

School Integration: Past, Present, Future

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Introduction

When the Supreme Court ruled in 1954 that, “‘separate but equal’ has no place,” in public schools, the movement towards integration was promising. Although there were challenges to integrating America’s schools over the 1960s and 70s, slowly progress was made. Unfortunately, this progress towards integration began reversing due to a series of Supreme Court Cases. In three particular cases, *Milliken v. Bradley* (1974), *Capacchione v. Charlotte-Mecklenburg School District* (1997), and *Parents Involved v. Seattle* (2007), white parents, concerned that their children were discriminated against or harmed by integration efforts, sued their local school districts. In each of these cases, the Supreme Court ruled that integration efforts were unconstitutional because segregation in the communities was *de facto* rather than *de jure*. These rulings would have negative impacts on integration efforts nationwide. Today, only one in eight white students attends a school where a majority of students are black, Hispanic, Asian, or American Indian. In contrast, nearly seven in ten black children attend majority nonwhite schools (Garcia).

There are many challenges to reintegrating schools today, and unfortunately there is no perfect solution. However, multiple pathways can lead to more integrated schools. Magnet schools offer excellent opportunities for integrating students in a way that neighborhood schools do not. However, because magnet schools are not available to all students, other measures like rezoning public schools and offering Afrocentric school choices may help improve school integration and student outcomes across districts.

The first section of this paper will discuss Supreme Court cases that helped schools become more integrated. It discusses cases such as *Brown v. Board of Education* and outlines how the result helped lead to schools being integrated. Then, the paper will talk about cases that caused schools to resegregate. The rulings in cases such as *Parents Involved v. Seattle* made the Court change their thinking on *de jure* and *de facto* segregation, which led to many schools resegregating. The final section will offer recommendations to solve school segregation today. Magnet and Afrocentric schools are two solutions that will be discussed by weighing the pros and cons of them.

Efforts to Integrate Schools (1950s-70s)

In the 1896 case *Plessy v. Ferguson*, the Supreme Court concluded that a Louisiana law requiring whites and blacks to ride in separate railroad cars did not violate the Equal Protection Clause of the 14th Amendment (Linder 2020). In other words, the Court ruled that it was okay to have separate facilities as long as they are equal. This applied to all public places, such as

schools, and therefore made segregated schools legal. However, segregated schools were never equal. One example of this was in 1938. Attorney Charles Hamilton Houston wanted to look into the 'separate but equal' doctrine in order to demonstrate that segregation led to inequalities. He chose to look into public education because that was where he felt the detriments of racial separation could be most easily demonstrated. Hamilton Houston worked with the NAACP in order to highlight inequalities in public education in Missouri. Missouri refused to provide legal education to black students within its state, and instead was paying for those students to attend law school in other states. Hamilton Houston won this case, showing that to be equal, Missouri had to accept black students into its law school (Linder 2020). While this decision was helpful, it took awhile to do so, and would take even longer to enforce across the country. The most influential case that changed the 'separate but equal' doctrine nationally, and not just on a state by state basis, was the *Brown v. Board of Education* case.

On May 17, 1954, Supreme Court Chief Justice Earl Warren wrote the majority decision in the *Brown v. Board of Education* case. The case showed that school segregation violated the equal protection clause of the 14th Amendment (Ashbrook Center of Ashland University). In the opinion, Justice Warren wrote that,

"Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group... Any language in contrary to this finding is rejected. We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."(Ashbrook Center of Ashland University, n.d.)

In this opinion the Court was arguing that when schools are segregated, black children are negatively affected by it. In a unanimous vote, the Court agreed that by segregating school children, their education was unequal, and therefore unconstitutional. This would have important implications for the Civil Rights movement and integration generally, not just in schools.

Despite their decision in the *Brown v. Board of Education* case, the Court felt they had to add to their ruling. The Supreme Court pushed the implementation of *Brown I* to the local level (Robinson 2015). More importantly, the Court said that it was each school district's responsibility to ensure that their district was integrated, "with all deliberate speed" (Ashbrook Center of Ashland University). This forced schools to become integrated as quickly as possible. In order to carry out the *Brown II* decision, Chief Justice Warren placed much responsibility on local school authorities and state courts in order to determine whether or not school districts were moving

quickly enough to desegregate. School boards had to create compliance timelines and parents had to have a change of heart regarding who sat next to their child in class. However, some school districts still tried to find ways around this ruling and maintain segregation.

