

**Testimony of Gary Orfield
September 8, 2008**

It is very important that this Commission is functioning this year because the issue of housing discrimination and spreading segregation is not being discussed in our national campaigns although it is the root of many of our inequalities in our society. It needs to be discussed and acted upon in a society where 80 percent of our people live in metropolitan areas and must find homes in their housing markets. Those markets have millions of cases of discrimination yearly and an absurdly small effort to counter them at the federal level and at the state level. This is denying vast numbers of families of color the vitally important to access neighborhoods where they and their children are likely to have a better education and a better future..

I want to talk to you about the link between housing segregation and school segregation and educational inequality and the ways in which these factors create a vicious cycle of inequality throughout the lives of individuals and communities and destroy the opportunity for the growing percentage of non-white students to participate and obtain the education they need to survive in the economy that we are dealing with now. In the western United States, from the Rockies to the Ocean, 53% of the schoolchildren are non-white and the percent is going up every year. Students in region attend highly segregated and unequal schools. The dramatic growth is among Latino students, and it is good that you are having a hearing here in Los Angeles because about one fifth of all of the Latino students in the United States are within a relatively short distance of where you are sitting right now, and a tenth are in Los Angeles County. They are the most segregated Latino population in the United States and their educational failure or success will profoundly shape the future of California. The Latinos are now more segregated in schools than blacks are, and there has been no progress. African American students are also intensely segregated. Every single statistic that we have collected since 1968 shows an increase in Latino isolation in schools year by year. Since the Supreme Court changed the law in 1991, every year blacks have become more segregated in schools. Just last year the U.S. Supreme Court limited even voluntary desegregation efforts, such as the magnet schools operating in many cities.

We are in a hyper-segregated state, where Latinos were quite integrated in schools back in the 1960s but are now profoundly isolated in schools of highly concentrated poverty, some of which are also isolated linguistically. Black students are also highly segregated by race and poverty even though they are now less than a tenth of California students and many have moved to suburbs which are now resegregating.

Here in Los Angeles, in the 1970s, the Superior Court tried to desegregate the city schools. The court hired eight experts. I was one of them. We looked at the demography of housing in metropolitan Los Angeles, and we said that lasting desegregation was already impossible within the City of Los Angeles because the white numbers were rapidly declining, birth rates were declining, newcomers of color were being housed in spreading ghettos and barrios. The existing trends meant that the entire city school district was going to be segregated in the relatively near future. One of the studies done for the court showed that, in that period, schools where black families were moving in tended to experience almost complete resegregation in seven years. The response to our recommendation that the suburbs be included in the effort to desegregate the

schools was a movement to change the state constitution. Proposition 1 was passed, taking away the power to desegregate across district lines from the State Supreme Court, and Los Angeles in 1981 was the first city in the country to drop any significant effort to desegregate its schools and it has been hyper-segregated ever since. The predictions of spreading school segregation and disappearing white enrollment come to pass. This was not because of mandated busing which rapidly ended but of changes in neighborhoods and housing markets.

School Segregation is rooted in housing. The average American move every six years and, since 1954, the average household has changed hands nine times, and we have not made any real progress in urban school desegregation, except in the early seventies when we really tried to deal with what is called busing, and later with voluntary integration in the 1980s. We are now dismantling that rapidly under a series of Supreme Court decisions. One came last year that outlaws many forms of voluntary integration. It means that students' fate educationally is dependent upon where they live.

If you send children to school on a neighborhood basis, the neighborhood intensifies the residential segregation in the educational operations and the educational segregation guarantees that that inequality, that racial inequality, will be perpetuated between the generations because segregation of schools is almost never just by race. It is almost always by race plus class, and for Latinos and some Asian immigrant communities it is triple segregation ethnicity, class, and language which is truly devastating. We find extremely strong links between segregation of schools, which reflects and intensifies neighborhood segregation, and educational inequality. Schools intensify the impact of residential segregation since the families of color moving into a neighborhood tend to be larger, to have more school age children and to be more likely to use public schools. Where there are magnet or choice programs without any desegregation standards the white children in changing neighborhoods often leave, accelerating the racial segregation of their local school and undermining the future real estate market.

