

# Boundary Crossing for Diversity, Equity and Achievement

Inter-district School Desegregation and Educational Opportunity

## A CHHIRJ Report

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# BOUNDARY CROSSING FOR DIVERSITY, EQUITY AND ACHIEVEMENT: INTER-DISTRICT SCHOOL DESEGREGATION AND EDUCATIONAL OPPORTUNITY

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School district boundaries shape children's educational opportunities in countless ways. Living on one side of a district boundary line or the other can dictate whether a student has access to challenging curriculum, well-prepared teachers, decent facilities, high expectations, non-poor peers, and a wealth of other tangible and intangible factors that influence learning. While these factors can vary by school and classroom within a single district, the separateness and inequality that characterize U.S. education along racial/ethnic and social class lines are increasingly circumscribed by school district boundaries.

According to Clotfelter (2004), a full 84% of racial/ethnic segregation in U.S. public schools occurs *between* and not within school districts. Other research shows that while racial segregation remains high, Americans are also becoming increasingly segregated by income, with more affluent people living close together, and divided spatially in urban *and* suburban areas from those with less (Drier, Mollenkopf and Swanstrom, 2004; Reardon & Bischoff, 2009).

Meanwhile, educational policies designed to address segregation and inequality have generally been limited to *within*-district solutions. In fact, in 1974, the U.S. Supreme Court ruled in a Detroit case, *Milliken v. Bradley*, that federal judges could not order desegregation remedies sending students across urban-suburban district boundaries absent substantial, hard-to-document evidence that the suburban districts created the racial segregation. This ruling made school district boundaries virtually impenetrable at a time when White families were increasingly crossing them, first leaving urban schools for suburban ones and, in the last 20 years, fleeing to either more remote, exclusive suburbs or back into gentrifying areas of cities (Drier et al., 2004; Farley & Squires, 2005; Freeman, 2006; Frey, 2003; Sethi & Somanathan, 2004).

At the same time that school district boundaries have come to play a larger role in dividing children and their educational opportunities, policy debates shifted away from issues of segregation and inequality. In the last three decades, the central policy focus in education has been on the use of standards, tests and accountability systems as the mechanisms to improve student achievement. Another popular focus has been on school choice policies that allow alternative, private providers to compete for students and their public school funds in an educational marketplace.

In theory, such school choice policies provide students and parents with more options; in reality, it provides quasi-public schools with more choices of who to accept and more control over public funds.

Now, 35 years after the Supreme Court's *Milliken* ruling, the ever-popular accountability and school choice strategies for improving public education and boosting student achievement have not demonstrated the results their supporters promised. Further, the recent increased focus on closing the achievement gap amid rampant racial and socio-economic segregation has not led to any marked progress in equalizing educational opportunities; in fact, inequality has grown in many states over the past two decades (Darling-Hammond, 2007). It is clear that standards and tests alone will not improve schools or create educational opportunities where they do not now exist (Darling-Hammond, 2007, p. 325). Meanwhile, reams of social science evidence suggest that unless we address the separateness and inequality in which students are being educated, we will never significantly narrow achievement gaps across race and social class lines (see Wells & Frankenberg, 2007). In fact, we argue that breaking down some of these district-level barriers or letting disadvantaged students cross them should be a high priority for policymakers, particularly as our society becomes increasingly diverse.

This report provides an overview of the educational and social benefits of eight inter-district school desegregation programs – from Boston to East Palo Alto, CA – that have defied the Supreme Court's *Milliken* decision and the trend toward more cross-district segregation by enabling disadvantaged, Black and Latino students to cross school district boundary lines and attend far more affluent, predominantly White and privileged suburban public schools. These programs (see Figure 1 on next page), some of which date back to the Civil Rights Movement, grew out of grassroots struggles for social justice and are aimed at reducing inequality by assuring that students who have traditionally had the fewest educational opportunities would gain access to the "best" schools. Despite the fact that these programs are out of sync with the current political framing of problems and solutions in the field of education, the research on these programs to date suggests that they are far more successful than recent choice and accountability policies at closing the achievement gaps and offering meaningful school choices.



**Figure 1: Map of Eight Inter-District School Desegregation Plans and Their Date of Origin**

Most of these inter-district desegregation programs have existed for the last 30-40 years. However, this report represents the first effort to tell their stories and pull together the research and history that provide lessons that inform policy and practice. Given their use of ever-popular school choice options to address achievement gaps between students of different racial and ethnic groups, these programs clearly offer some of the most hopeful models for the future of U.S. education policy. Unfortunately, these programs are currently politically and legally fragile because of efforts to end race-conscious policies. Yet if policymakers are sincere about their desires to offer meaningful school choices and close racial/ethnic gaps in student outcomes, they need to carefully examine these eight programs, which have to a larger extent quietly accomplished both goals.

Further, these eight inter-district programs<sup>1</sup> have been founded, ordered, or legislated because of the commitment and vision of parents, activists, students, lawyers, educators, school board members, judges and policy makers. With the exception of the most recently developed inter-district plan in Minneapolis, the initial struggles to create the original seven such inter-district desegregation plans began in the 1960s or early-70s, at a time in our nation’s history when solving racial inequality was more of a priority and possibility than it is today. And yet, despite their historic origins, these plans were visionary in terms of their scope and impact – allowing Black and/or Latino students to cross the boundary lines that divide opportunities between impoverished and affluent school districts. All the programs are indeed school choice plans in that they all allow students to choose to transfer from one district to the other. Yet, they also differ markedly from more recently created school choice plans because of their explicit histories and missions to provide viable choices to the most disadvantaged students.

<sup>1</sup> In this report we focus on desegregation programs that have enabled students in crossing over existing school-district boundary lines and not on school desegregation remedies that resulted in the merging of school districts either in the midst of a school desegregation cases or shortly before these cases began. Such mergers occurred in Wilmington, Delaware; Louisville, Kentucky; and Charlotte and Raleigh, North Carolina, but the likelihood of them being replicated elsewhere is slim. We have also excluded school choice programs—usually magnet schools—run by county offices of education in, for instance, several places in California and Bergen County, New Jersey. While these county-wide magnet schools are often racially diverse and draw students from more segregated school districts, they are more limited in scope and capacity than the inter-district plans that we examine here.

**A Brief Overview of Eight Inter-district School Desegregation Plans**

What most clearly differentiates voluntary inter-district school desegregation programs from more recently implemented school choice policies is their historic grounding in the grassroots efforts of parents and community members and the Civil Rights Movement more broadly. These desegregation plans clearly target students who are disadvantaged because of their race/ethnicity and/or social class and are guided by the goal of ensuring that these students have access to better, more racially and socio-economically diverse schools as a remedy for past injustices. With the exception of the recently created Minneapolis program, which bases its selection criteria on family income and not race, inter-district desegregation plans are designed to remedy the harms of past discrimination against communities of color and to help the most disadvantaged students cross racial and social class boundaries to attend schools that are less overwhelmed with problems related to concentrated poverty and that offer more resources and opportunities.

Meanwhile, this shared sense of mission and focus on equity across these eight voluntary inter-district programs is noteworthy because the plans have disparate legal and policy origins: three (Indianapolis, Milwaukee, and St. Louis) were codified in federal court orders; three (Hartford, Minneapolis, and East Palo Alto) were formalized via state court rulings grounded in state constitutional guarantees of equal educational opportunities; and two (Boston and Rochester) were

supported by state legislation and local policies that specifically sought to create more racially-diverse public schools.

Furthermore, as we noted above, all of these inter-district programs, with the exception of the soon-to-be-defunct Indianapolis program, are voluntary on the part of the students. They are first and foremost school choice plans, even as they have not been supported by present-day advocates of market-based school choice programs because

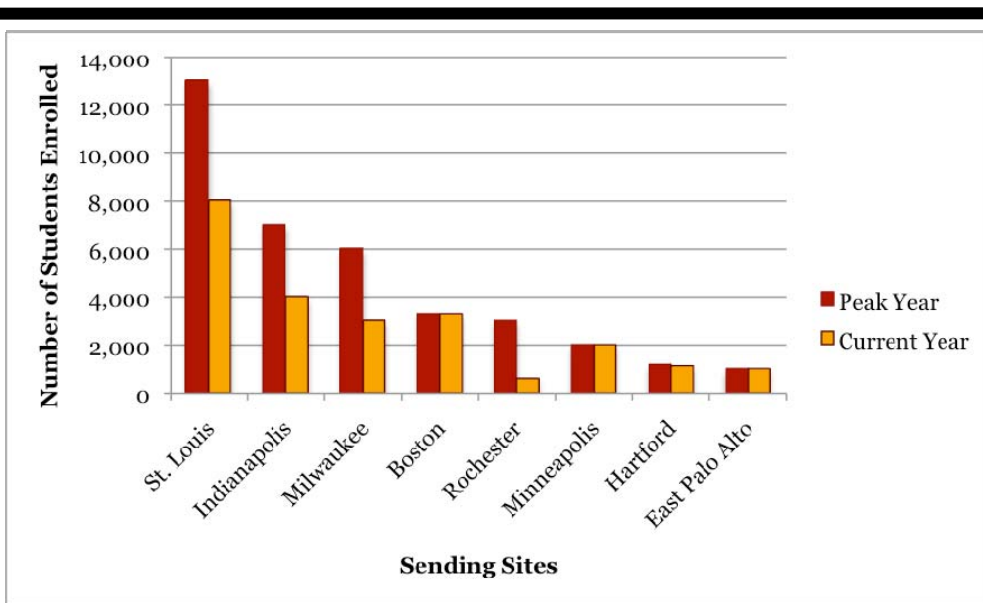
students who could benefit from such inter-district school choices in these metropolitan areas (see Table 1). This small size is directly related to access factors, especially suburban districts' self-defined "capacity" and willingness to accept more than a handful of transfer students, particularly in this age of NCLB accountability. Furthermore, in almost all of these programs, the number of students served has dwindled over the years (see Table 1). This shrinking enrollment reflects not a lack of interest or demand on the part of urban students but rather

waning political and legal support for inter-district school desegregation, despite evidence that such plans provide more choice and meaningful educational opportunities to disadvantaged students than newer, market-oriented choice plans.

The eight plans discussed in this report, therefore, vary in terms of their parameters and guidelines, leading to more openness and greater student access in some plans than others. Still, with the exception of the Minneapolis plan, in which eligibility is based on student income and not race, all of these programs

succeed in achieving more, not less, racial integration.

Further, as we illustrate in the following section describing the findings from the research to date on these eight inter-district plans, they affect the lives of the participants in fundamental and mostly positive ways. We see, for instance, that these inter-district school desegregation programs help close Black-White and Latino-White achievement gaps. They also improve racial attitudes, especially among Whites, and they lead to long-term mobility and further education for the students of color who participate. Finally, in terms of the litmus test that most school choice advocates apply to more recently developed school choice policies, these inter-district programs are hugely popular, and most have long waiting lists. This suggests that families in most urban and poor communities are savvier about the relationship between student achievement and racial/ethnic segregation, coupled with highly concentrated poverty, than are the vast majority of our policymakers. The insight and intuition of these parents can inform policymakers' thinking about the



**Table 1: Declining Enrollments of Inter-district School Desegregation Plans**

they remain, at their core, school desegregation plans. Still, as choice plans, they all rely on students and parents to make choices, and thus, they all, to some degree, enroll a self-selected group of students – those with parents who were more savvy, connected, efficacious, and often more educated than the average parent in their communities. At the same time, outreach to and recruitment of urban students and coordination of the cross-district transfer process make these programs far more accessible to a broader range of students than deregulated choice policies such as charter schools and vouchers. The degree to which students are screened for prior achievement or other factors varies across these contexts. Thus, even though all of these programs are grounded in the struggle to provide disadvantaged students with better educational opportunities, student access to highly sought-after suburban schools is not equal across contexts.

