino children across Wake County generally have worse indicators of child well-being than Caucasian children. For example, in Wake County, 20.7% of African American children and 32.5% of Latino children live in poverty, compared to 7.2% of Caucasian children.⁴⁶ African American and Latino children also represent a disproportionate percentage of reports of abuse and neglect in Wake County.⁴⁷ It is also indisputable that children with negative indicators of child well-being bring those hardships with them to school every day. Undoubtedly, parents and communities must do more to ensure their students are successful.

However, while the WCPSS cannot solve all social ills, it must be part of the solution, not part of the problem. In fact, the State Constitution requires that the WCPSS provide now, not later, a system that meets the needs of at-risk children so that they can have an equal opportunity to obtain a sound, basic education.⁴⁸ For the WCPSS, poverty must be approached as a challenge to overcome and eradicate, not an excuse to permit continued inequality. As a recent report identifies, the very way the WCPSS analyzes data actually “expects” that poorer students will score lower than more affluent students and “forgives” schools serving poorer students.⁴⁹ These low expectations, coupled with a lack of targeted investments to combat poverty and its effects on education, are the major reasons why the WCPSS has failed to close the racial achievement gap. Rather than leaving poverty to be addressed by changing economic conditions or other social safety nets, which have undergone major cuts recently, the public education system should be viewed by schools, parents, students, and communities alike as “the fundamental method of social progress and reform”⁵⁰ and “the single most powerful weapon against poverty and intolerance.”⁵¹

Conclusion

It is incumbent upon policymakers and leaders in the WCPSS, as their moral, professional, and legal duty, to proceed diligently and immediately to close the racial achievement gap. It is also absolutely necessary for parents and communities to step up to the challenge—schools should not and cannot close the gap alone. However, while we must learn from our mistakes, finger pointing is unproductive. Despite hard work and some worthwhile initiatives, we have all failed our children, and now we find ourselves at the beginning of a new decade and an opportunity to begin more intelligently. The time has come to refocus our attention; to treat each child as deserving of whatever it takes for him or her to succeed, not as a statistic, budget item, or pawn for political gain; to eliminate gaps between black, brown, and white; to unite schools and communities; to leave behind the days of allowing some children to succeed while others tragically fail; to create a shared vision for equality and success for *all* students. This is *our* great civil rights challenge.

Table 1: The gaps between African American and Caucasian students in the WCPSS compared to the average gaps statewide

Categories	% of African American Students in the WCPSS	% of Caucasian Students in the WCPSS	Disparities in the WCPSS	% of African American Students in NC	% of Caucasian Students in NC	Disparities in NC
EOG: at or above achievement level III in reading and math (08-09) ⁵²	45.2%	86.4%	41.2%	43.6%	76.7%	33.1%
EOC: at or above achievement level III in all subjects (08-09) ⁵³	58.5%	91.0%	32.5%	53.2%	81.0%	27.8%
4-year cohort graduation rate (08-09) ⁵⁴	63.4%	89.4%	26.0%	63.2%	77.7%	14.5%

Graph 1: The gaps between African American and Caucasian students in the WCPSS compared to average gaps statewide

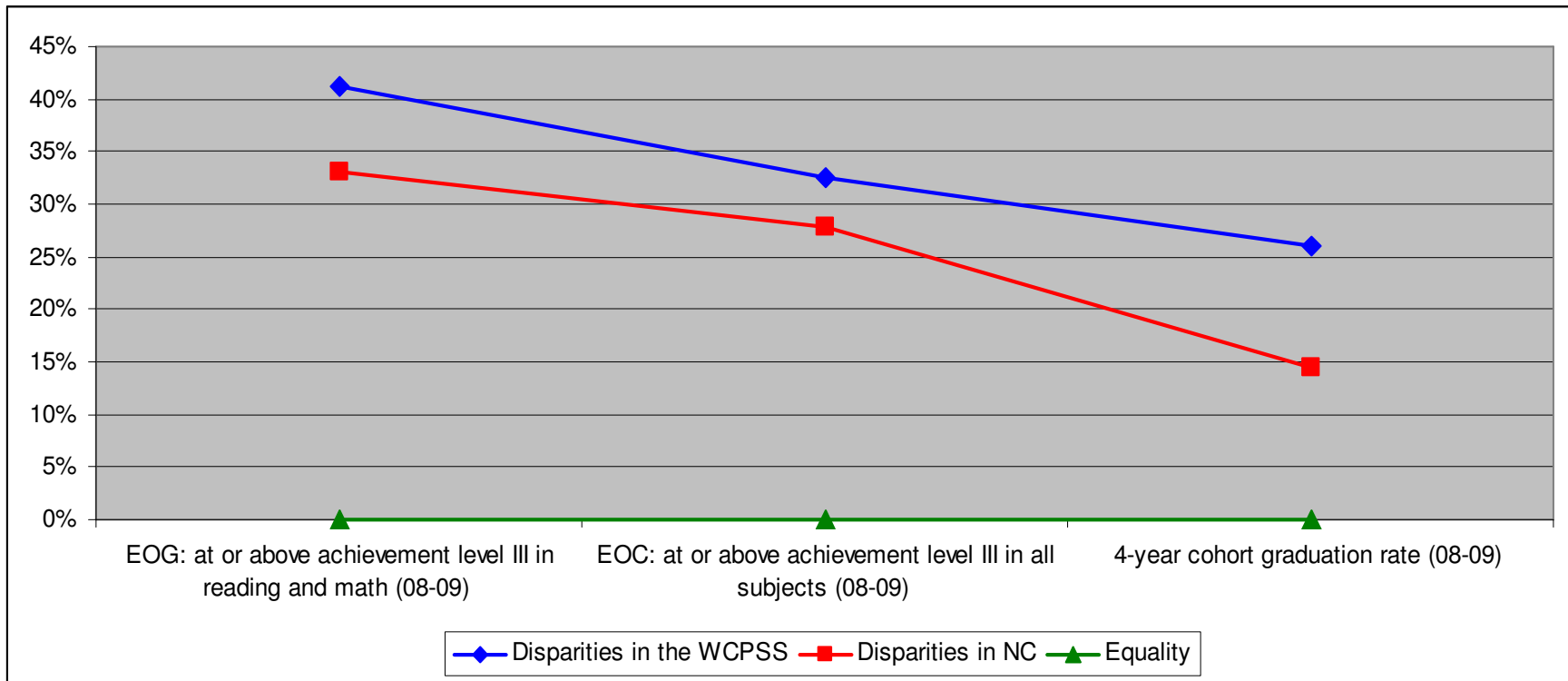


Table 2: The gaps between Latino and Caucasian students in the WCPSS compared to average gaps statewide

