

**RACIAL SEGREGATION IN THE AMERICAN PUBLIC SCHOOL SYSTEM**

By

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**CONTENTS**

Introduction.....4

What Is School Segregation and Its History.....4

The Fight to Desegregate.....7

Busing: A Solution?.....8

The Connection Between Housing and School Segregation  
.....11

How School Segregation Negatively Impacts Students  
.....13

The Current State of School  
Segregation.....15

Today’s Fight for an Equal  
Education.....17

## **Introduction**

During my twelve years as a student in the American public school system, I learned to constantly question the world around me in an attempt to find where there may be systematic injustice. Surprisingly, through research into the very education system that taught me to try to fix what I notice to be wrong, it is not difficult to see that there are intentional injustices to be found and yet to be fixed within it. Racial segregation in schools is often taught to students in this country in a way that suggests it no longer occurs. However, millions of students in the United States are sitting in segregated classrooms right now.

A 2016 report released by EdBuild, a nonprofit organization working toward fair public education funding, found that more than half of the students in the United States are in districts where 75% of students were either white or nonwhite (Mervosh). This same report also found that nonwhite school districts got \$23 billion less than school districts with a majority white student population (EdBuild). The truth is this country continues to invest more in the education of students in white communities, leaving students of color behind to face the consequences of a broken “freedom and justice for all” promise. So why is this a problem, how did this happen, and what can we do to reverse it? These are the questions upon which my thesis will center. My thesis will focus on the history of school segregation and desegregation, the causes of the segregation we see today, its effects on our students, and the current state of our schools.

### **What Is School Segregation and Its History**

Economically and racially isolated schools are schools that are seventy-five percent Black or Latine with more than seventy-five percent of students qualifying for free or reduced-price meals (Nowicki et. al. 10). The percentage of all kindergarten through twelfth grade isolated public schools grew from nine to sixteen percent from the years 2000 to 2014

(Nowicki et. al. 1). In order to understand why isolated schools became so prevalent, it needs to be understood where they began and why.

Jim Crow Laws were laws established between 1874 and 1975 to separate white and Black Americans in the American South. After the Supreme Court's *Plessy v. Ferguson* ruling in 1896, Jim Crow laws were strengthened to help create "separate but equal" treatment between non-white and white Americans. In practice, however, the laws did little to prevent - and even promoted - the inferior treatment of African Americans and other people of color ("Jim Crow Laws"). The state of Missouri had a law during this era that stated "Separate free schools shall be established for the education of children of African descent; and it shall be unlawful for any colored child to attend any white school, or any white child to attend a colored school" ("Jim Crow Laws") By 1954, sixteen other states required that schools be segregated: Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, South Carolina, Georgia, Florida, North Carolina, Tennessee, Kentucky, Virginia, West Virginia, Maryland, and Delaware (Delinder).

These laws would eventually be overturned in the case of *Brown versus Board of Education of Topeka* ("Jim Crow Laws - Separate Is Not Equal"). In Topeka, Kansas, an eight-year Black girl named Linda Brown was not allowed to attend the white elementary school that was next to her home. Linda's father, Oliver Brown, filed a lawsuit against the Board of Education of Topeka and brought the case to the Supreme Court. On May 17, 1954, the Supreme Court announced a unanimous decision among all nine Justices holding that racial segregation of children in public schools hurt children of color and that American schools would be desegregated ("Brown V. Board of Education").

However, the Court did not specify how schools would be desegregated, simply ordering it to begin with "all deliberate speed" (Delinder). For many Southern whites, the *Brown v. Board*

*of Ed.* decision was a threat to white supremacy and they felt the need to do everything to protect the power structure they benefited from. For many political elites, “the long-term problem was not Black children in school rooms with white children but the looming threat of the 14th Amendment guaranteeing equal protection under the law” (Woodruff). In the following year, while some states started desegregating their school districts, other states responded with heavy opposition. Alabama, Georgia, Mississippi, South Carolina, and Virginia declared the Court’s ruling to be “null, void, and no effect” (Delinder). Schools went as far as to close schools and suspend public education as some states even imposed sanctions on those who implemented desegregation.