In addition, these cross-district desegregation programs are small in scale—serving somewhere between 500 to 10,000 students each—compared to the thousands of potential

kinds of policies needed to close the achievement gaps and prepare all our students for the incredibly diverse and global society they will inherit.

### **Research Findings and Outcomes: Why the Struggle Should Continue**

This report is the first to pull together the research on inter-district desegregation plans and thus the first to demonstrate the substantial body of evidence that such programs provide to disadvantaged students and more privileged communities with significant educational experiences that serve both well. In this section of the report, we discuss the findings from our extensive review of the literature pulled together from several sources, including newspaper articles; historical and court documents; and journal articles, books and unpublished research reports. The collective research evidence from these urban-suburban desegregation plans help us understand why a pro-active, inter-district school desegregation policy is needed to help create a more level playing field and thus close the achievement gap along racial lines in this country. Indeed solid research findings and more anecdotal information from these cross-district choice programs explain why simply fixing up segregated and poor urban schools will never resolve the deep and structural inequalities across spaces and institutions in our society – physical divides that can only be challenged when disadvantaged students are allowed to cross the barriers that separate the rich from the poor, the Black and/or Latino from the White, and so on.

In fact, what we know from the social science research on school desegregation policies in general – that separate is not equal because of the effects of the broader racial and social-class inequality on public schools – is well-illustrated by the small body of research on these inter-district desegregation plans. This research explains what it means to a student to leave the harms of segregation far behind and enter a more privileged world where public schools provide access to a brighter future. Not only that, the evidence from these eight inter-district plans helps us understand why racial and social integration is important to the democratic development of children and adults who have lived in predominantly privileged spaces for so long. What cross-district desegregation plans can do – better and more efficiently than any other form of school choice policy – is allow people to cross racial and social class boundaries that may well, if not addressed, be the beginning of the end of our increasingly diverse democracy.

In this section of the report, therefore, we briefly review what research and other published information exist on these eight inter-district desegregation programs to illustrate these points. We have divided this review into four sub-sections: academic achievement and outcomes; racial attitudes in the suburbs; the long-term effects on the students who transferred; and the popularity of these programs among parents of students in failing public schools (also see Holme and Wells, 2008).

### **Student Achievement Data: When Access to Higher Status Schools Matters**

Although there is less solid research on the impact of these inter-district voluntary desegregation programs on student achievement than one might think, given the duration and significance of these programs, the evidence that does exist suggests that for the students who transfer out of poor urban and into more affluent suburban schools, the long bus rides are worth it. This research also suggests that efforts to close gaps in achievement between racial/ethnic groups in public schools while keeping students divided from each other and from better opportunities may not be the best strategy.

The best analysis of student achievement in an inter-district desegregation program comes from the old Hartford Project Concern and now Project Choice plan that allows for urban-to-suburban school transfers. In the early days of the Project Concern plan, the mostly Black transfer students from the City of Hartford to suburban schools were randomly selected from the pool of possible applicants. Lottery winners were then strongly encouraged to participate in the transfer plan. This selection and recruitment process created a desegregation program with as close to a perfect experimental design in terms of having “control” and “treatment” groups as one could have in educational research. In other words, differences in student achievement and academic outcomes between the lottery winners and lottery losers in Hartford are more meaningful because they are less tainted by a self-selection bias in favor of students with more involved, efficacious parents.

Thus, a 1970 report on student achievement among Project Concern students found that in reading, the randomly selected African American students who transferred out of the Hartford Public Schools and enrolled in suburban schools had significantly higher test scores than students from similar backgrounds remaining in the urban schools. Furthermore, the longer these students remained in their suburban schools and the

younger they were when they started, the better they did (see Frankenberg, 2007, p. 25).

More recent evidence from the newer version of Project Concern, the Project Choice program, for which students must sign up for a lottery, demonstrates that participating Hartford students perform better on standardized achievement tests than those who remain behind in urban schools. More than half of Project Choice students are performing at or above proficiency on state standardized tests in both math and reading. In fact, the Project Choice students' test scores and proficiency rates are higher than their Hartford Public School peers and Black and Latino students statewide (Frankenberg, 2007, p. 2).

Another, yet-to-be-published analysis of achievement scores of 5<sup>th</sup> through 8<sup>th</sup> grade students in Project Choice compared them to scores of students who applied for the program but did not participate and instead remained in the Hartford Public Schools. This study found that students moving to suburban schools initially scored lower, but that their scores improved significantly as they spent more time in suburban schools where their reading test scores increased in contrast to the comparison group (Frankenberg, 2007).

These findings from the Hartford inter-district program, and their suggestion of the academic pay-off for urban students who transfer to suburban schools, echo some of the most important research on student achievement to come out of the St. Louis inter-district transfer program. This research, cited in the Wells and Crain (1997) book on the St. Louis program, demonstrates that African American students from St. Louis who transfer to suburban schools do not show significant gains on academic tests in the elementary grades, but that in the long run, for those who remain in the program, their achievement improves over time to far surpass that of their peers in the city's magnet or neighborhood schools by the time they reach 10<sup>th</sup> grade.

This research demonstrates that during elementary school, the students in St. Louis's 25 magnet schools performed better than the urban-suburban transfer students. In fact, the pre-transfer test score data on African American students who went to suburban, magnet and "regular" neighborhood city schools show that the African American students who attended urban magnet schools had the highest pre-transfer test scores. Transfer students who attended suburban schools generally had lower pre-transfer test scores than magnet students, but higher test scores than those of the students who remained in neighborhood city schools. Thus, the elementary achievement scores

reflected these pre-transfer differences (see Wells & Crain, 1997; Wells, 2001, p. 11).

Yet, over time, the Black students who transferred to the suburbs and remained there showed tremendous academic growth by high school, while the Black students who attended city magnet schools had leveled off and those who remained in regular city schools never caught up. In fact, by 10<sup>th</sup> grade, the magnet school students had lost all of their initial advantage (see Freivogel, 2002). Perhaps the most interesting aspect of Lissitz's (1994) analysis is that the transfer students who went to the suburbs consistently out-performed African American students in magnet and neighborhood city schools in 8<sup>th</sup> to 10<sup>th</sup> grade growth in test scores – the very years when students become more focused on what they are doing after high school and how their achievement may affect those future plans (Wells & Crain, 1997).

In another analysis of student achievement and the St. Louis urban-suburban desegregation program, Freivogel (2002) reported that testing data released in August 2001 supported the earlier findings of the higher achievement among African American students who transferred to suburban schools by the time they reached high school. He noted that while achievement differences were small or non-existent in the elementary grades, by middle and high school, African American students in suburban schools were scoring about 10% higher in reading and math than the African American students in non-magnet city high schools and middle schools. The students who transferred to the suburbs or chose to attend an urban magnet school were better off over the long term.

Furthermore, Freivogel (2002) concluded that the more significant evidence of the higher academic achievement among urban-suburban transfer students and magnet school students is seen in graduation rates. He cites a 1995 report, which found that African American students in the urban-suburban transfer program and city magnet schools were graduating at twice the rate of their peers who remained behind in the regular, non-magnet city schools. He reported that the graduation rate for the magnet students was 52%; for the urban-suburban transfer students, 50%; for students in the all-Black St. Louis City high schools, only 24 percent. Students attending the handful of city high schools that were integrated had an abysmal graduation rate of 16%.

In yet another analysis of the academic effects of the St. Louis inter-district desegregation plan on African American students, Trent (cited in Taylor, 1997) found that although many of the transfer students in the desegregated suburban schools were poor, their graduation

rates far exceeded those of the Black students who remained behind in racially segregated urban schools. Similarly, Wells and Crain (1997) reported that Black urban-suburban transfer students were nearly twice as likely as their peers in urban schools to complete high school. Furthermore, those who graduated from suburban schools were more than twice as likely to matriculate to two-year or four-year colleges than St. Louis Public School graduates (Wells, 2001; Wells & Crain, 1997).

In his effort to analyze all of these data, Freivogel (2002) acknowledged that the disparate outcomes most likely related to the poverty levels of the students across the different types of schools. For instance, the percentage of students from families who did not qualify for free and reduced price lunch—meaning those from families with incomes higher than 185% of the federal poverty level—was 36% for magnet school students, 24% for suburban transfer students, 10% for integrated city high school students, and 6% for students in all-Black city schools (p. 18).

But, as Freivogel (2002) noted, the positive academic outcomes of Black students who transferred through the desegregation plan to suburban schools must also relate to the institutional effects of attending high-status, more affluent schools in which college-going rates for graduating classes are as high as 95%. Furthermore, in an analysis of the college-prep curriculum in the urban (non-magnet) versus suburban schools in St. Louis, Freivogel found that the city schools taught fewer foreign languages, had fewer counselors, and offered fewer advanced courses in math and science. They also lacked music programs and up-to-date science labs and libraries (p.20). Based on interviews and observations in city versus suburban schools, Wells and Crain (1997) drew similar conclusions.

Thus, we should not be surprised to find that the transfer students said that the teachers and the curricula were far more challenging in the suburban than in the city schools. It was also true that most of the Whiter and wealthier suburban schools had greater tangible resources, including newer buildings, more computers per student, and an abundance of textbooks. The suburban districts, even those with a lower per-pupil expenditure than the St. Louis Public Schools, had more real income ~ adjusted for special education and maintenance costs ~ to expend on rigorous educational programs (Freivogel, 2002; Wells & Crain, 1997).

Related to these unequal opportunities in suburban versus urban schools, the (1994) study showed that between the 8th and 10th grades, the African American students who transferred to the suburbs and remained there until

graduation improved not only their test scores but also their attitudes and feelings about themselves and their futures. A possible explanation for these findings is located in the personal stories of the urban-suburban transfer students studied by Wells and Crain (1997). These students revealed that they had learned they could make it in a “White world” where students’ futures are highlighted by real job opportunities and college preparation. They no longer feared leaving the predominantly Black north side of St. Louis and competing with Whites in educational institutions or the job market. They had learned that they could succeed in such settings; they were prepared to integrate into a predominantly White society (Wells, 2001, p. 12). The Black students who transferred out to suburban schools did so because they believed that, in one way or another, the suburban schools were better equipped to help them attain certain goals. Wells and Crain (1997) concluded, based on their review of other research and extensive data collection in the St. Louis metropolitan area, that while not all African American students who transferred to the St. Louis suburbs thrived, the vast majority accomplished more in the suburbs than they would have in their racially and socio-economically segregated urban schools (Wells, 2001, p. 12; Wells & Crain, 1997).