Categories	% of Latino Students in the WCPSS	% of Caucasian Students in the WCPSS	Disparities in Wake Co.	% of Latino Students in NC	% of Caucasian Students in NC	Disparities in NC
EOG: at or above achievement level III in reading and math (08-09) ⁵⁵	46.9%	86.4%	39.5%	48.9%	76.7%	27.8%
EOC: at or above achievement level III in all subjects (08-09) ⁵⁶	66.4%	91.0%	24.6%	63.6%	81.0%	17.4%
4-year cohort graduation rate (08) ⁵⁷	51.1%	89.4%	38.3%	58.9%	77.7%	18.8%

Graph 2: The gaps between Latino and Caucasian students in the WCPSS compared to average gaps statewide

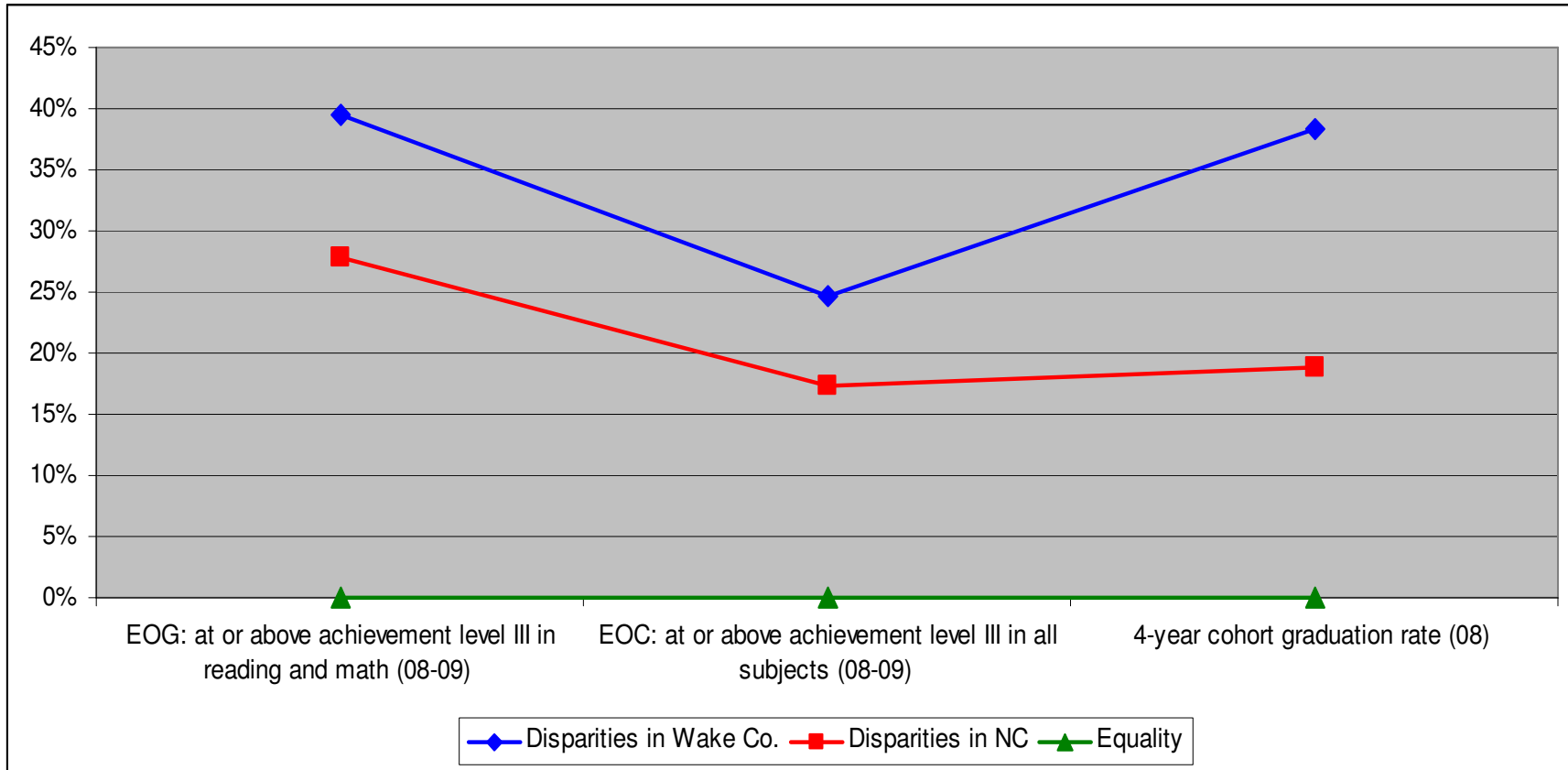
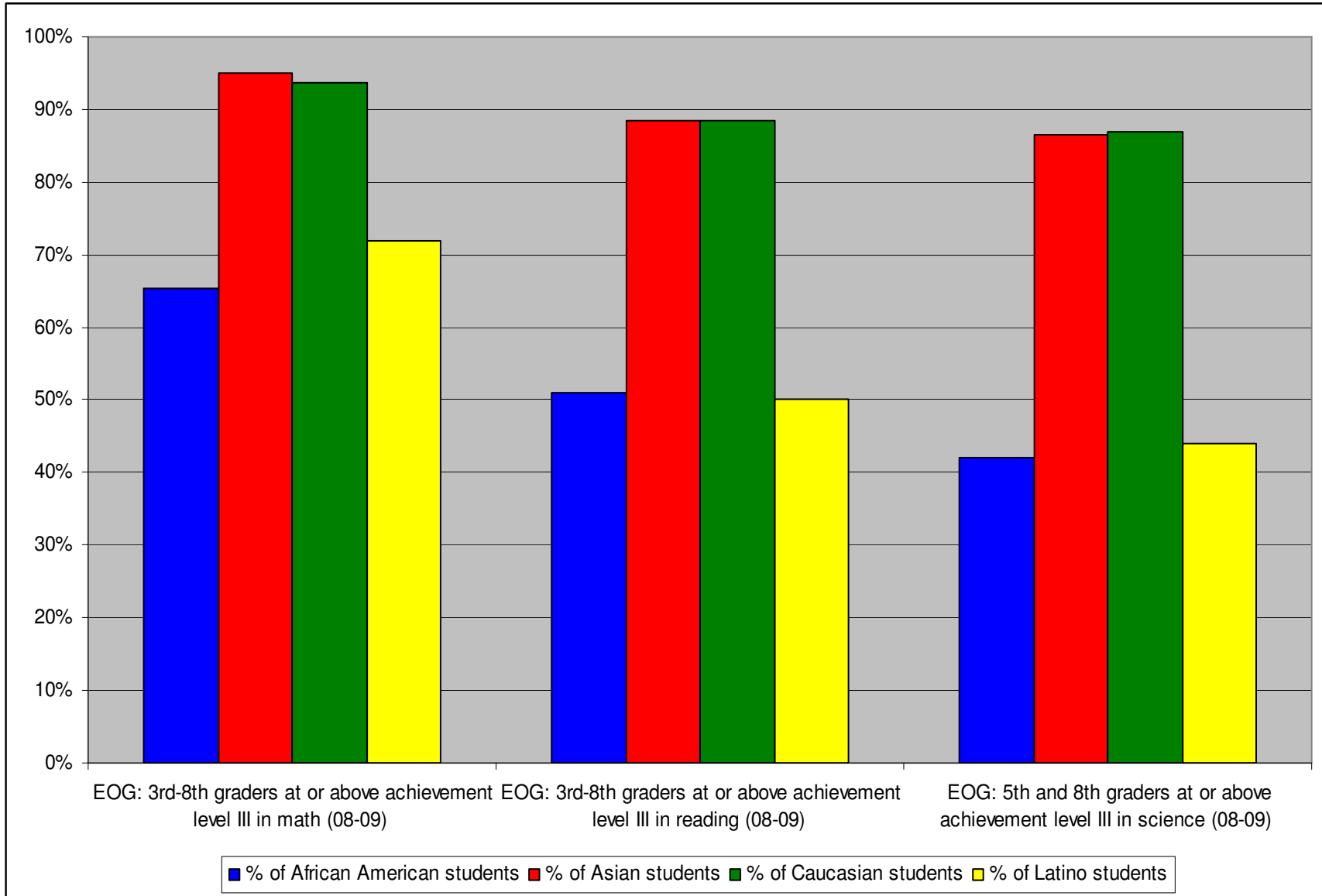