Transportation became a method of maintaining segregation or forcing integration in schools. Some individual school districts used busing in order to integrate their districts. School buses generally brought minority students from different districts or zones to predominantly white schools. Minority students were now able to attend an integrated school. In the 1950s, programs like this were mostly voluntary, and took place primarily in Northern cities (Encyclopedia Britannica). However, pushback from families and limited use of voluntary busing programs led some districts to enforce busing because transportation was critical for integrating schools. With this being said, busing would be used on a larger scale after the 1971 case *Swann v. Charlotte-Mecklenburg*.

Charlotte-Mecklenburg's school district plan for integration was not working. The district created neighborhood zones, but allowed parents to voluntarily send their children to other schools. Schools remained highly segregated, though. Out of the 24,000 African American children living in Mecklenburg's school district, 14,000 of them attended schools where at least 99% of the students were black (Encyclopedia Britannica). Because of this, the NAACP sued the Charlotte-Mecklenburg school district in 1968 in order to bring it under federal control because it had not integrated. Dr. John Finger, who was federally in charge of Mecklenburg's integration plan, recommended that Mecklenburg County bus African American students from Charlotte into suburban districts, and that 4th and 5th grade students in suburban districts be bused into Charlotte (Encyclopedia Britannica). The Supreme Court ruled that the federal government could use a busing program in order to integrate schools. Throughout the 1970s, the federal busing program would expand and open up many new opportunities to students across the country.

There were positive experiences with busing, many of which were uncovered in a study conducted by Amy Stewart-Wells. Amy Stewart-Wells interviewed 215 black and white adults who attended schools that integrated due to busing. The study found that black adults who participated in busing reported that they had access to better resources (Strauss 2019). More importantly, they said that they began to feel more comfortable throughout their lives in white settings, which opened up many opportunities to them. Susan Eaton, who was part of the federal busing program, said that it, "made me feel comfortable that I can go anywhere and not feel intimidated. When measuring lifetime outcomes of students, those who went to integrated schools had better outcomes. They completed more years of schooling and had higher rates of

college graduation (Strauss 2019). Despite the positive effects that busing had on black students, there were still negative experiences for them.

The busing program helped many black students, but there were also negative experiences that black students had. Some black students who were part of the busing program felt alienated. At school, black students faced implicit racism from their peers, which could harm their self-esteem. Black students who were bused did not just face prejudice and bias from their peers, but sometimes from faculty and staff. One woman that Stewart-Wells interviewed said that her teacher tried to push her into special education classes, even though she did not need them. Even in the same school, black students were not given the same opportunity and chance as white students. The alienation the black students felt was not just at school, however. In their neighborhoods, black students who were bused felt rejection from their peers for, “acting white” (Strauss 2019). Adding on to the problems that came with busing, despite being impacted much less by busing programs than black students there was still pushback to the program from some white families in the newly integrated schools.

Many white students, who were still more likely to attend their neighborhood schools and get chosen for honors classes than their black peers, were concerned with the busing program. White families worried that they were losing their privileges and better opportunities. They were worried that their funding would go to others if schools became integrated (NPR 2019). These white families had significant power in shaping integration efforts. If they were unhappy, some white families threatened to leave the public schools and place their children into private schools. Additionally, other white families may decide to move away from the school district completely to a more segregated suburban district. In reaction to this, schools created more honors classes. Even in integrated schools, white students were more likely to be pushed into the honors classes, so classes often remained fairly segregated (Strauss 2019). There then was another case dealing with Charlotte- Mecklenburg schools that also had a big impact.

The Resegregation of Schools

Many white families resisted integration efforts in a variety of ways. Some families moved to all-white suburban districts where their students would still attend all-white schools, and others used discrimination to prevent black families from enrolling students in majority-white schools. However, the most effective method used to resegregate schools was the court system. Over the past half-century since *Brown v. Board*, several cases have led to the resegregation of school districts. Three cases in particular, *Milliken v. Bradley* (1974),

Capacchione v. Charlotte-Mecklenburg Schools (1997), and *Parents Involved v. Seattle* (2007) would have long-term negative effects on integration efforts.

