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Is Race in Public Schools Still Compelling?
***Parents Involved in Community Schools v.
Seattle School District No. 1***
Justice Breyer's Theory of Active Liberty, and
Practical Considerations of Democracy

By Andrea Kayne Kaufman*

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Neither the atom bomb nor the hydrogen bomb will ever be as meaningful to our democracy as the unanimous declaration of the Supreme Court that racial segregation violates the spirit and the letter of our Constitution. This means the beginning of the end of the dual society in American life and the . . . segregation which supported it.

Editorial Regarding
Brown v. Board of Education
Chicago Defender
18 May 1954¹

Introduction

This article explores why the promise of ending our dual society, as first articulated in *Brown v. Board of Education*,² has not been fulfilled. Specifically this article examines a more recent case, *Parents Involved in Community Schools v. Seattle School District No. 1*,³ addressing the lost promise of *Brown* and the implications for our dual society. In *Parents*, the Supreme Court considered whether the Seattle, Washington, and Jefferson County, Kentucky school district plans using racial classifications as “tiebreakers” to allocate slots in particular public high schools violated the Equal Protection Clause of the Fourteenth Amendment of the Constitution.⁴ In a plurality decision, the Supreme Court held that the Seattle and Jefferson County school district plans violated the Equal Protection Clause and thus were unconstitutional.⁵ Justices

¹Editorial, *Excerpts from the Nation’s Press on Segregation Ruling*, N.Y. TIMES, May 18, 1954, reprinted in BROWN V. BOARD OF EDUCATION: A BRIEF HISTORY WITH DOCUMENTS 203 (Waldo E. Martin ed., 1998).

²*Brown v. Bd. of Educ.*, 347 U.S. 483 (1954).

³*Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 127 S. Ct. 2738 (2007).

⁴U.S. CONST. amend. XVI, § 1.

⁵*Parents*, 168 S.Ct. at 2746.

Roberts, Scalia, Thomas, Alito, and Kennedy agreed that the race-conscious plans were “not narrowly tailored” to meet the school districts’ objectives of diversifying and integrating their public schools.⁶ Justices Roberts, Scalia, Thomas, and Alito went even further in their reasoning, however. These justices explained that not only were the plans “not narrowly tailored” but that the respective municipal governments had “no compelling interest” in diversifying and integrating their public schools.⁷ Justice Kennedy, on the other hand, in a separate concurring opinion, stated that these four colleagues were “too dismissive of the legitimate interest government has in ensuring all people have equal opportunity regardless of their race.”⁸ Thus, for Justice Kennedy, there remains an important “compelling interest” for a government to be concerned about diversity and integration in public schools. In a strongly worded dissent, joined by Justices Stephens, Souter, and Ginsburg, Justice Breyer voted against the plurality decision; in his dissent Justice Breyer went much further than Justice Kennedy in criticizing many aspects and implications of the notion that practical considerations of race, diversity, and integration are not compelling.⁹ This article focuses on Justice Breyer’s lament about the consequences of the plurality opinion, which includes the following:

The plurality pays inadequate attention to this law, to past opinions’ rationales, their language, and *the contexts in which they arise*. As a result, it reverses course and reaches the wrong conclusion. In doing so, it distorts precedent, it misapplies the relevant constitutional principles, it announces legal rules that *will obstruct efforts by state and local governments to deal effectively with the growing*

⁶ *Id.* at 2755.

⁷ *Id.* at 2753.

⁸ *Id.* at 2791 (Kennedy, J., concurring).

⁹ *Id.* at 2797-2837 (Breyer, J., dissenting).

resegregation of public schools, it threatens to substitute for present calm a disruptive round of race-related litigation, and it *undermines Brown's promise of integrated primary and secondary education that local communities have sought to make a reality*. This cannot be justified in the name of the Equal Protection Clause.¹⁰

Justice Breyer's gloomy predictions expressed in his dissent, and joined by Justices Stevens, Souter, and Ginsburg, illustrate his theory of Active Liberty with its call for an interpretation of the Equal Protection Clause that considers context and how that context impacts the functioning of democracy. This article shows how, through this theoretical perspective, Justice Breyer uses historical, practical, and other contextual issues surrounding race to argue that diversity and integration of public schools remain compelling and vital to the functioning of our democracy. Finally, this article applies Justice Breyer's theory of Active Liberty to report card data from Chicago public high schools. This data demonstrates why race in public schools remains compelling and how Justice Breyer's grim predictions based on Active Liberty concerns about context and democracy may portend further resegregation and inequality in Chicago, Seattle, Jefferson County, and many other districts around the nation.

Parents Involved in Community Schools v. Seattle School District No. 1

In *Parents Involved in Community Schools v. Seattle School District No. 1*,¹¹ the Seattle, Washington and Jefferson County, Kentucky school districts voluntarily implemented plans that considered race, among other things, for admission to public

¹⁰ *Id.* at 2797 (emphasis added).

¹¹ 127 S. Ct. 2738 (2007). When referring to *Parents*, the author is also referring to the companion case, *Meredith*.

school.¹² The Seattle district, which technically had never been legally ordered to desegregate, classified students as “white” or “non-white” as a “tiebreaker” to allocate slots in some public high schools.¹³ The Jefferson County, Kentucky, district, which had been subject to a desegregation decree until 2000 when it achieved unitary status, adopted a plan designating students as “black” or “other” in order to make elementary placement and transfer decisions.¹⁴ Both school districts voluntarily adopted and implemented these plans in order to increase diversity and improve integration in their respective districts.¹⁵

An organization of Seattle parents and the parent of a Jefferson County student challenged these assignment plans, claiming that making public school placement decisions based on race violates the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.¹⁶ In a plurality decision, the Court held that the plans at issue did violate the Equal Protection Clause and were thus unconstitutional.¹⁷ Specifically, Justices Roberts, Scalia, Thomas, Alito, and Kennedy, who voted in favor of the plurality ruling, held that the plans were unconstitutional, while Justices Stevens, Souter, Ginsburg, and Breyer held that the plans were constitutional.¹⁸ Significantly, Justice Kennedy parted company with Justices Roberts, Scalia, Thomas, and Alito regarding the reasoning on which he based his vote.¹⁹

¹² *Id.* at 2746.

¹³ *Id.* at 2747.

¹⁴ *Id.* at 2749-50.

¹⁵ *Id.* at 2755.

¹⁶ *Id.* at 2748-50.

¹⁷ *Id.* at 2746.

¹⁸ *Id.* at 2745.

¹⁹ *Id.* at 2788-97 (Kennedy, J., concurring).

Justices Roberts, Scalia, Thomas, Alito, and Kennedy’s Ruling: At Minimum, Race Conscious Plans Not Narrowly Tailored

The plurality decision that the race-conscious plans violated the Equal Protection Clause, thus rendering them unconstitutional, was based on applying the strict scrutiny test. Justices Roberts, Scalia, Thomas, Alito, and Kennedy all believe that strict scrutiny applies to any race-conscious government action, including the ones at issue in this case.²⁰ The two-prong strict scrutiny test involves determining (1) whether the race-conscious action is serving a “compelling government interest” and (2) whether that race-conscious action is “narrowly tailored” to achieve that compelling government interest.²¹ All five of the justices who voted for the plurality decision viewed the race-conscious allocation plans as not being narrowly tailored to achieve the compelling interests of racial diversity and integration. Chief Justice Roberts, writing for the plurality, explains:

The districts assert, as they must, that the way in which they have employed individual racial classification is necessary to achieve their stated ends. *The minimal effect these classifications have on student assignments, however, suggests that other means would be effective.* Seattle’s racial tiebreaker results, in the end, only in shifting a small number of students between schools

....

the *minimal impact* of the districts’ racial classifications on school enrollment casts doubt on the necessity of using racial classifications

...

...The districts have also *failed to show that they considered methods other than explicit racial classifications to achieve their stated goals. Narrow tailoring requires ‘serious, good faith consideration of workable race-neutral alternatives.’*²²

²⁰ *Id.* at 2751.

²¹ *Id.* at 2752.

²² *Id.* at 2759-60 (citing *Grutter v. Bollinger*, 539 U.S. 306, 339 (2003)) (emphasis added).

Justices Roberts, Scalia, Thomas, and Alito: Race Not Compelling

Justices Roberts, Scalia, Thomas, and Alito go further than Justice Kennedy in the reasoning on which they base their ruling, explaining that for them, in addition to not being narrowly tailored, the district plans fail the strict scrutiny test because diversity and integration of public K-12 schools are not compelling. Writing for these four justices, Chief Justice Roberts explains:

Accepting racial balancing as a compelling state interest would justify the imposition of racial proportionality through American society...Allowing racial balancing as a compelling end in itself would “effectively assure that race will always be relevant in American life, and the ‘ultimate goal’ of ‘eliminating entirely from governmental decision making such irrelevant factors as a human being’s race’ will never be achieved”

....

The sweep of the mandate claimed by the district[s] is contrary to our rulings that remedying past societal discrimination does not justify race-conscious government action

....

...The principle that racial balancing is not permitted is one of substance, not semantics. *Racial balancing is not transformed from “patently unconstitutional” to a compelling state interest simply by relabeling it “racial diversity.”* While the school districts use various verbal formulations to describe the interest they seek to promote – racial diversity, avoidance of racial isolation, racial integration – *they offer no definition of the interest that suggests it differs from racial balance.*²³

Justice Kennedy: Race Still Matters

For Justice Kennedy, diversity and integration in public education remain compelling. In fact, Justice Kennedy expresses concern that Justices Roberts, Scalia, Thomas, and Alito’s separate part of the plurality opinion ignores the history of racism in

²³ *Id.* at 2757-59 (citations omitted) (emphasis added).

our country and the compelling need for greater diversity in education. Justice Kennedy explains:

Our Nation from the inception has sought to preserve and expand the promise of liberty and equality on which it was founded. Today we enjoy a society that is remarkable in its openness and opportunity. Yet *our tradition is to go beyond present achievements, however significant, and to recognize and confront the flaws and injustices that remain. This is especially true when we seek assurance that opportunity is not denied on account of race. The enduring hope is that race should not matter; the reality is that too often it does.*

This is by way of preface to my respectful submission that parts of the opinion by THE CHIEF JUSTICE *imply an all-too-unyielding insistence that race cannot be a factor in instances when, in my view, it may be taken into account.* The plurality opinion is *too dismissive of the legitimate interest government has in ensuring all people have equal opportunity regardless of their race.* The plurality's postulate that the 'way to stop discrimination on the basis of race is to stop discriminating on the basis of race' is not sufficient to decide these cases. *Fifty years of experience since Brown v. Board of Education...should teach us that the problem before us defies so easy a solution. School districts can seek to reach Brown's objective of equal education opportunity. The plurality opinion is at least open to the interpretation that the Constitution requires school districts to ignore the problem of de facto resegregation in schooling. I cannot endorse that conclusion.* To the extent the plurality opinion suggests the Constitution mandates that state and local school authorities must accept the status quo of racial isolation in school, it is, in my view, profoundly mistaken.

