



# ESSAY

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## INTERDISTRICT CHOICE FOR STUDENTS IN FAILING SCHOOLS: BURDEN OR BOON?

*By James V. Shuls, PhD*

### ABSTRACT

In June of 2013, the Missouri Supreme Court upheld a state law that allowed students in unaccredited school districts to transfer to nearby accredited districts. The student's home district would be responsible for making tuition payments and providing transportation. Using data, firsthand accounts, and structured interviews with school district superintendents, this paper examines what happened in response to the transfer program. Specifically, it

examines how the districts responded. In all, more than 2,000 students transferred from the unaccredited Normandy and Riverview Gardens school districts, roughly a quarter of the total student population. These students transferred to two dozen area school districts. Except in isolated cases, evidence suggests that these students were largely absorbed into receiving school districts without causing much disruption. For the unaccredited school districts, however, the transfer program had a profound impact on school finances.

ADVANCING LIBERTY WITH RESPONSIBILITY  
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## I. INTRODUCTION

When more than 2,000 Saint Louis–area students transferred schools at the beginning of the 2013–14 school year, many were concerned about the impact it might have on area schools. Writing in separate opinion pieces that appeared in the *St. Louis Post-Dispatch*, Brad Desnoyer,<sup>1</sup> a law professor at the University of Missouri–Columbia, and Karl Frank Jr.,<sup>2</sup> a former school board member, both warned the program would spell doom for the unaccredited school districts. J. Martin Rochester, Curators’ Teaching Professor of Political Science at the University of Missouri–St. Louis, worried the program would lead to a decline in rigor at the higher-performing school districts.<sup>3</sup> The editorial board of the *St. Louis American*, a newspaper that traditionally serves the black community, said they were “mostly apprehensive, fearing hostile learning environments, clashes between youth who have had no training in understanding one another, and the potential abject failure of two struggling black school districts that could start a domino effect.”<sup>4</sup> Now, more than a year later we can begin to examine the impact of this transfer program.

The transfer issue at hand finds its origins in the Outstanding Schools Act of 1993. The comprehensive omnibus bill sought to improve the quality of Missouri schools through a number of new programs and initiatives, including the establishment of curriculum standards, increased funding, and increased accountability. One provision of the bill allowed students in unaccredited school districts to transfer, at the expense of

their district, to a nearby accredited district. For 14 years, that provision of the act went largely unnoticed; that is, until Jane Turner and several other parents from the unaccredited St. Louis Public Schools sued the Clayton School District. Turner and the other plaintiffs in the case had been paying tuition to Clayton so that their children could attend better schools. That case wound its way through the court system until it was finally settled, under a new name—*Breitenfeld v. Clayton*—in 2013. By that time, St. Louis Public Schools had regained provisional accreditation, but two other Saint Louis–area school districts, Normandy and Riverview Gardens, had lost theirs. The decision, handed down on June 11, 2013, roiled the Saint Louis area for the next several months.

Although the law had been in effect for 20 years, it caught area school districts by surprise, unprepared to deal with the sudden transfer of potentially thousands of students from the two unaccredited districts. Jeff Marion, superintendent of the St. Charles School District, remarked, “The law had been on the books, but I think people really thought it would never be implemented. I don’t know that there was any real preparation for it. As long as it was tied up [in the courts] people were just kind of on hold.”<sup>5</sup> This meant area school leaders had roughly two months to put in place a system to handle transfer students. Bernie Dubray, superintendent of the Fort Zumwalt School District, noted that this would be “a very complex process and it had to happen in about 45 days.”<sup>6</sup>

# Interdistrict Choice in Saint Louis: Action Through the Courts

By Brittany Wagner

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In 1972, Minnie Liddell's son, Craton, was trapped in St. Louis Public Schools (SLPS). The exodus of thousands of white residents to outlying counties had led to Saint Louis becoming one of the nation's most segregated cities.<sup>1</sup> While several of the state's highest performing school districts were located across the county line, Craton's school underperformed.

Liddell and a group of North Saint Louis residents sued the St. Louis Public School Board and the state of Missouri.<sup>2</sup> They argued the two entities had violated the U.S. Constitution as interpreted by the 1954 landmark Supreme Court case *Brown v. Board of Education*.<sup>3</sup>

"When we started our crusade, we had no idea where the struggle would take us. We had no money and very little support. Not even the black community was responsive. But we were determined to improve the quality of education for our children," Liddell said.<sup>4</sup>

The litigation that followed resulted in a 1983 desegregation settlement involving the creation of a city-county transfer program, which became known as the Voluntary Interdistrict Choice Corporation, or VICC.<sup>5</sup> An additional settlement in 1999 established a tuition payment, which during the 2013–14 school year became \$7,200.<sup>6</sup>

In 1993, the Outstanding Schools Act was signed by former Governor Mel Carnahan.<sup>7</sup> Concurrently, the legislature codified portions of the act, which stipulated that unaccredited school districts must pay the tuition and transportation costs of students transferring to accredited districts.<sup>8</sup> Unlike the VICC program, a tuition ceiling was not established. Additionally,

the intent of the act had more to do with public school accountability than desegregation. A similar accountability measure was added to the reauthorization of the Elementary and Secondary Education Act known as No Child Left Behind in 2002.<sup>9</sup>

Before 1993, VICC was the only form of interdistrict choice in Saint Louis, leaving non-African-American students in Saint Louis with few options. Without access to the VICC transfer program, parents like Jane Turner had to choose between SLPS, private schools, or county school districts accepting tuition payments. Turner paid between \$10,000 and \$16,000 for her two sons to attend Clayton School District.<sup>10</sup> After SLPS became unaccredited in 2007, Turner and other parents sued, referencing the school transfer law.<sup>11</sup>

In 2010, the Missouri Supreme Court ruled in favor of Turner but remanded the suit to a lower court for implementation.<sup>12</sup> Upon remand, the circuit court once again ruled in favor of the school districts.<sup>13</sup> By this time, the case was known as *Breitenfeld v. Clayton* because the only remaining plaintiff was Gina Breitenfeld and her two daughters.<sup>14</sup> Once again, the supreme court reversed the lower court's decision in 2013.<sup>15</sup> By the time the 20-year-old school transfer law was upheld again in 2013, SLPS had regained provisional accreditation, but the Normandy and Riverview Gardens school districts were unaccredited. The following school year, more than 2,000 students transferred from the districts.

## NOTES

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2 "Desegregation Timeline," <http://choicecorp.org/DesegregationTimeline.pdf>.

3 Timothy Fox, "Liddell at 40: Conference Celebrates Landmark School Desegregation Case Hero, Examines Urban Education's Hero," Washington University Law, <http://law.wustl.edu/news/pages.aspx?id=9181>.

4 Robert W. Tabscott, "Minnie Liddell's Quest," *STL Beacon*, September 29, 2009, [https://www.stlbeacon.org/#!/content/20621/minnie\\_liddells\\_quest](https://www.stlbeacon.org/#!/content/20621/minnie_liddells_quest).

5 "Frequently Asked Questions," Voluntary Interdistrict Choice Corporation, <http://www.choicecorp.org/FAQ.pdf>.

6 Ibid.

7 "A Primer to the Outstanding Schools Act," Missouri Governor's Office, 1993, <http://files.eric.ed.gov/fulltext/ED369165.pdf>.

8 "Not in My Backyard: Turner v. Clayton and the Battle Over Mandatory Open Enrollment," Saint Louis University School of Law, 2012, [http://www.slu.edu/Documents/law/PLR/Archives/McClure-Hartman\\_Article.pdf](http://www.slu.edu/Documents/law/PLR/Archives/McClure-Hartman_Article.pdf).

9 "Questions About School Choice Under ESEA Title I Improvement Programs," Texas Education Agency, [tea.texas.gov/WorkArea/DownloadAsset.aspx?id=2147508316](http://tea.texas.gov/WorkArea/DownloadAsset.aspx?id=2147508316).

10 Elisa Crouch, "Whatever the Outcome, Clayton Tuition Lawsuit Has Hefty Tab," *St. Louis Post-Dispatch*, March 13, 2011, [http://www.stltoday.com/news/local/education/whatever-the-outcome-clayton-tuition-lawsuit-has-hefty-tab/article\\_0d21c09a-d430-5634-89d2-4a6e96e0b179.html](http://www.stltoday.com/news/local/education/whatever-the-outcome-clayton-tuition-lawsuit-has-hefty-tab/article_0d21c09a-d430-5634-89d2-4a6e96e0b179.html).