One of the first cases that hurt integration efforts was the 1974 case, *Milliken v. Bradley*. Leaders from Detroit, Michigan, including Governor Milliken, were under pressure to integrate Detroit area schools. However, they had a significant problem; two thirds of students in Detroit Public schools were African American, while the growing suburbs in some places were exclusively white (Nadworny and Turner 2019). Housing policies played a large role in this. The racially restrictive covenants limited who could move to the suburbs, and redlining maintained segregation in the cities. To keep suburban schools exclusively white, some school district leaders built the schools behind separate school district lines. A lower court judge ruled that in order to desegregate Detroit, suburban schools had to allow anyone to attend their schools. He advocated for changing school zoning not based on neighborhood, but by actively taking racial integration into account. Governor Milliken supported this plan and created new zones that would integrate previously majority white suburbs into majority black city schools (See Image 1). *Bradley*, representing a large group of white parents, appealed the case all the way to the Supreme Court.

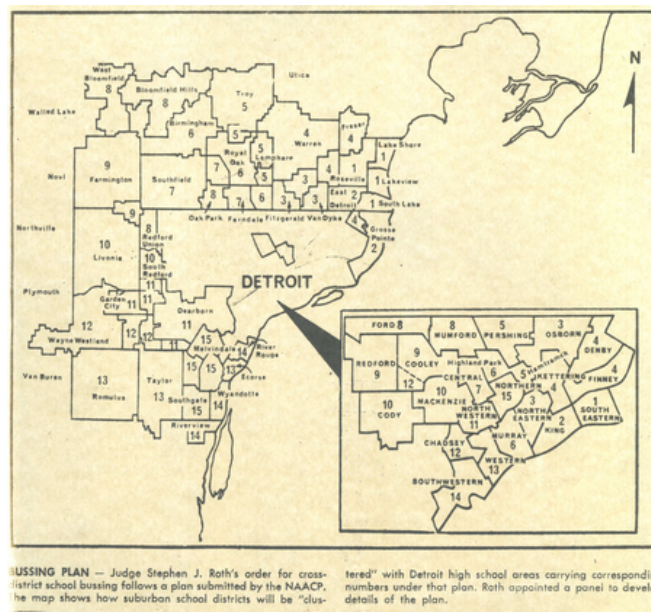


Image 1. Milliken's Plan for School Zoning, 1974.

William M. Saxton, the attorney representing Bradley and the parents, argued to the Court that, "There is no evidence in this case that any school district in the state of Michigan, including Detroit, was established or created for the purpose of fostering racial segregation in

the public schools"(oyez.org, n.d.). He was saying that the school districts were not made to keep segregation in schools, and the resulting segregation was *de facto*, not *de jure*. The Court agreed with Bradley that suburban schools could maintain their own districts, which meant that Detroit Public Schools would have to integrate only within their district. This was problematic because in order to get a significant number of white students in their schools, they would have to go to the suburbs because Detroit itself was so severely segregated. This case set a precedent that busing could only be used within a district, not across district lines which increased more white flight from the cities.

Resegregation efforts were not limited to the Civil Rights era. Many white parents continued to challenge integration efforts in the courts in the 1990s as well.

The case began when William Cappachione tried to enroll his 6 year old daughter, Cristina, at a magnet school called Olde Providence Elementary School. She was denied. On September 5, 1997, he sued Charlotte-Mecklenburg School District because he felt Cristina was discriminated against because of her race (Encyclopedia Britannica). He argued that because of the school's emphasis on racial diversity in its admittance criteria, she was at a disadvantage as a white student. He was challenging the school district's integration plan as a whole, including their busing program; Capacchione wanted more control as a parent over which school his daughter could attend. On September 9, 1999, Federal Judge Robert Potter agreed with Capacchione.

Potter said that, "the Court is convinced that CMS, to the extent reasonably practicable, has complied with the thirty-year-old desegregation order in good faith; that racial imbalances existing in schools today are no longer vestiges of the dual system; and that it is unlikely that the school board will return to an intentionally-segregative system (Encyclopedia Britannica)." In other words, the judge ruled that CMS had worked under a desegregation plan for 30 years, and the plan had worked to solve *de jure* segregation; if there was still segregation, the Court believed it was *de facto*. Because of this, the Court said that CMS no longer needed a forced desegregation plan. After the case, the district went back to zoning students based on neighborhood schools, and the busing program ended. Schools then became more and more segregated, and families in cities across the country now had a case to point to as a precedent for ending their cities' desegregation plans.