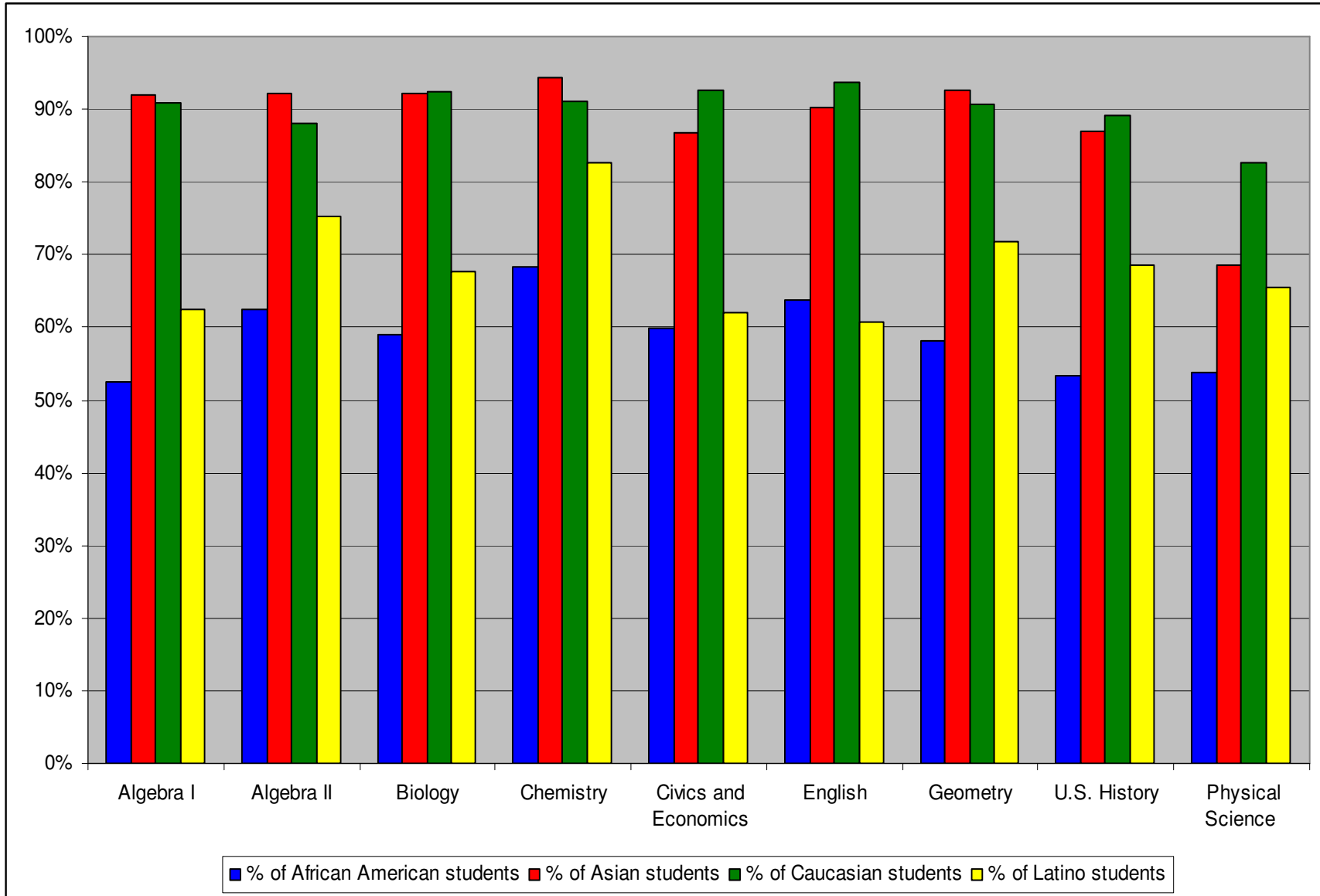
Table 3: Outcomes for students in the WCPSS

