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Authors

Orfield, Gary
Jarvie, Danielle

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DECEMBER 2020

BLACK SEGREGATION MATTERS

SCHOOL RESEGREGATION AND BLACK EDUCATIONAL OPPORTUNITY



GARY ORFIELD and DANIELLE JARVIE

The Civil Rights Project



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FOREWORD

Throughout American history, Black students have faced segregated schools. After generations of failure in trying to make segregated schools equal, civil rights lawyers won a powerful, unanimous 1954 Supreme Court decision that changed American law and demanded change. Most Black students have always lived and gone to school in the 17 states that had a long history of segregation by law until the Supreme Court's decision in *Brown v. Board of Education*. That decision was fiercely resisted, but after the civil rights movement's major successes, change was enforced under the 1964 Civil Rights Act and through increasingly strong Supreme Court decisions. Those breakthroughs, however, were followed by a new wave of determined resistance, especially during conservative administrations. As the courts changed with Court appointments, there were, first, limits and then reversals. Segregation declined for decades after the civil rights movement but was followed by resegregation as the courts withdrew. A line was drawn, denying Black students access to suburban schools, even when they had been illegally segregated. In many places where Black students had won access to strong magnet schools, for instance, they were sent back to weak neighborhood schools.

For a quarter century the Civil Rights Project has regularly monitored the trends in segregation and desegregation of U.S. schools. Our work extends into many other areas of educational opportunity including college access, discrimination in school suspension and special education placement, reducing high school dropouts, improving testing strategies, reforming failing school accountability policies, discrimination in language and immigration policies, evaluating magnet school and charter school efforts, and unequal college preparation, to name a few. We continuously watch and report on school segregation issues because wherever we turn, whatever data we examine, we find that the pattern of unequal opportunities and outcomes are related to racial separation for students of color in lower achieving schools. In some analyses there is a clear difference in financial resources related to the race or ethnic composition of a school.¹ In others, the schools in concentrated poverty areas receive supplemental funds but inequalities often persist. We have never presented school desegregation as either easy or as a panacea, but we are quite certain that segregation is one of the central mechanisms for perpetuating inequality in American society. We believe that integration, particularly when done well with a diverse faculty and curriculum, is both a powerful educational treatment and one of the few major institutional strategies our country has for bridging dangerous racial divides, fears, and stereotypes. The new data in this report is an important status check on the current situation of the nation's Black students.

¹ A 2019 study of Boston, for example, showed that schools with large non-White enrollments got about \$1000 less per student. (Education Reform, <https://edreformnow.org/policy-briefs/per-pupil-funding-inequities-race-ethnicity> Jun 27, 2019); A national study showed the “overwhelmingly white school districts received \$23 billion more than predominantly non-White school districts in state and local funding in 2016,” (Laura Meckler, “Report finds \$23 billion racial funding gap for schools.” *Washington Post*, Feb. 25, 2019).

EXECUTIVE SUMMARY

Black students account for about one-seventh of U.S. school enrollment, which has remained a largely stable proportion for decades. The highest concentrations are in the 17 former slave states, which maintained segregation by state law until the Supreme Court's *Brown* decision in 1954. The South has grown sharply in population and now is the nation's largest region, with 34% of all students, followed by the West with 25%. The South has the highest share of Black students (23%), while the West has the lowest (4.8%). The South is also the area where the deepest and most extensive school integration efforts took place during the civil rights era.

Various community types have different shares of Black students. Black students have the largest share of enrollment, almost one-fourth of the total, in the central cities of large and middle size metros, and they have the lowest representation in towns and rural areas. About one seventh of the students in the suburbs of the largest metros are Black. There is considerable residential and educational separation between poor and middle-class Black families within metro areas.

When *Brown* was decided, U.S. schools were overwhelmingly White with about one-eighth of enrollment Black students. Other groups had very small proportions; Latinos and Asians were not even counted nationally until 1968. Immigration changed that sharply. Now there are 27% Latino and 6% Asian students in U.S. schools, making the country highly multiracial.

The proportion of White public school students has dropped considerably and continuously for the last quarter century. This is not because of transfer to private schools, which have a declining share of total enrollment and have themselves become somewhat more diverse. The White decline reflects historically low birth rates and immigration patterns that are overwhelmingly non-White. The changing racial proportions make widespread desegregation more difficult.

School desegregation was most actively pursued a half century ago from the middle 1960s to the early 1970s, resulting in major declines in the segregation of Black students from 1965 to 1972. Desegregation was durable and peaked in 1988.

Urban desegregation in the South was ordered in 1971, and in a much weaker form in the North in 1973 but was critically limited by 1974. There have been no major legal or policy advances since that time. The most extensive and long-lasting desegregation took place in areas with county-wide school districts embracing all or a very large part of a major metro area housing market, much more common in the South than in the industrial North.

Desegregation was only implemented where there was a proved history of official discrimination against Black students. In 17 states this was not hard to show because segregation was required by state law. In other states, civil rights lawyers had to prove that the schools had been intentionally segregated by school officials, through decisions about buildings, attendance boundaries, teacher assignment, and many other elements, combinations of which were almost always found. Official action fostered segregation across the U.S.

Intense segregation, in 90-100% non-White schools, fell very sharply from 78% of Black students in 1968 to 24% in the Southern states by 1988, but has now risen back to 37%, still less in the South than in other parts of the country. Civil rights enforcement had a lasting impact until it was largely undone by the 1991 *Dowell* Supreme Court decision ending desegregation plans.

Black students are far more segregated from White students now than in the civil rights era but attend school with many more Latinos. In 1991, the typical Black student was in a school with a third White students but now only one fourth. However, the Latino share is up from 9% to 21% in the same time span. In the South, at its peak, about 42 percent of Black students were in majority White schools, that percentage has declined to 27%.

New York is the most segregated state in the country for Black students. The average Black student in New York state attends a school with only 15% White students and 64% of Black students are in intensely segregated schools with 90-100% non-White students. Many of these schools are what we call apartheid schools, comprised of 99 to 100% non-White students. New York state is the most segregated followed by Illinois, California, and Maryland, all with extreme segregation levels.

Black students' segregation from Whites has been growing for decades, but often not producing all-Black schools. For Black students, the share of Black classmates has been dropping as the Latino share has risen. This is most extreme in the West where the typical Black student attends a school where there are more than twice as many Latinos as fellow Blacks—a minority within a minority.

Illinois and New York state have the highest concentration of Black students with other Black students, 76% on average in both states. Black students are often isolated from White and middle-class students, attending schools with other non-White groups in concentrated poverty. In these states, Black students have the highest average percentage of Black classmates.

Among the nation's 20 largest school districts, Black students have the least contact with White students in Chicago, followed by Dallas, Miami, and Prince George's County, MD, each with an average of less than 4% Whites.

Black students are segregated in communities of all sizes, but it is less extreme in suburban, town, and rural schools.

Abandoning any significant policy or legal effort to integrate schools has led to increasing isolation of Black students in all sectors of American education. Segregation has not cured itself. Successful desegregation plans have been shut down as the courts reversed policy. New policies are needed, and legislation recently passed by the House of Representatives, the Strength in Diversity Act, could be a positive beginning.

BLACK SEGREGATION MATTERS: *School Resegregation and Black Educational Opportunity*

By Gary Orfield and Danielle Jarvie

INTRODUCTION

Black and non-Black attitudes about segregation

The summer of 2020 brought the national surge of the historic Black Lives Matter protests against police violence, calling for fundamental change in the criminal justice system. That was, of course, part of a much longer and wider struggle against discrimination and for equal opportunity in American society. In spite of many frustrating experiences, this summer, not only 94% of Blacks but also the largest majority of the total population, 64%, agreed with the proposition that “our country needs to continue making changes to give Blacks equal rights with whites.” School inequality has long been a central issue in the Black community and is evident in recent surveys. Seventy percent of Blacks surveyed said that racism was one of the most important issues in the presidential campaign. Eighty-one percent said that most Whites “do not understand the level of discrimination Blacks face.”² In its September 2020 annual survey on education, *Kappan Magazine* reported a national survey showing that 79% of Blacks saw education as a highly important issue, with 46% of them viewing it as “extremely important.” Ninety percent of Blacks, compared to 62% of Whites, believed that government should increase its focus on “protecting students from discrimination in their schools.” Only a fourth of Blacks, for example, support test-based admissions to special programs that lower Black and Latino access. Black and Latino families are significantly more willing than Whites to consider transferring their child to another school if it is feasible.³ Most Americans know that we are far from solving our racial divide, that discrimination continues, and that the schools have major importance in a solution, since Americans see schools as the answer to inequality. This does not mean, of course, that schools can solve all problems or that there is no discrimination within diverse schools. What Black parents are talking about is a sense that the schools for their children are inadequate and they want access to the stronger schools.

In a 2018 national poll, 75% of the public said that there were fewer opportunities for students in schools in low-income areas and 55% said that expectations were lower there as well. On the issue of race, 72% of Blacks believed Blacks had fewer educational opportunities, but only 32% of Whites agreed. Whites were much more likely to see inequality for poor students without

² Washington Post-Ipsos Poll, conducted June 9-14, 2020, <https://context-cdn.washingtonpost.com/notes/prod/default/documents/ef44160b-2164-413c-90ed-6c4f84565e70/note/e6b33bbb-c22b-4d8f-895f-176a8f705952.#page=1>

³ Joshua P. Starr, “Public School Priorities in a Political Year,” The 52nd Annual PDK Poll of the Public’s Attitudes Toward the Public Schools,” Supplement to *Kappan Magazine*, Sept. 2020.

reference to race.⁴ When asked about the importance of a “racially and ethnically diverse student body” in 2017, 72% of Blacks said that it was “highly important,” compared to 48% of Whites and 57% of Latinos. Blacks are the most likely to say that they would travel further to school for diversity and most said they thought diversity improved the learning environment. There was stronger overall support for school diversity in the South and the West, the two areas where most students are non-White.⁵ A 2017 national poll for NPR found that 74% of African Americans who lived in predominantly Black areas said that “Black children where they live do not have the same chances as White children to get a quality education.” Fewer Blacks (58%) living in majority non-Black areas agreed. Forty-five percent of Black residents in majority Black areas said that the “quality of public schools is worse than in other places,” compared to only 23% of those living in majority non-Black areas.⁶ This does not mean that the Blacks surveyed thought that diverse schools were problem free, only that they had better quality.

After Vice President-elect Kamala Harris (who had attended an integrated school in Berkeley, California) raised the desegregation issue during the Democratic presidential primary debates, the Gallup Poll published a national survey in 2019. The survey showed that 68% of Blacks and 65% of Latinos saw “racial concentration or segregation” as a serious problem, compared to 52% of Whites. Seventy-five percent of Democrats saw segregation as a serious problem, compared to 35% of Republicans. Fifty-three percent of the public favored governmental action to reduce segregation, but 78% of Blacks favored the same. When asked about methods to desegregate, 86% of Blacks, 88% of Latinos and 76% of Whites favored magnet schools as a method. Seventy-four percent of Blacks favored redrawing attendance boundaries and 65% supported busing students for integration. Eighty-one percent of Blacks and 58% of Whites said that they favored strategies using location of “more low-income housing in suburbs and other higher income areas.”⁷ A 2020 article studying five Southern communities found that Black attitudes were consistently more positive toward desegregation than White attitudes, but their preferences had little relationship with the outcomes, which are more influenced by White attitudes. In other words, when Blacks wanted action and Whites did not, it was far less likely to happen than when Whites favored it, suggesting the need for alliances.⁸ Although there is a great deal of diversity of thought within the Black community, substantial majorities of Black respondents in recent surveys see segregation as providing inferior opportunities and view diversity as an important goal, and they favor a variety of policies to increase integration to access stronger schools. There have been similar findings in many surveys over the years. This does not mean that Blacks think of desegregation as a cure-all, that there is something magical about sitting next to Whites, or that diverse schools do not have problems. It does mean that they think that the diverse schools

⁴ Kappan Magazine Supplement, “*Teaching: Respect but Dwindling Appeal*,” The 49th Annual PDK Poll of the Public’s Attitudes toward the Public Schools, Sept. 2018, pp. K15-K16.