Ten years after the *Capacchione* case, a group of white parents again sued a large school district for using race as a determining factor in school admittance. The Seattle School District allowed students to apply to any high school in the district. If any school became overpopulated, the district used a system of tiebreakers to decide who would be admitted to

their school. One of the tie-breakers was whether the student's racial background would help maintain schools' racial integration. A non-profit group, Parents Involved in Community Schools sued the district (Oyez, 2007). Parents argued that the racial tiebreaker violated the 14th amendment. Parents, who represented several white families in the district, felt the tiebreaker was unfair and the schools were being discriminatory towards them. When Parents took the case to a federal district court, it was dismissed, and the tiebreaker was upheld. However, they then appealed it to the Supreme Court. The Supreme Court ruled that because school segregation in Seattle in 2007 was *de facto* and not *de jure*, that the state could not use race in school admissions decisions. (Oyez, 2007). Chief Justice Roberts said, "The way to stop discrimination on the basis of race is to stop discriminating on the basis of race" (Oyez, 2007). This ruling would set a precedent for more cases across the country challenging the use of race in admissions decisions.

The Harms of School Segregation Today

The resegregation of schools harms students in multiple ways, particularly by leading to racial achievement gaps. Achievement gaps are when certain demographics of students test significantly higher or lower on standardized tests than other groups of students. Academic achievement gaps are caused largely by segregating students based on race and class.

Segregating students based on class hurts low-income students. In the late 1960s, poor students on average scored 80 points lower on the SAT than their rich peers. By 2000, that gap grew to 125 points (Duncan and Murnane 2016). There was also a gap in college completion rates between rich and poor students. One leading factor for this is that high income families have more resources available to them (Duncan and Murnane 2016). Wealthy students have more access to resources, such as computers and libraries. Rich students also have more financial stability. That allows families to overcome unforeseen challenges and gives the student more stability at home (Kapur 2019). Wealth not only changes a student's experience at home, but also at school. Because states and local districts have a large amount of control over their teaching and learning standards, disparities in teacher quality and curriculum exist between states and districts (Kapur 2019). This shows that poor students are not always being taught at the same level as wealthier students, which will cause them to have weaker scores and outcomes.

Researchers have long known that children attending schools with mostly low income classmates have lower academic achievement and graduation rates than those attending schools with more affluent student populations. (Duncan and Murnane 2016). Students in high

poverty schools also see more violence in their segregated neighborhoods, which leads to more severe behavioral problems at school (Duncan and Murnane 2016). The problems at school can cause them to feel demotivated, stress, anxiety, and pressure. These problems can continue to get worse which makes it harder for them to improve in school. Over 40 percent of black students (about 3.2 million) attend a high-poverty school and only about 10 percent attend a low-poverty school (Cai 2020). In addition to class segregations, schools are growing more racially segregated in the present day as well.

In 2016, the public school enrollment across the United States was 48.4% white, 26.3% Latino, 15.2% black, 5.5% Asian, and 1.0% American Indian (School of Education Online Programs 2020). Since the height of integration for black students in 1988, the share of intensely segregated minority schools, that is, schools that enroll 90-100% non-white students, has more than tripled from 5.7% in 1988 to 18.2% in 2016 (Frankenberg et al. 2019). Rucker Johnson found that high school graduation rates for Black students jumped by almost 15 percent when they attended integrated schools for five years. He found higher achievement, higher income, better jobs, less incarceration, and better long-term health for students in interracial schools. His study shows that integrated schools improve students' learning and their life after school. Students who attend integrated schools are more likely to attend integrated colleges and live in integrated neighborhoods in adulthood (Tefera, Frankenburg, and Siegel-Hawley 2011). Not only for these reasons were integrated schools better, but there are also setbacks in segregated schools.