Outcomes	% of African American students	% of Asian students	% of Caucasian students	% of Latino students
EOG: 3rd-8th graders at or above achievement level III in math (08-09) ⁵⁸	65.4%	> 95.0%	93.7%	72.0%
EOG: 3rd-8th graders at or above achievement level III in reading (08-09) ⁵⁹	50.9%	88.4%	88.4%	50.2%
EOG: 5 th and 8 th graders at or above achievement level III in science (08-09) ⁶⁰	42.0%	86.5%	86.9%	43.9%
EOC: at or above achievement level III in Algebra I (08-09) ⁶¹	52.6%	92.0%	90.8%	62.4%
EOC: at or above achievement level III in Algebra II (08-09) ⁶²	62.4%	92.2%	88.1%	75.2%
EOC: at or above achievement level III in Biology (08-09) ⁶³	58.9%	92.2%	92.5%	67.6%
EOC: at or above achievement level III in Chemistry (08-09) ⁶⁴	68.3%	94.3%	91.1%	82.6%
EOC: at or above achievement level III in Civics and Economics (08-09) ⁶⁵	59.9%	86.8%	92.7%	62.0%
EOC: at or above achievement level III in English (08-09) ⁶⁶	63.8%	90.3%	93.7%	60.7%
EOC: at or above achievement level III in Geometry (08-09) ⁶⁷	58.1%	92.7%	90.7%	71.8%
EOC: at or above achievement level III in U.S. History (08-09) ⁶⁸	53.4%	86.9%	89.1%	68.6%
EOC: at or above achievement level III in Physical Science (08-09) ⁶⁹	53.7%	68.6%	82.7%	65.6%
high school students proficient on tenth grade writing assessment (06-07) ⁷⁰	45.6%	75.7%	76.7%	43.2%
students meeting ABCs growth targets (08) ⁷¹	46.4%	66.6%	57.8%	52.3%
middle school students who made an A or B in reading (07-08) ⁷²	41.7%	85.3%	76.5%	45.4%
middle school students who made an A or B in math (07-08) ⁷³	37.5%	85.7%	71.8%	44.5%
students enrolled in Advanced Placement (AP) courses (06-07) ⁷⁴	14.0%	78.0%	50.0%	26.0%
students who scored a 3 or higher on their AP exam (06-07) ⁷⁵	51.3%	80.8%	76.6%	73.1%
4-year cohort graduation rate (09) ⁷⁶	63.4%	88.3%	89.4%	51.1%

Graph 3: End-of-grade exams among students in the WCPSS



Graph 4: Students at or above achievement level III on end-of-course exams in the WCPSS (2008-09)



Graph 5: Other outcomes for students in the WCPSS

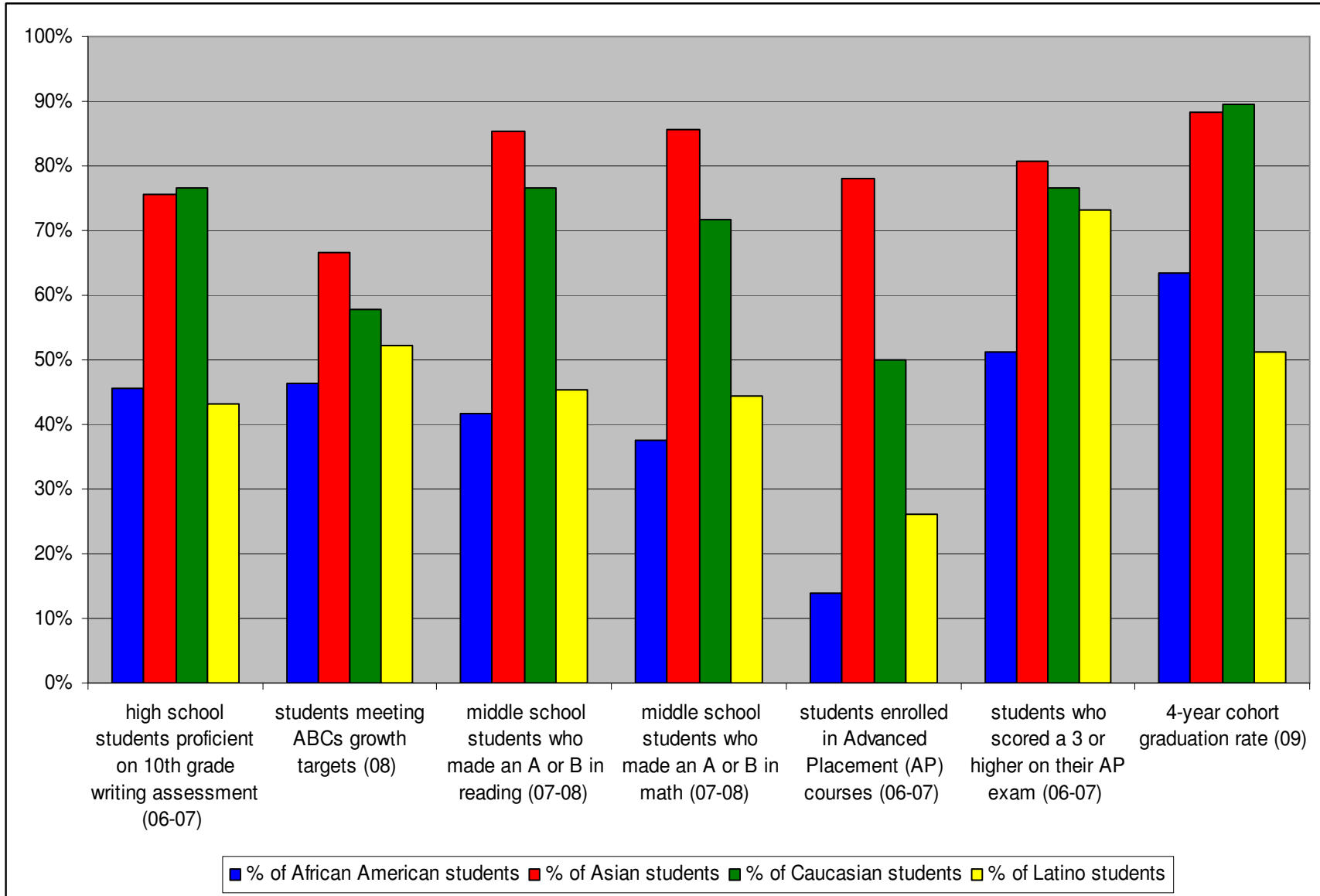


Table 4: Suspension rates in the WCPSS

Race	% of total student population	% of all short-term suspensions	% of all long-term suspensions
African American	26.5%	64.0%	72.3%
Asian	5.4%	0.9%	0.5%
Caucasian	52.6%	20.2%	16.1%
Latino	11.10%	10.9%	7.2%