11 Ibid.

12 "Not in My Backyard."

13 D.J. Wilson, "Five Years into the Turner Case the Fate of Saint Louis Schools Remains in Question," *Saint Louis Magazine*, August 22, 2012, <http://www.stlmag.com/Five-Years-Into-the-Turner-Case-the-Fate-of-St-Louis-Schools-Remains-in-Question/>.

14 Ibid.

15 Elisa Crouch, "Student Transfer Ruling Is Reversed by Supreme Court," *St. Louis Post-Dispatch*, June 12, 2013, [http://www.stltoday.com/news/local/education/student-transfer-ruling-is-reversed-by-missouri-supreme-court/article\\_f397d1ee-5bb4-598a-aece-5f0511bf3abb.html](http://www.stltoday.com/news/local/education/student-transfer-ruling-is-reversed-by-missouri-supreme-court/article_f397d1ee-5bb4-598a-aece-5f0511bf3abb.html).

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This paper offers a descriptive analysis of what happened in the wake of the Missouri Supreme Court's ruling. The overarching research question for this project was relatively simple: What happened? This question is broken down into four categories in this paper.

1. What are the characteristics of transfer students?
2. Where did transfer students go?
3. How did school districts respond?
4. What was the impact on academics and finances?

After describing the methods for data collection and analysis in Section II, this paper will describe how the program got started (Section III) and the characteristics of transfer students (Section IV). Section V contains information about which school districts transfer students chose to attend. Section VI describes how area school districts responded to the transfer program. Section VII discusses the impact the program had on unaccredited and accredited districts. Finally, Section VIII draws conclusions.

## II. METHODS

To answer the questions highlighted above, I gathered information from a host of different sources. I drew the historical context and description of events largely from newspaper articles and primary documents. Additionally, I analyzed board documents from the two unaccredited school districts. I used data provided by the Missouri Department of Elementary and

Secondary Education (DESE) to describe the characteristics of transfer students, while Education Plus provided transfer student enrollment figures.

I gathered the bulk of the information about how districts responded via semi-structured interviews.<sup>7</sup> In the spring of 2014, I invited each of the 26 Saint Louis–area school superintendents involved in the transfer program to participate in an interview. At the time, however, controversial legislation about the transfer program was pending and several superintendents asked to wait until after the legislative session. At that point, however, many school districts were engaged in further legal disputes regarding the transfer program and declined to participate in the study. In the end, eight superintendents, 31 percent, agreed to participate. Fourteen interviews with individuals intimately familiar with the transfer program supplemented the superintendents' comments. These individuals were parents, students, a teacher, a school board member, Missouri's commissioner of education, and representatives of the National Association for the Advancement of Colored People (NAACP), the Children's Educational Alliance of Missouri (CEAM), and Education Plus (formerly the Cooperating School Districts of St. Louis).\*

To understand the impact of the transfer program, I conducted a semi-structured interview with each school superintendent. I recruited superintendents for this project because they are able to give a broad overview of how the program impacted the district as a whole. For

\*Brittany Wagner conducted several interviews

the superintendents from school districts that received transfer students, I designed the interview questions to allow participants to share how the transfer program impacted the receiving school districts. These questions included:

1. How did you decide which school students would attend?
2. Were any new policies put in place to accommodate students?
3. Were any new teachers/staff members hired?
4. What was the biggest challenge?
5. How have new students fit in?
6. How has this impacted students in your district?

Of the two superintendents of the unaccredited school districts, Normandy Superintendent Ty McNichols agreed to an interview. In order to make sure the perspective of the Riverview Gardens School District was not missed, I conducted interviews with one Riverview Gardens teacher and one member of the appointed Riverview Gardens School Board. In these interviews, I asked participants to detail what changed in the unaccredited school districts as a result of the transfer program.

### **III. GETTING THE PROGRAM STARTED**

When the Missouri courts determined that students from the unaccredited Normandy and Riverview Gardens school districts would be allowed to transfer to any accredited school district in the same or adjoining

county, there were no structures in place to facilitate the process. There were no forms for students to fill out, no methods for verifying addresses, and no way to determine how students were to apply or be enrolled in accredited schools. According to the law, students had the ability to choose any school, not simply a district, which they wanted to attend, regardless of the school's capacity. The law also indicated that the sending district must pay tuition and transportation costs. The thought of thousands of students applying to different schools with varying admissions procedures and providing transportation for each of these students was daunting.

State education officials also worried that the process would not work without some guidance. Just one week after the supreme court decision, DESE issued nine guidelines for student transfers from unaccredited districts to accredited districts.<sup>8</sup> The guidelines provided receiving schools the opportunity to reject students based on space. They also allowed sending districts to choose to provide transportation to one, rather than all, of the receiving school districts. Though potentially in violation of the law, these two policies were game changers. They shaped the development of the transfer program.

Even with guidance from DESE, there were still no structures in place to implement the transfer program. Don Senti, executive director of Education Plus, thought VICC was the natural organization to handle student transfers.<sup>9</sup> Created in 1983 as a result of a different court case, VICC's mission "oversees the implementation

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of the metropolitan area desegregation program. . . .” The voluntary desegregation program allows students in St. Louis Public Schools to attend a school in a participating county school district. It also enables county students to attend a St. Louis magnet school.

Though it may have seemed a natural fit for VICC to handle transfers from Normandy and Riverview Gardens, that job fell outside of the organization’s charge. In stepped Senti and Education Plus. All of the public school districts in the Saint Louis area are members of the Education Plus consortium. Jeff Marion, superintendent of the St. Charles School District, said, “They saw a need and they are there to serve school districts, so they considered it a part of the services they could offer.” Senti and the Education Plus team pulled the Saint Louis–area superintendents together and came up with a plan to handle student transfers. Fort Zumwalt Superintendent Bernie DuBray believes that Education Plus is the reason that things went as smoothly as they did.

Within three months, Education Plus placed more than 2,600 students in 24 different school districts. Not everyone was completely satisfied with the way Education Plus handled the situation. Kate Casas, then state director of CEAM, said, “There were deadlines, paperwork, and lots of unnecessary barriers.”<sup>10</sup> Casas and her co-workers at CEAM hosted town hall meetings and went door to door in an effort to inform parents of their rights. Casas also worked with Education Plus to make sure the process was as simple as possible. In the end, she felt the process developed by Education Plus

was designed with members in mind (school districts), not families.

Once school districts had a better sense of how many transfer students they would be receiving, the first order of business was to determine which school the students would attend. The law indicated that parents could not only pick the school district, but also the individual school in which they wanted their child to attend. For school districts that received few students, such as Fort Zumwalt, Orchard Farms, and St. Charles, it was relatively easy to accommodate parents’ wishes. Districts receiving higher numbers of students had to be more thoughtful in how and where they assigned students. They had to make sure siblings were in the same school, whenever possible. If a student had an older sibling in middle or high school, they had to make sure the elementary student attended a feeder school for that particular secondary school. Tom Williams, superintendent of the Kirkwood School District, said his administrative staff began looking at the average class size in each of the schools and began plugging students in where they would fit.<sup>11</sup> His district received 175 students.

In Francis Howell, where they received 440 students, the process of assigning students to schools was a much more labor intensive process. That number of students is equivalent to the size of a large elementary school. Fortunately, the district with more than 17,000 students had adequate space for the students; they just had to make sure they were distributed in a thoughtful manner. Superintendent Pam Sloan said her team had five weeks from the time they knew how many students

they would be receiving to the start of school. The overarching policy of the district was to not “overly impact any one building.”<sup>12</sup> Sloan says they were successful at achieving this goal. She indicated that the elementary schools received around 20 students, middle schools around 30, and the high schools received 30 to 40 students. At the classroom level, they did not want any one teacher to get more than one or two new transfer students.

