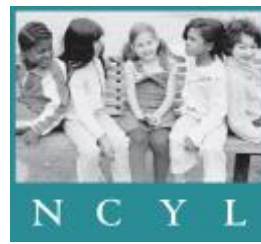


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**East County NAACP Sues Antioch Unified School District for  
Violating Agreement on Civil and Disability Rights  
District's Broken Promises Deny African American Students a Quality Education**

**FOR IMMEDIATE RELEASE**

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**Martinez, CA** – The East County NAACP filed suit on July 6, 2016 against the Antioch Unified School District (AUSD) for violating an agreement intended to address civil rights violations against African American students. That agreement, and the current lawsuit, seek to end AUSD's disproportionate suspensions and expulsions of African American students, particularly those with disabilities.

The East County NAACP is represented in this lawsuit by Disability Rights Education & Defense Fund (DREDF), Morrison & Foerster, the National Center for Youth Law (NCYL), and the Equal Justice Society (EJS). The complaint asks the court to compel the Antioch school district to comply with the agreement.

The Antioch Unified school board approved the agreement with the East County NAACP on March 25, 2015. Under the agreement, the school district was to retain leading experts in the fields of school discipline, special education, and social psychology to investigate and make recommendations to rectify the district's practices.

In the most recent publicly available data, which is consistent with long-term trends, African American students comprise 26 percent of AUSD's student population, but receive almost 59 percent of all suspensions and 65 percent of all expulsions. African Americans students were 36 percent of students with disabilities, but 56 percent of

students with disabilities receiving suspensions and almost 43 percent students with disabilities who were expelled. In comparison to White students without disabilities, African American students with disabilities are almost 12 times more likely to be suspended at least once and over 13 times more likely to be expelled.

In light of these discriminatory practices, and to avoid a civil rights lawsuit, the Antioch Unified school board approved the agreement with the East County NAACP in a 4-1 vote. School board member Diane Gibson-Gray was the lone vote against the agreement. Gibson-Gray is now the school board president.

Donald Gill, then the school superintendent, hailed the agreement, saying that the school's leadership "made a strategic decision to shift focus from a defensive mode to concentrating toward collaborating on the central theme and shared goal of student success."

"The achievement gap and equity issues, national themes of importance and urgency, will receive concentrated attention in our District, and we hope to serve as a model for others who face similar challenges," said Gill.

In the 16 months since signing the agreement, the AUSD has instead repeatedly refused to cooperate with the experts and thwarted attempts by the NAACP East County to work together towards fulfilling the agreement.

According to NCYL Senior Attorney Michael Harris, "The school district has failed to provide the experts with necessary information to complete their reports and issue recommendations. Indeed, AUSD staff have undermined the experts' work. The expert report was due six months ago, but the experts have still not been able to complete it due to AUSD's lack of cooperation. Moreover, AUSD continues to fail African American students."

Arlene Mayerson, Directing Attorney with the Disability Rights Education & Defense Fund (DREDF), added, "The district has reneged on the agreement that required them to better identify students with disabilities, and improve the delivery of special education services and positive behavioral interventions to remediate behaviors that have led to inappropriate disciplinary action."

Willie Mims, Education Chair of the East County NAACP, expressed anger and disappointment with the school district. "I am extremely disappointed with the Antioch Unified School District's failure to live up to its agreement. I am, however, not surprised."

The rapid demographic changes within the Antioch Unified School District created fertile ground for implicit and other biases to impact its educational services. In 1990, both Antioch and the school district were more than 75 percent white. Today, Antioch has a majority of residents of color, and the school district has a majority of students of color. The school's administrators, teachers, and pupil services staff are still overwhelmingly white.

“Implicit bias is a critical component of modern-day discrimination,” said Eva Paterson, President of the Equal Justice Society. “By ignoring the fact that implicit bias hurts schoolchildren, the Antioch school district is perpetuating instead of reversing the school-to-prison pipeline that too many Black children are forced into.”

The March 2015 agreement was intended to address complaints of violations of the Equal Protection Clause of the U.S. Constitution, Title VI of the Civil Rights Act of 1963, the Americans with Disabilities Act, the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1974.

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