

INTEREST OF AMICI

Reverend Kyev Tatum, a Baptist minister, has been a community activist for over 25 years. Reverend Tatum has served his community as the President of the Southern Christian Leadership Conference, as a member of the Texas Interagency Council to Address Disproportionality, as a co-founder of the Black, Brown and Tan Caucus, and as an Associate Minister at the Harmony Missionary Baptist Church. Reverend Tatum, a graduate of Green B. Trimble Tech High School and the University of North Texas, has served in positions ranging from third vice-president of the state NAACP to District Manager for former Fort Worth Councilman, Donovan Wheatfall. Most recently, Tatum was a 2012 Democratic Congressional Candidate for the newly created 33rd District of Texas. As the Founder of the Texas Preparatory Charter School in San Marcos, Texas, Reverend Kyev has become a clear voice for the least, last, lost and left out.

At its first convention in Montgomery, Alabama in August 1957, the Southern Leadership Conference adopted the current name, “The Southern Christian Leadership Conference”. Basic decisions made by the founders during these early meetings included: 1) the adoption of nonviolent mass action as the cornerstone of strategy, 2) the affiliation of local community organizations with SCLC across the South, and 3) a determination to make the SCLC movement open to all, regardless of race, religion, or background.

Dr. Frank D. Lawson, Sr. has been on a mission to save the world for his Lord and Savior, Jesus Christ, since August of 1973. A native of Fort Worth, Dr. Lawson began his pastoral ministry at the County Line First Baptist Church, Pilot Point, Texas and served there from 1977 to 1982. In 1982, the Lord called Dr. Lawson to pastor the historic Elm Grove Missionary Baptist Church in southeast Fort Worth. Seven years later, in 1989, the Lord led Dr. Lawson to organize the Harmony Missionary Baptist Church on the campus of Texas Wesleyan

University. Following a vision in 1996 to move the Church into “greener pastures” on the far east side of Fort Worth, Texas, the Lord led Dr. Lawson to move Harmony Church to the current campus.

As a former professional boxer, Dr. Lawson is not afraid to challenge the status quo. Under Dr. Lawson’s leadership, Harmony Church has seen tremendous growth in spirituality, membership, and stewardship. Dr. Lawson is committed to making Harmony Church a place where everybody is somebody, where a stranger can meet a friend, and a sinner can meet Christ. Harmony Church is a Spiritual Oasis where a weary pilgrim can stop by and receive a spiritual refreshing along the way.

Currently, Dr. Lawson provides direction for the development of the Harmony Hills Neighborhood Association and the Harmony Healthy Harvest, an organization providing fresh vegetables and other nutritional products for those in need within the community. As President of the Elm Grove District Association Congress, Dr. Lawson is a trusted advisor to pastors and ministers who are working out their spiritual calling.

ARGUMENT

Amici believe Texas leaders need “a reality check” when it comes to supporting parental school choice for our children, especially poor children who are failing painfully and suffering silently at alarming rates. The Southern Christian Leadership Conference Ministers for Education are gravely concerned with the reluctance of public school officials to provide our poor children in unsafe, unfair, failing public schools with “real” quality education options and the same financial opportunities as students who attend better public and private schools. It appears to us that public school officials are mainly concerned about losing tax money rather than addressing the moral and educational collapse within the halls of many of our public schools. We believe Texas will gain more productive and better outcomes from our children when we properly

educate and provide all children, especially poor children, with the same freedom of school choice as wealthy families. Contrary to popular belief, poor children and their parents have not given up on education, the truth is, Texas public education officials have given up on poor children and families in our communities. According to the landmark report, *Breaking School Rules*,¹ 8 out of 10 African-American boys were sent out of class for behavior issues and sent home or to an alternative program at a cost of millions of dollars to taxpayers. These children need help and hope. Texas does not need more money for education; Texas children need more education for our money. Despite the increased amounts being spent on education, there has not been enough increase in achievement for our students. Breaking the public school education monopoly will provide poor children with the single most impactful education opportunity since *Brown v. Board of Education of Topeka*³⁴⁷ U.S. 483, 74 S. Ct. 686, 98 L. Ed. 873 (1954).

