

# Federal judge rejects lawsuit opposing Washington DC school closures

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A proposed injunction to halt the closure of one in ten public schools in the District of Columbia has been denied in federal court. The injunction, part of a lawsuit filed in March by community groups and parents affected by the closures, was intended to halt the closures of the schools announced at the beginning of the year by DC education chancellor Kaya Henderson.

The complaint had originally been brought against DCPS and DC education chancellor Kaya Henderson by the activist group EmpowerDC working with parents of students being affected by the plans, as well as local governing groups known as Advisory Neighborhood Committees (ANCs), who had asserted that they had not been properly consulted before being forced to accept the decision. In late January, Chancellor Henderson announced plan to close one in ten schools in the district, citing lack of resources and underutilization of facilities as reasons for the decision. Along with 2,700 students, over 150 teachers would be affected by the closures in the district. (See “One in ten Washington, DC public schools to be closed” )

The court’s opinion, delivered by Judge James E. Boasberg, echoed the claims of DCPS officials, insisting that “there is no evidence whatsoever of any intent to discriminate on the part of Defendants,” rather, the closures are “actually transferring children out of weaker, more segregated, and under-enrolled schools.” The judge asserted that any contending argument “to remain in such schools—seems curious, given that these are the conditions most people typically endeavor to escape.”

In asserting that community members had in fact been included in the decision-making process, the statement reads: “[t]o promote its proposal and gather community feedback, DCPS took its show on the road.... DCPS itself convened meetings throughout the city, including four ward-based public meetings that drew 780 participants.” The judge concludes by remarking that “[t]his desire for

community input was no charade. On the contrary, the feedback yielded real changes in DCPS’s final Plan.... Five schools proposed for closure will now remain open.”

The above statement is in reference to a series of ward-based community meetings that took place in the lead-up to the final decision. The *World Socialist Web Site* reported at the time that these meetings were an attempt to “give a veneer of participation from parents and students, many of whom showed outright hostility to the district’s plans to eliminate more schools.” The decision to finally exempt five schools out of the nearly two-dozen slated for closure only demonstrated official contempt for the seething opposition of city residents. (See, “Washington DC parents and teachers express outrage over schools plan” )

In light of the court opinion, EmpowerDC and other community groups have vowed to continue fighting to appeal the decision. “The lawsuit is not over.... Our fight has just begun,” stated Johnny Barnes of the American Civil Liberties Union (ACLU), who is the plaintiff’s lead attorney.

The basis of EmpowerDC’s case is the assertion that Henderson’s plan in the district would violate civil rights statutes due to the fact that the majority of students in the schools targeted for closure are black. In contrast, Ward 3, which is located in northwest DC, a wealthier part of the city, would not be affected by any of the closings.

Though it is certain that the majority of children affected by the closures are African American, the policy of “education reform,” a component of the Obama administration’s Race to the Top (RTTT) program, is a class policy meant to funnel public money into the hands of private businesses. This has been the policy in cities such as Philadelphia, Chicago and Detroit, all of which are run by Democratic politicians, with both Philadelphia and Detroit having African American mayors.

It is worthwhile to note that the groups which are filing

the lawsuit in DC, such as the ACLU and the ANCs, are thoroughly connected to the political establishment, the latter being a formally recognized governing subordinate in the DC political system. Given this fact, in the face of the court's outright rejection, EmpowerDC's vows to continue fighting to appeal this case on the grounds of alleged racism is nothing more than a demonstration of its own subservience to the Gray administration and the Democratic Party in Washington DC, and the demand that they be more thoroughly 'consulted' before the closings go ahead is simply a demand that they too be included in the decisions of which schools are finally shuttered.

A DC public school teacher spoke to the WWSWS about the judge's opinion on the case.

"There's no way he can say that this [plan] is improving schools. All they're doing is sending students to other low-performing schools." She added, "I doubt he even did his research on this. There's plenty of it out there. He sounds like he was just parroting the lines that DCPS officials told him to." Expressing her thoughts on the trial as a whole, she said, "I knew that [the lawsuit] would be a failure. [Judge] Boasberg's brother is the superintendent of Denver Public Schools. There's no way that isn't a conflict of interest."

When asked about the activist group's plans to fight to appeal the case, she said, "I don't think it will work. There's only two weeks left in the year.... These schools are going to close." Referring EmpowerDC's plans to hold civil disobediences and protests as means to fight the closures she said, "[t]hese protests and appeals to officials are pointless.... Me personally, I'm for the strike, and we need the whole community to support us." When asked what the Washington Teacher's Union would do about such a demand, she communicated that the WTU had contractually forbidden its members to implement such a method.



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