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March 23, 2009

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

On February 2, First Lady Michelle Obama honored the U.S. Department of Education (USDE) by paying a personal visit and bringing words of encouragement to the employees of that vital agency. Those of us who work in the field of education across the nation were buoyed by her very public recognition of the importance of all levels of education to the future of our country. We trust her visit is a tangible indicator of the high priority your administration will place on education in the months and years ahead.

One aspect of the First Lady's remarks especially resonated with me—her praise of *public* education. She credited the public schools she attended as a young student with providing a strong foundation for her later pursuits and accomplishments. I believe her exact words to the USDE staff were, "I am a product of your work." She could have bestowed no higher praise on the hundreds of thousands of America's professional educators who have dedicated their lives to bringing educational opportunity and the chance for a brighter future to children of every race, creed, gender, culture, ability, and economic level.

For nearly 35 years, one of the nationally recognized hallmarks of the Jefferson County Public Schools in Louisville, Kentucky has been our unyielding commitment to diversity. We have withstood multiple legal challenges, all the way to the U.S. Supreme Court, to defend this commitment. While other districts across our land, perceiving a diminution of support at the judicial level, have quietly retreated from the hard-won victory of *Brown v. Board of Education* and allowed their schools to resegregate, our local Board of Education has stood firm. As you noted in your inaugural address, "our patchwork heritage is a strength." We believe such strength will endure only to the extent that our nation's public schools foster an appreciation of diverse backgrounds via daily interaction with students of varying colors and beliefs.

We further believe that a diverse learning environment prepares students to be effective citizens in our pluralistic society. It promotes social cohesion and reinforces democratic values; and by fostering cross-cultural understanding, it reduces prejudicial stereotypes. Yet the advantages of racially and culturally diverse schools extend beyond the personal and social realms. Diversity in education enhances life opportunities for students of all races, preparing a workforce that is better equipped for a global economy; thus, it is critical to the economic viability and future competitiveness of our nation. Moreover, it gives school districts better tools to address academic achievement gaps among students of various races, ethnicities, and socio-economic backgrounds.

To that end, the Jefferson County Public Schools (the 28th largest district in the country with a student population of 98,000) crafted and implemented a student assignment plan that supports parental choice, yet has resulted in our being the most integrated urban school district in America. On June 28, 2007, the Supreme Court of the United States issued a decision in *Meredith v. Jefferson County Board of Education* that challenged our student assignment plan and caused us to rethink our entire approach. However, instead of backing away from integration as a core element of student assignment to schools, we reaffirmed and reinforced our commitment, developing an even stronger plan that will improve not only the level of integration in our schools but the quality of education we offer to all our students.

In addition, as economic viability prompts more urban and suburban communities to consider intergovernmental merger, the example of our school district is instructive. Thanks to the desegregation-related merger of our city and county school districts in 1975, students and families gained extensive experience in interacting with other races and

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cultures and in visiting sections of the community far removed from their own residences. Over time, this familiarity helped disparate neighborhoods proceed along a continuum from begrudging tolerance to open acceptance, with a growth in understanding and appreciation that continues today. The success of the merged school district received a large measure of credit for the 2003 community-wide vote that consolidated city and county governments, ushering in greater efficiency in the provision of services to 714,000 citizens within a 386-square-mile area. Since then, more than 60 cities, counties, and states have requested information or sent delegations to study Louisville's success and see if merger would work for their communities; and professors in many universities are assigning Louisville's city-county merger as a public policy case study. This civic sea change most likely would not have occurred had it not been for the groundwork laid by the public school system and its student assignment plan.

We firmly believe our current plan has the capacity to serve as a model for other urban and metropolitan districts of various sizes. Indeed, given the burgeoning challenges that most districts face in addressing the intertwined legacy of racial injustice and multi-generational poverty, elements of this plan will likely be perceived as a potential bridge for crossing the river of underachievement and hopelessness that has claimed so many of our young people since *Brown*. As you noted in your bold and timely remarks one year ago, it is time for the "Joshua generation" to lead the way and to take the next steps toward achieving our forefathers' vision of our nation as a land of opportunity for all. In the quest for educational excellence, we believe the JCPS student assignment plan can serve as a viable strategy for moving our nation forward.

