

SELECTED CIVIL RIGHTS ISSUES IN IOWA'S PUBLIC EDUCATION

**IOWA ADVISORY COMMITTEE
TO THE UNITED STATES
COMMISSION ON CIVIL RIGHTS**

This summary report of the Iowa Advisory Committee to the United States Commission on Civil Rights was prepared for the information and consideration of the Commission. Statements and suggestions in the report should not be attributed to the Commission or to the Advisory Committee, but only to the individual participants in the community forum where the information was gathered.

A SUMMARY REPORT

MARCH 1990

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ISSUES IN IOWA'S

PUBLIC EDUCATION

IOWA ADVISORY COMMITTEE

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LETTER OF TRANSMITTAL

Iowa Advisory Committee to the
U.S. Commission on Civil Rights
March 1990

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Attached is a report on a community forum held by the Iowa Advisory Committee in Des Moines, Iowa, on January 22, 1989, to receive various perspectives on selected civil rights issues in Iowa's public education. The forum focused on the talented and gifted program and the suspensions of minority students in the school districts.

The Advisory Committee was provided with information on the forum's topic by a combination of 16 participants representing State and local educational institutions as well as community representatives. The Committee did not make any findings or recommendations but will use the information in future program planning and project development. The Committee approved the report with a vote of 11 to 0.

Respectfully,

/s/

Dr. Lenola Allen-Sommerville, Chairperson
Iowa Advisory Committee

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ACKNOWLEDGMENTS: The report was the chief assignment of Ascension Hernandez, civil rights analyst of the Central Regional Division. Support services were provided by Jo Ann Daniels.

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Introduction

This report summarizes the proceedings of the Iowa Advisory Committee's community forum held in Des Moines on January 22, 1989. The forum's topic "Selected Civil Rights Issues in Iowa's Public Education" focused on two subjects, the talented and gifted program (TAG) and the suspension of minority students in the school districts.

The purpose of the forum was to obtain information on the extent of discrimination in the TAG program, in student suspensions, and in the assessment of policies governing those two areas in Iowa's public schools. The presenters at the forum included: Dr. Cyndy Reed-Stewart and Dr. Lee Wolf, consultants with the Iowa Department of Education; Sue Strodbeck, parent and vice president of the Iowa PTA; Nick Reyes and Henry Vargas, Davenport LULAC Council No. 10; Rochelle Perkins, president Metro-Comm NAACP; Dr. Darryl Spaans, Dr. Joseph Deines, and Darrell Lietz of the Davenport Community School District, all participants in the morning session. The evening presenters included: Larry Carter, president, Des Moines Chapter NAACP; Ian Binnie, former school board member; Christina Gonzales, commissioner, Iowa Spanish-Speaking Peoples Commission; Dr. Jim Bowman, assistant superintendent, and Dr. Keith Hyde, director of educational services, both from the Des Moines Community School District; Gloria Hoffman, board member and resident of the Des Moines Community School District; and Ruth Blome, volunteer with the Heartline Talented and Gifted Hotline.

STATE GOVERNMENT CONSULTANTS, DEPARTMENT OF EDUCATION

Dr. Cyndy Reed-Stewart, Race Equity Consultant

Dr. Cyndy Reed-Stewart explained that, in the State of Iowa, 12 school districts are annually monitored by the Race Equity Unit, State

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department of education. There are 122,067 students in 10 of the 12 school districts, of which 16,793 are minority students, who represent 70 percent of the entire State's minority student population in the school districts. Minority students statewide represent 24 percent of the total student population enrolled in all school districts, statewide.

Dr. Reed-Stewart stated further that:

in the area of suspensions, minority students are adversely affected by State definition....(the State) interpret(s) disparate impact as meaning 10 percent beyond minority student population (percentage) within any given district on a statewide basis.

For the Davenport Community School District, the State monitoring for 1987-88 showed the minority student population at a 18.9 percent level with a suspension impact on minority students at a 36.3 percent rate or a disparate impact.

For the Des Moines Community School District, for the same year, the minority student percentage was 18 percent while the minority student suspension rate was 29.6 percent for a variance of 11.6 percent or a disparate impact. Dr. Reed-Stewart mentioned that school districts are employing innovative and creative ways in attempts at reducing their student suspension rates. Since 1985 the statewide minority student suspension rates increased from 30.3 percent in 1985-86 to 35.4 percent in 1987-88.

