



AIR Equity Initiative

Advancing Evidence.
Improving Lives.

Integration and Equity 2.0

New and Reinvigorated Approaches to School Integration

A COLLECTION OF ESSAYS



Table of Contents

Preface	iii
Welcome Letter.....	v
Prologue	vii
PART 1: The Federal Role in Promoting School Integration.....	1.0–1
Adapting to Adaptive Discrimination in Educational Policy	1.1–1
Deliberate Speed: Creating the Conditions for Voluntary School Integration	1.2–1
Prioritizing School Integration in the Affirmatively Furthering Fair Housing (AFFH) Process.....	1.3–1
Supporting School Integration Through the Federal Housing Choice Voucher Program	1.4–1
PART 2: State-Based Advocacy	2.0–1
Fulfilling Brown’s Promise: Integrated, Well-Resourced Schools That Prepare All Students to Succeed	2.1–1
A Multidimensional Approach to School Diversity in New Jersey and Beyond	2.2–1
PART 3: Community Approaches and Perspectives.....	3.0–1
School Integration Approaches Beyond the White Gaze: Centering Black, Latin*, Asian Pacific Islander Desi American (APIDA), and Indigenous Youth.....	3.1–1
Racially Just School Integration: A 21st Century, Student-Led Strategy	3.2–1
Fostering More Integrated Schools Through Community-Driven, Machine-Informed Rezoning	3.3–1
School Rezoning: Essential Practices to Promote Integration and Equity.....	3.4–1
PART 4: Designing Learning Pathways to Promote Pre-K–12 School Integration.....	4.0–1
Integration at the Start: Designing Pre-K Choice and Enrollment Systems to Promote Equity and Excellence.....	4.1–1
Integration and Immersion: The Potential of Two-Way Dual Language Immersion Programs to Foster Integration	4.2–1
How Expanding Transitional Kindergarten in California Can Promote Integration	4.3–1

PART 5: Collaborative Cross-Sector Approaches to Education and Equity..... 5.0–1

- Community Development for Integrated Schools: The Detroit Choice
Neighborhoods Initiative..... 5.1–1
- Stories of School Travel: Using a Mobility Justice Framework for
Desegregation Research and Policy 5.2–1
- Strength in Collaboration: How the Bridges Collaborative Is Catalyzing
School Integration Efforts 5.3–1

Epilogue E–1

Prioritizing School Integration in the Affirmatively Furthering Fair Housing (AFFH) Process

Natalie Spievack, *Housing California*, and Philip Tegeler, *Poverty & Race Research Action Council*

The ambitious Affirmatively Furthering Fair Housing (AFFH) rule launched by the Obama administration in 2015 had great potential to bring housing agencies and school districts together to promote more integrated neighborhoods and schools. However, the Trump administration suspended the rule before its potential could be fully realized, and only a few of the jurisdictions that participated in the initial rollout made significant connections between housing and education policy.¹ Now that the AFFH rule is soon to be reinstated and expanded in practice to both public housing authorities and state governments,² it is important to ensure that the potential of the AFFH rule can be fully realized.

Building on the AFFH provision of the Fair Housing Act of 1968,³ the 2015 AFFH rule set out a fair housing framework for U.S. Department of Housing and Urban Development (HUD) grantees to take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination.⁴ To give the mandate teeth, the AFFH rule created obligations for HUD grantees to analyze local fair housing conditions and determine goals and actions through an Assessment of Fair Housing (AFH) (called an “Equity Plan” under the new proposed AFFH rule).