I am requesting a meeting to explain our plan in more detail, to seek your administration's endorsement of our efforts, and to discuss the possibility of financial support that would bolster our work and simultaneously enable us to assist other districts that want to expand or preserve diversity in their schools. Enclosed is a synopsis of the key characteristics of our student assignment plan.

We recognize that, while education is close to the hearts of both you and the First Lady, our nation's economic challenges must be your top priority for now. However, we are confident that better days lie ahead for our nation and, at a not-too-distant point in your administration, education will assume a position of prominence. Now is the time to prepare for that day and to refine the bold initiatives that will assist public schools to fulfill the promise that you—and we—envision for them.

Some would say that the day for talking about high-quality, integrated schools has come and gone. We disagree. We believe integration is a *choice*—a choice we are honor-bound to keep struggling for, even as we acknowledge the sacrifices of those who came before us. Again in your words, "the time has come . . . to choose our better history." We look forward to the opportunity to meet with you and key members of your staff and to further explore the implications of our student assignment plan for the children of our nation's public schools. They are indeed the product of our work—and they deserve that better history.

Sincerely,



Sheldon H. Berman, Ed.D.
Superintendent

SHB:jb

Enclosure

c Arne Duncan, U.S. Secretary of Education

STUDENT DIVERSITY: A TIME-TESTED LINCH PIN FOR ACADEMIC EXCELLENCE AND COMMUNITY GROWTH

A STUDENT ASSIGNMENT MODEL FOR MID-SIZED TO LARGE DISTRICTS

PRESENTED BY
THE JEFFERSON COUNTY PUBLIC SCHOOLS (JCPS)
LOUISVILLE, KENTUCKY

There are three essential elements to government's "compelling interest" in reducing racial isolation:

- *historical and remedial—“setting right the consequences of prior conditions of segregation;”*
 - *educational—“overcoming the adverse educational effects produced by and associated with highly segregated schools;”*
 - *democratic—“producing an educational environment that reflects the ‘pluralistic society’ in which our children will live.”*
- (Opinion of Justice Stephen Breyer, 2007, Meredith v. Jefferson County Board of Education)*

“For the vast majority of children, their first interaction with people with different social, economic and ethnic backgrounds is through the public educational system.”

(Amicus Curiae Brief for the Prichard Committee for Academic Excellence)

“JCPS’s integrated school system benefits the whole business community by educating students who will eventually become part of the highly diverse work force upon which the city’s economic growth depends.”

(Brief of the Louisville Area Chamber of Commerce and Louisville Metro Mayor Jerry E. Abramson)

Goal of the JCPS Student Assignment Plan: To provide each student with access to a high-quality educational program that yields enhanced academic achievement for students of all races, cultures, and economic backgrounds, as it strengthens the societal bonds and economic viability of the entire community.

Guiding Principles in Developing the Plan

- Diversity – include students from different ethnic, racial and economic groups and with disabilities
- Quality – enhance the quality of the instructional program, leading to higher achievement
- Choice – allow families to select from a variety of sites and programs to meet children’s individual needs
- Predictability – enable families to understand their choices and the process for assignment
- Stability – provide continuity over time and build students’ connectedness to the school community
- Equity – provide fair and impartial access to programs and resources for all students

These principles are interdependent; none is more important than another, for each is vital to reaching the goal.

Factors Employed in Analyzing Neighborhoods to Ensure Diversity in Student Population at Each School

- Median household income per household member
- Average educational level of adults over the age of 25
- Percentage of residents who belong to racial minorities

Process for Assigning Specific Neighborhoods to Specific Schools

- Identify each neighborhood or census block as Area A or Area B, according to an analysis of data on the above three factors; Area A neighborhoods include a larger proportion of families who are minority members and/or have a below average level of education and/or have a below average level of income
- Establish a standard that each school in the district shall have no less than 15 percent and no more than 50 percent of its enrolled students residing in Area A.
- Attach each neighborhood to a school in a manner that supports the 15-50 standard and provides balanced diversity in the student body of each school. Students are assigned to schools based upon geographic area of residence, not individual race.
- Divide the schools geographically into six elementary clusters and three middle-high school regions in a manner that promotes equity among the schools (see Table 1 for a comparison of the elementary clusters by income level, education level, and minority membership)

