

60 Years After Brown, School Diversity More Complex Than Ever

By Lesli A. Maxwell

American schooling will reach a milestone next fall when white students, for the first time, make up fewer than half of all children enrolled in public schools, to [federal projections](#).

Black enrollment, holding fairly steady in recent years, will hover between 16 percent and 17 percent.

Hispanic enrollment, meanwhile, will continue to surge, with its share of the K-12 population expected to hit 30 percent within the next decade. And the proportion of Asians and Pacific Islanders in public schools is also expected to be on the uptick, though much less dramatic than the rise for Latinos.

But even with such ground-shifting demographic changes in the nation's public schools, the schools in many communities continue to be highly segregated 60 years after the U.S. Supreme Court, on May 17, 1954, struck down the principle of "separate but equal" education.

Central High School students, including Hazel Bryan, left, shout insults at Elizabeth Eckford as she marches down to a line of National Guardsmen, who blocked the main entrance and would not let her enter school in Little Rock on Sept. 4, 1957.

"To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone," Chief Justice Earl Warren wrote of black students in the [unanimous ruling](#) overturning racial segregation in public education.

Today, it is still rare for white students to attend schools where they represent less than 25 percent of enrollment. Schools filled with students of a single race remain common. And one-race districts—especially in struggling urban centers and pockets of the rural Deep South—are not unusual.

What then, does it mean to have desegregated schools in 2014, and what, if anything, can policymakers and educators do in pursuit of integration and access to educational opportunities, particularly in racially isolated communities? What has become of the promise of the Supreme Court's momentous ruling in *Brown v. Board of Education of Topeka*? Opinions vary.

'Not the Main Issue'

For many educators, civic leaders, and policymakers, the answers to those questions are as urgent as ever. They point to what they see as mounting evidence of continuing widespread disparities in both opportunities and outcomes for African-American, Latino, and low-income students compared with their white and wealthier peers.

Those differences persist despite a long-running national focus on closing achievement gaps and the goal of preparing every child for success in college and a career.

Others say the debate has gone beyond race to become chiefly a matter of economic integration.

"Segregation is not the main issue any longer," said Sylvester James Jr., the mayor of Kansas City, Mo., where after decades under a federal desegregation order the struggling city school district has dwindled to just 13,000 students, nearly 90 percent of them poor enough to be eligible for free or reduced-price meals. The flight of white and black middle-class families from Kansas City schools—which reached a peak enrollment of 77,000 students in the late 1960s—to suburban districts and independent charter schools drove much of the enrollment decline.

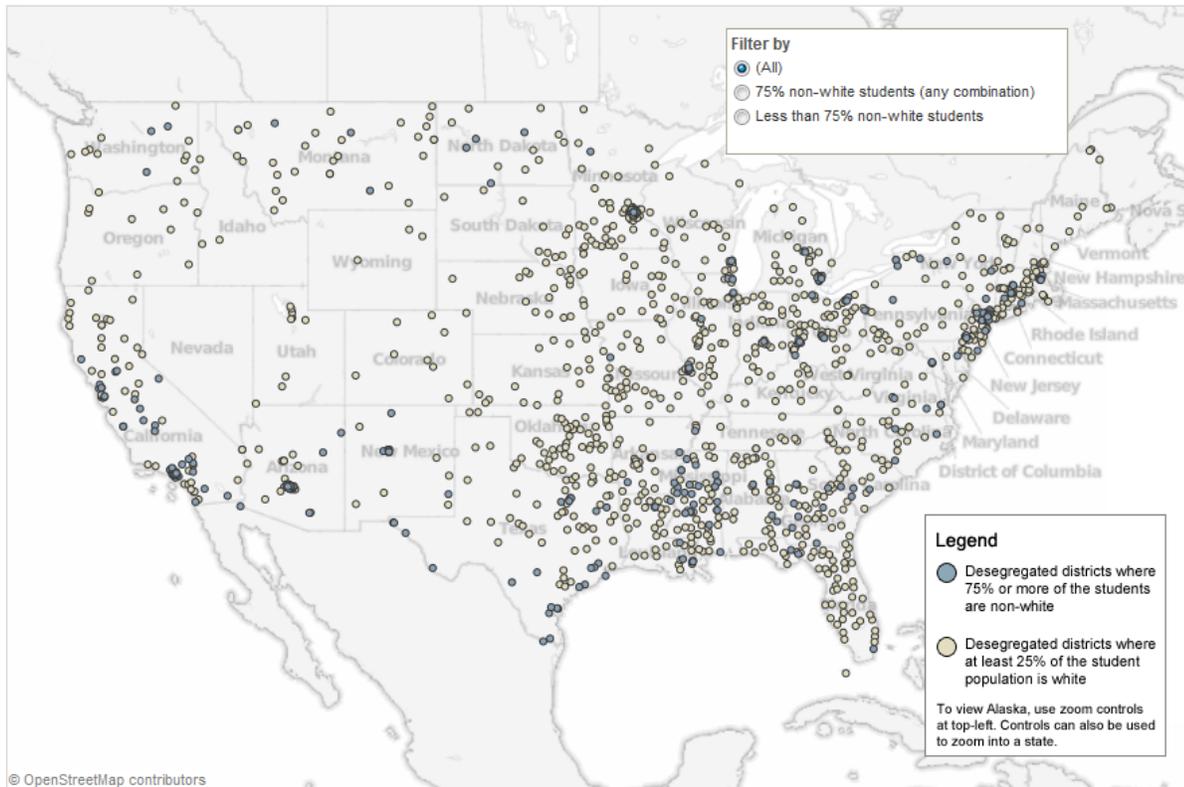
"Access to high-quality education is tied just as hard, and just as fast, to poverty and socioeconomics as it was to race," Mayor James said during a recent conference on the legacy of *Brown* at the University of Missouri-Kansas City School of Law.