Recognizing robust evidence that demonstrates the reciprocal relationship between housing and school segregation,^{5,6} the 2015 AFFH rule required the AFH to analyze access to quality schools. To help jurisdictions examine this intersection, HUD developed an AFFH mapping tool that supplied index scores for school proficiency⁷ by geographic area, with the ability to overlay neighborhood demographics and the location of subsidized housing. The AFFH process also included requirements for intergovernmental consultation and community participation.⁸ To reinforce the importance of using the AFH process to address segregation in neighborhoods and schools, the Secretaries of HUD,

the U.S. Department of Education, and the U.S. Department of Transportation issued a joint letter in 2016 urging local education, housing, and transportation leaders to work together to develop “thoughtful goals and strategies to promote equal opportunity.”⁹

Ideally, the AFFH rule ensures that local jurisdictions, public housing authorities, and states assess whether members of protected classes have equal access to high-performing schools, and, if they do not, to identify the factors contributing to this disparity and propose solutions.¹⁰ However, a review of the AFHs submitted by jurisdictions that participated in the first year of the AFFH process found that, with a few exceptions, access to high-performing schools was not meaningfully addressed in AFH analyses or goals, and consultation with school districts did not occur.¹¹ The January 2018 suspension of the rule (followed by the official termination of the AFFH rule in July 2020)¹² meant that there was no opportunity to improve this process, although a number of jurisdictions continued to implement the requirement voluntarily (see below).

A reinstated and expanded AFFH rule is uniquely positioned to promote school integration. First, as a housing intervention, the rule presents an opportunity to address the underlying patterns of neighborhood segregation that create school segregation in the first place.¹³ Second, the affirmative mandate of the AFFH rule requires that HUD grantees do more than simply not discriminate; they must proactively address segregation and other systemic issues driving housing inequities.¹⁴ School districts are not bound by such an explicit affirmative mandate to address segregation, although they are under an obligation to avoid policies that discriminate or increase segregation.¹⁵ Third, the Equity Plan process gives the federal government leverage to support interagency collaboration, the absence of which has historically been a major barrier to coordinated housing and school integration strategies.¹⁶ Finally, an expanded AFFH rule that includes state governments would create unprecedented opportunities to promote integration, given that states—more than agencies at the local or federal level—control the key drivers of modern school and housing segregation, including local land use and zoning, local education policy, local tax structures, school district boundaries, regional transportation policy, regional planning structures, and infrastructure investment.¹⁷

What Types of Policies Could the AFFH Rule Help Produce?

A handful of jurisdictions that have fulfilled federal or state mandates to analyze local fair housing conditions, both before and after the suspension of the 2015 rule,¹⁸ demonstrate the promise of the Equity Plan process to help jurisdictions diagnose factors that contribute to housing and school segregation and promote coordinated integration strategies. Examples include the following:

- **Washington, DC (2019):** Identified eight housing- and school-related factors that contribute to segregation and disparities in access to opportunity, including the location of publicly assisted housing, gentrification, school assignment boundaries, and districtwide school choice policies. The draft plan also set goals to improve access to high-performing schools, explore revisions to school assignment boundaries and feeder patterns, protect students from school displacement, address the lack of student transportation services, and improve school ranking systems to avoid reinforcing segregation.¹⁹
- **Contra Costa County, California (2017):** Conducted custom data analysis of access to proficient schools according to the percentage of each race, ethnicity, and nationality in a given census tract, and racial enrollment trends over time. Also examined factors that contribute to disparities in access to proficient schools, including concentrated poverty, between-district school segregation, and school assignment zones.²⁰
- **New Orleans, Louisiana (2016):** Identified eight factors that create racial disparities in access to high-quality schools, including the geographic concentration of those schools in white neighborhoods, the disparate impact of the school application system giving preference to families to choose schools closer to home, and the disproportionate effects of minority suspensions and expulsions.²¹
- **Seattle, Washington (2017):** Coordinated with Seattle Public Schools and the City of Seattle during the AFH process and set a goal to “address inequities to access to proficient schools in areas where there is likely a negative impact on people in protected classes; and to provide resources for low-income families in public housing to improve educational outcomes.”²²
- **San Francisco, California (2022):** Set a goal to “Collaborate with the San Francisco Unified School District to evaluate the feasibility of providing a priority in the school

assignment process for low-income families and those living in permanently affordable housing.”²³

- **Richmond, California (2022):** Discussed four factors that contribute to disparities in access to high-performing schools and commits to restarting the city’s collaboration with West Contra Costa County Unified School District to develop a first-time homebuyer’s program for teachers to support teacher stability and student success.²⁴