Linda Brown’s fight for desegregated schools did not end with the 1954 Supreme Court ruling. Since the original suit targeted legal, *de jure*, segregation, it did not address the *de facto* segregation occurring caused by “natural” neighborhood segregation. Whether through choice or financial reasons, Black and white families remained in the neighborhoods they had stayed in during the era of housing segregation (Delinder).

Twenty years after *Brown v. Board of Ed*, Linda Brown and other Black parents and students argued that the Topeka School and Board had failed to follow the Court’s decision to desegregate with “all deliberate speed.” Between 1973 and 1979, four separate cases were filed against the school district resulting in an investigation by the Office of Civil Rights of the federal Department of Health, Education, and Welfare (HEW). The investigation found that Topeka was not compliant with the court’s rulings to desegregate (Delinder).

The reopening of *Brown v. Board of Ed* in 1979 tried to prove that the segregation still occurring in schools was not “natural”, but rather the consequence of deliberate actions to segregate Topeka’s wealthiest citizens from its poorest. The wealthy in the town were primarily

white and lived in the town's western suburbs, while the poor were primarily Black and lived in East Topeka. Black residents were angry because the school board had built new schools with better facilities in Topeka's suburbs, leaving Black students in East Topeka with inferior schools.

It's important to note that due to income status and racist practices such as redlining, Black residents were unable to purchase homes that would give their children access to the newer and better schools. In 1970, the Census reported that the mean family income in the West Hills area, which was predominately white and wealthy, was \$19,909, while in the predominantly Black southeast area it was \$6,886. The inequity can also be seen in the median value of housing in 1970 which was \$28,800 in West Hills and \$9,550 in East Topeka (Delinder). After a series of legal back and forths between the courts, the Supreme Court declined to hear the matter further in 1994 as lower courts decided there was not enough evidence of "purposeful discrimination" (Delinder). This divide between class and income is one of the ways in which schools remain segregated today.

### **The Fight to Desegregate**

The fight for desegregated schools was not one led by a single lawsuit. In November 1951, three years before the *Brown Vs. Board* decision, Black students at the segregated Adkin High School in Kinston, North Carolina shared what features they would have in their ideal school during a class assignment ("School Segregation and Integration"). This assignment led to a student-led protest when they realized what they were describing was the local white high school. This group of students confronted the local school board about the inequality occurring between the two schools and requested more funding. In response, the board ignored their request, but the students did not stop their organizing. That following Monday, during the morning announcements in which a coded phrase was read, over 700 students walked out of

class, picking up premade posters on their way out, and marched downtown. For a week, students staged a boycott by refusing to go back to school. Although the school would remain segregated until 1970, eighteen months after the student protest, Adkin High School was renovated and given a brand-new gymnasium. Instances like these show the ways in which students led the fight for resources locally in the face of statewide discriminatory policies (“School Segregation and Integration”).

### **Busing: A Solution?**

Busing was a result of *Swann v. Charlotte-Mecklenburg Board of Education in 1971*. The Charlotte-Mecklenburg school system had more than 84,000 students enrolled in the 107 schools they had in their districts. Approximately two-thirds of Black students attended schools in the district that were at least 99% Black. There were a total of 21 schools in the district that were racially isolated. (“James E. Swann Et Al., Petitioners, V. Charlotte-Mecklenburg Board of Education... ”). The Court found that school authorities would close schools that were likely to become racially mixed through changes in neighborhood residential patterns or boundaries. Another strategy to keep schools segregated would be to build new schools in growing white suburban neighborhoods in locations farthest from Black communities. The result of the case against the poorly integrated district caused the Supreme Court to uphold that busing the students from certain areas into other areas with different schools was an appropriate way to handle the problem of racial imbalance in the district (“James E. Swann Et Al., Petitioners, V. Charlotte-Mecklenburg Board of Education... ”).

