

The National Coalition on School Diversity

December 15, 2021

Secretary Miguel Cardona
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Re: Recommendations for Fiscal Year 2023 Department of Education Budget

Dear Secretary Cardona:

We write to provide recommendations for the FY 2023 budget, which build on our prior recommendations for the FY 2022 budget submitted to Congress by numerous civil rights and education organizations that collectively support millions of students and educators.¹ As you well know, at the heart of disparate education outcomes in our country are growing poverty, resegregation, and inequities in school funding and resources.² Sixty-seven years after the *Brown v. Board* decision, our nation's public schools are segregated at alarmingly high levels. This is despite the research showing the benefits of racially and socioeconomically integrated and inclusive schools and classrooms for all students.

In *School Integration Priorities for a Biden/Harris Administration*, our coalition urged this administration to provide "strong leadership that affirms the importance of school integration and the benefits of diverse schools for all children," both as a means to build cross-racial understanding and facilitate a more equitable distribution of resources and power in our nation's public schools.³ We applaud the Biden Administration for demonstrating support for school integration in its FY 22 budget request.

The recommendations below are designed to build on that foundation to help states and districts provide integrated and inclusive learning environments. **As such, we ask that in fiscal year FY 2023, the Biden Administration:**

- (1) invest at least \$500 million in the Magnet Schools Assistance Program (MSAP);**
- (2) continue supporting the Fostering Diverse Schools Program by requesting \$100 million in FY 2023 so that states and school districts can pursue locally led strategies to promote racial and socioeconomic integration;**
- (3) propose repealing 20 U.S.C. 1652 and any other statutory provision that prevents federal funding from being used for transportation for school integration;**

¹http://www.school-diversity.org/wp-content/uploads/Supporting-School-Integration-in-FY-22_FINAL.pdf

² Darling-Hammond, L. (2018). *Education and the path to one nation, indivisible*. Learning Policy Institute. <https://learningpolicyinstitute.org/product/education-path-one-nation-indivisible-brief>.

³ http://www.school-diversity.org/wp-content/uploads/NCSDPB12_Final.pdf

(4) use the budget justification to remind states and school districts about the availability of funding under Title I, Part A of ESSA to support school integration;

(5) request funding for the Department of Education to a) assess the extent to which public school choice systems have a segregative effect, and develop best practices to foster diversity; and b) provide a similar assessment of school attendance boundary changes;

(6) request a robust appropriation for the Magnet Schools Assistance Program (MSAP), the Department of Housing and Urban Development’s Choice Neighborhoods Program, and other public housing redevelopment programs that incentivizes school integration in public housing redevelopment neighborhoods to promote greater racial and socioeconomic diversity; and,

(7) increase funding for Equity Assistance Centers.

Research shows that all students attending integrated schools reap academic and social benefits. A synthesis of four decades of research highlights these benefits, including higher achievement in math, science, language, and reading; higher educational attainment; more advanced social and historical thinking; and increased civic participation.⁴ These benefits to individual students also benefit society.

Studies have also found strong relationships between racial segregation and disparate educational outcomes. In fact, the racial composition of a school has educational impacts for students even after accounting for socioeconomic status. Segregation reinforces resource inequities at a structural level, depriving schools that disproportionately serve students of color of critical resources and supports,⁵ including fewer certified and experienced teachers, greater instability caused by rapid turnover of faculty, less access to rigorous coursework, and fewer educational resources.⁶ No doubt, as a result of these systemic resource disparities, measures of educational outcomes—such as scores on standardized achievement tests and high school graduation rates—are lower in schools that serve high concentrations of students of color and/or students from families experiencing low-incomes.⁷

Further, students attending racially isolated schools lose out on the benefits of integrated education that flow from increased intergroup contact, including improved critical thinking and problem-solving skills and increased likelihood of living and working in integrated settings as adults.⁸

⁴ Mickelson, R. A. (2016). *School integration and k–12 outcomes: An updated quick synthesis of the social science evidence*. National Coalition on School Diversity. <https://www.school-diversity.org/pdf/DiversityResearchBriefNo5.pdf>.

⁵ Ayscue, J., Frankenberg, E., & Siegel-Hawley, G. (2017). *The complementary benefits of racial and socioeconomic diversity in schools*. National Coalition on School Diversity.

