

ST. LOUIS A SCHOOL
DESEGREGATION SUCCESS STORY

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, July 16, 1999

Mr. CLAY. Mr. Speaker, May 17, 1999, marked the 45th anniversary of the Supreme Court's unanimous decision in *Brown v. Board of Education* holding racial segregation laws and practices unconstitutional and ushering in the civil rights era. Last month the Harvard Civil Rights Project published a report showing that the nation is now moving backwards toward re-segregation of public schools.

I want to call the attention of my colleagues to the remarkable story of desegregation in St. Louis. St. Louis illustrates the gains that can be made for children even in these times. In St. Louis, a 1983 settlement of a desegregation case brought by the NAACP resulted in the largest voluntary metropolitan school desegregation program in the nation, with 13,000 black students from St. Louis attending school in 16 suburban districts. The program was very successful in increasing the graduation and college-going rates of participating youngsters as was a magnet program in city schools.

When the State sought to end its financing of the remedy in the early 1990's many feared that the opportunities that had been afforded children would end as had happened elsewhere. But an extraordinary thing happened. The Missouri State legislature voted funds sufficient to continue the programs—including as well as major program for school improvements in St. Louis—for at least ten more years. The legislature insisted that the city of St. Louis contribute financially by raising its sales and property taxes. Many feared that this would not occur. But in February of this year the voters approved a sales tax increased by an almost 2-1 margin—and every Ward in the City—Black and White—voted for the tax increase.

Many people in Missouri worked hard to achieve this remarkable result. Special thanks are due to William H. Danforth, the Court-appointed settlement coordinator, who recognized that continuing a valuable remedy was not inconsistent with ending court supervision. James De Clue, the NAACP leader and Minnie Liddell, the community leader, toiled over twenty five years to advance the interests of children, they are the true heroes of this story. Legislative leadership was exercised by then-Representative Steve Stoll along with Senators Ted House, Lacy Clay and Harold

Caskey. My colleague Congressman RICHARD GEPHARDT also helped assure that St. Louisans understood the importance of passing the referendum while business and religious leaders pitched in and lent their support.

Mr. Speaker, we must not give up on the promise of *Brown v. Board of Education*. The St. Louis story provides a model for other communities. I would like to share with my colleagues some articles that detail the success of St. Louis' school desegregation program.

[From the St. Louis Post-Dispatch, Jan. 7, 1999]

SETTLEMENT IS REACHED IN DESEGREGATION CASE

(By Rick Pierce and Carolyn Bower)

The clock on the library wall at Yeatman Middle School in St. Louis said 15 minutes after 2 p.m.

Dozens of lawyers, school superintendents, school board members and settlement coordinator Dr. William H. Danforth were waiting to announce an agreement to settle the area's school desegregation case.

A lawyer turned to another lawyer and asked, "Everyone important seems to be here. Who are we waiting for?"

Moments later, Minnie Liddell, regal in a flowing red blouse and slacks and moving slowly with the aid of a four-pronged metal cane, entered the library.

Knots of people parted to let her through. Some hugged her.

Twenty-seven years ago, when school officials tried to transfer her son, Craton, and other students, out of Yeatman School—a school the Liddell family had fallen in love with—she and other parents sued the St. Louis School Board.

Now Liddell, 59, who has three grandchildren in St. Louis schools, watched as Danforth announced the settlement, something many had predicted was impossible.

"There has been an agreement to settle the case," said Danforth, adding that the agreement would be presented to U.S. District Judge Stephen N. Limbaugh Sr. "This is a historic occasion for St. Louis."

Danforth said many people had told him it was impossible to settle a suit with more than 20 parties.

"It did take time. I never had any idea how complicated the legal issues were," he said. "What we all wanted was to provide children with a first-class education and the opportunity for choice. We all wanted the voluntary transfer program to continue with this settlement."

After Danforth spoke, Liddell said with obvious emotion: "All I can say is, 'Yay, St. Louis.' This has been a long time coming, yet we have just begun. I'm glad I lived to see a settlement in the case."

Liddell suffered a stroke a couple years ago and suffers from numerous health problems.

The settlement still needs approval of area school boards. Besides St. Louis, 16 St. Louis County districts were parties in the suit.