The statement by Justice Harlan that "our Constitution is color-blind" was most certainly justified in the context of his dissent in *Plessy v. Ferguson*. . . And, as an aspiration, Justice Harlan's axiom must command our asset.

In the real world, it is regrettable to say, it cannot be a universal constitutional principle. In the administration of public schools by the state and local authorities it is permissible to consider the racial makeup of schools and to adopt general policies to encourage a diverse student body, on aspect of which is racial composition...

School boards may pursue the goal of bringing together

*students of diverse backgrounds and races. . .*²⁴

Justice Breyer's Dissent: Decision Undermines Brown

Justice Breyer agrees with Justice Kennedy that race-conscious decisions that promote diversity and integration remain compelling. Justice Breyer, however, goes much further. In a strongly worded dissent, joined by Justices Stevens, Souter, and Ginsburg, Justice Breyer votes against the plurality decision, criticizing many aspects and implications of the notion that race is not compelling.²⁵ Justice Breyer's lament about the implications and consequences of the plurality opinion includes the following:

*The plurality pays inadequate attention to this law, to past opinions' rationales, their language, and the contexts in which they arise. As a result, it reverses course and reaches the wrong conclusion. In doing so, it distorts precedent, it misapplies the relevant constitutional principles, it announces legal rules that will obstruct efforts by state and local governments to deal effectively with the growing resegregation of public schools, it threatens to substitute for present calm a disruptive round of race-related litigation, and it undermines Brown's promise of integrated primary and secondary education that local communities have sought to make a reality. This cannot be justified in the name of the Equal Protection Clause.*²⁶

Justice Breyer fears that the plurality's ruling ignores racial context and thus will significantly undermine the promise and hope of *Brown* of achieving integrated schools in order to achieve a more integrated society.

²⁴ *Id.* at 2791-92 (citations omitted) (emphasis added).

²⁵ *Id.* at 2800 (Breyer, J., dissenting).

²⁶ *Id.* at 2800-01 (Breyer, J., dissenting) (emphasis added).

Justice Breyer's Dissent and Theory of Active Liberty

Justice Breyer's theory of Active Liberty illuminates his dissent with its ominous predictions about resegregation and racial inequality.²⁷ Based on the *Tanner Lectures on Human Values* at Harvard University in 2004²⁸ and later developed in his book entitled, *Active Liberty: Interpreting Our Democratic Constitution*,²⁹ Justice Breyer's theory of Active Liberty calls for a contextualized approach to interpreting the Constitution. In his book, Justice Breyer elucidates his theory of Active Liberty and then applies it to specific examples. Justice Breyer explains that Active Liberty requires an interpretation of the Constitution that is informed by practical solutions to contemporary social problems. Justice Breyer explains:

...increased emphasis upon that objective by judges when they interpret a legal text will yield better law-- law that *helps a community of individuals democratically find practical solutions to important contemporary social problems*. They simultaneously illustrate the importance of a *judge's considering practical consequences*, that is, consequences valued in terms of constitutional purposes, when the interpretation of constitutional language is at issue

....

...I shall show through a set of six examples (focused on contemporary problems), how increased emphasis upon that theme can help judges interpret constitutional and statutory provisions. I shall link use of the theme to *a broader interpretive approach that places considerable importance upon consequences; and I shall contrast that approach with other that place greater weight upon language, history, and tradition*.³⁰

²⁷ *Id.*

²⁸ Stephen Breyer, Associate Justice, Supreme Court of the United States, Lecture at the Harvard University Tanner Lectures On Human Values: Our Democratic Constitution (Nov. 17-19, 2004) (transcript available at http://www.supremecourtus.gov/publicinfo/speeches/sp_11-17-04.html).

²⁹ STEPHEN BREYER, *ACTIVE LIBERTY: INTERPRETING OUR DEMOCRATIC CONSTITUTION* (Vintage Books 2005).

³⁰ *Id.* at 6, 11-12 (emphasis added).

In his book, Justice Breyer applies this Active Liberty approach to interpreting the University of Michigan Law School affirmative action case, *Grutter v. Bollinger*,³¹ which is relevant to Justice Breyer's dissent in *Parents*.³²

Color-blind View of Equal Protection

In the *Grutter* case, the Supreme Court considered whether the use of race as an admissions factor by a state law school violated the Equal Protection Clause. For Justice Breyer, "The answer depended in significant part upon which of two possible interpretations of the [Equal Protection] clause the Court would accept...one color-blind, one purposive."³³ Justice Breyer explains that the "color-blind" view, "abhors classifications based on race" in an absolute sense, under all circumstances.³⁴ As an example of the color-blind approach, Justice Breyer cites this passage from Justice Clarence Thomas' dissent in *Grutter*:

The Constitution abhors classifications based on race, not only because those classifications can harm favored races or are based on illegitimate motives, but also because every time the government places citizens on racial registers and makes race relevant to the provision of burdens or benefits, it demeans us all. "Purchased at the price of immeasurable human suffering, the equal protection principle reflects our Nation's understanding that such classifications ultimately have a destructive impact on the individual and our society."³⁵

³¹ 539 U.S. 306 (2003).

³² See BREYER, *supra* note 29, at 76-78.

³³ BREYER, *supra* note 29, at 76-78.

³⁴ *Id.* at 77.

³⁵ *Id.* (citing *Grutter v. Bollinger*, 539 U.S. 306, 353 (2003)).

Not surprisingly, Justice Thomas uses similar language in his concurring opinion in *Parents* to advocate for a color-blind interpretation of the Equal Protection Clause as well:

I wholly concur in The CHIEF JUSTICE's opinion. I write separately to address several of the contentions in JUSTICE BREYER's dissent...Contrary to the dissent's arguments, resegregation is not occurring in Seattle or Louisville; these school boards have no present interest in remedying past segregation; and these race-based student-assignment programs do not serve any compelling state interest. Accordingly, the plans are unconstitutional. *Disfavoring a color-blind interpretation of the Constitution, the dissent would give school boards a free hand to make decisions on the basis of race-- an approach reminiscent of that advocated by the segregationists in Brown v. Board of Education...This approach is just as wrong today as it was a half-century ago. The Constitution and our cases require us to be much more demanding before permitting local schools boards to make decisions based on race.*³⁶

Thus, advocates of the color-blind interpretation of the Equal Protection Clause, like Justice Thomas, view all racial classifications as equally pernicious in a theoretical *a priori* sense. For these strict constructionists, empirical information, contextual conditions, and practical considerations reflecting *de facto* segregation do not matter.³⁷

Narrowly Purposive View of Equal Protection

Justice Breyer explains that a theory of Active Liberty eschews a color-blind interpretation of the Constitution in favor of a “narrowly purposive” interpretation of the Constitution.³⁸ Justice Breyer expounds:

³⁶ *Parents*, 127 S.Ct. at 2768 (Thomas, J., concurring) (emphasis added).

³⁷ BREYER, *supra* note 29, at 77.

³⁸ *Id.* at 78.

On the second view, courts must understand the [Equal Protection] clause as *more narrowly purposive*. *It grows out of a history that includes this nation's efforts to end slavery and the segregated society that followed. It reflects that history.* It consequently demands laws that equally respect each individual; it forbids laws based on race when those laws reflect a lack of equivalent respect for members of the disfavored race; *but it does not similarly disfavor race based laws in other circumstances.* Justice Ruth Bader Ginsburg, writing in a companion case, explained that view as follows: “In implementing [the Constitution’s] equality instruction...*government decision makers may properly distinguish between policies of exclusion and inclusion....Actions designed to burden groups long denied full citizenship stature are not sensibly ranked with measures taken to hasten the day when discrimination and its after effects have extirpated.*”³⁹

Proponents of the narrow purposive interpretation of the Equal Protection Clause, like Justices Breyer and Ginsburg, cite the history of the Fourteenth Amendment to support their more expansive view.⁴⁰ Justice Breyer explains, “The Civil War Amendments sought to permit and to encourage those long denied full citizenship stature to participate fully with equal rights in the democratic political community.”⁴¹ Consequently, these narrow purposive thinkers view the color-blind interpretation as “insufficient” in this framework to achieve equal opportunity.⁴²

Justice Breyer provides Active Liberty reasons for adopting a narrow-purposive view of the Constitution. An Active Liberty view encourages an interpretation that recognizes context. In *Grutter*, for example, Justice Breyer and the other majority justices “granted universities broad authority to determine the composition of their

³⁹ *Id.* at 77-78 (emphasis added).

⁴⁰ *Id.* at 78.

⁴¹ *Id.*

⁴² *Id.* at 78.

student bodies.”⁴³ In its ruling, the *Grutter* majority also considered such practical considerations as the impact of diverse work settings on business, military, and other educational institutions.⁴⁴ For Justice Breyer, these practical considerations “find some form of affirmative action necessary to maintain a well-functioning participatory democracy...[Therefore,] an interpretation of the Equal Protection Clause that would outlaw the law school’s affirmative action program is an interpretation that, from the perspective of the Constitution’s basic democratic objectives, would not work.”⁴⁵ For Justice Breyer, the history of race discrimination, the current status of race relations, and the need for a more pluralistic tolerant society call for an expansive interpretation of the Equal Protection Clause.⁴⁶ He urges an interpretation of the Constitution that addresses the exclusionary consequences that would prohibit our democracy from functioning as the framers intended.”⁴⁷ Justice Breyer concludes that an Active Liberty approach to constitutional interpretation facilitates the functioning of our democratic form of government.⁴⁸

Justice Breyer’s Dissent and Active Liberty

Justice Breyer’s theory of Active Liberty underscores his dissent in *Parents* and his clarion call to fight resegregation and promote integration.⁴⁹ Justice Breyer reveals an overwhelming concern about race relations in the Louisville and Seattle districts, the consequences of limiting the districts’ desegregation programs, the implications of

⁴³ *Id.* at 80.

⁴⁴ *Id.* at 81.

⁴⁵ *Id.* at 82.

⁴⁶ *Id.* at 82-83.

⁴⁷ *Id.* at 83.

⁴⁸ *Id.*

⁴⁹ See *Parents*, 127 S.Ct. at 2800 (2007) (Breyer, J., dissenting).

further resegregation, and the practical effects on the functions of our democracy.⁵⁰ He advocates for a narrowly purposive interpretation of the Equal Protection Clause using Active Liberty arguments based on remedial, educational, and democratic concerns.⁵¹

Active Liberty and Remediation

Through the lens of Active Liberty, Justice Breyer advocates a narrowly purposive interpretation of the Equal Protection Clause that considers this country's history of institutionalized racism and consequently the need for remediation. Justice Breyer elucidates as follows:

First, there is an *historical and remedial element: an interest in setting right the consequences of prior conditions of segregation. This refers back to a time when public schools were highly segregated, often as a result of legal or administrative policies that facilitated racial segregation in public schools. It is an interest in continuing to combat the remnants of segregation caused in whole or in part by these school-related policies, which have often affected not only schools, but also housing patterns, employment practices, economic conditions, and social attitudes. It is an interest in maintaining hard-won gains. And it has its roots in preventing what gradually may become the de facto resegregation of America's public schools.*⁵²

He urges a more expansive interpretation of the Constitution that would account for the United States' history of institutionalized racism, including slavery, Jim Crow, segregation, and other forms of racism.⁵³ He calls for an interpretation of the Equal

⁵⁰ *Id.* at 2834-35.