The Cedar Rapids School District was an example provided by Dr. Reed-Stewart, where a rapid turnaround was made in the reduction of disparate suspension rates. The district required, from their schools, a quarterly discipline report that could pinpoint problem areas down to a specific classroom. The key to success was the staff's commitment to solve the problem from the administrative level, downward. Dr. Reed-Stewart

reported that the uniform policy statements on suspensions for all school districts are the ones that come from Federal or State legislation. The State department of education provides general advice on the discipline codes that affect suspensions. Policy statements are individualized at the local level and school boards generally set their own policies on suspensions.

Dr. Lee Wolf, Consultant, Talented and Gifted Program

Dr. Lee Wolf, a consultant with the State of Iowa, Department of Education, said that for the last 15 years, the department has provided some degree of centralized State assistance to local school districts. In the past the funding of the talented and gifted (TAG) programs in Iowa had been a voluntary procedure. Recently, the State enacted a set of mandatory requirements for school accreditation, one of which is the establishment of a gifted education program.

In Iowa, a new funding procedure called Allowable Growth Funding will require school districts to have a set of 35-40 criteria for the structure of the TAG program. According to Dr. Wolf, the funding and the TAG program in Iowa is different from other States in many ways. For example, he said the gifted education program's identification of students is a diagnosis of need rather than a determination that giftedness exist. This diagnosis simply tries to determine whether a child needs a program that is qualitatively differentiated from the regular program. Dr. Wolf calls the process of identifying gifted children, a sociological phenomenon that somehow excludes from TAG a disproportionate number of students from one group than from another group. Dr. Wolf also stated that standards, State policies, and procedures are changing along with ideas and attitudes towards including a more diverse student population in the TAG program.

Dr. Wolf explained that under the allowable growth funding procedures only 3 percent of any school district enrollment could take part in the program at any one time. Urban districts in Iowa were having difficulties with identification procedures that provided more than 3 percent of the students needed for the TAG program. The obvious difficulty: Which students does the school select for TAG participation? Currently the 3 percent limitation has been removed and in the 1989-90 school year more slots will open up in the program. The removal of the 3 percent cap and the requirement for a diverse population in the TAG program in every school district should provide a more equitable situation for minority students to participate in TAG.

In response to questions of possible bias in the identification of TAG participants, Dr. Wolf replied that there are unspoken or unrecognized biases in people's assumptions. He also felt that test instruments perhaps contained unintentional bias. Dr. Wolf explained that there is a requirement that the identification system be a uniform system for all of the population and if it is not, the school district can create a standard of admission to the TAG program that is fair to all students.

DAVINGPORT COMMUNITY REPRESENTATIVES

Susan Strodtbeck, Parent and Vice President, Iowa PTA

Susan Strodtbeck, in her role as a parent, declared that tools must be developed to help evaluate each student's talent and to help cultivate that talent. Accordingly, a key ingredient for developing the student's talent is the positive, productive involvement of the parent.

Among the advantages Ms. Strodtbeck listed about her son's participation in TAG is the quality of teachers that help to broaden his perspective, his thinking, and his problem solving abilities. He also

attends school in the same building every day and the teachers are familiar and available. A disadvantage, Ms. Strodtbeck noted, was the message of instability when a child can be told that he/she cannot enroll in TAG because of a technical regulation, after 1 or 2 years of program participation. Another disadvantage is the use of a traveling teacher to serve up to four different schools, where the TAG program is in operation 1 day a week.

In response to concern about low minority participation in TAG, Ms. Strodtbeck acknowledged that the parents of the selected students have the right to say no to enrollment for whatever reason. The reason for not participating could be cultural or it could be that TAG is too exclusive or maybe because the neighbor is not a participant.

Davenport LULAC Council No. 10

Nick Reyes, president of the Davenport LULAC Council No. 10, and Henry Vargas, coordinator of education for the council, made a joint presentation on LULAC's perspective of selected civil rights issues in Iowa's public education. Mr. Vargas said that Hispanic students do not have a better participation rate in the TAG program because of a basic communication problem. The school provides information to the parents but apparently does not evaluate if the message is received and understood by all parents. Mr. Vargas added that the Iowa Basic Skills Test that is used for measuring intelligence is slanted for white middle-class children. He added that achievement test results have been used to identify enrollees for TAG programs, thus excluding Hispanic children and other low-income students. Mr. Vargas suggested a review and revision of the Iowa Basic Skills Test to make it unbiased.

