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African-American parents settle racial discrimination case with Upper Dublin School District, creating equitable academic and disciplinary policies

District reduces tracking of students and improves disciplinary practices

Upper Dublin Township, PA – A group of African-American parents and the Upper Dublin School District (UDSD) have amicably settled a complaint alleging that the District discriminated against black students through its tracking and disciplinary practices. Last night at their October meeting, the Upper Dublin School Board agreed to several significant change to the District’s curriculum and disciplinary policies that will promote racial equity.

In their complaint filed by the Public Interest Law Center with the U.S. Department of Education’s Office of Civil Rights in November 2015, Concerned African American Parents (CAAP) alleged that District policy resulted in overly harsh discipline for black students and disproportionately placed black students into lower-level classes. As part of the settlement, UDSD will significantly scale back its use of tracking for middle school and high school students. In addition, the District will train all teachers and staff in restorative disciplinary practices.

“This is a great achievement for justice and equality for students of color in the District,” said Tina Lawson, President of CAAP.

“The promise of many positive changes to curriculum and disciplinary policies that CAAP believes will hold the district accountable to providing a just and equitable education for its African-American students is a step in the right direction,” said State Senator Vincent Hughes, whose district includes Upper Dublin. “Too often we’ve seen these types of discriminatory educational practices exhibited and with this agreement, the Upper Dublin School District is helping to establish a future where all students, regardless of race, have an equal opportunity to thrive and receive fair treatment.”

At the time CAAP filed its complaint, the District had at least three tracks for many classes in middle and high school. CAAP contended that the District disproportionately placed black students into low-track courses in their early school years, which made it difficult for them to later access higher-level college-preparatory courses.

Under the settlement agreement, the District will phase in a new system over four school years that will eliminate tracking at the middle school level, , with the exception of 8th grade math. In high school, the number of tracks will be reduced to two (academic and honors). Advanced Placement (AP) classes will be open to students regardless of whether they have previously completed AP or honors classes.

Parents will also be able to override teacher recommendations for class placements if they believe that their child will be able to succeed in a higher-level course.

At the time CAAP filed its complaint in 2015, nearly 45% of out-of-school suspensions in UDSD were issued to black students, who made up only 7.3% of the student body. Since then, the District has taken steps to strictly limit the use of out-of-school suspensions. In the settlement, the District agreed to train all staff on equitable disciplinary practices annually, including training on implicit bias.

“We applaud Superintendent Steven Yanni and the Upper Dublin School District for their commitment to making real changes and seeing them through,” said Ben Geffen, a Public Interest Law Center attorney who represented CAAP. “Districts across the country can look to what Upper Dublin and CAAP have done as a model for policies that promote racial equity and allow all students to reach their full potential.”

As part of the settlement agreement, parents will be able to access data on the participation of African-American students in higher-level courses, and UDSD will give regular progress reports at public meetings.

“The biggest victory is bringing visibility to a historically underrepresented group through the public sharing of African-American students’ course data,” said CAAP member Shalean Allen. “We hope this will be integral in promoting excellence and negating invisibility for African-American students in suburban school districts, specifically Upper Dublin.”

These policy changes are the culmination of years of work by Concerned African American Parents.

“What CAAP did was force the district to look at African-American students’ progress to ensure equity,” said CAAP member Tonia Colón. “CAAP will continue to advocate for academic excellence and equitable representation across the board and in other areas including sports and extracurricular activities.”

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