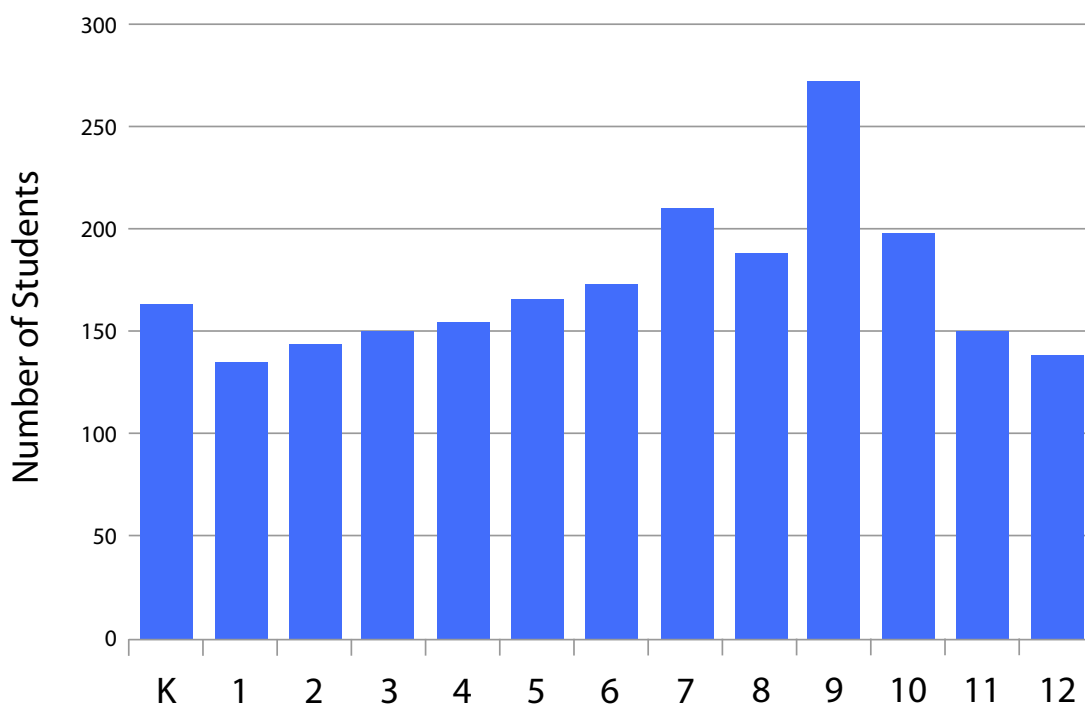
Once students were assigned, it was pretty much business as usual for all of the affected school districts. As Jeff Marion, superintendent of the St. Charles School District, said, “It was just like enrolling any other new kids.”<sup>13</sup> He insisted that his faculty and staff treat all transfer students as they would any other student. This

sentiment was reiterated by other superintendents as well. Kirkwood principals initially rode the bus with students from the Riverview Gardens School District in an attempt to welcome the students to the district. They also held an initial orientation and a general induction to the school. After those initial welcoming events, Superintendent Tom Williams said that transfer students were treated like normal Kirkwood students.

#### IV. WHAT ARE THE CHARACTERISTICS OF TRANSFER STUDENTS?

Students from every grade chose to transfer schools. We might expect more students to transfer at grades with a natural break. That is, students typically change schools as they enter middle school in sixth grade and again

**Figure 1: Transfer Students by Grade, 2013-2014**

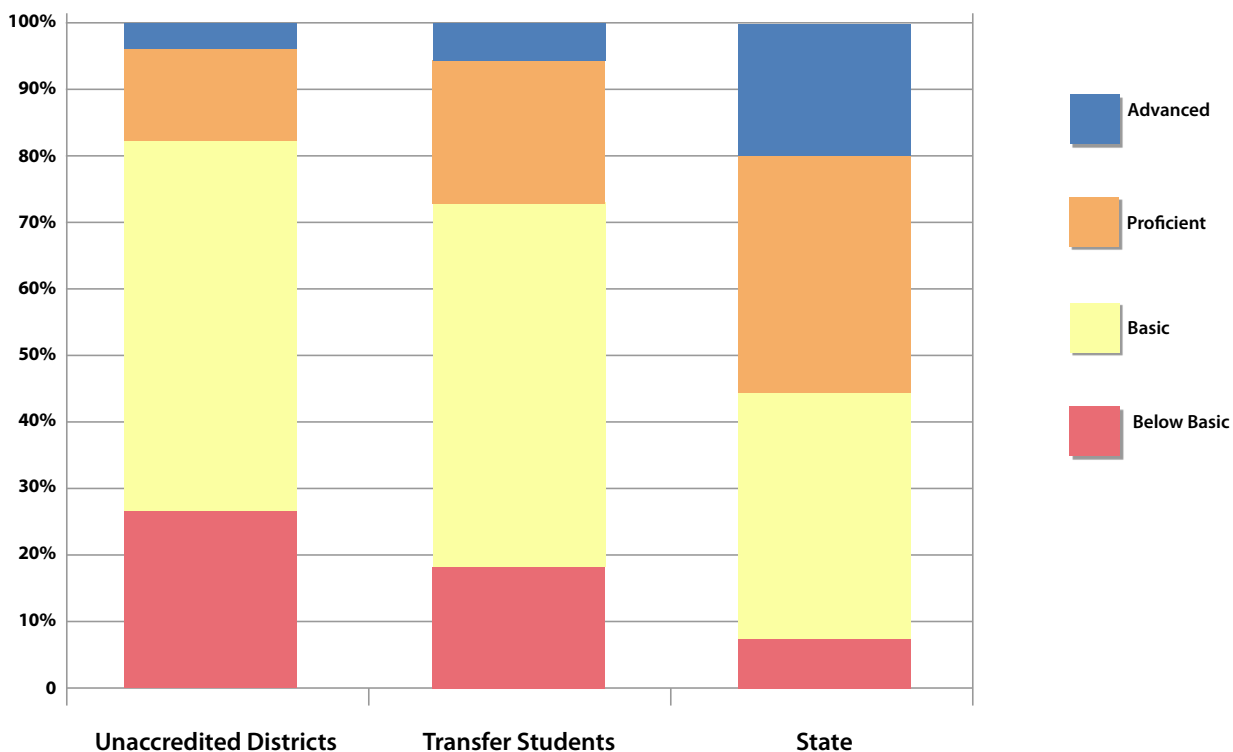


when they enter high school in ninth. Thus, they may be more willing to transfer to another school district at this normal break point. As it turns out, a spike was apparent in the ninth grade, but not at sixth grade (Figure 1).

Some worried that the transfer program would result in the loss of the best students from the unaccredited school districts. Even though all students were eligible to transfer, it seems reasonable that students with the most engaged parents may be more likely to leave the low-performing school districts. This could potentially create an exodus of high-performing students.

As it turns out, the transfer students were slightly more likely to score proficient or advanced on state exams in English language arts (ELA) and mathematics (Figures 2 and 3). In 2013, just 18 percent of students in the two unaccredited school districts scored proficient or advanced in ELA, 16 percent in math. In comparison, 26 percent of transfer students scored proficient or advanced in ELA, 24 percent in math. Still, it hardly can be claimed that the transfer students consisted solely of the best and brightest students. In both subjects, approximately three-fourths of transfer students were performing below grade level. It is also important to note that the data used in this analysis do not

