

## HB 151/HCS AN ACT relating to school attendance

Sponsor: Rep. Bratcher

### Summary

The House Committee Substitute to House Bill 151 would:

- Permit a child to enroll in the school nearest to their home, except if that school has academic/skill prerequisites or is currently a traditional school;
- Give first priority to students residing the shortest travel distance to a school when the capacity of the school is exceeded;
- If a student is denied attendance at the school closest to their home, give a student priority to attend the next closest school;
- Prohibit a student current attending a school from being displaced;
- Permit a child to attend a school other than the one closest, if there is capacity and if:
  - They meet academic or skill prerequisites;
  - They were admitted to a traditional school; or
  - The child is already attending the school.
- Establish implementation in 2019-2020; and
- Require at least two school districts to testify before the Interim Joint Committee on Education during the 2018 Interim.

### Analysis and Impact on Jefferson County Public Schools

Student assignment to schools has historically been the responsibility of local school boards, and should remain so. School boards are locally elected and thereby accountable to the communities they serve, and have a deeper knowledge of the local environment.

HB 151/HCS would have a far-reaching impact with significant unintended consequences, and would create significant disruptions for JCPS families.

HB 151/HCS would change the JCPS student assignment plan so that there would be:

- **Less choice** – Would limit choice by potentially reducing seats in popular magnet programs and eliminating transfer opportunities.
- **Less certainty** – Would significantly reduce certainty for families about which school their child would attend.
- **Less equity** - Would reduce access to high performing schools and schools with special programs for students who live farther away from those schools.
- **Less diversity** – Would create more schools that are more segregated by race and income.
- **Lower student achievement** – Would create more schools with high concentrations of poverty, where low- income students do less well.

**Less choice – Would limit choices by potentially reducing seats in popular magnet programs and eliminating transfer opportunities.**

Under HB 151, parental choice of schools would be significantly limited. Outside of magnet schools, the school a child would attend would be determined largely by the neighborhood in which a family lives. As a practical matter, a family's zip code would determine which school a child would be able to attend.

The number of seats in sought-after magnet programs could be reduced.

- The bill exempts schools with academic or skills prerequisites (aka districtwide magnet schools), and traditional schools.
- Schools with magnet programs and an attendance area (resides area) would not be exempt.
- For example:
  - Students living closest to Kennedy and Coleridge-Taylor Elementary Schools would have priority over students who want to enroll in the Montessori programs at those schools.
  - Students living closest to Noe Middle School would have priority over students who want to enroll in the Visual and Performing Arts and Gifted and Talented programs at Noe.
  - Students living closest to Meyzeek, Newburg, or Farnsley Middle Schools would have priority over students who want to enroll the Math, Science, & Technology Programs at those schools.
  - Students living closest to Atherton would have priority over students wishing to enroll in the International Baccalaureate Program.

HB 151/HCS makes no provision for transfers, which is a key means by which families exercise schools choice.

**Less certainty – Would significantly reduce certainty for families about which school their child would attend, particularly for middle and high School students**

- Under HB 151/HCS, attendance boundaries (aka resides areas) are superseded by proximity:
  - Currently, for middle and high schools, parents can be certain that a student can attend the school established for their area.
  - Under HB 151/HCS, that certainty is eliminated, as established boundaries for middle and high schools would be superseded by proximity to a school.
  - A student could live in an attendance area for a school, but live farther away from the school than a student in an adjoining attendance area.

- Significant disruption for families:
  - If current non-magnet, non-traditional high were students were assigned according HB 151/HCS, almost half, or 9,815 students would be assigned to a new school, and 10,756 would remain in the same school.
  - This displacement would begin with freshman class in 2019.
  - Almost half of families who will have been counting on access to the middle or high school based on their address would find themselves assigned to a different school.

***Less equity – Would reduce access to high performing schools and to schools with special programs for students who live farther away from those schools***

- This would significantly reduce the ability of students who live farther away from high performing schools, or schools that have specialized programs, to be able to attend those schools.
- There would be a significant impact on choice and equitable access to learning opportunities:
  - The bill limits attendance to a school other than the one closest to their home in to the following: the next closest school, when the closest school is full; a magnet or traditional school a student is admitted to; or a school a child is already attending.
- This would mean that, for example:
  - A cluster 13 student in Wheatley’s resides who wanted to attend Hawthorne for the Spanish Immersion program could not;
  - A student from Conway’s resides who wanted to attend the all-girls academy at Olmsted South could not;
  - A student in Valley’s resides who wanted to attend Western’s Culinary Arts program could not.

***Less diversity – Would create schools that are more segregated by race and income.***

- There would be a significant reduction of diversity in our schools, based on race and income.
- The educational and social experiences of all students would be diminished if, as our community and world becomes more diverse, our schools become less diverse.
- Indeed, because housing patterns in Louisville remain largely segregated by race and income, the unintended consequence of the bill would be that many of our schools would become as segregated as our neighborhoods.

***Lower student achievement – Would create more schools with high concentrations of poverty, where low-income students do less well.***

- The consequence of HB 151 would be an increase in the number of JCPS schools that have high concentrations of students living in poverty.
- JCPS already has a high number of high-poverty schools. 39 of the 149 elementary, middle and high schools, or about a quarter of our schools, have over 80% low-income students. HB 151 would make the number of schools even bigger.
- Poverty creates multiple, significant barriers to student learning, which we fight to overcome every day. High concentrations of student in poverty dramatically increase the difficulty for teachers to succeed with their students.
- Research consistently shows that low-income students do less well in high poverty schools than in lower poverty schools, even when they get additional supports. Even if they go to school closer to their homes.
- This is evident when one compares student performance at Title I schools, which have higher concentrations of poverty and receive additional funds to address student needs, and non-Title I schools. Data shows that low-income students attending non-Title I schools, with lower concentration of poverty, perform better than their peers who attend Title I schools with higher concentrations of poverty.
- With the passage of HB 151, we can expect:
  - Achievement gaps based on race and income to widen;
  - The number of Priority schools in JCPS to increase; and
  - The overall level of student achievement to decrease.
- The impact of HB 151 will be felt most deeply by low-income families and children, and families and children of color.