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## Connecting Housing and School Integration Research, Practice, and Policy

Kara S. Finnigan, Guest Editor  
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### *Introduction*

This special issue of *Poverty & Race* brings together a variety of research evidence, policy expertise, and student perspectives to the issue of school and housing segregation and the interconnections between the sectors. For years, social scientists have generated important scholarship on the topic of segregation in education and housing, but the use of this research evidence in policymaking has been limited at best. We hope that this issue will provide a snapshot of some of the important progress being made in the field today. An overview of the articles and a table of contents are included on page 2.

### The Bridges Collaborative: Centering Practitioners in the Fight for Integration

Stefan Lallinger

“We can’t solve segregation on our own - it’s a housing issue,” is a common refrain among well-meaning educators who say they care deeply about the resegregation of American schools, but feel limited in what they can actually do. For decades, these educators have watched as politicians and superintendents have refused to address segregation in their midst, often allowing it to worsen under their watch, as desegregation orders in metropolitan areas dissolved, unregulated “choice” plans that erode diversity in districts proliferated, and redistricting that further entrenched the segregation from our neighborhoods in our schools became ubiquitous.

There is evidence to suggest that the policy environment has changed in regard to integration - there are more and more political leaders who recognize the problem of segregation and pledge to do something about it, and more innovative approaches to integrating housing and schools are being considered or funded by the government. Though federal and state policies are urgently needed given the local competitive dynamics as Finnigan and Holme discuss in this special issue, it is critical that practitioners and people on the ground in schools and communities are enlisted in the herculean effort to make America more integrated by contributing innovative ideas and participating in crucial collaboration necessary to inform policy change. In essence, policy must be informed by the perspectives and experiences of the people closest to the issue.

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### School Desegregation, School Rezoning, and Growth Management in Two Maryland Counties

Ariel H. Bierbaum & Gail L. Sunderman

The increasing diversity of America’s suburbs is changing the dynamics of how we think about access to educational opportunity across and within metropolitan areas. As large numbers of low-income families and families of color migrate to the suburbs (Frey, 2018; Howell & Timberlake, 2014), how policymakers in these communities respond to growth and increasing racial and socioeconomic diversity has implications for the educational opportunities available to students. Unfortunately, we still know too little about the complex ways that school and non-school policies interact with each other to shape access to well-resourced schools in these suburban communities.

Our study examined the interpretation and implementation of policy in response to increasing suburban diversity and school segregation in two Maryland jurisdictions (Bierbaum & Sunderman, 2021). Specifically, we asked the following research question: How do school and non-school policy levers influence school rezoning within the context of diverse, suburban communities? We focused on school attendance zones and non-school policies and the ways that these two arenas interact to foster or disrupt school segregation. School attendance zones play a central role in determining school composition and can be used to reinforce or disrupt segregation at both the school and neighborhood levels. We use the term “non-school policies” to refer to land-use policies and regulations that manage the “pace, location, and extent of development” (Pendall et al., 2006), residential and otherwise,

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**Introduction** (Cont. from front page)

In section one, "Policy Windows and Policy Strategies," we highlight interconnections between housing and school policy and how state and local leaders can effectively collaborate. Stefan Lallinger begins by sharing how communities and policymakers could learn from the efforts of the Bridges Collaborative, which brings together practitioners from across the housing and education sectors to develop plans to address segregation in their local communities. The next set of articles delineate particular policies at the federal or state level that are avenues for cross-sector approaches. Specifically, Ariel Bierbaum and Gail Sunderman discuss land use policy in Maryland, Elizabeth DeBray, Kara Finnigan, Andrew Greenlee, Heidi Kurniawan, and Megan Haberle provide insights into how to alter the HUD's AFFH planning process to improve cross-sector efforts toward integration, Anika Singh Lemar focuses on Connecticut's Racial Imbalance act, and John Brittain, Larkin Willis, Peter Cookson, and Michael Alves discuss state policy strategies relating regional desegregation and fiscal equity. In addition, Natalie Spievack discusses local policy strategies by focusing on San Francisco, and Tomás Monarrez shares an

online tool that can be used by policymakers to identify racially unequal boundaries within and across school districts.

Section two, "Evaluating the Past and Moving Forward with a Focus on Equity and Racial Justice," orient this collection by providing frameworks for understanding the past and moving toward the future. Both David Kirkland, Kara Finnigan, and Jennifer Jellison Holme show that policy solutions toward integration must move beyond proximity and toward the broader goal of integration as a necessary part of systems of justice and equity that are working toward reducing power hierarchies, reallocating resources, and social transformation. Kirkland argues that integration is "worth the fight" but requires a racial equity lens to dismantle White supremacist systems of oppression and to advance racial justice. Next, Finnigan and Holme delineate their framework that provides a multi-faceted policy strategy to address the underlying politics that undermine regional equity. Jack Schneider discusses the need to move past school rankings and ratings and redefine how we measure school quality as part of any new approaches given the misuse of these data by states, parents, and external groups like news agencies and real estate brokers. Tom Brown offers an online tool that would allow for

a more comprehensive approach for parents to understand school quality. Finally, Erika Wilson provides a legal framework for addressing the White "island districts" and the harms of social closure and opportunity hoarding, while Sikes and Green provide a cautionary note relating to how gentrification can work against racial justice and offer recommendations to state and local policymakers to intervene before this happens.

Section three, "How the Next Generation Is Tackling the Impact of Segregation" in Their Communities," focuses on youth advocacy around systemic racism and policy change through two different approaches: A Student Task Force (from Erase Racism) and a youth Theater Group (Epic Theatre). Notably, both of these groups operate within extremely segregated communities and educational contexts – particularly in this current moment – that are hesitant to have deep and nuanced discussions about structural racism and inequality. Students worked collaboratively to acquire different perspectives, understand the issues at hand, build coalitions, and advocate for change.

With this special issue, we hope to connect recent and diverse perspectives and insights to inform policy change in pursuit of equity and justice. ■

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# Sharing the Wealth: How Regional Finance and Desegregation Plans Can Enhance School Desegregation and Promote Educational Equity

John Brittain, Larkin Willis, Peter W. Cookson, Jr., & Michael Alves

## Introduction

*“Despite a growing awareness of the problems facing urban communities, there is a lack of a broader framework or clear policy approach to address the underlying regional dynamics that drive segregation, concentrated poverty, and racial isolation. Broader approaches must include multiple school districts across a region, and integrate or align educational policy with housing, transit, economic development, and health.”*

— Jennifer Jellison Holme and Kara S. Finnigan, *Striving in Common: A Regional Equity Framework for Urban Schools*

Since the U.S. Supreme Court’s 1954 *Brown v. Board of Education* ruling that it is unconstitutional to establish and main-

tain “separate but equal schools,” cities, states, and regions have experimented with a suite of racial integration policies and attendance strategies designed to integrate public schools. Most racial and ethnic segregation in American public schools occurs between, not within, school districts. (Clotfelter, 2004). This finding leads us to consider potential desegregation opportunities through regional interdistrict racial integration and fiscal equity plans (Holme & Finnigan, 2018). What if student attendance policies and school finance policies were not confined to individual school districts but were thought of as crossing and uniting districts in a region? What if districts were to share resources and collaborate to create a system of desegregated public schools designed to meet the needs of racially diverse students and families?

What if state policies supported regional integration plans and provided resources to ensure successful implementation? What if housing policies and school policies were aligned and supported integration instead of segregation? Interdistrict desegregation plans have three common features (Brittain et al., 2019):

- Plans are founded on voluntary cooperation.
  - Because segregation is strongly associated with concentrated poverty and a lack of adequate resources within schools, successful interdistrict plans require regions to coordinate the movement of resources, as well as of students, across school boundaries.
  - Regional plans take local context into consideration; no two plans
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## Defining Segregation

Anika Singh Lemar

What is a segregated school? State legislative efforts to address school segregation in the 1960s and ‘70s sought to answer that question in statutory text. While many of those statutes have been repealed or amended (Baker, 2013), Connecticut’s Racial Imbalance Act (“RIA”) remains—for the most part—in effect, and its definition of segregation sheds some light on problems that too often escape the attention of policymakers.

The story behind the RIA might sound familiar to fair housing advocates. Like the federal Fair Housing Act (“FHA”)’s passage in 1968, the RIA’s passage in 1969 was controversial. And, like the federal FHA’s requirement to affirmatively further fair housing, the RIA was not enforced at all for years because, for over a decade, there were no implementing regulations (Lohman, 2010). At the time of the RIA’s passage, legislators generally believed that the then-Commissioner of Education would make no effort to enforce it (Housing Proceedings, 1969, p. 5722). The RIA has remained controversial in the decades since. In fact, its enforcement was suspended for three years in the 1990s, and it was extensively revised in 1998 (Lohman, 2010).

Since the Connecticut Department of Education finally adopted regulations in 1980, the RIA has required Connecticut school districts to report demographic data for each school. An imbalance exists where the minority population of a school differs from that of its district by 25 percentage points. A balance is impending when the difference is fewer than 25 but at least 15 percentage points. Minority is defined in opposition to White. In other words, for the purposes of the RIA, there are two relevant

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## Tackling School and Housing Segregation Through Revisions to AFFH

Elizabeth DeBray, Kara S. Finnigan, Andrew J. Greenlee, & Heidi Kurniawan

### *Housing and School Segregation*

As inter-district racial disparities have increased over the past decades (Owens et al., 2016), fragmentation of multiple school districts in metropolitan areas hindered coordination of broader policies aimed at reducing the racial isolation of students (Holme & Finnigan, 2018). Even in metropolitan areas with cross-sector planning councils, education is rarely included, and local politics usually thwarts willingness to collaborate and cede the advantages of affluent districts (Holme & Finnigan, 2018, p. 74). In many communities, the negative segregative effects of test-based accountability and realtors’ reliance on these in marketing schools to parents worsen racially segregative patterns (Wells, 2015). On the other hand, attendance at racially desegregated schools and higher per-pupil spending have been found to reduce the intergenerational transmission of poverty (Johnson, 2019).

The enduring impacts of housing and school segregation continue to undermine the democratic nature of our public education system. Segregation does not just create a racialized hierarchy, but limits access to opportunity for people of color in terms of the combined access to health, housing, employment,

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The Bridges Collaborative was created last year to break down the barriers of isolation among practitioners in the fight for a more integrated future. Specifically, we envisioned creating a community of practitioners that would achieve two things: first, an opportunity for practitioners in education and housing to engage in conversations that enable collaborative work between education and housing groups on the vexing problem of segregation in communities around the country; second, a community that would provide a venue for solidarity and the sharing of best practices in a cohort setting for individuals and teams who often feel engaged in work that is isolating and lonely.

In the year that we have existed, we have brought together teams from 57 organizations across the country, including school districts, charter schools and networks, and housing organizations. And, while the pandemic has prevented us from meeting in person, we have convened the 250 individuals that comprise this cohort of organizations virtually at national convenings and via virtual programming. Our collaborative learning has addressed questions such as:

- What can we learn from the worlds of urban planning and school planning to help solve segregation?
- Which enrollment mechanisms do schools and districts around the country use most effectively to ensure diversity?
- How can housing mobility programs and school districts work together to ensure that students moving to new schools are best supported?
- How can housing organizations accurately capture indica-

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### **What can we learn from the worlds of urban planning and school planning to help solve segregation?**

tors of school quality and make schools a focal point of the housing selection process for clients?

- What does genuine community engagement and mobilization look like in communities that want to take a systemic approach to addressing segregation?
- How can education leaders advocate for more sensible housing policies?

We have learned a tremendous amount from each other over the past year. Nonetheless, the work together has reminded us that there are no easy solutions to the intractable and complex issue of segregation. We must continue to open up lines of dialogue across sectors and push for constructive conversations in communities across the country. We have also recognized a need to go deeper in a subset of

communities around the country, to get more specific about the problems we seek to solve and disseminate the learning from these endeavors.

Over the next eight months, we will convene members, experts and community members in four cities across the country to have specific conversations about how to address segregation in those communities. We will also convene all our national members in Baltimore in 2022 to finally meet in person and continue to share knowledge and work collaboratively for new solutions. Our regional convenings - in Milwaukee, Winston-Salem, Ft. Worth-Dallas, and Los Angeles - each focus on issues specific to segregation in their communities; at the same time, the learning that emerges from these convenings will inform the work that practitioners are doing all across this country to create a brighter, more integrated, and more inclusive future for our nation's children - in their schools and their neighborhoods. The rich and intensive work in these states through the Bridges Collaborative will be critical to informing cross-sector policy planning and implementation across the US. ■

(SCHOOL REZONING: Cont. from page 1)

through tools like zoning, growth boundaries, growth caps, affordable housing and impact fees. We used a case study approach to delve into technical aspects of agency-level policy implementation and examine how structural and institutional mechanisms constrain or facilitate efforts to foster school desegregation through school rezoning. In designing this study, we were interested particularly in the roles of state and local public agencies with the power to disrupt school segregation.

We found that school district rezon-

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ing policies provide a weak regulatory framework for desegregating schools. The policies and procedures governing school rezoning are not designed to facilitate desegregation, but rather were a response to capacity constraints tied to land-use policies. The formal policy and implementation mechanisms across school and non-school sectors foster the segregated status quo in three specific ways:

1. State-level growth management vision and framework foster segregation at the county level by directing where growth and development take place.
2. School boundary change policies and county-level non-school policies are designed to manage capacity, not composition.
3. Regulations and norms governing the school rezoning public engagement processes privilege opposition to desegregation. The technical and public engagement specificities of both school rezoning and land use tools for growth management ef-

forts (from state and local levels) converge in ways that hinder school desegregation and shield district administrators, school board members, and other county leaders from articulating and operationalizing a desegregation agenda.

This qualitative work builds on and complements a body of largely quantitative studies that have documented the presence of and extent to which school attendance zones foster segregated schools (Monarrez et al., 2021; Richards, 2014; Saporito, 2017a, 2017b; Saporito & Sohoni, 2006, 2007; Saporito & Van Riper, 2016; Siegel-Hawley, 2013; Sohoni & Saporito, 2009) and those that address the relationship between housing and school segregation vis-à-vis school attendance zone designs (Holme et al., 2020; Mawene & Bal, 2020). In contrast, by focusing on local policy implementation and the interaction between non-school policies and school attendance boundaries, our findings point to the importance of greater coordination

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# Prioritizing Educational Equity and School Integration in San Francisco's Affordable Housing Strategies

Natalie Spievack

San Francisco faces a dire affordable housing crisis, which disproportionately affects low-income residents and residents of color (San Francisco Planning Department [SF Planning], 2020b). But, wide disparities in educational opportunities and outcomes are an equal threat to the city's future economic vitality (Matthews, 2017). The persistent link between where students live and where they go to school means that these issues cannot be solved in siloes.