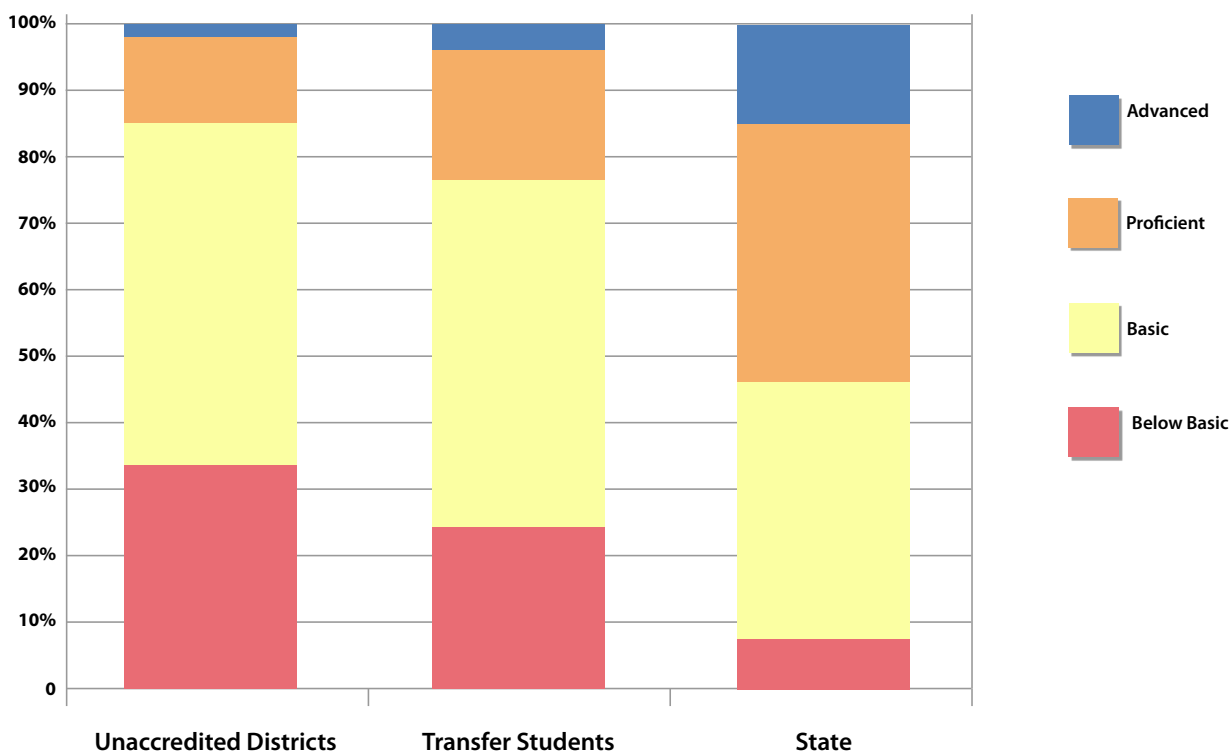
**Figure 2: Performance on English Language Arts Exams, 2013**



*Transfer students were slightly more likely to score advanced or proficient on state exams in ELA, but three quarters of the transfer students tested below grade level.*



**Figure 3: Performance on Math Exams, 2013**



*Transfer students were slightly more likely to score advanced or proficient on state exams in mathematics. Overall, the majority of transfer students scored in the basic or below basic performance level.*

indicate which school or district a student attended prior to transferring. There was some speculation that students moved into the district to take advantage of the transfer program. With the currently available data, there is no way of knowing whether this is true or how these students may have differed from the other transfer students.

Transfer students also differed from the average student in the unaccredited districts in other regards. They were slightly less likely to have an individualized education plan (IEP). Statistically, they were less likely to

qualify for free or reduced-price lunch (FRL), and more likely to be white (Table 1). Still, more than 85 percent of transfer students qualified for free or reduced-price lunches, and just 2.5 percent were white. Thus, transfer students tended to be minority students from low-income families.

**V. WHERE DID TRANSFER STUDENTS GO?**

Students from Normandy and Riverview Gardens transferred to 24 different Saint Louis–area school districts. As of August 28, 2013, as few as one and as many as 440

**Table 1: Demographic Characteristics of Transfer Students and Unaccredited School Districts**

	<b>Transfer Students</b>	<b>Unaccredited School District</b>
<b>Percent with an IEP</b>	11.4%	12.5%
<b>Percent FRL</b>	85.3%	*92.7%
<b>Percent Male</b>	52.2%	51.4%
<b>Percent White</b>	2.5%	**1.4%

\*  $p. < 0.05$ , \*\*  $p. < 0.01$

*T-tests indicate that the percent of transfer students who qualified for free or reduced-price lunches (FRL) was significantly lower than the percent of students in unaccredited districts. Transfer students were also significantly more likely to be white but were not statistically different in regards to gender or the percent with an Individualized Education Plan (IEP).*

students had transferred to any one single district. Enrollment in other districts was largely dependent upon transportation. The Normandy School District elected to provide transportation to the Francis Howell School District, while Riverview Gardens bused students to the Mehlville and Kirkwood school districts. These three school districts enrolled a combined 821 students, 38 percent of the total number of transfer students. Francis Howell enrolled the most students, with Mehlville and Kirkwood rounding out the top five. The Ferguson-Florissant and Hazelwood school districts enrolled the second and third most students. In all, these five districts enrolled more than two-thirds of the transfer students (Table 2).

Though transportation was not provided to Ferguson-Florissant and Hazelwood, the districts each border one of the unaccredited school districts. They also may have been more welcoming of transfer students. Art McCoy, superintendent of the Ferguson-Florissant School District at the time, was vocal that area school districts had enough space to accommodate transfer students.<sup>14</sup> He suggests that his former district and Hazelwood were lifesavers to Education Plus and other school districts because they were willing to take in so many transfer students.<sup>15</sup> McCoy even began engaging the community to raise funds to provide transportation for transfer students. Citing undisclosed differences, his school board placed him on leave

mid-year. He resigned in March 2014.<sup>16</sup>

Initially, it was thought that unaccredited school districts would provide transportation to every district for every transfer student. However, DESE's guidelines instructed unaccredited school districts to choose one school to which they would provide transportation. Prior to this, few would have expected Francis Howell and Mehlville to receive so many transfer students. Both school districts are located more than 20 miles away from the sending district, and students riding school buses would pass through multiple districts on the way to either Francis Howell or Mehlville. Indeed, some believed the unaccredited districts intentionally chose schools that were far away so that students would be dissuaded from transferring. One parent was quoted by the *St. Louis Post-Dispatch* as saying, "What they're trying to do is keep us in this district rather than let us go where we want to put our kids. . . . I think they are trying to pull a fast one."<sup>17</sup>

Normandy announced they would provide transportation to Francis Howell on June 28, 2013, and soon thereafter, on July 9, Riverview Gardens announced they had chosen Mehlville. Riverview Gardens Superintendent Scott Spurgeon told the *St. Louis Beacon* that several factors were considered when deciding where

**Table 2: Number of Transfer Students Enrolled in Each School District as of August 28, 2013**

District	District Enrollment	Transfer Students	Percent Student Increase
Affton	2,402	1	0.04%
Wentzville	13,672	3	0.02%
Orchard Farm	1,521	3	0.20%
Rockwood	22,019	4	0.02%
Hancock Place	1,476	5	0.34%
Fort Zumwalt	18,626	12	0.06%
St. Charles	5,087	12	0.24%
St. Louis	25,200	13	0.05%
Lindbergh	5,874	14	0.24%
Webster Groves	4,362	21	0.48%
Jennings	2,511	22	0.88%
Brentwood	772	38	4.92%
Maplewood-Richmond Heights	1,134	42	3.70%
Clayton	2,504	46	1.84%
Parkway	17,287	76	0.44%
Pattonville	5,563	84	1.51%
Ladue	3,978	84	2.11%
University City	3,016	98	3.25%
Ritenour	6,188	115	1.86%
Kirkwood	5,281	175	3.31%
Mehlville	10,682	206	1.93%
Hazelwood	17,872	258	1.44%
Ferguson-Florissant	11,270	371	3.29%
Francis Howell	17,148	440	2.57%

**Table 3: 2012 Per-Pupil Expenditures in the Saint Louis Area**

District	Per-Pupil Expenditures
Clayton	\$18,372
Brentwood	17,188
St. Louis	15,658
Maplewood-Richmond Heights	15,038
Pattonville	14,369
University City	12,238
Normandy	12,276
St. Charles	12,271
Kirkwood	12,210
Parkway	12,121
Ladue	11,904
Webster Groves	11,356
Ferguson-Florissant	11,313
Hancock Place	11,302
Jennings	10,902
Orchard Farm	10,897
Affton	10,709
Hazelwood	10,493
Francis Howell	9,830,
Lindbergh	9,529
Fort Zumwalt	9,518
Riverview Gardens	9,471
Ritenour	9,402
Rockwood	9,364
Wentzville	9,035
Mehlville	8,351

transportation would be provided.<sup>18</sup> These included:

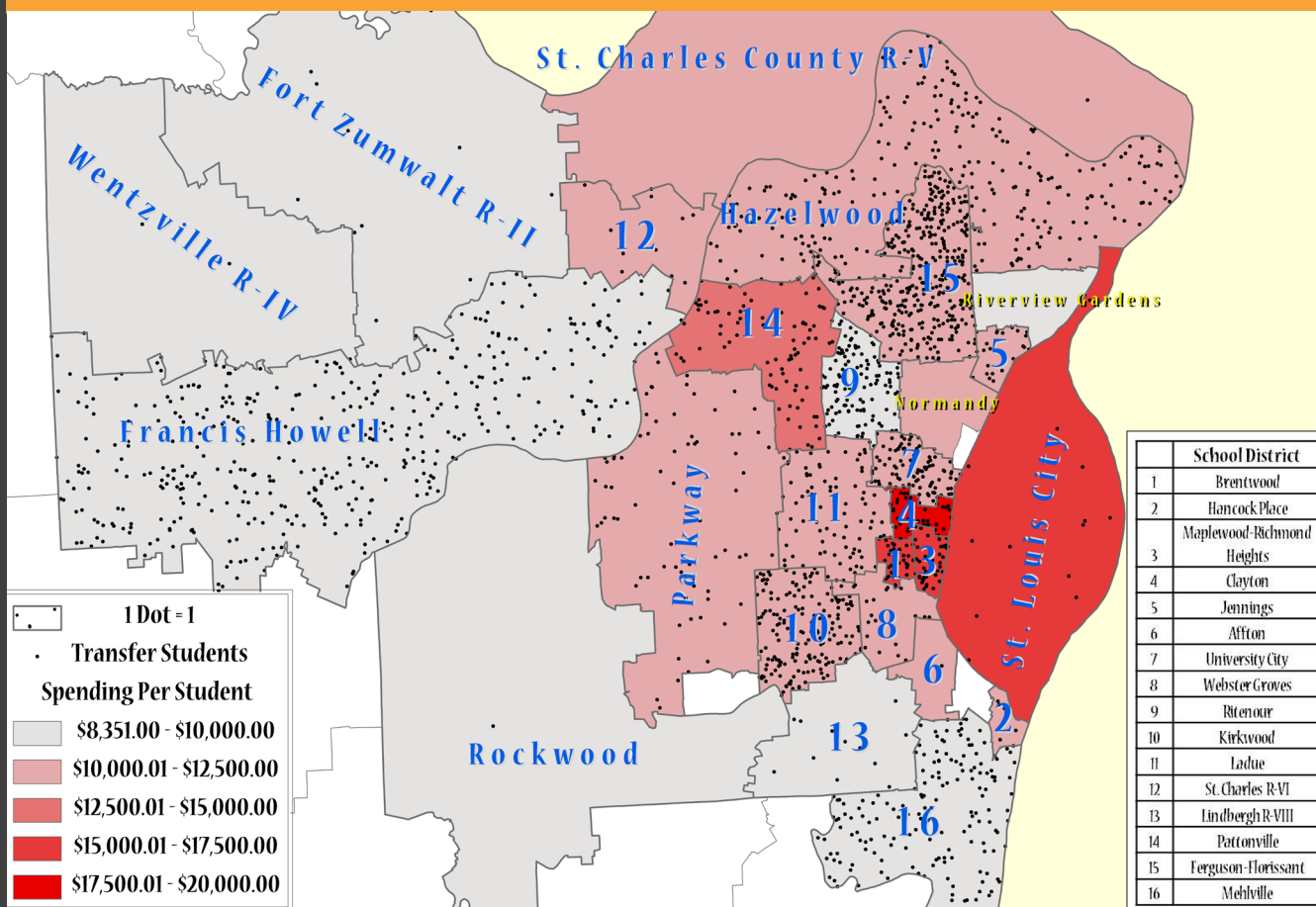
- Academics
- Tuition cost
- Capacity
- Geographic location
- Experience with students

During my interview, Normandy Superintendent Ty McNichols indicated that Normandy school leaders considered the same criteria when choosing Francis Howell.

School board members may very well have considered all of these factors. Undoubtedly, however, the most important factor had to be tuition. Each receiving district had the ability to set their tuition rate, based primarily on their per-pupil expenditures. In 2012, the year preceding transfers, per-pupil expenditures in the Saint Louis area ranged from a low of \$8,351 in Mehlville to \$18,372 in Clayton. It was in the financial interest of Normandy and Riverview Gardens to funnel as many transfer students as possible to schools with low tuition, because they were picking up the tab. If they did not, they might face financial ruin. For Normandy, which spent \$12,276 per pupil in 2012, it was not difficult to find a district that spent less. Indeed, 18 Saint Louis–area school districts spent less. For Riverview Gardens, however, it was more difficult as only four districts spent less (see Table 3). Of those, only one was closer than Mehlville, the provisionally accredited Ritenour School District. Given the facts regarding tuition, location, and academic achievement, the decisions of Normandy and Riverview Gardens seem less like they were trying to “pull a fast one” to keep students in the district. Rather, it seems they were trying to make sound, calculated decisions.

Almost immediately after being named by Riverview Gardens as a transportation district,

## Figure 4: Spending Per Pupil and Destinations of Normandy and Riverview Gardens Transfer Students



*This map of Saint Louis-area school districts displays per-pupil expenditures and number of transfer students.*

Mehlville announced they did not have enough space for transfer students. As the *St. Louis Post-Dispatch* reported, “When faced with the prospect of accepting busloads of students transferring from Riverview Gardens schools, the response from the Mehlville district has been to essentially light a ‘no vacancy’ sign.”<sup>19</sup> This action put the tenuous guidelines from DESE and the school districts in jeopardy of being taken to court once

again. Indeed, some were threatening to sue. This was averted, however, when Riverview Gardens announced a second transfer district, Kirkwood.

At first, the decision to bus students to Kirkwood seems to contradict the notion that transportation decisions were based largely on tuition. As previously noted, however, Riverview Gardens had very few choices where the tuition amount was lower than the district’s own per-pupil expenditure.

*The political agenda of Education Plus, MASA, and other education groups was clear. They denounced the transfer program and sought to limit its affects or dismantle the law entirely.*

Two districts were further away than Mehlville and one was only provisionally accredited. By necessity the district had to choose a district where tuition costs would be higher. It is likely, that the other factors such as academics and experience with transfer students played a larger role in this decision. Indeed, the Kirkwood School District is among the highest achieving districts in the state, and they have voluntarily taken many students from St. Louis Public Schools through the VICC program. The decision may have also been an effort to shepherd students away from the astronomically high tuition costs in the Clayton and Brentwood school districts. If that was the case, it seems to have worked. The number of Riverview Gardens students who enrolled at either of the high-spending districts was approximately two-fifths the number of Normandy students enrolled in Clayton and Brentwood.

Kirkwood also may have been a willing partner. Contrary to Francis Howell and Mehlville, which immediately balked at being chosen as transportation districts, Kirkwood issued a statement welcoming the opportunity. In a press release, Kirkwood Superintendent Tom Williams stated:<sup>20</sup>

*We welcome the opportunity to assist the Riverview School Community and will work with parents and students to ensure a smooth transition for all of our students. We believe we have room for approximately 100 students from Riverview Gardens and Normandy. This number may change as we enroll resident students. Kirkwood has welcomed transfer*

*students through the Voluntary Interdistrict Choice Corporation (VICC) for more than 25 years. Our students participating in this program have become a part of our school community. There is a process for enrolling students, and when the process is followed students benefit. We believe we will have a similarly positive experience with transfer students from unaccredited school districts.*

This is not to say that Kirkwood asked to be chosen or volunteered for the role. Rather, it seems the district's reputation as a high-performing school district that welcomes transfer students may have been noticed by Riverview Gardens school leaders anxious to avoid further controversy.

## **VI. HOW DID SCHOOL DISTRICTS RESPOND?**

For several years, Saint Louis–area school districts fought in the courts against the interdistrict transfer law. With the Missouri Supreme Court's ruling in *Breitenfeld v. Clayton*, these districts now had to enroll students from the unaccredited Normandy and Riverview Gardens school districts. When confronted with this new reality, the actions of the districts shifted from the legal arena to the political and policy arenas. In this analysis, the “political” section encompasses all activities designed to shape legislative policy; while the “policy” section describes actions taken regarding management of the transfer program. Some of the actions considered in the policy arena may also be considered local politics.

The previous sections of this paper are fairly straightforward descriptions of the facts. It is a bit more complicated, however, to describe how districts responded. There are not readily available data that indicate whether new programs were created because of the transfer program or whether a new teacher was needed due to the influx of students. Therefore, this paper relies on the responses of individuals who were involved in the transfer program. Information was gleaned from interviews with participating superintendents and other community members engaged in the transfer issue.