⁵ Kappan Magazine Supplement, “*Academic Achievement Isn’t the Only Mission*,” The 50th Annual PDK Poll of the Public’s Attitudes toward the Public Schools, Sept. 2017, pp. K16-K20.

⁶ NPR/Robert Wood Johnson Foundation/Harvard T.H. Chan School of Public Health, “*Discrimination in America: Experiences and Views of African Americans*,” 2017.

⁷ Justin McCarthy, “Most Americans Say Segregation in Schools is a Serious Problem,” *Gallup Poll*, Sept 17, 2019, pp. 2-6.

⁸ Roslyn Arlin Mickelson, Stephen Samuel Smith, and Toby L. Parcel, “Public opinion, race, and levels of desegregation in five Southern school districts,” *Social Science Research*, vol. 92,(Sept. 2020), <https://doi.org/10.1016/j.ssresearch.2020.102477>

offer better educational opportunities, and they favor strategies to increase access to those opportunities. The primary concern is educational opportunity and the trends we report here show that their desires have been largely ignored.

Background

Racial subordination, separation, and unequal opportunities are hallmarks of American society. Blacks survived centuries of slavery where they were denied formal education. Schools are seen as the key to opportunity in American society, but they usually reflect and help perpetuate inequality by offering the best training to the most privileged children in the most affluent and educated areas. The most important local institutions, public schools educate and help socialize nine of every ten American children. The reality is that the poorest and most excluded groups are concentrated in the weakest schools. Even Black children of successful middle-class families often end up in neighborhoods and schools far less challenging than similar White schools, partly because of persisting residential discrimination. After the Civil War and the ratification of three amendments to the Constitution guaranteeing equal rights to Blacks, the 1876 election crisis was settled by an agreement to end federal enforcement of Black rights.⁹ The federal courts allowed the former Confederate states to institute and enforce sweeping systems of racial control and segregation (the “Jim Crow” system) under the doctrine of “separate but equal,” spelled out in the Supreme Court’s 1896 *Plessy v. Ferguson* decision.¹⁰ It turned out that separation was vigilantly enforced, but “equality” was left to local control by officials who decided that very little was equal enough for Black children. Just three years after *Plessy*, for example, a unanimous Supreme Court authorized the elimination of high school for Black students.¹¹

Another unanimous Supreme Court ruled in the 1954 *Brown v. Board of Education* decision, which helped trigger the civil rights movement, that “in the field of public education the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”¹² Segregation, the Court held, caused harm “unlikely ever to be undone.”¹³ The decision, however, was fiercely resisted by state and local officials. Three years after the *Brown* decision, a young Martin Luther King, Jr. called the decision “a great beacon of light of hope to millions of disinherited people throughout the world who had dared only to dream of freedom,” but, he said, the executive branch had been “all too silent and apathetic” and underlined the “desperate need for civil rights legislation.”¹⁴ The great goal, he said, was “to make possible a coming together of white people and colored people on the basis of a real harmony of interest and understanding. We must seek an integration based on mutual respect.”¹⁵ King’s last campaign

⁹ C. Vann Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction*, New York: Oxford Univ. Press, (rev. ed. 1991).

¹⁰ *Plessy v. Ferguson* 163 U.S. 537 (1896).

¹¹ *Cumming v. Richmond County Board of Education*, 175 U.S. 528 (1899)

¹² *Brown v. Board of Education*, 347 U.S. 483 (1954).

¹³ *Ibid.*

¹⁴ *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1 (1973).

¹⁵ Martin Luther King, Jr., "Give Us the Ballot," Address Delivered at the Prayer Pilgrimage for Freedom, May 17, 1957, in Clayborne Carson, Susan Carson, Adrienne Clay, Virginia Shadron, and Kieran Taylor, eds. *The Papers of Martin Luther King, Jr.* Volume IV: Symbol of the Movement, January 1957-December 1958, Stanford Univ. Press.

was the Chicago Freedom Movement. He first came to the Chicago movement in response to a series of massive boycotts and demonstrations demanding desegregation of the schools in the nation's second largest city,¹⁶ part of a surge of such movements in the North at the peak of the civil rights movement. The school system was intransigent, so King decided to focus his struggle on housing segregation. He concluded that Chicago was even more resistant to racial change than the South. (Who could have guessed that the first Black President would come from Chicago, and that the city's schools would remain among the most extremely segregated through his administration as many public schools were closed and charters funded.)

Although segregation by law was held to be unconstitutional in education in the 1954 *Brown v. Board of Education* decision, state and local officials fought very hard to block or minimize change. Virtually total segregation held in thousands of school districts until the civil rights revolution, and the enactment and enforcement of the 1964 Civil Rights Act produced large changes in the South in the late 1960s. The only period of active coordinated use of federal power to enforce desegregation rights was 1965-1969. The federal courts, acting on their own, continued to expand the requirements for several more years, but the Nixon Administration stopped enforcement of the 1964 Civil Rights Act, and its four Supreme Court appointments led to serious limits by 1974.

Neither the courts nor the executive branch developed significant policies to desegregate Northern schools. The Supreme Court put it off and said nothing about desegregating Northern and Western city school districts until two decades after *Brown*, and the policies it established made it very difficult to win an order and impossible to include the suburbs where, by then, the most respected and highly resourced schools and the White populations were concentrated.¹⁷ The Supreme Court also blocked national equalization of school resources.¹⁸ The federal government under Nixon, Ford, and other GOP Presidents actively fought against urban desegregation and, by 1981, the one significant source of federal funds for voluntary local action supporting diverse education was terminated.¹⁹ A very conservative Supreme Court held in the 1991 *Oklahoma School District* decision that the existing desegregation plans ordered by federal courts should be dissolved and school districts permitted to revert to practices that produced segregation.²⁰ The desegregation remedy was defined as a temporary measure that did not have to be maintained until schooling outcomes became equal. A 2007 decision of the High Court outlawed many types of voluntary local desegregation plans.²¹ It was a stunning, historic reversal.

Eventually, attention turned to other issues, such as Black control and Afro-American curriculum, which took place in a number of the nation's largest central cities by the 1980s, and later in hundreds of charter schools, but did not significantly change educational outcomes

¹⁶ James R. Ralph, Jr., *Northern Protest: Martin Luther King, Jr., Chicago, and the Civil Rights Movement*, Cambridge: Harvard Univ. Press, 1993, pp. 7-34.

¹⁷ Keyes, *Milliken v. Bradley* (1974).

¹⁸ *San Antonio Independent School District v. Rodriguez*.

¹⁹ Emergency School Aid Act (ESAA) of 1972.

²⁰ *Oklahoma School District v. Dowell*, (1991); Gary Orfield and Susan E. Eaton, *Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education*, New York: New Press, 1996.

²¹ *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 551 U.S. 701 (2007).

and the enrollment in such schools declined, in part, because of poor test results.²² By the 1980s, the focus changed to raising standards and sanctioning “failing” schools,²³ which remained the dominant approach for more than three decades until the last part of the Obama Administration, when Secretary of Education John King raised the integration issue again. President Obama requested funding for the voluntary integration efforts, but congress denied such funding.

Schools have become steadily more segregated in all part of the country since 1990. Within a few years of King’s assassination, the great civil rights laws and court decisions made the South the most integrated segment of American education and gains held for two decades. Then the increasingly conservative federal courts and administrations abandoned the goals of integrated schools and successfully dismantled much of what had been achieved.²⁴ School segregation is now more severe than in the late 1960s. In the conservative era, taking hold with the Reagan Administration, the whole idea of integration was assailed, denounced as a failure, and virtually disappeared from public education policy debates for years. Desegregation plans, many of which had been successful, were dismantled and Black students sent back to segregated, concentrated poverty, neighborhood schools. Many intentionally integrated magnet schools, which had become popular with Whites and Blacks and successfully fostered voluntary desegregation, dropped integration goals and became increasingly White, selective, exam schools.

Does Desegregation Work?

There is a vast body of research on segregation and desegregation conducted in the more than 65 years since *Brown v. Board of Education*. Ironically, even as desegregation efforts were rolled back, increasing evidence has shown that the Supreme Court and the civil rights movement had been correct in their understanding of the central role of school segregation in perpetuating racial inequality. Most of the early research simply looked at short-term changes in test scores. It showed significant gains but fell far short of equalizing outcomes. It turns out that schools make a significant difference in areas far beyond test scores, but the degree of change depends on how much of a student’s education was in diverse settings and how early it happened. Severe racial inequality exists before children come to kindergarten, and average out-of-school conditions for Black students remain highly unequal throughout their school years. Formal schooling covers about half of the year’s days and less than half the hours in those days, so it is unreasonable to expect that school diversity can overcome all of the other forces at play. Importantly, it turns out that some of the most powerful effects of diverse education can only be seen in longer term research that shows impacts in college and adult life.

Desegregation tends to connect students to networks of opportunity and helps them gain understanding and skills in successfully operating across racial lines. Eventually, research

²² Amy J. Binder, *Contentious Curricula: Afrocentrism and Creationism in American Public Schools*, Princeton: Princeton Univ. Press, 2004; Rachel M. Cohen, “The Afrocentric Education Crisis,” *The American Prospect*, Sept. 2, 2016.

²³ *A Nation at Risk* (1983).

²⁴ *Dismantling Desegregation, The Quiet Reversal of Brown v. Board of Education*, New York: New Press, 1996.

looked at longer periods of integration, conditions related to success, and effects on students' future lives. The research showed that segregated schools are profoundly unequal in terms of the level of preparation of teachers, the peer groups that are also much less prepared and achieve at far lower levels, the curriculum that is more limited, especially in advanced courses, and the students that have less success in higher education and later employment. Research also illuminated the conditions under which the benefits of integrated schooling are most substantial. The evidence suggests that the gains are largest for Black students. The research showed that attendance at a school with more Whites and more middle-class students is related to higher average educational achievement and completion, better preparation to live and work in interracial settings, more college success, improved economic outcomes in life and more adult interracial friendships.²⁵

The most beneficial desegregation plan requires institutional change. Schools need to adapt to changed populations in a society where many students and educators have racial stereotypes. The level of success in improving race relations depends on the degree to which a school implements conditions for successful intergroup relations. More than 500 studies in many different settings show that where schools are committed, treat students fairly, and create conditions of equal status interaction, the social benefits are substantial.²⁶ School desegregation does not, of course, cure all of the inequalities that shape the lives of young African Americans. What desegregation does, however, is expand the possibilities and the preparation for success in a multiracial society and connects them with networks and information invaluable for their plans and future lives. It also has significant advantages for White as well as non-White students. In fact, desegregated schools help prepare all groups of students to live and work effectively in multiracial communities and job sites. Desegregation is not a simple or all-powerful policy, but it has clear educational and social benefits.

Conservative Government Limiting Desegregation

The only serious national policy effort to end segregated education took place more than a half century ago. There was a sustained effort to desegregate the schools of Black students in the South from the mid-1960's through the early 1970's. Richard Nixon, however, had the very unusual opportunity to appoint four justices to the Supreme Court in his first term after campaigning on promises to reverse civil rights policies. His appointees divided the court and set crucial limits to desegregation. He assailed school and housing desegregation policies, fired leading advocates, directed the Justice Department to change sides in key cases, and threatened to support amending the Constitution if the Court ordered desegregation of the suburbs.²⁷ He

²⁵ Rucker C. Johnson with Alexander Nazaryan, *Children of the Dream: Why School Integration Works*, New York: Basic Books, 2019; Luca Paolo Merlino, Max Friedrich Steinhardt and Liam Wren-Lewis, "More than Just Friends? School Peers and Adult Interracial Relationships," *Journal of Labor Economics*, Volume 37, Number 3, July 2019; Jennifer Ayscue, Erica Frankenberg, & Genevieve Siegel-Hawley, *The complementary benefits of racial and socioeconomic diversity in schools*. Washington, DC: The National Coalition on School Diversity. Research Brief No. 10. (2017).