Mr. Reyes said that the lifestyles of the low-income Hispanic family does not lend itself to participation in various school programs. He provided the recent example of a father working two jobs and the mother working one full-time job to make ends meet. The task of parenting in this household goes to the oldest child in the family, who appears to be making decisions with reference to education, extracurricular activities, or the lack thereof.

Mr. Reyes said little about suspensions of students except to support a previous statement by Mr. Vargas that programs would be better known if communications between the Hispanic community and the Davenport schools were strengthened. The impact of role models, educational workshops, and knowledge of the Hispanic community were also suggested by the LULAC officials as ways of improving education in the school district. Mr. Reyes praised the superintendent's efforts for providing a good education for all students, singling out the good bilingual program in the district, yet he cautioned that much hard work is needed.

Rochelle Perkins, President, Metro Comm-Branch NAACP

Rochelle Perkins stated that the metropolitan branch of the NAACP shares a unique and beautiful working relationship with the Davenport Community School District. The NAACP is involved in all the school committees available to the community. In a recent incident involving a suspension, Ms. Perkins said the NAACP used the superintendent's open door policy to resolve the matter.

Ms. Perkins, as did the LULAC officials, mentioned that communications about the TAG program, role models, sensitivity training for teachers, and bias free testing were all areas of concern if the school district is to improve its minority student participation rate in gifted education

classes as well as the reduction or elimination of the disparate impact of the suspension rates of minority students.

Davenport Community School District Officials

Dr. Joseph Deines, director of secondary education, provided information on the topic of suspensions of students in the Davenport schools. Dr. Deines said just the idea of the forum has already opened up avenues for improved communications between the community participants and the administrators of the Davenport school district. He mentioned that the solution for reducing the disparity in the rate of suspensions between white and minority students through the use of role models is difficult because mandatory teacher contract negotiations do not provide for saving a position for minorities. Also, Dr. Deines mentioned that school policy states that no teacher can suspend a student. School principals are the ones who impose suspensions on students, however, State law limits the suspension to a maximum of 10 days. Furthermore, if an expulsion of a student is necessary, only the school board can make the decision and only after a prescribed hearing process is observed.

The Davenport school district's procedure is that every time and every instance that there is a particular student suspended from school, the school counts that as a suspension. Dr. Deines felt that there was not a consistent (statewide) understanding of what a suspension really is. Dr. Deines reported that in an effort to reduce the rate of suspensions, the Davenport school district is implementing new and different methods with at-risk students that are identified by a dropout prevention committee. The emphasis and objective of this committee is to produce a successful student with high self-esteem by early identification of potential dropouts through enrollment in special, innovative school programs.

Darrell Lietz, director of instructional services with the Davenport school district, provided information on the TAG program. He reported that the basic criteria for entering the TAG program are potential and need and not necessarily the high score of the student. The Davenport school district is trying to develop a profile for students who enroll in the program rather than to have prerequisites for entering the program. Another guideline for TAG is that the program reflect racial, socioeconomic, and sex ratios. According to Mr. Lietz, with the 3 percent enrollment cap removed from the TAG program, Davenport has a goal of 5 percent of the student population enrollment for the program. The ultimate factor in deciding how many students are served depends on the monies allocated to the TAG program. Teachers, parents, and student self-nominations can be used to enter the pool for selection to the TAG program.