As a result of discriminatory policies and practices that have limited access to housing and wealth-building opportunities, students of color and low-income students in San Francisco are more likely to live in low-income neighborhoods and attend low-performing schools (SF Planning, 2020b). Despite the San Francisco Unified School District (SFUSD)'s decades-long attempt to break the link between neighborhood and school quality through its choice-based school assignment policy, many students in low-income neighborhoods continue to attend schools close to where they live (Knight, n.d.). The resulting patterns of school segregation are exacerbated by San Francisco's concentration of new affordable housing in the eastern part of the city, which tends to be lower-income and have lower-performing schools, and by the rising cost of living in the neighborhoods where high-performing schools are located (SF Planning, 2020a).

The current moment offers a unique opportunity for San Francisco to meet its goals of housing affordability and equity while promoting school integration. The city is currently updating its Housing Element for the next eight years (2022-2030), and SFUSD is implementing a new zone-based school assignment policy for elementary schools starting in the 2023-2024 school year, the details of which are still under consideration (SF Planning, 2021; SFUSD, 2020). Both plans center racial and economic justice and integration as key goals. Additionally, the federal Affirmatively Furthering Fair Housing (AFFH) rule and the state AFFH law have introduced stronger requirements and accountability for cities to address segregation through their housing policy.

SFUSD's new school assignment policy is a promising attempt toward integrated schools, but housing policy will remain salient because where students live will still affect the school they attend. A "diverse" zone is defined as having a student body within 15% of the district's average for free and reduced-price meals, which allows for greater divergence within individual schools in each zone. Lower-income parents may continue to prioritize schools that are closer to their homes due to lack of transportation and lack of time and information to navigate the application process (Knight, n.d.). And, the policy will have a limited impact on the district as a whole because middle and high schools will retain their full choice-based process.

San Francisco's draft 2022 Housing Element aims to "Support and incentivize housing, especially permanently affordable housing with multiple bedrooms for families, near existing high-rated public schools" (SF Planning, 2021). This acknowledgment of the schools-housing nexus is laudable, but a comprehensive and detailed plan is needed to bring this goal to fruition. The following are recommended to address the schools-housing nexus:

## 1. Strategies for the City of SF to increase affordable housing near high-performing schools.

- Purchase existing multi-family rental properties near high-performing schools and support developers to remove them from the market and restrict them as permanently affordable housing.
- Acquire land near high-performing schools and facilitate development of affordable housing on those sites.
- Target areas near high-performing schools for upzoning to enable denser construction.
- Increase inclusionary zoning requirements in areas near high-performing schools to generate additional affordable units.

## 2. Strategies for the City of SF to strengthen housing policies and supports that help low-income families live near high-performing schools.

- Pair new affordable housing units built in areas near high-performing schools with project-based vouchers (PBVs).
- Provide voucher holders with information about units near high-performing schools through mobility counseling.
- Increase voucher exception payment standards for areas near high-performing schools to the highest level possible.
- Remove barriers to moving to neighborhoods with high-performing schools by providing families with grants for security deposits and moving expenses.
- Offer a one-time cash payment to landlords who rent properties near high-performing schools to voucher holders.
- Incorporate waitlist preference for families with young children to maximize the effects of moving to high-opportunity neighborhoods and enrolling in high-performing schools.
- Increase the level of first-generation homeowner down-payment assistance offered to families buying homes near high-performing schools in order to increase the feasibility of moving into more expensive neighborhoods.

## 3. Increased coordination by City of SF with SFUSD and the San Francisco Municipal Transportation Agency (SFMTA) to pursue strategies that increase access to high-performing schools for students living in assisted housing.

- Collaborate with SFUSD to identify priority for students who live in assisted housing or historically underserved areas in the new zone-based school assignment policy.
- Collaborate with SFUSD and SFMTA to ensure the provision of efficient transportation options for students living in affordable housing who want to attend high-performing schools outside their neighborhood.

While these strategies have the potential to substantially improve both housing and educational equity, they must not crowd out investment in low-income communities because building affordable housing in these neighborhoods has opportunity-enhancing effects

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across governmental levels and policy arenas and affirm that desegregation policy implementation requires attention to the political dimensions that are part and parcel of the relational process between advocates, elected leaders, families, and youth that shape policy development, implementation, and attendant outcomes.

### ***Two Counties, Two Approaches, Similar Segregated Outcomes***

Our two case study sites—Howard County and Baltimore County—share similarities in terms of demographic composition and growth patterns. Both are located in central Maryland within the Baltimore metropolitan area; have a mix of urban, rural, and suburban areas; and have seen high rates of population growth over the past 25 years. Both counties have become more diverse, and changes in the racial composition of the population were not evenly distributed across the counties, with Black residents concentrated in older, more urban portions of each county. Howard County has also experienced growth in immigrant populations. Population growth led to a widening wealth gap. In both counties, the proportion of middle-income residents decreased, with the proportion of high-income residents increasing in both counties, but particularly in Howard County, and the proportion of lower-income residents increasing in Baltimore County.

Population growth also led to greater diversity in the enrollment of students in each county's public school system. In the Howard County Public School System (HCPSS), White student enrollment fell from 79.4% of total enrollment in 1990 to 42.7% in 2015. Black students, the second-largest racial group, stayed consistent at 21.9% of students in 2015 compared to 13.9% in 1990. Enrollment among Asian/Pacific Islander students grew to 19.3% of Howard County students in 2015 from 5.6% in 1990. Additionally, Hispanic student enrollment also grew significantly from 1.0% in 1990 to 9.5% in 2015. The percentage of students eligible for free and reduced-price meals (FARM) enrolled in HCPS tripled between 2000 and 2015, from 7.0% to 21.4%. In the Baltimore County Public Schools (BCPS), White students dropped from 77.5% of students in public schools in 1990 to 42.3% in 2015. In contrast, Black student enrollment increased from 18.5% of students in 1990 to 38.6% in 2015. Additionally, the proportion of students eligible for free and reduced-price

meals (FARMS) increased from 26.5% of students in 2000 to 46.9% in 2015.

As schools became more diverse, they also became more segregated by race and income in both counties. Segregation by race is most pronounced between Black and White students where the dissimilarity index was 0.511 in Baltimore and 0.380 in Howard in 2010 (Dayhoff & Sunderman, 2014). Based on this index, Baltimore County was the third most racially segregated, and Howard County was the ninth most racially segregated in the state. An analysis of school segregation by income in Baltimore and Howard County schools showed that the dissimilarity index was 0.413 for Howard and 0.391 for Baltimore, suggesting moder-

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### ***As schools became more diverse, they also became more segregated by race and income in both counties.***

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ate segregation by income in both school districts.

The two districts took different approaches to accommodating student enrollment growth. In Howard County, the district has opened 31 new schools since 1990. Many of these required individual school boundary changes, but the district did not initiate a comprehensive boundary redesign until 2019 (after we finished our data collection). In contrast to Howard County, boundary changes were infrequent in Baltimore County, but increased following the 2011 adoption of the Schools for Our Future school renovation and construction program (Baltimore County Public Schools, 2011). This \$1.3 billion school renovation and construction program was aimed at addressing overcrowding in elementary schools, modernizing schools, and installing central air conditioning in all non-air-conditioned schools. In response to the new construction and building renovations, BCPS conducted 10 boundary change studies between 2014 and 2018.

### ***School Attendance Rezoning: A Weak Regulatory Framework for Desegregation***

In Maryland, the system of county-wide school districts provides a better opportunity to use school zoning tools to achieve greater integration than in smaller districts. Despite this context, our analysis of the structural and institutional constraints operating on dis-

tricts exposed the limitations of these policies—on their own—to address the composition of schools. It showed that while school rezoning policies ostensibly provide a framework for rezoning that could be used to encourage greater integration, structural and institutional constraints—regulatory processes and normative mechanisms (Scott, 2008)—push districts to focus on school capacity needs rather than school composition.

### **How does this happen?**

First, school zoning decisions are not made in a vacuum but rather are shaped by policies and actions taken by other actors in a multi-level and multi-sectoral governance structure. While we often hear about advocacy for school desegregation through better housing policy (Ayscue et al., 2013), we identified complex layers of policy that included land-use controls, growth caps, and zoning that come from both state and local level action. In both districts we studied, districts responded to population trends and development patterns that conflated school capacity with school boundary adjustment proposals, rather than using school rezoning as a proactive approach to managing school composition. This put boundary changes at the tail end of policy decisions emanating from higher levels of government across education and non-education arenas. Maryland's growth management policies prioritized protecting the environment and preserving rural areas of the state, which directed growth to older, more densely populated, and diverse areas of the counties. Without incentives or policy coordination across policy sectors to encourage desegregation, counties had little inducement to link development policy to its impact on school composition.

Second, the rules governing school zoning policies themselves prioritized capacity over desegregation. The school zoning policies included mechanisms that confined possible rezoning alternatives to those that favored the segregated status quo. When mechanisms to foster desegregation were available to school boards and staff, such as establishing desegregation goals, they did not use them. As a result, boundary changes deviated very little from the existing demographic composition of schools, often at the expense of addressing capacity imbalances between schools. By using enrollment projections and prioritizing capacity issues to initiate a boundary process, these policies legitimized the process by demonstrating that the district was responsive

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# New Urban Institute Report and Data Tool Highlight Racially Unequal School Boundaries Across the US

Tomás Monarrez

On October 19th, President Biden signed the Executive Order on White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans. The order acknowledges the role of systemic racial injustice as a key driver of existing racial inequality in educational and economic achievement, and it highlights the critical importance of improving educational opportunities for the Black population for the benefit of the whole US population.

## Section 2 of the order states:

*“The Initiative shall advance educational equity and economic opportunity for Black students, families, and communities by focusing on the following policy goals: ... (viii) eliminating discriminatory enrollment, housing, transportation, and other policies that lead to racial and socioeconomic segregation among and within schools.”*

In a recent report, we examined the role of individual school attendance boundary lines in perpetuating racial and ethnic segregation in urban school systems. We find more than 2,000 pairs of neighboring public schools that are vastly different in terms of the racial and ethnic composition of the population living on either side of the boundary. We show that inequality between these schools (many of which are within the same school district) takes place not only in terms of racial and ethnic demographics but with regard to school staffing, educational program offerings, student discipline rates, and mean student achievement on standardized exams. Unequal school attendance zones not only perpetuate racial and ethnic segregation, they amplify inequality between students of color and their White peers, all while being almost right next to each other.

The report is accompanied by an online tool allowing users to interact with the most unequal school boundaries separately for each metropolitan area. These data can serve two purposes. First, they highlight “critical targets” for school integration. While we cannot be sure that these lines were intentionally discriminatory, our work establishes that they are discriminatory in their effect regardless of intent. They represent an opportunity: changing

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these lines for the better could improve integration considerably, although the local politics may be a potential barrier. Second, the tool establishes a measurement and data analysis framework that should be adopted by regulatory bodies (including the HUD “Affirmatively Furthering Fair Housing” rule). Our analysis is based on the analysis of census and GIS boundary data, using methods that require some technical ability, but which are not beyond the means of many data analysts in the government agencies. It is important for the agencies to map census and boundary data when evaluating potential policy reforms that might impact the location of housing or education public investments.

In addition, our report studies how many racially unequal school boundaries are linked to the New Deal’s Home Owners’ Loan Corporation (HOLC) redlining maps, a notorious instance of explicit and consequential racist federal policy. We show that redlining maps often match closely with the school boundary lines we detect as racially unequal. Averaging across our list of unequal school boundaries, the side currently with more Black or Hispanic residents is more likely to have

had a HOLC grade that was rated “hazardous” than the side with more White residents which was more likely to be rated “best” or “desirable.” This evidence suggests that many of the racially unequal boundaries in our current data set are direct vestiges of our cities’ historic roots of explicit racism, and not merely an artifact of recent individual household choices.

Persistent school segregation is the legacy of racist housing policy and the product of intentional decisions by the local officials that determine school enrollment policies. Our findings show that small changes to the attendance boundaries of neighboring schools in many cases could make a big difference for school integration. That some districts already use school attendance boundaries to promote integration demonstrates the viability of this strategy. But, such changes require political will and a commitment to sharing access to high-quality opportunities, as discussed by Finnigan and Holme in this special issue. Racially unequal school boundaries should be viewed as a highly inefficient preservation of old, problematic policy in need of immediate updating by local, state, and federal policymakers. ■

## Additional Resources on the Housing-Education Nexus

“Meaningful collaboration between housing and education agencies in the implementation of the Affirmatively Furthering Fair Housing requirement” (Housing-Schools Working Group, September 2021)

“Education Advocates Are Housing Advocates” (Opportunity Starts at Home coalition, September 2021)

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(SCHOOL REZONING: Cont. from page 6)

to the community by addressing overcrowding while, at the same time, ensuring the compositional status quo. The application of these policies contributed to consolidating the under-utilization of certain schools, which was conducive to reproducing school segregation (Bonal, 2012, p. 413). In other words, to gain legitimacy, policymakers do what is expected of them and reify particular modes of participation that decoupled (Ray, 2019) the attendance boundary rezoning process from racial and socioeconomic segregation.

Third, our observations affirm the ways that regulatory processes and normative mechanisms structuring the public engagement process influenced which groups mobilized and how conflict was managed. Ultimately, these institutional arrangements privileged opposition to rezoning and provided political leaders cover from difficult decisions that would have favored desegregation; districts could “maintain legitimacy and appear neutral or even progressive while doing little to intervene in pervasive patterns of racial inequality” (Ray, 2019, p. 42). Our findings build on other research that examines how families take advantage of their cultural, political, and social capital to oppose redistricting (see e.g., (Lareau et al., 2018). These accounts focus on how the geographic concentration of families through the housing market led to a pooling of resources to oppose rezoning. Our study demonstrated how people activate their political, cultural, and social capital through the institutional and structural mechanisms governing the rezoning and other land use processes. For example, those opposed to rezoning used the public engagement policies in place to ensure the status quo.

Our findings illustrate the ways in which school districts and other public agencies enable segregation and thereby legitimize the unequal distribution of social and material resources in racially disparate ways, even “in the absence of conscious discriminatory intent” (Ray, 2019, p. 34). The distance between the public commitments to equity and the implementation that is required to realize this goal is vast and is a hallmark of organizations that have institutionalized race into organizational policies and procedures in ways that maintain the status quo (Bonilla-Silva, 2015; Ray, 2019).

### ***Developing Cross-Sector Alternatives to Foster School Integration***

What alternatives may be available

to these processes that could close the gap between rhetoric and practice? First, school rezoning processes are not entirely constrained by external factors and could be used to address school composition (Bonal, 2012). For example, school-level segregation indices could be a trigger for rezoning along with school capacity concerns. Following the failure of HCPSS’s rezoning process (the focus of our study), the HCPSS superintendent launched his own plan that prioritized balancing capacity across the system and addressed economic segregation by taking into account the distribution of

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***[D]istricts responded to population trends and development patterns that conflated school capacity with school boundary adjustment proposals, rather than using school rezoning as a proactive approach to managing school composition.***

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students by socioeconomic status (Martirano, 2019). Likewise, elsewhere in Maryland, the Montgomery County Public Schools (MCPS) articulated an equity goal that would affect the distribution of students. Students, in particular, mobilized opposition to the district’s current levels of segregation and called for a county-wide, comprehensive boundary study that considers the composition of students as a central axis of analysis (St. George, 2018).