²⁶ Thomas F Pettigrew and Linda R Tropp, *When groups meet: The dynamics of intergroup contact*, Psychology Press, 2013.

²⁷ Leon E. Panetta and Peter Gall, *Bring Us Together: The Nixon Team and the Civil Rights Retreat*, Philadelphia: Lippincott, 1971.

was the first of a succession of Republican Presidents who appointed Justices committed to limiting civil rights law. In a society where racial segregation spread across sectors of metropolitan areas, desegregation efforts outside the South were largely limited to heavily non-White central city districts after the Supreme Court protected White suburbs from participation in desegregation orders, even when that would have been the only way to provide access to strong White schools for illegally segregated Black students. Justice Thurgood Marshall, in a bitter dissent for four justices, called it “a giant step backwards.”

Notwithstanding a record showing widespread and pervasive racial segregation in the educational system provided by the State of Michigan for children in Detroit, this Court holds that the District Court was powerless to require the State to remedy its constitutional violation in any meaningful fashion. Ironically ... the Court's answer is to provide no remedy at all for the violation proved in this case, thereby guaranteeing that Negro children in Detroit will receive the same separate and inherently unequal education in the future as they have been unconstitutionally afforded in the past.²⁸

Suing a school district was very costly for civil rights groups, but in virtually every city where a school board was sued, the courts concluded that the segregation of Black students was the result of official action by local school and other officials.²⁹ Segregation was not a choice, it was a plan. The plan, as exposed in the courts, typically involved discrimination in sites of schools and location of subsidized housing in segregated school areas; in hiring and assignment of teachers; unequal resources and programs; discriminatory transportation systems; choice mechanisms that worked against Black students, and various other factors. In many cities, as in the case of Detroit, since the White and middle-class students had already left the city, the spread of residential segregation and school district boundaries meant that there was no feasible remedy for millions of Black students. Their rights had been violated for generations, but the only real remedy was proscribed. Nor would the courts order any continuing transfer of funds to equalize funding.³⁰ By 1991, the Supreme Court majority accepted the conservative argument that school desegregation was a temporary remedy not a permanent obligation and it set the conditions for dismantling the nation's major desegregation orders. Under the *Dowell* decision the school districts were allowed to adopt policies and practices that produced segregation as long as they claimed that the policies were for another purpose.³¹ Since that decision, there has been a steady increase in segregation in all parts of the U.S.

The last significant federal aid program that supported voluntary desegregation efforts ended nearly four decades ago. At the end of the Obama Administration, Education Secretary John King asked Congress for funds to support voluntary efforts but did not get it. Several years later after the Democrats won control of the House of Representatives, the House passed the Strength

²⁸ *Milliken v. Bradley*, 418 U.S. 717 (1974)

²⁹ The basic elements of illegal segregation are described in Kristi Bowman and Jiri Nantl, “Liability and Remedies for School Segregation in the United States and the European Union,” paper presented at the conference “Segregation, Immigration, and Educational Inequality” in 2013, sponsored by UCLA Civil Rights Project and Ghent University, 2013, and published by Michigan State Univ. Education Policy Center in 2014.

³⁰ *Missouri v. Jenkins*, 515 U.S. 70 (1995)

³¹ *Oklahoma City v. Dowell* (1991), extended in *Freeman v. Pitts*, 503 U.S. 467 (1992).

in Diversity Act of 2020, H.R. 2639, by a substantial margin, 248-167 in Sept. 2020.³² The bill provided federal funds to local schools “to develop or implement plans to improve diversity and reduce or eliminate racial or socioeconomic isolation in publicly-funded early childhood education programs, public elementary schools, or public secondary schools. The funds can be used for planning and implementing strategies” that are designed to improve academic outcomes for all students, particularly students of color and low-income students. The bill was referred to committee in the Senate but died there.³³

Most Americans, including many people of color, believe that we have made progress and solved most of the problems, or that we know how to solve them in segregated schools. Some believe that we tried and failed. Some believe that we have gone too far and been unfair to Whites.³⁴ We often praise diversity in our cities, but we still segregate most people of color in separate and inferior schools. There is a constant debate in our society about whether or not things are getting better, staying the same, or getting worse. Usually, Whites do not see urgent problems whereas many people of color do see systemic inequality. General concern tends to rise in the wake of violence, a crisis, or a movement but then recedes. Sometimes things just get worse, step-by-step over time and there is no leadership to address the issue. Nothing is done. This is what has happened in school segregation and why statistics showing what has transpired are so important.

Our Changing School Enrollments and Patterns of Segregation

This report shows how our national student population is changing and also examines the basic patterns of segregation and integration across the U.S. It is a progress report on the growth and segregation of Black students. We do not examine segregation because it is the only problem, because desegregation can solve everything, or because it is a problem that can be solved in all contexts. We focus on these patterns because there is increasingly powerful evidence from several disciplines that indicates segregation is a fundamental source of built-in inequality of society and there are solid educational and social reasons to seek alternatives. Segregation is a self-perpetuating system in which inequality is transferred from each generation to the next. Victims of segregation often know they have been denied opportunities. Segregation grows out of separated communities and is transmitted in our schools. In a society where education is almost universally identified as an absolutely central key to personal and group progress, Black students have never had equal opportunity, and segregation is a central mechanism generating unequal outcomes. As segregation becomes worse, barriers are strengthened. It operates on such a vast scale, and over so many generations, that it often seems impossible to change.

As you look at the tables and charts showing trends, keep in mind the changing context of policy and law. The Immigration Act of 1965 began the transition of our largely White and Black society into a truly multiracial one. The one period of active coordinated desegregation efforts by the executive and judicial branches, with resources provided by Congress, was short and ended about 1970, though some of the momentum was sustained by the courts into the 1980s.

³² Strength in Diversity Act of 2020, H.R. 2639 (2020).

³³ Ibid.

³⁴ Samuel Sommers and Michael Norton, “White People Think Racism is Getting Worse. Against White People,” *Washington Post*, July 21, 2016.

Republican administrations were hostile to desegregation efforts, and neither the Clinton nor the Obama Administration had substantial initiatives for desegregation, except for a small effort at the very end of the Obama period. There were no substantial aid funds for school districts wishing to effectively manage racially diverse schools after the repeal of the major program to support successful desegregation efforts in 1981, the largest education program cancelled by the Reagan Administration. By the 1990s, the Supreme Court had reversed itself and segregation was increasing in all parts of the U.S. for both Blacks and Latinos. Education policy moved dramatically toward standards and test reforms, demanding that schools produce higher achievement on standardized tests for all groups, or face stringent sanctions. Greatly expanded testing produced massive evidence of racial inequalities in segregated schools but did not reduce them, and the remedies ignored segregation.

Most civil rights policies came out of the Southern experience and that of some big central cities a half century ago, when the U.S. population was more than 80% White, about one-eighth of students were Black, the Latino population was very small and the Asian population much smaller, often not even counted. Today our population is very different. The White birthrate has fallen below the reproduction levels of about a half century ago; consequently, the share of the White population and their school enrollment has sharply declined. Black enrollment, which had been soaring, grew in numbers but also eventually began to decline as a share of a growing overall enrollment and was surpassed by Latinos. The biggest story is that the Sunbelt became majority non-White in school enrollment and the South, the historic home of most Blacks, became a truly three-race region of Whites, Blacks and Latinos. Asians became a major presence in the West and some other immigrant destinations, and gradually spread across the nation.

The long, sustained decline in White enrollment was not due to flight from public schools, as private enrollments actually also fell and became somewhat more diverse. The decline of White enrollment has been due to the low fertility and aging of the White population. Immigration became overwhelmingly Latino and Asian, with a small but significant Black immigration from the Caribbean and Africa.

In the civil rights era, the general assumption was that Blacks were inheriting the cities and that its communities and schools would become almost all-Black. The 1968 Kerner Commission warned that we were becoming “two societies, separate and unequal.”³⁵ It seemed obvious that White growth would be almost all suburban in almost all-White suburbs. Though the predictions came true in some areas, the long-term pattern was very different. Though the Black share of total school enrollment has been relatively stable for a long time, White and Black shares of overall school enrollment have declined. A major non-White movement to the suburbs began in the 1970s. The changes recently happening in school composition are a good indicator of further changes that are coming. The children born this year will be the 30-year-olds of 2050 and the demographic changes will continue.

In the last decade covered in this report (2008-2018), our national population grew gradually, up 7.9%, but the White population was virtually unchanged (+.3%). The American Indian/Alaska

³⁵ National Advisory Commission on Civil Disorders, *Report*, Washington, Govt. Printing Office, 1968.

Native population increased by 8.1% and the Black population grew by 10%. The largest growth, however, came among Latinos, up 12.3 million or 25.9% and Asians, up 5.0 million or 35.8%. Those who reported two or more races grew 38.3% from a previously low base. Clearly the great Latino and Asian migrations after 1980 has had a huge and continuing impact on the population. In the 38 years between 1980 and 2018, the Latino population quadrupled (+305%) and the Asian population quintupled (+417%). The Latino increase was more than 45 million and the Asian population grew by roughly 15 million. The White population grew, but most of the increase took place before 1995, a quarter century ago.

In the most recent years, we have the lowest birth rates in modern history, and they are down for all racial groups. On average, each woman must have 2.1 children to sustain a steady population of a nation or a group. The birthrate fell to 1.7, the lowest since national data were first collected more than 110 years earlier.³⁶ Black birth rates, declining for a long time, fell to an all-time low in 2018, as did those of Whites and Latinos. Black births were well below the sustaining reproduction level, meaning that there were not enough to offset deaths over time, a pattern that since 2010 brought Black population growth down to a low level and would lead to their shrinking population.³⁷ We do not yet know the impact of the COVID-19 pandemic and the serious recession that came with it, but it is expected to result in reducing these very low birth rates lower still. Immigration has been the driving force of population gains, but immigration also slowed markedly in the Trump-coronavirus period. Although there is significant Black immigration from the Caribbean and Africa, it is small compared to the very large Latino and Asian immigrations.

³⁶ Janet Adamy, "U.S. Birthrates Fall to Record Low: Last year's data are another sign of how American childbearing, which began declining during the 2007-09 recession, never fully rebounded," *Wall Street Journal*, May 20, 2020.

³⁷ Joyce A. Martin, Brady E. Hamilton, and Michelle J.K. Osterman, *Births in the United States 2018*, NCHS Data Brief, No. 346, July 2019. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Health Statistics.

Table 1: U.S. Population (in millions), 2008-2018

Year	Total	White	Black	Latino	Asian	Pacific Islander	American Indian/ Alaska Native	Two or more races
2008	304,094	197,184	37,291	47,794	13,956	475	2,237	5,158
2009	306,772	197,275	37,657	49,327	14,361	488	2,252	5,411
2010	309,338	197,389	38,015	50,753	14,766	500	2,269	5,647
2011	311,719	197,498	38,393	51,954	15,247	510	2,289	5,828
2012	314,103	197,669	38,776	53,074	15,741	522	2,310	6,011
2013	316,235	197,693	39,144	54,143	16,206	533	2,331	6,185
2014	318,623	197,803	39,523	55,293	16,738	543	2,351	6,372
2015	321,040	197,844	39,909	56,505	17,297	555	2,369	6,561
2016	323,406	197,835	40,285	57,733	17,851	566	2,387	6,749
2017	325,719	197,803	40,652	58,947	18,399	577	2,403	6,938
2018	328,033	197,765	41,015	60,163	18,947	588	2,420	7,135
Change since 2008	23,939	582	3,724	12,370	4,991	113	182	1,977
% Change since 2008	7.9%	0.3%	10.0%	25.9%	35.8%	23.9%	8.1%	38.3%

Source: U.S. Bureau of the Census Current Population Reports, 2008-2018.