Data on test score gains coupled with analyses of the curriculum and resources in city versus suburban high schools imply that attending a suburban school positively affected African American transfer students’ aspirations and expectations, especially in those critical years between 8th and 10th grade (Wells, 2001, p. 12). In fact, through qualitative data collection in urban and suburban schools in St. Louis Wells and Crain (1997) came to better understand the “institutional” explanations for these statistics. In ways that echoed the large body of research on the harms of racial segregation in education, the successful urban-suburban transfer students discussed the new worlds that had opened up to them within their high-status suburban schools. They talked about their knowledge of college entrance exams and test prep courses, scholarship programs, internships, and jobs they said they never would have heard of in their urban schools. They said they were exposed to significantly more challenging curricula, learned how to get along in a “White world,” and befriended White students and teachers who often connected them to social networks that, in turn, connected them to opportunities in education and employment.

Through their in-depth research on this urban-suburban desegregation program, Wells and Crain (1997) came to realize the complexity of the experiences of the students who transferred to White suburban schools and the types of trade-offs they faced. In the end, they realized that these

transfer students' stories better explained why separate poor and all-Black schools in highly segregated inner cities could never be equal to predominantly White and wealthy suburban schools in a society that was defined by the inequality embedded in these distinct urban and suburban spaces (Wells, 2001, p. 10).

Of course, the Wells and Crain (1997) analysis of the St. Louis inter-district transfer plan does not paint a completely rosy picture of what happened to the African American students. Indeed, many of these transfer students had to endure the racial and cultural insensitivity of Whites in the suburbs in order to succeed there. Furthermore, as in many other desegregated schools, students in the suburban St. Louis schools were too often re-segregated across classrooms within the schools via a tracking system that led to predominantly Black remedial classes and predominantly White honors and A.P. classes. Although the degree of racial insensitivity appeared to be diminishing over time, the prejudice found in the White suburbs was real and often painful (Wells, 2001; Wells & Crain, 1997).

Interestingly enough, beyond these comprehensive studies of Hartford and St. Louis, there are few other studies on the academic impact of these inter-district desegregation programs. One such study, conducted in 1989 in Milwaukee, concluded that while the desegregation program within the Milwaukee Public Schools had failed to increase the academic achievement of Black students, Black students who attended suburban schools through the Chapter 220 program outperformed their counterparts in city schools (Wisconsin Advisory Committee, 1992, p. 15).

Meanwhile, annual evaluation reports of The Choice is Yours Program in Minneapolis have shown uneven initial results. For instance, in 2004-05, the first year for which student achievement data were available, test results suggested that the low-income students who transferred from urban to suburban schools appeared to benefit academically. In contrast, the 2005-06 student achievement data revealed that the students who transferred to the suburbs were outperformed by a comparison group of students who were eligible for the suburban transfers due to their low-income status but chose to remain in city schools (Aspen Associates, 2007). Given that this program began in 2000-2001 and given the unevenness of the first two years of test score data, we conclude that it is too early to assess the academic impact of this inter-district transfer plan. Indeed, if the research on the St. Louis transfer plan is any indication, it may take several years before the full benefits of this program will be understood.

## Changing Racial Attitudes in the Suburbs

What is most striking about reviewing the research and historical documents on these eight programs is that a common theme emerges from across disparate metropolitan areas: suburban residents, educators, school officials and students grow to appreciate these programs more the longer they continue in them. In many of these metropolitan areas, opposition to the inter-district plans on the suburban side of the racial divide was fierce initially. As we noted above, oftentimes, only court orders and state laws were instrumental in getting these suburban districts on board – along with the threat that these communities may lose their districts altogether through a metropolitan-wide school district consolidation program such as the one in Wilmington, Delaware.

Yet, despite this initial opposition toward these programs in the 1960s, 1970s, and 1980s when most of them began, more recent reports show strong evidence of growing acceptance and even solid political support for these transfer plans in the suburbs. In some cases, such as one suburban school district in St. Louis, we see strong public opposition to efforts to end these once-dreaded programs. Indeed, in 2004, hundreds of students in affluent suburban Clayton High School walked out of class to protest any effort on the part of their local school board to end the voluntary inter-district desegregation plan. According to one news report of this incident, the students organized the walkout to “show support for diversity in this top-ranked school district and for their friends... Organizers asked students to sign petitions to maintain the school's diverse student population” (The Associated Press, 2004).

This youth activism in Clayton is symbolic of another theme we see across these programs and sites, namely that the younger White suburban residents – both current students and recent graduates of the desegregated schools – are some of the strongest supporters of desegregation. For instance, an opinion poll taken in the late 1980s, five years after the St. Louis inter-district plan started, showed that suburban students were the most supportive of the plan among Whites – more so than the suburban teachers and parents. In fact, 71% of the White high school students said that it was a good idea to mix Black city kids with White county kids, while only 54% of White parents said this (Freivogel, 2002, p.23). Ten years later, in 1998, after 15 years of urban-suburban desegregation in the St. Louis metro area, an opinion poll found even more support for the program among Whites (Freivogel, 2002, p. 24).



Still, perhaps what is most significant about the recent history of the St. Louis Voluntary Inter-district Program, as described briefly above, is that after years of being ordered by a federal court to enroll the urban transfer students, 16 of the suburban school districts involved in the program voted unanimously to extend it for five years after the federal judge in the case decided they could no longer be ordered to participate. Furthermore, 13 of these 16 districts voted to continue accepting new African American transfer students during this extension even though the state funding for each transfer student was reduced from the districts' average per-pupil expenditure to a flat rate of \$8,000 (Hempel, 2007). Apparently, after 24 years of participating in the program, the suburban school officials had come to value this plan for social, educational and economic reasons. At the meeting in which this historic vote was taken, the chairman of the group of participating school districts and the superintendent of the affluent Clayton School District hailed the program after the vote, noting: "You all know how I feel about this program... It's a very special thing" (Hempel, 2007, p. A12).

Similarly, we saw in Indianapolis and Rochester as well as Boston that in more recent years, when these inter-district school desegregation programs were threatened either in the courts or in the state legislatures, suburban school district officials and/or residents stood up for these programs and tried to preserve them. Indeed, an article in Education Week noted that when federal district court Judge Dillin ordered the inter-district transfer program in Indianapolis in 1981, the suburban townships slated to receive the Black urban transfer students vigorously opposed it. But the suburban communities' stance changed over time, and by the late 1990s they fought the city's efforts to reclaim the urban-to-suburban transfer students (Hendrie, 1998).

Another sign of growing suburban acceptance of urban-suburban voluntary desegregation plans is that in several of these eight sites, more districts over the years have signed on to accept students from the cities. For instance, in 2005, a ninth suburban school district signed on to Minneapolis's The Choice is Yours program and began accepting urban transfer students. Similarly, in 2008 in Rochester, NY, another suburban school district that had not historically participated in the 43-year-old urban-suburban transfer program signed on to the plan and began accepting minority students from the city.

Meanwhile, in 1994, a survey released by the Indiana Youth Institute found that both students who graduated from desegregated schools and their parents backed the inter-district school desegregation plan. "Integrated education got overwhelming support" (Ritter, 1994, n.p.).

The study found that "Large majorities of both races said students who attend interracial schools gain a positive advantage. Blacks from integrated schools received little serious racial bias... And data from suburbs found a 'remarkable level of friendship' among Blacks bused from segregated city neighborhoods and White students from mostly White suburbs" (Ritter, 1994, n.p.).

In the Milwaukee metropolitan area, another place where suburban support for racial integration was not initially forthcoming, the students who lived through the Chapter 220 program – both White and Black – were highly optimistic about the impact of the program on their lives. For instance, from a survey of urban and suburban students in schools participating in the Chapter 220 program Rose and Rose (1993) concluded that most middle school and high school students indicated that it was easy to make cross-race friends in their schools and that most have done so. They also learned that it was not unusual for transfer students from the city of Milwaukee to report that they had been invited to the home of a student in the host district to attend a social event. Furthermore, the high school students in Chapter 220 schools were highly likely (92%) to report that their schools were integrated; for the middle school students it was 62%. In addition, the surveyed high school students expressed a strong interest in learning more about different cultures (Rose & Rose, 1993).

Indeed, the evidence is quite strong, in the research and reporting on these eight programs and other work on school desegregation, that these plans only become more accepted – even embraced – by suburbanites and graduates of the urban-suburban transfer programs over time, as racial and social class barriers are broken down.

## **Long-term Outcomes for Mobility and Opportunity**

The need for a longer-term assessment of the student achievement data from these inter-district desegregation plans speaks to the potential long-term effects of these programs on the lives and opportunities of students of color – as they matriculate through the suburban schools and well beyond. Once again, some of the most important research on these longer-term effects comes from the original Hartford urban-suburban transfer program, Project Concern.

In the 1980s and early 1990s Robert L. Crain and colleagues conducted a study of 700 African American parents and/or former students. The sample was divided between graduates of the Project Concern program and a

control group of young adults who had been chosen to participate in the program via the lottery but who had decided not to transfer to the suburbs. In the Crain et al. (1992) report, the authors concluded that Black students who attended suburban schools through Project Concern were more likely to graduate from high school and complete more years of college than members of the control group who remained in the Hartford Public Schools. The finding on dropping out of high school was particularly strong for male Project Concern participants, whose dropout rate was 0% while 36% of male control group students in the city dropped out (Crain et al., 1992).

In addition, Crain et al. (1992) found that the Black Project Concern graduates had a greater sense of interracial comfort in predominantly White settings. The male Project Concern graduates were also less likely to have sensed discrimination during and after college and to have far fewer encounters with the police. Male and female graduates, on the other hand, were more likely to have closer contact with Whites, such as living in integrated neighborhoods or interacting with more White friends in college (Crain et al., 1992).

A second study of Project Concern adult graduates by Crain and Strauss (1985) found that Black graduates of suburban predominantly White schools were far more likely to work in professions that had traditionally employed fewer Blacks. For instance, these Black suburban school graduates were more likely to end up employed in White collar jobs, mostly in the private sector, while those in the control group were more likely to have government or blue collar jobs. Furthermore, Project Concern graduates were more likely to have “consistent” career plans based on their occupational aspirations, work history and post-graduation activities (see Frankenberg, 2007).

Similarly, in her study of African American graduates of the Boston METCO program, Eaton (2001) asked these alumni whether they would do it all over again if given the chance. She found that the vast majority said they would do it again. Furthermore, Eaton (2001) learned that METCO graduates said they felt more comfortable around Whites and had greater access to more prestigious educational and job opportunities.

This limited body of research on the long-term effects of these inter-district desegregation programs echoes a larger body of research on the long-term effects of school desegregation policies in general. For instance, as Wells and Crain (1994) and Wells (2001) both note, research on employers, for instance, demonstrates that African American graduates of a White suburban high school are more likely to be hired by a White-owned business than

similar graduates of all-Black, inner-city schools. This research suggests that employers assume that a job candidate who graduated from a suburban school with a good reputation rather than an inner-city school will be a better employee. Similarly, Zweigenhaft and Domhoff (1991) found that most African American students from low-income neighborhoods who attended prestigious private prep schools through a program called A Better Chance (ABC) used their prep school credential to gain access to higher-status universities and successful careers.