Notwithstanding these efforts, our findings suggest that using school rezoning to intentionally desegregate schools is more complex than simply redrawing

school boundary lines based on student demographic information. We offer three additional areas for intervention:

First, school rezoning requires school leaders to develop a deeper understanding of how non-school policy arenas such as growth management and zoning interact with school boundaries and the ability to work across policy sectors to craft policies that address segregation. Since growth management and school attendance policies co-exist and interact across state, county, and district levels, jurisdictions need to pursue multi-faceted policies that work across governmental levels and provide incentives for inter-agency cooperation.

Second, the state could institute closer oversight of school construction and associated boundary changes for impacts on segregation, creating tighter accountability and regulatory framework for reducing segregation. For example, under its current program, Maryland’s Inter-agency Commission on School Construction uses four criteria to prioritize state school construction funds to local districts: building age, concentration of low-income students, volume of portable classrooms, and building utilization rates. The state could tie building construction money to school desegregation metrics as well (The National Coalition on School Diversity and PRRAC (Poverty & Race Research Action Council), 2020). In addition, state and county planning documents could articulate social equity goals that consider the composition of neighborhoods. At the federal level, enforcement of fair housing laws could require analysis of school boundaries at the local level. In particular, the U.S. Department of Housing and Urban Development’s Affirmatively Furthering Fair Housing process offers an avenue for local jurisdictions to coordinate housing,

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### ***In Memoriam***

This issue of Poverty & Race is dedicated to the memory of two longtime PRRAC Board members:

Thomas Henderson, former Chief Counsel of the Lawyers Committee for Civil Rights passed away in October at the age of 69. Tom led the landmark *Sanders v. HUD* public housing desegregation litigation, among many other cases, and brought valuable insights as a dedicated civil rights litigator to our Board.

Mike Miller, an activist social scientist, union supporter and advisor to Dr. Martin Luther King, Jr, also passed away in October, at the age of 98. Like Tom Henderson, Mike was an early and long-serving member of our Board, and he brought a professor’s thoughtful perspective to our meetings.

We will miss them both.



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# Using Research Evidence to Address Segregation: A Racial Equity Perspective

David Kirkland

Prior to this year and since 1954, the most optimistic of us clung to the belief that the tides of history were pulling the nation, if not the world, forward, breaking down the invisible boundaries that held in place systems of confinement—the gross concentration of vulnerability divided from the exclusive freedoms enjoyed by the privileged. As the edifice of segregation seemed to crumble, the tools used to shift its enormous tectonic social plates were the instruments of research evidence. Indeed, the attorneys who argued *Brown v. Board of Education* of 1954 used research tools to such grand persuasive effect that, after hearing the evidence from the now harrowing “doll test” conducted by social scientists Kenneth and Mamie Clark, Chief Justice Warren (1954) was compelled to declare: “To separate them from others of similar age and qualifications solely be-

*cause of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.”*

This system—the edifice of segregation, which, itself, is a bleak manifestation of the racial caste (Wilkerson, 2021)—was so deeply baked into the American reality that in the years following 1954 we would see segregation reimagined and reinforced. A full 60 years post-*Brown*, researchers from UCLA released a report titled “*Brown* at 60,” which left little doubt about the persistence of segregation in the US and the revelation of its shocking migration from the US South to the US North.

With the resurgence of segregation across the US post-*Brown*, social scientists and policymakers began to rely on research evidence to piece together

a picture of the invisible consequences of the uneven distribution of education, property, capital, material, and so forth. Those of us charged with seeking equity would find ourselves seeking even more data and description to fully understand the patterns of inequity.

The mistake of this first wave of “integration” and the ensuing fragmentation of equity work(ers) was the struggle to locate the evidence outside the White gaze, for the very definition of integration that emerged from *Brown* was socially restrictive if not outright racially offensive, implying that a key intervention to problems afflicting Black, Indigenous, and other People of Color (BIPOC) was access to White people, White spaces, or otherwise White things. During the first wave of integration—or during the desegregation era—we began to measure

*(Cont. on page 10)*

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## Policy Change Using a Regional Equity Framework

Kara S. Finnigan & Jennifer Jellison Holme

As we argue in our book, *Striving in Common: A Regional Equity Framework for Urban Schools* (Harvard Education Press, 2018), many of the inequities entrenched in the US educational system are regional in nature, rooted in historic patterns of segregation and perpetuated and deepened by competitive relationships between school districts. Change requires dismantling these systems of relationships and the inequities upon which they are based through a regional approach.

Our Regional Equity Framework (REF) outlines ways to break down boundaries and dynamics that reinforce inequities between school systems, while at the same shoring up communities that have experienced generations of disinvestment. Our framework has multiple components to tackle the historical inequities and deeply entrenched issues relating to segregation, particularly in parts of the Midwest and Northeast that are extremely fragmented areas with multiple districts in one region. The framework can also be adapted to areas that are larger geographically, usually serving students across an entire county in one school district, as these frequently have similar patterns of segregation – in this case *within* the district. In both cases, our approach tackles longstanding structural and political challenges through resource reallocation, targeted investments in high-need areas, and student assignment policies across intra or inter-district boundaries, as well as cross-sector alignment.

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## Ratings, Rankings, and Segregation: The Failure of Measurement and Accountability in Education

Jack Schneider

For the past two decades, as a result of No Child Left Behind and its successor legislation, the Every Student Succeeds Act, unprecedented data have been made available to the public. These data include much that might inform interested parties about the performance of schools. Yet, at present, measurement and accountability systems—formal systems run by states, as well as the informal systems run by third-party groups—discourage all but the shallowest forms of engagement with data. This is largely due to the narrow tailoring of such systems and to the manner in which information is compressed. Before addressing those matters, however, it is important to consider why measurement and accountability systems look the way they look.

While there have been some notable exceptions—the calls for “data-driven decision making” being chief among them—the dominant theories of change behind the use of performance data have not emphasized the internal dynamics of schools. Arguably the most pervasive theory of change, often referenced as “consequential accountability,” posits that the nation’s schools will be strengthened through an increase in pressure (Kress, Zechmann, & Schmitt, 2011). That is, if educators and local leaders have

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(USING RESEARCH: Cont. from page 9)

integration by the movement, whether voluntary or forced, of BIPOC bodies pressed into White spaces that either did not want or were not well designed to sustain them.

According to Judge Robert L. Carter (1988), famed civil rights advocate and one of the attorneys who helped to litigate *Brown*:

*“Blacks clearly would have been in no worse position today, in terms of educational benefits in the public school arena, if we had concentrated on an equal facilities goal...What makes Brown historic, however, is the fallout effect. It transformed and radicalized race relations in this country, removing Blacks from the status of supplicants to full citizenship under the law, with entitlement by law to all the rights and privileges of all other citizens...We now know, of course, that the NAACP lawyers erred. The lawyers did not understand then how effective White power could be in preventing full implementation of the law; nor did they realize at the time that the basic barrier to full equality for Blacks was not racial segregation, a symptom, but White supremacy, the disease. (pp. 1094-1095)”*

Carter would soberly conclude that the unfinished work of integration in US society would be about addressing the disease (White supremacy) beyond simply treating the symptom (segregation). And, addressing the disease, for Carter, was about finally advancing the promise of the Fourteenth Amendment to the US Constitution—that all children, regardless of race, gender, language heritage, socioeconomic status, and so on, might inherit the provisions enshrined in the US Constitution.

As the data picture became clearer with the failures of desegregation policy/politics, it became equally apparent that integration as a one-way migration of particular bodies seeking unity only through the lens of the flesh divorced from the directionalities that define and represent enactments of power, privilege, and possibility was not only deeply flawed but also deeply racist. We could see this in

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data on school funding, suspensions, special education identification/placements, housing, jobs, incarceration, and even death—that the enactments and compass points to which power tugs were where the real struggle for an integration that lives closer to racial equity exists. That is, we could finally see that integration framed from a racial equity perspective could never simply be about sending Black and Brown children to school with White children but about a struggle for power—the power to move or remain still, to live on ones’ own terms, the freedom to choose and gain access to all the opportunities afforded the most privilege American bodies.

From this perspective—a racial equity perspective—integration is defined

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***During the first wave of integration—or during the desegregation era—we began to measure integration by the movement, whether voluntary or forced, of BIPOC bodies pressed into White spaces that either did not want or were not well designed to sustain them.***

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by power, not proximity. It is as much about measures of freedom as anything else, for the use of research evidence in relation to integration is not about how evidence might be used to help researchers assess how divided or united things appear but about social transformation—seismic shifts to the social status quo, or how values, experiences, hopes, dreams, and so forth of vulnerable people live and transact freely across social and physical space. In pondering this question, we must, then, position research evidence in ways that define integration beyond the suffocating limits of White supremacy because within those bleak borders, as Sonya Horsford (2019) reminds us, integration never happened.

Similarly, the use of research evidence to address segregation from a racial equity perspective requires a redefinition of segregation based on an understanding of society as undergirded by invisible boundaries that will forever forsake the movement of certain bodies, anchored to a history that once saw some of those bodies fettered to chains (Bell, 1992). From a racial equity perspective, segregation marks less the separation of people than the binding of opportunity to the

upper limits of our prejudice, where the grand dream of freedom and the promise of full citizenship for the historically vulnerable are intentionally cast afar.

For example, we know that the census data that emerges once every ten years can only provide a common count of people, where they might be stationed in the country, and so on. But, it can never fully offer an assessment of what it might mean for people to fully experience their citizenship, to be free without aspirations to be like others or to be close to them or necessarily equal to them (as if this should ever be a goal—one wonders if they should desire to be equal to us!). Another way to use research evidence to address segregation, then, would be to examine the extent to which we can all be free and live lives collectively within the promises of the American Dream, sovereign and untethered from hierarchal comparisons that center Whiteness as the goal (cf. Fanon, 1952).

Indeed, our struggles to end state-sanctioned segregation evoke tragic memories, memories that conjure things like crosses burning and four little girls buried beneath the rubble of a neighborhood church after it had been bombed. It evokes memories of countless other incidents such as the six Ku Klux Klansmen who, in Birmingham, Alabama in 1957, castrated a Black man after taunting him for “thinki[ng] nigger kids should go to school with [White] kids” (see “Massive Resistance,” <https://segregationinamerica.eji.org/report/massive-resistance.html>). It rekindles the scenes and mirages of White supremacist racial terror, where in places like Mansfield, Texas, the local citizens’ council organized White residents armed with guns and other weapons to block Black children from entering school. The mobs hung an effigy of a Black person with signs attached to each pant leg that read: “This Negro tried to enter a White school. This would be a terrible way to die” and “Stay Away, Niggers” (see “A History of Racial Injustice,” <https://calendar.eji.org/racial-injustice/aug/30>).

Now, this is the evidence, or at least one side of it, which helps us to understand how the same courts that decided *Plessy v. Ferguson* were the same to decide *Brown*, who only a year after that landmark decision, with the *Brown II* decision, would walk back their own professed commitment to equal rights and calls for immediate, federally-enforced desegregation. Using research evidence from a racial equity position can help provide tremendous insight into how exclusion from one part of society can

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# Confronting “White Island” School Districts

Erika Wilson

Across the country, school district boundary lines pave the way for lawful forms of racial segregation and inequality in public schools. Indeed, most racial segregation in schools occurs between school districts rather than within school districts (EdBuild, 2019). White student segregation is especially ubiquitous. In many racially diverse metropolitan areas, White students are the most segregated of all racial and ethnic groups (Frankenberg, Ee, Ayscue, & Orfield, 2019). Some are situated in “White island districts,” defined as school districts that enroll predominantly White and affluent student bodies, despite being in racially and socioeconomically diverse metropol-

itan areas. “Monopolizing Whiteness” examines the causes and consequences of “White island districts” and proffers solutions for addressing the inequities wrought by such districts. It makes four important contributions.

First, it provides an explanation for how and why White island districts exist. Using examples from three school districts, it theorizes that White island districts are a product of what sociologists refer to as social closure—a process of subordination whereby an in-group works to monopolize resources viewed as scarce and to exclude those not part of the in-group. It suggests that White island districts are constructed as the in-group, and the resource constructed as scarce is high-quality schools. It defines high-quality schools as those with highly qualified teachers, rigorous curricular offerings, high levels of student achievement, and well-maintained physical facilities.

Critically, the article emphasizes

that scarcity of high-quality schools is constructed, not inevitable. The forced connection between housing, school funding, and school attendance creates scarcity. In particular, using local property taxes to fund schools and drawing school district boundary lines that track state-facilitated racially segregated housing patterns (Rothstein, 2015) limits the ability of all schools to obtain access to the educational inputs needed to create high-quality schools. Further, racialized income and wealth disparities (Darity et al., 2018) along with restrictive zoning results in exclusion, with many students of color unable to live in the areas that would afford them access to White island districts. As a matter of law, it is difficult to abrogate boundary lines for purposes of equalizing funding between school districts or integrating school districts. In line with the exclusion underlying the concept of social closure, White island districts often aggressively police the

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# An Alternative Measure of Student Performance to Help Parents Evaluate Schools

Tom Brown

Look for a home today on most major real estate portals, including Zillow, Redfin, Realtor.com, and Homesnap, and you will find the public schools assigned to each home, along with school ratings. The third-party website that provides these ratings is the non-profit organization GreatSchools.

Though GreatSchools ratings have changed significantly over the years, they are still based primarily on test scores. For elementary and middle schools, the ratings are approximately 30% based on average test scores, 40% on an “Equity Score,” and 30% on test score growth.

The Equity Score primarily measures the achievement gap of each school by evaluating the difference between the average test scores for children that are considered disadvantaged and those that are not. If there is a wide gap, the school gets downgraded under the theory that the school is not doing enough to serve disadvantaged students. “While many schools are having success at closing the achievement gap, and these efforts are important, this gap is a product of several societal factors; arguably the least of which is the school itself.”

Another 30% of each school’s rating is proficiency. But research has shown that test scores are at least 70% attributable to parent income, not school quality. GreatSchools does not consider the socioeconomic context of a school when evaluating its test scores, and consequently, their test score ratings are more informative about parent income than anything else. As a

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result, their ratings perpetuate a damaging narrative that positions schools with high parent incomes as the “best schools” and schools with diverse or moderate to low parent incomes as the “worst schools.” Low school ratings in neighborhoods with histories of inequality do not merely reflect that inequality; they help drive it.

GreatSchools’ recent inclusion of test score growth measures is a step in the right direction, but using scores with no context of parent income limits any substantive comparisons of student test performance between schools.