Relationship of Race & Poverty

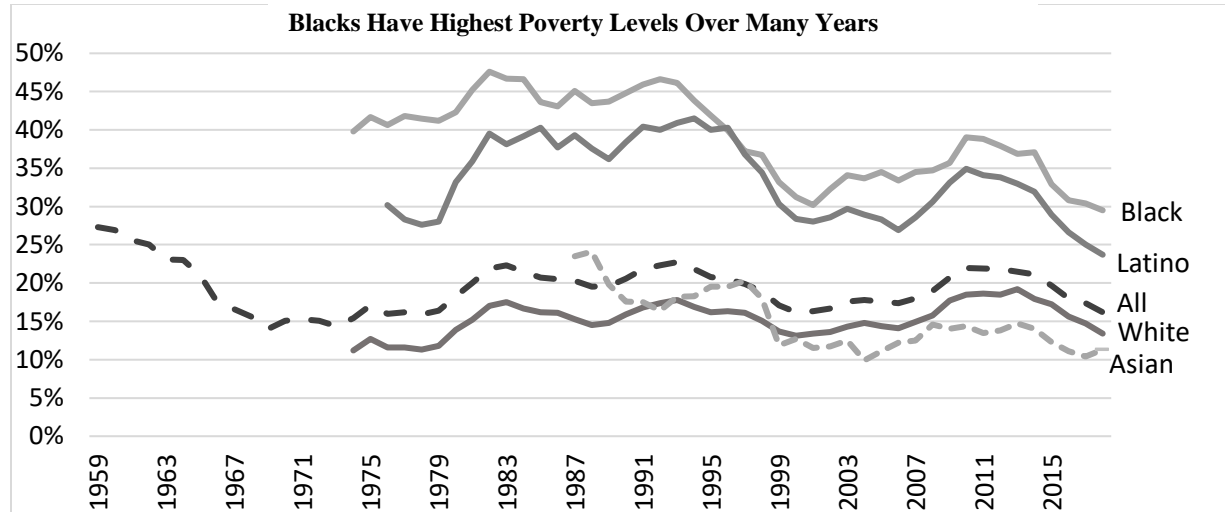
There has always been a wide gap between the poverty levels of Blacks and Whites. For the last two decades, Asians have had the lowest percent in poverty. The widest gaps before the Pandemic were during the Great Recession and its aftermath. There are very substantial recession impacts on all groups, but these are most dramatic for Blacks and Latinos. Both Blacks and Latinos made substantial progress during the steady economic expansion taking hold in the second Obama term and continuing until the Pandemic under Trump. Economic cycles have more dramatic impacts on Blacks and Latinos, reflecting their contingent status in the labor markets.

The states with the highest poverty levels for Black families have been the same since 2008, four of them relatively low-income states in the Deep South: Mississippi, Louisiana, Georgia and Alabama. The exception is Maryland, which is not a low-income state and a large part of the population is located in the Washington suburban ring, but Maryland has a very poor Black population.

The basic story is that Black households are much more likely to be poor and to face a bad downturn in one of our periodic recessions. Poverty is directly related to many factors that inhibit learning, such as food inadequacy, developmental disabilities, inadequate and unstable housing, lack of a place to do homework, books, school supplies, computers, and internet connections, untreated health conditions, family instability, mental illness, and others. Black families are consistently the poorest, though, of course, as the following chart (Figure 1) illustrates, the majority of Blacks are not poor. Poverty is definitely related to race, but poverty

and race are not the same. (Other peer nations define poverty differently including all below about half of average income, much closer to the level set for free lunch in U.S. schools. By that standard, 71% of Black children are poor compared to about a third of Whites.)

Figure 1: U.S. Percent Poverty by Race/Ethnicity



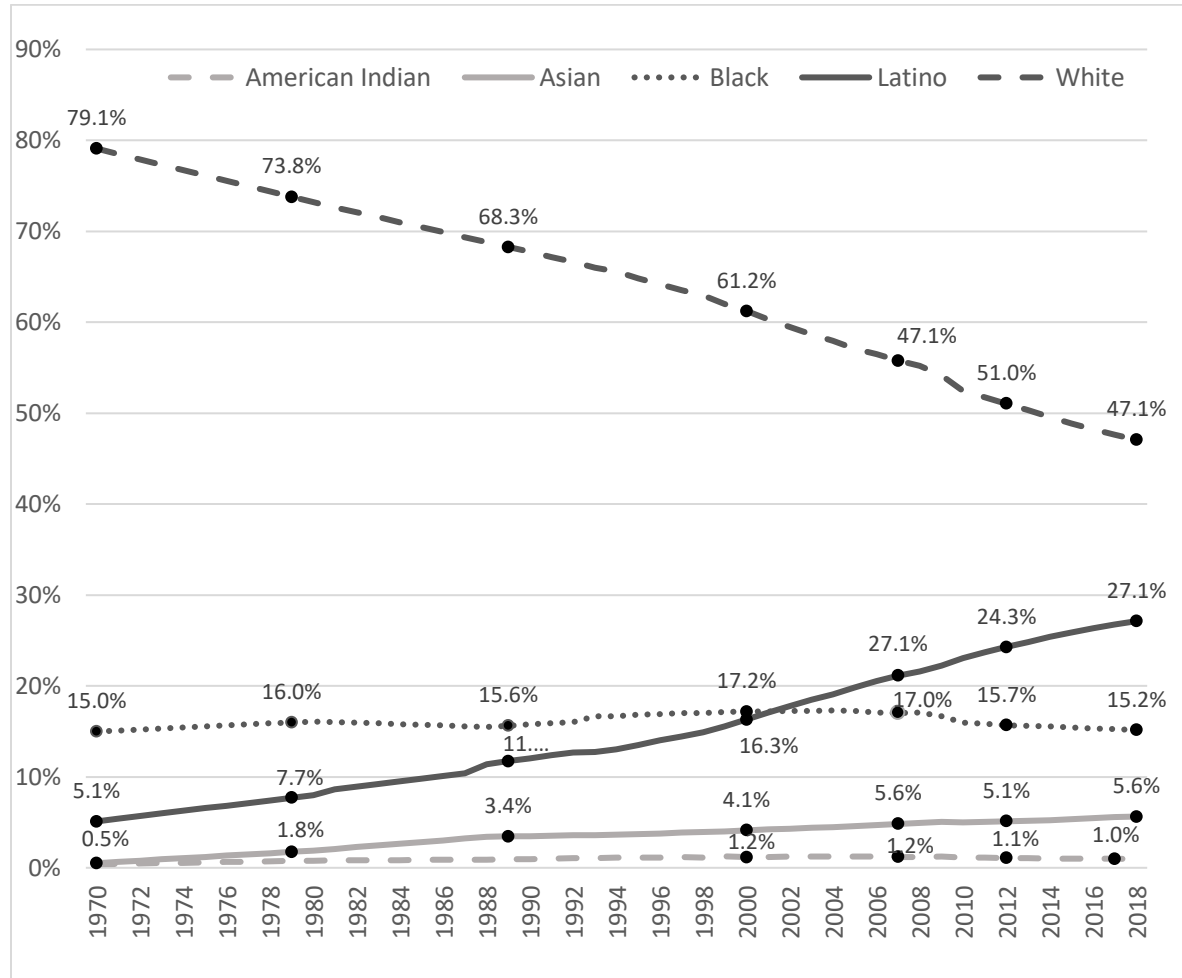
Source: U.S. Bureau of the Census, Current Population Survey, Annual Social and Economic Supplements (www2.census.gov/programs-surveys/cps/techdocs/cpsmar19.pdf).

STUDY FINDINGS

The Changing Racial Composition of U.S. Public Schools, 1992-2018

School populations have changed much more and much faster than the overall population, but overall growth in the student population has stalled. Blacks had been the largest non-White population throughout U.S. history until recently. The Black percentage of total school enrollment was quite constant from 1992 to 2002 but has since gradually declined. The basic picture is a very long, constant decline in the White share of American students, from about two thirds to less than half, and has been accompanied by a very long, continuous growth of the Latino share, from about an eighth to more than a fourth of the national total. The Asian share is much lower but has consistently grown and become very substantial in the West; it has increased significantly but is only about a twentieth of the national total. Since Latino students have poverty levels and academic levels much like those of Blacks, the sharp growth of Latinos and their concentration in many of the same school districts as Black students have created two large, disadvantaged groups who often share the same schools and communities as well as similar levels of isolation from White and middle-class students. In the nation's central cities, Latinos have overtaken Blacks as the largest group.

Figure 2: U.S. School Enrollment by Race/Ethnicity, 1970-2018



Source: U.S. Department of Education, NCES Common Core of Data, State Non-Fiscal Survey of Public Elementary and Secondary Education, 1992-2018. Data for years prior were obtained from the analysis of the Office of Civil Rights data in Orfield, G. (1983). *Public School Desegregation in the United States, 1968-1980*. Washington, D.C.: Joint Center for Political Studies.

The two largest regions, the South and the West, have the most growth of student enrollment. Over the last two decades, enrollment in the South grew to a third (33.8%) of national enrollment, and the West has gone from about a fifth (20%) to nearly a fourth (23.7%) of national enrollment. The historic centers of population, the Northeast and Midwest, have slowly declining shares of national enrollment.

Table 2: Share (percent) of Public School Enrollment in U.S. Regions, 1998, 2008, 2018

State	1998	2008	2018
South	30.5	32.3	33.8
Border	7.5	7.3	7.3
Northeast	17.5	16.5	15.6
Midwest	21.1	19.9	18.9
West	22.7	23.3	23.7

Note: Border states include Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia
 Source: U.S. Department of Education, NCES Common Core of Data, State Non-Fiscal Survey of Public Elementary/Secondary Education Survey Data, 1998-99, 2008-09, 2018-19.

The civil rights struggle often was about ending exclusion and gaining access to the resources and institutions in the White community. Now those White communities are shrinking, and others are growing, creating a much more complicated setting. There were substantial declines in the percent of White enrollment in all regions from 2000-2018. Years ago, critics often claimed that such declines were White flight from desegregation, but there are very few desegregation plans of any sort remaining since the Supreme Court authorized its dismantling in 1991. The basic reality regarding the decline of White enrollment has been the aging of the White population and very low birth rates. The White enrollment in the South is down to 40% and the West has only 37% Whites in schools. This declining trend is continuing. The percentage of Black students is substantial but has declined at least modestly in all regions as other groups have grown more rapidly. Both the South and the West became majority non-White more than a decade ago. In all regions the percent Latino has climbed substantially, and in the West, it is larger than the percent White. In the South, the historic homeland of the majority of the nation's Black population, Latino enrollment has surpassed Black enrollment in the last decade, making the region a truly three-race region with a declining White minority. The Black share in the West fell to 4.8% in 2018, far less than the share of Asian students. Understanding the patterns of exclusion and access has become more complicated.

Table 3: Percent Public School Enrollment by Race/Ethnicity & U.S. Region, 2000, 2008, 2018

		South	Border	Northeast	Midwest	West
2000	% White	53.6	71.1	67.4	76.2	50.5
	% Black	27.5	20.5	15.4	14.5	6.6
	% Latino	16.5	3.3	12.4	6.0	33.0
	% Asian	2.1	1.9	4.4	2.3	7.8
	% American Indian	.4	3.2	.3	.9	2.1
		South	Border	Northeast	Midwest	West
2008	% White	47.5	66.2	62.8	71.6	43.6
	% Black	26.4	20.9	15.3	14.9	6.3
	% Latino	22.7	6.4	15.8	9.4	39.7
	% Asian	2.9	2.7	5.8	3.0	8.3
	% American Indian	.5	3.8	.3	1.0	2.0
		South	Border	Northeast	Midwest	West
2018	% White	40.1	58.0%	52.9	63.7	37.1
	% Black	23.3	18.7	14.0	13.5	4.8
	% Latino	29.1	12.0	22.1	13.6	43.5
	% Asian	3.7	3.3	7.5	3.9	8.5
	% American Indian	.4	2.7	.4	.8	1.5

Note: Border states include Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia
Source: U.S. Department of Education, NCES Common Core of Data State Nonfiscal Public Elementary/Secondary Survey Data, 2000-01, 2008-09, 2018-19.

