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"THE TRUTH SHALL SET YOU FREE"

Minorities' test scores being juggled by states

Special to Sentinel-Voice

Laquanya Agnew and Victoria Duncan share a desk, a love of reading and a passion for learning. But because of a loophole in the No Child Left Behind Act, one second-grader's score in Tennessee counts more than the other's. That is because Laquanya is Black, and Victoria is White.

An Associated Press computer analysis has found Laquanya is among nearly 2 million children whose scores aren't counted when it comes to meeting the law's requirement that schools track how students of different races perform on standardized tests.

The AP found that states are helping public schools escape potential penalties by skirting that requirement. And minorities — who historically haven't fared as well as Whites in testing — make up the vast majority of students whose scores are excluded.

The Education Department said that while it is pleased that nearly 25 million students nationwide are now being tested regularly under the law, it is concerned that the AP found so many students aren't being counted by schools in the required racial categories.

"Is it too many? You bet," Education Secretary Margaret Spellings said in an interview. "Are there things we need to do to look at that, batten down the hatches, make sure those kids are part of the system? You bet."

The plight of the two second-graders shows how a loophole in the law is allowing schools to count fewer minorities in required racial categories.

There are about 220 students at West View Elementary School in Knoxville, Tenn., where President Bush marked the second anniversary of the law's enactment in 2004. Tennessee schools have federal permission to exclude students' scores in required racial categories if there are fewer than 45 students in a group.

There are more than 45 White students. Victoria counts. There are fewer than 45 Black students. Laquanya does not. One of the consequences is that educators are creating a false picture of academic progress.

"We're forcing districts and states to play games because the system is so broken, and that's not going to help at all," said Kathy Escamilla, a University of Colorado education professor. "Those are little games to prevent showing what's going on."

Under the law signed by Bush in 2002, all public school students must be proficient in reading and math by 2014, although only children above second grade are required to be tested.

Schools receiving federal poverty aid also must demonstrate annually that students in all racial categories are progressing or risk penalties that include extending the school year, changing curriculum or firing administrators and teachers.

The law requires public schools to test more than 25 million students periodically in reading and math. No scores can be excluded from a school's overall measure.

But the schools also must report scores by categories, such as race, poverty, migrant status, English proficiency and special education. Failure in any category means the whole school fails.

States are helping schools get around that second requirement by using a loophole in the law that allows them to ignore scores of racial groups that are too small to be

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Tim Williams appointed to District Court

Local attorney tapped by Governor to replace retiring judge

*By Tasha Pope
Sentinel-Voice*

Governor Kenny Guinn appointed Timothy C. Williams to the Eighth Judicial District Court, replacing Judge John McGroarty, who recently retired, making Williams and Lee Gates, who was appointed in 1991, the only two African-Americans to sit on the district court bench.

Although this is an interim appointment because McGroarty's term ends January 1, 2007, Williams expressed his pleasure with the position.

"I felt — without question — excitement," Williams said and stated that he plans to run in the November election to keep his position permanently.

Williams, 50, has been a Clark County resident for 21 years, and during that time, he served as a civil attorney, mainly representing accident victims in injury cases.

Williams also served as an arbitrator and mediator in



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Timothy C. Williams looks forward to his new position as Eighth Judicial District Court judge.

cases designated as "alternative methods of resolution."

"I was appointed to be a private arbitrator and mediator. [As an alternative] to going to trial, they decided they wanted me to make the decision instead [of the] judge or jury," Williams said.

In alternative method resolution cases, parties who file lawsuits, decide to settle

their disputes outside of court. They do this by requesting the services of an arbitrator, which is a third party who makes the final decision outside of court, as a judge or a jury would do during a trial. Along similar lines, mediators search for a middle ground or compromise in cases.

These alternative methods

are very important because they help unclog the dockets in court systems. These dockets become overwhelmed as a result of a continuous stream of cases that go to trial.

Williams said he's been involved in over 800 alternative method cases that would have ultimately gone to trial if they hadn't settled outside of court.

"[As an arbitrator], my job was similar to a judge's in that I was charged with determining, who was responsible and what the damages [were]. I presided over 349 cases as an arbitrator," Williams explained.

"I found over time, [when] people kept utilizing my services, I was pretty good at arbitration and mediation. I guess they [conflicting parties] felt my decisions were very fair and thought out," Williams said.

His popularity as an arbitrator, and the lack of diversity on the district court

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Georgia's dome unveils larger portrait of Dr. King

ATLANTA (AP)— After decades of being dwarfed by the framed faces of other dignitaries, the Georgia Capitol's portrait of Martin Luther King Jr. has been supersized.

The new painting, unveiled in an elaborate ceremony Monday, is 50 percent larger than the old one, which had become surrounded by bigger and bigger portraits of Georgia politicians.

"It was never anyone's interest to diminish King's stature. But the unintended effect of adding other larger portraits nearby over the last three decades has created that doubt in the minds of some of our young visitors," said Secretary of State Cathy Cox.

The new portrait, which hangs outside the governor's office, features a pensive King standing before a stormy backdrop.

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Isaac Newton Farris Jr., right, president and CEO of the King Center, applauds as Georgia Secretary of State Cathy Cox, left, and Rev. Bernice King, daughter of Martin Luther King Jr., center, unveiled a new portrait of Dr. King on Monday.