



THEMES in the NEWS

IDEA's weekly commentary on education news

Week of Jan. 31-Feb. 4, 2011

Law and Love Force This Moral Dilemma

By UCLA IDEA

This past week, much of the country came to know the story of Kelley Williams-Bolar, an Ohio mother of two who was convicted on two felony counts and served nine days in prison for lying about her residence in order to send her daughters to a nearby, affluent school district.

Although the legal violation seems clear, such lying about a child's primary residence is commonplace. Further, there are many ways to skirt the legal intent of school district boundaries while remaining within the law. For example, what constitutes "permanent residency" can be vague when a child spends some time living with relatives or friends.

Many are shocked by the harsh punishment for Williams-Bolar, but they believe she was wrong to lie. Others find some moral space for a mother's prerogative to do what she must to protect her children. Some are sympathetic to the district's claim that it spent its legal residents' money on Williams-Bolar's children. The district said she owed more than \$30,000.

In response, Education Secretary Arne Duncan remarked, "Where children have one option and that option isn't a good one, that's just absolutely morally unacceptable." Duncan went on to indicate that the Education Department's "Race to the Top" would address the inequalities brought on by unequal opportunities—specifically mentioning more charter schools, a "radically" changed staff, and some additional funds.

Regardless of their different views, few people are comfortable with the dilemmas presented. It is hard to imagine that a moral judgment about a mom or the "Race to the Top" policy can address a problem with roots as deep as America's unequal educational opportunities—not when segregated neighborhoods and the "law of the land" cement these disparities in place.

A couple U.S. Supreme Court cases from the early 1970s represent how the law props up inequality. In *San Antonio Independent School District v. Rodriguez*, the Court upheld the constitutionality of wealthy districts spending more money on public schools than poorer districts. While advocates subsequently have challenged school finance inequalities in state courts, *Rodriguez* has fostered a patchwork system wherein local property wealth often predicts the quality of local schools.

In *Milliken v. Bradley*, the court prohibited desegregation plans that transferred students across district boundaries to even out school opportunities over a broader geographic region. *Milliken* decreased the courts' role in desegregation, promoted "white flight" to suburban neighborhoods and heightened educational disparities.

-more-



THEMES in the NEWS

IDEA's weekly commentary on education news

Week of Jan. 31-Feb. 4, 2011

Page 2

Thus we have two neighboring but unlike school districts: one, where Williams-Bolar lived (Akron Public Schools); and another where she sent her children by using her father's address (Copley-Fairlawn City School District). Fifty-four percent of Akron's 6th graders tested proficient or better in mathematics. In Copley-Fairlawn, 92 percent of 6th graders did. Akron has 24 schools in the federal "needs improvement" category, while Copley has none. Akron enrolls more than 23,300 students, of which 41 percent are white, 47 percent are black and 84 percent are low-income. By contrast, Copley's about 3,000-student enrollment is 75 percent white, 13.8 percent black and 14 percent low-income.

Some coverage has suggested that Williams-Bolar might be the "Rosa Parks" of education reform. These days we are not about to dismiss the wish, no matter how fanciful, that an individual act might spark a social movement. However, until that movement actually arrives in full force, equity-minded reformers must follow the footsteps of past civil rights organizers, gather new allies, and work to change hearts, minds, laws, and policies.

####