Clayton and Parkway school boards were expected to meet in closed sessions Wednesday night to discuss the settlement. The Rockwood School Board might consider the agreement tonight. The St. Louis School Board already has approved the agreement.

Other parties might agree with Liddell. Until the end, the deal to settle the St. Louis desegregation case was in danger of breaking apart.

Until the deal was notched around noon Wednesday, anything was possible, said the attorneys involved in the case. The talks had become more frequent, and often ran late, in the past two weeks while students were on holiday break.

The talks New Year's Eve lasted until 8 p.m.

On Monday and Tuesday, attorneys and officials representing the more than 20 parties in the case met from before noon to past midnight at the downtown offices of Bryan Cave, a law firm in St. Louis. Tuesday's schedule followed suit.

As the clock continued to tick past the self-imposed, end-of-the-year deadline, tempers flared.

"We were dealing with difficult issues and people got tired," said Douglas Copeland, an attorney who represents the Webster Groves and Valley Park school districts. "No one ever came to blows."

The attorneys and others involved in the talks have declined to discuss specifics because they were muzzled by a federal judge. But two key issues that remained unresolved until the end were the county districts' concerns over the terms of the busing program and the city district's concerns over how much it would get for new schools when the students returned.

Ken Brostron, the St. Louis School Board's attorney, said a deal wasn't worked out on how much money the city would get for new schools until Tuesday evening. That figure is \$180 million.

The county districts' concerns over the busing plan, especially over how long they would have to commit to it and who would pay for it, weren't resolved until Wednesday morning. County superintendents had hoped that the state would pay for transportation for students to finish in the schools they attend.

The problem was finding enough state money. County superintendents insisted that no local tax money would be used to pay for the education or transportation of transfer students—which the county districts got. Although issues related to St. Louis were resolved by Tuesday, county superintendents did not reach an agreement until shortly before noon Wednesday.

Then they drove through snow-lined streets to Yeatman, where the case had begun decades ago.

School District	City-to-County enrollment	County-to-City enrollment	Total student enrollment	Percent of black students, 1982-83	Percent of black students 1998	Percent of City-to-County enrollment
Aftton	369	73	2,657	1.6	15.43	13.8
Bayless	171	53	1,395	0.1	13.26	12.3
Brentwood	214	15	924	23.9	27.16	23.1
Clayton	479	7	2,404	6.0	21.96	19.9
Ferg.-Flor	0	58	11,368	140.5	55.85	0
Hancock	365	95	1,660	3.0	23.31	21.9
Hazelwood	4	121	18,315	17.4	43.2	0
Kirkwood	691	31	5,061	19.3	25.07	13.6
Ladue	444	11	3,406	15.6	25.63	13.0
Lindbergh	1,030	58	5,205	1.6	20.79	19.7
Maple-Rich. Hts	0	216	1,115	1	241	0
Mehlville	1,411	124	11,694	.03	13.8	12.0
Parkway	3,085	86	20,783	2.5	17.83	14.8
Pattonville	1,058	44	7,027	5.3	27.44	15.0

School District	City-to-County enrollment	County-to-City enrollment	Total student enrollment	Percent of black students, 1982-83	Percent of black students 1998	Percent of City-to-County enrollment
Ritenour	145	254	6,629	14.5	28.2	2.2
Riv. Gardens	0	1	6,850	1	81	0
Rockwood	2,661	33	20,706	.9	14.23	12.9
Valley Park	229	12	989	.4	28.41	23.1
Webster Groves	497	59	4,163	19.9	26.98	11.9
Total/Average	12,853	1,351	132,251	na	na	9.7

Source: City-to-County and County-to-City Enrollment as of 11/4/98, Voluntary Interdistrict Coordinating Council.

Total Student Enrollment as of 9/30/98, Provided by Districts.

¹ Non-white population.

² 1997 date.

³ Not available.

[From the St. Louis Post-Dispatch, Jan. 28, 1999]

A BETTER SETTLEMENT THAN ANYONE ELSE GOT

(By James A De Clue and William L. Taylor)

STATE FUNDING COULD TERMINATE IN THE FORESEEABLE FUTURE

When citizens of St. Louis vote next week on the tax referendum, they will have a unique opportunity to invest in the future of their city and its children.

