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February 23, 2015

Mayor Muriel Bowser
Executive Office of the Mayor
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Mayor Bowser:

The American Civil Liberties Union of the Nation's Capital (ACLU-NCA) applauds your administration for seeking to identify and implement effective strategies to enhance the student experience, increase achievement, and prepare males of color for college, careers, and life beyond DC Public Schools (DCPS).¹ However, we have questions and potential legal concerns regarding some aspects of the proposed initiative.

The ACLU-NCA shares the Executive's concerns about the dramatic racial disparities in educational outcomes in DCPS. Due to structural inequities, Black and Latino male students in DCPS are performing at a level far below their peers. Additionally, Black and Latino boys and men are overrepresented in our criminal justice system and subsequently disenfranchised from their civil rights and liberties as a direct result of criminal justice involvement. The District's Black female students share many of the same struggles as their male counterparts, while also facing unique circumstances and obstacles to academic success.²

We support an investment to address the systemic racial inequities in our education system. But we question whether an all-male prep school is the most effective way to address racial disparities in educational achievement. Studies show that separating boys and girls does not improve academic performance; it simply increases gender stereotyping. "There is no well-designed research showing that single-sex education improves students' academic performance,

¹ Empowering Males of Color. *District of Columbia Public Schools*, available at <http://dcps.dc.gov/DCPS/Beyond+the+Classroom/Empowering+Males+of+Color> (last visited: February 11, 2015).

² See generally Black Girls Matter: Pushed Out, Over Policed, and Under Protected. *African American Policy Forum*. By: Kimberle Crenshaw, available at http://static1.squarespace.com/static/53f20d90e4b0b80451158d8c/t/54d21c9ee4b0535ab80a10ed/1423056030631/BlackGirlsMatter_ExecutiveSummary.pdf (last visited: February 18, 2015).

but there is evidence that sex segregation increases gender stereotyping and legitimizes institutional sexism.”³ Racial justice in education should be about addressing systemic inequalities and about lifting up all students to close the achievement gap.

As we explore these concerns, and in the interest of an open, transparent government, we ask for answers to the questions that follow:

1. Gender segregation in schools can violate the Equal Protection Clause of the United States Constitution, as well as Title IX of the Civil Rights Act of 1964. How does DCPS plan on addressing potential Title IX issues that arise from an all-male public high school?
2. What evidence does DCPS have that single sex schools will address systemic problems in education and reduce racial disparities in educational achievement?
3. DCPS says that it is partnering with Urban Prep Academies from Chicago, Illinois, to operate this school. Was there a Request for Proposals? If not, how was Urban Prep Academies selected for this role?
4. What is the graduation rate of students who enroll at Urban Prep Academies? What percentage of students is expelled for disciplinary reasons? What percentage of students is expelled for academic reasons? What percentage drops out voluntarily or voluntarily transfers to other schools?
5. What funding structure will be applied to single sex schools in the District?
6. How will the public be notified about who may apply to attend a single sex school in the District?

We look forward to the opportunity to work with your administration to ensure that programs to reduce racial disparities in educational outcomes move forward in a thoughtful, legally sufficient manner.

Sincerely,



Monica Hopkins-Maxwell
Executive Director

cc: All Councilmembers
Chancellor Kaya Henderson
Attorney General Karl Racine

³ The Pseudoscience of Single-Sex Schooling. *Science*. By: Diane F. Halpern, et al., available at <http://www.sciencemag.org/content/333/6050/1706.summary> (last visited: February 23, 2015).