Politically, school districts worked to end the transfer program. They relied on Education Plus and other associations for their lobbying expertise. Indeed, through Education Plus district officials helped craft legislative suggestions.<sup>21</sup> Within weeks of the ruling, the group issued a position paper calling for a host of reforms to the law and education policy in general.<sup>22</sup> Among other things, Education Plus called for more funds, mandatory kindergarten, preschool, accreditation at the school level instead of the district level, and incentives for teachers to work in high-poverty districts. The paper also made a host of recommendations for an early intervention model and potential partnerships with accredited school districts. While the majority of the document focused on proactive interventions and policies, the theme of the document was that the transfer program was not the right way to improve unaccredited schools.

Through Education Plus, area superintendents argued that school

choice simply did not work as a method to improve the quality of schools. They wrote, “In the private sector, choice does create competition in the marketplace. It works there. But it does not work in public schools, at least not in Missouri.”<sup>23</sup> This anti-choice narrative was one reiterated by the Missouri Association of School Administrators (MASA). They too issued a position paper on unaccredited schools, in which they wrote, “The consensus among Missouri education leaders is that transferring students out of unaccredited school districts is not in the best interest of all students and will not lead to improvement of unaccredited districts.”<sup>24</sup>

The political agenda of Education Plus, MASA, and other education groups was clear. They denounced the transfer program and sought to limit its affects or dismantle the law entirely. Indeed, ending the transfer program was the first issue listed on MASA’s 2013–14 legislative priorities.<sup>25</sup> One strategy for limiting the number of transfer students was to implement changes to the accreditation system. Both Education Plus and MASA suggested that schools, not districts, should be given an accreditation status. Though they had not shown strong support for this change in the past, they advocated strongly for this new policy in the 2014 legislative session. The change would mean that students in unaccredited schools would have the ability to transfer to accredited schools within their own district. They would only be able to transfer out of their district if there were not enough spaces in accredited schools.

*The transfer issue was one of the most active policy issues in the 2014 Missouri legislative session.*

## TIMELINE

- 1954**—*Brown v. Board of Education* desegregates public schools
- 1968**—Spainhower report proposes a unified regional school district in Saint Louis
- 1972**—Minnie Liddell sues St. Louis Public School Board, claiming the schools were segregated (*Liddell v. Board of Education for City of St. Louis*)
- 1983**—Desegregation settlement creates VICC, a “voluntary” inter-district school choice program
- 1993**—Governor Mel Carnahan signs Outstanding Schools Act; includes a provision for students to transfer from unaccredited school districts
- 2007**—Jane Turner sues Clayton after St. Louis Public Schools (SLPS) loses accreditation (*Turner v. Clayton*); Riverview Gardens also becomes unaccredited
- 2010**—The Circuit Court of St. Louis County grants summary judgment to Clayton
- 2010**—Missouri Supreme Court overturns circuit court and rules in favor of Turner, remands the case back to the circuit court (*Turner v. Clayton*)
- 2012**—Circuit court reconsiders case in light of supreme court’s decision, again rules in favor of the Clayton School District (*Breitenfeld v. Clayton*)
- 2012**—SLPS becomes provisionally accredited and Kansas City Public Schools (KCPS) loses accreditation
- 2013**—January 1: Normandy becomes unaccredited
- 2013**—June 11: Missouri Supreme Court upholds school transfer law by once again overturning the lower court ruling (*Breitenfeld v. Clayton*)
- 2013**—August: More than 2,000 students transfer from two unaccredited school districts, Normandy and Riverview Gardens
- 2013**—December 10: Missouri Supreme Court reaffirms the transfer program’s validity in *Blue Springs R-IV School District v. School District of Kansas City, Missouri*

The transfer issue was one of the most active policy issues in the 2014 Missouri legislative session. More than a dozen bills dealing with some aspect of the law were proposed. Ultimately, lawmakers coalesced around Senate Bill 493.<sup>26</sup> The cumbersome bill, 95 pages in length, contained many provisions advocated by education groups and would have significantly reduced the number of transfer students. It also contained a small voucher provision, which would turn out to be the poison pill. The bill was approved by the legislature but was eventually vetoed by Governor Jay Nixon. The governor cited many issues with the law.<sup>27</sup> His chief concern, however, was that the law would allow public dollars to go to private schools. The senate had enough votes to override the veto. However, house leadership feared they did not have enough support and did not bring the bill up for a vote.

While public school leaders worked to end the transfer program, they had an obligation to put policies in place to handle transfer students. It is easy to imagine district responses falling on a spectrum ranging from openly hostile to the transfer program to fully embracing the program. Though individuals may have had strong opinions, district policies fell mostly in the middle of that spectrum.

No district appeared to embrace the transfer program. A school district that saw the transfer program as an opportunity could see several possible benefits. First, most of the area school districts have had declining enrollments for years. Similarly, many have had declining revenues because of decreased property assessments. Transfer students might be a new revenue stream. After all, transfers are tuition-paying students, and the marginal cost of adding new students to existing classroom structures would be far less than the full tuition amount. To put it more succinctly, it does not cost \$12,000 to add one student to a classroom. Therefore, transfer students could yield significant financial gain for receiving school districts. If they saw the program in this way, a district might even want to recruit transfer students.

From the interviews with superintendents and analysis of the data, it seems no district fully embraced the opportunity presented in the transfer program. Most districts likely viewed the program as having little effect on their districts. As a result, they made few if any changes as a result of the program. They were able to simply integrate new transfer students into existing programs. This fact was noted by the *St. Louis Post-Dispatch* in February 2014, “. . . with few exceptions, the new students have been absorbed into existing schools without the need of more teachers and new classrooms.”<sup>28</sup> Of the 11 districts cited in the *Post-Dispatch* report, only one, Ferguson-Florissant, had added new teachers and three, including Francis Howell, had added support staff.



Of all the school superintendents interviewed for this project only Francis Howell's Sloan could identify a program started specifically for the transfer students. Students traveling from Normandy to Francis Howell and back had long bus rides, and some discipline issues arose. The district built a grab-and-go food system before and after school. This allowed students to have a snack on the bus ride. The district obtained a grant for students to have Kindles on the bus ride so they could do schoolwork. They also paid for hallway and bus monitors. This was particularly important for the hours after school ended but before an activity or event began. The monitors helped supervise students in this unstructured time.

Both Sloan and Superintendent Williams from Kirkwood indicated the biggest issue they faced during the first year of the transfer program was transportation. While there were some discipline issues on buses, there was a much more basic concern—getting students to school on time. Traffic along some of the routes could be incredibly congested during the morning commute. Additionally, the unaccredited school districts would not provide transportation when their district was closed. This caused students to miss several days when the unaccredited districts were closed due to inclement weather, but the receiving districts remained open.

In addition to logistical challenges, transfer students also brought new educational needs. Francis Howell had to build some intervention systems so that students could be screened and given the appropriate supports.

According to Sloan, some students had passed Algebra I in their home district but were unprepared for Algebra II in the new district. Additionally, many of the students were below grade level in reading. All of this required the district to hire some additional support staff. Sloan estimates that one paraprofessional was hired for every third grade class and another 10 positions were hired around reading and math support. The district also hired a retired administrator to answer parent and community questions. According to Sloan, the transfer program made her staff take their “eye off the ball.”

Overall, districts tended to respond negatively to the program in the political arena. Through various education associations, they lobbied to alter or abolish the transfer program. Meanwhile, most districts accommodated transfer students without making significant changes to staffing.