⁶ Cardichon, J., Darling-Hammond, L., Yang, M., Scott, C., Shields, P. M., & Burns, D. (2020). *Inequitable opportunity to learn: Student access to certified and experienced teachers*. Learning Policy Institute; Darling-Hammond, L. (2018). *Education and the path to one nation, indivisible*. Learning Policy Institute. <https://learningpolicyinstitute.org/product/education-path-one-nation-indivisible-brief>.

⁷ Brief of 553 Social Scientists as Amici Curiae in Support of Respondents, *Parents Involved in Community Schools v. Seattle School District No. 1*. 551 U.S. 701 (2007). https://civilrightsproject.ucla.edu/legal-developments/court-decisions/statement-of-american-social-scientists-of-research-on-school-desegregation-submitted-to-us-supreme-court/amicus_parents_v_seattle.pdf.

⁸ Ayscue, J., Frankenberg, E. & Siegel-Hawley, G. (2017). *The complementary benefits of racial and socioeconomic diversity in schools*. The National Coalition on School Diversity; Orfield, G., Ee, J., Frankenberg, E., & Siegel-Hawley, G. (2016). *Brown at 62: School segregation by race, poverty and state*. Civil Rights Project; Brief of 553 Social Scientists as Amici Curiae in Support of Respondents, *Parents Involved in Community Schools v. Seattle School District No. 1*. 551 U.S. 701 (2007). https://civilrightsproject.ucla.edu/legal-developments/court-decisions/statement-of-american-social-scientists-of-research-on-school-desegregation-submitted-to-us-supreme-court/amicus_parents_v_seattle.pdf.

Yet, since the high point of school integration in 1988, the share of intensely segregated non-white schools (defined as those schools with 0–10% white students) has more than tripled, increasing from about 6% to 19% of all public schools.⁹ Further, a large proportion of white students attend overwhelmingly racially isolated schools, with more than one third attending schools that are 90% to 100% white.¹⁰

Fortunately, the FY 2023 budget request can help support school integration. The Biden Administration can help increase access to integrated and inclusive schools and aid the federal government in fulfilling its civil rights role in the following ways:

1. **Increase funding for the Magnet Schools Assistance Program (MSAP).** Research on magnet schools have found positive outcomes for integration and students’ social and academic outcomes. Yet funding for magnet schools has not kept pace with other federal investments in education. In FY 2021 funding for the MSAP (\$109 million) was less than it was in FY 1989 (\$114 million).¹¹ While both Houses of Congress have proposed increases to MSAP funding in FY 2022, the fact remains that MSAP’s funding is misaligned with the important role magnet schools can play in creating more integrated education settings. We therefore recommend a funding level of at least \$500 million for MSAP FY 2023. We also encourage the Biden Administration to engage in rulemaking and other activities to update MSAP to better align with evidence-based best practices, such as first door components that help bring diverse students together, second door components that foster inclusive environments and support the success of students of color,¹² and incentivizing applicants to include SEAs and regional approaches in their planning.
2. **Continue supporting the Fostering Diverse Schools Program that would enable state and local educational agencies to develop and implement comprehensive strategies to promote racial and socioeconomic integration.** We appreciate that the Biden Administration’s FY 2022 budget requested Congress to fund such a program. Presently, \$100 million is included in the House of Representatives FY 2022 funding for the Department of Education; however, that money is not yet allocated in the Senate. In addition to pushing Congress to ensure this funding is included in the FY 2022 budget, the Administration should demonstrate its ongoing commitment to this program by proposing \$100 million for FY 2023.
3. **Propose removing any remaining provisions that prohibit federal funds from being used to support school transportation for school integration.** Thanks to the work of the 116th Congress, one of the last remaining long-standing prohibitions on the use of federal funds for

⁹ U.S. Department of Education, National Center for Education Statistics, Common Core of Data, Public Elementary/Secondary School Universe Survey data. Data prior to 1991 were obtained from the analysis of the Office for Civil Rights data in Orfield, G. (1983). *Public school desegregation in the United States, 1968–1980*. Joint Center for Political Studies. https://www.civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/public-school-desegregation-in-the-united-states-1968-1980/orfield_american-desegregation-1983.pdf.

