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Q&A with Sylvia Lazos: Impact of the Seattle Case on Local School District

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In a 5-4 decision, the U.S. Supreme Court ruled last month that the Seattle and Louisville school districts cannot assign students to a particular campus based on race, even if the goal was integration rather than segregation.

School districts nationwide are now reexamining their policies and procedures in determining school attendance zones. The decision isn't expected to immediately affect Nevada, including the Clark County School District, which hasn't faced a federal desegregation order since the 1980s.

The Clark County School District considers a variety of factors - including socioeconomic and racial diversity, geography, availability of open seats and feeder school alignment - in determining attendance zone boundaries. However, unlike Seattle and Louisville, Clark County does not set limits on the percentages of students from a specific ethnic group who may attend a particular school or prohibit students from attending their school of choice solely because their enrollment would tip the racial balance.

That doesn't mean the Supreme Court ruling should be ignored by the Silver State, says Sylvia Lazos, a constitutional law professor at UNLV's Boyd School of Law. Rather, it should serve as an opportunity to examine the fairness - and adequacy - of the state's public education system.

In Nevada, the larger question may be whether schools are properly funded to best help all students, regardless of their race, ethnicity or socioeconomic status, Lazos says.

Lazos' writing and research, which appears regularly in national journals, focuses on how constitutional standards can accommodate an American society that is increasingly diverse. Lazos, who is working from her Henderson home this summer, sat down with the Sun on Thursday.

Q:

The way Clark County establishes attendance zones hasn't been challenged and still wouldn't be. The court wants school districts to be very careful and thoughtful in how they use race to make decisions. School districts shouldn't shy away from tackling the hard issues of racial and ethnic diversity. This ruling doesn't say they should shy away from that. It says you have to be careful and disciplined in how you approach these issues.

Why should race be considered at all?

There is strong data showing the importance of white and minority students developing friendships with each other. That is absolutely essential to breaking down stereotypes. From that perspective, race-conscious policies were not barred by the recent court decision and should have a role in public schools.

What happens when schools are segregated by default versus by policy?
Schools are highly racially and ethnically segregated in this country, and we certainly see that in Clark County. There are schools that are 80 or 90 percent minority in North Las Vegas and other parts of the valley. At many of those schools, a high percentage of the students qualify for free and reduced-priced meals. So what we have is socio economic segregation, as well.

What steps can the school district take to solve those issues, within the boundaries of the law?

You have to be very careful about how you structure integration. If it feels forced to the children or the parents, you may actually increase the racial prejudice problem rather than solving it. On the other hand, if you have educators with a great attitude and a school district with great programs to encourage friendships and cultural understanding, those things are beneficial. It's not just about providing opportunities. It's about providing structure.

One of the failures of the nation's school desegregation programs is that massive numbers of students were being bused without enough thought about what they would need. You have to consider class sizes, the teachers and the programs the school is ready to offer. The principals and administrators also play an important role. What are their attitudes? What are they willing to do, what are they telling the teachers?

The achievement gap between minority students and their white peers is vast in Southern Nevada. Hispanics by far have the highest dropout rate and the lowest graduation rate. Several years ago a group of Hispanic parents threatened a lawsuit on the grounds that their children were being denied first-rate educations. Would their case have merit?

We have one of the largest and fastest-growing English language learner populations in the country. The School District works hard to keep up but we have to do more. We have to provide the educational opportunities that are going to allow the new immigrant population to assimilate and succeed. The state is not putting enough effort into these kinds of programs and isn't allocating sufficient resources to that demographic.

During the recent legislative session, lawmakers were told Nevada needs to spend $1 billion more by 2014 if the student achievement demands of the federal No Child Left Behind Act are to be met. Some educators and legal experts say the issue isn't so much integration as it is the need for more money for schools. Do you agree?

The state is responsible for providing a suitable education to children. Given that the Legislature seems to be afraid of doing its job, it may come to a lawsuit. What other options are left? The School District knows what the needs are, the School Board knows, the parents know, but we're still fighting for every million dollars. Under the current funding formula, Northern Nevada gets more money per pupil, both for higher education and K-12. Let's face it, Southern Nevada is the engine of the economy of the state, and by not paying attention to our educational needs, we're only hurting our long-term economic welfare.

Do Nevadans have to wait for a court challenge to push for changes to integration and funding policies?

The community has not engaged the School Board or the Legislature on these issues long enough or intensely enough. At the legislative level, we need to take them to task for not adequately funding the programs that work. This is about doing what our state constitution, drafted almost 150 years ago, tells us we need to do. The drafters were quite clear that education was one of the primary responsibilities of state government. In that sense we were quite progressive.