In many communities around the nation, courts are declaring an end to judicially supervised school desegregation and to the mandated subsidies for improved education that are often part of the remedy. But in St. Louis, the state Legislature has offered a financial package that will enable educational opportunity programs to continue for 10 years or more.

Both from a financial and an educational standpoint, the St. Louis settlement is the best of any school district in the nation. The state funding will make possible continuation of the voluntary interdistrict transfer program and the city magnet program. Both of these programs have enabled African-American city students to complete high school and go on to college at far greater rates than they have in the past.

The \$45 million in state funding that will come to the city if the referendum is approved will not only maintain the magnets but improve educational opportunity in all of the city's schools.

For teachers, the funds will mean new opportunities for professional development and a better environment in the classroom. Part of the reason is new investments in preschool and in all-day kindergartens along with early-grade reading programs like Success for All that have proved effective in many American schools.

These initiatives will mean that children will emerge from the early grades with the skills they need and that schools will be able to avoid the Hobson's choice between social promotion and retention.

For parents, the agreement contains perhaps the most comprehensive set of reform measures adopted in any litigation. This includes tough performance standards that require schools to show year-by-year progress in students'

It also calls for substantial assistance to schools that are failing and new leadership for schools that do not respond to assistance. One novel feature is a right of transfer for students to go from failing schools to those that are providing better educational opportunities.

Indeed, with the ability to select schools in the county, magnet schools in the city and the right to transfer out of failing schools, St. Louis parents will have a greater range of choice than exists elsewhere.

Is there a price to be paid for these positive changes in education? Yes, voters must ap-

prove the two-thirds-of-a-cent increase in the sales tax. But St. Louis citizens will get a 2-for-1 one return (\$45 million in state funds for about \$20 million in local revenues), a much better deal than has been offered anywhere else.

And while the funds will barely match those now ordered by the court, the city will be rid of noneducational expenses such as court costs and can get an even better educational return by investing in initiatives that have proved effective.

If, on the other hand, the levy loses, state funding will terminate in the foreseeable future and the prospects for the city will be bleak.

As two people who have spent all of our professional lives serving as advocates for children, we know that opportunities for a community to make a difference in the lives and futures of children come along very rarely. We pray that the people of St. Louis will grasp the opportunity next Tuesday.

[From the St. Louis Post-Dispatch, Feb. 3, 1999]

VOTING FOR A MIRACLE PUBLIC EDUCATION

The campaign for a just settlement to the 27-year-old school desegregation case ended in victory on Tuesday. The crusade to improve the education of all our children begins today.

Tuesday's overwhelming vote in favor of the sales tax increase for city schools is the latest miracle in a year of political miracles.

The first was getting the Missouri Legislature to pass a law to continue making extra payments to the St. Louis schools after the end of court-ordered desegregation. The second was Dr. William H. Danforth's trick of getting the platoon of lawyers to stop squabbling and hammer out a deal. The third was persuading the people of St. Louis to lay aside their opposition to taxes and lack of confidence in the schools and, instead, to tax themselves in hopes of a better future.

This feat makes us the first place in the nation where the democratic institutions of government found a way to preserve the gains of the era of desegregation while making it possible to improve the education of all children.

Imagine. This happened in Missouri.

But as much as we deserve to be proud, it will avail us nothing if we go back inside our homes and businesses thinking the problem is licked.

It isn't. We have to commit ourselves to something that is much bigger, much harder and much more important than a few political victories. We have to commit ourselves to improving our schools in tangible ways that transform * * *

The uncomfortable truth is that we don't know how to do it. But the voters aren't going to take that as an excuse for failure.

A majority of voters said in exit polls that they did not have confidence in the St. Louis

public schools. But almost half of those voting in favor of the tax said they did so in hopes of strengthening neighborhood schools. In other words, people don't trust the schools and were unhappy voting for the tax, but they went ahead out of civic obligation and now expect results.

Trust and success are inextricably linked. If we can re-establish trust, if we can pull together in search of this common purpose, we won't fail.

All of those who pushed hard to pass the tax have an obligation in this respect.