According to *The Washington Post*, the district of Raleigh had been successful in integrating schools and achieving academic success, in contrast to the 18 school districts across the area which did not integrate and did not improve, through the method of busing that it still



uses to this day (Theoharis). However, throughout the country, many white citizens were unhappy with desegregating and brought their cases to the courts which led to resegregation in many areas.

The National Assessment of Educational Progress began in the early 1970s and found there was a 53-point gap in reading scores between Black and white 17-year-olds (Theoharis). By 1988, the gap decreased to 20 points. In 1968, 78% of Black children in the South attended schools that were almost exclusively attended by nonwhite students. In 1988, only 24% did. However, in 1988, education policy shifted away from policies like busing that promoted desegregation, and the reading test score gap has grown to 26 points in 2012 as segregated schooling has increased in every region of the United States (Theoharis).

The Institute for Race & Justice at Harvard Law School found that racial segregation's negative impacts on the test score gap so much so that it outweighs the positive effects of a higher family income for minority students. It was also found in the report that the level of integration at schools was the characteristic that affected students' math learning growth the most.

One of the laws that led to the end of desegregation was the result of the case *Milliken Versus Bradley*. In 1974, the United States Supreme Court ruled it would be prohibited to incorporate exclusive suburbs into urban desegregation plans in Detroit. The decision confirmed that segregation was allowed if it was not an explicit policy of each school district (Eaton, Susan, and Steve Rivkin).

A similar case occurred in 1997 when the parent of a white student sued the school system in Charlotte because he believed she was denied entrance into a magnet school because she was white (Smith). Magnet schools in the area had to admit a certain number of white and

minority students in an attempt to desegregate the town. The ruling in the case was that desegregation programs no longer needed to continue because the area had already been sufficiently desegregated with measures such as busing and school enrollment restrictions. The result of the case was an end to the busing program in Charlotte and it let the city school board decide if they would continue desegregation programs or if they would end them, leaving citizens to go to whatever school they were closest to (Ayscue et al. ). After the board made the decision to end segregation programs, it proved to have damaging consequences for students. After the ruling, the schools in the area became 44% Latino and 47% Black (Ayscue et al.). Similar cases occurred throughout the country and slowly resegregation began to appear in several places in the US.

The cost of busing and the belief that desegregation was no longer necessary led to the termination of desegregation programs across the country once school districts were no longer obligated to continue them. Students living in rich neighborhoods now stayed in areas with a majority of white students and students living in poor urban areas like Detroit - where 95% of the students are Black and Latino, were forced to stay in those areas ("Detroit Public Schools Community District, Michigan").

Tuscaloosa, Alabama is one of the many cities that saw the results of desegregation and resegregation painfully up close. The city of Tuscaloosa, Alabama has seen the rise and fall of school segregation and the effects that come with it. The city began its effort to desegregate in 1979 when a federal judge ordered the merger of the city's two largest segregated high schools into one. The merger of the two large high schools actually created more diversity within the school and prevented them from becoming segregated since the schools shared students from two different parts of the city. The schools improved drastically and the town began to thrive

with alumni coming back to start businesses and improving the town (Jones, Nikole Hannah, and Maisie Crow).

Although the future seemed bright for the citizens of Tuscaloosa, in the year 2000 another federal judge released Tuscaloosa City Schools from the court-ordered desegregation mandate with the argument that the city had successfully achieved integration. According to *ProPublica*, nearly one in three students in Tuscaloosa now attend a school that looks as if *Brown versus Board of Education* had never happened. According to students in the district, the quality of education has also decreased (Jones, Nikole Hannah, and Maisie Crow). What happened in Tuscaloosa showed that school and neighborhood segregation is tied and that “as long as the traditional, geographic idea of neighborhood schools continues to hold sway, neighborhood segregation will naturally determine school segregation” (Denton 795).