Other housing policies that promote school diversity that could result from the AFFH process include affordable housing siting policies for the Low Income Housing Tax Credit (LIHTC) and other programs that take into account school composition and performance; housing voucher policies that target high-performing, low-poverty schools; the acquisition of existing multifamily housing or land near high-performing schools; anti-displacement policies that help students in integrating schools stay in place; mortgage assistance programs that promote school integration; state zoning laws that prioritize school integration; the elimination of tax incentives that reward purchasing homes in high-income districts; and real estate marketing practices that emphasize the value of school integration.²⁵

A small number of states and localities have already put together parts of this agenda.²⁶ For example, Massachusetts and Indiana include significant additional points for siting affordable housing near high-performing schools in their state Qualified Allocation Plan, which is the process that determines how LIHTC funding is allocated to potential housing projects.²⁷ Public housing authorities in Baltimore and Dallas have used their Housing Choice Vouchers to help children transition from high-poverty, low-performing schools to high-performing and low-poverty schools.²⁸ And Richmond, Virginia, has engaged in regional cross-agency collaboration with regard to school and housing integration.²⁹ These efforts can serve as examples for other state and local jurisdictions when setting goals in their Equity Plans.

Strengthening Guidance to Assist State and Local Jurisdictions With Implementation

Although the AFFH guidebook published by HUD under the 2015 rule prompted grantees to analyze disparities in access to proficient schools for protected classes, little additional guidance was provided to help grantees more deeply examine the

relationships between housing and school segregation and determine solutions. In 2016, the Poverty & Race Research Action Council (PRRAC) drafted a short guidebook section for HUD on including an analysis of school data in the AFH, but it was shelved by the Trump administration and never published.³⁰ Under a reinstated AFFH rule, a similar, extended guidebook could help grantees diagnose factors contributing to school segregation; identify key data on local school demographics, school boundary lines, assignment policies, and achievement; and consider a menu of goals and actions at the housing–schools nexus that could promote integration.³¹

Creating Data Tools to Help Jurisdictions Analyze Housing and School Segregation

The AFFH mapping tool provides information about school proficiency scores. But to more deeply explore the relationship between education and housing policy and determine which policies are best suited to promote integration, jurisdictions completing an Equity Plan should examine publicly available data and local knowledge available through school districts and education nonprofits. Navigating these various data sources can be difficult, especially for smaller governmental agencies with limited capacity.

Many publicly available data sources could assist the AFFH process. For example, the U.S. Department of Education’s National Center for Education Statistics Common Core of Data provides information on student demographics, school district and school attendance boundaries, and the degree of racial and economic segregation across both school district and school assignment zones. The U.S. Department of Education’s Civil Rights Data Collection provides data on topics related to equity and access at the school and school district levels by race and ethnicity, English learning proficiency, and disability status.³² Making these data resources available inside the HUD AFFH assessment tool would enhance HUD grantees’ ability to analyze the educational effects of their policies. In addition, a tool kit could be created to help agencies that are completing an Equity Plan systematically collect local knowledge about relevant educational issues.

Supporting Interagency Collaboration in the AFFH Process

Providing support for interagency conversations would promote meaningful collaboration between housing and education agencies. Coordination across policy areas has

historically been challenging given the multitude of governing bodies, jurisdictions, goals, and local politics that obstruct policy change.³³ Additional resources could enable organizations that have experience in facilitating these interagency conversations to provide tools and examples for housing agencies, school districts, and transportation agencies throughout the process of creating and implementing an Equity Plan.