Process Used to Engage Parents and the Community

- Developed a variety of potential scenarios for assigning neighborhoods to schools
- Shared those scenarios in multiple formats and settings over a period of several months (Board of Education meetings and work sessions, public forums, newspaper articles, local television and radio presentations, forums at local faith-based institutions, parent newsletters, PTA meetings, school faculty meetings, university classes, meetings of local business/community/government leaders, district website, employee email, etc.)
- Consulted with national experts
- Conducted parent/staff/community surveys, both telephone and online
- Analyzed all feedback and incorporate findings to modify the scenarios and determine the best combination of elements to achieve the goal

Strategies for Attracting Parents and Students to Specific Schools

- Create magnet schools and magnet programs that appeal to individual interests and talents; e.g., performing arts, visual arts, international studies and world languages, environmental studies, International Baccalaureate, micro-society, technology. This magnet approach has been very successful for more than twenty years in encouraging parents to enroll their children in schools they might not otherwise consider (such as suburban parents sending their children to inner-city schools that offer a Montessori program or a math/science emphasis).
- Create school-to-career programs at the high school level that focus on a career or technical education theme, such as engineering or medicine. At each high school, offer coursework that accommodates a range of ability levels and explores a continuum of careers within that theme (e.g., medicine, nursing, medical technology, pharmacy) so students do not put limits on their dreams.
- Offer the same magnet programs in multiple elementary clusters so parents do not have to send their children extreme distances to participate in a desired program.
- Offer the same school-to-career themes in all three middle-high school regions, again to facilitate participation.
- Align elementary, middle, and high school programs within each region to provide educational continuity for students (e.g., able to study the same world language at all three levels), and to facilitate collaborative staff planning and the sharing of community resources
- Promote parent choice of the school within the cluster or region that best meets the child's needs and interests.
- Provide transportation to any school within the cluster where the child resides.

Evidence of Effectiveness

- Each year, 93 to 95 percent of students are able to attend either their first-choice or second-choice school.
- From 1996 to 2007, all of the district's 130+ schools (excluding alternative and special education) were in compliance with the 15-50 standard, which prior to the 2007 Supreme Court decision referred only to the proportion of African-American students in a school.
- Of JCPS graduates who were surveyed five years after graduation, nearly all responded that JCPS had prepared them well to work (89 percent) or attend college (90 percent) with people from different cultural backgrounds.
- On the 2008 NCLB assessments, every JCPS student group (white, African-American, Asian, Hispanic, English language learners, free and reduced-price meals, and with disabilities) showed an increase in both reading and math in the proportion of students scoring at the proficient level or above, compared with the 2006 results.
- A 2008 external survey of parents of JCPS elementary students revealed that 96 percent of parents—regardless of race, income level, or educational level—would send their child to a school outside their neighborhood if that school offered a specialized program that met their child's needs and interests.
- Of the 21,000 K-12 JCPS parents responding to an internal survey in 2008, 86 percent of parents—regardless of race—agreed that they were “very satisfied with Jefferson County Public Schools.”
- Low-income (Title I eligible) elementary students who chose to attend a non-Title I school (with greater economic diversity) scored significantly higher on NCLB tests of math and reading than did their peers who chose to remain at their neighborhood Title I schools.

Summary: The Jefferson County Public School District has a 33-year record of success in providing high-quality education for all students in thoughtfully integrated schools. The district's student assignment plan has evolved and become stronger in the face of legal challenges and societal pressures. This latest configuration of the plan offers an opportunity to achieve and maintain balanced diversity across the system so all schools have the greatest likelihood of providing an academically challenging environment for all students. Since students with challenging circumstances are equitably distributed throughout all schools, teachers at every site (with the support of intensive professional development in content areas as well as in cultural competency) see their hard work bear fruit and are not inclined to transfer to another site. This teacher stability in turn promotes staff and family connectedness and a strong sense of school community. We believe our student assignment model holds promise for other communities who want their children to experience the “better history” that will prepare them for a brighter future. We invite the U.S. Department of Education to partner with us in this exciting and meaningful venture.

