



By First Class Mail & Email: saragoodburn@smsd.org

June 1, 2017

The Honorable Sara Goodburn, President
Board of Education, Shawnee Mission School District
8200 W. 71st Street
Overland Park, KS 66204

Re: Racial Segregation as a Result of Proposed School Boundary Changes

Dear President Goodburn:

The American Civil Liberties Union of Kansas is concerned that the Shawnee Mission Board of Education's plans to change the boundaries for some of the district's elementary schools will substantially increase racial segregation at Rising Star Elementary School in Lenexa.

According to the district's own demographic projections, Plan B – which is the plan currently under board consideration – would result in Rising Star's student body going from 54% minority to 63% minority. At the same time, the demographics of other elementary schools in the plan would change by no more than 3% in terms of minority student populations. As a matter of descriptive statistics alone, the dramatic change in the minority student population at Rising Star is alarming.

The ACLU-KS is also concerned that the schools that house the district-level special education programs (Broken Arrow and Lenexa Hills) have such high proportions of black students. We are particularly concerned about this issue because academic research has long shown that black students are significantly overrepresented in special education programs. For instance, in 1999, a team of researchers reported that "African American children were about 2.4 times more likely to be identified as mentally retarded and about 1.5 times more likely to be identified as emotionally disturbed than their non-African American peers." Hibel, Farkas, & Morgan, *Who is Placed in Special Education?*, 83 *Sociology Educ.* 312 (2010), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4441335/pdf/nihms678492.pdf>.

As the board is well aware, racial segregation in public schools is unconstitutional. *Brown v. Board of Education*, 347 U.S. 483 (1954). Quite clearly, the board has an alternative (Plan A) that would not result in such a stark increase in the minority population at Rising Star. Thus, if the board votes to implement Plan B, it raises a question of whether the board intended to pour more black and minority students into Rising Star.

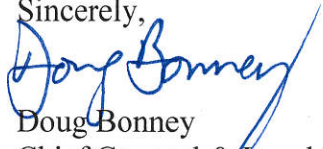
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For these reasons, I strongly urge the Board of Education to table the current proposals to change school boundaries so that more time and consideration can be given to this issue and so that the district can avoid the disparate racial impacts that would result if the board were to approve the proposed changes.

Sincerely,



Doug Bonney

Chief Counsel & Legal Director

Direct Dial: (913) 490-4102

cc: All members of the Board of Education by Email