The Midwest is the region with the largest proportion of White students, but its enrollment is in decline. The West, where Black migration was relatively small and late, has, by far, the smallest share of Black students (4.8%), and the largest proportions of Latinos (43.5%) and Asians (8.5%), both with deep historic roots in the region. The West has the smallest share of White

students (37.1%), a little over a third. Blacks remain a very substantial but gradually declining share of student enrollments in most of the country, except the West, but they are now sharing metropolitan areas with rapidly growing shares of Latinos and Asians.

The South deserves special attention as the historic center of Black America and the region with the highest share of Black students. The region, consisting of the eleven states that left the Union in the Civil War, stretching from Texas to Virginia, has grown substantially overall with the strongest growth in Texas, Florida and Georgia, followed by South Carolina and Virginia. The laggards are the poorest states: Mississippi and Alabama, which are shrinking in enrollment, followed by Arkansas and Tennessee.

Table 4: Percent Public School Enrollment of Latino Students in Southern States, 2000-18

	2000	2008	2018	Numerical Change in Enrollment 2008-2018	Percent Change in Enrollment 2008-2018
Alabama	1.3	3.9	8.4	(3,283)	-0.4
Arkansas	3.6	8.6	13.2	16,326	3.4
Florida	19.4	26.1	33.9	317,229	12.5
Georgia	4.8	10.4	16.1	165,067	10.3
Louisiana	1.4	2.9	7.4	26,910	3.9
Mississippi	0.8	2.1	4.0	(20,637)	-4.2
North Carolina	4.4	10.6	18.0	65,049	4.4
South Carolina	1.9	5.5	10.0	66,316	9.3
Tennessee	1.8	5.2	10.8	35,682	3.7
Texas	40.6	47.9	52.5	681,323	14.3
Virginia	4.9	9.2	16.2	88,158	7.3

Source: U.S. Department of Education, NCES Common Core of Data State Nonfiscal Public Elementary/Secondary Survey Data, 2000-01, 2008-09, 2018-19.

The South has always educated the largest share of Black students, and Blacks made up about a fourth of the enrollment for the 25 years from 1990 to 2015, recently dropping slightly. The Border states, the six slave states from Oklahoma to Delaware that stayed in the Union but had segregation by law until the civil rights era, consistently had about a fifth Black students, but that also declined slightly recently. The Northeast has long been about one-sixth Black students but is now down to one-seventh. There has been a significant decline of Black students in the Midwest, from a high of 15% to 13.5%. Fifteen years ago, Black enrollment in the West, the large area combining the Rocky Mountain and Pacific states, reached a high point close to 7% but is now below 5%. The Black proportion in the Southern and Border states is 4 to 5 times higher than in the West.

The changes in racial proportions, of course, have an impact on what kind of racial integration in schools is feasible in various parts of the country. As the White share falls substantially, fewer schools can be desegregated and will have substantially lower proportions of Whites, which may impact whether or not the diversity will last. As we move from two-race strategies to multiracial

concepts, obviously the relationships will become more complex. The changing proportions of community populations must be included in policy and legal analysis. The clear impacts of the demographic trends are that Black students are less likely to be in all Black settings, and more likely to be in communities and schools with significant Latino enrollments and higher shares of students in poverty. In the civil rights era, the best schools were in the higher income White areas, and desegregation was intended to open up the stronger opportunities in White communities to historically excluded groups. Now, depending on the region, the best schools, in terms of test scores, often have mostly White and Asian middle-class students.

Table 5: Percent Public School Enrollment of Black Students by Region, 1990-2018

Region	1990	1995	2005	2010	2015	2018
South	26.1	27.4	26.8	24.7	23.9	23.3
Border	19.2	19.4	21.2	19.9	19.0	18.7
Northeast	15.1	15.2	15.6	14.8	14.3	13.7
Midwest	13.2	13.5	15.0	13.9	13.6	13.5
West	6.4	6.5	6.5	5.6	5.0	4.8

Note: Border states include Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia
 Source: U.S. Department of Education, NCES Common Core of Data State Nonfiscal Public Elementary/Secondary Survey Data, 1990-91, 1995-96, 2005-2006, 2010-2011, 2015-2016, 2018-2019.

Changes in Enrollment by Community Type

America is a metropolitan society dominated by suburbs surrounding older central cities that have been shrinking as a share of the nation’s population for a half century but are still very important; some have significant sectors being revived economically by gentrification. In their school districts, most of the major central cities have had majorities of students of color since the 1970s. Cities, of course, vary widely in their history. The historically dominant cities of the East and the Midwest developed as high-density industrial cities, often within boundaries of the pre-automobile age. Some of these cities, including Chicago, Detroit, Cleveland, and Philadelphia, were major destinations for the great migrations of Blacks from the South beginning around World War I and continuing into the 1970s. These cities developed extreme forms of residential segregation, often supported by legally enforceable “covenants” written into property deeds. The cities that developed after the auto age tended to have larger boundaries and some of them, especially in the South, had countywide school districts. The cities of the Southwest tended to be larger and have significant Latino as well as Black residents. A handful of cities, including San Francisco, New York, and Los Angeles had a history of Asian settlement before immigration from Asia surged following the 1965 immigration reform, which took down the anti-Asian restrictions. Cities in the seventeen states with a history of segregation laws that were in place until after the *Brown* decision, had racially separate school systems and faced long struggles over desegregation and implemented court-ordered plans, most of which ended in the 1990s. Some cities had very strong anchor institutions, such as major universities and medical centers, that played large roles in desegregation. Others did not. As the business structure changed and the South adopted anti-union “right to work” laws, population growth surged in those areas as industries moved for cheaper labor and lower taxes. In all regions, cities with significant Black populations tended to have serious segregation of Blacks. In some regions, Latinos, American Indians, and Asians were also segregated by policy or practice at various periods.

When the racial composition and segregation of city schools became very important issues in the 1970s, almost all of the central cities of the South, and a number of those in the North and West, experienced desegregation orders and plans, almost always forced by court orders or enforcement of the 1964 Civil Rights Act. Typically, in the areas with a history of segregation by law, the cities implemented plans to redistribute students and faculty to create racially diverse schools. Outside the South, the Supreme Court only clarified the law in 1973 and almost immediately limited the remedies in 1974. The Supreme Court required that to get a desegregation order it was necessary to prove that schools and other authorities had systematically discriminated in ways that produced segregation. In almost all the major lawsuits, the plaintiffs succeeded in proving local guilt. In many of those cases, however, the plan was only implemented after the district had become majority non-White and the suburbs were excluded from the remedies, locking in the segregation of city schools.

The dominant urban pattern fifty years ago was simply replacement of Whites by Black students in central city school districts as places like Detroit, Philadelphia, Newark, Washington, Atlanta and many others became overwhelmingly Black. That was a period in which the Black birth rate was far higher, and a major immigration of Latinos had not yet occurred. In the 2018-19 school year, however, this current data shows that central cities' school districts in large metro areas have, in fact, not lost all their White students in the last half century. They have had about a fifth White students, and this has been relatively stable over the 12-year period from 2006-2018. The suburbs, however, have experienced a notable decline in the White share of students in their suburban rings, falling from 57% to 45% from 2006-2018, as the suburban rings of large metros have become predominantly non-White. The Latino growth has been notable in both central cities and suburbs of these largest metros. In 2006, the Latino share in the central cities was about a third larger than the Black share, but now there are close to twice as high a share of Latinos compared to Blacks (43% compared to 25%). The Central cities, on average, are truly multiracial, with about a twelfth Asian students adding to the mix. If these trends continue, the central city districts, which now have a substantial plurality of Latinos, will become majority Latino. In 2018, the suburbs of the largest metros were also highly multiracial, with a substantial but declining White share and growing Latino and Asian share. Policies have lagged changing realities. For Black students, it is clear that the central city districts will likely not be concentrated Black institutions in the future, as once expected, but multiracial and very poor districts. There is likely to be significant contact between Blacks and Latinos in the same schools. In contrast, suburbs of large metros, though also predominantly non-White, still have a very significant White presence. Often, of course, the overall diversity is not lasting integration but part of a process of spreading suburban segregation as resegregation takes hold.

There is substantial variation among smaller metropolitan areas, non-metropolitan towns and rural areas, though all are becoming less White over time. The communities with the highest proportion of White students are the suburbs of small metros, towns and rural areas. Each of those community types, however, has had a significant decline in the percent of White students in the last twelve years, and Blacks have about a tenth of the total enrollments. These are places where integration is often more feasible because the proportion of Whites is much higher and there are not large geographic areas dominated by a single racial group. In each of these metro types there is a substantial growth in the share of students who are Latino, typically about twice the Black proportion as national Latino enrollments grow.

Table 6: Percent Race/Ethnicity Public School Enrollment by Community Type, 2006 & 2018

Large Metro	Central City		Suburb	
	2006	2018	2006	2018
White	22	20	57	45
Black	31	25	15	14
Latino	39	43	21	28
Asian	8	8	6	8
American Indian	1	<1	1	<1
Midsize Metro	Central City		Suburb	
	2006	2018	2006	2018
White	37	31	69	57
Black	29	24	10	10
Latino	27	34	17	23
Asian	6	6	4	4
American Indian	1	<1	1	<1
Small Metro	Central City		Suburb	
	2006	2018	2006	2018
White	52	44	70	61
Black	19	17	10	8
Latino	22	26	16	22
Asian	6	7	4	4
American Indian	1	<1	1	<1
Towns & Rural Areas	Town		Rural	
	2006	2018	2006	2018
White	70	62	76	66
Black	11	10	10	9
Latino	15	21	10	15
Asian	2	2	2	2
American Indian	2	2	2	2

Note: Large, midsize, and small metros refer to areas with populations of 250,000 or more, less than 250,000 but greater than or equal to 100,000, and less than 100,000, respectively. A central city refers to a territory inside an urbanized area and inside a principal city. A suburb refers to a territory outside a principal city but inside an urbanized area. Towns refer to territories inside an urban cluster. Rural areas refer to territories outside an urban cluster.³⁸

Source: U.S. Department of Education, NCES CCD, Public Elementary/Secondary School Universe Survey Data, 2006-07 and 2018-19.

By 2018, there were 14 states with non-White enrollment majorities, with New York and New Jersey among those recently added. The list includes the four largest states in the U.S., California, Texas, Florida and New York. Fifty-seven percent of underrepresented minority students (URM=Black+Latino+American Indian) and 40% of Latinos go to school in these heavily non-White states. Blacks make up 16% of the total enrollment of these states, compared to 40% for Latinos. The growing number of such states raises questions about strategies for desegregation in these changing contexts.

³⁸More details can be found at:

https://nces.ed.gov/programs/edge/docs/EDGE_GEOCODE_PUBLIC_FILEDOC.pdf

Table 7: Public School Enrollment in Majority Non-White States by Race/Ethnicity, 2018

	Total Enrollment	% White	% Black	% Latino	% Asian	% American Indian	% B/L/AI
Arizona	1,141,201	38	5	46	3	4.5	56
California	6,186,278	23	5	55	12	0.5	60
Delaware	138,405	44	30	18	4	0.4	48
Florida	2,846,444	37	22	34	3	0.3	56
Georgia	1,767,202	39	37	16	4	0.2	53
Hawaii	181,278	12	2	15	56	0.2	17
Louisiana	711,783	44	43	7	2	0.6	51
Maryland	896,827	37	34	18	7	0.3	52
Mississippi	471,298	44	48	4	1	0.2	52
Nevada	498,614	32	11	43	7	0.9	55
New Jersey	1,400,069	43	15	29	10	0.1	45
New Mexico	333,537	23	2	62	1	9.9	74
New York	2,700,833	43	17	27	10	0.7	45
Texas	5,433,471	27	13	53	5	0.4	66
Numerical Total	24,707,240	8,008,963	3,971,312	9,853,285	1,831,519	182,210	14,006,807
Percent of Total		32%	16%	40%	7%	1%	57%

Note: B/L/AI indicates Black/Latino/American Indian

Source: U.S. Department of Education, NCES Common Core of Data, State Non-Fiscal Survey of Public Elementary/Secondary Education Survey Data, 2018-19.