Advocates have recently called on the Secretaries of Housing, Transportation, and Education to reissue an expanded version of the 2016 interagency letter to state and local agencies, and they have detailed the ways that state and local agencies can collaborate more intentionally to promote racial and economic integration in communities and schools.³⁴ For state and local education agencies, this could include:

- Considering areas of minority concentration and the location of existing subsidized housing units when redrawing school assignment zones, selecting sites for new schools, and designing open enrollment policies (including charter and magnet schools) to increase the diversity of students served by high-performing schools.
- Increasing coordination between school districts and regional housing mobility programs to maximize success for children moving from high-poverty to low-poverty neighborhoods.
- Sharing important information on school achievement, graduation rates, and the demographic composition of schools with transportation and housing agencies to create housing and schools that best address the needs of students, families, and communities.

For regional transportation agencies, this could include:

- Improving public transit access to schools, especially from new affordable housing developments, and ensuring that bus service routes extend to all middle and high schools in a metro area.
- Gathering additional school-related data by developing school-specific transportation surveys, using existing household travel surveys, and collecting qualitative experiential data on the daily opportunities and challenges of navigating transportation systems and infrastructure for school access.

- Directing metropolitan planning organizations to conduct fair-share housing studies as part of their regional housing coordination plan to determine an equitable plan for sharing affordable housing responsibilities regionally.

States and localities could also participate in forming regional planning committees that coordinate school, housing, and transportation systems in support of racial and economic integration. Reissued interagency guidance will provide a platform for monitoring, advocacy, and technical assistance to support these collaborations, especially for the first state governments that undertake the AFFH process in 2024–2025.

Conducting Further Research

Additional research on the AFFH planning process could help produce better guidance and more effective support for state and local jurisdictions. Although exploratory research analyzed the extent to which the housing–schools nexus was discussed in AFHs submitted in 2016, there has been no analysis of which actors were involved in crafting the document, how decisions were made, whether some topics were discussed but not included, the relationships that exist between agencies, and challenges to coordination.³⁵ Accordingly, future research should include interviews with policy actors during the implementation phase of the Equity Plan process.³⁶ Study during the upcoming implementation phase would also have the benefit of encouraging interagency collaboration. A broader study could also focus on California, where every local jurisdiction will soon have completed an AFH under the state AFFH law passed in 2018³⁷ (which closely mirrors the federal 2015 rule).

Conclusion: Next Steps to Leverage the AFFH Rule to Promote School Integration

When the AFFH rule is reinstated, it will represent a significant opportunity to simultaneously promote more integrated neighborhoods and schools. By conditioning the receipt of federal funds on compliance with AFFH goals, the rule is uniquely positioned to incentivize meaningful goal setting and foster long-absent collaboration between housing and education agencies.

The recently released proposed AFFH rule is a promising policy tool to address the structural and geographic dimensions of inequity, but serious investment is needed to

ensure that school segregation is meaningfully addressed in this process. Given the increasing physical and psychological divisions in our country, the integration of our communities and schools is needed now more than ever.