### **The Connection Between Housing and School Segregation**

In 1980, after the implementation of bus programs, the schools in the district of Charlotte, North Carolina reached an unprecedented level of integration, reaching a point of nearly half and half white and Black students (Smith). However, in 2001 the program ended, which upset Black citizens because they knew that their children’s education would suffer. The parents of Black students assumed that the white school would get better supplies, better teachers, and better classes because they had seen the racist tendencies of their local government in the past (Smith). After the termination of the desegregation programs, the majority of the schools in already segregated communities in the district became primarily Black. This was a result of Jim Crow laws that kept Black residents from living in the same areas as white residents. After the laws were abolished, people simply stayed in their neighborhoods with their families. During the 2010 - 2011 school year, the typical white student in Charlotte attended a school where white students

made up more than half of his or her peers, even though they accounted for less than one-third of the district's enrollment (Smith).

In a report about educational inequalities published by EdBuild, they wrote, “School districts determine the extent to which we can integrate children in a classroom. Their borders can be used to either help remedy or further entrench a deep history of housing segregation. We can draw lines that equalize inherent disparities, or we can allow communities to isolate themselves behind unseen walls of wealth and prosperity—ensuring privilege remains solely within the grasp of the lucky few. Far too often, we choose the latter path” (EdBuild) Today, in the United States, racial and economic segregation divides communities and puts low-income children at a disadvantage. According to EdBuild, 20% of students are enrolled in districts that are both poor and nonwhite, but just 5% of students live in white districts that are equally financially challenged.

In the 2007 Supreme Court Case of *Parents Involved in Community Schools v. Seattle School District No. 1*, the court ruled that the race-based plans to integrate schools in Jefferson County, Kentucky and Seattle, Washington were unconstitutional (Boddie 2). Constitutional law states that “de jure” segregation is a result of purposeful discrimination by the government. An example of this would be Jim Crow laws which explicitly divided services that could be used by white and Black Americans such as separate water fountains. “De facto” segregation is the unintentional result of actions by the government or law. In this case, the Supreme Court found that it was unconstitutional for de facto segregated districts to voluntarily separate students in their school district according to their race with the intention of desegregating. However, Supreme Court Justice Breyer wrote a strong dissent that argued school districts should be given the constitutional flexibility to fix the racial imbalance in their schools (Boddie 2).

It is through de facto segregation that many American schools remain segregated to this day. For example, a big driver of class segregation is the way in which white families, on average, live in wealthier areas than Latinx or Black families. This then affects the racial makeup of the schools that the children in these families attend (Rosiek). The Government Accountability Office (GAO) found that Black and Latino students have poverty rates that are two to three times higher than the rates of white students (Nowicki et. al. 8). Due to the way schools rely on community wealth for their funding, the disparities in funding are often a reflection of the wealth divide in this country (EdBuild).

### **How School Segregation Negatively Impacts Students**

Along with the decline of integration came the decline of education quality in isolated schools. The GAO found that isolated schools are less likely to offer a full range of math and science courses than other schools. The GAO also found that these schools are more likely to use expulsion and suspension as disciplinary tools (Nowicki et al). As a result of the often poor academic performance of the students, isolated schools can have a hard time attracting and retaining good teachers. However, the issues faced by these students don't just stem from the classroom. Existing socio-economic barriers faced by students can also negatively impact their academic performance. For example, in low-income neighborhoods, working teenagers are not uncommon. These students may then struggle to focus on their schoolwork due to the economic support they must provide to their families or for themselves (*Nowicki et al. 10*).

There is also concern among experts that isolated schools must often prioritize meeting the basic needs of students. Schools must ensure that students have access to clothing, food, and shelter due to their household's financial status. The Economic Policy Institute found that students living in poor households often rarely have quiet places to study and may have to move

more frequently (Rothstein). The Urban Institute found that children that move three or more times due to economic instability before they turn 18 are 15% less likely to complete high school and 36% less likely to enroll in college or another post-secondary education program by age 25, and 68% less likely to complete a four-year college degree by age 25 than poor children who never move (Ratcliffe 3). Additionally, as a result of most of these students living in impoverished households where they are surrounded by higher rates of crime and violence, they also suffer from greater stress that interferes with their learning. Isolated schools have higher rates of students who were held back in ninth grade, suspended, or expelled (Ratcliffe, Caroline, and Signe-Mary Mckernan).