Clearly, this body of research on the long-term effects of cross-district desegregation speaks to the “institutional effects” of desegregation discussed above and thus helps underscore the reasons why pro-active policies such as these are needed to both overcome the harms of racial and socio-economic segregation in our society and to tear down the spatial and physical barriers between the “haves” and the “have nots” in our society. As we explain in the following section, these are exactly the characteristics lacking in the free-market-based open enrollment policies and programs.

### **High Demand: When Program Popularity is Not about Markets but Inequality**

Although not all of these programs keep waitlists of students who apply for seats in suburban schools but do not get one because of lack of capacity. In some cases, once placements are made and the school year begins, the slate is wiped clean and parents whose children were not enrolled in a suburban school need to fill out a new application if they want to be considered for the following year. Despite the lack of systematic data across sites, however, we do know that, every year there are more applicants for each of these programs than there are spaces available (see Table 2 on next page).

For instance, in St. Louis where the voluntary inter-district transfer plan has been losing state funding and thus capacity to serve the number of students it did in the 1990s, for the 2007-08 year, 3,662 Black students from the city applied for only 1163 available spaces in suburban schools. In other words, only 31% of the urban-to-suburban transfer applicants were placed in suburban schools.

We see more evidence of the popularity of these programs with urban families in the application figures from other programs. According to the coordinator for the Chapter 220 application process in the Milwaukee Public Schools, for the 2006-07 school year, approximately 2000 students

from the city applied to transfer to the suburbs, but only 370 total new seats were available in suburban school districts. In Rochester, officials who work with the urban-suburban transfer program there said that each year between 400 and 500 students apply for between 70 and 100 spots in suburban schools. Similarly, the Tinsley transfer program in East Palo Alto, California, which is fairly small in scale and only places about 166 new students each year in kindergarten through third grade, usually gets more than 200 applicants a year.

who have been most disadvantaged by the status quo in U.S. public education. More research is needed on how suburban schools are measuring capacity and what role funding levels play in their ability to accept additional transfer students. In addition, we need sound public policy that expands these meaningful choices for the most disadvantaged students by providing more incentives for suburban school districts to accept urban transfer students and funding for the infrastructure, which might include capital funding to build new structures in suburban

districts, and support services to make these choices matter for poor families of color. Thus, in the final section of this report we focus on the kinds of policies and political movements that are needed to keep these plans alive and to expand opportunities to other contexts.

This review of the research literature on the inter-district school desegregation programs strongly suggests that policies designed to directly address issues of inequality in terms of student access to high-quality schools may be the more expedient route to tackling the achievement gap, which is the symbol of inequality in terms of student outcomes. While research on the impact of accountability reforms and more free-market school choice policies on student achievement is mixed, the research on these more equity-minded

inter-district school desegregation policies is far more positive. This research evidence leads us to question why policymakers refuse to learn from programs that have shown academic success and produced social benefits.

The answer to that question lies in the history of political struggles for these inter-district desegregation programs. When we examine the origins of these plans we see that their creation was grounded in political struggle, suggesting that any effort to create new 21<sup>st</sup> Century policies that accomplish similar goals will also require a social movement spawned by grass-roots organizing. Without such efforts half a century ago, most of the programs highlighted in this report would not exist.

<b>The Unmet Demand for Inter-district Transfer Programs</b>			
<b>Urban Sites</b>	<b>Year</b>	<b>Acceptances</b>	<b>Waitlist/Rejection</b>
Boston	07-08	460	~13,000*
St. Louis	07-08	1,163	2,499
Milwaukee	06-07	370	1,630
Rochester	07-08	80	370
Hartford	06-07	170	206
East Palo Alto	06-07	~166	~40

**Table 2: The Unmet Demand for Inter-district Transfer Programs**

In 2006-07, 200 minority students from Hartford were on the waitlist for Project Choice, mostly students in grades higher than 2<sup>nd</sup> grade. Furthermore, Frankenberg (2007) argues that it is important to note that of all urban applicants for transfers to suburban schools, more ended up on the waitlist than were actually placed in a suburban schools for that school year.

But the largest waitlist is attached to Boston’s METCO program, where estimates place the number of students of color from the city on the waitlist to attend a suburban school at between 12,000 and 13,000. Furthermore, according to Eaton (2001), as of 1996 about 25% of the parents who signed up for METCO did so before their children were 1-year-old.

Clearly, there is no lack of demand for inter-district desegregation programs that are not grounded in free-market rhetoric, but in meaningful choices for the students

## **Historics of Struggle: From Fed-up Mothers and Grassroots Organizing to New Policies**

Behind each of the original seven inter-district school desegregation plans (all but the Minneapolis plan) is a story of local, grassroots activism and protest that grew out of mounting frustration with huge educational inequalities along racial lines. Whether Black mothers in urban neighborhoods in Boston and St. Louis or White suburbanites in Rochester and the mid-Peninsula section of the Bay Area, people joined together around a common theme of righting wrongs. They struggled to bring attention to their causes and to push for change, even if they did not know at the time exactly what change they wanted to make. Some of these plans resulted in federal or state court orders, others in state legislation and formal local agreements across school districts. But all of these efforts began at the grassroots level, mostly with African American mothers who were tired of lies and of having their children constantly receiving the short end of the stick.

### **Black Mothers and Activists Mobilize for Equal Educational Opportunities**

In three of the seven long-term inter-district school desegregation sites – Boston, Milwaukee and St. Louis – Black mothers whose children were enrolled in segregated, overcrowded, under-resourced, and dilapidated public schools organized boycotts at the grassroots level. While these mothers were fighting for better educational opportunities for their children in any form they could get them (e.g., better neighborhood schools or access to predominantly White schools), their struggles ended in some of the most radical Civil Rights policies this country has seen.

For instance, in St. Louis, even though the formal inter-district school desegregation plan did not begin until the early 1980s, its origins of it date back to the late 1960s when a group of Black mothers organized on the north side of the city (Wells and Crain, 1997). The St. Louis Public Schools had built several new schools in segregated Black communities, but they quickly became as overcrowded as the older schools serving those communities. According to an interview with Minnie Liddell, who had four small children at that time, these new schools were known as "containment schools" because they kept the Black children "all over there." In 1968, the St. Louis school board opened the Yeatman Elementary School, one of these so-called containment schools, which was all-Black and overcrowded from the start. But Yeatman was also a very popular neighborhood school, with much

parent involvement and a strong sense of community. By 1971, the Yeatman School had become so overcrowded that students needed to be reassigned elsewhere. In August 1971, the St. Louis School Board sent letters to parents in a three-block area stating that their children were reassigned from Yeatman to the Bates School, an old boarded-up building in an abandoned neighborhood. The children of Minnie Liddell and another mother, Beatrice Yarber, were among those reassigned (see Wells & Crain, 1997).

The fed-up parents whose children were assigned to Bates began meeting, first at a church and then nightly at the Yarber home, to plan their protest against the school board. Liddell and Yarber remember that at first, they were only concerned about their own children. Meanwhile, White parents from the city's southside had protested a similar decision to reassign their children for overcrowding. The Board rescinded its decision for the White parents, allowing the White students to return to the neighborhood school, while refusing to allow the Black students to return to Yeatman (Wells and Crain, 1997).

This decision ignited a grassroots movement among the Black parents. According to Yarber, their protest took on greater significance:

I think at some point in time, in the middle of my living room floor... we began to realize that we were not as fortunate as those people on the southside who were able to keep their youngsters in their own schools. We also realized that we could not do anything for our group of youngsters without making changes for all Black youngsters... We were aware of that.

The core group of about 15 parents, the Concerned Parents of North St. Louis, organized a boycott of the Bates School, and continued to protest. Their children were out of school for six weeks before the St. Louis school board allowed the parents to choose an alternative school to Bates, as long as it was not Yeatman. Meanwhile, the school board did not provide transportation for Black students who were reassigned to another school because of overcrowding, thus many students were forced to rely on the public bus system. When a Black boy trying to get to his school was killed by a public bus, the Concerned Parents became increasingly vocal in their School Board protests (Wells and Crain, 1997).

They also organized community meetings with 200 parents to begin talking about educational issues. Despite their lack

of resources and their initial lack of support from larger civil rights organizations, the Concerned Parents found an attorney, William Russell, to work with them. On February 18, 1972, they filed a class action law suit, *Liddell v. Board of Education of the City of St. Louis, Missouri*, in the U.S. District Court. What had started as a movement by a handful of frustrated parents who wanted their children readmitted to an all-Black school, would in time become one of the most important school desegregation cases in the country (Wells and Crain, 1997).

Lacking resources, Russell involved the parents in researching the case. This direct involvement of the parents is in part what led to the case's expansion. Liddell, for instance, recalled reading St. Louis School Board documents and becoming more aware of the unequal treatment of Black students. The parents began to see a pattern of how the school board treated Black students like pawns on a chess board. They learned about the school board's efforts to continually redraw attendance lines, constantly closing and reopening Black schools. Finally the Concerned Parents, despite their fears of sending their children to predominantly White schools, decided to push for school desegregation. As Yarber explained, "People are more apt to take care of your children if you have some of their children to take care of" (Wells and Crain, 1997).

Similar stories from both Milwaukee and Boston show the courage and conviction of Black parents fighting for better opportunities for their children and igniting a movement and court case that benefited a larger, metropolitan community. In Milwaukee, for instance, in 1964 a grassroots coalition called Milwaukee United School Integration Committee (MUSIC) organized a one-day boycott of the Milwaukee Public Schools (MPS) in response to the "intact busing" of Black students into predominantly White schools where they were separated from the White students throughout the day. More than 300 protesters picketed the MPS administration building to demand desegregation. Later that year, in May 1964, 11,000 Black and White children boycotted the public schools and enrolled in MUSIC's freedom schools. It was not until late 1965 that enrollment in the freedom schools began to decline.

Similarly, in Boston, in 1963 and 1964, Black parents boycotted Boston Public Schools for their failure to desegregate. This grassroots organizing led to growing awareness of the limited school options for Black children and innovative approaches to addressing this inequality, including community controlled busing, renaming schools in the Black community after well known Black leaders, fighting to increase the number of Black principals, and starting community controlled private schools (King,

1999). In 1965, *Operation Exodus* began under the leadership of Black parents, Ellen Jackson and Elizabeth Johnson, in an effort to get students bused from segregated deficient schools to better schools in the city. Exodus later became METCO, Inc. and the goal expanded to cross-district integration.

In fact, in both Boston and East Palo Alto in the mid-Peninsula area parents took it upon themselves to jump start inter-district desegregation by initiating illicit student transfer programs - Operation Exodus in Boston and the "sneak out" program in East Palo Alto. The sneak out program began in 1966 when African American students from East Palo Alto who were enrolled in the Ravenswood City School District were secretly placed in homes in nearby more affluent and predominantly White school districts. This first group of students transferred out of the Ravenswood schools in protest of the inferior educational opportunities available in that racially segregated and poor district. Margaret Tinsley, whose son would later be the name plaintiff on the inter-district desegregation case, was one of the parents organizing the sneak out (Robertson, 2002).

