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February 28, 2018

Hon. Kellie LeDet  
Chief of Staff & Assistant Commissioner of Education  
New Jersey Department of Education  
PO Box 500  
Trenton, New Jersey 08625-0500

Re: South Orange-Maplewood School District

Dear Assistant Commissioner LeDet:

I am writing as Chairman of the Black Parents Workshop, Inc., a not-for-profit education advocacy organization representing parents of African-American (e.g. African-American, Caribbean, African and Afro-Latino) students in the South Orange-Maplewood School District ("SOMSD"). Our focus is on education equity and access for African-American students in public schools to high-quality and rigorous coursework to close the achievement gap and improve educational outcomes.

On February 27, 2018, the Black Parents Workshop filed a complaint (Docket 2:18-cv-02726), of which a copy is attached, in U.S. District Court in the District of New Jersey alleging violations by the South Orange-Maplewood School District of Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973, and related regulations, and Article I, Paragraph V, and Article III, Section IV, Paragraph I of the New Jersey Constitution. The issues we raise in this complaint has implications for public school districts across the state of New Jersey.

We seek the assistance of the state Department of Education to provide guidance and direction to the South Orange-Maplewood School District, and oversight of the district until at which time the district is fully compliant with federal and state laws.

For over two decades, the South Orange-Maplewood School District has instituted policies and engaged in practices that have resulted in gross racial disparities in academic achievement. These policies and practices include ‘tracking,’ ‘ability grouping’ or ‘leveling,’ and the racially disparate application of punishment for disciplinary infractions. African-American students in the school district have been denied access to advanced-level courses and Advanced Placement (AP) courses designed to ready students for college enrollment and careers. In addition, African-American students in the SOMSD have faced disproportionate disciplinary penalties (e.g. in-school suspension, out-of-school suspension, expulsion and out-of-school placement) compared to their White peers who have committed similar offenses. We are also concerned about the degree to which our local police department is called into Columbia High School to intervene in matters that should reasonably be handled by school personnel.

In addition, the district has also been found to target and discriminate against African-American special needs students and is a party to a consent decree (Civil Action No. 07-2978 (MLC) ), of which a copy is attached, to cease such treatment. Moreover, the school district has made little effort to recruit and hire African-American teachers, despite African-Americans representing 32.7% of the Township of Maplewood and 29.1% of the Village of South Orange.



In 2014, after an extensive investigation by the U.S. Department of Education Office of Civil Rights (OCR), the South Orange-Maplewood School District voluntarily signed a Resolution Agreement (OCR Docket No. 02-13-5003), of which a copy is attached, acknowledging discriminatory policies and practices. Specifically, denying African-American students access to advanced-level and Advanced Placement (AP) courses, and the disproportionate punishment of African-American students through the district's disciplinary protocols. At the same time the school district entered into the OCR Resolution Agreement, the ACLU-NJ and The Center for Civil Rights Remedies at The UCLA Civil Rights Project filed a complaint with OCR making similar claims against the SOMSD.

Following the 3-year period of OCR review, the school district released data at a regular meeting of the South Orange-Maplewood Board of Education on October 16, 2017, that revealed racial disparities that triggered the initial OCR investigation had widened. Despite the adoption of a facially neutral 'open access' course enrollment policy, the SOMSD failed to implement any corrective programs or alter its academic structure K-12 to ameliorate racial disparities in academic achievement. During the 3-year period, the Black Parents Workshop repeatedly and ceaselessly pressed the school district to take action. Our pleas were ignored.

The school district's failings are extensive. SOMSD also maintains *de facto* segregated K-5 elementary schools and has offered no credible desegregation plan. Of the district's six (6) elementary schools, one, Seth Boyden Elementary School, has a majority African-American student population. The other five (5) elementary schools are majority White.

The SOMSD has also failed to implement the state mandated Amistad African-American History Curriculum. This was made most evident in 2017 by an errant 5<sup>th</sup> grade social studies lesson (newspaper article attached) that had students drawing posters that were meant to replicate slave auction notices. The posters were hung on the walls of an elementary school, absent the context necessary to make the lesson meaningful or 'educational.' Instead, in a predominantly White elementary school, students saw posters on the walls of Black children in bondage and for sale; missing the critical narrative and critique of this dreadful period of American history. This lesson motivated children in another elementary school, also predominantly White, to reenact

and videotape a mock 'slave auction' in which an African-American student portrayed the slave. While not directed by a teacher, these students understanding of the colonial period was colored by a failure of the district's curriculum on the subject.

The management of the SOMSD has been affected by the transient nature of its leadership. Over the last two decades, the school district has had 5 superintendents and 5 principals of its high school. The district has also lost a significant number of experienced teachers. This instability, combined with resistance to making substantive changes in policies and practices, has exacerbated the harm caused African-American students. The egregious treatment of African-American students is well documented and substantiated by SOMSD's data, New Jersey Department of Education assessments, and data from national assessments, and the grievances of students and parents, and recollections of Columbia High School alumni.

The Black Parents Workshop is requesting a meeting with Commissioner of Education Dr. Repollet to discuss possible state Department of Education intervention to assist in securing the SOMSD's fulfillment of its legal responsibility to operate in a non-discriminatory manner. This would specifically entail oversight of a district-wide de-leveling plan, the desegregation of K-5 elementary schools, the restructuring of its student disciplinary procedures and an audit of the district's servicing of special needs students. Barring such oversight, the Black Parents Workshop is prepared to request the appointment of a Special Master by the federal Court.

We know the issues we are confronting in the South Orange-Maplewood School District are playing out in school districts across the state. It is our belief that education equity must become a focal point of school reform in New Jersey, and the state must play a leadership role in making certain African-American children, and Hispanic children, are not relegated to second-class status in our public schools.

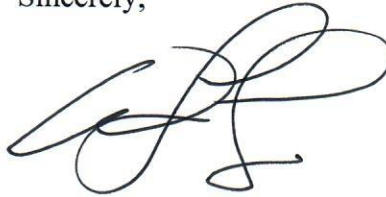
The Black Parents Workshop is well aware of the hesitation of the department to intervene in local school districts, and the much-guarded tradition of 'home rule' in New Jersey. However, given that public education is a state mandate, and that our grievances at the local level in the South Orange-Maplewood School District have not been addressed for over two decades,



we believe it is incumbent upon the state to exercise its authority to compel our local education authority to provide aggrieved students the education to which they are legally entitled by the New Jersey Constitution in a non-segregated environment. Without such intervention, another generation of African-American students will be harmed and their opportunities for productive lives as adults will be diminished. By the district's own admission, it has failed African-American students and we cannot risk the futures of our children any longer. We cannot in good conscience trust, after we have been betrayed for so long, that the South Orange-Maplewood School District will act in an honorable and appropriate way toward our children.

Your attention and guidance in this manner would be most appreciated. Please feel free to contact me directly at (973) 738-7876. Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Walter Fields', with a stylized, cursive script.

Walter Fields  
Chairman

Attachments

cc: Mr. Joseph Zarra, Interim Executive County Superintendent