

Press Release

Re: VICC Response to Litigation Filed by La'Shieka White for Child to Attend Gateway Science Academy (a Charter School)

- The VICC program is a valid and appropriate program to address long-standing issues of racial segregation. The Eighth Circuit Court of Appeals determined the program to be a constitutional and necessary remedy. Judge Limbaugh emphasized the historic nature of the Settlement Agreement noting, “The United States of America, the State of Missouri, its Governor and Attorney General, numerous State administrative heads, twenty-five school districts, the NAACP, and a variety of local entities have proffered a settlement.” He concluded, “Rarely, if ever, in school desegregation cases and infrequently in class-action suits in general, have government entities and the public shown such amazing support for a settlement. To rebuff this proffer of settlement would be tantamount to an exercise of gross judicial activism.”
- The above issues were expressly resolved by the courts and cannot be re-litigated. In addition, the 1999 Settlement Agreement approved by Judge Limbaugh explicitly prohibits lawsuits such as this.
- Plaintiff is requesting her son to attend a charter school not a magnet school. VICC plays no role in the administration of charter schools and is not involved in their admission decisions. Charter school admission requirements are governed by state statutes that are not in any respect applied, administered or enforced by VICC. If those statutes are not being followed, or if they are constitutionally infirm, that is not an issue that can be remedied by a lawsuit against VICC.
- It should be noted that certain Missouri State Statutes governing charter schools may be in conflict, but this issue is best addressed by State Courts. For example, charters are allowed to admit students under an urban voluntary transfer program but also obligated to “not limit admission based on race”. However, VICC is not a charter school and has nothing to do with charter schools or with this issue.
- The decision maker regarding enrollment of plaintiff’s son was not VICC, but Gateway; therefore, there is no reason for VICC to even be included in this litigation. Charter schools are independent and make their own enrollment decisions.
- The transfer program is continuing to phase out over time. At its peak in 1998-99 there were 14,626 students transferring and 2015-16 official enrollment is down to 4,583 students or about 31% of the peak numbers. We are presently working on a strategic plan to wrap up the race-based program over time that is sensitive to the needs of all constituencies.
- In general students must attend school in the district in which they reside. In VICC’s case, we are governed by the Federal court decision and the Settlement Agreement established to address the long standing school segregation issues. As such the Agreement allows for African American students residing in the City of St. Louis to attend certain participating districts in the surrounding County and conversely allows non-African American students in participating districts in the County to attend magnet schools in the City with the primary goal being to increase integration of the City schools.