School officials who talked about accountability must make that word mean something. Lawyers who brokered the agreement must see to it that the promises of educational improvement are enforced. Civic leaders who backed the tax must redouble the commitment of their groups and corporations to the schools. Newspapers that crusaded for the deal, must keep their light shining along the path toward better schools.

Suburban school districts too have an obligation. More than half the voters said in exit polls that they considered the city-county transfer program a success. That heightens the duty of suburban school districts to stick with the program past the three-year opt-out period and to improve the education that 13,000 city students get at the other end of the bus ride.

Making a quantum improvement in the education of our city school children will take a miracle. In St. Louis today, mere miracles are within our grasp.

[From the New York Times, Jan. 8, 1999]

DEAL STRUCK FOR ENDING BUSING PLAN IN ST. LOUIS

(By Pam Belluck)

The St. Louis school system, which has the country's largest busing program, may soon be released from its longstanding court-ordered desegregation plan.

After a long, tortuous negotiation process, a tentative agreement reached this week would end 15 years of court-ordered desegregation under which about 13,000 black inner-city students from the 59,000-student district are voluntarily bused each year to predominantly white suburban schools.

Minnie Lidell, a parent who was the lead plaintiff in a 1972 lawsuit that led to the court-ordered desegregation plan, expressed optimism about the settlement.

"I think we have a plan in place where, if all sides live up to their end of the deal, I think we can see some real change," Ms. Lidell said. "We have a chance to improve the quality of education in St. Louis for all kids, and that was our original goal when we started all of this."

The lawsuit accused the district of segregating its schools by race. Beyond remedying the racial disparity, the desegregation plan spurred improvements in city schools, including renovation of buildings and the reduction of class sizes.

The St. Louis settlement comes as a wave of cities across the country seek to be released from court-ordered busing programs. In recent years, Indianapolis, Kansas City, Mo., Denver, Oklahoma City, Norfolk, Va., Wilmington, Del., Nashville and Cleveland, have resolved their desegregation cases.

But several aspects set the St. Louis settlement apart from others.

For one, it would not so much discontinue busing as change its financing.

Many parents and some administrators in both the city and suburban schools would like busing to continue, saying it gives black city students a choice of where to be educated and gives city schools an incentive to compete for those students. A popular part of the desegregation program is a small-scale busing plan under which about 1,300 white students from the suburban counties can attend specialized magnet schools in the city.

Several years ago, the State of Missouri, which pays the St. Louis schools \$70 million a year to run the busing program, went to court to try to have the desegregation order lifted so state taxpayers would no longer have to pay for carrying it out.

As a result of Wednesday's agreement, which is subject to the approval of Judge Stephen N. Limbaugh of Federal District Court, and the school boards of the participating districts, and a bill passed by the state Legislature last year, the state would reduce its obligation to \$40 million. The proposal calls for most of the remaining money, about \$23 million, to come from raising the city sales tax by two-thirds of 1 cent.

Whether the agreement is completed depends on whether city voters approve the tax increase in a ballot scheduled for Feb. 2.

"It's all contingent on the passage of a sales tax, which I think is going to be a tough job," said Dr. Cleveland Hammonds Jr., the superintendent of the St. Louis school district.

The agreement would maintain the current busing for at least three years and would allow students already being bused the option of completing their education in the suburban schools. After three years, the 15 participating school districts in St. Louis County would have the option to stop accepting new bused students, although Dr. Jere Hochman, superintendent of the Parkway School District, which receives 3,000

bused students, said he believed that most of the districts would retain the program as long as they continued to receive enough money for transportation and other costs.

All the parties had some interest in reaching this week's settlement. The state would save money. The suburban school districts would get the freedom to discontinue busing.

While the city schools would receive about \$7 million less for the busing program, Kenneth Brostron, a lawyer for the school district, said the benefit of being freed from the cumbersome court order would make up for it. Now, Mr. Brostron said, many decisions about staffing ratios and programs are subject to approval of the judge.

And as for the plaintiffs in the original lawsuit, they would receive commitments that the city school district would "provide for a lot of things to make the schools better," said William I. Taylor, the lead lawyer representing the plaintiffs.

Mr. Taylor said the agreement included provisions that would provide more teacher training, toughen the district's approach to failing schools and would allow students the chance to transfer from a failing school.