Notes

1. Finnigan, K., DeBray, E., Greenlee, A. J., Haberle, M., & Kurniawan, H. (2021). Using fair housing planning as a tool to address schooling inequities, *Education Law and Policy Review*, 6, 73–89. <https://prrac.org/pdf/using-fair-housing-planning-as-a-tool-to-address-schooling-inequities-ed-law-policy-review-v6.pdf>
2. The original 2015 AFFH rule applied to all U.S. Department of Housing and Urban Development (HUD) grantees, including public housing authorities and state governments, but HUD had not yet completed the assessment forms for state governments by the time the rule was suspended, and the data tool for public housing authorities had also not yet been finalized—although a number of public housing authorities (PHAs) joined their local jurisdictions in joint Assessments of Fair Housing in 2016–2017. The proposed new AFFH rule includes both PHAs and state governments but eschews the use of the official assessment forms that delayed implementation of the 2015 rule. See *Affirmatively Furthering Fair Housing*, 88 F. R. 8516 (proposed February 9, 2023).
3. 42 U.S.C. 3608. The AFFH obligation has also been reinforced by subsequent legislation. As described by HUD, “Congress has repeatedly reinforced the AFFH mandate for funding recipients, embedding within the Housing and Community Development Act of 1974, the Cranston-Gonzalez National Affordable Housing Act of 1990, and the Quality Housing and Work Responsibility Act of 1998, the obligation that certain HUD program participants certify, as a condition of receiving Federal funds, that they will AFFH. See [42 U.S.C. 5304\(b\)\(2\)](#), [5306\(d\)\(7\)\(B\)](#), [12705\(b\)\(15\)](#), [1437C-1\(d\)\(16\)](#).” *Restoring Affirmatively Furthering Fair Housing Definitions and Certifications*, 86 F. R. 30779, 30780 (June 10, 2021).
4. HUD. (n.d.). *AFFH fact sheet: The duty to affirmatively further fair housing*. <https://www.hud.gov/sites/dfiles/FHEO/documents/AFFH-Fact-Sheet.pdf>
5. HUD. (2016). *Breaking down barriers: Housing, neighborhoods, and schools of opportunity*. http://www.prrac.org/pdf/HUD_housing-schools_report_May_2016.pdf
6. Tegeler, P., & Hilton, M. (2017). *Disrupting the reciprocal relationship between housing and school segregation*. PRRAC. <https://www.prrac.org/disrupting-the-reciprocal-relationship-between-housing-and-school-segregation/>
7. School proficiency, which is measured by HUD based on test scores, can also serve as a proxy for the racial and economic composition of schools because of the close association between family income, race, and test scores.
8. HUD. (2015). *Affirmatively Furthering Fair Housing rule guidebook*. <https://www.nhlp.org/wp-content/uploads/HUD-AFFH-Rule-Guidebook-Dec.-2015.pdf>

9. HUD, U.S. Department of Education, & U.S. Department of Transportation. (2016, June 3). *Dear colleague letter on Affirmatively Furthering Fair Housing rule*. <https://www2.ed.gov/documents/press-releases/06032016-dear-colleagues-letter.pdf>
10. PRRAC. (2021). *Meaningful collaboration between housing and education agencies in the implementation of AFFH*. [Letter to HUD and the Department of Education]. <https://www.prrac.org/schools-affh-rule-letter-09-13-21/>
11. Finnigan et al. (2021).
12. The initial suspension, Affirmatively Furthering Fair Housing: Extension of Deadline for Submission of Assessment of Fair Housing for Consolidated Plan Participants, 83 F. R. 683 (Jan. 5, 2018), was followed by a withdrawal of the assessment tool jurisdictions needed to complete the AFFH process, Affirmatively Furthering Fair Housing: Withdrawal of the Assessment Tool for Local Governments, 83 F. R. 23922 (May 23, 2018), and eventually the publication of a new rule eliminating the AFFH rule and its obligations, Preserving Community and Neighborhood Choice, 85 F. R. 47899 (Sept. 8, 2020).
13. Monarrez, T. (in press). School attendance boundaries and the segregation of public schools in the U.S., *American Economic Journal: Applied Economics*.
14. Finnigan et al. (2021).
15. See Tegeler, P. (2016). Predicting school diversity impacts of state and local education policy: The role of Title VI. In E. Frankenberg, L. M. Garces, & M. Hopkins (Eds.), *School integration matters: Research-based strategies to advance equity* (pp. 145–154). Teachers College Press.
16. Holme, J. J., & Finnigan, K. S. (2018). *Striving in common: A regional equity framework for urban schools*. Harvard Education Press.
17. Haberle, M., & Tegeler, P. (2019). Coordinated action on school and housing integration: The role of state government. *University of Richmond Law Review*, 53(3), 949–978. <https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=3250&context=lawreview>
18. These plans were completed under various processes. Contra Costa County and Washington, DC, completed an Analysis of Impediments to Fair Housing, which is the process that predated the 2015 federal AFFH rule. New Orleans and Seattle completed an Assessment of Fair Housing under the 2015 federal AFFH rule. San Francisco and Richmond, California, completed an Assessment of Fair Housing under the State of California’s AFFH law, which was passed in 2018. PRRAC participated in the development of the plans for Contra Costa County and Washington, DC, and Natalie Spievack assisted in the Richmond, California, plan.
19. Excerpt from DC Department of Housing and Community Development, the Lawyers’ Committee for Civil Rights Under Law, & PRRAC. (2019). *Draft for public comment analysis of impediments to fair housing choice Washington, D.C.* <http://www.prrac.org/pdf/washington-dc-draft-analysis-impediments-fair-housing-access-proficient-schools-section.pdf>