Graph 6: Suspension rates in the WCPSS

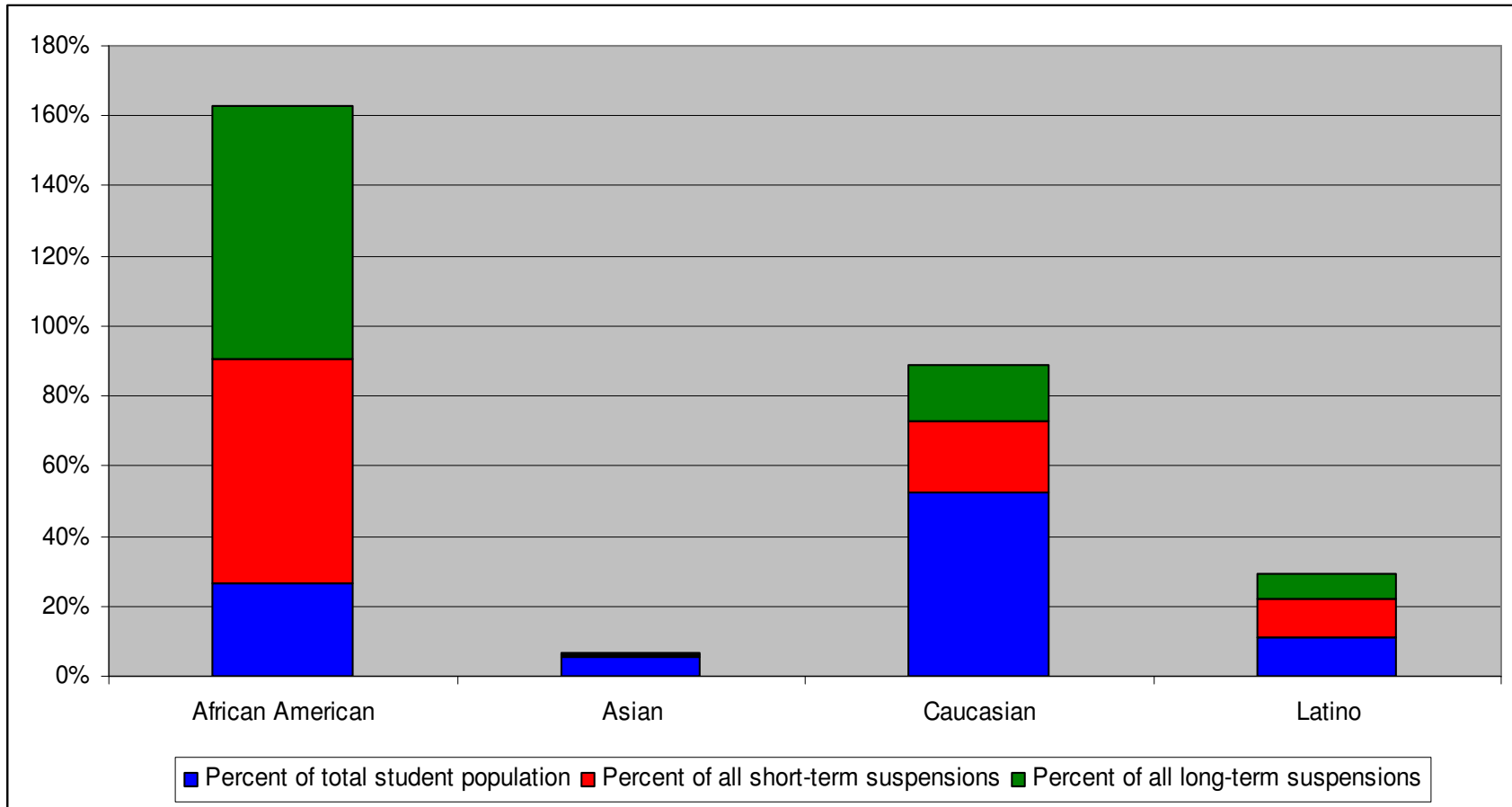


Table 5: Elementary and middle schools not in compliance with the < 40% F&R lunch goal⁷⁷

School	% F&R Lunch (08-09) Elem. Sch. Avg.: 31.6% Mid. Sch. Avg.: 29.5%	% of students in academically gifted (AG) programs (grades 4-8 in Apr. 08) Elem. Sch. Avg.: 29.4% Mid. Sch. Avg.: 27.9%	% grade 3-8 level I and II performance (07-08) Elem. Sch. Avg.: 31.1% Mid. Sch. Avg.: 33.0%	% African America (08-09) Elem. Sch. Avg.: 23.8% Mid. Sch. Avg.: 27.5%	% Latino (08-09) Elem. Sch. Avg.: 13.7% Mid. Sch. Avg.: 8.4%
BRENTWOOD ELEMENTARY	69.8%	22.5%	60.1%	38.3%	44.9%
SMITH ELEMENTARY	68.1%	9.6%	57.9%	52.6%	28.4%
WAKELON ELEMENTARY	66.7%	12.7%	58.4%	44.4%	20.6%
CREECH ROAD ELEMENTARY	64.3%	10.8%	53.9%	50.3%	23.2%
FOX ROAD ELEMENTARY	60.5%	13.5%	46.4%	49.0%	24.7%
HODGE ROAD ELEMENTARY	59.9%	8.0%	56.7%	33.8%	43.2%
EAST GARNER ELEMENTARY	58.9%	13.2%	49.3%	56.2%	26.6%
BARWELL ROAD ELEMENTARY	58.8%	10.1%	60.2%	66.8%	20.5%
WILBURN ELEMENTARY	57.8%	23.1%	45.6%	47.0%	21.4%
CARVER ELEMENTARY	57.7%	19.1%	40.9%	26.8%	32.5%
ZEBULON ELEMENTARY	57.2%	17.0%	39.3%	29.3%	21.1%
RIVER BEND ELEMENTARY	56.2%	12.5%	50.8%	33.0%	38.0%
KNIGHTDALE ELEMENTARY	55.7%	13.4%	48.6%	39.7%	28.4%
MILLBROOK ELEMENTARY	55.6%	13.4%	44.3%	47.8%	23.4%
POWELL ELEMENTARY	52.3%	28.2%	41.1%	57.9%	4.7%
AVERSBORO ELEMENTARY	52.1%	16.6%	49.6%	36.1%	20.5%
WENDELL MIDDLE	51.3%	16.2%	33.8%	37.5%	20.0%
EAST GARNER MIDDLE	50.4%	11.7%	53.0%	53.2%	18.3%
EAST WAKE MIDDLE	49.6%	13.7%	45.7%	39.8%	22.3%
WENDELL ELEMENTARY	49.6%	20.4%	44.2%	32.8%	19.7%
BUGG ELEMENTARY	49.2%	24.5%	43.1%	77.2%	7.5%
ZEBULON MIDDLE	49.1%	17.1%	49.7%	40.8%	15.6%
YORK ELEMENTARY	47.3%	23.9%	38.0%	30.5%	19.6%
VANDORA SPRINGS ELEMENTARY	46.7%	19.6%	33.3%	17.8%	37.6%
LYNN ROAD ELEMENTARY	46.7%	23.2%	35.4%	43.0%	10.8%
STOUGH ELEMENTARY	46.4%	21.9%	43.3%	34.2%	17.4%
POE ELEMENTARY	45.2%	29.0%	47.5%	32.1%	28.3%
CARNAGE MIDDLE	45.0%	33.3%	39.6%	52.7%	15.0%
LOCKHART ELEMENTARY	44.7%	17.3%	35.6%	14.5%	38.9%
CARROLL MIDDLE	43.8%	17.2%	41.4%	34.6%	17.3%
EAST MILLBROOK MIDDLE	43.8%	16.2%	47.7%	54.2%	14.2%