⁵¹ *Id.* at 2835; see also BREYER, *supra* note 29, at 77, 79.

⁵² *Id.* at 2820 (emphasis added).

⁵³ *Id.* at 2835-36.

Protection Clause that recognizes the need to remediate inequities in education, housing, and employment that have resulted from this shameful history.⁵⁴

Active Liberty and Education

Justice Breyer also makes Active Liberty arguments, calling for an interpretation of the Equal Protection Clause that recognizes race as compelling for reasons of education.⁵⁵ Specifically, he explains:

Second, there is *an educational element: an interest in overcoming the adverse educational effects produced by and associated with highly segregated schools...* Studies suggest that children taken from those schools *and placed in integrated settings often show positive academic gains.*

One commentator, reviewing dozens of studies of the *educational benefits of desegregated schooling, found that the studies have provided "remarkably consistent" results, showing that: (1) black students' educational achievement is improved in integrated schools as compared to racially isolated schools, (2) black students' educational achievement is improved in integrated classes, and (3) the earlier that black students are removed from racial isolation, the better their educational outcomes.* Multiple studies also indicate that black alumni of integrated schools are more likely to move into occupations traditionally closed to African-Americans, and to earn more money in those fields.⁵⁶

Thus, Justice Breyer remains very concerned about the real educational consequences resulting from racial isolation.⁵⁷ He cites numerous research studies demonstrating that racially isolated schooling hinders educational achievement and occupational outcomes. Thus, Justice Breyer uses the contextual information from empirical research to show the

⁵⁴ *Id.* at 2820.

⁵⁵ *See id.* at 2820-21; *see also* BREYER, *supra* note 29, at 77, 79-80.

⁵⁶ *Parents*, 127 S.Ct. at 2820-21 (Breyer, J., dissenting) (emphasis added) (citations omitted).

⁵⁷ *Id.*

negative effects of segregated schooling and justify a more expansive, narrow-purposive interpretation of the Constitution.⁵⁸

Active Liberty and Democracy

Justice Breyer also raises concerns about the functioning of democracy to urge for a more narrow purposive interpretation of the Constitution.⁵⁹ These concerns about democracy are integral to his theory of Active Liberty.⁶⁰ He describes these concerns as follows:

Third, there is a *democratic element: an interest in producing an educational environment that reflects the "pluralistic society" in which our children will live... It is an interest in helping our children learn to work and play together with children of different racial backgrounds. It is an interest in teaching children to engage in the kind of cooperation among Americans of all races that is necessary to make a land of three hundred million people one Nation. Again, data support this insight... For example, one study documented that "black and white students in desegregated schools are less racially prejudiced than those in segregated schools," and that "interracial contact in desegregated schools leads to an increase in interracial sociability and friendship" ... Other studies have found that both black and white students who attend integrated schools are more likely to work in desegregated companies after graduation than students who attended racially isolated schools. Further research has shown that the desegregation of schools can help bring adult communities together by reducing segregated housing. Cities that have implemented successful school desegregation plans have witnessed increased interracial contact and neighborhoods that tend to become less racially segregated.*⁶¹

⁵⁸ See *id.* at 2820; see also BREYER, *supra* note 29, at 77-78 (quoting *Grutter v. Bollinger*, 539 U.S. 244, 298 (2003) (Ginsburg, J., dissenting)).

⁵⁹ *Parents*, 127 S.Ct. at 2823.

⁶⁰ See BREYER, *supra* note 29, at 82-83.

⁶¹ *Id.* at 598 – 599 (emphasis added).

Thus, for Justice Breyer, our pluralistic democracy depends upon an interpretation of the Equal Protection Clause that would foster racial integration and harmony.⁶² From an Active Liberty perspective, democracy functions better if people of different races are interacting, connecting, and getting along.⁶³ Again, this Active Liberty approach is grounded in context as Justice Breyer cites many empirical research studies extolling the democratic benefits of integration in education, employment, business, and housing.⁶⁴

Active Liberty and Chicago Report Card Data

Justice Roberts accused Justice Breyer of overly dramatizing his concerns about segregation and desegregation and the consequences for democracy.⁶⁵ For Justice Breyer, the implications of this plurality decision are bigger than Seattle and Jefferson County.⁶⁶ He is concerned about the ramifications for racially-isolated districts all over the country and the larger ramifications on the functioning of our democracy. This article includes an analysis of the Chicago Public Schools report card data from all public high schools to demonstrate that Justice Breyer's worries are valid and reflect disturbing trends in Chicago and around the nation.

⁶² *See id.* at 2821.

⁶³ *See id.* at 2821-22.

⁶⁴ *See id.*

⁶⁵ *See id.* at 2766 (majority opinion) (“Justice Breyer’s dissent ends on an unjustified note of alarm. ... [r]ather we employ the familiar and well-established analytic approach of strict scrutiny to evaluate the plans at issue today, an approach that in no way warrants the dissent’s cataclysmic concerns.”)

⁶⁶ *See id.* at 2800 (Breyer, J., dissenting)

Methodology

Data was collected from all of the Chicago Public High School's report cards as provided by the Illinois State Board of Education.⁶⁷ The school report cards are compiled and released according to section 10-17(a) of the Illinois School Code⁶⁸ and also according to the *Elementary and Secondary Schools Act*, 20 U.S.C. § 6301 *et. seq.* also known as the *No Child Left Behind Act*.⁶⁹ A sample Chicago public high school report card is attached as Appendix A.⁷⁰ The school report card data includes, but is not limited to, information about the following:

1. Racial and ethnic information about student population at school as compared with subregion, district, and state;
2. Low income rate for student population at school as compared with subregion, district, and state;
3. Limited-English proficient rate for student population at school as compared with subregion, district, and state;
4. High school dropout rate and graduation rate for student population at school as compared with subregion, district, and state;
5. Chronic truancy, mobility, and attendance rates for student population at school as compared with subregion, district, and state;
6. Information about the instructional setting, including parental contact, student-to-staff ratios, and average class size;
7. Information about the teachers including, teacher demographics, education level, and compensation;
8. Financial information including, staff salaries; expenditures on instruction, operation, general administration, supporting services, and other expenditures; revenue sources; and per pupil valuations;
9. Academic Performance (broken down by race, ethnicity, disability, income status, and limited English proficiency subgroups) on ACT Examination, Prairie State Achievement Examination; Illinois Measure of Annual Growth in English Examination; and
10. Adequately Yearly Progress Information including general AYP, reading AYP, mathematics AYP, Federal Improvement Status, and State Improvement Status.⁷¹

⁶⁷ Report Card Data, Illinois State Board of Education, <http://webprod.isbe.net/ereportcard/publicsite/getSearchCriteria.aspx>.

⁶⁸ 105 Ill. Comp. Stat. Ann. 5/10-17a (West 1993).

⁶⁹ 20 U.S.C. § 6311 (2001).

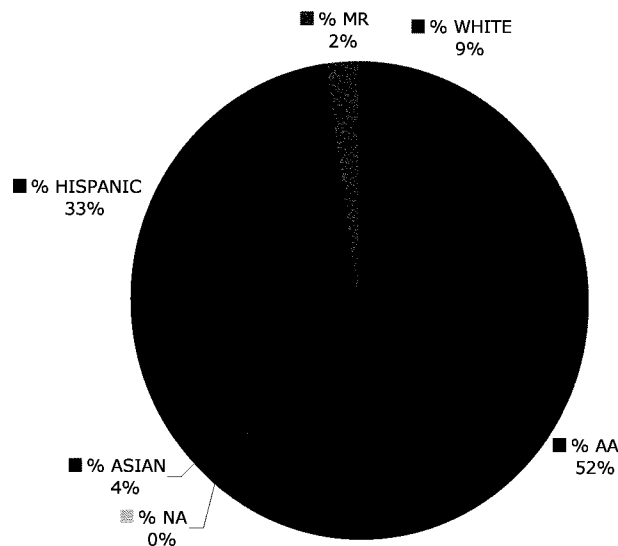
⁷⁰ Report Card of Hyde Park Academy High School, *infra* app. A.

⁷¹ *Supra*, note 51.

The author collected the above-referenced information from all of the Chicago public high school report cards and placed it into a Microsoft Excel Spreadsheet.⁷² The data on the spreadsheet was also run through a data analysis program called STATA.⁷³

Results

Percent of Total CPS Population

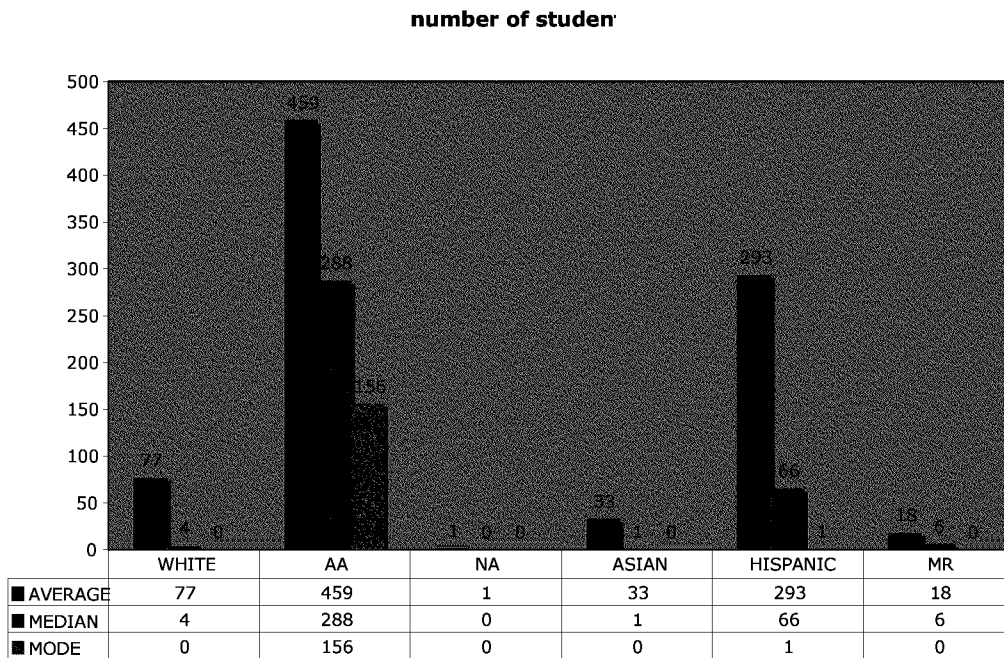


The data shows that the population of the Chicago public high schools is not balanced and includes: 52% African American students; 33% Hispanic students; 9% White students; 4% Asian students; and 2% multi-racial students. The disparities become even more apparent when considering the average, median, and mode for each population. The average number of white students in Chicago public high schools is 77,

⁷² Excerpts of this spreadsheet are included in the graph in Appendix B.