## *SchoolSparrow’s Ratings*

At SchoolSparrow, we’ve created a school rating system, rooted in data science, that accounts more directly for parent income. SchoolSparrow’s rating algorithm is a non-linear regression that calculates the average expected score on the Reading Language Arts (RLA) section of the standardized test based on control variables such as the percentage of children considered economically disadvantaged (ECD) that took the test and the percentage of children classified as having a disability (CWD) that took the test.

Our ratings recognize individual schools for their effective teachers and student support staff by revealing the extent to which the school community, not socioeconomic status, is influencing student performance on standardized tests. And they recognize entire neighborhoods and cities as desirable destinations

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district boundary lines, engaging in practices such as establishing anonymous tip lines for residents to report students who are suspected of living outside the district and illegally enrolling in the district.

Second, it reframes the harms caused by school segregation. It emphasizes that while the harm caused by racial segregation in schools for students of color is deprivation of access to high-quality schools, the corresponding harm of segregation for White students is the monopolization of high-quality schools and forms of social isolation that deprives White students of valuable skills that they need to effectively function in a racially diverse democratic state. It further argues that universal access to high-quality public schools provides important democracy-enhancing functions. High-quality schools provide students with the skills necessary to effectively participate as workers in the American economy, enable them to participate as fully informed citizens in American democratic processes, and facilitate social mobility (Greenstone, M., et al., 2016).

Yet, school segregation limits access to high-quality schools to a limited cohort of students, weakening the overall human capital necessary for a successful democracy. Further, as America is a multi-racial democracy, limiting access to high-quality schools along racialized lines inhibits all students' ability to learn how to live and work together respectfully and as equals. The net result of these two things is to undermine the economic and social stability of our multi-racial democracy.

Third, it argues that modern equal protection doctrine has developed in a way that makes it powerless to interrupt the dynamics of social closure and the harms caused by school segregation. The reasons for this are two-fold. First, conceptually the doctrine situates state-sponsored harm as a necessary trigger to finding a constitutional violation. Yet, the kinds of action that are found to constitute state-sponsored harm are narrowly construed. Plaintiffs challenging policies that result in schools being segregated must submit exacting evidence that a policy was enacted precisely because of or with the intent to create segregated schools. Under this reasoning, the residential sorting patterns that form around school district boundary lines are not considered the product of state action and are therefore beyond the court's remedial purview. Second, the Supreme Court narrowly defined the injury caused by racial segregation in schools. The Court in *Brown v. Board of Education* framed the

harms of segregation solely from the perspective of the ways in which state-sponsored segregation harms Black students, with no mention of how racial segregation impacts White students, or the overall effects of segregation on the entire populace. Thus, the equal protection doctrine does not recognize monopolization of high-quality schools or impairment of the American democracy as harms that the Constitution can remedy.

Finally, given the shortcomings of modern equal protection doctrine, the article argues that there is merit in looking to antitrust law for conceptual guidance. Without meaning to take on any of the competition fetishization of modern antitrust doctrine, or the so-called "consumer welfare" framework, the article uses the essential facilities framework that has developed in interpreting the Sherman Act solely to illustrate what a legal framework looks like that could appropriately recognize and address the process and harms of social closure.

The essential facilities framework imposes upon a market participant a duty to share when that market participant, through anti-competitive means, exercises monopolistic control over a facility that is indispensable for competition in a relevant product market. Critically, in the context of White island districts, housing is the primary anti-competitive means through which White island districts are able to monopolize high-quality schools. Stated differently, school district boundary lines overlay with neighborhoods that are marred by the residue of restrictive covenants, redlining, exclusionary zoning, and a racial wealth gap that effectively limits non-White entry into neighborhoods with higher-priced homes. Because school district boundary lines are used to determine the local tax base for purposes of school funding and student assignment, they allow the educational inputs needed to create high-quality schools to be hoarded by higher-wealth predominately White districts. The boundary lines, while ostensibly race-neutral, therefore permit historical racial subordination in housing to restrict access to high-quality schools to a small cohort of White residents in racially diverse metropolitan areas.

The essential facilities framework thus is an apt one to apply to the problem of White island districts because it recognizes the harms of a small, powerful group restricting access to facilities that all participants in a given social process need in order to participate fully. It does not require any showing of intent, and it treats mandatory sharing as a solution to the imbalances caused by resource hoarding. If high-quality schools are situated

as an essential piece of public infrastructure (an essential facility for democracy, one might say), White island districts can then be seen to monopolize high-quality schools, to the detriment of neighboring racially diverse districts within the relevant product market, the metropolitan area.

Because the framework focuses on the systemic harm of monopolizing an essential facility, it can conceptualize the broader democracy-related harms caused by White island districts in ways that the current equal protection doctrine cannot. The insights gleaned from analyzing the problem of White island districts through the lens of the essential facilities framework might make us think about using education clauses in state constitutions to make duty to share arguments, to consider how the Fair Housing Act disparate impact rule might be used as an avenue for addressing school segregation, it might also serve as a guide for legislators considering how to structure school district boundary lines, and most significantly, change the way we conceptualize and discuss the harms of White student segregation in racially diverse metropolitan areas. ■

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# The Policy Possibilities to Confront the Racial Impacts of Gentrification

Chloe Latham Sikes & Terrance L. Green

Gentrification is a worldwide phenomenon that is deeply rooted in settler colonialism, anti-Black racism, and capitalism (Green, Sikes, Horne, Germain & Castro, in press). It is often characterized by the influx of new investments in residential housing, business, and commercial real estate that results in the displacement of low-income, Black, Indigenous, Latinx, Asian and Pacific Islander People and the erasure of their culture. Given the historic connection between neighborhoods and local education systems, gentrification can also appear as school gentrification (Posey-Maddox, 2014).

School gentrification can take different forms when schools are decoupled from their local neighborhood enrollment and demographics. Some experience waves of new investments in resources, teachers, and facilities (Posey-Maddox, 2014). School investments can also slow to a trickle as resources are redirected through intentional disinvestment (Green, Germain, Castro, Sikes, Horne, Sánchez, 2020). A key factor in the trajectory of schools' gentrification is the increasing disconnection between local school assignments and their surrounding neighborhoods by enabling gentrifying families to reside and invest in the neighborhood without similar investments in the local schools (Green et al., 2020; Pearman & Swain, 2017).

Changes in investments often correspond with racial and socioeconomic changes in school enrollment. Gentrifying families tend to be White, upper-middle-class newcomers to historically Black and Brown neighborhoods. As school gentrification takes place, schools are caught in the tension between rapid demographic change and remaining reflections of the neighbor-

hoods that had existed previously. This leads to several policy problems and opportunities for intervention.

## Our Research

Policy suggestions arise from a multi-city study of school gentrification. The study builds upon scholarship focused on how city gentrification impacts local schools (Posey-Maddox, 2014), how parental school choice influence school-based programs and resource investments (Posey-Maddox, 2014; Roda, 2020), and how the landscape of school choice decouples schools and housing, which have traditionally been closely knit features of neighborhoods (Pearman & Swain, 2017).

## Our research has identified three major policy problems. Gentrification:

1. Destabilizes Black and Latinx school enrollment by creating a mismatch between local neighborhoods and gentrifying school demographics (i.e., rapid increase of White residents in the neighborhood with a school that traditionally serves Black and/or Latinx families);
2. Compromises Title I funding in schools that experience a rapid influx of more affluent families enrolling; and
3. Undermines Black and Brown students' social and emotional well-being and mental health through cultural and historical erasure, and displacement from school programs, opportunities, and their familiar neighborhoods.

These problems present real challenges to efforts to promote racial justice in school districts.

## Recommendations

### State and local policymakers can:

1. Develop school district-wide racially conscious plans to sustain equitable enrollment, resources, program options, staffing, and school-parent engagement strategies, especially

in gentrifying schools that primarily serve historically marginalized students.

2. Commit to supporting affordable housing for Black and other racially minoritized teachers to remain in their districts. This has been achieved through city partnerships with housing authorities and local school districts as a targeted housing strategy.
3. Develop "right to return" and "right to stay" education and housing policies for racially marginalized students and families who are being negatively impacted by gentrification.

State and local policymakers and leaders can take action to intervene in school gentrification before schools lose their cultures and their communities. ■

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(USING RESEARCH: Cont. from page 10)

mean exclusion from other parts. It can help us see how freedom exists in direct contrast to segregation because segregation places boundaries on bodies, fencing them behind the empirical walls of racial confinement—which, after looking at volumes of evidence on racial disparity (from education to housing), I have called the same old Jim Crow.

Using research evidence from a racial equity position can give us a stark picture of the internment that segregation implies, the concentration of vulnerability against the gross and mischievous hoarding of privilege. The data patterns in cities such as New York are clear. For example, while White and more economically advantaged students thrive in the city's least diverse schools, Black, Brown, and less economically advantaged students suffer there (Kirkland & Sanzone, 2017). These students—the most vulnerable students in our school systems—are more likely to be forced out of school, labeled with disabilities, remediated, and failed. They are also less likely to graduate, gain access to a rigorous curriculum, or have the common compassion needed to foster a healthy learning experience (Kirkland & Sanzone, 2017). By contrast, gaps in achievement by both race and socioeconomic status begin to disappear in New York City's most diverse schools. In the city's most diverse schools, disparities in education across attendance, graduation, test scores, suspensions, and so on shrink significantly (Kirkland & Sanzone, 2017). Another key aspect of the segregation/integration dichotomy is the impacts on attitudes of Whites and Blacks. In addition to data showing how educational disparities shrink in more diverse schools, there is strong evidence that racial integration significantly diminishes racial prejudice, increases trust, and helps to repair and heal (Fossett & Kiecolt, 1989; Rothwell, 2012; Sharp & Joslyn, 2008; Wagner, Christ, Pettigrew, Stellmacher, & Wolf, 2006).

Thus, in addition to giving us ammunition to make a broad case against segregation, the use of research evidence from a racial equity perspective gives us a glimpse at how the bondage of a people once enslaved could be re-designed, reimagined, and reinforced either through mass confinement inside a system or through mass exclusion outside it—what Michelle Alexander (2010) calls the New Jim Crow. The use of research evidence from a racial equity perspective also helps us understand how the struggle to integrate schools and

housing is consistent with social impact strategies that use data to elevate lives, for schools are not the only spaces given bars. In relation to the persistence of Jim Crow—new and old—racial barriers have been erected everywhere in US society: around dreams and water fountains, from the times people gathered to practice their faiths to the times they gathered to break bread.

Indeed, credible cases have been made to suggest that we should abandon our push to integrate schools and society, that integration is essentially a “racial bribe” that leaves in place systems of White supremacy. This position situates segregation outside the evidence and bakes integration firmly into the logic of White supremacy. However, this current moment in the struggle for racial justice requires nuance, where a call for reparations must coexist with a push for real integration. A deep and compelling look at the research evidence from a racial equity perspective should convince anyone serious about advancing racial justice that integration is worth the fight, that segregation must always be resisted, that White supremacy resists integration, and that integration cannot exist where White supremacy persists.

The fight for integration isn't to diminish the work of those fighting to fairly fund our schools and our neighborhoods. That work is important too. From a racial equity perspective, the goals of integration are not in opposition to the idea that all communities should have schools that work for all our children. It does not equate the idea that equity in education is synonymous with sending Black and Brown kids to White schools as a legitimate educational intervention. Or, that Black flight into White communities is a definition of success. Such misuses of evidence are, themselves, racist acts.

However, an anti-racist use of research evidence that clearly shows that underneath each issue involving segregation is a more fundamental set of economic conditions, political arrangements, and power relations that transforms everyday citizens into casualties of an increasingly intense war on the vulnerable allows us to address segregation within a much larger struggle—part of an ongoing fight for freedom that takes place in our schools and our neighborhoods, in our workplaces and in our worship spaces, in our hospitals and even in our homes. And, as we use research evidence to begin to see more clearly those who have been maligned as human beings, we can also use research evidence to help heal the wounds such evils have wrought. ■

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## Q&A: Epic Theatre Ensemble's *Between the Lines* Explores Housing and School Segregation

**E**pic Theatre Ensemble's mission is to create bold work with and for diverse communities that promotes vital discourse and social change by 1) inspiring NYC students to be creative and engaged citizens; 2) presenting compelling topics that transform the way people think; and 3) collaborating with artists, students, and community leaders to produce plays about key issues. Led by Executive Director Ron Russell and Co-Artistic Directors Melissa Friedman and James Wallert, Epic focuses on transforming the lives of young people and building deep collaborations with community partners to produce bold theatrical work that reimagines the critical role art must play in the fight for social justice.

PRRAC Legal Fellow Darryn Mumphery conducted the following interview with three of the student creators/actors (Beck Dilisima Vickers, Qianah Harvey) and actors in the latest Epic production, *Between the Lines*, about the impact of segregation, redlining, and the relation between housing and education.

The interview has been condensed and edited for clarity. A short excerpt from the play *Between the Lines* is on the following page.

**Darryn Mumphery (PRRAC):** First, I want to say I have read the most recent version of the script, and I loved it. I love that you guys mentioned Zillow because it's very important that we note how technology bolsters government-sanctioned segregation – and not just in housing, so that is my favorite part of the script. I also appreciate that there is so much texture to it. It isn't just long streams of dialogue; there are so many different layers - great job!

My first question is: How did you deepen your understanding of the link between housing and school segregation to author this piece? What were your resources? What inspired your learning?

**Beck:** We did interviews with people who work in education - particularly as administrators - and people who work in real estate.

We then gathered all the informa-

tion from those interviews we conducted through Zoom, so we had complete transcripts. We went through the transcripts, highlighted what stood out to us the most, and then compiled it to help us create scripts. So it was all pretty cool.

**Darryn Mumphery:** Yeah, that is pretty cool. In that learning process, what were some highlights for you guys?

**Dilisima Vickers:** Definitely, redlining. I've heard the term before, but I hadn't looked into it in depth. So, once they brought up the topic of redlining and the connection between housing policy and educational segregation, I went down a rabbit hole.

What was redlining? What happened specifically? It is something that I started to think about a lot in personal terms. It's so crazy how something like that can happen and keep affecting us; but, it's not common knowledge at all – especially for kids our age.

**Beck:** I agree with the Dilisima. When I think about redlining, I am struck by how recently it occurred. It's really interesting because we don't learn much about this type of stuff in school. I didn't even know what the term redlining meant until we did this program in the summer.

It's sad. Why do I have to go to an outside source to learn about our history? Now I can see how redlining and zip codes connect with my life and education. Unfortunately, some people live in "bad neighborhoods," which determines their future. So I think that needs to change through more awareness of this. Allowing people to know what we have learned can help make a real change.

**Darryn Mumphery:** Is there anything about this process of learning and writing that was especially difficult for you to either carry out or hear about?

**Qianah Harvey:** This was heartbreaking - the history, knowing that people had to live like this and that we didn't learn about it in school.

**Beck:** When I learned about it, I felt like I wanted to cry. The first day we watched a video called "Segregated by Design," it broke down how segregation and redlining worked [through the use of an infographic] cartoon. Because it was in cartoon form, I understood it better, and it had a bit of a severe effect on me.