## VII. WHAT WAS THE IMPACT ON ACADEMICS AND FINANCES?

### *Receiving Districts*

Financially, the transfer program was a boon for receiving school districts. As noted, few districts used transfer money to add any teachers or staff. Jeff Marion, whose St. Charles School District received a dozen students, noted that his district received more than \$100,000 in tuition money but did not spend nearly that amount on students.<sup>29</sup> Although he had reservations about the efficacy of the program, he noted, “It’s pure profit for us.”<sup>30</sup> He believed each district, even

*Financially, the transfer program was a boon for receiving school districts.*

*As noted, few districts used transfer money to add any teachers or staff.*

**Table 4: 2014 Annual Performance Report Score With and Without Transfer Students**

District	Percent Points Earned Without Transfer Students	Percent of Points Earned	Difference in Percent Points Earned
Affton	95.7	95.7	0.0
Brentwood	98.9	97.5	1.4
Clayton	98.2	97.5	0.7
Ferguson-Florissant	69.3	65.7	3.6
Francis Howell	96.8	96.8	0.0
Fort Zumwalt	95.4	95.4	0.0
Hancock Place	90.7	90.7	0.0
Hazelwood	82.9	82.9	0.0
Jennings	78.2	78.2	0.0
Kirkwood	97.5	97.5	0.0
Ladue	98.2	97.5	0.7
Lindbergh	98.6	98.6	0.0
Maplewood-Richmond Heights	93.9	93.6	0.4
Mehlville	92.9	92.5	0.4
Orchard Farm	94.6	94.6	0.0
Parkway	96.4	96.4	0.0
Pattonville	96.8	96.8	0.0
Ritenour	80.7	80.7	0.0
Rockwood	98.2	98.2	0.0
St. Louis City	43.2	43.2	0.0
University City	69.6	69.6	0.0
Webster Groves	95.7	95.7	0.0
Wentzville	96.1	96.1	0.0

*Twenty-three school districts received transfer students from Normandy and Riverview Gardens. Six of these districts saw a drop in APR percentage, while 17 districts were unaffected.*

if they had to add some staff, most likely profited financially from the transfer program. In Francis Howell, for instance, transfer students generated roughly \$3.4 million in additional revenue.<sup>31</sup> Meanwhile, the district spent an additional \$2.3 million on transfer-related expenses. Combined, the receiving school districts received roughly \$23 million from tuition payments from Normandy and Riverview Gardens.<sup>32</sup>

Academically, the impact of transfer students on their host district is a bit more opaque. On average, transfer students were performing significantly below the level of performance in their new district. In and of itself, having more low-performing students should have a negative impact on achievement scores. Moreover, evidence suggests that peer-effects can have an impact on how well students perform.<sup>33</sup> Therefore, we might expect the transfer students to have a deleterious impact on the performance of the schools in which they transferred. More data are needed to adequately address this question, but a glance at districtwide performance seems to indicate transfer students made little impact on the aggregate performance of their receiving school district.

Missouri school districts are evaluated and given a score on an Annual Performance Report (APR). The APR score is determined by a district's performance on five standards: academic achievement (56 points), subgroup achievement (14 points), college and career

readiness (30 points), attendance (10 points), and graduation (30 points). DESE calculates a percentage for each district based on the number of points obtained out of the maximum 140 points. APRs for the districts receiving transfer students show little change whether the transfer students are included in the calculations or not. Table 4 displays each district's APR percentage with and without transfer students. I obtained these scores from DESE.<sup>34</sup> Six of the 23 districts would have had a higher APR score without transfer students; the remaining districts would have received the same score regardless.

The transfer law said all school districts in St. Charles, Franklin, and Jefferson counties could have received transfer students; however, not all did. Many were simply too far away from the unaccredited school districts. Others were simply not chosen by transfer students for one reason or another. This allows for a comparison of transfer-eligible school districts. On average, the

APR score for transfer districts went up by 2.5 percentage points (Table 5). In comparison, the average APR score went up by 1.8 percentage points in non-transfer districts. Although the transfer districts seem to have improved more relative to the non-transfer districts, this should not be taken to mean the transfer program caused improvement in the receiving schools. The difference between the two groups was not statistically significant. Moreover, transfer students most likely chose, or were assigned to, schools that were improving, as opposed to transfer students improving the overall performance of the school districts.

In addition to showing the difference between Saint Louis–area school districts that received transfer students and those that did not, Table 5 displays the average growth on the APR for the rest of Missouri's school districts. Once again, the transfer school districts gained more percentage points than non-transfer districts. The difference was not statistically significant.

*For most districts the transfer program caused minimal disruption.*

**Table 5: Change in Annual Performance Report Score from 2013 to 2014**

School Districts	Number	Percentage Point Change (Standard Deviation)
Transfer Districts	23	2.5 (5.9)
Non-Transfer Districts in Eligible Counties	28	1.8 (5.8)
Unaffected Districts	498	1.6 (7.7)

*Transfer students did not significantly affect the APR scores of receiving districts.*

*Closing a school is a daunting task, but Normandy's collective bargaining agreement may have made dismissing teachers equally as difficult.*

Again, the information presented here does not suggest that transfer students led to improvements in their receiving school districts. Although that is not outside the realm of possibilities, these data are simply insufficient to make that claim. These data do suggest exactly what superintendents indicated during the interviews—transfer students were absorbed into their receiving districts. The influx of a relatively small number of students by most districts made an insignificant impact on the district's overall performance.

For most districts the transfer program caused minimal disruption. Fort Zumwalt Superintendent Bernie DuBray said the handful of students his district received were not much of a challenge at all.<sup>35</sup> Similarly Marion in St. Charles said, "It didn't cause us any issues."<sup>36</sup> Kevin Carl, superintendent of the Hancock School District, said, "When you walk down the halls, you don't know a resident from a non-resident."<sup>37</sup> The challenges for the districts that received relatively few students were understandably different from the challenges faced by the Francis Howell, Mehlville, and Kirkwood school districts.

#### *Unaccredited Districts*

Understandably, the transfer program impacted the unaccredited school districts in a very different way. Within a matter of months the schools lost roughly a quarter of their students. Other Missouri school districts have seen similar declines in enrollment, but none have been so swift. For example, in 2005 the Kansas City School District enrolled 27,190 students. Today, the district educates just 14,100

students; a loss of almost 50 percent. A similar story has occurred in Saint Louis, where the school district has lost more than 11,000 students since 2005. Looking through a longer historical lens, the losses in each district are even higher. Some of the attrition in each of these districts was due to students and their families moving out of the district. A large portion in recent years, however, was due to school choice programs.

Missouri's foray into school choice began in 1998 with the passage of charter school legislation. In 2014, charter schools educate nearly 20,000 students in 51 different schools.<sup>38</sup> In Saint Louis, charter schools educate 29 percent of all public school students; in Kansas City they enroll 42 percent. This figure ranks Kansas City among the top five cities in terms of the market share of students in charter schools.<sup>39</sup>

Though the growth of charter schools and the decline of enrollment in the Kansas City and Saint Louis Public Schools are remarkable, they happened over a period of years. Today, these districts are still attempting to "right-size" the district. With fewer students, districts need fewer teachers and staff. As enrollments continue to decline, school buildings become underutilized as they are not filled to their capacity. This leads to increased per-pupil costs and waste in overhead expenditures. As a result, school districts must close or consolidate school buildings. In 2010, Kansas City voted to close 30 schools.<sup>40</sup> Today, both districts have more than 30 vacant school buildings.

It might seem that the challenges faced by the Normandy and Riverview Gardens school districts were more challenging than those faced by the two large urban districts. However, the sudden enrollment drop and pressures of the transfer program may have enabled the school districts to undertake radical changes with a sense of urgency. Though Kansas City needed to close school buildings, district officials found it incredibly difficult to do so. Normandy officials, however, closed one elementary school, Bel-Nor, in the middle of the 2013–14 school year.<sup>41</sup> Although there was some pushback, school officials were able to undertake such a drastic move because there was a sense of urgency, and the district's woes were public knowledge. The community was well aware that there had been an exodus of students from the school district. They also recognized that the district was paying out millions of dollars in tuition payments for transfer students.

Closing a school is a daunting task, but Normandy's collective bargaining agreement may have made dismissing teachers equally as difficult. In October 2013, Normandy school officials announced 103 of the district's 650 teachers and staff would be laid off at the end of the first semester.<sup>42</sup> Normandy could not simply remove teachers, they had to systematically go through each certification area and use a last in, first out policy to reduce the labor force. Compared to the downsizing process in Saint Louis and Kansas City, the situation in the Normandy School District seems akin to ripping a band-aid off all at once.