¹⁰ Potter, H., Quick, K., & Davies, E. (2016). *A new wave of school integration: Districts and charters pursuing socioeconomic diversity*. Century Foundation. <https://tcf.org/content/report/a-new-wave-of-school-integration/?session=1>.

¹¹ Biennial Evaluation Report – FY 93-94, Magnet School Assistance Program. (n.d.). <https://www2.ed.gov/pubs/Biennial/132.html> (accessed 04/09/21); Division H—Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2021. (n.d.). <https://docs.house.gov/billsthisweek/20201221/BILLS-116RCP68-JES-DIVISION-H.pdf> (accessed 04/09/21).

¹² George, J., & Darling-Hammond, L. (2021). *Advancing integration and equity through magnet schools*. Learning Policy Institute.

transportation to support school integration was eliminated late last year.¹³ These provisions stood for nearly 50 years. However, there is at least one remaining provision, 20 USC 1652, that was not removed last year. It contains essentially the same language as the provisions that Congress removed. We request that the Biden Administration seek its removal, as well as any other statutory provisions that could be read to limit transportation for integration programs, in its FY 2023 budget request.

4. **Include language in the budget justification to remind states and districts about the availability of funding under Title I, Part A of ESEA for use to support school integration.** ESEA requires states to set aside 7% of Title I funds to implement evidence-based interventions for low-performing schools. Districts can use these funds to support integration via magnet schools and other integration strategies, as they are evidenced-based. We recommend inclusion of the following language in ED's budget justification for Title I-A funds, in order to make it clear to states and districts that Title I school improvement funds can be used to support school integration:

“An increase in Title I funding overall also increases aid for the Title I set-aside in current law, Section 1003, which provides funding for schools identified for comprehensive and targeted support and improvement. Funds under Section 1003 can be used to support socioeconomic and racial integration in schools as an evidence-based strategy to improve schools identified for improvement under ESEA.”

5. **Request funding for the Department of Education to a) assess the extent to which public school choice systems have a segregative effect, and develop best practices to foster diversity; and b) provide a similar assessment of school attendance boundary changes.** Uncontrolled public school choice systems can have the effect of intensifying racial and economic segregation. The Administration should request funding that would permit the Department of Education to assess existing public school choice systems and provide a set of best practices that protect public education and promote school integration for school districts to follow. The funding should also permit the Department of Education to identify other practices, such as school attendance boundary changes, district succession, and other changes that could have segregative effects.
6. **Request a robust appropriation for the Magnet Schools Assistance Program (MSAP), the Department of Housing and Urban Development's Choice Neighborhoods Program, and other public housing redevelopment programs that incentivizes school integration in public housing redevelopment neighborhoods to promote greater racial and socioeconomic diversity.** Given MSAP's emphasis on reducing racial isolation, and the Fair Housing Act's emphasis on residential integration and interdepartmental collaboration, we recommend further prioritizing magnet school development in or near distressed public housing undergoing major redevelopment – and including higher-income students (including suburban students) in the new schools' design capacity. The Senate Labor-HHS-ED appropriations subcommittee has previously recognized the important link between these two issues in its FY 20 report where it stated, “The Committee encourages the Department to prioritize Magnet School Assistance applications that are paired

¹³ The Consolidated Appropriations Act of 2021 (P.L. 116-260).
<https://www.congress.gov/bill/116th-congress/house-bill/133/text/pl?overview=closed>.

with Department of Housing and Urban Development Choice Neighborhoods planning or implementation grants.”¹⁴

7. **Increase funding for Equity Assistance Centers.** The Biden Administration should propose a significant funding increase for Equity Assistance Centers (EACs), which provide technical assistance and training to public school districts to support equitable education opportunities. This technical assistance includes supporting school districts that are seeking to increase diversity. Funding for EACs has dropped significantly since 1980, from \$45 million then to \$6.575 million in recent years.

Thank you for your time and for your work to ensure that all students have access to integrated, inclusive, and well-resourced learning environments. We look forward to working with you on these recommendations that are vital to our children’s and our nation’s collective success.

Sincerely,

Gina Chirichigno, Director
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cc:

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¹⁴<https://www.appropriations.senate.gov/imo/media/doc/FY2020%20Labor-HHS%20Appropriations%20Act,%20Report.pdf>