I already knew about the Civil Rights Act and the Civil Rights Movement because we learn about all of that (but mainly in February as part of Black History Month). But learning about these issues, it's all messed up on a deeper level. I kept asking myself: Why does society determine my capacity and capability based on my skin color? Why did all this happen to people just because they were Black? It didn't make any sense to me. It triggered me a bit.

**Darryn Mumphery:** If it triggered you, you can say it triggered you straight up. It's triggering information. You all are dealing with information that people don't get in elementary, middle, or even high school sometimes. So it's okay for it to trigger you. It's okay to feel like that.

My next question: How would you describe the process of writing the script, including the level of collaboration and the internal brainstorming and discussions?

**Dilisima Vickers:** Firstly, we finished the interviews and research and then made a chart describing the different people and their involvement in the situations - like realtors, parents, students, and government officials. We then decided to take two of these parties, like a student and a teacher or a realtor and a parent, and we created scenes based on that. We made the scenes absurd, which means that it is kind of weird, but it makes sense and [resonates with the audience] like poetry.

It was a mix of situations and mediums to help people understand the message we were trying to send with this play. We were focused on getting our message across about integration and how housing policy has affected

(Cont. on page 16)

(EPIC: Cont. from pg. 15)

the way public schools are in our nation.

**Darryn Mumphery:** What interview and part of the research were your favorites? “Favorite” can mean you felt it was the best or had the most significant impact on you and what you contributed to this script.

**Dilisima Vickers:** We interviewed this woman who is a professor. She talked about how in the 70s, she lived in Las Vegas, Nevada, when there was a desegregation order. During the desegregation order, a lot of White parents started pulling their kids out of public schools and putting them in charter schools because they didn’t want their kids to go to “bad schools.” Even though in a sense, it didn’t have much to do with schools, it stuck with me when I wrote the script - I think people call it “White flight.”

**Qianah Harvey:** My favorite interview was the one we did with the Board of PRRAC. When we were asking questions, almost all of them answered each question. One board member told us how redlining contributed to segregation, and another described how redlining is a different name for official segregation. That was really powerful to hear.

**Darryn Mumphery:** What is the biggest lesson this entire process has taught you? As writers, what do you want your audience to walk away feeling after they watch this?

**Qianah Harvey:** This was a learning experience. It required a lot of young people to take a deeper look at what happened and get a sense of history. After viewing the play, I want the audience to feel how this really happened to real people. I want them to be shocked. I want it to be memorable.

**Beck:** I think this has taught me to not take things at face value - always research more instead of just believing what other people say - and be curious and ask more questions because you never know what you’ll find out.

**Dilisima Vickers:** The main theme within the play is about the implications

of what’s a “good school,” what’s a “bad school,” what’s a “good neighborhood,” what’s a “bad neighborhood.”

While researching this topic, it became obvious that these terms are very racially charged. For example, when I got my high school application form, I went on GreatSchools.org, and my school had a low rating as if it’s a “bad school.” So even though I had never been to or heard of the school, I took this rating at face value.

But after this summer, I learned there are implications behind these words and reasons why these schools are called “bad,” even though they’re not “bad schools.” I don’t think my school is a

“bad school,” but these people did, and that’s what I want people to take away from the show. Hopefully, after seeing this history, they know to question what they’re being told and be aware of our past and how it affects us today.

**Beck:** After people see our play, I want them to know more about how things are currently and how the past shapes our present. I want them to think about how they can present ideas to help better our system to politicians and people in power. History doesn’t have to repeat itself. I think with this we’re going to change a lot of things. I’m proud we did it, and I’m proud of it. ■

## Excerpt: *Between the Lines*

### ANDREW (ACTOR 4):

We’ve kind of divorced the racist language from it, but the outcome is the same. So you don’t have to say, “*I want to go to a White school or live in a White neighborhood*”; you can talk about “*Oh, I’m just concerned about my property values going up or down*” and really what you’re talking about is race but you don’t have to talk about it out loud.

### COURTNEY (ACTOR 2):

All these people have very strong progressive identities, like if you met them, they’d be like, “*Yeah, I’m a radical anti-racist.*” But the moment comes when it’s like, “*Can you go to school with these other kids in your neighborhood school?*”

### ALL:

They pushed back.

### ZAHAVA (ACTOR 2):

Like, it is bananas that you would ever have parents sitting at a kitchen table going, “*I don’t know if we can afford to move to a place with good schools for our kid. Like I don’t know if we can afford good public schools. Like, I don’t know if we can afford something that’s free.*” That is a wild conversation, right? That makes no sense at all. We’ve found a way to parcel out the privilege in a system that is supposed to be free and open to everybody.

### ERIKA (ACTOR 1):

The stark reality is that schools are segregated because White parents want them to be.

*Courtesy of Epic Ensemble Theatre*

# Long Island High School Students Advocate for Housing and School Integration

Elaine Gross

Once a month, high school students from across New York's Long Island, one of the ten most racially segregated metropolitan regions in the nation, gather to share their experiences with racial segregation, gain from each other's insights, and discuss action steps for effecting change. They gather as members of the Student Task Force of ERASE Racism, the civil rights organization based on Long Island that addresses systemic racism, especially in housing and schools.

The students lead the Task Force, which advances racial equity on issues impacting their lives, with logistical facilitation by ERASE Racism, and we, therefore, know the students well. We spoke with several current or recently graduated members of the Task Force in connection with this article, and their comments are especially enlightening as the nation grapples increasingly with how, where, and whether to talk about systemic racism in America.

The students explained that ERASE Racism's Student Task Force enables them to step outside of the confines of housing and school segregation and meet with diverse students from across the region, who share an interest in talking about the segregation that affects them daily. Housing and school segregation are a reality on Long Island—not just in the past but in the present. *Newsday's* 2019 landmark study "Long Island Divided" revealed extensive racial discrimination by realtors on Long Island continues. It found "evidence of widespread separate and unequal treatment" of potential Black, Latinx, and Asian homebuyers. It also found contemporary steering of people of color toward certain communities and away from others—perpetuating the housing segregation that leads to school segregation.

One student from Suffolk County, who identifies as Black, said that she joined the Student Task Force because "I wanted to create a racial equity club in my high school and wanted to see what others were doing" in that regard. "I wanted to know how they were approaching administrators," as "talking about race was frowned upon" at school. In her school, "students wanted to talk about the topic but were afraid of what school administrators would say." As a result, discussion of race

"stays within racial groups." She added, "I want to learn what happened to my culture. Not learning my own history hurts."

A 10th-grade student from Nassau County, who identifies as Black, said she had joined the Student Task Force to talk with diverse students about achieving racial equality. It "provides a wonderful opportunity to work collaboratively with like-minded students" and to ensure that "my voice is heard." She enjoys hearing a range of perspectives and "learning how to agree to disagree." She notes that "sometimes when a person says something, I have to think extra hard to understand that perspective." She says that she is particu-

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***"Students don't need to be protected from this discussion." They need to be heard.***

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larly interested in creating a government and democracy club at her high school, as she campaigns for local candidates for political office, so "as a 15-year-old I can have an impact."

A 10th-grade student from Nassau County who identifies as Jewish said he was "alarmed at how little race is discussed in school." He noted that Long Island's two counties have 125 school districts—a fragmentation that generates housing and school segregation. At the Student Task Force, "we can talk about race, compare notes, and learn from each other." "It's very welcoming" and lets us "gain the skills to make change." We talk about things like: "How do you approach change? How do you get allies? How do you talk with teachers? How do you empower students to make change?"

The two students of color talked about how hurtful the microaggressions they both suffer regularly in school are. One noted, as an example, that on one occasion she had not received a notification to bring her computer to class. When she arrived without it, the White teacher assumed that she could not afford a computer and "offered to help in a pitiful way."

All of the students spoke with great excitement about the opportunity that the Student Task Force had provided each of them—and some of their colleagues—to address either a plenary session or a workshop at the 2021 Reimagining Education Summer Institute, the prestigious national educators' conference held annually at Teachers College at Columbia University. This year's four-day virtual Institute was titled "Teaching, Learning and Leading for a Racially Just Society" and provided the students with an opportunity to offer their insights into making curricula more welcoming and inclusive of diverse students and their heritages.

One student of color said, "It was one of the coolest experiences of my life." Participating educators had commented on her insights and valued what she had to say. "Inclusive curricula should not be offensive to anyone," she said. "It's important to learn about history, even when it's not pleasant. How can we learn from history, if we don't know the past?" Another student noted, "When we finished our presentations, it was incredible how happy all the students were. It was a huge opportunity to advocate for culturally inclusive curricula. We felt that we had helped teachers change their classrooms."

"What we experience outside, we should tackle in school," one student said. "Students don't need to be protected from this discussion." They need to be heard. ■

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(SCHOOL REZONING: Cont. from page 8)

land use, and growth management policies with school policies and data to understand and mitigate segregation (see DeBray et al in this special issue for more details on strategies).

Finally, desegregation policy is part of a political process between advocates, elected leaders, families, and youth. Thus, advocates have a role in articulating how cross-sector policies can contribute to desegregation and supporting political leaders who promote desegregation. Public officials could be more cognizant of the ways school rezoning policies structurally privilege some residents over others and consider diverse perspectives regarding the impact of current rezoning approaches. Linking education policy to land use policy is a necessary cross-sector strategy to undo generations of harm from segregation. ■

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(SHARING: Cont. from page 3)

can be exactly alike. The goals and context determine what kind of approach can succeed.

This article draws on two examples of regional interdistrict desegregation plans—Hartford, Connecticut, and Omaha, Nebraska—to illuminate and compare how interdistrict desegregation plans have been designed, financed, and implemented.

## Hartford, CT

### Legislative Action

A major civil rights case, *Sheff v. O’Neill*, established that de facto segregation between Hartford and suburban districts violated the education and equal protection clauses of the state constitution. The voluntary settlement, reached in 2003, set a 4-year timeline to meet the goal of placing 30% of Hartford students of color in “reduced isolation” settings, defined as schools in which “minorities” constitute less than three-fourths of the student body (*Sheff v. O’Neill*, Stipulation and Order, 2003). In service of this goal, the *Sheff* reforms encouraged two-way transfers into and out of schools in Hartford and the surrounding area districts. The Open Choice program allows Hartford students to enroll in schools in the surrounding suburbs, and a set of regional magnet schools incentivizes both urban and suburban families to cross district lines.

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## Desegregation Outcomes

Schools in Hartford have made progress toward achieving reduced-isolation settings as a result of the interdistrict transfer program, which uses a lottery system to randomly select Hartford and suburban applicants for placement (Capitol Region Education Council, n.d.). Data from the 2012–13 school year show that enrollments in magnet schools in the Greater Hartford region were more equally distributed across racial groups than statewide enrollments, with Black,

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### **What if student attendance policies and school finance policies were not confined to individual school districts but were thought of as crossing and uniting districts in a region?**

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White, and Hispanic students each comprising roughly one-third of the overall magnet enrollment (Ellsworth, 2013). A report by the Civil Rights Project demonstrated that, for that same year, rates of exposure to students of different racial and socioeconomic backgrounds were higher in magnet schools than in non-magnet schools in the city and suburbs (Orfield & Ee 2015).

In 2015, the Connecticut Department of Education reported that more than 9,000 students were enrolled in reduced-isolation settings, with interdistrict magnet schools serving 6,564 students and Open Choice programs serving roughly 2,000 students (Connecticut Department of Education, 2015). Updated enrollment data from October 2015 show that nearly half (45.5%) of Hartford-resident pre-k–12 students of color were enrolled in reduced-isolation settings within or beyond the district borders (Connecticut Department of Education, 2015).

The Connecticut Department of Education commissioned the development of a new Controlled Choice “multifaceted” socioeconomic interdistrict student assignment plan in August 2018 that was approved by the state court in 2020. The plan was based on a 6-month diagnostic review of the efficacy of the race-conscious procedures and processes that were being used to accept or reject Hartford and suburban students into magnet schools in the *Sheff* regions. The review resulted in the formulation and extensive beta testing of a multifaceted socioeconomic controlled choice assignment

methodology that categorized the magnet applicants into three socioeconomic tiers: low, medium, and high. The three SES tiers were based on a combination of the demographic characteristics, each applicant’s home address, U.S. Census “block group,” and applicant’s parents’ self-reported highest educational attainment level. As demonstrated by a series of beta tests or simulations, the new Controlled Choice SES plan worked to achieve the racial desegregation goals of *Sheff* without admitting or rejecting students based on their race.

As a result of the new school assignment plan and other remedies, the plaintiffs and the State of Connecticut agreed to a landmark settlement of the *Sheff* case in January 2020. A lawsuit filed by the Pacific Legal Foundation, which challenged certain race-focused elements of the lottery system for magnet schools in the Hartford region, was voluntarily withdrawn and dismissed by the court. The new *Sheff* plan based upon the three socioeconomic tiers made the alleged racial claims moot.

### Academic Outcomes

A 2009 study explored the relationship between attending the less racially and economically isolated interdistrict magnet schools and academic achievement. Using pretreatment scores and random lottery assignment to eliminate selection bias, the study found that attending an interdistrict magnet high school had positive effects on both the mathematics and reading achievements of central city Hartford students (Bifulco et al., 2009).

These early findings are corroborated by the 2013 achievement data from the Capitol Region Education Council, which operates 23 Hartford area magnet schools, demonstrating improved scores for all student groups on state mastery and performance tests, as well as smaller achievement gaps between racial groups as compared to state averages (Ellsworth, 2013).

## Omaha, NE

### Legislative Action

Omaha’s experiment with interdistrict student assignment plans represents another community’s concerted effort to provide all students in a metropolitan region with a quality education. In January 2006, State Senator Ronald Raikes introduced legislation that proposed three major changes to promote more equitable public education in the region: regional  
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governance, tax-base sharing, and resource redistribution, and a socioeconomic diversity plan (Eaton, 2001, 2013). The “Raikes Plan” established a regional governance system for the 11 Omaha metro-area districts—the Learning Community Coordinating Council (LCCC)—and granted it authority to distribute a common levy (NE LB 1154 § 2 2008). The legislation also included a two-part economic “diversity plan” that tasked the LCCC with creating Elementary Learning Centers to support high-poverty districts and establishing a choice-based school mobility program to deconcentrate high-poverty schools (Holme, et al. 2009).

### *Desegregation Outcomes*

Under the Raikes Plan, transportation costs were covered for students who contributed to the diversity of their school. The state supplied funding for districts to establish “focus programs, focus schools, or magnet schools pursuant to the diversity plan.” By the 2012–13 school year, there were 19 magnet schools in Omaha Public Schools offering priority enrollment to students receiving free and reduced-price school meals (FRL). Of the 15,231 students enrolled in magnet schools that year, the majority (72%) received FRL. In addition, overall participation in the Open Enrollment program expanded from 4,334 students in 2011–12 to 7,826 students in 2016–17, 40% of whom qualified for FRL. Approximately 35% of the Open Enrollment students were enrolled in schools that followed the intention of the diversity plan (Brittain et al., 2019). However, in 2016, Nebraska lawmakers rewrote the transfer law and reinstated the older Option Enrollment program, which encourages diversity but provides transportation to fewer students (only those who are eligible for FRL) and has stimulated far fewer transfers (Dejka, 2017).