DES MOINES COMMUNITY REPRESENTATIVES

Larry Carter, President, Des Moines Branch, NAACP

Larry Carter, president of the NAACP, Des Moines branch, was not overly concerned about the 11 percent rate of minorities in the talent and gifted program when compared to the 18 percent minority student population in the Des Moines Community School District. He was more annoyed by the 24.3 percent and the 17.9 percent minority enrollment figures in the special education programs (mental disability and learning disabilities) when compared to the 11 percent TAG rate. Even worse was the suspension rate in the school district. Again, compared against the 18 percent minority enrollment there was a 30 percent minority student suspension rate. The 30 percent figure for suspensions has a disparate impact on the minority students and suggested to Mr. Carter that something is wrong

in the school district. Mr. Carter felt that there was a relationship between the disparate impact figures on students and the low employment percentage rate of certified employees (professionals) in the school district that are minorities. Mr. Carter cited an example of how he, as a black and neutral party to a school incident involving a black student, could help the student and family communicate with the school district to resolve the problem. He also felt that minority teachers could bring an additional perspective to help resolve similar incidents involving cultural misunderstanding.

Ian Binnie, Former School Board Member, Senior Vice President, Economy Forms Corp.

Ian Binnie, a former school board member, agreed with the statistics that minority children are less likely to be enrolled in programs for the talented and gifted and more likely to be subject to suspensions than are majority children. However, Mr. Binnie is more concerned about the conclusions that can be drawn from statistics and he gave examples. According to Mr. Binnie, the enrollees of the TAG program are probably not so much talented and gifted as they are better prepared academically, hence he states that minorities are disproportionately poor, thus, they are also disproportionately unprepared academically and not enrolled in the TAG program. He suggested that if people claim discrimination on the basis of race in the assignment to TAG programs, they must also propose a remedy. With reference to suspensions, Mr. Binnie is convinced that racial discrimination is not practiced by the teaching staff or the administration. He added that the Des Moines community school district personnel are sensitive to the charges of racism and would fall over backwards to give minorities a fair shake.

Mr. Binnie thinks that minorities in America get two bites of the apple. Mr. Binnie used the analogy in industry--two workers, one black and the other white, get into a fight; they are fired, the white worker goes to the union hall, complains, there is no success, the road ends there. For the black, he goes to the union hall, complains, if there is no success, he can also go to the Commission on Civil Rights, hence, the black has an extra bite of the apple.

Christina Gonzales, Commissioner, Iowa Spanish-Speaking Peoples Commission

In describing the disparate treatment of minority students in the talented and gifted (TAG) program, Christina Gonzales did not agree with some of the remedies suggested by another speaker. She felt the need for the school district to move forward with a joint venture between the Hispanic community, the school board, and the larger community, which would help Hispanic students get into the TAG program. Ms. Gonzales thought that it was essential to achieve communications and trust between the groups. One approach that Ms. Gonzales suggested was the hiring of a community/school Hispanic coordinator who would work with Hispanic students to bring out their talents. If the test scores did not reflect the giftedness in the student, the coordinator could provide some guidance through a cadre of Hispanic tutors who would work with the students to get prepared for TAG program selection. The Des Moines school district's support would be necessary through funding and other resources, resulting in a partnership between the district and the Hispanic community.

Ms. Gonzales felt that the school district had not effectively communicated information on the TAG program to the Hispanic community nor had the district articulated the need for bridging the gap between the two entities by seeking viable solutions.

In addition, Ms. Gonzales commented on the suspensions of Hispanic students in the school district and her concern about the disparate impact involved. The bottom line was the issue of equal, just punishment for the violations of the conduct code for both the nonminority and the minority students involved.

Ms. Gonzales felt the reason for the low number of role models in the Des Moines school district has been that Iowa's Hispanics only recently have begun to emerge with teaching credentials. In addition, Hispanics do not perform well in job or promotion interviews, yet they are competent in their field.

Des Moines Community School District Officials

Dr. Jim Bowman, assistant superintendent for instruction, Des Moines community school district (DMCSD), said that the staff of the talented and gifted program (TAG) has worked to improve the identification of culturally diverse students. The TAG participation rates of minority students has increased 3.5 percent in 5 years. A second program, the Talent Pool serves 260 minority gifted students through 13 programs on a districtwide basis. Dr. Bowman stated that the building by building identification method enhances the screening and placement of minority and low-income students. Conversely, the use of a districtwide approach that implies the use of cutoff scores works against the identification of minority students and, in other instances, against the identification of students with gifts in creativity, leadership, and the visual and performing arts. The district employs inservice training for staff and various other programs and processes to increase the identification of gifted minority students.

In response to questions, Dr. Bowman mentioned that he thought the TAG program was funded for about 950 students but that the district has 800

students enrolled (1988-89) or approximately 150 students below the 3 percent cap.