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LEAD MINE ELEMENTARY	43.5%	26.9%	28.5%	35.4%	9.8%
FORESTVILLE ELEMENTARY	43.0%	11.5%	43.4%	43.0%	14.7%
CONN ELEMENTARY	42.8%	18.5%	45.6%	52.2%	6.9%
HILBURN ELEMENTARY	42.0%	31.4%	33.4%	32.0%	16.5%
WEST MILLBROOK MIDDLE	41.7%	20.0%	42.9%	35.7%	13.4%
REEDY CREEK ELEMENTARY	41.0%	29.3%	37.8%	31.8%	14.9%
REEDY CREEK MIDDLE	40.9%	18.9%	37.2%	23.8%	17.2%
TIMBER DRIVE ELEMENTARY	40.3%	28.6%	39.7%	28.8%	16.8%
DILLARD MIDDLE	40.1%	25.7%	34.0%	29.5%	14.2%
KINGSWOOD ELEMENTARY	40.1%	26.4%	35.0%	25.6%	17.9%

About Advocates for Children's Services

Advocates for Children's Services (ACS) is a statewide project of Legal Aid of North Carolina, Inc. ACS' mission is to advocate for the idea that at-risk and/or court-involved children are rights-bearing citizens who are entitled to safe, permanent homes and should receive the medical and educational services promised by law. ACS is staffed by one managing attorney, four staff attorneys, and a paralegal who conduct the following activities:



- Provide free legal advice and representation to children who need education, mental health, special education, or foster care services;
- Partner with community groups to educate children, parents, and advocates about their rights and how to enforce them effectively; and
- Educate the broader community through public advocacy when systems fail the children they are supposed to serve.

For more information: P.O. Box 2101
Durham, NC 27702
(919) 226-0052
www.legalaidnc.org/acs/stpp

About Legal Aid of North Carolina

Legal Aid of North Carolina, Inc. (LANC) is a statewide, nonprofit 501(c)3 law firm that provides free legal services in civil matters to low-income people in order to ensure equal access to justice and to remove legal barriers to economic opportunity. LANC operates in all 100 counties in North Carolina through 24 geographically based offices.



Jason Langberg is a Clifton W. Everett, Sr. Community Lawyer Fellow at ACS. He can be reached at (919) 226-0051 ext. 438 or jasonl@legalaidnc.org. Cary Brege is an Equal Justice Work Fellow at ACS.

Endnotes

- ¹ Bill McNeal, Help Us Narrow the Achievement Gap, Wake County Public School System, August 31, 2001, <http://www.wcpss.net/superintendent/messages/september2001/>.
- ² *WCPSS Tackles Eliminating the Achievement Gap*, Wake County Public School System, June 6, 2008, http://www.wcpss.net/news/2008_june6_gap/.
- ³ Wake County Public School System, Curriculum Management Audit, <http://www.wcpss.net/curriculum-management/opportunity/> (last visited Feb. 18, 2010).
- ⁴ Wake County Public School System, Goal and Mission, <http://www.wcpss.net/goal-mission/> (last visited Feb. 18, 2010) (*emphasis added*).
- ⁵ John Tedesco's website, <http://www.4wakekids.com/index.php/brand-new-thinking> (last visited Feb. 18, 2010).
- ⁶ North Carolina Department of Public Instruction, Raising Achievement and Closing Gaps, <http://www.ncpublicschools.org/racg/resources/strategies/movement/definition> (last visited Feb. 18, 2010).
- ⁷ See Exposing the Gap Revisited: North Carolina Schools Are Still Failing Minority Students, North Carolina Justice Center, pp. 1-2. Available at <http://74.220.215.210/~ncjustic/sites/default/files/2010%20Achievement%20Gap%20report.pdf>.
- ⁸ See Kevin Gilleland and David Holdzkom, *Analysis of 2008-09 WCPSS SAT Scores*, Wake County Public School System Evaluation and Research Department, p. 7 (2009). Available at <http://www.wcpss.net/evaluation-research/reports/2009/0929sat08-09.pdf>.
- ⁹ See Educational Policy Brief: SAS Response to the *WCPSS E&R Comparison of SAS EVAAS Results and WCPSS Effectiveness Index Results*, Research Watch, E&R Report No. 09.11, March 2009, p. 2. Available at <http://www.newsobserver.com/content/media/2010/1/11/SASreport.pdf>.
- ¹⁰ See Colleen Paepow, *Wake County Public School System Promotion and Retention in Grades K-12, 2007-08*, Wake County Public School System Evaluation and Research Department, p. 3 (2009). Available at http://www.wcpss.net/evaluation-research/reports/2009/0913prom_retain2007-08.pdf.
- ¹¹ See *2007-08 WCPSS Dropout Rate*, Wake County Public School System Evaluation and Research Department, p. 4 (2009). Available at http://www.wcpss.net/evaluation-research/reports/2009/0903dropouts_2008.pdf.
- ¹² See Glenda Haynie, *High School Graduation Rates, Wake County Public School System (WCPSS): 2008-09*, Wake County Public School System Evaluation and Research Department, p. 2 (2009); 2009 State Four Year Cohort Graduation Rate, <http://apxcd.schools.nc.gov/pls/apex/f?p=775:1:541516745222685> (last visited Feb. 19, 2010).
- ¹³ See Chuck Delaney and Wanda Wildman, *Summary of Graduate Intentions: 2002-03*, Wake County Public School System Evaluation and Research Department, Dec. 2003, p. 2. Available at http://www.wcpss.net/evaluation-research/reports/2003/0334gradintentions2002_03.pdf.
- ¹⁴ See Paepow, *supra* note 10, at 3.
- ¹⁵ See *supra* note 11, at 4.
- ¹⁶ See Haynie, *supra* note 12, at 2; 2009 State Four Year Cohort Graduation Rate, <http://apxcd.schools.nc.gov/pls/apex/f?p=775:1:541516745222685> (last visited Feb. 19, 2010).