⁷³ For an explanation of STATA, see <http://www.stata.com/whystata>.

the median number of white students in Chicago public high schools is 4, and the mode of white students in Chicago public high schools is 0. These statistics suggest that very few schools in Chicago public high schools have any critical mass of white students.



The STATA analysis found that there was a relationship between race and income status. The program also found a regression coefficient, which showed that changing the percentage of white students reduced the percentage of low-income students.

Significantly, nearly all of the schools that have a majority of white students have a minority of low-income students and vice versa. The program also examined relationships between Adequate Yearly Progress and income, white students and income, and white students and Adequate Yearly Progress. There were correlations found for all of these relationships so that the higher the income, the more likely a school made

Adequate Yearly Progress; the more white students in a school, the more likely the school was higher income; the more white students in a school, the more likely the school met Adequate Yearly Progress. Moreover, the schools that are on the Chicago Public Schools Autonomy List because they are the best performing schools in the city⁷⁴ have an average of 13% less low-income students than schools not on the autonomy list.

The Chicago public high schools on the autonomy list (because they are the best performing schools in the district) also have the highest percentage of white students. These schools include: Payton (37%); Northside (36.9%); Lincoln Park (31.5%); Chicago Agr. Sci. (29.5%); Lane Tech (29.2%); Whitney Young (29.1%); Chicago Academy (21.1%); Curie (6.8%); Washington (5.4%); Chicago Military Academy (4.2%); and Spry (0%).⁷⁵ Moreover, a geographical analysis of the data reveals that Adequate Yearly Progress, Income Status, and Ethnicity correlate with certain areas of the City of Chicago. Schools on the north side of Chicago tend to have higher-income students who perform better on tests than the schools on the south side of Chicago that tend to have lower-income students who do not perform as well.

Analysis and Why Race Remains Compelling

The report card data from Chicago public high schools reflect a pattern found in many cities around the country.⁷⁶ It also provides an important context that, according to Justice Breyer in his dissent in *Parents* and his Theory of Active Liberty, should be used to interpret the Equal Protection Clause of the Fourteenth Amendment to the Constitution

⁷⁴ See Tracy Dell'Angela, *85 Schools Get Reward of Freedom*, CHI. TRIB., June 6, 2005, at 1.

⁷⁵ *Id.*

⁷⁶ See, e.g., Jennifer Mrozowski & Cindy Kranz, *Race Gap Evident in Ohio Test Scores*, CINCINNATI ENQUIRER, Mar. 6, 2002, available at http://www.enquirer.com/editions/2002/03/06/loc_race_gap_evident_in.html.

in a narrow-purposive way. Justice Breyer's Active Liberty approach calls for a Constitutional analysis of government action with reference to its impact on democracy.⁷⁷ For Justice Breyer, the race-conscious plans in Seattle and Jefferson County at issue in *Parents* were necessary for the functioning of democracy and were thus constitutional.⁷⁸ Specifically, he argued that the race-conscious plans were necessary for Seattle and Jefferson County districts based on contextual practical reasons relating to remediation, education, and general democratic principles.⁷⁹ Likewise, the data from Chicago public high schools--as for much of the nation--reveals massive *de facto* segregation and resegregation, and thus demonstrates the need for expanded integration based on contextual issues surrounding race related to remediation, education, and general democratic principles.⁸⁰

Remediation

The report card data from Chicago public high schools reveals the need for remediation. The correlations between low income and race, geography and race, and Adequate Yearly Progress and race demonstrate that race is still an issue in Chicago. Moreover, the disadvantaged status that African American students and their families find themselves in terms of housing, employment, income, and education are vestiges of the history of racism and discrimination in the nation and in Chicago. It is particularly sad to note that the data reveals that the alternative high schools listed for juvenile offenders and students who are pregnant are predominately African American.

⁷⁷ BREYER, *supra* note 29, at 5.

⁷⁸ See *Parents*, 127 S. Ct. at 2819 (Breyer, J., dissenting).

⁷⁹ *Id.* at 2810.

⁸⁰ *Id.* at 2833.

Justice Breyer would view this data the way he viewed data from Seattle and Jefferson County. From his Active Liberty approach, he believes that as a nation, we have not yet undone the effects of slavery, Jim Crow, *de jure* and *de facto* segregation, and other forms of formal and informal discrimination.⁸¹ Thus, race remains compelling and race-conscious plans may be constitutional.⁸² Justice Breyer would likely agree with Waldo E. Martin's assessment that we need desegregation and affirmative action programs to combat the ongoing effects of racism:

Racist white opposition to and backlash against black progress – real and imagined – [which] has been a common recurrence in the history of American race relations. Economic downturns and interracial economic competition on one hand the perception that black progress has come at the expense or behest of whites on other have been central to this ongoing pattern. ... The correlations between poverty and diminished academic achievement as well as intensely segregated schools and limited access to networks pivotal to mainstream success are ignored... The national spread and coalescence of white opposition to school busing reveal a larger pattern of white opposition to an integrated and equitable society. Vigorous, deep-seated white hostility to equal employment opportunity, residential integration, as well as school desegregation are interrelated. In fact, systematic patterns of antiblack economic, political, and social discrimination have marked American life in all regions...⁸³

Justice Breyer argues that race-conscious government action is necessary to undo the effects of racism that still impact our education, society, and the functioning of our

⁸¹ See generally BREYER, *supra* note 29, at 77-79, 82-83.

⁸² *Id.* at 83-84.

⁸³ BROWN V. BOARD OF EDUCATION: A BRIEF HISTORY WITH DOCUMENTS 230-33 (Waldo E. Martin, ed., Bedford/St. Martin's 1998).

democracy.⁸⁴ Thus, race must remain compelling in order to undo the effects of formal and informal discrimination, which has occurred in the past and is still occurring today.⁸⁵

Education

For Justice Breyer and his theory of Active Liberty, race remains compelling for educational reasons as well.⁸⁶ Justice Breyer believes that in order for democracy to function, students must learn with each other and from each other in diverse environments.⁸⁷ The report card data reveals that high school students in Chicago are not learning in diverse environments, but in fact, are quite isolated.⁸⁸ This is due, in part, to the fact that most of the white students are concentrated in the best performing schools.⁸⁹ It is also due to the fact that many of the white students have left the public school system altogether either through “White Flight” to resource-rich suburban schools or to parochial and private schools in Chicago.⁹⁰ Moreover, most of the Chicago public high schools have concentrations of African American and Latino students of 90% or more.⁹¹ Thus, it is difficult for these students, to benefit from a diverse education when diversity (racial, ethnic, or economic) hardly exists. Gary Orfield and Susan E. Eaton of the Harvard

⁸⁴ See generally BREYER, *supra* note 29.

⁸⁵ *Id.*

⁸⁶ See generally BREYER, *supra* note 29.

⁸⁷ *Id.* at 82-83.

⁸⁸ See Report Card Data, *supra* note 51.

⁸⁹ See *supra* text accompanying note 59.

⁹⁰ See Encyclopedia of Chicago, <http://www.encyclopedia.chicagohistory.org/1121.html>.

⁹¹ JAMES T. PATTERSON, *BROWN V. BOARD OF EDUCATION: A CIVIL RIGHTS MILESTONE AND ITS TROUBLED LEGACY* 211 (Univ. Press 2001).

Project on School Desegregation are concerned about the lack of diversity in education based on race, ethnicity, and income.⁹² They explain:

The drift toward increasing school segregation and its grave consequences...[Pointing out that] for the first time since *Brown*, African American students face rising school segregation. For Latino students, school segregation continues to rise, as it has for decades. A segregated African American or Latino school, we show, usually enrolls a large percentage of economically disadvantaged students. This concentrated poverty devastates schools; students are literally cut off from routes that lead to job and college opportunities.⁹³

Always looking at context, Justice Breyer is persuaded by the Harvard research among as well as other research. His contextualized Active Liberty approach includes citing numerous research studies discussing the negative effects of a segregated education.⁹⁴

For Justice Breyer, the research shows that a lack of diversity in education denies students from disenfranchised groups an opportunity to realize their potential.⁹⁵

Additionally, race remains compelling to Justice Breyer because of the devastating educational impact of isolated environments on poor African American and Latino students concentrated in single race schools.⁹⁶

⁹² See generally GARY ORFIELD, SUSAN E. EATON & THE HARVARD PROJECT ON SCHOOL DESEGREGATION, *DISMANTLING DESEGREGATION: THE QUIET REVERSAL OF BROWN V. BOARD OF EDUCATION* (The New Press 1996).

⁹³ GARY ORFIELD, SUSAN E. EATON, & HARVARD PROJECT ON SCHOOL DESEGREGATION XV (1996) *DISMANTLING DESEGREGATION: THE QUIET REVERSAL OF BROWN V. BOARD OF EDUCATION* (Gary Orfield & Susan Eaton, Eds.)

⁹⁴ See generally *Parents*, 127 S. Ct. at 2820-21 (Breyer, J., dissenting).

⁹⁵ BREYER, *supra* note 29, at 83.

⁹⁶ See *Parents*, 127 S. Ct. at 2802 (Breyer, J., dissenting).

Democracy

Finally, the Report Card data shows that Justice Breyer may be right – our democracy may be in trouble. Is it a coincidence that thousands of Latino immigrants took to the streets of Chicago in protest of immigration law,⁹⁷ and that Hispanic students are the largest growing group in Chicago Public Schools with the highest dropout rates?⁹⁸ Moreover, the report card data reveals that these Hispanic students, who tend to be low-income, are segregated in some of the worst performing schools in Chicago.⁹⁹ Using his theory of Active Liberty, Justice Breyer would argue that against this backdrop, democracy does not have a chance. For our democracy to flourish, Justice Breyer advocates true integration.¹⁰⁰ Without true integration, it is difficult to participate as “one nation” built on tolerance and respect for pluralism.¹⁰¹ Rather, the segregation and resegregation in Chicago and much of the country encourage adversarial relations among groups based on race, ethnicity, and income. In addition, a separate education without true integration does not make all students feel that they have the right or ability to participate in our democracy and realize that American Dream. Finally, a segregated, isolated education disenfranchises students and does not provide them with the skills they need to be constructive participants in our democracy. Justice Breyer urges an interpretation of the Equal Protection Clause that takes these concerns about democracy

⁹⁷ *Thousands March for Immigrant Rights*, CNN, May 1, 2006, available at <http://www.cnn.com/2006/US/05/01/immigrant.day/index.html>.

