



Judge Orders Twin Cities School Desegregation Case to Move Forward Toward Trial

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Ruling validates the constitutional merits of plaintiffs' claims

MINNEAPOLIS (July 12, 2016) - A class-action lawsuit filed last November demanding educational adequacy for children by desegregating public schools in the Twin Cities will move forward and prepare for trial, a Hennepin County judge ruled Friday, July 8.

Judge Susan M. Robiner validated the plaintiff's claims in *Cruz-Guzman v. State of Minnesota* by denying the State's motions to throw out the case. The judge also denied several charter schools' efforts to be exempt from the desegregation case.

The suit, brought forward by the prevailing legal team in a similar 1990s suit that produced "The Choice Is Yours" program, says segregated schools are the primary reason metro area schools remain plagued with large learning gaps between white students and those of color. They maintain this is in direct conflict with the right of a quality education guaranteed by the Minnesota state constitution. The plaintiffs include seven parents/caregivers of Twin Cities students and the Minnesota nonprofit One Family One Community.

"Judge Robiner's ruling validates our perspective and recognizes the foundation of our claim that students in the Twin Cities face segregation in the schools and, as a result, suffer in an unfair and a sub-standard education environment," said Dan Shulman, lead plaintiff attorney in *Cruz-Guzman v. State of Minnesota*. "Beyond providing a better education for everyone, desegregation leads to a better understanding among diverse communities and can ultimately help to prevent the escalating violence our nation is experiencing."

In her ruling to deny the State's motions to throw out the case, Judge Robiner cited the Plaintiff's claims that "certain policies and programs contribute to the segregation and consequently to the inadequate education, including: the creation of community schools, the practice of school boundary lines being contiguous with municipal boundary lines, open enrollment policies, and the formation of charter schools that are exempt from the state's desegregation/integration rules and requirements. Defendants permitted these policies and practices knowing that they contribute to segregation and therefore to an inadequate education for Plaintiffs."

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The judge further concluded that the "plaintiffs are indeed asserting that the challenged state actions are impinging upon their right to adequate education. Therefore, the challenged state actions should be subjected to strict [judicial] scrutiny."

Shulman has augmented his legal team with a roster of nationally recognized scholars and experts in the field of desegregation who will support and validate the claims of segregation by race and socioeconomic status in Twin Cities schools, along with the resulting inadequacy and inequality of the education.

"We will present a case that will clearly demonstrate these undisputed and unlawful conditions that the State has allowed to develop and exist, and that must be remedied if Twin Cities children are to enjoy their Constitutional and fundamental right to an adequate education," he added.