The affects of school segregation is something the people of Ferguson, Missouri have seen for decades. Michael Brown was an eighteen-year-old Black man shot by a police officer in Ferguson, Missouri. The case brought national outrage as many considered it evidence of the lack of justice Black men receive in the criminal 'justice' system as well as where school systems may fail Black children. Brown graduated from the Normandy School District only eight days before his murder. The Normandy school district is reported to be among the poorest and most segregated in Missouri and ranks last in overall academic performance. Only about half of Black males at Normandy High graduate and just one in four are able to enter a four-year college. The district even lost its accreditation in 2014 due to its poor academic performance (Jones, Nikole Hannah). Five miles down from Normandy are Clayton Public Schools, which are predominantly white and have almost no poverty. Clayton High School regularly ranks among the top ten percent in the state of Missouri and more than ninety-six percent of students graduate (Jones, Nikole Hannah). Black students who go to segregated schools are less likely to graduate and 22% more likely to be incarcerated (Jones).

In a 2011 report, The National Bureau of Economic Research found substantial evidence that students benefit from racially diverse institutions (Johnson). This study followed children born from 1945 to 1968 and followed them through 2013 in order to study the long-run impacts of court-ordered school desegregation. The study found that desegregation led to an improvement in school resources, increased per-pupil spending, and lower class sizes. Among many other benefits, Black students were found to have an increase in adult earnings, better health status, and decreased probability of incarceration (Johnson 4). This is no surprise when you also consider that in 2016, EdBuild, a nonprofit working for justice in public school funding, found that school districts that serve predominantly students of color actually received \$23 billion less in funding than school districts that serve predominantly white students (Mervosh). EdBuild also found that white districts enroll an average of 1,500 students - half the size of the national average. However, nonwhite districts serve an average of over 10,000 students which is three times more than the national average.

School desegregation significantly increases educational quality and reduces the probability of incarceration. In a study released by The University of North Carolina at Chapel Hill, Black first-graders in segregated schools performed worse than Black students with the same backgrounds, such as poverty level, parental education, and other factors, who attended integrated schools. Desegregation led to beneficial outcomes for African American students, which included improvement in access to school resources as a result of reductions in class size and increases in per-pupil spending (Kainz). According to ProPublica, the chances of Black males - like Michael Brown - coming into contact with the criminal justice system increased with the resegregation of their high schools and communities (Jones, Nikole Hannah).

### **The Current State of School Segregation**

EdBuild found that in New Jersey, 57% of students are attending a racially isolated school district. EdBuild also found that 23% of students in the state attend high-poverty predominantly nonwhite school districts, while 0% attend high-poverty schools that are predominantly white. This fact was also supported by the *New York Times* which found that in New Jersey, 46% of Black and Latinx public school students attend schools that are more than 90% nonwhite while 43% of white students in the state attend schools that are at least 74% white. This reality is currently being challenged in the state by students, parents, educators, and community leaders.

The current Vice President of the United States, Kamala Harris, was a child who was bussed during the 1970s and 80s as the school district she attended worked to desegregate (Hannah-Jones). Famously, during a presidential debate, she confronted the now President Joe Biden about his lack of support for the program when it was in place. Busing was a tool used to integrate school districts as Black students were bused to predominantly white districts and vice versa. As busing became implemented throughout the United States, it was met with angry white parents and pushback from local politicians. There is much debate about whether busing “failed”, but much of this discourse actually has to do with the Court’s commitment to it. For example, in 1964, 2% of Black students attended schools with white students in the South (Hannah-Jones). By 1972, due to court-mandated busing, nearly 50% of Black students attended schools with white children. Once the program ended, much of that progress was undone (Hannah-Jones).