⁹⁸ Rebecca Shilling, *Hispanic Drop Out Rate Concerns Chicago Schools*, Medill News Service, May 17, 2006, available at http://cbs2chicago.com/local/local_story_137163005.html.

⁹⁹ See Report Card Data, *supra* note 51.

¹⁰⁰ BREYER, *supra* note 29, at 83-84.

¹⁰¹ *Parents*, 127 S. Ct. at 2821 (Breyer, J., dissenting).

into account in order to truly create integrated schools so that we can have an integrated society.¹⁰² As James T. Patterson explains:

For there is a difference, however imprecise, between desegregation and integration. To desegregate is to break down separation of the races to promote greater equality of opportunity. To integrate is to reach further: to bring together people of different colors and ethnic backgrounds so that they associate not only on an equal basis but also make a real effort to respect the autonomy of other people and to appreciate the virtues of cultural diversity. This was a part of the dream of Martin Luther King Jr.¹⁰³

Brown v. Board of Education held the promise of fulfilling Dr. King's dream in ending a dual society. *Brown* was supposed to do this by not only lifting everyone up through education, but also by joining everyone together through integration. Justice Breyer, the other dissenting justices in *Parents*, numerous scholars, and many civil rights attorneys are concerned that *Parents* will kill this dream and deny this promise. According to what is happening in Chicago, this dream has been slowly dying for a while.

¹⁰² BREYER, *supra* note 29, at 83-84.

¹⁰³ PATTERSON, *supra* note 75, at 205.

Appendix A: Hyde Park Academy High School's Report Card for 2006

15-016-2990-25-0021

HYDE PARK ACADEMY HIGH SCHOOL 1

**HYDE PARK ACADEMY HIGH SCHOOL
CITY OF CHICAGO SD 299
CHICAGO, ILLINOIS**



**ILLINOIS
SCHOOL
REPORT
CARD**

GRADES : 9 10 11 12

State and federal laws require public school districts to release report cards to the public each year.

STUDENTS

RACIAL/ETHNIC BACKGROUND AND OTHER INFORMATION													
	White	Black	Hispanic	Asian/ Pacific Islander	Native American	Multi- racial /Ethnic	Low- Income Rate	Limited- English- Proficient Rate	High Sch. Dropout Rate	Chronic Truancy Rate	Mobility Rate	Attendance Rate	Total Enrollment
School	0.1	99.3	0.5	0.1	0.0	0.1	80.3	0.2	9.4	10.5	27.2	85.4	1,997
Subregion	4.6	70.9	22.7	0.6	0.2	1.1	85.6	3.0	10.8	11.3	23.1	84.6	19,791
District	8.2	47.8	36.1	3.3	0.1	2.4	88.9	13.9	8.2	3.4	23.8	92.2	401,899
State	55.7	19.9	18.7	3.6	0.2	1.8	40.0	6.6	3.5	2.2	16.0	94.0	2,075,277

Low-income students come from families receiving public aid; live in institutions for neglected or delinquent children; are supported in foster homes with public funds; or are eligible to receive free or reduced-price lunches.

Limited-English-proficient students are those students eligible for transitional bilingual programs. Mobility rate is based on the number of times students enroll in or leave a school during the school year. Chronic truancy are students who are absent from school without valid cause for 18 or more of the last 180 school days.

INSTRUCTIONAL SETTING

PARENTAL CONTACT*		STUDENT-TO-STAFF RATIOS			
	Percent	Pupil- Teacher Elementary	Pupil- Teacher Secondary	Pupil- Certified Staff	Pupil- Administrator
School	72.6	--	--	--	--
Subregion	81.5	--	--	--	--
District	91.4	21.7	19.3	14.5	255.1
State	96.6	19.1	18.9	13.9	221.9

* Parental contact includes parent-teacher conferences, parental visits to school, school visits to home, telephone conversations, and written correspondence.

AVERAGE CLASS SIZE (as of the first school day in May)										
Grades	K	1	2	3	4	5	6	7	8	9-12
School										23.4
Subregion										22.4
District										22.4
State										19.7

TEACHER INFORMATION (Full-Time Equivalents)								
	White	Black	Hispanic	Asian/ Pacific Islander	Native American	Male	Female	Total Number
District	48.3	33.3	14.3	3.3	0.6	22.8	77.2	23,028
State	64.9	9.2	4.8	1.2	0.2	23.1	76.9	127,010

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HYDE PARK ACADEMY HIGH SCHOOL

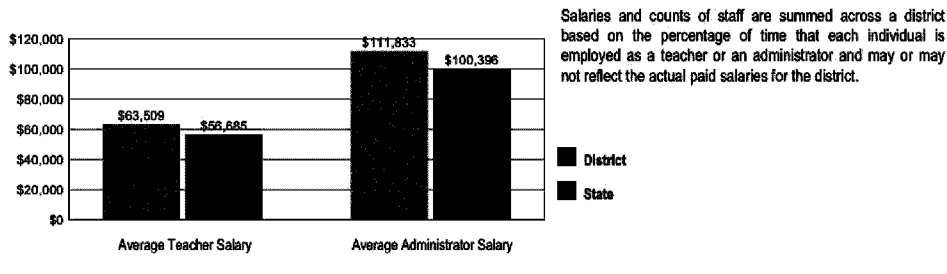
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TEACHER INFORMATION (Continued)					
	Average Teaching Experience (Years)	% of Teachers with Bachelor's Degrees	% of Teachers with Master's & Above	% of Teachers with Emergency or Provisional Credentials	% of Classes Not Taught by Highly Qualified Teachers
School	--	--	--	5.8	6.4
Subregion	--	--	--	2.5	10.1
District	13.0	48.4	51.4	2.5	8.2
State	13.0	49.3	50.6	1.6	1.4

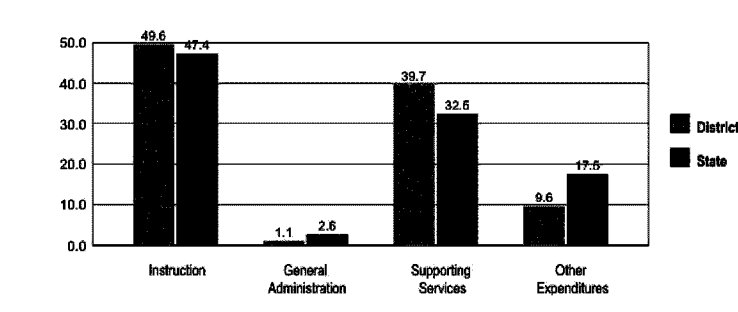
Some teacher/administrator data are not collected at the school level.

SCHOOL DISTRICT FINANCES

TEACHER/ADMINISTRATOR SALARIES (Full-Time Equivalents)



EXPENDITURE BY FUNCTION 2004-05 (Percentages)



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HYDE PARK ACADEMY HIGH SCHOOL

3

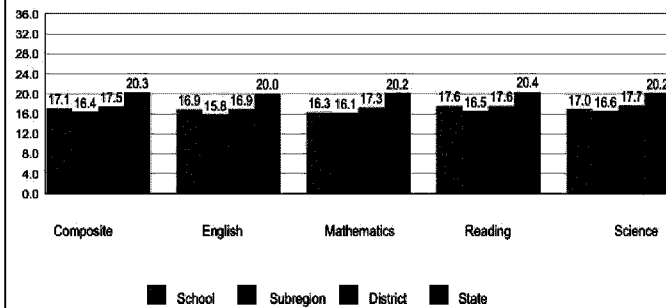
REVENUE BY SOURCE 2004-05				EXPENDITURE BY FUND 2004-05			
	District	District %	State %		District	District %	State %
Local Property Taxes	\$1,784,961,079	43.9	58.2	Education	\$3,447,655,242	77.9	72.2
Other Local Funding	\$102,392,030	2.5	5.1	Operations & Maintenance	\$289,707,951	6.5	8.4
General State Aid	\$908,329,598	22.4	18.5	Transportation	\$0	0.0	3.6
Other State Funding	\$533,740,584	13.1	10.1	Bond and Interest	\$314,389,073	7.1	6.6
Federal Funding	\$732,715,779	18.0	8.1	Rent	\$0	0.0	0.0
TOTAL	\$4,062,139,070			Municipal Retirement/ Social Security	\$0	0.0	1.7
				Fire Prevention & Safety	\$0	0.0	1.1
				Site & Construction/ Capital Improvement	\$375,721,030	8.5	6.5
				TOTAL	\$4,427,473,296		

OTHER FINANCIAL INDICATORS				
	2003 Equalized Assessed Valuation per Pupil	2003 Total School Tax Rate per \$100	2004-05 Instructional Expenditure per Pupil	2004-05 Operating Expenditure per Pupil
District	\$141,980	3.29	\$5,858	\$9,758
State	**	**	\$5,386	\$9,099

** Due to the way Illinois school districts are configured, state averages for equalized assessed valuation per pupil and total school tax rate per \$100 are not provided. Equalized assessed valuation includes all computed property values upon which a district's local tax rate is calculated. Total school tax rate is a district's total tax rate as it appears on local property tax bills. Instructional expenditure per pupil includes the direct costs of teaching pupils or the interaction between teachers and pupils. Operating expenditure per pupil includes the gross operating cost of a school district excluding summer school, adult education, bond principal retired, and capital expenditures.

ACADEMIC PERFORMANCE

ACT ASSESSMENT: GRADUATING CLASS OF 2006*



The number and percent of students taking the ACT are no longer reported since virtually every eleventh grade student takes the ACT as part of the PSAE.

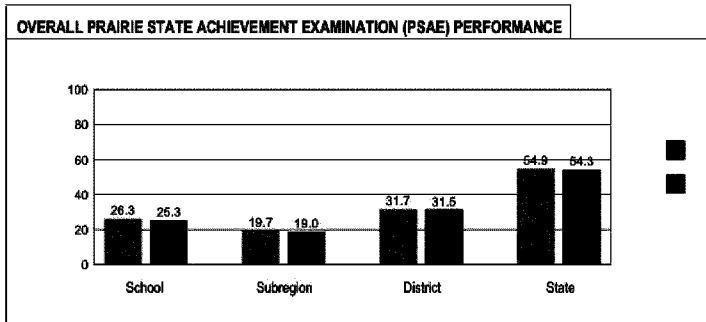
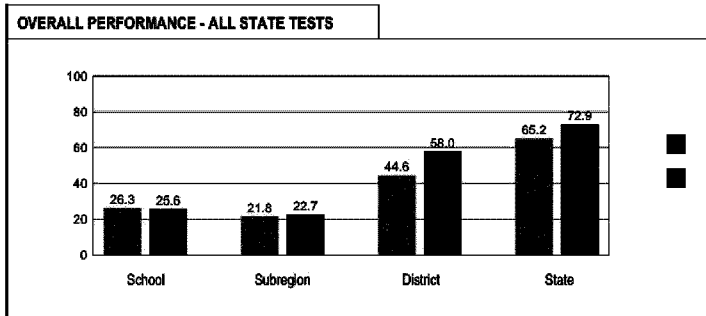
* Includes graduating students' most recent ACT Assessment scores from an ACT national test date or PSAE testing. Excludes the scores of students who took the test with special accommodations. State averages for ACT data are based on regular public schools and do not include private and special purpose schools.