While Normandy undertook dramatic changes in staffing and closed a school, the other unaccredited school district, Riverview Gardens, did nothing of the sort. Rather than downsize the staff to match the reduction in students, they maintained staff and reduced class sizes. Lynn Beckwith, appointed member of the Riverview Gardens School Board, noted this was a conscious decision.<sup>43</sup> They trimmed \$3.5 million from the school's budget by not filling open positions and making reductions in professional development and transportation.<sup>44</sup> Riverview Gardens may have felt less budgetary pressure to make drastic changes. The district entered the school year with \$28.6 million in reserves. Meanwhile, Normandy entered the year with just \$8.6 million on hand.<sup>45</sup>

Having a sufficient amount in reserves allowed Riverview Gardens to weather the storm. Normandy, however, bordered on bankruptcy. The district and DESE requested an emergency infusion of cash from the state legislature.<sup>46</sup> In an effort to shore up support from lawmakers, the state board of education voted unanimously to take control of Normandy's finances in February 2014.<sup>47</sup> In the end, the district was able to make enough cuts and did not need additional funds. If things did not change, however, the district projected serious financial trouble the next year, as the district's reserves dwindled from \$8.6 million to just \$1.5 million at the end of the year.<sup>48</sup>

While it is fairly easy to see the impact the transfer program had on the districts financially, it is not clear

*Soon after, #NormandyStrong became a popular hashtag on Twitter for Normandy students and staff.*



*This photo was taken on November 11, 2013, by Chris Krehmeyer, president and chief executive officer of Beyond Housing, at a town hall meeting in Normandy. The photo was posted to Twitter with the hashtag #Normandystrong.*

what impact it had on the district academically. Evidence suggests that public school districts tend to respond to competitive pressures.<sup>49</sup> Ideally, we would examine this question by studying how the districts conducted business before and after the start of the transfer program. We might then be able to draw some conclusions that the program led to changes in school policies and operations. In this case, however, both school districts hired new superintendents just prior to the Missouri Supreme Court's decision on the matter. The districts undertook new policies and practices in the 2013–14 school year, but there is no way of knowing whether those changes occurred in response to the program or because of new leadership.

It is also not clear what the impact of the program was on the performance of students who remained behind in the unaccredited school districts. Many, including the superintendents interviewed for this project, hypothesized that the students “left behind” would be worse off. Jeff Marion, of the St. Charles School District, said, “I think it could very well exacerbate the problems the districts are having. . . . Talk about a sense of morale killer.” Due to impending layoffs and budget constraints, it is certainly possible that teachers and staff in the unaccredited school districts would become despondent. Similarly, students who remained behind in what many were calling a “failing school” could have created a sense of hopelessness. Yet, there is also ample reason to believe the challenging circumstances could cause teachers and students to draw closer together. Indeed, as author Paul Stoltz suggests, adversity can act as a catalyst for improvement.<sup>50</sup>

When asked whether he felt that the Normandy community became downtrodden or if they rallied together, Superintendent Tyrone McNichols leaned toward the latter. He said, “Everyone who is coming back wants to be here.”<sup>51</sup> In his estimation, the students who transferred were the ones who tended to be unhappy with the district; while those who stayed had pride in their school and their community. Though this is only anecdotal, this sentiment did seem to appear time and again on social media. On November 11, 2013, Chris Krehmeyer, president and chief executive officer of Beyond Housing, a nonprofit that assists low-

income families, sent two tweets with the hashtag #NormandyStrong. The second tweet accompanied a picture of a crowded town hall meeting about the transfer issue. Soon after, #NormandyStrong became a popular hashtag on Twitter for Normandy students and staff.

Tweets and anecdotes may not be sufficient evidence to support the claim that the transfer program strengthened the ties that bind for students and staff in unaccredited school districts. Even if it did, building a stronger sense of community may not mean much if it does not translate to improvements in the quality of the school system. As it turns out, this too is not clear. Normandy’s score on the annual performance report dropped 3.9 percentage points to a state low 7.1 percent of all possible points; meanwhile, Riverview Gardens’ score increased by 16.8 percentage points to 63.5 percent (Table 6).<sup>52</sup> Interestingly, #RiverviewGardensStrong or other similar hashtags never seemed to take off on social media.

Given the evidence, it is hard to say what impact the transfer program had

on the morale of students and staff or on the academics in the school districts. It is also impossible to ascertain whether the transfer program or new superintendents led to changes in district policies and programs. The impact the transfer program had on the conversation about low-performing schools, however, is clear. Both districts had been perennially underperforming, yet little was being done. The community may have even been apathetic about the problems faced by the two districts. By forcing area school districts to accept students from the unaccredited school districts, it brought to the fore problems of poverty, race, and academic achievement. A problem concentrated in a few districts became a regional problem.

### VIII. CONCLUSION

When students from the unaccredited Normandy and Riverview Gardens school districts were allowed to transfer to higher-performing school districts, it created a stir far beyond the Saint Louis area. Around the country, media outlets highlighted the controversial program. Locally,

*By forcing area school districts to accept students from the unaccredited school districts, it brought to the fore problems of poverty, race, and academic achievement.*

**Table 6: Change in Annual Performance Report Score from 2013 to 2014 for Normandy and Riverview Gardens**

District	2013 Percent of Points Earned	2014 Percent of Points Earned	Change in Percent of Points
Normandy	11.1%	7.1%	-3.9%
Riverview Gardens	40.0%	63.5%	16.8%

*School districts must earn between 70 and 79 percent of possible points to be considered provisionally accredited.*

*A transfer program such as the one discussed here will make it difficult for failing school districts to continue on in perpetuity. Depending on your viewpoint, that could be a very good thing.*

many predicted it would have deleterious effects on both the sending and the receiving school districts. On one hand, it seems some of the predictions have come true. The Normandy School District reached the brink of bankruptcy, was taken over by the state, and the district was reconstituted. Though the Riverview Gardens School District did not face as much peril, continuing the transfer program as is eventually could bankrupt the district as well. Academically, however, the impact on the unaccredited districts is not clear. They did not unequivocally get worse when faced with the transfer program. Similarly, the receiving districts do not appear to have gotten significantly worse with the influx of lower-performing students. In many ways, it seems the transfer students were simply absorbed into their new school districts with little noticeable difference.

From the outset, superintendents and public school officials staunchly opposed the law that allowed students to transfer. Bernie DuBray, superintendent of the Fort Zumwalt School District, said, “It was an ill-conceived law, there’s no doubt about that.”<sup>53</sup> DuBray was remarking specifically about how much tuition the unaccredited districts had to pay. As the superintendents saw it, however, this was more than simply a poorly designed law. It was a law that many philosophically opposed. Kevin Carl, superintendent of the Hancock School District, remarked, “Philosophically, I tend to believe that students are best served by schools in their communities. I don’t know that simply physically relocating students is

best for their education.” Nearly every other superintendent said something similar. Rather than allow students to transfer, they felt it would be best to put the resources into fixing the schools in the unaccredited school districts.

It is possible, however, that the law was not “ill-conceived” and that the impact was intended. The Normandy and Riverview Gardens school districts had been struggling for years. Had the law not gone into effect, it is hard to believe that the circumstances

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*James V. Shuls, PhD, is an assistant professor of educational leadership and policy studies at the University of Missouri–St. Louis and a distinguished fellow of education policy at the Show-Me Institute. He earned his PhD in education policy from the University of Arkansas. He holds a bachelor’s degree from Missouri Southern State University and a master’s degree from Missouri State University, both in elementary education. Prior to pursuing his doctorate, James taught first grade and fifth grade in southwest Missouri.*

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in either district would be substantially different today. Though they have not greatly improved as a result of the law to date, the transfer program clearly brought the issue of education to the forefront in Saint Louis. It has spurred countless conversations, news stories, and pieces of legislation focused on improving the plight of students in failing school districts. Pam Sloan, superintendent of the Francis Howell School District, observed, “This has been a conscience-raising experience. It disrupted things as we know them and has made us think about things we never really had to pay attention to before.”<sup>54</sup> The transfer program may have been a burden to implement. If the purpose was to ignite broader change, it may have hit the mark.

As other states grapple with what to do with failing or unaccredited school districts, some policymakers may consider a law similar to Missouri’s. Given the open hostility to this type of program among many traditional school leaders, it is not likely that this type of program would be received with open arms. It is also not clear if this type of strategy, allowing students to transfer from unaccredited to accredited school districts, is a reform that will yield student and school turnaround success. In combination with other strategies, however, this type of program may be an effective way to transition to a new and improved school system.

Indeed, a transfer program such as this could be a way to move to what Andy Smarick calls “The Urban School System of the Future,” a decentralized system of charter schools.<sup>55</sup> Higher-performing traditional public school districts can serve the students, while the unaccredited school district winds down. High-performing charter schools could then be recruited to open in existing school space created by the decreased enrollment. Slowly, transfer students might transition back to area charter schools in their community. For policymakers, the key question is, what do you hope to accomplish? A transfer program such as the one discussed here will make it difficult for failing school districts to continue on in perpetuity. Depending on your viewpoint, that could be a very good thing.

## NOTE FROM THE AUTHOR

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