

Ohio Advisory Committee to the U. S. Commission on Civil Rights, September 14, 2018

Testimony from Jan Resseger, Heights Coalition for Public Education



Good afternoon. My name is Jan Resseger, and I am here today to speak on behalf of the Heights Coalition for Public Education, a grassroots coalition in the Cleveland Heights-University Heights City School District. I served from 1994-1997 as the Fair Housing Director of the Heights Community Congress, and from 1998 until 2013, I led advocacy and programming for justice in public education at the national United Church of Christ, whose offices are located here in Cleveland. During a dozen of those years, I chaired the National Council of Churches public education committee. The United Church of Christ has for decades been a strong supporter of the public schools and the separation of church and state; its policies have also opposed the privatization of public education.

The Cleveland Heights-University Heights school district serves two of Cleveland's east side, inner-ring suburbs. According to the school district's published [2017-2018 Quality Profile](#), the district is majority-African American (73 percent), with 17 percent white students, 5 percent multi-racial students, 3 percent Hispanic/Latino students, and 2 percent Asian students. According to the [most recent data made available by the state](#)---from October 2014---64.76 percent of our students qualify for free or reduced price lunch, with 60.40 percent poor enough to qualify for free lunch. My husband and I have lived in Cleveland Heights since 1981, and our two children, now adults, are proud graduates of Cleveland Heights High School.

Our concerns in the Heights Coalition for Public Education are with the many ways federal and state education policy punishes, rather than sufficiently assisting, school districts that serve a large number of poor children. We are also seriously concerned about the ways these policies are driving economic and racial segregation across the 31 school districts of Cuyahoga County and driving white flight even further into Cleveland commuter exurbs in Lake, Geauga, Summit, Medina, and Lorain Counties.

Richard Rothstein's 2017 book, *The Color of Law* traces how government policies through the VA, FHA, and others were complicit in what was, therefore, *de jure* racial segregation, not *de facto* segregation, as everybody assumed. In the same way, we believe that the state of Ohio's reporting of school test scores and graduation rates---in many cases driven by the demands of the federal Every Student Succeeds Act---has now become complicit in educational redlining. Several years ago, [Heights Community Congress sponsored](#) a well-attended program on how real estate websites---like Great Schools, which publishes A-F grades for public schools---are redlining particular school districts and the neighborhoods in the attendance zones of particular schools. You would think these websites are violating the Fair Housing Act, but they are, in fact, merely using the information provided by the state of Ohio in the School Report Cards.

The Stanford University sociologist, [Sean Reardon has shown](#) that our society is resegregating by income with wealthy families and poor families moving to separate communities. Reardon also demonstrates that the number of mixed income communities is declining. We are proud that our Cleveland Heights-University Heights public schools reflect our mixed income, mixed race community, and we are very concerned that Ohio's School Report Cards are discouraging families from choosing to move to our community and, in addition, making it harder for us to pass our school levies.

[Reardon has also shown](#) that as our society is becoming more residentially segregated by family income, there has been a simultaneous jump in an income-inequality school achievement gap. The achievement gap between the children with income in the top ten percent and the children with income in the bottom ten percent was 30-40 percent wider among children born in 2001 than those born in 1975, and twice as large as the black-white achievement gap. Since the 1966 Coleman report, the body of research tying standardized test scores to aggregate family and neighborhood income, and not primarily to school quality, has been consistent. Schools where poverty is concentrated have lower overall standardized test scores.

In his important new book, *The Testing Charade: Pretending to Make Schools Better*, Harvard University's Daniel Koretz describes the testing regime formalized in the 2002 No Child Left Behind Act. Koretz explains: "One aspect of the great inequity of the American educational system is that disadvantaged kids tend to be clustered in the same

schools. The causes are complex, but the result is simple: some schools have far lower average scores—and, particularly important in this system, more kids who aren't 'proficient'—than others. Therefore, if one requires that all students must hit the proficient target by a certain date, these low-scoring schools will face far more demanding targets for gains than other schools do. This was not an accidental byproduct of the notion that 'all children can learn to a high level.' It was a deliberate and prominent part of many of the test-based accountability reforms... Unfortunately... it seems that no one asked for evidence that these ambitious targets for gains were realistic. The specific targets were often an automatic consequence of where the Proficient standard was placed and the length of time schools were given to bring all students to that standard, which are both arbitrary." (pp. 129-130)

The No Child Left Behind Act (now the Every Student Succeeds Act), and the Ohio state policies which have implemented federally driven test-based accountability, condemn and blame schools where test scores lag, when research continues to confirm that out-of-school factors significantly affect children's performance at school. Then federal and state policies punish schools and school districts when scores don't rise quickly. Many of the sanctions have civil rights implications:

1. The School Report Cards issued by the state brand the poorest school districts with "F" grades and reward wealthy outer suburbs with "A" grades. The branding of school districts with letter grades encourages families who can afford it to avoid poor and mixed income school districts and migrate to the homogeneously white and wealthy outer ring suburbs.
2. The [state of Ohio awards](#) EdChoice Vouchers for private and religious school tuition to families in the school zones where the local school is receiving a failing grade from the state. In the Cleveland Heights-University Heights Schools, students can qualify for EdChoice Vouchers if they live in the attendance zones of four elementary schools and one middle school. These are the public schools in our district's poorest neighborhoods. Real estate companies have begun promoting these particular school neighborhoods---urging families to move to our community for the purpose of securing EdChoice Vouchers to enable their children to attend religious schools. These families are not first attending and then leaving our public schools; they have no intention of using the public schools. Their children can qualify for these vouchers in Kindergarten without ever attending any of our public schools. Each child carrying an EdChoice Voucher takes more money from our school district than that child's per-pupil state aid, which means that the school district is losing local levy money on top of state aid every time a child carries a voucher to a religious school. The [CH-UH City Schools Quality Profile reports](#) that the amount students carry away in EdChoice Vouchers is growing rapidly: \$337,700 in FY15, \$1,238,000 in FY16, and \$2,256,000 in FY17. The rapid expansion of this program is fiscally unsustainable for our school district. As each cohort of Kindergarteners moves on up through the grades and each year adds another cohort, eventually EdChoice Vouchers will consume all of the District's state aid and more.
3. Finally, we are concerned about the Youngstown and Lorain state takeovers, and the projected state takeover soon of the East Cleveland and Warrensville Heights school districts. Ohio's [Plunderbund reported](#) in March that Krish Mohip, the state overseer CEO in Youngstown, feels he cannot safely move his family to the community where he is in charge of the public schools. He has also been openly interviewing for other jobs. Lorain's CEO, David Hardy tried to donate the amount of what would be the property taxes on a Lorain house to the school district, when he announced that he does not intend to bring his family to live in Lorain. The state takeover district in Michigan collapsed; in Detroit the public schools have finally been returned from emergency manager control to the local school board; and in New Jersey, after a 20 year state takeover, the local school board now once again operates Newark's public schools. Instead of punishing Ohio's poorest African American and Hispanic school districts, the state should significantly increase its financial support. The state takeovers are another punitive Ohio policy with civil rights implications.