Meanwhile, White families in the more affluent districts agreed to host these students during the week, allowing them to live in their homes to attend more affluent schools. This cross-racial effort to organize and implement the sneak out became emblematic of mid Peninsula's struggle for school desegregation. In the fall of 1969, an East Palo Alto African American mother, Gertrude Wilks, founded "Mothers for Equal Education" (MEE). This group would eventually host a cross-racial conference for Black and White women in the mid Peninsula area. This historic, cross-racial meeting would spur critical activism on the White side of the color line in more affluent districts in the area, as we describe below.

## White School Board Members, Educators and Parents Acknowledge Inequality

In two of the seven original sites - Rochester, NY and mid-Peninsula suburbs near East Palo Alto, CA - White school board members, educators and parents at the grassroots level played a critical role in launching the inter-district school desegregation plans. In Rochester, the superintendent and school board members in suburban West Irondequoit initiated the oldest and now longest-running inter-district school desegregation plan in the country. The West Irondequoit School District's efforts began shortly after a series of racial protests in Rochester in the early 1960's, which led the New York State Commissioner

of Education to ask every school district in the state to inform him of the “racial imbalance” of their district was and what they were doing to address the problem (Monroe #1 BOCES, 2005).

Most districts in the state responded by saying they did not have any racial imbalance whatsoever. In fact, the West Irondequoit School District was the only suburban school district in the Rochester area to admit to the State Commissioner of Education that their district was mostly White and that their students, therefore, were “being deprived of meaningful opportunities to interact with children of other cultures” (BOCES Project, 2005).

Meanwhile, the school board in suburban Brighton voted to accept 25 Rochester City students to their 1964 summer school program. The PTAs from both the city and suburban schools raised money to fund this summer program (Monroe #1 BOCES, 2005). In July of 1964, at a West Irondequoit School Board Meeting, the Superintendent, Dr. Joseph Cole, floated a proposal to allow city students to come to West Irondequoit on a “tuition basis.” By October of 1964, the West Irondequoit and Rochester Superintendents discussed ways to enroll city students into suburban schools. In February 1965, the West Irondequoit School Board “unanimously passed” the motion to support the New York State Commissioner of Education’s directives to reduce racial imbalances and to improve the educational opportunities of disadvantaged students by serving as a “receiving school system” for students from Rochester (Monroe #1 BOCES, 2005). That spring, meetings were held to inform the community leaders and teachers from West Irondequoit about the Board’s decision. Also, a newsletter was sent to West Irondequoit residents in May to inform them that African American transfer students from the city would be arriving in the fall, when 24 urban students enrolled as first graders at West Irondequoit.

This first initiative by the West Irondequoit School District, in conjunction with the State Commissioner and the Rochester Public Schools, effectively launched the Rochester Urban-Suburban Inter-district Transfer Program, which now has a total of seven participating suburban school districts.

In 1968, on the other side of the country, the mid-Peninsula section of the San Francisco Bay Area, the school board of the Sequoia Union High School District, which enrolls students who graduate from Ravenswood and several more affluent elementary school districts in the area, legitimized the “sneak out” program (described above) at the high-school level by contracting with the Palo Alto and Mountain View-Los Altos districts to

voluntarily educate Ravenswood students for \$780 per student (Robertson, 2002). Then in 1969 the Sequoia Union district instituted a system-wide high-school transfer plan in which students could transfer to schools where they were in the racial minority. As mentioned above, most of these transfers were students leaving Ravenswood; only two non-minority students transferred into Ravenswood, while 153 students transferred out.

An even stronger pro-desegregation slate was elected to the Sequoia Union High School District’s (SUHSD) Board of Trustees in 1969. This board passed a plan that would forcibly integrate the district’s high schools so that no school’s minority population would exceed 25%. This plan was enacted for one school year before the pro-integration members of the SUSHD board were voted off and mandatory desegregation was terminated (Robertson, 2002).

Yet, at the same time, in January of 1970, 28 White women who had attended a prior cross-racial conference hosted by East Palo Alto were inspired and held their own conference entitled “How Can We Act as Responsible White Women?” held at Palo Alto Presbyterian Church. A total of 135 White women attended (Robertson, 2002). An outgrowth of this conference of “White women” was a two-week, integrated “Fun and Friendship” camp sponsored by Portola Valley School District and the Ravenswood City School District. Thirty volunteer mothers and 45 teenage assistants ran the camp; 180 children of different racial and ethnic backgrounds attended. The first week of the camp was held in East Palo Alto, and the second week was held in an affluent suburb.

After these various grassroots efforts to organize and mobilize a multi-racial group of parents, teachers, and community leaders in 1971 formed the Mid Peninsula Task Force for Integrated Education to advocate for integrating the elementary schools across the separate and unequal school districts. When the Task Force was unable to create an inter-district desegregation plan through negotiation, its members decided to take legal action, resulting in the Tinsley state court case.

Thus, in the mid-Peninsula area as well as most of these other sites, it was the grassroots community organizing led to the court cases and state and local policies that codified these inter-district school desegregation plans. Without these early efforts, without the frustrations and ensuing struggles of the Black parents and activists and a handful of insightful White parents and leaders, far fewer students would have crossed school district boundaries and color lines in this country.

## From Grassroots to Formal Policies

What is significant about each of the first seven inter-district school desegregation plans is not only their origins in powerful grassroots movements that were inspired by the Civil Rights Movement but also the ways in which these community-level struggles were translated into the court orders and legislation that would sustain these struggles in the form of formal programs. As Holme and Wells (2008) illustrate in their recent book chapter comparing inter-district desegregation plans to *laissez faire* open enrollment plans, the handful of inter-district school desegregation programs that exist across the country were, unlike more recent school choice policies, designed explicitly to provide greater educational opportunities for students of color trapped in low-achieving schools in poor and segregated school districts. Indeed, in St. Louis, Boston, Hartford, Rochester, the mid-Peninsula section of the San Francisco Bay area, Milwaukee, Indianapolis, and, more recently, Minneapolis, elementary and secondary school students have been using these voluntary, school choice policies to cross school district boundaries—in some cases for 40 years now—in an effort to both improve educational equity and bring students together across color and class lines.

What most starkly differentiates voluntary inter-district school desegregation programs from more recently implemented *laissez-faire* school choice policies, therefore, is their grounding in the grassroots efforts described above and the Civil Rights Movement more broadly. These desegregation plans are clearly skewed in favor of students who are disadvantaged because of their race/ethnicity and/or social class, and they are guided by the goal of ensuring that these students have access to better schools as a remedy for past injustices. With the exception of the more recent Minneapolis program, which targets students based on family income and not race, inter-district desegregation plans are designed to remedy the harms of past discrimination against communities of color and to help the most disadvantaged students cross racial and social class boundaries to attend schools with more resources and opportunities. Meanwhile, this shared sense of mission and focus on equity across these eight voluntary inter-district programs is noteworthy because they have disparate legal and policy origins.

Thus, of these eight plans, three of them (Milwaukee, Indianapolis, and St. Louis) were codified in federal court orders based on claims of 14<sup>th</sup> Amendment violations, three (Hartford, Minneapolis, and the “Tinsley” plan of the mid-Peninsula area) were formalized via state court rulings grounded in state constitutional guarantees of

equal educational opportunities, and two (Rochester and Boston’s METCO program) were supported by state legislation and local policies that specifically sought to create more racially diverse public schools.<sup>2</sup>

Thus, the Milwaukee’s Chapter 220 program, Indianapolis’s Marion County Integration plan and the St. Louis’s Voluntary Transfer program were all sustained via federal school desegregation cases in which judges found that urban school officials and/or state governments had violated the 14<sup>th</sup> Amendment rights of African American students. As we noted above, such federal court orders for inter-district desegregation plans are anomalies in light of the Supreme Court’s 1974 ruling in the *Milliken v. Bradley* case. In this ruling, the Supreme Court stated that suburban school districts could only be ordered to participate in inter-district school desegregation plans if they themselves were found guilty of creating the cross-district segregation that defines every metropolitan area across the country. This is a difficult legal hurdle to clear when urban/suburban segregation is created and maintained as much by housing policies and real estate practices as it is by school districts.

Therefore, the three inter-district desegregation programs put in place by federal courts in Milwaukee, Indianapolis and St. Louis all surmounted these legal obstacles in creative ways that are not widely replicable. For instance, in Milwaukee, the state of Wisconsin had already passed legislation supporting inter-district transfers of students for racially balancing the public schools. In St. Louis a settlement agreement was reached when the suburban school districts became fearful that if they did not accept urban transfer students, they would be meet the Milliken standard, given the history of *de jure* racial segregation in Missouri public schools, and be merged into one large metropolitan school district.

Still, for the most part, the federal courts provided extremely limited opportunities for inter-district remedies. Thus, amid the growing cross-district segregation that we discussed above, other more recently established inter-district plans were derived from desegregation cases brought in state courts, where state constitutional guarantees of an adequate education apply. As a result, the

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<sup>2</sup> Note: Most of these plans have been influenced or supported by state laws and legislation at one or more points in their histories. This is particularly true of Hartford in which the original Project Concern plan was created via legislation and the subsequent plan was created by both a state court ruling and state legislation. But our point in this paragraph and table is to show the *origins* of each program. In the case of Hartford, we list it as both founded by legislation in the 1960s and by a court case in the 1990s. This is not to imply that other inter-district plans were not profoundly shaped by legislation.

state-ordered inter-district transfer plans in Hartford, CT and Minneapolis, MN – the Project Choice Program and the Choice is Yours Program – are both state inter-district school desegregation cases *and* fiscal equity cases. In other words, these cases address both the need for the most disadvantaged students in poor urban school districts to have school choices beyond their district boundaries and the need for a more equitable distribution of resources and opportunities across these same boundaries in order for states to maintain their constitutional guarantees to all students. The other inter-district school desegregation plan derived from a state court case – the Tinsley Transfer Plan in the Palo Alto area – was strictly focused on desegregation because California had already implemented a fiscal equity remedy through a separate case.

Still other two inter-district plans discussed in this report – the Boston Metropolitan Council for Educational Opportunity (METCO) program and the Rochester Urban-Suburban Inter-district Transfer program – came about without court orders at all, but rather through the efforts of advocates and state and local officials who were trying to avoid court cases. Ironically, these two programs are the oldest and longest standing inter-district desegregation plans in the country. Interestingly enough, the Rochester plan was challenged in federal court by a White plaintiff who argued that she, as a Rochester City resident, should be allowed to attend a suburban school via this race-conscious program targeted only toward students of color. While the District Court judge agreed with her, on appeal, the U.S. Second Circuit Court sent the case back to the District Court for a trial, at which point the Rochester Public Schools settled with the plaintiffs out of court.