HIGH SCHOOL GRADUATION RATE

	Gender			Race / Ethnicity						LEP	Migrant	Students with Disabilities	Economically Disadvantaged
	All	Male	Female	White	Black	Hispanic	Asian/Pacific Islander	Native American	Multi racial /Ethnic				
School	68.4	60.5	73.7		68.2	100.0				100.0		62.1	62.0
Subregion	69.8	61.3	77.5		67.8	72.5				55.8		57.5	68.7
District	73.4	67.1	79.0		72.7	70.1				45.6		59.0	70.3
State	87.8	85.6	89.9		78.3	77.1				63.2		77.2	76.5

OVERALL STUDENT PERFORMANCE

These charts present the overall percentages of state test scores categorized as meeting or exceeding the Illinois Learning Standards for your school, district, and state. They represent your school's performance in reading, mathematics and science. Caution: Data for 2004-05 should not be compared to data for 2005-06 because substantial changes were made to the state tests in 2005-06 when testing in reading and mathematics was expanded to include all grades from grade 3 through grade 8. In 2004-05, such testing was limited only to selected grades. Although there were no changes in high school testing, data in high school report cards at the state level (and also at the district level for unit districts) are not comparable between the two years because of changes in elementary school testing mentioned above.



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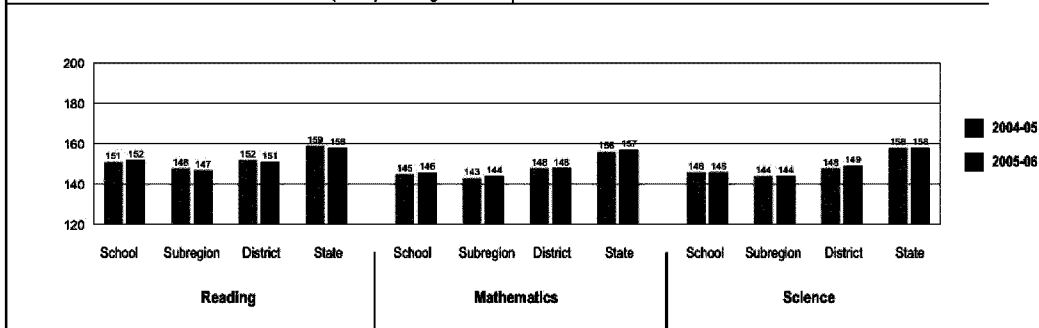
HYDE PARK ACADEMY HIGH SCHOOL

5

PSAE PERFORMANCE

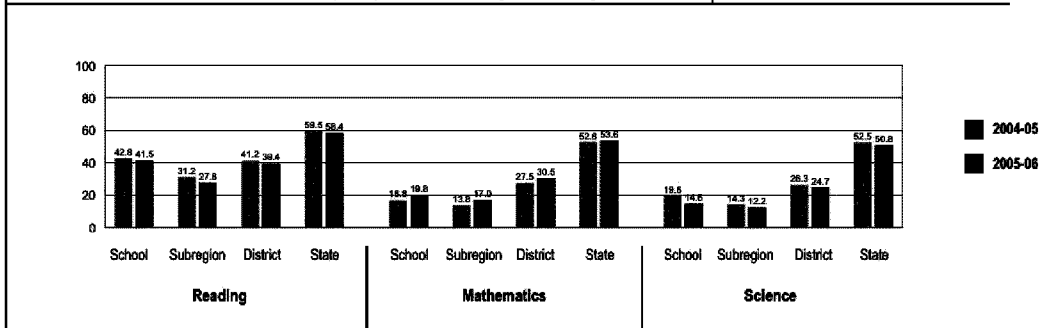
These charts provide information on attainment of the Illinois Learning Standards. They show the average scores and also the percents of student scores meeting or exceeding Standards in reading, mathematics and science on PSAE.

PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) - Average Scores



PSAE scores range from 120 to 200.

PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) - Percents Meeting or Exceeding Standards



Number of students in this school with PSAE scores in 2006: 253

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HYDE PARK ACADEMY HIGH SCHOOL

6

PERFORMANCE ON STATE ASSESSMENTS

Federal law requires that student achievement results for reading, mathematics and science for schools providing Title I services be reported to the general public.

The Illinois Standards Achievement Test (ISAT) is administered to students in grades 3 through 8. The Prairie State Achievement Examination (PSAE) is administered to students in grade 11. The Illinois Measure of Annual Growth in English (IMAGE) is administered to limited-english-proficient students. The Illinois Alternate Assessment (IAA) is administered to students with disabilities whose Individualized Education Programs (IEPs) indicate that participation in the ISAT or PSAE would not be appropriate.

Students with disabilities have an IEP (No Child Left Behind Act). An IEP is a written plan for a child with a disability who is eligible to receive special education services under the Individuals with Disabilities Education Act.

Schools with grade 2 as the highest grade in the school use a state-adopted test in reading and mathematics to meet this requirement.

In order to protect students' identities, test data for groups of fewer than ten students are not reported.

PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS														
		Gender			Racial/Ethnic Background						LEP	Migrant	Students with Disabilities	Economically Disadvantaged
		All	Male	Female	White	Black	Hispanic	Asian/Pacific Islander	Native American	Multi racial /Ethnic				
School	*Enrollment	298	121	177	1	296	1						29	237
	Reading	12.8	20.7	7.3		12.8							10.3	12.2
	Mathematics	12.8	20.7	7.3		12.8							10.3	12.2
Subregion	*Enrollment	4,394	2,033	2,361	189	3,193	936	31	1	44	121		683	3,757
	Reading	9.8	12.4	7.5	2.6	10.3	9.9	3.2		6.8	3.3		18.6	10.3
	Mathematics	9.8	12.4	7.5	2.6	10.3	9.9	3.2		6.8	3.3		18.6	10.3
District	*Enrollment	209,819	106,043	103,776	17,274	101,744	78,053	6,412	246	6,090	25,150	0	29,494	183,074
	Reading	0.9	1.1	0.7	0.8	1.4	0.6	0.4	1.2	0.4	0.1		2.7	0.9
	Mathematics	0.9	1.1	0.7	0.8	1.4	0.6	0.4	1.2	0.4	0.1		2.7	0.9
State	*Enrollment	1,098,045	561,165	536,855	610,423	220,763	201,615	41,305	2,480	19,623	67,463	368	160,118	461,218
	Reading	0.7	0.7	0.7	0.5	1.7	0.8	0.6	1.0	1.0	0.4	1.9	1.2	1.3
	Mathematics	0.7	0.7	0.7	0.5	1.7	0.8	0.6	1.0	1.0	0.4	1.9	1.2	1.3

* Enrollment as reported during the testing windows.

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HYDE PARK ACADEMY HIGH SCHOOL 7

PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE)

The following tables show the percentages of student scores in each of four performance levels. These levels were established with the help of Illinois educators who teach the grade levels and learning areas tested. Due to rounding, the sum of the percentages in the four performance levels may not always equal 100.

- Level 1 -- Academic Warning - Student work demonstrates limited knowledge and skills in the subject. Because of major gaps in learning, students apply knowledge and skills ineffectively.
- Level 2 -- Below Standards - Student work demonstrates basic knowledge and skills in the subject. However, because of gaps in learning, students apply knowledge and skills in limited ways.
- Level 3 -- Meets Standards - Student work demonstrates proficient knowledge and skills in the subject. Students effectively apply knowledge and skills to solve problems.
- Level 4 -- Exceeds Standards - Student work demonstrates advanced knowledge and skills in the subject. Students creatively apply knowledge and skills to solve problems and evaluate the results.

Grade 11**Grade 11 - All**

Levels	Reading				Mathematics				Science			
	1	2	3	4	1	2	3	4	1	2	3	4
School	7.1	51.4	40.7	0.8	19.4	60.9	19.8	0.0	19.0	66.4	14.6	0.0
Subregion	16.0	56.2	26.7	1.1	24.5	58.5	16.9	0.1	22.5	65.4	11.9	0.3
District	13.3	47.4	33.4	6.0	19.8	49.7	28.2	2.3	18.0	57.3	21.3	3.4
State	8.4	33.2	44.4	14.0	9.8	36.6	45.8	7.9	8.3	40.9	40.1	10.7

Grade 11 - Gender

Levels	Reading				Mathematics				Science				
	1	2	3	4	1	2	3	4	1	2	3	4	
Male	School	9.7	55.9	34.4	0.0	24.7	53.8	21.5	0.0	24.7	55.9	19.4	0.0
	SubRegion	20.6	55.4	22.8	1.2	24.5	56.0	19.3	0.1	22.9	61.6	15.0	0.5
	District	16.6	45.8	31.2	6.4	19.1	47.5	30.5	2.8	18.4	52.6	24.5	4.5
	State	10.8	33.5	41.7	14.0	9.8	34.1	46.4	9.7	8.5	36.6	41.0	13.9
Female	School	5.6	48.8	44.4	1.3	16.3	65.0	18.8	0.0	15.6	72.5	11.9	0.0
	SubRegion	12.4	56.9	29.8	1.0	24.5	60.4	15.0	0.1	22.1	68.3	9.4	0.2
	District	10.6	48.6	35.2	5.6	20.3	51.5	26.4	1.8	17.7	61.1	18.7	2.5
	State	6.0	32.9	47.0	14.1	9.8	38.9	45.2	6.1	8.2	45.1	39.2	7.6

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Grade 11 - Racial/Ethnic Background