These SCLC Ministers for Education believe Parental School Choice is the most effective and the most efficient way to close the black-white achievement gap. According to the groundbreaking report submitted to the 83rd Legislative Session from the Texas Interagency Council to Address Disproportionality and the Center for the Elimination of Disproportionality and Disparities at the Texas Health and Human Services Commission, over 75% of all black and brown students are ill-prepared for life after high school.²

Amici urge Texas leaders and this Court to provide our children with educational options that meet their needs and require Texas public education officials to move the decision beyond

¹ *Breaking School Rules*: <http://justicecenter.csg.org/resources/juveniles>

² Center for the Elimination of Disproportionality and Disparities:
http://www.hhsc.state.tx.us/hhsc_projects/cedd/11-29-2012-Report-to-the-83rd-Legislature.pdf

greed and money. This is not a Democratic or Republican issue; this is a moral issue that will not be solved until we give poor people the same education option as others.

When the Reverend Dr. Martin Luther King, Jr., was getting preparing to leave Atlanta for Memphis in April of 1968, many in his inner circle did not want him to go back because of the death threats that had been put on his life. But, everyone knew when Dr. King had made up his mind that he was going to do something, you could consider it done. The airport officials informed Dr. King on arrival his flight would be delayed because they wanted to carefully check the plane in order to insure no bombs were aboard. Can we imagine what it must have felt like living with the constant knowledge that someone wanted you dead and was willing to kill you at any time? Yet, Dr. King and these brave Civil Rights Foot Soldiers overcame their fear of death and decided that Memphis needed to have an encounter with history and a movement of the Holy Spirit.

Dr. King would share with the overcrowded Church what many of us believe was one of his most important messages and strategies used to continue the movement after his death. He reminded us that Jesus Christ cared more about the least of these and that we have a moral obligation to look out for the least, last, lost and the left out. Dr. King went to Memphis to support striking sanitation workers. He called for an economic boycott of any company or agencies that were mistreating African-American people.

In that final message he told us the story about the Good Samaritan, who saw a man on the side of the road half dead. His point was clear, each of us at some point in our lives will be confronted by someone who is in great need of our help and the question is, will you help them or will we fear them and hurt them more. Dr. King demonstrated through his life that the true measure of a man is not what he accumulates for himself and his family. The true measure of a man is what he and his family are willing to do for others who are in need of a Savior. Since his

death, many have gained complete access to the American dream – we even have an African-American President.

However, if we take a closer look at the numbers, *Amici* discovered that the movement must shift its focus from the economics of sanitation to the economics of mass incarceration. 1 out of 3 African-American men will be affected by the industrial prison complex. Over 75% of all African-American children in public schools will be negatively impacted by the excessive use of punishment. The wonderful folks at the Center to Eliminate Disproportionality and Disparities at the Texas Health and Human Services Commission and the People's Institute for Survival and Beyond (www.pisab.org) call it “institutional racism” and we agree.

Rev. Tatum agrees with the words of Texas Health and Human Services Deputy Executive Commissioner Joyce James, “When people hear the word racism, they automatically go to the old forms of racism by the Ku Klux Klan and the kinds of racism you can readily point to and say, ‘that’s racism.’ That’s not what we’re talking about at all. What we’re talking about are things that have become so ingrained in our systems and the way we’ve been conditioned – all of us – that it’s become the norm for us. In most cases, we don’t even recognize how that contributes to institutionalized racism.”³ The question is how do we resolve the problem?

The first thing we must do is cut off the school to prison pipeline. Babies come from families they did not choose. They did not get an option of which family they were born, yet they all deserve an opportunity to grow up and live a healthy life. We are sending too many children into the criminal justice system and it is time to stop the madness.

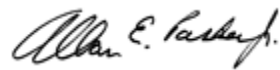
According to the research conducted for policy analysis and policy makers, African-Americans are eight times more likely to have a negative and punitive encounter with government agencies, especially in public education, juvenile justice and the health and human

³http://www.hhsc.state.tx.us/stakeholder/Nov_Dec11/disproportionality.html

service arena. Again, as Reverend Tatum has always said, “When one fish bellies up in the lake, you look at the fish. However, when over half the fish belly up in the lake, it’s time to start looking at the lake.” We must reform the public education system. Train them, educate them and develop them, but please stop sending our babies to failure and jail.

Our experience, and the evidence in this court, presented by the Efficiency Intervenors demonstrate that the system is constitutionally inefficient. It is not producing a general diffusion of knowledge, especially in the African-American community, but a huge, glaring, devastating disaster. Please rule the system unconstitutionally inefficient, and remember, *Amici* believe more money alone will not fix it.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that, on the 30th day of January, 2013 a true and correct copy of the above and foregoing has been served electronically to: (to Richard E. Gray, III and Toni Hunter via fax)

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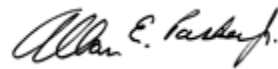
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