This Rochester legal story demonstrates a central point about the complex and intertwined relationships between the politics and the policies. Thus, not only did these policies grow, in many instances, out of local grassroots efforts of the Civil Rights era, but they have also relied on more centralized political backing in state houses and in Washington DC. In fact, whether these programs were court ordered or not, they all required support from state and often federal policymakers and officials. As we explain in the following sections of this report, “state support” for inter-district school desegregation – whether coerced via a court order or brought about through the political process – is critical and fragile. Federal support has been fairly non-existent since the early 1980s but it was helpful when it existed. Notably, as the political winds have changed in this country in the last 25-plus years, support for these programs has both expanded (e.g. in the local communities that have participated) and waned at the federal level and in some of the states.

In fact, each of the eight programs we review in this report varies in terms of how much support they receive from their state governments. The larger and most successful plans have had strong state support while the plans that have not been as successful thus far need more state support in one or more of these areas. The form and substance of this support are analyzed and discussed in the following sections on the details of these programs.

### **Parameters and Guidelines for Student Access and Participation in Inter-district Desegregation: Not All Plans are Created Equal**

If we are to use the lessons taught by these eight inter-district school desegregation plans to move forward and devise new policies and opportunities for students to cross school district boundaries, we need to consider the nuts and bolts of each of these existing plans – and the limitations that these parameters create and recreate in terms of student access and equity. In this last major report section, we provide an overview of these key characteristics for each plan.

### **Students Choosing Schools, Schools Choosing Students**

Outreach, recruitment and application procedures for the eight inter-district voluntary – or choice-oriented – school desegregation plans vary across each site. Yet these policies are critical in shaping and constraining student access to these programs. As we describe below, some of these programs are more open and accessible than others.

For instance, the St. Louis Voluntary Inter-district Desegregation plan has been the most aggressive in terms of outreach and recruitment and the most accessible to a wide range of African American students in the city. The program is run by a central coordinating body – the Voluntary Inter-district Coordinating Council, which was replaced by the Voluntary Inter-district Choice Corporation (VICC) as part of the 1999 settlement agreement – which recruits, places and counsels African American students from the city who transfer to suburban schools. Every year, the VICC office sends out information on the transfer program to all eligible families in the City of St. Louis. Urban-to-suburban transfer students in St. Louis are not screened based on prior achievement or test scores, but they can be denied access if they have a poor disciplinary record (Wells and Crain, 1997). The VICC office makes all placement decisions once students apply; suburban school districts are not allowed to pick and choose the transfer students they would like to enroll.



For Boston's METCO program, little to no outreach or recruitment is conducted because the program is already oversubscribed. This means that information on the existence of the programs travels mostly through word of mouth and social networks, limiting who learns about it and thus who applies.

In Rochester, parents learn about the program through their own social networks and via word-of-mouth. Furthermore, the application to transfer to a suburban school requires information on students' prior achievement and disciplinary records if applicable. (Monroe #1 BOCES, 2007).

After the application is turned into the Board of Cooperative Educational Services (BOCES) that administers the Rochester Urban-to-Suburban Inter-district Transfer program, representatives from the suburban school districts review the applications and choose which students they want to interview for their open slots. The students and parents have no say in which district the transfer student may be placed. One mother with four children had a child enrolled in each of four different school districts at one time.

In Indianapolis, which is currently phasing out its operations, issues of outreach and access were less salient because under this program, African American students who lived in designated areas of the city were assigned to their suburban schools as if they were in their neighborhood. This novel system of student assignment meant that families had no choice about which suburban school to attend. It also meant that relationships could form across urban and suburban communities based on school assignments.

Yet perhaps the most impressive system of outreach for students and families crossing school district boundaries – as well as racial, social-class and cultural boundaries – is woven into the Minneapolis Choice is Yours program and supported by both federal and state funds. More specifically, the outreach activities of the Minnesota State Department of Education's and the Minneapolis Public Schools, coupled with a system of Parent Information Centers in the local communities throughout the metro Minneapolis area constitute a more comprehensive safety net for the transfer students and their families than is available through most of these other programs. Examples of the outreach efforts led by the Minnesota Department of Education include media campaigns in newspaper, television billboards and radio advertisements; community outreach events; partnership programs with Head Start centers; and school choice videos in multiple languages. Meanwhile, the Minneapolis Public Schools hold annual

school choice fairs, direct mailings and parent information fairs, among other outreach activities. In addition, state and federal funds support two parent information centers to distribute information, hold parent meetings, and conduct computer labs so that parents can research their school choices. The support from the federal grant appears to be a critical factor in enabling the state and district to offer such support to parents, thereby exemplifying the potential role that federal policymakers can play in assuring that the most disadvantaged families have real school choice.

Still, the data from the Minneapolis plan is somewhat disappointing. Because eligibility is based on poverty and family income and not on race, the program has enrolled a disproportionate number of White students. For instance, while, 27 percent of students who are eligible for the Choice is Yours Program based on family income are White, 40% of the students who transfer out of the city to predominantly White suburban schools are White (Aspen Associates, 2007). This speaks volumes to the on-going salience of race in education and in school choice programs – an issue that if left unchecked in the form of “colorblind” policies can lead to greater racial segregation.

### **Support for Transfer Students: Bridging the Urban-Suburban Divides**

The history of school desegregation programs and other policies targeted toward the most disadvantaged children tell us that applying and enrolling is only the beginning of the process of ensuring that students stay and succeed in their schools of choice. Because of their history in the struggle for greater equality (as opposed to the free-market, competitive mentality) some of these inter-district school desegregation programs were established with the kind of infrastructure needed to ensure on-going support for students. But others, because of lack of funding or lack of perceived need, do not provide these supportive services.

In St. Louis, for instance, the VICC is both a formal, public coordinating policy-making body with representatives from each of the involved school districts and an outreach, recruitment and support center for the urban transfer students. VICC also works with transfer students and their families as well as suburban schools to help ease the students' transition from the city to the county public schools (Wells and Crain, 1997; Haney and Uchitelle, 2003).

In the Boston-area METCO program, the non-profit organization, METCO, Inc., employs two social workers, a guidance counselor, and a student services administrator.

The organization's central role is to place Boston students in the participating suburban school districts. Yet, once students of color from Boston are enrolled in suburban schools, they receive support from METCO directors, which most of the suburban school districts have and pay for out of their operating budgets. All of these directors are people of color, and their main responsibility is to coordinate METCO-related activities, help place the minority students in the suburban districts, and serve as a liaison to the families – helping both parents and students bridge the gap between Boston and the unfamiliar suburban communities (Frankenberg, 2007, p. 31).

In the Indianapolis plan, each of the six participating suburban school districts employed a Marion County Coordinator of Integrated Education (MCCIE) with specific responsibilities to supervise staff, students and programs as the African American students began enrolling in their predominantly White schools. In fact, these coordinators were responsible for collecting data and submitting an Annual Desegregation Statistical Overview to the Indiana Department of Education, which also helped the Federal Court oversee the transfer program and assure that it was providing access to those who were supposed to benefit from the remedy (Snorten, 2005).

In the Milwaukee metro area, an organization called Parents Concerned About Chapter 220 was formed in the early 1990s to represent the educational interests of MPS transfer students. At the same time, according to the Wisconsin Advisory Committee (1992), a variety of steps had been taken by several suburban school districts to address problems that the transfer students and suburban students faced in the course of the cross-district transfer process. For instance, one suburban school district hired its own Chapter 220 program administrator and human relations coordinator. Another district adopted a multicultural curriculum, and another created a new staff position to oversee the Chapter 220 program and provided counseling to the students and parents involved in some racial incidents at school. Some suburban school districts decided to employ a school-community liaison person to work with MPS transfer students and parents; others hired human relations specialists or liaison persons. Finally, other suburban districts in the Milwaukee metro area started a Host Family Program, which provides a place for transfer students to stay overnight if necessary and a home base for these students when they are far from home. At the same time, the Host Family Program, which was also implemented in the St. Louis suburbs, provided an opportunity for greater interaction between city and suburban families (Wisconsin Advisory Committee, 1992, p. 27).

Therefore, it is clear from our analysis of the most critical components of inter-district desegregation programs that access and opportunities are skewed toward the most disadvantaged students, preferably students of color from low-income communities, and that outreach and recruitment efforts target these students. Second, ongoing support and scaffolding of transfer students and their families are greatly needed. Providing such meaningful choice and access to the most disadvantaged students in the worst-performing public schools is not inexpensive. It requires mandates, incentives and guidelines for participating suburban and urban school districts, as well as critical support for parents and students in the form of outreach and transportation. While the last 25-plus years of conservative thinking about racial inequality and school choice policy has not created a favorable context in which these types of programs can flourish, the fact that they have survived is noteworthy and gives us hope. But as we illustrate in the following section, more resources are greatly needed for each of these plans to fulfill their missions.

### **Funding, Suburban District Incentives, and Transportation**

Clearly the two largest costs of inter-district school desegregation programs are incentive payments or funding for the receiving districts and transportation costs for the transfer students. Incentive payments for suburban school districts come in four different and unequal forms:

- a. **The equivalent of the receiving districts' average per-pupil cost for educating their resident students**

This was the original model for the St. Louis Voluntary Inter-district Transfer plan, which was court ordered via a Federal Court case that forced the State of Missouri to pay for the programs. Each suburban school district received its per-pupil amount. Meanwhile, the St. Louis Public Schools were able to keep half of their per-pupil cost for each student who transferred to the suburbs. The city schools also accepted White suburban transfer students into its magnet schools and received their full per-pupil funding for each of those transfer students as well as a hefty amount of school improvement monies.

In the Chapter 220 plan, the suburban districts still receive one full FTE (or Full Time Equivalency calculation for funding purposes) for each Milwaukee student who transfers in through the program. The Milwaukee Public Schools also accept White students who transfer in from

the suburbs and receive their per-pupil funding for each incoming student.

Suburban district funding via the Indianapolis-Suburban Township Plan was approximately equal to their total per-pupil funding level, although that plan is being phased out because the court order ended. Part of what terminated this plan after the court order ended was tied to the fact that the urban schools would receive nothing. They could not accept suburban transfer students and did not receive special school improvement funds as in St. Louis. The city politicians actually fought the hardest to end the program in the late 1990s.

**b. The equivalent of the sending urban districts’ per-pupil funding, or a portion thereof**

Through the Tinsley transfer plan in the mid-Peninsula section of the San Francisco Bay area, the suburban school districts receive 70% of the Ravenswood Elementary School District’s per-pupil funding for each student from the district in which they enroll. White students from the suburban districts receiving students from East Palo Alto are allowed to transfer into the Ravenswood schools, but virtually none do so. Still, the Ravenswood district does receive some special state compensatory education funding through this program.

In the Rochester Urban-Suburban Transfer Plan, the suburban districts receive the Rochester Public Schools’ per-pupil funding amount for each city student who transfers into one of their schools. This funding level is often close to or greater than the per-pupil spending in suburban districts. This is an urban-to-suburban transfer plan only.

**c. The average amount of state funding (with or without compensatory funding) per student across the state**

In the future, the St. Louis suburban school districts will receive only state funds per pupil for each transfer student (about \$8,000 in 2008) instead of the combined total per pupil of federal, state and local funds.

Through Minneapolis’ The Choice is Yours program, the suburban school districts are provided with per-pupil state aid for each transferring student as well as any state or federal compensatory funding the students are entitled to receive.