Levels	Reading				Mathematics				Science				
	1	2	3	4	1	2	3	4	1	2	3	4	
White	School	10.0	49.3	38.6	2.1	9.3	55.7	33.6	1.4	11.4	62.9	23.6	2.1
	Subregion	6.2	25.9	45.7	22.2	6.6	30.1	52.9	10.4	6.2	34.4	43.3	16.0
	District	5.9	27.0	49.3	17.8	5.8	30.6	53.8	9.8	4.7	33.6	47.8	13.9
Black	School	7.2	51.8	40.2	0.8	19.5	61.0	19.5	0.0	19.1	66.5	14.3	0.0
	Subregion	17.3	56.3	25.6	0.8	28.2	56.3	13.5	0.0	25.4	65.0	9.5	0.1
	District	15.8	52.7	29.0	2.4	27.3	54.3	18.0	0.4	23.8	62.1	13.3	0.8
Hispanic	School	12.4	58.4	27.8	1.4	14.9	61.5	23.6	0.0	14.2	68.6	16.9	0.3
	Subregion	13.1	49.9	33.3	3.8	15.0	53.4	30.8	0.8	15.2	61.0	22.4	1.4
	District	13.5	48.0	34.3	4.2	14.6	51.9	32.2	1.3	13.7	58.7	25.6	2.1
Asian/Pacific Islander	School	25.0	18.8	43.8	12.5	12.5	25.0	62.5	0.0	12.5	31.3	50.0	6.3
	Subregion	4.8	27.2	49.2	18.7	3.9	24.0	58.7	13.4	5.1	36.3	44.8	13.8
	District	4.4	22.8	48.0	24.8	3.2	20.1	53.9	22.8	3.2	28.0	48.1	20.7
Native American	School												
	Subregion	7.1	35.7	50.0	7.1	7.1	42.9	50.0	0.0	7.1	64.3	21.4	7.1
	District	9.4	37.2	41.5	12.0	10.7	40.2	45.7	3.4	7.7	46.2	38.5	7.7
Multiracial/Ethnic	School	18.2	48.5	27.3	6.1	33.3	42.4	24.2	0.0	33.3	48.5	12.1	6.1
	Subregion	10.4	33.3	42.4	13.9	14.9	37.4	41.9	5.8	11.9	46.3	32.2	9.6
	District	8.1	33.6	46.7	11.6	11.5	38.9	42.8	6.8	8.8	44.8	36.2	10.2

Grade 11 - Students with Disabilities

Levels	Reading				Mathematics				Science				
	1	2	3	4	1	2	3	4	1	2	3	4	
IEP	School	45.8	54.2	0.0	0.0	83.3	16.7	0.0	0.0	83.3	16.7	0.0	0.0
	Subregion	59.8	38.5	1.7	0.0	75.9	24.1	0.0	0.0	70.4	29.6	0.0	0.0
	District	53.5	39.5	6.3	0.7	64.7	30.3	4.7	0.3	63.1	33.0	3.3	0.6
Non-IEP	School	38.1	44.4	15.4	2.1	42.3	44.5	12.3	0.8	38.9	48.4	11.1	1.6
	Subregion	3.1	51.1	45.0	0.9	12.7	65.5	21.8	0.0	12.2	71.6	16.2	0.0
	District	9.9	58.7	30.2	1.2	17.3	63.4	19.3	0.1	15.8	70.4	13.5	0.3
State	School	7.7	48.5	37.2	6.7	13.6	52.4	31.5	2.6	11.8	60.6	23.8	3.7
	Subregion	4.7	31.8	48.0	15.5	5.8	35.6	49.9	8.7	4.6	40.0	43.7	11.8
	District												

Grade 11 - Economically Disadvantaged

Levels	Reading				Mathematics				Science				
	1	2	3	4	1	2	3	4	1	2	3	4	
Free/Reduced Price Lunch	School	6.4	54.4	38.2	1.0	17.6	63.2	19.1	0.0	18.1	69.6	12.3	0.0
	Subregion	16.4	56.8	26.1	0.8	25.2	58.7	16.1	0.0	22.8	65.8	11.1	0.2
	District	15.1	52.0	30.0	2.9	22.3	53.5	23.5	0.8	20.4	61.4	17.0	1.2
Not Eligible	School	15.6	49.3	31.5	3.6	20.3	52.1	26.4	1.1	17.9	59.1	21.0	2.0
	Subregion	10.2	38.8	51.0	0.0	26.5	51.0	22.4	0.0	22.4	53.1	24.5	0.0
	District	13.5	52.8	30.6	3.1	20.2	57.2	22.2	0.4	20.4	62.3	16.6	0.7
State	School	6.5	30.1	48.0	17.4	10.5	35.8	45.9	7.8	9.1	42.3	37.3	11.4
	Subregion	5.8	27.6	48.9	17.7	6.1	31.1	52.6	10.2	5.0	34.5	46.8	13.7
	District												

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2006 ADEQUATE YEARLY PROGRESS (AYP) INFORMATION

Is this School making Adequate Yearly Progress (AYP)?	No	Has this school been identified for School Improvement according to the AYP specifications of the federal No Child Left Behind Act?	Yes
Is this School making AYP in Reading?	No	2006-07 Federal Improvement Status	Restructuring
Is this School making AYP in Mathematics?	No	2006-07 State Improvement Status	Academic Watch Status

	Percent Tested on State Tests				Percent Meeting/Exceeding Standards *						Other Indicators			
	Reading		Mathematics		Reading			Mathematics			Attendance Rate		Graduation Rate	
	%	Met AYP	%	Met AYP	%	Safe Harbor Target **	Met AYP	%	Safe Harbor Target **	Met AYP	%	Met AYP	%	Met AYP
State AYP Minimum Target	95.0		95.0		47.5			47.5			89.0		69.0	
All	87.2	No	87.2	No	43.6		Yes	20.3		No			68.4	No
White														
Black	87.2	No	87.2	No	43.4		Yes	20.4	25.1	No			68.2	
Hispanic														
Asian/Pacific Islander														
Native American														
Multiracial /Ethnic														
LEP														
Students with Disabilities														
Economically Disadvantaged	87.8	Yes	87.8	Yes	41.2	47.0	No	19.8	25.9	No			62.0	

Four Conditions Are Required For Making Adequate Yearly Progress (AYP) are:

1. At least 95% tested in reading and mathematics for every student group. If the current year participation rate is less than 95%, this condition may be met if the average of the current and preceding year rates is at least 95%, or if the average of the current and two preceding years is at least 95%. Only actual participation rates are printed. If the participation rate printed is less than 95% and yet this school makes AYP, it means that the 95% condition was met by averaging.
2. At least 47.5% meeting/exceeding standards in reading and mathematics for every group. For any group with less than 47.5% meeting/exceeding standards, a 95% confidence interval was applied. Subgroups may meet this condition through Safe Harbor provisions.***
3. For schools not making AYP solely because the IEP group fails to have 47.5% meeting/exceeding standards, 14% may be added to this variable in accordance with the federal 2% flexibility provision.
4. At least 89% attendance rate for non-high schools and at least 69% graduation rate for high schools.

* Includes only students enrolled as of 5/01/2005.

** Safe Harbor Targets of 47.5% or above are not printed.

***Subgroups with fewer than 45 students are not reported. Safe Harbor only applies to subgroups of 45 or more. In order for Safe Harbor to apply, a subgroup must decrease by 10% the percentage of scores that did not meet standards from the previous year plus meet the other indicators (attendance rate for non-high schools and graduation rate for high schools) for the subgroup. For subgroups that do not meet their Safe Harbor Targets, a 75% confidence interval is applied. Safe Harbor allows schools an alternate method to meet subgroup minimum targets on achievement.

Appendix B: Excerpt From Chicago Public Schools Report Card Data

School	% Low Income	AYP	Total	White	%	African American	%	Hispanic	%	Mexican	%	Puerto Rican	%
Payton CPHS	30.3	Yes	837	332	39.7	175	20.9	158	18.9	89	10.6	36	4.3
Northside CPHS	31.1	Yes	1,075	397	36.9	69	6.4	228	21.2	112	10.4	41	3.8
Young Magnet HS	37.0	Yes	2,207	642	29.1	700	31.7	478	21.7	11	0.5	1	0.0
DeVry Advantage HS	40.4		204	17	8.3	112	54.9	63	30.9	27	13.2	11	5.4
Chicago Agr Sci HS	43.5		587	173	29.5	323	55.0	68	11.6	35	6.0	5	0.9
Lincoln Park HS	44.4	No	2,192	691	31.5	740	33.8	363	16.6	159	7.3	98	4.5
Morgan Park HS	48.8		2,084	61	2.9	1,918	92.0	44	2.1	38	1.8	7	0.3
Von Steuben HS	49.2	No	1,479	348	23.5	461	31.2	370	25.0	123	8.3	150	10.1
King CPHS	52.3	No	923	12	1.3	832	90.1	27	2.9	8	0.9	3	0.3
Taft HS	55.4	No	2,646	1,455	55.0	113	4.3	741	28.0	309	11.7	183	6.9
Jones CPHS	55.6	Yes	807	192	23.8	191	23.7	243	30.1	137	17.0	14	1.7
Lane Tech HS	58.9	No	4,248	1,241	29.2	535	12.6	1,716	40.4	930	21.9	338	8.0
Kennedy HS	63.3	No	1,538	550	35.8	187	12.2	752	48.9	490	31.9	33	2.1
Kenwood HS	70.6		1,709	34	2.0	1,591	93.1	36	2.1	13	0.8	4	0.2
Lindblom MSHS	72.8		250	7	2.8	202	80.8	39	15.6	0	0.0	0	0.0
Chicago Acad HS	73.3		378	82	21.7	86	22.8	173	45.8	86	22.8	53	14.0
Calumet HS	74.5	No	186	0	0.0	186	100.0	0	0.0	0	0.0	0	0.0
Chicago Mil Acad HS	76.0		518	22	4.2	319	61.6	154	29.7	117	22.6	14	2.7
Dyett HS	79.2		554	0	0.0	554	100.0	0	0.0	0	0.0	0	0.0
Hyde Park HS	80.3	No	2,007	3	0.1	1,992	99.3	6	0.3	3	0.1	0	0.0
Williams HS - Prep Med	80.7		168	1	0.6	162	96.4	1	0.6	0	0.0	0	0.0
Best Practice HS	81.4	No	369	2	0.5	320	86.7	44	11.9	6	1.6	1	0.3

