

NEWS RELEASE
FOR IMMEDIATE DISTRIBUTION
October 9, 2014

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**CIVIL RIGHTS GROUPS SEEK TO COMPEL KERN HIGH SCHOOL
DISTRICT TO ELIMINATE DISCRIMINATORY SUSPENSION AND
EXPULSION POLICIES**

Latino and African American Students Deserve Equal Access to Educational Opportunity

BAKERSFIELD, CA— A coalition of civil rights legal advocates, including MALDEF, California Rural Legal Assistance, Inc., Equal Justice Society, and Greater Bakersfield Legal Assistance, Inc., today filed suit in Kern County Superior Court to compel Kern High School District (KHSD) to eliminate a variety of discriminatory disciplinary policies and practices that disproportionately impact students of color. The suit was filed on behalf of Latino and African American students and parents, as well as community members and community organizations, who have suffered the impacts of discriminatory expulsion and school assignment policies, and who have sought to bring equity to the KHSD system without success.

The Kern High School District, located in California's Central Valley, has a student population that is 62 percent Latino and 6.3 percent African American. Over the last five years, discriminatory school assignment policies have made it far more likely for Latino and African American students to be suspended, expelled, and assigned to alternative schools than the general school population.

The alternative schools are operated by KHSD or the Kern County Office of Education, and provide fewer academic and extracurricular opportunities, reduced access to qualified or highly qualified teachers, and limited access to the courses required to enroll in California universities. Students in these schools also experience disproportionately higher dropout rates and lower graduation rates.

In 2009-10, KHSD reported the highest actual number of expulsions in California, even when compared to far larger school districts, such as Los Angeles Unified School District. In that year, the percentage of African American and Latino students taken out of their local schools and assigned to alternative schools was double the percentage for white students.

KHSD implemented policy changes that reduced the reported 2011-2012 and 2012-13 suspension and expulsion rates, following the release of a U.S. Department of Education report that highlighted dramatic disparities in expulsion and suspension rates in comparison to other districts across the nation. But, the changes failed to eliminate the disparate effect of the district's discriminatory policies, and Latino and African American students remain much more likely than their white counterparts to be expelled or suspended from school and involuntarily assigned to an alternative school.

KHSD's discipline and involuntary transfer policies have created a pattern that has been nationally studied and described as the "School-to-Prison Pipeline" – defined as the use of educational policies and practices that have the effect of pushing students, especially students of color and students with disabilities, out of schools and toward the juvenile and criminal justice systems. Additionally, those disciplined and transferred out of a general school setting are more likely to drop out; less likely to graduate on time, if at all; and less likely to attend or complete college or post-high school vocational training, a reality more accurately described as the "School-to-Nowhere Pipeline."

Education plays an essential role in providing access to the opportunities that make it possible to be successful in American society. This role has been recognized by the State of California in its constitution, statutes, regulations and judicial opinions, and California law requires that all children in California have equal access to a public education system that will provide them the skills they need to succeed as productive members of modern society.

Quotations from the legal organizations involved in the lawsuit are below:

"When faced with the discriminatory effects of their highly subjective expulsion policies the KHSD chose to use smoke and mirrors to obfuscate their practice of warehousing students of color in alternative schools," said Cynthia Rice, Director of Litigation, Advocacy and Training at the California Rural Legal Assistance, Inc. "Despite the hard work of parents and organizations like FIAKC, DHF and NBA, KHSD wouldn't change, so we had no choice but to sue them and seek the assistance of the courts to ensure full and free educational opportunity to African American and Latino students."

"Public education has a pivotal role in maintaining the fabric of our society, in sustaining our political and cultural heritage, and in creating the future leaders of this county," stated Martha L.

Gomez, MALDEF Staff Attorney. “Kern High School District hurts itself and the State of California by making Latino and African American students second class citizens in the educational system.”

“One of the reasons for the existence of disproportionate suspensions and expulsions of Latino and Black students is that Kern County school district administrators and teachers have implicit biases about students of color,” said Eva Paterson, President of the Equal Justice Society. “Stereotypes, racial anxiety, and other manifestations of unconsciously held negative views of Blacks and Latinos that lead to discipline or involuntary transfers to alternate schools doom many of these students to academic failure.”

“The California Constitution states that all children have a fundamental right to attend and participate in school,” said GBLA attorney Lily Marshall-Bass. “Kern High School District is denying those rights to African-American and Latino students through their suspension, expulsion, and involuntary transfer policies.”

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Founded in 1966, CRLA’s mission is to fight for justice and individual rights alongside the most exploited communities of our society. Through a network of regional offices and cross-cutting programs, CRLA provides legal services to over 32,000 low-income people annually. Our work impacts farmworkers, individuals with disabilities, immigrant populations, LGBT communities, women, children and families in rural areas. For more information on CRLA, please visit: www.crla.org.

MALDEF

Founded in 1968, MALDEF is the nation’s leading Latino legal civil rights organization. Often described as the “law firm of the Latino community,” MALDEF promotes social change through advocacy, communications, community education, and litigation in the areas of education, employment, immigrant rights, and political access. For more information on MALDEF, please visit: www.maldef.org.

About the Equal Justice Society

The Equal Justice Society is transforming the nation’s consciousness on race through law, social science, and the arts. Led by President Eva Paterson, our legal strategy aims to broaden conceptions of present-day discrimination to include unconscious and structural bias by using social science, structural analysis, and real-life experience. Connect with EJS at equaljusticesociety.org, [@equaljustice](https://twitter.com/equaljustice), and [fb.com/equaljusticesociety](https://facebook.com/equaljusticesociety).

Founded in 1968, GBLA’s mission is to promote social change and justice by providing high-quality legal services to the low-income community of Kern County, California. GBLA assists clients in the areas of housing and homelessness, domestic violence, guardianship, children and family services, health law, consumer law, and others. For more information on GBLA, please visit: www.gbla.org.