**d. A set amount of money that is not nearly as high as either the urban or suburban districts’ per-pupil or state average per-pupil**

\$2,500 per student transferring from Hartford, CT, to a suburb through the Project Choice program. This program also has a suburb-to-city choice piece as well.

\$3,700 for each student who transfers from Boston to a suburb via the METCO program. This program does not have a suburb-to-city choice piece.

Of these four models, the first is usually considered the best financially from the receiving suburban school district’s perspective. It is worth noting that the three programs funding suburban school districts in that way were all derived under federal court orders (see Table 3 below). Meanwhile, the plans that resulted from state court cases – Hartford, Minneapolis and Tinsley – vary dramatically in terms of how suburban school districts are compensated, as do the two legislation initiated programs of Boston and Rochester. What is most interesting perhaps is that the Hartford and Boston programs, which provide the suburban school districts with the smallest financial incentives via relatively meager set payments per transfer students are different not only in terms of their origins – a state court case versus a piece of state legislation – but also in terms of the willingness of suburban districts to participate. Although the Boston METCO plan would clearly benefit from suburban districts opening their doors to more students, that long-running program currently

Origins of Inter-district Transfer Programs		
State Law	Federal Court Ruling	State Court Ruling
Rochester (1965)	Milwaukee (1979)	East Palo Alto (1986)
Boston (1966)	Indianapolis (1981)	Hartford (1996)
Hartford (1966)	St. Louis (1983)	Minneapolis (2001)
Milwaukee (1976)		

**Table 3: Origins of Inter-district Transfer Programs**

enrolls more than twice the number of students as the Hartford court-ordered Project Choice program. Meanwhile, the Boston suburbs are less likely to take transfer students via the open enrollment program, even though those students come with more per-pupil funding.

### Free Transportation: An Obvious Necessity to Guarantee Access

In contrast to state open enrollment plans, most of which require students to pay for and often provide their own transportation, all eight of the inter-district desegregation plans offer state-supported free transportation for transfer students to and from their suburban or urban schools of choice. In most states this means that the state is the direct provider of transportation services. In others, such as the Tinsley Plan in Palo Alto, the state of California reimburses the local districts for the cost of transporting students from East Palo Alto.

The states pay for all or, at the very least, a large portion of the cost of transportation to and from school for the transfer students. The estimated costs of such services can be quite high – more than \$2,000 a year – depending on the distance traveled.

Thus, free transportation is critical to assure meaningful choice for all students, and it is one of the key components of inter-district integration plans that are too often missing from the free-market based school choice program.

Several of the reports we read on these inter-district plans emphasized the importance of free transportation between urban and suburban neighborhoods in enabling the transferring students to participate in these programs. For instance, in the Dickman et al. (2003) report on the Milwaukee Chapter 220 Program, the authors note that while this program provides transportation at no cost to the families for all participants, the inter-district open enrollment program requires participating families to provide their own transportation, and provides for low-income families to apply for reimbursement of their transportation costs. The authors argue that while the transportation costs of the Chapter 220 program are quite high – in the \$10 to \$11 million ranges in recent years – it is a critical component in guaranteeing greater access to schools of choice for poor Milwaukee students in particular. In their survey of students participating in the Chapter 220 program Dickman et al. (2003) found that the students’ responses to questions about the transportation suggested that “the bus is very valuable to them” to enable them to attend the suburban schools in

the first place and to participate in any extra-curricular activities at their choice schools.

Similarly, the Aspen Associates (2007) report on the Minneapolis Choice is Yours Program explains that the transportation of Minneapolis students to suburban schools under the CIY program was paid for by the state of Minnesota through its state desegregation transportation funding formula and provided by the Wide Area Transportation System (WATS). As many of these inter-district desegregation programs do, the CIY program assures that transfer students who participate in after-school activities in their suburban schools have activity buses available to them. Similarly, the Western Metro Education Program (WMEP) suburban districts

provide transportation to ensure that parents of CIY students can attend school conferences and other family events.

In their surveys of parents of CIY participating students, the Aspen Associates (2003) authors found that only one-third of the parents whose children were attending suburban schools said they would “definitely” choose the

Per-Pupil Funding Levels for Inter-district Transfer Students			
Equal to Suburban District Per-Pupil Cost	Equal to Urban District Per-Pupil Cost	Equal to State Avg. Per-Pupil Cost	Less than State Avg. Per-Pupil Cost
St. Louis*	Rochester	St. Louis*	Hartford
Milwaukee	East Palo Alto	Minneapolis	Boston
Indianapolis		St. Louis*	

**Table 4: Per-Pupil Funding Levels for Inter-district Transfer Students**

\* The post-court order state law decreased the funding level for St. Louis’ Inter-district Transfer Plan in 1999.

This free transportation is particularly important for students from low-income urban families that may or may not have cars or work schedules that would allow them to drive children to schools in suburban communities. We also know that parents on both sides of the urban-suburban dividing line lack exposure to and familiarity with neighborhoods inhabited by people of different racial/ethnic backgrounds (see Wells and Crain, 1997).

same school for their child whether or not free transportation was available.

While these parameters and guidelines are not the most interesting or compelling aspect of the story of inter-district school desegregation plans, they are the fundamental nuts and bolts of these programs to ensure that students of color in poor, urban districts have access to schools in more privileged spaces – schools that embody that privilege and sense of possibility it imbues in its students. In order to succeed in their mission to redistribute this privilege more evenly across a highly unequal society these inter-district programs must include these key components, which distinguish them from more laissez faire and less equity-minded but far more popular policies of recent years.

### **Keeping Race-Conscious Inter-district School Desegregation Plans Alive in the Current Political Context**

Born of grassroots struggles grounded in the Civil Rights Movement and then codified via agreements, legislation and court orders, these inter-district school desegregation policies are not perfect in design. But ironically, their shortcomings tend to result not from their lack of free-market orientation but rather from a lack of funding and regulation – especially strong requirements that suburban school districts enroll a certain number of transfer students or more support for transfer students in suburban schools or a more sophisticated outreach and recruitment system to curtail self-selection among students who choose to leave versus those who stay.

Despite these shortcomings, inter-district desegregation plans are a marked improvement over free market school choice policies when it comes to providing real choices to students most likely enrolled in failing schools. More deregulated, free-market school choice plans do not target disadvantaged students and do not provide support, access or transportation. Thus, race- and class-conscious inter-district school desegregation programs, are clearly the best policies developed thus far to address on-going segregation and inequality in U.S. public schools and to prepare our increasingly diverse school-age population for their future.

These desegregation plans are all (with the exception of Minneapolis) designed ~ first and foremost ~ to assure that poor students of color who live in low-income and racially isolated communities are able to transfer to schools in more affluent and predominantly White communities. The most successful of these programs have also succeeded in getting suburban school districts to participate in meaningful numbers. Historically, this has been most often

accomplished through court-ordered agreements, but in the cases of Boston and Rochester, moral persuasion and the benefits of diverse school environments for preparing children for the 21<sup>st</sup> century seem to have succeeded for a substantial number of suburban districts and schools. As the stories of St. Louis, Milwaukee, and Indianapolis confirm, even suburban districts forced to participate in inter-district desegregation programs initially can come to support them eventually.

While none of these programs has yet met the full demand from eligible families in their cities, they do teach us about the possibilities of public policies to expand educational opportunities. As we note above, the fact that they have survived the last three decades of political ideology that claims they are out-dated and unnecessary, speaks volumes about educators, school officials, parents and students who are the keepers of these plans. Against all odds and strong political rhetoric that standards and accountability systems will help us finally implement *Plessy's* as-yet-unrealized call for greater equality across separate contexts, these plans have lived on.

In light of the Supreme Court's ruling in the Louisville and Seattle cases that school officials can no longer pay attention to the racial identity of individual students when assigning them to schools, the question before us, then, is: Where do these plans and the enlightened policy makers and activists who support them go now? Indeed, we see that the suburban school districts in Milwaukee are meeting to contemplate the future of the Chapter 220 program in light of the Supreme Court ruling (MJS, 2007). Meanwhile, the last African American elementary students to attend a suburban school district while living in the City of Indianapolis enrolled in 2004. When they graduate, the program will officially end. At the same time, the Tinsley plan in the mid-Peninsula section of the Bay Area is struggling to find the needed funding for their transportation. The Minneapolis Choice is Yours Program, layered on top of Minnesota's open enrollment plan is colorblind – another reflection of the recent political era – as well as market-based, and thus does not address the segregation and concentration of poverty present in many Minnesotan school districts.

And yet, at the same time, as we noted above, we have seen growing acceptance and support of these programs in the suburbs. What gives us great hope is the fact that 13 St. Louis suburban school districts voted literally five days before the Supreme Court ruling in the *Parents Involved* cases to keep the inter-district school desegregation program alive, at great financial cost to them and absent any court mandate. Our President- the first African American President in our history- has stated on record

that the legacy of racial inequality is alive and well in the U.S. housing market and public school systems. As President Obama stated in a speech during his election campaign in March 2008:

... we do need to remind ourselves that so many of the disparities that exist in the African-American community today can be directly traced to inequalities passed on from an earlier generation that suffered under the brutal legacy of slavery and Jim Crow... Segregated schools were, and are, inferior schools; we still haven't fixed them, fifty years after *Brown v. Board of Education*, and the inferior education they provided, then and now, helps explain the pervasive achievement gap between today's Black and White students (Obama, 2008).

Thus, absent hope for numerous new court orders to desegregate public schools, but with guarded optimism for a changing political climate amid an educational system still mired in the mandates of No Child Left Behind, we have to consider alternative policy mechanisms to spur urban-suburban district transfer programs modeled after the seven race-conscious inter-district desegregation plans we have discussed in this report. Indeed, ironically enough, more than one commentator has noted the connection between what NCLB has espoused to do and the design of these inter-district desegregation plans. For instance, Freivogel (2002) wrote that as NCLB was still being debated in Congress, the St. Louis Inter-district plan featured many of the key elements of President George W. Bush's educational reform proposal - what was soon to become NCLB:

It permits parents of children in failing schools to send their children to more successful public schools. And it reconstitutes failing schools with new principals and educational programs - elements of the education reform program supported by President George W. Bush and Sen. Edward M. Kennedy, D-Mass... As a notable example of the last century's great educational experiment of desegregation and as an example of this century's educational reform model, St. Louis has lessons to offer the rest of the nation. The single most telling lesson is that neither school desegregation nor accountability has

created an equal education for African-American children (p. 1-2).

Taken together, research on inter-district open enrollment choice policies and inter-district desegregation plans illustrate that the design of these policies matters a great deal. Thus, we argue that the federal government, which, until NCLB, had never used its powers to mandate school choice, has the ability to create equity-minded choice programs that break through existing school district boundary limits. Furthermore, states must step in to support new or amended inter-district school choice policies that promote racial and socio-economic integration as opposed to greater segregation.

### **Policy Recommendations**

The way in which these policies are crafted will matter a great deal in terms of student outcomes. Most important, any new federal or state policies to foster inter-district public school choice must have the following characteristics to support a non-competitive, but equity-minded framework for school choice policies:

1. Target and Support Meaningful School Choices for the Most Disadvantaged Students;
2. Foster and Support Significant Participation of Suburban Districts; and
3. Further the Goal of Equity in Urban and Suburban Public Education.