¹⁷ See *supra* note 13, at 2.

¹⁸ See *Leandro v. State*, 346 N.C. 336, 347 (1997).

¹⁹ See *Hoke County v. State*, 358 N.C. 605, 623 n10, 625 (2004).

²⁰ Graduation rate percentages are based on the four-year cohort graduation rate. The Department of Public Instruction (DPI) has stated that, “in general, the four-year cohort graduation rate is considered a more comprehensive picture of this issue [graduation rate].” See *News Release: NC Schools Show Decreases in Crime, Droupouts and Suspensions* (March 4, 2010), available at: <http://www.ncpublicschools.org/newsroom/news/2009-10/20100304-01>.

²¹ See *Resource Guide*, Wake County Public School System, Student Support Services, p. 5, <http://www.wcpss.net/isd/sss/ss-resource-guide.pdf> (last visited December 3, 2009); Ray Martin, *Alternative Schools Close*, *The News and Observer*, June 17, 2009.

²² See *Resource Guide*, *supra* note 21, at 6.

²³ See *Safety with Dignity: Alternatives to the Over-Policing of Schools*, New York Civil Liberties Union, Annenberg Institute for School Reform, and Make the Road New York, pp. 9-11 (2009); Simone Marie Freeman, *Upholding Students’ Due Process Rights: Why Students Are in Need of Better Representation at, and Alternatives to, School Suspension Hearings*, 45 *Fam. Ct. Rev.* 638, 640 (2007); Jane Conoley, et. al, *Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations*, American Psychological Association Zero Tolerance Task Force (2006); *One Out of Ten: The Growing Suspension Crisis in North Carolina*, Action for Children North Carolina (formerly the North Carolina Child Advocacy Institute), p. 5 (2005); *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline*, Advancement Project and Harvard Civil Rights Project, pp. 9-11 (2000); Eric Blumenson and Eva S. Nilsen, *One Strike and You’re Out? Constitutional Constraints on Zero Tolerance in Public Education*, 81 *Wash. U. L. Q.* 65, 82-83 (2003); *Out-of-School Suspension and Expulsion; Derailed: The Schoolhouse to Jailhouse Track*, Advancement Project, p. 7 (2003); *Unintended Consequences: The Impact of Zero Tolerance and Other Exclusionary Policies on Kentucky Youth*, Building Blocks for Youth, pp. 8-9 (2003); *Dismantling the School-to-Prison Pipeline*, *supra* note 18, at 2; *Out-of-School Suspension and Expulsion*, *American Academy of Pediatrics, Committee on School Health, Pediatrics*, Vol. 112, No. 5, pp. 1206-07 (2003); Alicia C. Insley, *Suspending and Expelling Children from Educational Opportunity: Time to Reevaluate Zero Tolerance Policies*, 50 *Am. U. L. Rev.* 1039, 1069-70 (2001); *Alternatives to Out-of-School Suspension*, Southern Poverty Law Center.

²⁴ See *Report to the Joint Legislative Education Oversight Committee, Consolidated Data Report, 2007-08*, North Carolina Department of Public Instruction, p. 67. Available at <http://www.ncpublicschools.org/docs/research/discipline/reports/consolidated/2007-08.pdf>.

²⁵ See *Id.*; *Report to the Joint Legislative Education Oversight Committee, Annual Study of Suspensions and Expulsions, 2006-2007*, North Carolina Department of Public Instruction, p. 80. Available at <http://www.ncpublicschools.org/docs/research/discipline/reports/suspensions/2006-07suspensions.pdf>; *Report to the Joint Legislative Education Oversight Committee, Annual Study of Suspensions and Expulsions, 2005-2006*, North Carolina Department of Public Instruction, p. 84. Available at <http://www.ncpublicschools.org/docs/research/discipline/reports/suspensions/2005-06suspensions.pdf>.

²⁶ Keung Hui, *Schools Rethink Discipline*, *The News and Observer*, Dec. 23, 2009. Available at <http://www.newsobserver.com/news/education/story/258497.html>.

²⁷ *Id.*

²⁸ Sadia Latifi, Discipline Policies Vary Widely Across the State, *The News and Observer*, Dec. 13, 2009. Available at http://www.newsobserver.com/news/story/238334.html?story_link=email_msg.

²⁹ See e.g., *The Economic Impact of the Achievement Gap in America's Schools*, McKinsey & Company, Social Sector Office, Apr. 2009. Available at http://www.mckinsey.com/clientservice/Social_Sector/our_practices/Education/Knowledge_Highlights/Economic_impact.aspx.

³⁰ See *supra* note 6; News Release, North Carolina Department of Public Instruction, Advisory Commission Named on Raising Achievement and Closing Gaps (Aug. 1, 2000). Available at <http://www.ncpublicschools.org/newsroom/news/2000-01/20000801.1>.

³¹ Transcript of Progress Report on Black Education, Part I, UNC TV, 2006-07 Broadcast Season, Episode #2203 (*emphasis added*). Available at http://www.unctv.org/bif/transcripts/2006_2007/transcript2203.html.

³² See Meeting Minutes, Wake County Board of Education, Aug. 4, 2009, p. 5-7. Available at <http://www.wcpss.net/Board/minutes/08-04-2009--minutes.pdf>.