### *Academic Outcomes*

Three years of LCCC evaluations compared the performance of Open Enrollment students on third to eighth-grade reading and mathematics assessments to their resident counterparts. In low-poverty schools, FRL-eligible Open Enrollment students scored dramatically higher than peers in high-poverty schools in both reading and mathematics in all tested grades (Learning Community of Douglas and Sarpy Counties, 2014). In schools with less than 44% of students eligible for FRL, Open Enrollment stu-

dents scored dramatically higher than students in FRL schools in both reading and mathematics in all tested grades (Learning Community of Douglas and Sarpy Counties, 2014).

### **Lessons for Policymakers**

These cases offer educators, policymakers, and the public valuable lessons in developing regional desegregation and fiscal equity plans. To promote and support racial desegregation, particularly as we consider how to move past traditional plans and incorporate cross-sector policy solutions, these case studies suggest that policymakers take the following steps.

**Secure a metropolitan-wide agreement.** Successful desegregation plans require the collaboration of urban and suburban

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***To anchor collaborative work for advancing racial and socioeconomic equity, state policymakers, educators, and communities need a collective understanding of what equity means in their state and region.***

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districts in a comprehensive regional policy that creates opportunities for genuine cross-school and cross-district collaboration and financial incentives to help receiving schools cover the cost of student transfers. The case studies described above underscore the importance of state leadership in regional planning in terms of policy framing, finance, and political consensus building. Cross-district agreements need to identify housing inequities and build in housing/school planning and incentives to ensure they promote integration and equal access to high-quality educational opportunities. These agreements are more likely to be sustained if states take an active role in supporting them.

**Establish a clear vision for educational equity.** To anchor collaborative work for advancing racial and socioeconomic equity, state policymakers, educators, and communities need a collective understanding of what equity means in their state and region. This vision includes several components: goals for achieving both greater diversity and greater educational quality and equity for targeted student groups in the region; a measurable definition of and a means to reduce “racial isolation” at the school and classroom levels; goals and benchmarks

for greater diversity; and a recognition that without aligning housing and school policies that promote integration educational equity is likely to fail.

**Sustain efforts with equitable resources.** Equitable and adequate resources are needed to sustain desegregation plans. For example, with regionally based finance reform, additional funds can be allocated to the schools and students who will benefit most. Investment in regional magnet programs, capital improvements, and teacher professional development will raise the quality of schooling options available in all districts. State and regional affirmative marketing campaigns can build strong and accessible systems of public information around schooling options. Services for transfer students and families might include transportation, school counseling, and family liaisons.

**Create a strong evaluation and data plan.** Data monitoring allows practitioners and policymakers to test, evaluate, and adapt interdistrict plans to serve all students best. A strong state and regional data plan includes specific criteria for determining racial isolation or segregation and targets for reducing these conditions. It monitors these goals by tracking and understanding multiple measures of student success and disaggregating all data across student groups. It ensures that data collected are visible in the community, with opportunities to incorporate stakeholder feedback seriously and in a timely manner. In addition, data plans need to include up-to-date information about housing trends, affordability, and fair access to ensure school segregation is not divorced from housing segregation.

**Ensure housing and school policies reinforce equitable access and promote integration.** To create the conditions where racially exclusionary housing and educational policies are at last abandoned, it is essential to view state-supported fair housing policy and access to high-quality educational opportunities as inseparable. To overlook the close connection between housing and schooling undermines the opportunities for creating integrated communities and schools.

Experience shows that regional, state, and local policymakers interested in advancing equity through interdistrict desegregation plans must persistently engage in ongoing problem-solving. Progress requires an authentic commitment to equitable outcomes that responds to inevitable roadblocks with continued effort. ■

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racial categories: White and not White. If, for example, a district is 20% minority, a school in that district is racially imbalanced if the minority population is greater than 45%. Similarly, if a district is 20% White, a school in that district is racially imbalanced if the White population is greater than 45%. Unlike some similar statutes adopted in other states during the civil rights era (e.g., Massachusetts' 1965 Racial Imbalance Act), on paper anyway, the statute requires that schools act to address segregation regardless of whether it is White students or minority students who are concentrated in a given school.

As a practical matter, however, the statute has only been enforced in the case of schools with excess numbers of minority students. Where an imbalance is determined to exist, a district must develop a corrective plan. Connecticut's district lines largely follow town lines. There are 172 school districts (and 169 towns) serving a population of about three and one-half million people and a public school population of just over five hundred thousand children. The RIA does not seek to address segregation between school districts. In fact, a bill that would have done so was rejected a year prior to the RIA's passage (Eaton, 2020). The legislature rejected any obligation by the State to address segregation and instead relied on local actors to fix a statewide problem.

In 1998, the State went a few steps further to undermine the possibility that the RIA would ever lead to desegregation. First, it clarified that a corrective plan "need not result in a district-wide plan or district-wide pupil reassignment." Second, it required that the Connecticut Department of Education revise the implementing regulations to "allow[] for diverse schools existing in school districts with minority enrollments of fifty percent or more." In response, the agency exempted from the statute's purview schools that might previously have been considered "too White." In a district with a minority enrollment of 50% or more, even if a school's minority percentage differs from the district-wide number by more than 25 percentage points, it is not considered imbalanced so long as the minority enrollment is at least 25% and no greater than 75%. For example, in a district, like my own, that is 88.87% minority, a school that is just 25% minority would not be considered imbalanced, despite the 63.87 percentage point differential between the district-wide number

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and the school number. There are four schools in my own city, New Haven, and 23 schools statewide that would be considered either imbalanced or impending were it not for the loophole baked into the law.

As a result of its local focus, the RIA fails to address "the basic issue in the state...segregation among districts in metro areas, not within the overwhelmingly non-White and poor central city systems" (Orfield & Ee, 2015, p. 11). In addition, it problematizes disproportionately minority schools, but not disproportionately White schools. Black and Brown people in the United States, and here in Connecticut, tend to live in "neighborhoods where Whites represent

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***There are four schools in my own city, New Haven, and 23 schools statewide that would be considered either imbalanced or impending were it not for the loophole baked into the law.***

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a much more modest presence than in their larger community" (Frey, 2020). Even as the country as a whole, and individual regions, becomes less White overall, the average White person continues to live in a disproportionately White place (Frey, 2020). In a study of the 50 most populous metropolitan areas in the country, Goetz et al. (2015) found that "[i]n 70 percent of the metro areas in [their] sample, Whites lived in more segregated neighborhoods compared to people of color" and that "[a]verage White isolation ... was 25 percent higher than the isolation for people of color" (p. 108). The same is true here in Connecticut (Kolko, 2016).

The RIA, then, fails to capture the fact that in a county, New Haven, that is 15% Black, the entire Madison, Connecticut school district is 0% Black. Madison escapes the scrutiny of the RIA entirely. And Madison is hardly alone. While New Haven County is 15% Black, of 26 school districts in New Haven County, seven districts have a population that is less than 2% Black. (These numbers exclude charter schools, each of which is considered its own school district.)

The RIA, by function of its local focus and its loophole for urban schools that are "too White," fails to capture segregated White schools. This failure is analogous to the failure in the fair housing policy realm to identify, alongside racially/ethnically concentrated areas of

poverty (RECAPS), what Edward Goetz and others (2015) have termed "racially concentrated areas of affluence." Although civil rights lawyers and activists have repeatedly attacked exclusionary zoning and other policies that reify White space, HUD's 2015 rule implementing the Fair Housing Act's directive that the agency affirmatively further fair housing (AFFH) only required jurisdictions to track RECAPS—it did not require identification of places where White people are segregated from other people. But, the AFFH mandate is intended to address all patterns of segregation created by public policy. Federal, state, and local policy have simultaneously "produc[ed] segregated communities of color" and "creat[ed] and protect[ed] areas of White affluence" (Goetz et al., 2015, p. 102). In addition to being the result of historic and ongoing policy choices, White segregation facilitates "opportunity hoarding" and obscures the fact that some groups enjoy higher quality public services than others do (p. 103). In Sheryll Cashin's (2021) words, the "segregation of affluence facilitates opportunity hoarding, whereby the most affluent neighborhoods enjoy the best public services, environmental quality and private, public, and natural amenities, while all other communities are left with fewer, poorer-quality resources" (p. 111). Concentrated poverty and segregated Black and Brown spaces cannot be understood without understanding the forces of exclusion that create and perpetuate concentrated advantage and segregated White spaces.

Similarly, the RIA's failure to track and seek remedies for schools that are disproportionately White is a meaningful and substantial oversight. It is well-documented that "[c]ompared to Black children who were not exposed to integration, Black children who were exposed throughout their K-12 years had significantly higher educational attainment, including greater college attendance and completion rates, not to mention attendance at more selective colleges" (Johnson & Nazaryan, 2019, p. 60). In other words, "integration works" (p. 57). It is crucial, however, to understand the mechanism by which it works: "Desegregation required not only the integration of schoolchildren but the integration of teachers, facilities, curricular offerings, after-school programs, public summer school enrichment activities, and the like" (p. 57-58). Where, instead, resources are confined to discrete neighborhoods, public schools fail to offer equitable opportunities to all children. In Cashin's (2021) words, "[t]he risk for a nation in which elites increasingly live apart from everyone else is that the resources and tax

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base to pay for programs and institutions that ordinary people need will continue to erode. Worse, those who live in concentrated poverty are likely to be trapped there. In an America that segregates wealth and opportunity from the poor, neither city, suburb, nor rural hamlet will be an engine of upward mobility for poor folk” (p. 119).

In addition, all children, not just children of color, benefit from attending integrated schools. “A growing body of research suggests that the benefits of K–12 school diversity indeed flow in all directions—to White and middle-class students as well as to minority and low-income pupils” (Wells et al., 2019, p. 14). Segregated schools cause harm to all children, not just children of color. Seeking to “fix” only those schools that are disproportionately minority perpetuates the myth that segregation only imposes harm when minority children are concentrated in a single school. Segregation imposes harm because it results in differential allocation of public resources. Segregation imposes harm because it compromises the quality of education provided to all students.

Here in Connecticut, too many students attend schools that are, effectively, racially concentrated areas of affluence. In fact, local researchers have found that three times as many Connecticut residents live in racially concentrated areas of affluence than live in racially/ethnically concentrated areas of poverty (Buchanan & Abraham, 2015).

Despite the RIA’s limitations—failing to address segregation across town lines and granting a loophole for the benefit of White families who prefer to live in urban centers while nevertheless choosing to send their children to disproportionately White public schools—it has had some impact in identifying school segregation within towns. A recent study by Connecticut Voices for Children, for example, used RIA data, among other sources, to find that racial imbalance tends to correlate with exclusionary land-use policies (Sheehan et al., 2020).

Nevertheless, if the RIA were written differently, it could have a much more substantial impact. If it tracked racial disparities comparing individual schools to regions—rather than to the small segregated school districts in which those schools operate—it would force a conversation about the scale at which segregation must be solved and the kinds of solutions policymakers must be willing to embrace. Ultimately, Connecticut’s school segregation problem cannot be solved district-by-district. Connecticut’s school segregation problem is a housing

segregation problem.

Housing advocates in Connecticut today are acutely aware of the relationship between housing affordability and integration. Connecticut towns that permit the construction of multi-family housing and have smaller minimum lot sizes tend to be more diverse. Towns like Guilford, where for 61% of the land in town the minimum lot size is four acres (Ellickson, 2021), are not diverse. Guilford’s nominally public schools demand that families have the wealth and income to afford a mortgage on a small mansion. Not surprisingly, given our nation’s stark racial wealth gap, Guilford’s population is 1% Black. Connecticut towns weaponize both school district boundaries and housing policy to continually enforce entrenched segregation. Planning and zoning commissions massively resist integration daily. Commonly citing a desire not to become New Haven, Hartford, or Bridgeport (all diverse small cities) or West Haven or East Hartford (diverse inner-ring suburbs), planning and zoning commissioners refuse to accommodate housing typologies that might be affordable to people who do not benefit from intergenerational wealth. The result is a town like Woodbridge, where the median home value is more than \$400,000 and the population is 3% Black, immediately adjacent to New Haven, where 31% of the population is Black. Integration will require changing the way housing units are designed and permitted in order to ensure that the units created are more affordable and that affordable units exist everywhere, not concentrated in a few cities and inner-ring suburbs. To that end, housing advocates like the Connecticut Fair Housing Center and the Open Communities Alliance are advocating for the State of Connecticut to require each town in the state to accommodate its fair share of regional housing need, modeled after New Jersey’s Mount Laurel doctrine and echoing California’s Regional Housing Needs Allocation paradigm.

Regionalization of schools and liberalization of housing policy have been controversial topics in Connecticut in recent years. Echoing integration’s opponents in both the South and North a generation ago, a substantial number of Connecticut suburbanites have demanded that the State keep its “Hands Off Our Schools” (Megan, 2019) and “Hands Off Our Zoning” (Thomas, 2020). Public hearings on school regionalization and zoning reform have attracted droves of angry parents and homeowners purportedly concerned about “local control” and property values. A richer understanding of how segregation operates in both schools and housing, and the impact on all children, would provide greater con-

text for these debates, which, in a world of ever-increasing inequality, will continue to be live ones over the years and decades to come. ■

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on the surrounding area and is critical for meeting the housing needs of all families (Diamond and McQuade, 2019). Additionally, housing policy alone cannot achieve educational equity. Education policy must continue to pursue school integration strategies that promote genuine inclusivity for students of color and ensure that every school is well-resourced. ■

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## Connecting Housing and School Integration – Federal and State Policy Levers

**The proposed Strength in Diversity Act (HR 729)**, which passed the House in 2020 with bipartisan support, includes a priority for proposals “demonstrated meaningful coordination with local housing agencies to increase access to schools that have a disproportionately low number of low-income students.” The bill was reintroduced in 2021.

**The HUD Affirmatively Furthering Fair Housing Rule**, which the Trump Administration had suspended, is expected to be reissued next year. If the new rule is similar to the Obama Administration AFFH rule, we hope to see strong provisions requiring assessment of housing impacts on school segregation and increased collaboration between housing agencies and school agencies (see article on AFFH, this issue).

**Prioritizing access to low-poverty, high-performing schools in housing mobility programs:** As housing mobility programs for families with Housing Choice Vouchers expand across the country, more public housing authorities are focusing on the qualities of school districts in “high-opportunity areas,” seeking out well-funded schools that have positive school climates and that will work to help children from low-performing schools catch up and thrive. See Mobility Works’ presentation at the 2020 “Housing Is” conference: <https://youtu.be/0IACAQ1HLVU>.