#### **1. Target and Support Meaningful School Choices for the Most Disadvantaged Students**

This characteristic would embody the following policy components to help new federal or state legislation achieve the goal of greater equity:

- a. **Targeting students who have had the least choices in education and restricting state-subsidized choices for others**

Lessons from free market, deregulated school choice policies clearly illustrate that, for inter-district school choice plans to expand opportunities for students who are the least advantaged, they must be targeted toward certain students and regulated to prevent increased stratification. Any federal or state supported inter-district transfer process, therefore, should be targeted toward students who have had the fewest opportunities in public education and

who are most likely to be enrolled in failing schools. Given the Supreme Court's recent ruling on the Louisville and Seattle cases it is unlikely that these policies can target students directly according to their racial identification. Still, in order to avoid the kind of racial segregation and stratification that open enrollment plans have exacerbated these new policies must reach the most disadvantaged students via targets based on the following "opportunity of place" student criteria:

- enrollment in a failing school;
- family poverty; and/or
- residency in a racially isolated community with a high concentration of poverty.

Students who meet all three of these criteria should have priority for suburban transfers. Once students who are most disadvantaged in terms of access to high-quality education are identified based on these criteria, several steps need to be taken to guarantee their participation in the transfer program.

Further, careful controls must be instituted to ensure that students are allowed only to choose among schools in which their enrollment would improve the racial and socioeconomic balance of the student body. Another clear need is to ensure that all students are provided with information and support in making choices so that the least advantaged students are not the ones who are "left behind."

**b. Providing Support for Choosing Families via Coordination of Services and Information**

To foster participation of the most disadvantaged students, funding should be allocated within the reauthorization of NCLB and within state legislation to pay for the types of metropolitan public school choice coordination centers that are shown to be highly effective with inter-district desegregation plans. These centers, such as the VICC office in suburban St. Louis, should conduct outreach and information campaigns about inter-district school choice plans through mailings, local meetings and community networks. These centers should also administer the application process and coordinate transportation and transfers with families and school districts. These coordinating centers could also create and staff parent information centers in targeted communities, modeled after those in the Minneapolis Choice is Yours program. Successful inter-district desegregation programs have demonstrated the need to provide ongoing support to parents and students who transfer through such centers.

**c. Providing Free and Accessible Transportation**

Lessons from open enrollment versus inter-district desegregation plans illustrate that transportation is critical to the participation of disadvantaged students. Under current NCLB legislation, school districts must spend between 5% to 15% of Title 1, Section A funding allocations to "provide or pay for transportation for public school choice" as long as the student's home school is still in school improvement status (Smole, 2007). These funds should be made available to bus students who fit the above criteria to high-achieving schools across district lines. Additional funding will be required to pay for inter-district school choice bus routes, which are longer and thus more expensive. Busing routes need to be established and worked out centrally via public school choice coordinating centers to assure both full transportation support for disadvantaged students and the most efficient transportation system possible. To foster the participation of the students least likely to choose, these funds should be provided not as a reimbursement plan (as is currently in place for many open enrollment laws), but as a way to pay for bus passes or additional buses that would transport students either to suburban schools or to places en route, thus allowing students to access suburban school district bus lines.

**2. Foster and Support Significant Participation of Suburban Districts**

Federal and revised state inter-district choice policies should appeal to the sensibilities of suburban educators, parents and students regarding the importance of racial and ethnic diversity in education. They should also assure that suburban districts will accept urban transfer students up to an agreed upon number or percent of their total student bodies. The following legislative components could help the suburbs reach these goals:

**a. Legislation that Inspires Suburban School Districts to do the Right Thing**

As we have noted throughout this report, the goals and framework of a school choice policy are vital. Suburban school districts in the eight areas we have examined have been more likely to resist accepting inter-district transfer students from the most disadvantaged communities and schools when the policy is framed around competition between schools for students, funding and high test scores. They are much more willing to accept lower-socioeconomic status children from a poor school district under voluntary inter-district desegregation plans than they would be through their state open enrollment laws, even when, as in the Boston METCO case, the per-pupil funding for these transfers is higher under open enrollment

In Minneapolis where the inter-district socio-economic urban-to-suburban integration plan and the state-wide open enrollment plan are intertwined, we see that the mechanisms of open enrollment choice can be shaped toward creating more equity, not less. In fact, the Minneapolis The Choice is Yours plan needs further tweaking to assure that it is not disproportionately transferring low-income White students out of city schools via the targeted student criteria listed above. In short, based on the history of the inter-district desegregation programs, we argue that when policies are framed by the goals of educational equality as well as by the creation of more diversity in otherwise extremely racially homogeneous schools, the districts do, over time, become highly committed to them as long as they are given some incentive to do so.

**b. Financial Incentives to Help the Suburbs Cover the Cost of Educating Transfer Students**

Suburban school districts do need financial incentives or “carrots” to help cover the costs of educating students who transfer into their schools. Such incentives should match their average annual per-pupil expenditure when possible or else be slightly below that amount but include federal and state compensatory education funding to address the more specific needs of students. Furthermore, states receiving financial support from the federal government, should provide capital funding to suburban school districts that can prove a lack of capacity. These one-time capital grants would help suburban educators make the case to their constituents about the benefits of participating in inter-district choice programs.

**c. Safe Havens for Participating Suburban Districts under AYP**

Under increasing pressure from NCLB, suburban districts may be unlikely to accept new urban transfer students who may (at least initially) lower their test scores and cause them to not make AYP in at least one student racial/ethnic category in the disaggregated data. After all, such transfer programs after all will require many suburban districts to become accountable for an increasing number of racial/ethnic sub-groups. Without a temporary “safe haven” provision suburban districts would be less likely to accept urban transfer students, particularly those who are low achieving. While the progress of these new transfer students should be monitored and districts should be held accountable for adding value and helping them achieve high standards, initially these state test scores should not be used to keep suburban districts from making AYP. The recent proposal of Senator Joe Lieberman from Connecticut to revamp NCLB school choice provisions

suggested providing a safe harbor for one year from AYP calculations for the new out-of-district student transfers. Yet we argue that a separate non-AYP related monitoring system be set up to evaluate the progress of these students over a five-year period in their new schools. After five years, the transfer students should be merged into the overall student population in terms of test score accountability.

**d. Support and Training for Educators in Suburban Schools**

Successful school desegregation plans have shown that to enable suburban districts to adequately serve transfer students with different racial/ethnic, socio-economic and cultural backgrounds than the majority of educators and students in suburban schools, support and training will be required of teachers and administrators in the receiving districts. Such training and support should help educators address and explore their inherent biases and preconceived notions of urban students to ensure that transfer students receive equal opportunities within their new schooling environments. Also, suburban educators, to the extent they can in the current era of high stakes state tests, should rethink their school curriculum to reflect the diversity of perspectives and voices in history and English literature courses in particular. A more multi-cultural approach to education should also be supported via in-service and training funds.

**3. Further the Goal of Equity in Urban and Suburban Public Education**

Given that some portion of students in failing urban schools are going to need to remain in those or other urban schools, federal policy also needs to consider what to do with the schools left behind. Moreover, while we have not explained the urban school reform dimension of five of these inter-district school desegregation plans – Milwaukee, St. Louis, Hartford, Minneapolis and Tinsley – in any detail in this report because of lack of space, it is important to note that these non-competitive policies did try to help the students left behind when more students transferred out of urban schools in cities. Most of these resources were targeted toward school improvement efforts and urban magnet schools.

**a. Support for Schools and Students Left Behind**

The most challenging dilemma facing any form of school choice policy is the question of how to address the needs of students and schools that do not choose. Several possibilities for doing this would support the non-



competitive framework we are suggesting for the federal inter-district school choice policy under NCLB.

One component of several of the court ordered inter-district school desegregation programs has been to allow urban school districts to keep a portion of the state funding for the students who transfer out. This increases the per-pupil funding for students who remain in failing schools, which can be used to shrink class size and institute a host of other school improvement reforms.

#### **b. Regional Magnet Schools**

Another possibility, which has been used in four of the eight desegregation plans discussed here— Hartford (and other CT cities), St. Louis, Milwaukee and Minneapolis – discussed here is creating new popular magnet schools that draw White students from the suburbs and thus have a regional attendance zone. These regional magnet centers, which are also being instituted in Omaha, Nebraska to create inter-district choice options, must be carefully designed to ensure that they maintain a stable socioeconomic and regional balance. Also to make these schools attractive to diverse students from all over the metro area, they must offer popular yet specialized programs, for instance in technology or science for instance. We know from the four inter-district desegregation plans noted here that these magnet schools can serve as beacons of excellence in otherwise low-performing school districts and that suburban students will choose to transfer to them if they are attractive enough. The real challenge, then, is to filter some of the curriculum and best practices that can be developed in these regional magnet schools into neighborhood urban schools.

#### **c. Foster Cross-District Collaboration and Growth**

When school district officials, educators, parents and students across a metropolitan area can think beyond their own school boundaries and work with schools and communities clear across town, they can come to know the “other” not as a competitor but as a collaborator in educating and nurturing the next generation of citizens. Schools and districts can form partnerships that cross significant boundary lines and then develop shared educational experiences and projects. Two middle schools across the urban-suburban divide, for example, could hold a joint science fair with students collaborating on projects using the internet and face-to-face meetings facilitated by science teachers. School plays and other performances could be jointly produced with students and educators from two or more schools working collaboratively. The possibility for cross-school and cross-district collaboration are endless and such projects could not only bring students

together across geographic and cultural divides, but also spur school improvement programs by spreading learning opportunities across separate and unequal schools.

In closing, we would like to stress the importance of keeping alive the nearly five-decade-old struggle for racial justice that cradled these inter-district school desegregation policies as we move forward into a new era of challenges and possibilities. Inter-district policies are the only solutions to today’s segregation and inequality, given that a full 84% of racial segregation now occurs between, and not within, school district boundaries. The *Milliken* and *Parents Involved* rulings from the Supreme Court are working against us. Also working against us is the aftermath of nearly 30 years of pervasive political rhetoric claiming how racial inequality is the creation of those who have been racially oppressed and how we must move forward to a “colorblind” way of understanding our world.

But, working in our favor are the lessons people in suburban and urban communities have learned from these inter-district desegregation plans. Working in our favor are the echoes and spirits of those who founded and nurtured these plans. Also working in our favor is the possibility of a new day in America – symbolized by the inauguration of a new President who understands racial inequality and is willing to bring people together across color lines to contemplate solutions to these vexing problems. We think he and his constituents will want to know more about the history of these school desegregation programs and join us in considering how to keep the struggle going as the terrain quickly changes.

The past does indeed provide our bridge to the future; it reminds us both how far we have come and how far we must still travel in our effort to build a more racially just society for the 21<sup>st</sup> Century. These eight inter-district school desegregation programs are our bridges; they will not let us forget our past and, given their survival in an incredibly hostile political era, they inspire us to believe that the promise of a new era of possibility can be built on the foundation they have provided. Thus, the struggle for racial justice can continue and, one day, transcend man-made school district boundaries and barriers to integration.

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