Academic setbacks are unfortunate events or actions that occur that hinder students from being their best in school. Potential academic setbacks are events such as teacher turnover. When teachers leave in the middle of the school year, it can be hard for some students to adjust, and there is a much higher rate of turnover in low-income schools. Violent incidents and student suspensions can also hinder students. Violence can hinder anyone, and while being suspended, a person can miss a lot of work and fall behind. When an academic setback occurs, students are more likely to feel demotivation, stress, anxiety, and pressure (Kapur 2019). These symptoms could continue to get worse, which could lead to further setbacks.

Possible School Solutions Today

The US needs to make public schools more diverse, and one way to do so is by re-examining school zoning patterns. Students are in a particular school based on the area they live in (Tefera, Frankenburg, and Siegel-Hawley 2011). Traditionally, students who attend neighborhood schools are exposed to other kids in their own neighborhoods. Fortunately, "Many

districts, in an effort to pursue diversity, have also added a consideration of the racial and economic characteristics of students living within zones” (Tefera, Franenburg, and Siegel-Hawley 2011). Including race and class in zoning decisions can help make more integrated schools, even if families live in fairly segregated neighborhoods.

One way to make classes more diverse is to end tracking in elementary classrooms. Tracking students based on ability often means that tracking is based on class or race as well (Tefera, Frankenburg, and Siegel-Hawley 2011). This starts as early as kindergarten. High income students have more resources available to them, and by age six, children from high-income families will have spent 1,300 more hours in novel contexts than children from low-income families (Duncan and Murnane). This means that high income students are more likely to have a larger vocabulary, which may lead them to be grouped or tracked into a higher ability group. As students grow up, these tracks and ability groups widen, often taking away opportunities from students who are tracked in low-ability groups. By high school in Pittsburgh Public Schools, white students are 3.5 times as likely to be in AP classes than black students (Lena Groeger, Annie Waldman).

Teachers also need to support diverse classrooms. In suburban school districts, 87% of teachers are white (Tefera, Frankenburg, Siegel-Hawley 2011). Administrators need to seek out opportunities for teachers to learn and discuss race with one another so that they can do it in the classroom, too. Administrators should also encourage teachers to observe other teachers who successfully discuss race in their classrooms; this is a valuable way to inform their teaching process. It is important that teachers are able to discuss, work with, and can equitably teach students of all races. When teachers form student groups and classes, they should value racial diversity when doing so.

There are different solutions that may help solve this problem. One way could be magnet schools. These schools encourage integration. They are diverse schools that offer free transportation and more academic opportunities for all students who attend. These schools are not impacted by housing segregation within the district. This gives students who live in an area with a low-performing school a better option if they get into the magnet school. Magnet schools cannot solve all problems though. The demand to get into magnet schools is very high, and magnet schools cannot accept all the students who want to get into them. They can also hurt neighborhood schools because they are taking some of their honors students.

Afrocentric schools could help empower students who are in underperforming schools. One problem with integration is that teachers in diverse schools tend to ignore race in their classrooms (Tefera, Frankenburg, and Siegel-Hawley 2011). Students do better when seeing

people who look like them and have become successful. In Afrocentric schools, the curriculum is based on black culture, literature, art and history (Shapiro 2019). In their schools, they hire more black school leaders and teachers than traditional public schools and encourage positive racial identity. One parent at Little Sun People, an Afrocentric school in New York, said that at the school, “It was very matter-of-fact that being black is cool” (Shapiro 2019).” Afrocentric schools are less diverse, and they do not solve the problem of segregation. However, they could be one part of the solution to offer students in less diverse districts a good schooling option.

Conclusion

In the 1950s-70s, several Supreme Court cases, including *Brown v. Board* (1954) and *Swann v. Charlotte-Mecklenburg* (1971), helped integrate schools across the country. However, the Court was also an important factor in resegregating schools. The opinions in *Milliken v. Bradley* (1974), *Capacchione v. Charlotte-Mecklenburg* (1997), and *Parents Involved v. Seattle* (2007) all argued that school districts did have to enforce integration efforts if segregation was *de facto* rather than *de jure*. This meant that if the Court believed that families segregated by choice and not by law, that the districts could not take race into account when admitting students to particular schools, and schools began to resegregate. There are many consequences to school resegregation, including a lack of diversity as well as a widening achievement gap. However, there are things that school districts can do to benefit all students. Hiring more teachers of color, rezoning school districts, increasing the number of magnet schools, and investing in Afrocentric schools are all steps that could lead to a more equitable school system.

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