Bogan Tech HS	81.5	No	2,091	69	3.3	1,257	60.1	731	35.0	480	23.0	22	1.1
Lake View HS	81.8	No	1,494	271	18.1	210	14.1	798	53.4	460	30.8	180	12.0
Amundsen HS	82.1	No	1,493	263	17.6	208	13.9	801	53.7	416	27.9	170	11.4
Steinmetz HS	83.0	No	2,055	243	11.8	516	25.1	1,199	58.3	495	24.1	138	6.7
Clemente AA HS	83.4		385	4	1.0	161	41.8	218	56.6	130	33.8	53	13.8
Washington, G. HS	83.6	No	1,599	86	5.4	425	26.6	1,023	64.0	572	35.8	22	1.4
Perspectives Chrtr H	84.2	No	349	18	5.2	219	62.8	107	30.7	28	8.0	2	0.6
Mather HS	84.7	No	1,857	446	24.0	245	13.2	649	34.9	280	15.1	71	3.8
Fenger HS	85.4	No	1,119	2	0.2	1,113	99.5	0	0.0	0	0.0	1	0.1
Noble St. Chrtr HS	85.5	Yes	468	15	3.2	50	10.7	388	82.9	212	45.3	114	24.4
Richards HS	86.3	No	564	2	0.4	184	32.6	365	64.7	341	60.5	8	1.4
Corliss HS	87.2	No	1,364	4	0.3	1,343	98.5	8	0.6	1	0.1	0	0.0
Curie HS	87.3	No	3,018	206	6.8	529	17.5	1,951	64.6	1,830	60.6	67	2.2
Carver Mil Acad HS	87.5	No	536	2	0.4	334	62.3	192	35.8	182	34.0	4	0.7
Clemente HS	87.7	No	2,180	45	2.1	694	31.8	1,385	63.5	521	23.9	550	25.2
Fenger AA HS	88.0		233	0	0.0	221	94.8	10	4.3	7	3.0	0	0.0
Chgo Voc AA HS	88.2	No	408	6	1.5	384	94.1	17	4.2	9	2.2	3	0.7
Chicago Voc HS	88.2	No	2,020	2	0.1	1,993	98.7	7	0.3	3	0.1	1	0.0
Prosser HS	88.4	No	1,383	167	12.1	499	36.1	670	48.4	378	27.3	154	11.1
Wells HS	88.6	No	1,076	24	2.2	495	46.0	528	49.1	313	29.1	94	8.7
ACT Chtr HS	88.8	No	308	0	0.0	301	97.7	1	0.3	1	0.3	1	0.3
Schurz HS	89.6		2,278	204	9.0	124	5.4	1,850	81.2	927	40.7	243	10.7
Youth Connctns Chrtr	89.8	No	2,818	61	2.2	2,090	74.2	625	22.2	424	15.0	161	5.7
Rickover Naval HS	90.0		218	21	9.6	50	22.9	124	56.9	62	28.4	26	11.9
Julian HS	90.1	No	1,943	1	0.1	1,933	99.5	3	0.2	3	0.2	3	0.2
Tilden HS	90.1	No	1,245	71	5.7	802	64.4	323	25.9	158	12.7	9	0.7
Foreman HS	90.4	No	1,976	193	9.8	334	16.9	1,379	69.8	726	36.7	190	9.6

Sullivan HS	90.4	No	966	52	5.4	559	57.9	274	28.4	127	13.1	9	0.9
Austin HS	90.5	No	254	0	0.0	251	98.8	1	0.4	0	0.0	1	0.4
Kelly HS	90.6	No	3,162	104	3.3	77	2.4	2,649	83.8	1,690	53.4	42	1.3
Roosevelt HS	90.7	No	1,628	132	8.1	160	9.8	1,149	70.6	736	45.2	142	8.7
ACE Tech Chtr HS	90.8		377	34	9.0	214	56.8	115	30.5	64	17.0	3	0.8
Hubbard HS	90.8	No	1,715	83	4.8	205	12.0	1,355	79.0	1,226	71.5	49	2.9
Senn AA HS	90.8		134	18	13.4	41	30.6	71	53.0	51	38.1	5	3.7
ASPIRA Chtr - Ramirez	91.2		349	7	2.0	14	4.0	323	92.6	171	49.0	118	33.8
Hirsch HS	91.5	No	1,025	0	0.0	1,014	98.9	4	0.4	1	0.1	1	0.1
Raby HS	91.6		409	1	0.2	406	99.3	2	0.5	0	0.0	0	0.0
Harper HS	92.1	No	1,301	0	0.0	1,289	99.1	2	0.2	4	0.3	2	0.2
Hope CPHS	92.2	No	1,015	0	0.0	980	96.6	8	0.8	5	0.5	7	0.7
Clark Magnet HS	92.3	No	1,072	2	0.2	1,052	98.1	4	0.4	4	0.4	2	0.2
Tilden AA HS	92.4		249	3	1.2	115	46.2	131	52.6	118	47.4	3	1.2
Global Visions HS	92.8		378	2	0.5	333	88.1	41	10.8	15	4.0	3	0.8
Marshall HS	92.8	No	1,135	2	0.2	1,123	98.9	6	0.5	0	0.0	3	0.3
New Millnm HS	92.9		342	1	0.3	298	87.1	29	8.5	21	6.1	6	1.8
Simeon HS	92.9	No	1,570	0	0.0	1,563	99.6	7	0.4	0	0.0	2	0.1
Multicultural Arts HS	93.0		191	1	0.5	48	25.1	135	70.7	106	55.5	2	1.0
Chicago Discovery HS	93.2	No	406	1	0.2	191	47.0	200	49.3	168	41.4	23	5.7
Sch Of Leadrshp HS	93.5	No	386	0	0.0	386	100.0	0	0.0	0	0.0	0	0.0
North-Grand HS	93.7		702	8	1.1	54	7.7	621	88.5	341	48.6	195	27.8
BEST HS	93.9	No	346	1	0.3	302	87.3	37	10.7	22	6.4	4	1.2
Sch Of Tech HS	93.9		453	0	0.0	451	99.6	1	0.2	0	0.0	0	0.0
Senn HS	93.9	No	1,372	68	5.0	550	40.1	559	40.7	386	28.1	41	3.0
Dunbar Voc HS	94.0	No	1,752	2	0.1	1,723	98.3	12	0.7	5	0.3	2	0.1
Gage Park HS	94.1	No	1,752	13	0.7	730	41.7	981	56.0	651	37.2	16	0.9

Harlan HS	94.9	No	1,388	3	0.2	1,373	98.9	4	0.3	3	0.2	1	0.1
North Lawndale Chrtr	95.1	No	401	0	0.0	379	94.5	22	5.5	12	3.0	0	0.0
Crane AA HS	95.3		413	0	0.0	400	96.9	5	1.2	2	0.5	2	0.5
Englewood AA HS	95.3		250	0	0.0	215	86.0	35	14.0	29	11.6	1	0.4
Robeson AA HS	95.6		227	0	0.0	223	98.2	2	0.9	0	0.0	0	0.0
Englewood HS	95.8	No	446	1	0.2	438	98.2	5	1.1	1	0.2	0	0.0
Crane Tech HS	96.0	No	1,038	0	0.0	1,018	98.1	17	1.6	9	0.9	0	0.0
Entrepreneurship HS	96.0	No	508	0	0.0	505	99.4	1	0.2	0	0.0	0	0.0
Sch Of The Arts HS	96.0	No	495	0	0.0	490	99.0	2	0.4	1	0.2	0	0.0
World Language HS	96.2		184	1	0.5	37	20.1	139	75.5	119	64.7	1	0.5
Yng Women Ldrshp Chrt	96.3		343	23	6.7	254	74.1	45	13.1	34	9.9	4	1.2
Robeson HS	96.4	No	1,282	0	0.0	1,274	99.4	3	0.2	0	0.0	1	0.1
Infinity HS	97.0		188	0	0.0	47	25.0	136	72.3	121	64.4	1	0.5
Uplift Community HS	97.1		433	8	1.8	310	71.6	85	19.6	31	7.2	10	2.3
Hancock HS	97.2	No	873	84	9.6	37	4.2	748	85.7	677	77.5	15	1.7
Juarez HS	97.2	No	1,565	23	1.5	31	2.0	1,466	93.7	1,380	88.2	10	0.6
EXCEL - Orr HS	97.3	No	480	0	0.0	432	90.0	47	9.8	12	2.5	4	0.8
Westinghouse HS	97.6	No	160	0	0.0	156	97.5	4	2.5	1	0.6	0	0.0
Brooks CPHS	97.7	Yes	777	13	1.7	618	79.5	137	17.6	27	3.5	0	0.0
AASTA - Orr HS	97.8	No	506	3	0.6	432	85.4	65	12.8	19	3.8	13	2.6
Spry Comm Links HS	97.8		101	0	0.0	0	0.0	100	99.0	96	95.0	0	0.0
Kelvyn Park HS	97.9	No	1,549	30	1.9	123	7.9	1,352	87.3	605	39.1	327	21.1
Sch Of Soc Just HS	98.0		192	1	0.5	53	27.6	138	71.9	94	49.0	1	0.5
Farragut HS	98.1	No	2,440	8	0.3	522	21.4	1,907	78.2	1,864	76.4	26	1.1

Phillips HS	98.1	No	793	5	0.6	783	98.7	1	0.1	1	0.1	0	0.0
Phoenix Mil Acad HS	98.3	No	278	4	1.4	187	67.3	78	28.1	55	19.8	15	5.4
Vines Prep HS	98.9	No	515	0	0.0	470	91.3	42	8.2	22	4.3	14	2.7
Manley HS	99.0	No	1,084	0	0.0	1,083	99.9	1	0.1	0	0.0	2	0.2
Douglass HS	99.1	No	642	0	0.0	635	98.9	5	0.8	3	0.5	0	0.0
Collins HS	99.9	No	558	0	0.0	527	94.4	3	0.5	3	0.5	5	0.9
Austin Bus & Entrp HS			217	0	0.0	216	99.5	0	0.0	0	0.0	0	0.0
Big Pict HS - Metro			67	0	0.0	65	97.0	2	3.0	1	1.5	0	0.0
Big Pict HS - Yards			81	0	0.0	7	8.6	73	90.1	66	81.5	1	1.2
Bronzevill e HS			239	0	0.0	230	96.2	2	0.8	3	1.3	0	0.0
Chgo Intl Chrt - Ellison			158	0	0.0	156	98.7	1	0.6	1	0.6	0	0.0
Chgo Intl Chrt - North Town			702	200	28.5	84	12.0	304	43.3	127	18.1	66	9.4
Graham, R. Trng CTR			188	7	3.7	110	58.5	63	33.5	48	25.5	2	1.1
IDOC/Heal y South HS			106	6	5.7	88	83.0	12	11.3	5	4.7	6	5.7
Jefferson, N			450	29	6.4	331	73.6	84	18.7	7	1.6	4	0.9
Las Casas HS			110	2	1.8	103	93.6	5	4.5	2	1.8	0	0.0
LINC Alt HS			276	4	1.4	205	74.3	66	23.9	16	5.8	4	1.4
Noble St. Chrtr - Pritzker			145	2	1.4	17	11.7	120	82.8	64	44.1	31	21.4
Noble St. Chrtr - Rauner			146	8	5.5	27	18.5	102	69.9	50	34.2	25	17.1
Northside Lrn Ctr HS			270	60	22.2	77	28.5	104	38.5	57	21.1	25	9.3
Peace & Education Alt HS			89	2	2.2	18	20.2	63	70.8	56	62.9	0	0.0
Perspectiv es - Calumet			279	0	0.0	277	99.3	0	0.0	0	0.0	0	0.0
Simpson HS			213	0	0.0	189	88.7	24	11.3	8	3.8	3	1.4

Southside Occp HS			235	14	6.0	194	82.6	23	9.8	16	6.8	2	0.9
U Of Chicago Chtr HS			159	2	1.3	156	98.1	1	0.6	1	0.6	0	0.0
Urban Prep Chtr HS			166	0	0.0	166	100.0	0	0.0	0	0.0	0	0.0
Vaughn Occp HS			228	36	15.8	99	43.4	82	36.0	47	20.6	23	10.1
York Alt HS			317	30	9.5	218	68.8	65	20.5	36	11.4	8	2.5