Dr. Keith Hyde, director of educational services for the Des Moines community school district, spoke about the suspension of students. He mentioned that, during the 1986-87 school year, the Des Moines schools received lots of attention because of the large number of minority students who had been suspended from schools. Dr. Hyde felt that the use of suspension was broader than the race issue. Other factors he mentioned included high incidence of suspensions for fighting and truancy and the lack of consistency across the district with the use and the reporting of student suspensions.

The school district asked a committee composed of parents, students, and school administrators to study the use of suspension in the district. The study was completed in the fall of 1987. The school district used many of the committee's recommendations to reduce the use of suspension of students from school. According to Dr. Hyde, 15 additional teachers were employed in an inschool suspension pilot program for all middle and high schools. One chief objective of the Des Moines school district is to achieve uniformity in the administration of discipline and attendance policies in the 56 schools of the district.

In response to the Committee's questions, Dr. Hyde thought there was an increase in fighting, the number one reason for suspensions. The use of weapons has also escalated in the district. In addition, he has observed that more of the student fighting seems to have an implication of racial motivation. This discriminatory behavior in the Des Moines school district appears to parallel the same bigoted and discriminatory behavior in the community.

Gloria Hoffman, Des Moines Community School District, Board Member

Gloria Hoffman stated that it is the school board's role to effect fair, understandable, and consistent suspension policies for the district. Discipline policies, like all school policies are reviewed every 3 years and, according to Ms. Hoffman, they are fine-tuned before final board approval. It is the intent of the board to retain rather than to remove students from the classroom setting, and the goal is to balance fairness and equity with a safe and secure environment for the district's teachers and students.

Ms. Hoffman described the different program approaches used to achieve the district's educational mission. She supported the identification of TAG students, using the building by building method as extremely important to assuring equal access to the gifted education program by all students.

Ms. Hoffman mentioned that the board also spends time working with legislators at the State and Federal levels to attempt to get adequate funding for special education programs. She was particularly interested in the possibilities of the mentoring concept presented earlier to the Committee by Ms. Gonzales.

STUDENT PERSPECTIVE

Ruth Blome, Volunteer, Heartline TAG Hotline

Ruth Blome, a retired supervisor of the TAG program of the Des Moines school district, who is currently a volunteer worker for the Heartline TAG Hotline, gave a student perspective of the educational system as recalled from her years as an educator and from telephone hotline conversations.

Ms. Blome provided many bits of valuable information on gifted education and students but primarily she demonstrated the humane concern that society must have towards all students. She mentioned that at one

school system 38 percent of suspensions/dropouts were persons enrolled in the TAG program who decided that the program was not for them, an action that implied a low self-esteem with actions leading to suspensions or absence from classes. She continued by saying that attitudes linked to persons with low self-esteem are hard for persons who have them and hard for the teacher or persons that are working with those students.

Ms. Blome felt that the use of the telephone hotline allows callers to talk openly about their concerns and needs. The philosophy underlying the work by Ms. Blome is that every single being has a gift, has a talent, and that besides the intellect there are other ways of achieving one's potential. She gave the example of the identified school troublemaker who in reality possesses leadership qualities that await constructive guidance. The troublemaker accordingly defies the status quo, defies school officials, adults, parents, a rather brave step to take, which is what leaders do.

Ms. Blome stated that the students who use the hotline use the word hate frequently; they ask for ways to get a GED, because a diploma is needed to get and keep a job. She strongly believes that home and school communications are essential because, if communications fail, the child generally is the casualty. In addition, she talks about discipline as a form of love, not punishment, and that in her dream school the student body will include various ages, various ethnics, and peer tutoring.

SUMMARY

The State officials explained that their function was to monitor and report on the progress of school district compliance with State policies and guidelines related to the talented and gifted education and in the areas of the suspension of minority students.

School district officials from the Davenport and Des Moines school districts provided descriptions of the programs and explained how they are dealing with new approaches to reduce and eliminate disparate treatment of students.

Community representatives provided different views and solutions for improving the TAG program and discipline problems in the school districts. One solution that emerged prominently was the need for better communication by the schools and the community and the need for a closer partnership in achieving the common goal of educating all students.