Changes in Poverty

Poverty, like race, is strongly related to different educational opportunities and outcomes. Students of color are disproportionately poor and schools that are segregated by race usually also have concentrated poverty. This is double segregation—separation from Whites and segregation from middle class schools. This dual segregation is a major reason why segregated education matters for opportunity.³⁹ But poverty and race are not proxies, and there is considerable variation in economic status within all racial groups, regardless of the different overall averages. There are poor Whites in middle class schools and many middle-class Blacks in high poverty schools. Unfortunately for research, the traditional poverty statistics on school level poverty have been disrupted by a change in free lunch policy. In educational research, poverty has traditionally been defined by using the statistics for free and reduced-price lunch, which required the schools to document family incomes. It was decided in 2010 (with the passage of the Healthy, Hunger-Free Kids Act of 2010), that in schools with high poverty levels it makes more administrative and social sense to have universal free lunch rather than divide the children and have to do all the accounting and checking built into a two-level system. That means that free lunch can be offered to all children in schools with 40% or more children eligible for free lunch, under the Community Eligibility Provision (CEP). In those schools that participate, poverty defined by free lunch statistics looks considerably higher on average than it actually is and the actual level cannot be discerned from the federal data. Though it makes sense for the schools

³⁹ Gary Orfield and Chungmei Lee, *Why Segregation Matters: Poverty and Educational Inequality*, Cambridge: Harvard Civil Rights Project, 2005.

and the Agriculture Department, it limits researchers in studying the effect of school poverty. Implemented between 2011-2014, it allows high-poverty schools to provide meals to all students in a school, with no need to sort out the children. This also eliminates the embarrassment children sometimes feel or the unwillingness of some parents to file applications. Since its implementation, the percentage of students reported to be eligible for free/reduced price lunch increased from 47.5% in 2009 to 52.6% in 2018, more than twice the increase in the previous decade.⁴⁰ Since it is important to know how race and poverty are related, we have examined the relationship in all the schools that did not participate in the CEP program and the relationship is strong. Since, however, the CEP program schools include many of the highest non-White and highest poverty regions, it is likely that the overall relationship would be substantially stronger if full data were available, as it was before this policy.⁴¹ The following table shows that the highest correlations are not between the percent Black in a school and poverty, but between the percent of Black plus Latino students in a school and the poverty level. This is unsurprising since a school with 40% Black students and no other disadvantaged non-White group is quite different than a 40% Black, 30% Latino school, as an example.

Table 8: Correlation Between Poverty and Percent Composition of Race/Ethnicity in Non-CEP Schools

	Poverty
% White	-0.42
% Asian	-0.19
% Black	0.29
% Latino	0.40
% American Indian	0.09
% White or Asian	-0.51
% Black or Latino or American Indian	0.51

Source: Common Core of Data Nonfiscal School Public Elementary/Secondary School Universe Survey Data School Characteristics, 2018-19.

It is difficult to compare segregation by poverty over time because before the Agriculture Department changed the rules with the CEP policy, we had an account of free lunch status at the individual level in all schools. Afterward, all students in CEP schools now receive free lunch, inflating the numbers and the apparent poverty level. Black students in both CEP and non-CEP schools attended schools with about two-thirds poor students in 2018, a period of declining poverty in a good job market. White and Asian students who were mostly in non-CEP schools had solid middle-class majorities among their classmates.

⁴⁰ U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), "Public Elementary/Secondary School Universe Survey," 2000-01, 2010-11, 2016-17, and 2017-18.

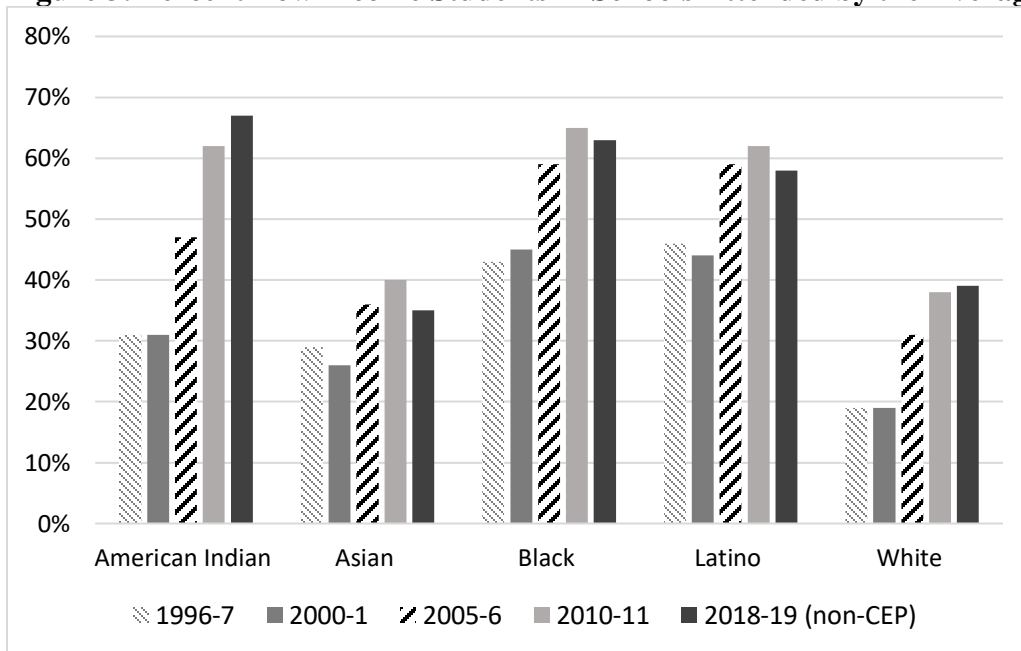
⁴¹ In various studies we often found correlations of .70 or considerably higher. A study of metro Boston showed: Of the many schools that were 90-100 percent White, 73 percent had 10 percent or fewer low-income students. Almost all (97 percent) of the intensely segregated black and Latino schools—those with 90 percent or more black and Latino students—had majorities of poor students. Only one percent of intensely segregated White schools, those 90-100 percent White, had a majority of students in poverty. The correlation between percent black and Latino enrollment and percent poor is very strong ($r=.85$).

Table 9: Percent Low-Income in Schools Attended by the Average Student by Race & Year

	Black Student	White Student	Latino Student	Asian Student	American Indian Student
1996-7	43	19	46	29	31
2000-1	45	19	44	26	31
2005-6	59	31	59	36	47
2010-11	65	38	62	40	62
2018-19 (with CEP)	69	47	65	45	72
2018-19 (non-CEP)	63	39	58	35	67

Source: NCES Common Core of Data Nonfiscal School Public Elementary/Secondary School Universe Survey Data 2018-19 2010-11. Data for 1996-97, 2000-01 obtained from Orfield, G. & Lee, C. (2007). *Historic Reversals, Accelerating Resegregation, and the Need for New Integration Strategies*.

Figure 3: Percent Low-income Students in Schools Attended by the Average Student, 1996-2019



Source: NCES Common Core of Data Nonfiscal School Public Elementary/Secondary School Universe Survey Data 2018-19, 2010-11. Data for 1996-97, 2000-01 obtained from Orfield, G. & Lee, C. (2007). *Historic Reversals, Accelerating Resegregation, and the Need for New Integration Strategies*.

The most important point to understand from this data and previous studies is that Black students typically face double isolation by both race and class in schools where students do not gain experience in understanding and successfully navigating those important boundaries. Middle class schools have networks, contacts and resources that schools of low-income children rarely have.

Changing Pattern of Segregation for Black Students

At the peak of desegregation in 1988, more than a third of Black students (37%) attended schools that had a majority of White students, and in the South, it was 43% in majority White schools. In 2018, it was down to 19% nationally, 18% in the South and only 14% in the West.

Table 10: Percent Black Students in Majority White Schools, 1991-2018

Region	1991	2001	2005	2010	2018
South	40.0	30.3	28.1	23.5	18.3
Border	40.8	32.3	30.4	27.0	20.6
Northeast	24.8	21.6	21.6	20.7	17.6
Midwest	30.5	27.2	27.9	26.5	24.7
West	30.9	24.2	22.9	18.8	13.6
US	34.5	28.1	26.8	23.5	19.1

Note: Border states include Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia
 Source: NCES Common Core of Data State Nonfiscal Public Elementary/Secondary School Universe Survey Data, 1991-92, 2001-02, 2005-06, 2010-2011, 2018-19.

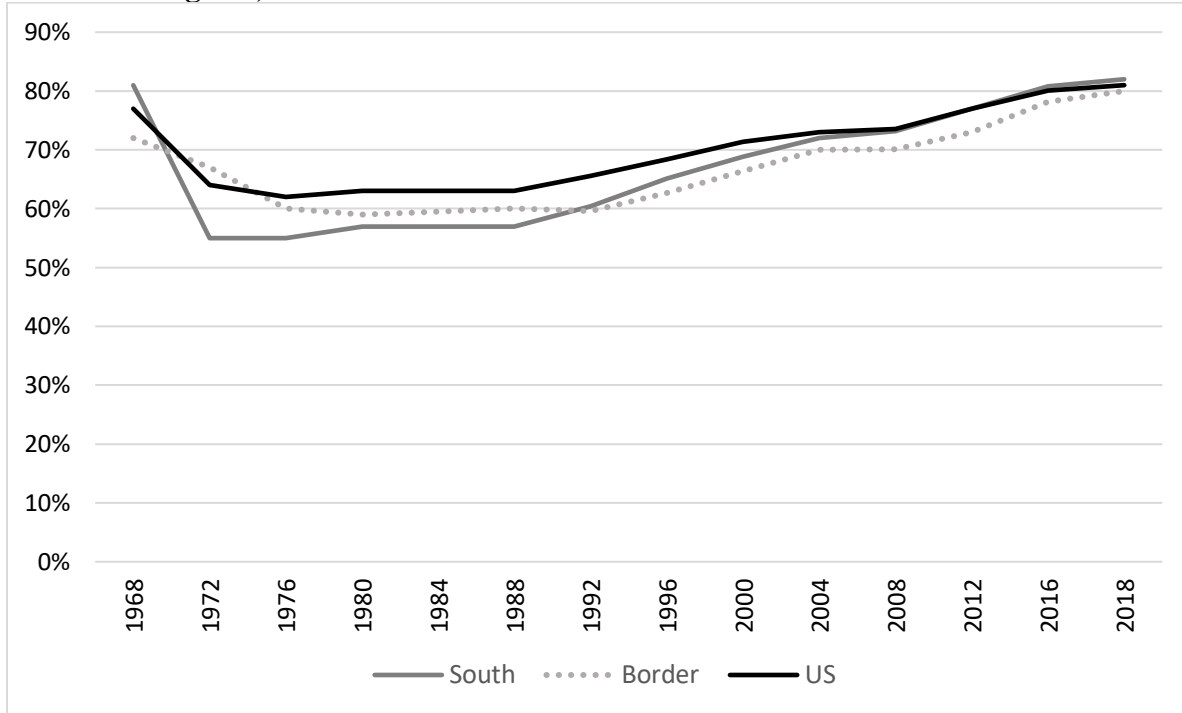
During the civil rights era there was major progress in reducing the percentage of Black students in schools that were 90-100% non-White. This percentage fell very sharply from 78% to 24% in the Southern states and from 60% to 35% in the Border states. Except for the Northeast, where there never was serious desegregation, all regions are still somewhat better than in 1968 on this measure. Some critics claim that things are worse today than they were at the time of the *Brown* decision. Although we have gone backwards since 1990, this is far from true. Before *Brown* there were seventeen states, home to a large majority of Black students, which were absolutely segregated. Back then, less than a fourth of Blacks had graduated from high school; now about nine-tenths of Black students are graduating. So, while it is very important to be deeply concerned about reversals, it is also important to keep this in perspective. Black students in the South are still far less segregated than they were in 1968, but far more segregated than they were at the high point of desegregation in the 1980s. Great progress was made in the 60s and 70s, although most of it has been lost. Looking at change over more than a quarter century, from 1991, when the Supreme Court authorized terminating desegregation plans, to 2018, we see that Black students, on average, end up in a school that has about a fourth fewer Whites, almost a third less Blacks than in 1988, and more than double the Latino share. Latino classmates have, on average, increased from a sixth of the number of fellow Blacks to half as many.