**Linking magnet schools and public housing redevelopment:** Participating public housing authorities in the Choice Neighborhoods program are encouraged to collaborate with their local school districts – and we have urged both HUD and the Department of Education to support these collaborations by targeting Magnet Schools Assistance Program grants – see our policy brief, *Mixed-Income Neighborhoods and Integrated Schools: Linking HUD’s Choice Neighborhoods Initiative with the Department of Education’s Magnet Schools Assistance Program* (March 2021).

**Targeting high-performing, low-poverty schools in state LIHTC plans:** The Low-Income Housing Tax Credit program is currently the largest low-income housing construction program in the U.S., and state housing finance agencies are delegated the authority (consistent with the Fair Housing Act) to develop annual “Qualified Allocation Plans” to guide which developers and projects are selected for funding. A few states have prioritized developments near highly rated schools, and other states can copy this approach in their annual plans if advocates speak out.

**Affirmative marketing:** Once an affordable housing development is located in a high-opportunity area with low-poverty, highly rated schools, there is no guarantee that it will offer housing opportunities for families with children currently living in high-poverty neighborhoods. This is where strong outreach, affirmative marketing, and non-discriminatory tenant selection policies come in – see PRRAC’s guide, *Accessing Opportunity: Recommendations for Marketing and Tenant Selection in LIHTC and Other Housing Programs* (2012).



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transportation, childcare, education, and so on, resulting in negative consequences and outcomes (Johnson, 2019). While many studies focus on the harms of segregation on people of color because of the inequitable power and resources, research also suggests harm to racially isolated White students, from limiting their capacity to develop a sense of self and others, to reifying false notions of superiority and limiting their ability to work in racially diverse settings (Wilson, 2021).

Scholars of spatial inequality point to the racialized geographic structure of opportunity that extends beyond education to other aspects of health care, housing, and employment (Tate, 2008; Drier, 2014). More recent work by Green (2015) considers not just the problems resulting from racial isolation and concentrated poverty in low-opportunity areas but also the assets in these areas (including faith-based organizations, grocery stores, local businesses, and community-based organizations), many of which are culturally significant to people of color living in these communities, that can be leveraged to improve school and community outcomes. To achieve spatial justice, we must both understand the unequal geographic distribution of resources, such as access to affordable housing or well-resourced schools, and address decisions that are made over the use and design of spaces (Soja, 2010). In most locales, public policy and private actors have created racialized spaces that undercut the kinds of coalitions and regional solutions necessary to create equi-

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table distribution of resources and result in more equitable outcomes (Holme & Finnigan, 2018, p. 78). As a result, policy tools at the state or federal level can be a useful strategy to incentivize local policy change.

### **AFFH**

The Obama administration's rule concerning the Affirmatively Furthering Fair Housing (AFFH) component of the Fair Housing Act of 1968 represented a policy tool to explicitly address some of the barriers to structural and institutional dimensions of inequity, of which schools are still a major one (Bostic & Acolin, 2018; Goetz, 2018; O'Regan, 2019). The affir-

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### **Evidence from the plans we reviewed illustrates how the gap between the regulatory intent and authority creates a missed opportunity to disrupt existing systems via cross-sector engagement.**

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matively furthering mandate of the Act requires the recipients of federal funds to do more than simply not discriminate - they must go deeper to address segregation and other more systemic and spatial issues driving housing inequity.

The Obama administration recognized the housing-education policy linkage as part of its larger push for interagency efforts to enhance integration (U.S. Departments of Housing, Transportation, and Education, 2016). AFFH was designed to encourage local conversations and collaborations around solving major structural problems. Of the types of government entities potentially involved in AFHs, school systems represent one such system of spatially mediated opportunity; schools have historically been used to perpetuate inequalities associated with residential segregation and have also been part of the remedy for longstanding patterns of spatial difference. In addition, because of the education system's roles in both perpetuating inequality and in mutually reinforcing residential segregation, "Access to proficient schools" was one of the factors that HUD grantees were required to assess in their AFH plans (U.S. Department of Housing and Urban Development, 2015, p. 153).

### **Our Study of AFH Plans**

Our study of the first year of imple-

mentation of the AFFH rule focused on 15 locales (out of 22 for jurisdiction year 2016) that included education issues in the goal sections of their plans and were HUD-approved. Our examination focused on whether the plans targeted improving access to schools, quality of schools, school integration, and/or the deconcentration of poverty. We were interested in: what the local government was planning to do to address the goals; the measures that would be used to evaluate progress; whether funding was discussed; what were delineated as the criterion for linking schools and housing; and institutional and governmental partners referenced in the plans. We highlight the ways that different locales discuss the geographic and racial disparities in education and housing.

Our review found that more than half of the plans explicitly discussed goals related to K-12 education, whether it was to aim to "expand educational attainment" (Philadelphia) or "to address inequities to access to proficient schools...and to provide resources for low-income families in public housing to improve educational outcomes" (Seattle). But, our study also found that most locales had very little to no attention to issues discussed as far as educational inequities that were regional in nature when articulating the goals of their plans. For example, the AFH for El Paso County, Colorado, noted disparities in access to proficient schools, citing limited public transportation and barriers given the open enrollment time frame. The authors write that "families who want to get their children into a better school district must be both lucky and financially equipped to provide transportation." HUD specifically required jurisdictions to set goals to address significant contributing factors, but since so many did not do this, it is clearly a planning and implementation gap.

When they did discuss education, they focused on narrow measures of school quality. Perhaps not surprising given how quality was defined (by fourth-grade test scores), these were quite broad sweeping and somewhat generic goals. A small number of plans discussed goals related to improving access to schools but did not provide any details as to how they would improve access, e.g., through school assignment policies or what measure(s) would be used.

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### **Missed Opportunity to Disrupt Systems of Inequity Through Cross-Sector Solutions**

Our review of AFHs revealed that while many plans described the presence of both housing and school segregation and inequity in their communities, the policy goals and approaches outlined a) lacked an articulation for how to address these issues jointly; and b) in many cases, laid out goals that insulated these issues within either school or housing systems but not as interdependent issues. Of the plans that we reviewed, only two described residential and school segregation as interconnected problems. One additional plan mentioned poverty reduction as an overall goal. No plans clearly pointed to solutions for addressing spatial unevenness and segregation or poverty through cross-sector engagement or collaboration.

Furthermore, we note that amongst the plans that we reviewed that none listed local educational entities as collaborators or partners.

Evidence from the plans we reviewed illustrates how the gap between the regulatory intent and authority creates a missed opportunity to disrupt existing systems via cross-sector engagement. Defining and pointing to interrelationships between fair housing planning and educational institutions is an important initial step, but problem identification must lead to meaningful collaboration across the scales at which housing and school planning occur. System disruption without an expansive mandate requires a substantial intrinsic commitment to change on the part of local entities.

Looking beyond the issue of regulatory authority, we see several additional reasons for this lack of evidence for collaboration around housing and schools in AFHs. First, this lack of cross-institution engagement is reflective of the rationale for HUD's AFFH rule - to develop stronger grounds for collaborative goal setting around fair housing, environmental justice, and schools within local and regional planning processes. Second, the lack of coordination within these plans likely reflects dependencies within the local politics ecosystem - the political landscape for decision-making around schools and housing are interconnected but also contain different sets of actors, different spatial scales, and different path dependencies.

### **Implications**

It has been reported that the Biden Administration plans to reinstate a new AFFH rule (the prior rule was suspended, then effectively eliminated by the Trump Administration). In the reissued rule for local jurisdictions, public housing authorities, and states, we recommend very clear prompts to identify data, policies, and practices that implicate the housing-education relationship, explicit

### **Defining and pointing to interrelationships between fair housing planning and educational institutions is an important initial step, but problem identification must lead to meaningful collaboration across the scales at which housing and school planning occur.**

requirements for consultation and collaboration with educational agencies, and a menu of meaningful goals and actions that participants may consider adopting. For example:

> **Data points:** The AFFH process should continue to provide for standardized, publicly available data relating to education. The Department of Education should make available to HUD for inclusion in its AFFH data and mapping tool all relevant education data that bear on fair housing, including school district lines; NCES data on racial and economic segregation across school district lines and across school assignment zones within a jurisdiction, PHA area of operation, or state. The HUD tool should specifically correlate the distribution of subsidized housing units with school demographics across school districts and schools (Gould Ellen & Horn, 2018) redefine “proficient” schools as “high-performing” schools, and add “access to low-poverty schools” as an additional metric.

> **Definitions:** The rule should include a clearer definition of “areas of opportunity” that includes “access to low-poverty, high-performing schools” as one of the listed elements.

> **Policies and practices (aka “contributing factors”):** A new

AFFH process should require a standardized analysis of policies and practices that impact fair housing, including those connecting to education, such as the relation of school assignment zones to the location of subsidized housing units, percentage of affordable units and presence of exclusionary land-use policies within school districts, etc.

> **Consultation and collaboration:** Explicitly mandate cross-agency meetings with school districts and education stakeholders, with suggested discussion prompts, and require a report out of agreed cross-agency areas of cooperation. The new rule should also ensure robust community stakeholder input, including outreach to local educational advocacy and parent organizing groups.

> **Goals and actions:** Include a specific list of housing-schools goals and actions for jurisdictions, PHAs, and states to consider adopting in the AFFH. HUD guidance and technical assistance resources should include education-related commitments and follow-through by recipients.

By strengthening the planning process, we anticipate that there can be far greater prospects for progress in meaningful desegregation for both neighborhoods and schools. ■

**Note:** For more details on this study see: Finnigan, K., DeBray, E., Greenlee, A., Haberle, M., & Kurniawan, H. (2021). Using fair housing planning as a tool to address schooling inequities. *Education Law & Policy Review*, 6, 73-89.

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(FRAMEWORK: Cont. from page 9)

### **Components of the Regional Equity Framework**

Our research study of metropolitan areas across the country, identified five key components to address educational inequality across regions:

- 1. Tax Base Sharing:** Fragmented local governments, as we discuss in our book, result in fiscal inequality between communities, with “winners” and “losers” in any given community. State school aid formulas are frequently designed to address these inequities but the money provided rarely is sufficient and often is politically tenuous. Tax base sharing connects the fate of communities in terms of tax resources and reduces the perverse incentives in communities that lead high-wealth municipalities to engage in actions that enhance their advantages and work against lower-wealth communities.
- 2. “In-Place” Investments:** Our framework also involves policies that are focused on directing investment and resources into high-poverty and traditionally marginalized communities. These ‘in place’ approaches are important but will have limited impact and sustainability unless incorporated within a broader regional framework that attacks the structures of inequality themselves.
- 3. Mobility Policies:** Mobility strategies, like school choice policies to promote integration or magnet school policies, seek to reduce the impact of racial and economic segregation, one of the most fundamental ways to address this is by changing the geographic distribution of affordable housing, e.g., by building more affordable housing or providing access to existing housing in high-opportunity neighborhoods. Research has found that providing vouchers to families to secure housing in high opportunity neighborhoods yields sig-

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nificant gains in long-term outcomes, and for those children who attended low-poverty schools, also short term educational gains (see Chetty, Hendren & Katz, 2015; Turner, Nichols & Comey, 2012). These strategies must be accompanied by educational policy shifts such as teacher training around culturally relevant curriculum and instruction.

- 4. Regional Governance:** Regional strategies require oversight of implementation through a regional decision-making body to coordinate decisions at a regional scale and ensure commitment toward equity, particularly in localities that may be resistant. A regional body must be given authority to make decisions on key equity issues and enforce compliance.

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### **Change requires dismantling these systems of relationships and the inequities upon which they are based through a regional approach.**

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- 5. Cross-Sector Approaches:** The final strategy we argue for within our framework is the use of cross-sector approaches, where educational policy is pursued in tandem with housing, transit, health, economic development, etc. As we discuss in our book in more detail, building upon structures that already exist, like Metropolitan Planning Organizations, would be a useful political strategy.

Below we outline a few specific policy strategies at the state and federal level that could more directly incorporate components of our REF in policy design. It is equally important to acknowledge the politics of implementing these policies: public policy and private actors have created racialized spaces that are, as legal theorist Richard Thompson Ford argues, self-perpetuating in terms of power and inequity (Ford, 2001). This has created a system in which communities are divided and defend their own interests through either legal or political channels. Regions that are divided against themselves undercut the coalitions necessary to bring about change. This division manifests itself in localism, supported by political coalitions and interests that are invested in defending the status quo and, therefore, work against broader regional equity solutions. Thus, incentivizing new ways of thinking – and resulting policies

– is critical given the competing interests at the local level and strong push against regional change in spite of all the research that continues to show the critical need for regional equity.

### **State Policy Toward Regional Equity**

States play an important role, as the inequities that exist across regions are under the jurisdiction of the state and must be attended to by state governmental bodies. In 2020, the NY Advisory Committee to the US Commission on Civil Rights called for the state of NY to tackle this in its report, *Education Equity in New York: A Forgotten Dream* (New York Advisory Committee to the US Commission on Civil Rights, 2020). Based upon testimony of academics, school administrators, government officials, and advocates with expertise in this area, the NY State Advisory Committee (SAC) recommended that “the Governor and the New York State legislature establish a blue-ribbon commission to explore alternative funding structures to the current inequitable local tax-based system as well as ways to reduce racial segregation within and across school districts as one of its ten recommendations.” Alexandra D. Korry, chair of the New York SAC, stated in the press release for the report: “New York’s failure to provide a decent education to its poorest students, many of whom are students of color, violates the very precepts of a civil and just society and deprives our children of even the possibility of participation in society. This is the civil rights issue of our time.”

One strategy at the state level would be to address this much in the same way states have focused on regional economic development. For example, in NY, more than \$5 billion has been awarded in the last decade to focus on “cooperation and investing in regional assets to generate opportunity” with regional councils competing against each other for resources. Our framework would suggest that moving forward, any competitive grant program in education would need to include the five components of our framework (tax-sharing, place-based approaches, mobility approaches, regional governance, and cross-sector approaches) as heavily weighted criteria for funding.

Another avenue for promoting regional equity in education is state funding formulas. State funding formulas alone will not solve the issues discussed above, but they can be an important mechanism for addressing regional inequities by allowing for, or incentivizing, tax base sharing as we share in our book using

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Omaha Nebraska's Learning Community legislation as an example. Tax base sharing can also disincentivize higher-income suburban districts from continuing to hoard or "monopolize" the resources in a metropolitan area (See Wilson in this special issue).

State *Every Student Succeeds Act* plans could also target some of the areas of our framework by incentivizing cross-sector planning and programs, student assignment policies that address segregation, and targeted 'in place' investments to both strengthen particular communities and programs and being to reduce the disparities within a particular region. Importantly, state guidance could require more than one of these strategies be undertaken by local areas, and a regional body put in place to ensure equity and oversee implementation. State plans could also incentivize interdistrict magnet schools that recruit students across district lines. They also could require that local school district planning around school improvement involves other sectors like housing, health, and transportation (National Coalition on School Diversity, 2020). While these will not alone address segregation or bring about equity in education and housing in a metro area, they are steps in the right direction and could generate coalitions and political will toward regional equity.