Tools many districts have learned to rely on our charter and magnet schools. There is much debate about whether or not these kinds of schools do more harm than good. While these schools are typically implemented under the pretense of providing relief to struggling school



districts, the findings of research conducted on their effectiveness tell a different story. The American Educational Research Association found that magnet schools did not help increase achievement gains. In fact, they have been found to actually curtail growth among students (Gamoran, Adam, and Brian P. An).

Sixty-eight percent of Americans agree that integration programs have helped improve the quality of education for Black students (Gillespie). Six out of every ten Americans believe that more should be done to integrate the nation's classrooms (Gillespie). However, eighty-two percent believe that letting students go to their neighborhood schools would be better than achieving racial balance through busing (Gillespie).

### **Todays Fight for an Equal Education**

Student activists have brought several other topics to the forefront of the national conversation surrounding issues in education. In 2018, an estimated one million students across the country participated in the National School Walkout following the Marjory Stoneman Douglas High School shooting as a call for an end to gun violence in schools (Zingg). Students in Fairfax, Virginia succeeded in convincing the school board to implement a policy that allows for one excused absence per school year to participate in civic activities such as protests, voting, and community events (Zingg). Students in Cherry Hill, NJ organized a campaign in their district for a yearlong class on Black history and succeeded in making that class a required course for graduation (Zingg). Advocacy like this is occurring across the country and there are students, parents, and community leaders working to create change for racial equity in schools.

Christian Estevez is the son of Dominican immigrants who grew up in the city in crowded classrooms filled with students like him: "poor, minority, and struggling" (Otterman). Estevez's mother then made the decision to rent an apartment in the predominantly white town of

Westfield. Estevez says the difference was like “night and day” and credits the move with his ability to succeed academically and go to college. Today, not much has changed. Westfield is 86% white, with 2% of families in poverty, while Plainfield is 82% Black and Latinx with 22% of families in poverty (Otterman). Mr. Estevez is now the president of the Latino Action Network and is working with a coalition of community organizations, parents, and children, to challenge school segregation and inequality in the state.

In 2018, 64 years after *Brown v. Board of Education*, Mr. Estevez and about a dozen other plaintiffs filed a lawsuit against the state of New Jersey calling for it to desegregate its schools. According to the *New York Times*, the last time a federal lawsuit achieved statewide school desegregation was in 1962 in Alabama (Otterman). According to a UCLA study, New Jersey was ranked the sixth most segregated state in the United States for Black students and seventh for Latinx students. The segregation in New Jersey schools is the result of de facto segregation caused by discriminatory zoning practices in suburbs and poverty, despite the fact that New Jersey courts declared de facto school segregation unconstitutional since the 1960s. (Otterman).

In New Jersey, the state law requires that children attend schools in the municipalities where they live (Boddie). The suit asks the state to change this law and let students cross municipal lines to go to schools in order to address the issue of high levels of segregation between neighborhoods and towns. The plaintiffs are also calling on the state education commissioner to develop a plan that is comprehensive and detailed to integrate schools. One of the possible solutions listed in the lawsuit is the creation of magnet schools that take students from multiple districts and provide municipalities with tax incentives in order to create schools that are more diverse.

In 2021, a group of students in New York City filed a lawsuit against the New York City school system for what they argued was a racist admissions process that favored the admission of white students into selective programs (Ax). New York City currently has the United States' largest school system with approximately one million students. Close to  $\frac{3}{4}$  of Black and Latine students attend schools that have less than 10% white students. More than  $\frac{1}{3}$  of white students attend schools with majority white populations (“New York City Council”).

An equal education for all is and has always been a threat to white supremacy, and so we cannot say we live in a country that gives everyone the same opportunities if we cannot even guarantee our children an equal education. The English philosopher Herbert Spencer once said, “The great aim of education is not knowledge but action” (Forbes). Regardless of the backgrounds and struggles that students are facing, they are working to improve the education system and the country that they live in. It's key that we bring attention to the inequity in our school system and support student activists working to create change.

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