Table 11: Percentage of All Black Students in Predominantly (>50%) Non-White Schools by Region, 1968-2018

Region	1968	1972	1976	1980	1988	1991	2005	2018
South	81	55	55	57	57	60	72	82
Border	72	67	60	59	60	59	70	80
Northeast	67	70	72	80	77	75	78	82
Midwest	77	75	70	70	70	70	72	75
West	72	68	67	67	67	69	77	86
US	77	64	62	63	63	66	73	81

Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey 1991-92, 2005-06, 2018-19. Data for 1968, 1972, 1976, 1980 were obtained from the analysis of the U.S. Department of Education office for Civil Rights data in Orfield, G. (1983).

Figure 4: Trend of Black Students in Predominantly Non-White Schools in the U.S., South & Border Regions, 1968-2018



Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey 1991-92, 2005-06, 2018-19. Data for 1968, 1972, 1976, 1980 were obtained from the analysis of the U.S. Department of Education office for Civil Rights data in Orfield, G. (1983).

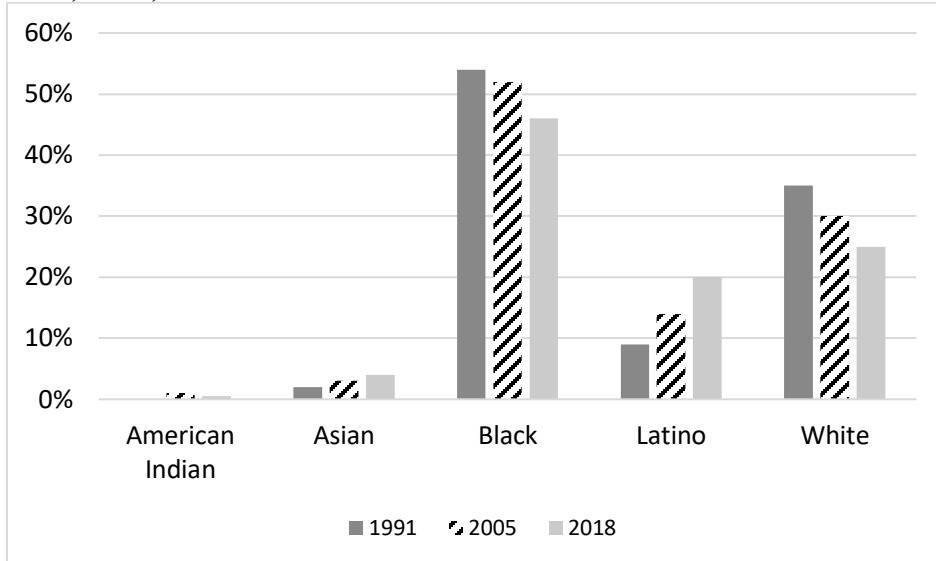
Table 12: Percentage Black Students in Intensely Segregated (90-100%) Non-White Schools by Region, 1968-2018

Region	1968	1980	1988	2001	2006	2011	2016	2018
South	77.8	23.0	24.0	31.0	32.9	34.2	36.4	37.0
Border	60.2	37.0	34.5	41.6	42.0	40.9	42.2	42.1
Northeast	42.7	48.7	48.0	51.2	50.8	50.8	51.5	51.5
Midwest	58.0	43.6	41.8	46.8	45.8	43.1	42.0	40.7
West	50.8	33.7	28.6	30.0	30.1	34.0	37.7	38.2
US Total	64.3	33.2	32.1	37.4	38.5	38.8	40.1	40.1

Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey, 2018-19. Data for 1968 and 1980 were obtained from the analysis of the U.S. Department of Education office for Civil Rights data in Orfield, G. (1983). *Public School Desegregation in the United States*. Data for 1988-89 were obtained from the analysis of NCES Common Core of Data in Frankenberg, E., Ee, J., Ayscue, J., and Orfield, G. (2019). *Harming our Common Future: America's Segregated Schools 65 Years after Brown*.

Black students now attend schools that are more than half Latino. In other words, Blacks are the second largest non-White group in their school. Resegregation is increasing their separation from White and middle-class students, not increasing their shares of Black classmates. That share has consistently dropped over time. During the Black Power period beginning in the late 1960s, Black control was posed as the alternative to desegregation and very little was said about concentrated poverty or its impact. The reality is that in the absence of desegregation, the declining contact with Whites has been replaced by growing contact with Latinos, an issue that has received little educational or civil rights research or policy creation. Often this comes in the form of low-income Latinos moving into traditionally Black areas.

Figure 5: Change in Racial Composition of Schools Attended by Average Black Student, 1990, 2005, 2018



Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey, 2018-19. Data for 1990-91 and 2005-06 obtained from the analysis of NCES Common Core of Data in Orfield, G. & Lee, C. (2007). *Historic Reversals, Accelerating Resegregation, and the Need for New Integration Strategies*.

The Civil Rights Project has been monitoring the list of most segregated states for Black students throughout our history. On the 60th anniversary of *Brown* in 2014, we issued a series of major reports including a study of segregation in New York state, which found New York to be the most segregated state in the nation for Black students though it has only one-sixth Black students. Looking at data eight years later, this 2020 report reaches the same conclusion on most measures. New York Blacks have the smallest share of White classmates. Two-thirds (64%) of Black students attend intensely segregated 90-100% non-White schools (Table 13). The other most segregated states on our various measures are California, Illinois, Maryland, Texas, and New Jersey (Table 14). At the peak of school desegregation, there were no Southern or Border states near the top of the list. We now see Maryland, Texas, Mississippi and Georgia near the top.

Table 13: Top 10 Most Segregated States for Black Students, 2018-19

	Black Students in Schools that are >50% Minority	State Percent of Black Students		Black Students in Schools that are >90% Minority	State Percent of Black Students
California	95	5	New York	64	16
Nevada	94	11	Illinois	57	17
Texas	91	13	Maryland	53	33
Maryland	91	33	California	51	5
New York	90	16	New Jersey	51	15
Illinois	87	17	Michigan	48	17
Florida	85	22	Georgia	47	37
Georgia	84	37	Pennsylvania	46	15
Connecticut	84	13	Wisconsin	45	9
New Jersey	83	15	Tennessee	45	22

Notes: Minority includes all races with the exception of White. District of Columbia was not counted as a state, though the district has the highest rates of Black students attending schools that are greater than 50%, 90% and 99%. Hawaii and Alaska are not included. Results exclude states that have less than 5% enrollment of Black students.

Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey, 2018-19.

Table 14: Top 10 Most Segregated States for Black Students on Exposure Measures, 2018-19

	State Percentage of White Students	Exposure of Black to White Students		Exposure of Black to Black Students		Exposure of Black to B/L/AI Students
New York	43	15	Mississippi	69	New York	76
California	23	16	Louisiana	64	Illinois	76
Maryland	37	18	Michigan	62	Maryland	74
Illinois	48	18	Alabama	61	Mississippi	73
Texas	28	20	Georgia	59	Texas	72
New Jersey	43	21	Illinois	57	Georgia	72
Nevada	32	21	Tennessee	57	New Jersey	72
Georgia	39	22	Maryland	57	Louisiana	71
Florida	38	24	Missouri	56	Florida	70
Mississippi	44	25	Ohio	55	Tennessee	69

Notes: "Exposure" measures the extent of contact between different groups of students. Further explanation is found in the technical notes at the end of the report. B/L/AI indicates Black or Latino or American Indian. Results exclude states that have less than 5% enrollment of Black students. Hawaii and Alaska are not included.

Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey, 2018-19.

The list of the most integrated (or least segregated) states for Black students include states with relatively small populations of Blacks, and states where desegregation policies and plans have had some lasting impact even after the court orders were dropped. Iowa and Nebraska have Black enrollments well below 10%. Minnesota has only 11% Black students and a modest exchange program in its major metro. Kentucky has Black enrollment slightly over 10% but has a serious integration effort in its largest metro, Louisville-Jefferson County, which has substantial Black enrollment. Delaware experienced a sweeping court order that combined all

the districts in its only large metro, Wilmington-New Castle County, and split the metro into four pie-shaped districts, each containing part of the central city. Though the desegregation order was dropped back in the 1990s, the reorganization and the desegregation experience produced significant lasting desegregation, even after considerable resegregation, though the state had more than 30% Black students.⁴²

Table 15: Top 10 Most Integrated States for Black Students, 2018-19

% Black in Majority White Schools		% Black in 90-100% Minority Schools		Black Exposure to White Students	
Iowa	58	Iowa	2	Iowa	54
Kentucky	45	Nebraska	7	Kentucky	47
Kansas	41	Kentucky	7	Kansas	42
Minnesota	37	Kansas	10	Nebraska	40
Nebraska	32	Delaware	14	Minnesota	38
Delaware	31	Oklahoma	16	Delaware	35
Missouri	30	Virginia	18	South Carolina	35
Alabama	29	South Carolina	19	Oklahoma	33
Massachusetts	28	Minnesota	23	Rhode Island	32
Indiana	27	North Carolina	24	Virginia	32

Notes: Results exclude states that have less than 5% enrollment of Black students. Hawaii and Alaska are not included. Minority group is comprised of all races but White.

Source: NCES Common Core of Data, State Nonfiscal Public Elementary/Secondary Education Survey, 2018-19.

⁴² National Center for Education Statistics, *Digest of Education Statistics*, table 203.70, 2019; Arielle Niemeyer, with Jennifer Ayscue, John Kuscera, Gary Orfield, and Genevieve Siegel-Hawley, *Courts, the Legislature and Delaware's Resegregation: A Report on School Segregation in Delaware, 1989-2010*, Los Angeles: UCLA Civil Rights Project, 2014

Table 16: Exposure of Black Students to White Students in the Country’s Largest School Districts, 2018

District	Enrollment	Black Exposure to White Students
New York City Department of Education (NY)	1,010,610	6%
Los Angeles Unified School District (CA)	466,546	9%
City of Chicago School District 299 (IL)	358,453	3%
Miami-Dade County Public Schools (FL)	344,603	4%
Clark County School District (NV)	328,422	19%
Broward County School District (FL)	262,282	12%
Hillsborough County School District (FL)	216,663	22%
Houston Independent School District (TX)	207,871	6%
Orange County School District (FL)	203,943	16%
Palm Beach County School District (FL)	190,756	18%
Fairfax County Public Schools (VA)	186,922	33%
Gwinnett County School District (GA)	178,870	19%
Montgomery County Public Schools (MD)	161,999	20%
Wake County Schools (NC)	161,335	38%
Dallas Independent School District (TX)	154,601	4%
Charlotte-Mecklenburg Schools (NC)	147,162	17%
Prince George’s County Public Schools (MD)	130,458	4%
Duval County School District (FL)	126,776	23%
Philadelphia City School District (PA)	124,411	8%
Cypress-Fairbanks Independent School District (TX)	116,504	20%

Source: NCES Common Core of Data, Public Elementary/Secondary Education Survey Data, 2018-19.