The level of competition in segregated schools is lower. The peer group, on average, is less prepared. There is more instability in segregated schools. There are more untreated health problems. Teachers systematically leave segregated schools as they get enough seniority to leave. 85% of American teachers are still white, and we know from a survey that we have recently done of American teachers that they systematically leave schools that go through resegregation. (They want stay in stably integrated schools.) Segregated high poverty schools account for most of the nation's drop-out factories, where dropouts are the main product. If you look at the Los Angeles statistics, a large majority of children of color in the city do not graduate from high school, and for immigrant ELL children it is much higher than that. We have a situation where the good college prep courses and AP courses are concentrated in white and Asian schools in our metros and compensatory education in minority schools. True college bound courses taught at the right level are not available in a systematic way in Latino and black schools, in part because those schools often lack a critical mass of students ready for them. We have a situation where the graduation rate is tremendously different among types of schools. Even if you control for students' tested ability, the probability of going to college and completing college is much lower from a segregated school because their students are not prepared for the social climate and the level of competition that exists in colleges.

Whites are the most segregated population in the United States today, particularly white suburbanites. We are going through a tremendously dramatic change in suburban schools. In our metropolitan areas, about half of our black and Latino children are now living in suburbs, but those suburbs are highly segregated and rapidly racially changing and we are doing almost nothing to stabilize them so we are just seeing a huge transformation of communities. That teachers will stay in integrated schools that are stable. Almost nothing is being done to make sure that those integrated communities remain stable and continue. Individuals who live in these communities have very little support. There has been very little effort to coordinate school and housing policy in any meaningful way.

We have been building subsidized housing continually in the United States in places with segregated and inferior schools that are drop-out factories, where the students have almost no chance to prepare for college. We have put a lot of money and a lot of tax subsidies into putting housing in those communities and we do not even look at whether there is a school that functions in making these huge financial commitments that will determine where families will live for decades to come. The last time that this issue was considered seriously was in the Carter Administration, which had a draft regulation not to build subsidized housing in places that had inferior, segregated schools. That was one of the first regulations junked by the Reagan Administration, and there has been no really serious effort to deal with that problem ever since. We should have a policy that says, if we are going to invest in housing for poor people with children, there should be a school that actually functions and preferably a school that is integrated.

If we think that we can make segregation work, you just have to look at the statistics that the federal government is putting out from No Child Left Behind. The schools that are failing and being judged to be failing schools by both the federal government and the state governments are very often segregated schools in segregated neighborhoods. The result is that we punish those schools and do nothing about the underlying neighborhood conditions that predictably produce schools like that. We celebrate the occasional school that overcomes those relationships and is successful in spite of all of their challenges, but we do not look at the fact that it almost never happens. It might be one school out of a thousand that has those kinds of conditions so we act as if there is a solution that does not require us to think about the underlying realities of the race and class segregation.

What we should try to do at an absolute minimum is think about helping the neighborhoods that are now racially diverse remain residentially diverse. Almost all of our segregated neighborhoods were at least once, during a transition, interracial. Right now the frontier of this issue of resegregation is in American suburbia. We are a suburban society. We have to think about figuring out ways to help those communities remain interracial and to help their teachers and students figure out how to operate successfully in the kind of schools that reflect the dream of the *Brown* decision. Fifty-four years after the *Brown* decision, we are now back to where we were before the Supreme Court started to try to deal with urban segregation problems in the Charlotte (*Swann*) case in 1971. We are more segregated than we were then in our metropolitan areas. The only parts of the United States that are truly integrated in schools right now are the small towns and rural areas, which we thought of as the most recalcitrant places, and they are integrated because they do not have really serious residential segregation that encompasses entire

school attendance areas. You can see these trends in our recent report, *The Last Have Become First* at civilrightsproject.ucla.edu. If we are not going to do anything serious about integrating schools, which is what the Supreme Court has told us in the Louisville and Seattle decisions last year, we absolutely have to get serious about housing integration, and we have to think very seriously about how to help the interracial communities in the United States and their schools deal with the interracial conditions successfully and remain integrated.