20. Excerpt from Contra Costa County. (2017). *Analysis of impediments to fair housing*.
<http://www.prrac.org/pdf/contra-costa-county-educational-opportunities.pdf>
21. Housing Authority of New Orleans. (2016). *Assessment of fair housing tool*.
<https://www.hano.org/plans/2016DraftAssessmentAFHPlan.pdf>
22. Seattle Department of Human Services. (2017). *2017 City of Seattle and Seattle Housing Authority joint assessment of fair housing*.
<https://www.seattle.gov/documents/Departments/HumanServices/CDBG/2017%20AFH%20Final.4.25.17V2.pdf>
23. San Francisco Planning Department. (2022). *DRAFT 4 of goals, objectives, policies, and actions*.
<https://sfhousingelement.org/draft-4-goals-objectives-policies-and-actions>
24. City of Richmond. (2022). *Appendix F: Affirmatively Furthering Fair Housing (AFFH)*.
https://www.ci.richmond.ca.us/DocumentCenter/View/63304/LWC_Richmond_HEU_AppF_AFFH_PRD_102122?bidId=
25. For an overview of these policy options, see Tegeler and Hilton (2017). For an example of how they could apply in the local AFFH context, see Spievack, N. (2021). *Prioritizing educational equity and school integration in San Francisco's affordable housing strategies*. PRRAC.
<https://www.prrac.org/prioritizing-educational-equity-and-school-integration-in-san-franciscos-affordable-housing-strategies-by-natalie-spievack-oct-dec-2021-pr-issue/>. For strategies geared toward public housing authorities, see Kye, P., Haberle, M., & Tegeler, P. (2021). *Public housing authorities and the new California AFFH law: How to spot key fair housing issues and set goals*.
<https://prrac.org/pdf/affh-for-ca-phas.pdf>. For LIHTC strategies, see Oppenheimer, S. (2015). *Building Opportunity II: Civil rights best practices in the Low Income Housing Tax Credit Program* (2015 update).
<https://www.prrac.org/pdf/BuildingOpportunityII.pdf>
26. Tegeler, P., & Herskind, M. (2018). *Coordination of community systems and institutions to promote housing and school segregation*. <https://files.eric.ed.gov/fulltext/ED593881.pdf>
27. Oppenheimer (2015).
28. Tegeler & Herskind (2018).
29. Siegel-Hawley, G., Koziol, B., Moeser, J. V., Holden, T., & Shields, T. J. (2017). *Confronting school and housing segregation in the Richmond region: Can we learn and live together?*
<https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=1074&context=spsc-faculty-publications>
30. PRRAC. (2016). *Location of proficient schools and school assignment policies*.
<http://www.prrac.org/pdf/cf-location-of-proficient-schools-12-9-6.pdf>
31. Compare with HUD. (2015). *Affirmatively Furthering Fair Housing rule guidebook*.
<https://www.nhlp.org/wp-content/uploads/HUD-AFFH-Rule-Guidebook-Dec.-2015.pdf>

32. HUD. (2016). Breaking down barriers.
33. Holme & Finnigan (2018).
34. See February 21, 2023, [letter to Transportation Secretary Buttigieg](#) and February 21, 2023, [letter to Education Secretary Cardona](#).
35. Finnigan et al. (2021).
36. See Affirmatively Furthering Fair Housing 88 F. R. 8516 (February 9, 2023). [2023-07369.pdf \(govinfo.gov\)](#)
37. AB-686 Housing discrimination: Affirmatively further fair housing, Gov. Code, § 8899.50 (2017–2018). [Bill Text - AB-686 Housing discrimination: affirmatively further fair housing. \(ca.gov\)](#)