JCPS Elementary Contiguous Clusters

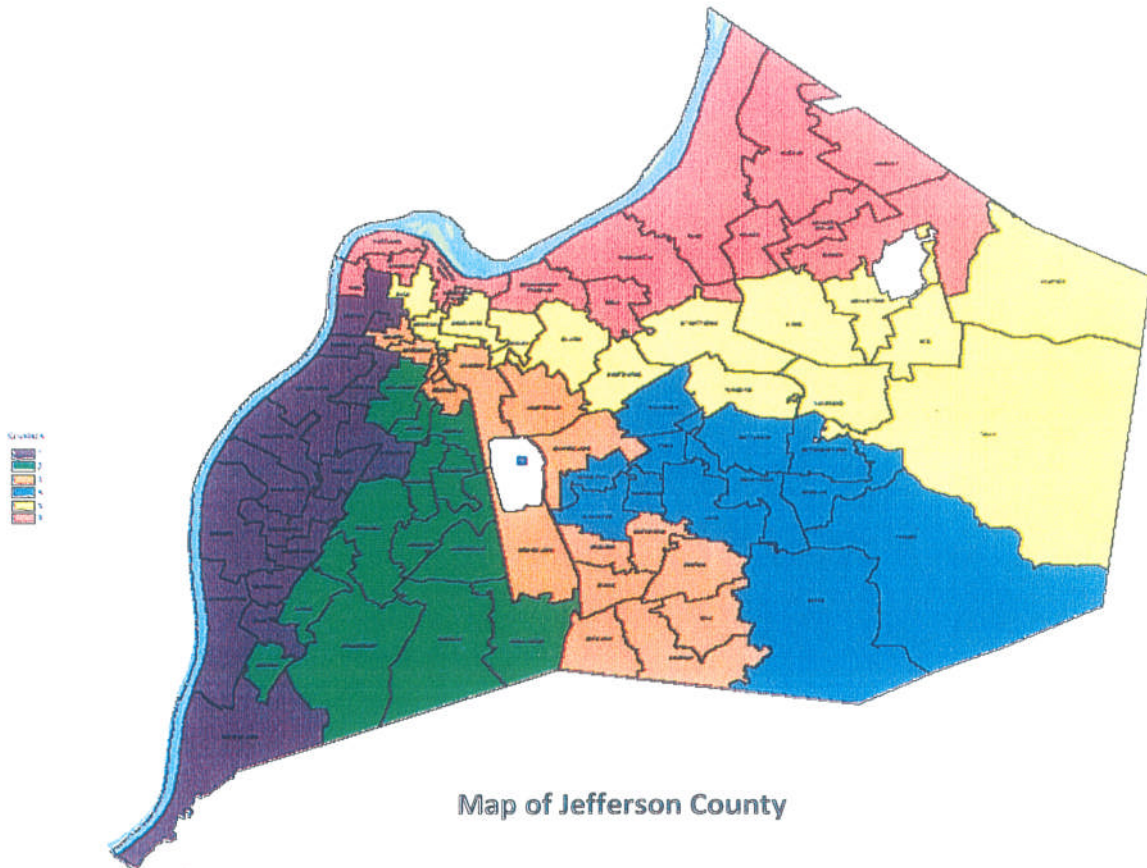


Table 1: Cluster Summaries on Multiple Criteria Factors

Contiguous Cluster	Number of Schools	Household Income 2000	Household Income 2010	Education Average	% Total Minority	% Area A Resides	Enrollment (K-5)
1	15	\$ 34,314	\$ 52,363	2.9	47.8%	38%	7277
2	13	\$ 32,639	\$ 49,957	2.9	47.8%	37%	6222
3	14	\$ 35,166	\$ 53,591	2.9	48.3%	25%	6799
4	12	\$ 45,812	\$ 68,813	3.2	49.3%	24%	6629
5	14	\$ 45,484	\$ 68,836	3.3	47.2%	34%	7098
6	14	\$ 50,009	\$ 76,185	3.4	45.5%	31%	7194
Range	3	\$ 17,370	\$ 26,228	0.5	3.8%	14%	1055