Only in the central cities of metro areas are Blacks typically in schools with a Black majority, 54% on average, and with 75% URM students. Only 16% of the other students in the school, on average, are White and 4% Asian. In Suburban schools, Black students have, on average, 39% Black and 23% Latino schoolmates, and one fourth (27%) White classmates. In towns and rural areas that have relatively larger shares of White students, Black students are in more diverse, integrated schools where about two-fifths of the students are White, and there are significantly lower Latino enrollments. In city and suburban areas, Blacks have more contact with Asians, who make up about a twentieth of the average enrollment of their schools but very little in smaller areas.

Black students in the country’s largest school districts have little contact with White students except in county-wide or suburban districts. The greatest isolation from Whites occurs in the Chicago, Dallas, Miami-Dade, and Prince George’s (suburban DC) districts—each of which has less than 4% Whites in the school attended by the typical Black student. The highest level of contact with Whites occurs in the Wake County (Raleigh, NC) district.

Table 17: Exposure of Black Students to all Groups by Metro Area, 2018-19

Metro Area	Enrollment	Exposure of Black to Students of Different Race/Ethnicity (%)					
		White	Asian	White/Asian	Black	Latino	B/L/AI
City	14,886,297	16	4	19	54	21	75
Suburban	19,613,587	27	5	32	39	23	62
Town	5,430,582	37	1	38	44	12	57
Rural	9,607,000	41	2	43	39	12	52

Note: B/L/AI indicates Black, Latino, American Indian students. A central city refers to a territory inside an urbanized area and inside a principal city. A suburb refers to a territory outside a principal city but inside an urbanized area. Towns refer to territories inside an urban cluster. Rural areas refer to territories outside an urban cluster.

Source: NCES Common Core of Data, Public Elementary/Secondary Education Survey Data, 2018-19.

Table 18: Typical Exposure of Black Students to Racial Groups by Metro Size/Area, 2018-19

	Black Student Exposure to...					B/L/AI
	White Student	Asian Student	White and Asian	Black Students	Latino Students	
Large Metro						
Central City	11.7%	4.2%	16.0%	57.0%	23.6%	81.1%
Suburb	26.3%	5.1%	31.4%	40.6%	23.8%	64.7%
Midsize Metro						
Central City	18.7%	3.3%	22.0%	54.7%	18.9%	73.9%
Suburb	42.6%	3.2%	45.9%	27.3%	20.6%	48.4%
Small Metro						
Central City	30.2%	3.8%	34.0%	42.7%	17.8%	60.8%
Suburb	47.3%	2.6%	49.9%	30.2%	14.4%	44.9%
Other						
Town	38.1%	1.1%	39.2%	43.9%	12.5%	57.1%
Rural	41.9%	2.0%	43.9%	39.2%	12.7%	52.5%

Notes: B/L/AI indicates Black or Latino or American Indian students. Large, midsize, and small metros refer to areas with populations of 250,000 or more, less than 250,000 but greater than or equal to 100,000, and less than 100,000, respectively. A central city refers to a territory inside an urbanized area and inside a principal city. A suburb refers to a territory outside a principal city but inside an urbanized area. Towns refer to territories inside an urban cluster. Rural areas refer to territories outside an urban cluster.

Source: NCES Common Core of Data, Public Elementary/Secondary Education Survey Data, 2018-19.

CONCLUSION AND RECOMMENDATIONS

Segregation is intense in the education of Black students in 2020. Segregated schools are, on average, unequal in many critical dimensions that create great barriers to equal education. If we had a society that was willing to give large additional resources to the least powerful communities and see to it that they received highly talented and experienced teachers and administrators, the inequalities would be less serious. But nothing in our history suggests that we have such a society. The dominant pattern is very much the opposite.

In a multiracial society where there is no racial majority, skills in working and living successfully in multiracial institutions are a vital asset. These skills are learned, mostly through experience, and are extremely difficult to acquire living in segregated communities and attending segregated, concentrated-poverty schools. The strongest networks of opportunity in terms of well-prepared peer groups, qualified experienced teachers, a rich and challenging curriculum, and advanced courses and experiences, a network of connections and information about colleges are mostly found in middle-class White and Asian schools. Inexperienced teachers often are assigned to largely Black concentrated poverty schools but tend to transfer out when they acquire seniority and transfer rights. Of course, we must make all possible efforts to distribute such resources, teachers, and educational offerings to high poverty, non-White schools. There are places where integration is not possible or where it can only reach some students. But it is clearly necessary to give Black students fair access to the good schools that already exist and are, on average, far more successful both in preparing students for college and having networks linked to colleges. Ending the large and persistent racial gaps in life success requires addressing this basic fairness issue and making sure that students who get those opportunity are treated fairly in the diverse schools. When there are systems of choice and selection that rarely identify Black students for the most challenging opportunities, those systems must be changed.

The desegregation successes were a product of decades of struggle by Black leaders who had concluded from generations of experience that White institutions would not produce demanding schools for Blacks and would keep the best opportunities for their own children. They were right. The struggle made a major difference for a quarter century and created large changes in academic and economic success for those Blacks who benefitted from it. The major desegregation and largest gains came in the South. After conservative administrations stopped serious enforcement of the 1964 Civil Rights Act and changed the membership of the courts, the desegregation policies were reversed and segregation deepened, year by year in all parts of the country for both Blacks and Latinos. Black students now face schools with record levels of double segregation by race and class, where many of the considerable gains in the South and in some major cities and counties occurred while under court orders, have been abandoned. For the last 50 years, advocates have been told that desegregation did not matter, and that equality could be provided by electing Black officials, or by more demanding courses and tests, or by school choice, or by universal preschool, or vouchers, or by an endless set of reform plans designed by hundreds of school superintendents. They argued that equality would come through requirements imposed by state governments, or materials and technology marketed by powerful businesses. But the gaps in school and college success are still massive in spite of these efforts.

Inequality is deeply structured in our schools and in households and communities where many Black families are segregated.

Research has documented both the persisting problems embedded in segregation and the best approaches for moving forward, including the creation of diverse schools, the development of successful integration with conditions of mutual respect, faculty and curriculum diversity, equity policies, and committed leadership. There is good evidence that people of all races who experience diverse schools find it a positive experience and learn not only the subjects taught but also how to better understand and relate to other groups. These are essential skills and very highly valued by employers in our diverse society and markets.

The Trump administration has had no program to support diverse schools and has attacked efforts to address bias through staff training. The Obama administration had unsuccessfully asked Congress to provide funds to support voluntary integration efforts. The Biden Administration, taking office following the summer of Black Lives Matter protests and rising concern across the nation, needs a plan.

The federal Magnet Schools Assistance Grant Program, which was founded to support voluntary desegregation and stimulate the creation of excellent diverse schools, has received minimal funding and not enforced serious diversity efforts in the communities it supports. Strongly supported by the public, it needs focus and resources. The federal government has substantially funded charter schools, as have many states, without any serious diversity requirements. The charter schools should be required to have integration plans including faculty diversity. Nor has the government imposed diversity requirements on voucher programs it supports in D.C. and through tax subsidies. That should be done. A significant breakthrough came with the House of Representatives passage, by a substantial bipartisan majority, of the Strength in Diversity Act of 2020, offering planning and implementation grants for integration efforts. If enacted by the Senate and substantially funded, this could be a framework encouraging local efforts, such as regional magnet and transfer programs. The expansion of increasingly popular dual-language programs could be another element in a serious effort to desegregate through voluntary action. The idea, strongly supported by the Black public, to place more subsidized housing in areas with White or diverse schools could be a serious element. Restoring the Obama fair housing policy reversed under President Trump would signal a new attitude. Subsidized housing is costly but urgently needed and should be built where there are strong and diverse schools, not in locations where the schools are “dropout factories” offering students little chance of preparing for the postsecondary education necessary to advance to the middle class. Good fair housing counseling in the federal Sect. 8 and voucher programs should include information about school quality. Real estate agents steering away buyers from diverse school areas should be prosecuted.

Federal civil rights officials have broad power to interpret and enforce several major civil rights laws and to advise educational organizations across the country about needed and appropriate action against segregation. The issues have not been examined for many years in many districts, and never in districts only recently experiencing racial change. Research and community relations funds should be used to document and publicize key issues of school segregation and integration and develop models for training school staff and administrators in effective techniques to create positive race relations in diverse schools. Reviving enforcement, by the

Office for Civil Rights and Department of Justice against discriminatory actions by school authorities that intensify segregation, could provide an important framework protecting the rights of Black students in decisions about sites for schools and the boundaries and procedures for school choice.⁴³ The Office for Civil Rights needs to focus much more on segregation issues and on the review of large districts. If the government conveys a serious intention to cut off funds from districts fostering segregation and refusing to submit plans for equity, the issue will immediately receive serious attention across the country. There are many educators who know that action is needed to foster effective integration and avoid destructive resegregation and would respond to information, research, incentives and enforcement. The 2020 Democratic Party Platform promises positive action against segregation, and those promises create a framework for needed action.⁴⁴ All of these policies would encourage and support local action to lower barriers and expand opportunity.

⁴³ Janelle Scott, Genevieve Siegel-Hawley, Elizabeth DeBray, Erica Frankenberg., and K. McDermott, (2020). *An Agenda for Restoring Civil Rights in K-12 Federal Education Policy*. Boulder, CO: National Education Policy Center. Retrieved Nov. 30, 2020, from <https://nepc.colorado.edu/publication/restoring-civil-rights>.

⁴⁴ The platform says: “It is unacceptable that America’s public schools are more racially segregated today than they were in the late 1960s. Schools—and classrooms and programs within schools—continue to be segregated by race and class. And, with increasing frequency, students are being unnecessarily and unlawfully segregated by disability, language status and through the use of exclusionary discipline and school-based arrests. We believe that schools must no longer engage in segregation and segregative practices. Democrats support appointing judges who will enforce the Civil Rights Act in schools. We will fund federal programs to promote integration and school diversity, including magnet schools and school transportation initiatives. We will also reinvigorate and increase funding for the Department of Education’s Office of Civil Rights, expand the civil rights data collection to inform civil rights enforcement and the public on the status of equal educational opportunity for all children, and build on the Strength in Diversity Act to increase federal funding for community-driven strategies to desegregate schools.”

TECHNICAL NOTES

1. This report uses multiple years' Public Elementary/Secondary School Universe Survey Data of the Common Core of Data (CCD), National Center for Education Statistics. Of all schools in the CCD data, this report focuses on regular schools that are open and are being operated in the survey administration year. This report's analysis does not include schools in U.S. territories, such as American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

Data for the years 1970 and 1980 were obtained from the analysis of the Office of Civil Rights. To construct Figure 2, data for years between 1970 to 1990 were extrapolated based on 1970 and 1980 data.

2. This report's definition of the regions is as follows:
 - *South*: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia;
 - *Border*: Delaware, District of Columbia, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia;
 - *Northeast*: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont;
 - *Midwest*: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin;
 - *West*: Arizona, California, Colorado, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

3. Segregation trends are calculated using a variety of different dimensions. We use exposure statistics to measure segregation and to capture student experiences of segregation. Exposure of certain racial groups to one another or to majority groups shows the distribution of racial groups among organizational units and describes the average contact between different groups. It is calculated by employing the percentage of a particular group of students of interest in a small unit (e.g., school) with a certain group of students in a larger geographic or organizational unit (e.g., state or district) to show a weighted average of the composition of a particular racial group. The formula for calculating the exposure rates of a student in racial group A to students in racial group B is:

$$P = \sum_{i=1}^N \frac{a_i b_i}{A t_i}$$

where

N is the number of small units (e.g., school) in a larger unit (e.g., state or district)

a_i is the number of students in racial group A in the small unit i (school i)
 A is the total number of students in racial group A in the larger unit (state or district)
 b_i is the number of students in racial group B in the small unit i (school i)
 t_i is the total number of students in all racial] groups in the small unit i (school i)

We explore school segregation patterns by the proportion or concentration of each racial/ethnic group in segregated schools as follows:

Segregated schools: 50-100% of the student body are students of color

Intensely segregated schools: 90-100% of the student body are students of color

Apartheid schools: 99-100% of the schools are students of colors