³³ Wake County Public School System, Goal and Mission, <http://www.wcpss.net/goal-mission/> (last visited Feb. 18, 2010) (*emphasis added*).

³⁴ See e.g., *Test, Punish, and Push Out: How "Zero Tolerance" and High Stakes Testing Funnel Youth into the School to Prison Pipeline*, Advancement Project (2010). Available at <http://www.advancementproject.org/sites/default/files/publications/01-EducationReport-2009v8-HiRes.pdf>.

³⁵ *The Impact of Poverty Upon Schools*, WCPSS Evaluation and Research Department (1999). Available at http://www.wcpss.net/evaluation-research/reports/1999/9920_poverty.pdf.

³⁶ See *id.* at 12.

³⁷ See *id.*

³⁸ See Wake County Public School System, Student Assignment Process <http://www.wcpss.net/growth-management/student-assign-process.html> (last visited Feb. 18, 2010).

³⁹ See Maja Vouk, *WCPSS School Statistics and Maps, 2008-2009*, Wake County Public School System, pp. 5, 66, 71-72 (2009). Available at <http://www.wcpss.net/demographics/reports/book08a.pdf>.

⁴⁰ See *supra* note 35.

⁴¹ See *Striking a Balance in Support of Diversity in the Wake County Public School System*, Wake Education Partnership, p. 1 (2008). Available at <http://www.wakeedpartnership.org/publications/d/Balance.pdf>.

⁴² See Richard Kahlenberg, High Poverty Schooling in America, presentation at the University of North Carolina, Chapel Hill, Oct. 13, 2006, pp. 6-8. Available at <http://www.law.unc.edu/documents/civilrights/conferences/kahlenberg.pdf>. For a detailed listing of Richard Kahlenberg's publications, visit <http://www.equaleducation.org/press.asp?staff=14>.

⁴³ See Richard Kahlenberg, *Cutting Class*, *The Washington Monthly*, Sept./Oct. 2009. Available at <http://www.washingtonmonthly.com/features/2009/0909.kahlenberg.html>; Bob Geary, *Gerald Grant on Wake's School Success*, *The Independent Weekly*, May 20, 2009. Available at <http://www.indyweek.com/gyrobase/Content?oid=oid%3A395174>; *Striking a Balance*, *supra* note 41; Richard

Kahlenberg, *Rescuing Brown v. Board of Education: Profiles of Twelve School Districts Pursuing Socioeconomic School Integration*, The Century Foundation, p. 6 (2007). Available at <http://www.tcf.org/publications/education/districtprofiles.pdf>.

⁴⁴ See Johann Hari, *From North Carolina, A Model of How to Transform Education*, The Independent, Oct. 16, 2009. Available at <http://www.independent.co.uk/opinion/commentators/johann-hari/johann-hari-from-north-carolina-a-model-of-how-to-transform-education-1803563.html>; *Striking a Balance*, *supra* note 42, at 5-6; Kahlenberg, *supra* note 42, at 13.

⁴⁵ See *supra* note 42, at 2.

⁴⁶ U.S. Census Bureau, 2008 American Community Survey.

⁴⁷ See Management Assistance, Jordan Institute for Families, University of North Carolina at Chapel Hill School of Social Work, <http://ssw.unc.edu/ma/> (last visited Feb. 18, 2010).

⁴⁸ See N.C. Const., Art. I, § 15; N.C. Const., Art. IX, § 2; *Leandro v. State*, 346 N.C. 336, 347 (1997).

⁴⁹ See Educational Policy Brief: SAS Response to the *WCPSS E & R Comparison of SAS EVAAS Results and WCPSS Effectiveness Index Results*, Research Watch, E&R Report No. 09.11, Mar. 2009, p. 1. Available at <http://www.newsobserver.com/content/media/2010/1/11/SASreport.pdf>.

⁵⁰ John Dewey, *My Pedagogic Creed*, School Journal, Vol. 54 (1897). Available at <http://dewey.pragmatism.org/creed.htm>.

⁵¹ Frederico Mayor Zaragoza (former Director-General of the United Nations Educational, Scientific, and Cultural Organization (UNESCO)), address at the Second International Congress on Technical and Vocational Education, Seoul, Republic of Korea (Apr. 26, 1999). Coverage available at http://www.unwire.org/unwire/19990428/2267_story.asp.

⁵² North Carolina Department of Public Instruction, Reports of Disaggregated State, School System (LEA) and School Performance Data for 2007 – 2009, <http://disag.ncpublicschools.org/2009/> (last visited Feb. 19, 2010).

⁵³ *Id.*

⁵⁴ See Haynie, *supra* note 12, at 2;; 2009 State Four Year Cohort Graduation Rate, <http://apxcd.schools.nc.gov/pls/apex/f?p=775:1:541516745222685> (last visited Feb. 19, 2010).

⁵⁵ *Supra* note 52.

⁵⁶ *Id.*

⁵⁷ See Haynie, *supra* note 25, at 2; 2009 State Four Year Cohort Graduation Rate, <http://apxcd.schools.nc.gov/pls/apex/f?p=775:1:541516745222685> (last visited Feb. 19, 2010).

⁵⁸ *Supra* note 52.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ See Nancy Baenen, Wake County Public School System Evaluation and Research Department, *Wake County Public Schools (WCPSS) High School Student Outcomes: 2006-07*, p. 57 (2008). Available at http://www.wcpss.net/evaluation-research/reports/2008/0713high_outcomes2006_07.pdf.

⁷¹ See Anne-Sylvie Boykin, *ABCs and AYP Results, Wake County Public School System: 2007-08*, Wake County Public School System Evaluation and Research Department, p. 6 (2009). Available at <http://www.wcpss.net/evaluation-research/reports/2009/0826abcs-ayp07-08.pdf>.

⁷² See Colleen Paeplow, *Middle School Grading: Wake County Public School System (WCPSS) 2006-07 and 2007-08*, Wake County Public School System Evaluation and Research Department, p. 11 (2008). Available at http://www.wcpss.net/evaluation-research/reports/2008/0816ms_grading2008.pdf.

⁷³ See *id.* at 12.

⁷⁴ See Baenen, *supra* note 70, at 32.

⁷⁵ See *id.* at 37.

⁷⁶ See Paeplow, *supra* note 72, at 3.

⁷⁷ See Vouk, *supra* note 39.