### **Federal Policy Toward Regional Equity**

The federal government has a role to play in using its bully pulpit to orient communities toward regional equity. This was seen in the "Dear Colleagues" letter of June 2016, from the secretaries of the departments of housing (Julian Castro), transportation (Anthony R. Foxx), and education (John B. King) as they called upon their respective groups to promote interagency cooperation and planning in local communities.

The federal government also has a role in using its incentives to prompt state or local action. Through the reauthorization of the *Every Student Succeeds Act*, and/or through other federal grant programs like *Opening Doors*, *Expanding Opportunities* (which was part of the *School Improvement Grants of Title 1*), the federal government could incentivize using the REF for planning and new policy approaches that work toward its full enactment, e.g., by beginning with the creation of a regional governance body, or the integration of education within its existing regional body, and a small tax base sharing program as critical first steps toward the full REF. The state plan would

then have to spell out the mobility policies and place-based investments as well as cross-sector approaches that would be implemented as next steps in pursuit of regional equity goals in educational access and outcomes across a region. Reorienting local areas away from competitive instincts and toward collective goals will require specific guidance and incentives. The Obama Administration's "Sustainable Communities Initiative" was a step in this direction, although it excluded education agencies from the regional planning process, which made the resulting plans less effective than they could have been.

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**[O]ur approach tackles longstanding structural and political challenges through resource reallocation, targeted investments in high-need areas, and student assignment policies across intra or interdistrict boundaries, as well as cross-sector alignment.**

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Finally, another way to use our framework at the federal level would be through the Office of Civil Rights (OCR) and/or Department of Justice (DOJ) under Title VI of the Civil Rights Act of 1964. The disparate impact provision of Title VI regulations prohibits state or local governmental agencies from practices that exclude or harm particular groups. The target or unit for investigation and compliance by OCR or DOJ might vary depending on the particular context. For example, in fragmented areas with many districts, the target would be the state, while in larger districts aligned with counties, the target would be the district. Nunberg and Petty (2021) walk through what exactly this would mean if OCR or DOJ investigated the disparate impact of resources, access, etc., at the state level given the disparities across districts. As they note:

*"In New York, as elsewhere, the state defines school funding formulae, draws school district lines, and establishes discipline-related policies that districts are required to follow. Thus, even if OCR were to expand the number of resource comparability and discipline compliance reviews across the state, focusing on districts alone will not suffice to fully correct racial disparities directly tied to the state's failure to address the systemic*

*denial of educational opportunities for Black and Latinx students. In other, similar cases where these kinds of actions create patterns of exclusion across states, rather than investigate school districts who in many cases are following or responding to state requirements, OCR and/or DOJ would have the greatest impact by acting on a statewide basis."*

In crafting any resolution, the OCR or DOJ could use the Regional Equity Framework to identify specific strategies, including around boundaries/school assignment, funding formulas, targeted programs, or cross-sector strategies that would ensure progress toward regional educational equity.

The political challenges of "striving in common" are no small matter – in fact, *how* to get these things done deserves attention to facilitate authentic and sustainable progress. As we argue in our book, however, these challenges, though significant, are not insurmountable – they require an intentional, multi-faceted, cross-sector, and regional policy approach. ■

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reasonable fear of sanctions, they will improve their performance in response. The second of these theories of change, frequently referred to via the phrase “school choice,” emphasizes the role of markets rather than the state. Specifically, neoliberals and market-oriented conservatives have argued that the public education system will be strengthened by exposing schools to competition and encouraging families to consume education as they would any other good (Urquiola, 2016). In keeping with these theories, policy leaders have pushed for relatively simple measurement and accountability systems that rate and rank schools, and which tend toward algorithmically-determined results rather than human judgment (Schneider & Gottlieb, 2021).

Operating within a policy paradigm shaped by “consequential accountability” and “school choice,” state and federal leaders have sought to identify a limited number of quantitative measures for use in comparing schools against one another. Although this approach can be explained in a number of ways, including by pointing to the role of history in shaping present structures and cultures (Hutt & Schneider, 2018), such narrow tailoring raises serious questions about measurement validity. Validity, in this sense, describes the degree to which a particular approach or instrument measures the construct of concern—in this case, school quality (American Educational Research Association, 2014). School quality, as scholars have both theorized (Eisner, 2001) and substantiated through studies of the values held by the American public (Rothstein, Jacobson, & Wilder, 2008; Schneider, 2017), is a multidimensional construct. Among other things, good schools promote critical thinking, are characterized by positive cultures, help students develop social and emotional competencies, foster appreciation for literature and the arts, and prepare students for civic life. Yet, most accountability systems are comprised of a small number of measures, relying chiefly on student standardized test scores in two subject areas—math and English (Education Commission of the States, 2018). What is measured, in short, does not align with what it purports to describe. Moreover, research demonstrates that school quality is not

a uniform construct; measuring one tile does not adequately capture the entire mosaic (Gagnon & Schneider, 2019; Schneider, et al., 2021).

The narrowness of measurement and accountability systems would be problematic enough if they were not plagued by additional validity challenges. However, research has established the fact that performance on standardized tests is better predicted by student demographic variables than by school-based variables. As research finds, roughly two-thirds of achievement outcomes are explained by student and family background variables, with less than one-third being explained by school-based

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***Official state measurement and accountability systems can exacerbate school segregation by relying on measures that indicate more about demography than school quality—effectively steering families to whiter and more affluent schools.***

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factors (Di Carlo, 2010; Haertel, 2013; Koretz, 2017). This does not mean that test scores are meaningless; measured differences between lower-scoring students and higher-scoring students do reflect differences in knowledge and skill. Yet, it equally does not mean that the schools attended by these students are underperforming.

To make matters worse, state measurement and accountability systems tend to compress information into a single summative rating like an A-F grade (Education Commission of the States, 2018). Supporters have argued that such practices are necessary due to limited public understanding of data and the importance of facilitating easy interpretation. Current summative ratings, however, only exacerbate existing validity challenges. By taking just a few of the many measures required to assemble a portrait of “school quality”—measures that typically correlate with demography (Schneider, et al., 2021)—and then offering a single rating, such systems are highly problematic. Even if they were to include a broader range of data that correlated less strongly with student demography, they would still conceal the various strengths and weaknesses within each school.

It is important to note that states are not the only actors in this field. In fact,

they are bit players in comparison with third-party providers like GreatSchools.org, Niche.com, and now U.S. News and World Report, which recently announced a plan to begin rating elementary and middle schools. Given the fact that these companies rely on states for their information, these privately-run rating systems in many respects mirror their public counterparts, doing so with more design-savvy and orientation toward consumers. Though it could be argued that these systems are essentially no different than those run by states, there is one major difference in practice: the embedding of data in real estate websites. GreatSchools.org is the primary actor in this regard, and their ratings are embedded in the websites of Trulia, Zillow, and RedFin. Although GreatSchools.org has revamped its algorithm in response to public criticism, it still relies on a narrow range of data provided by the states, and its ratings still correlate strongly with demographic variables (Barnum, 2020).

Official state measurement and accountability systems can exacerbate school segregation by relying on measures that indicate more about demography than school quality—effectively steering families to whiter and more affluent schools. By actually embedding their ratings into real estate websites, however, GreatSchools.org has the potential to do far more harm. Users of sites like Trulia, Zillow, and RedFin are offered a school rating filter, which, when set to a user-selected threshold, will systematically remove from the map of available homes any school that scores below that rating. In many cases, setting the GreatSchools filter to 5 (out of 10) can eliminate an entire community from consideration, suggesting to prospective homebuyers that there are no schools of reasonable quality in that area (Barnum & LeMee, 2019; Schneider, 2017). Given the strong correlation between demographic variables (including race) and test scores, and given the heavy reliance of such ratings on test scores, the use of such scores in real estate websites is tantamount to the kind of steering prohibited by federal law (Humber, 2020).

Not all families use these websites; anecdotal evidence suggests that they tend to be used more by white and middle-class families, which is in keeping with higher home-ownership rates among that population (e.g. Haughwout, et al., 2020). Yet, such limited usage does not reduce the risk that school ratings, particularly those embedded in real estate

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websites, will exacerbate segregation; in fact, it may increase that risk. Research demonstrates that families act on this information in ways that accelerate divergence in housing values, income distributions, education levels, and racial and ethnic composition across communities (Hasan & Kumar, 2019). If White and middle-class families are using information that they mistakenly believe is about school quality to instead choose homes in segregated neighborhoods, tremendous harm is being done. This harm is done chiefly by third parties, but it is made possible by state governments and federal law.

Two decades after the passage of No Child Left Behind, we have enough evidence to act. Yet, we have been stubbornly wedded not only to failed theories of change, but also to a set of cultural beliefs around testing (Hutt & Schneider, 2018). This is not to suggest that we must reject either measurement as a practice or accountability as a process. But, at present, neither fulfills its promise, and both are plagued by serious unintended consequences.

Alternatives exist. In states like California, Colorado, Georgia, Texas, and Massachusetts, efforts have been made to more fairly and more comprehensively measure school quality. In some instances, this has been coupled with experiments in visualizing and reporting on school performance—experiments designed to promote inquiry and dialogue rather than rating and ranking, and which also seek to advance racial and economic equity. Such efforts, however, must be supported by federal law, which presently constrains the nature of educational measurement and accountability. Moreover, they must be coupled with intentional efforts to advance the integration of our public schools, as well as of the neighborhoods in which those schools are located. There are many compelling reasons to improve our measurement and accountability systems—to restore the full mission of public education, to reduce incentives for gaming, to address the disproportional closure of schools serving racially and economically marginalized populations, etc. But, if we are serious about racial and economic integration, we must address the steering mechanisms that presently direct families to whiter and more affluent schools, regardless of quality. ■

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(ALTERNATIVE MEASURE: Cont. from pg. 11)

for parents searching for a quality education for their children.

Realtors report anecdotally that parents want a 7/10 rating or better in their children's schools, particularly if they are moving to a new city. If the schools associated with the home they want to buy have a rating under 7/10, they often dismiss the school and the neighborhood that the school serves. But if those parents consulted SchoolSparrow school ratings, they might make different decisions. To illustrate what we mean, let's look at Berwyn, Illinois, and University City, Missouri.

### **Berwyn, Illinois**

Berwyn is a suburb of Chicago located south of the affluent suburb of Oak Park. During rush hour, the drive to the Chicago CBD is roughly 30 minutes, but Berwyn has transit locations with a short 20-minute train ride to downtown Chicago. The average single-family home value in Oak Park is \$491,000. The average single-family home value in Berwyn is \$282,000.

GreatSchools rates five out of 13 public schools in Berwyn a 7/10 or above, with an average school rating of 5.8/10. SchoolSparrow's rating system, on the other hand, rates 11 out of the 13 public schools in Berwyn a 7/10 or above, with an average school rating of 7.4/10.

Student performance on standardized tests when compared to similar populations of students is above average in 11 out of 13 public schools in Berwyn. According to SchoolSparrow's model, more than half of Berwyn's public schools are underrated. The major real estate search platforms unfairly portray six of the nine public elementary schools in Berwyn, which depresses both housing demand and home value, and can lead to increased economic segregation.

### **University City, Missouri**

The U.S. Department of Education reports that 100% of students at all public schools in University City, Missouri, are considered economically disadvantaged. There are six public schools in University City, all of which have ratings of 6/10 and below according to GreatSchools, and five out of six of the public schools have ratings of 4/10 and below.

But when standardized test scores are analyzed in the context of schools' socioeconomic context, we can tell a much different story for University City's schools. Four out of the six public schools in University City have ratings of 7/10 or better according to SchoolSparrow, including a 10/10 for Flynn Park Elementary and a 9/10 for University City High School (rated a 2/10 by GreatSchools). SchoolSpar-

row's higher rating is because the predicted average reading score (30%) is lower than the actual score (42%) – meaning they overperformed compared with the schools with similar populations in the state. University City's schools are out-performing expectations on standardized tests, but today's dominant rating system is standing in the way of these being recognized as high-quality schools.

Some have expressed concern that recognizing these schools could have damaging impacts in terms of aggressive gentrification. Both University City (MO) and Berwyn (IL) are relatively affordable communities when it comes to home prices.

### **Low school ratings in neighborhoods with histories of inequality do not merely reflect that inequality, they help drive it.**

We acknowledge that gentrification could change these dynamics but believe that today's ratings that obscure many exemplary schools can exacerbate the problem more than a system that provides more nuanced information about school quality.

### **Measuring School Quality**

Test scores are not the most important factor when it comes to evaluating school quality. Things like school safety, teacher morale, and an inclusive culture are at the top of the list for many parents. But if you must consider test scores, SchoolSparrow believes that it is important to share as many details as possible about how a school community, not the socioeconomic background of its families, influences student performance on standardized tests.

SchoolSparrow aims to build a data set and allow users to create their own customized rating system based on what they believe is important when selecting a school. One parent might weigh teacher quality measures at 50% and parent satisfaction

at 50%, and we'll show school ratings in that context. And if another parent wants to weigh test scores, then they will always see test score data in the context of parent income.

After we've created this system, we'll be able to assign school ratings that point to strengths. One school might be rated in the top 10% of schools in its state based on parent income adjusted test scores, so they are a 10/10 school. Another school might do poorly on tests, but when parent satisfaction and attendance are considered, the school is in the top 20% of schools in the state, so that school is a 9/10. When parents click on the rating, we will be transparent about how we came to the rating, and parents can start to customize their own personal rating system with a more comprehensive view of what makes a school high-quality for their children.

### **Implications for Schools, Neighborhoods, and Cities**

Today's school ratings fail to account for the powerful connection between test scores and parents' socioeconomic status. Consequently, the school rating system you find when searching for a home online misrepresents thousands of public schools nationwide. In fact, an entire city can have unfairly underrated schools. This negatively impacts the perceived value proposition of a city, and ultimately the home-buying decisions of families. The economic impact on the city, including its families and small businesses, can now be understood and addressed by municipalities by, for example, working towards controlling the narrative of their underrated public schools. ■

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### **New on PRRAC's Website**

'Advocacy Tips for Using Source of Income Laws to Prevent Evictions and Increase Emergency Rental Assistance Utilization' (PRRAC and the National Housing Law Project, October 2021)

Comment Letter: to the Federal Housing Finance Agency in response to their request for input on the advancement of equity in housing finance (PRRAC, October 2021)

Comment Letter: to the Census Bureau expressing concern about the proposed limiting of certain small-area demographic data reporting, which could undermine civil rights research and monitoring (PRRAC, October 2021)

"Support for Housing Choice Voucher tenant engagement and organizing in the President's 2023 Budget" (PRRAC and the National Housing Law Project, December 2021)



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