And some academic thinkers and residents of local communities are deeply skeptical of an emphasis on integration, as a matter of policy and practicality.

"I just think there is a lot of hubris in the notion that we can improve race relations and opportunities for the poorest families if we just tell people that the nearest school is right by your house, but your kids need to go somewhere else for diversity goals," said Stephan Thernstrom, a professor emeritus of history at Harvard University who has written extensively on issues of race in education.

School Desegregation Plans: A National Census

In the 2011-12 school year, more than 1,200 local educational agencies—including school districts and charter schools—in every state except Hawaii and Nevada, reported to the U.S. Department of Education that they were under a federal desegregation plan that was either ordered by a court or entered into with the Office for Civil Rights under Title VI of the Civil Rights Act of 1964. Those desegregation plans covered roughly 7.7 million students. Desegregation plans mandate a range of actions that districts must take, such as reducing racial isolation in schools, increasing the diversity of faculty, ensuring all students have access to rigorous courses, and improving the quality of capital facilities and classroom materials.



Maintaining Status Quo

Most of the nation's roughly 14,000 districts typically rely on neighborhood attendance boundaries for assigning students to schools that are close to where they live, and they occasionally readjust the lines to bring about more of a demographic mix. Residential segregation based on race and social class remains stark, making efforts to ensure a more diverse mix of students impractical in many districts.

According to federal education data collected in the fall of 2011, 84 percent of white students attended public K-12 schools where they represented more than 50 percent of the student body. Fifty-five percent of African-American students were in public schools where they made up more than half the student body, and 56 percent of Hispanic students were in Latino-majority schools. Even in the peak period of school desegregation activity—from the late 1960s through the 1980s—most districts were never under a federal court order to integrate. Those orders, especially in the South, were the muscle behind the widespread integration of schools.

But the lifting of hundreds of court orders ever since, and more-recent rulings from the Supreme Court that have put limits on the strategies that districts may pursue to achieve racial balance, have taken their toll on the legacy of *Brown*, scholars and advocates say.

"The fact of the matter is that vestiges of prior *de jure* segregation still remain in many cases," said Leticia Smith-Evans, the interim director of the education practice for the NAACP Legal Defense and Educational Fund in Washington, referring to school segregation that was a matter of law or official policy.

"There are policies in districts that impact resource allocation, or which students are getting access to rigorous classes and gifted and talented programs," she said. "Desegregation is not just about student assignment."

Losing a Tool

John W. Borkowski, a Washington-based lawyer with Hogan Lovells who represents school districts on a range of civil rights issues, said districts have been "all over the map" when it comes to maintaining a commitment to racially diverse schools, especially those that had their desegregation orders lifted when the courts determined they had reached "unitary status" by fully demonstrating compliance with their court-ordered plans.

"In some districts that reached unitary status, that process was really poorly managed, and they've gone back to segregated schools," he said. "But some used their unitary status to keep going out on top."

But for most districts, losing the court order stripped away the most effective tool they had to address segregation head-on, especially in the wake of a 2007 Supreme Court ruling that shot down the use of voluntary student assignment plans based solely on race.

"It becomes a whole lot harder for any district to keep addressing segregation in a substantive way without the court orders," said Danielle Holley-Walker, a law professor at the University of South Carolina who has studied desegregation orders in the Southern states.

"And the question is, if districts start moving toward unitary status, to what end?" she said. "Is it to just bring an end to desegregation efforts? Or should [the orders] be left alone in case demographics change again?"

Federal Tactics Shift

Even as the number of court orders has diminished, enforcement by federal civil rights officials continues to bind those school districts to changing policies and taking actions that ensure students, regardless of their backgrounds, are not discriminated against. Civil rights advocates agree that such activity has accelerated during Barack Obama's presidency.

In a survey of the nation's districts done in the 2011-12 academic year by the U.S. Department of Education, more than 1,200 respondents for districts and charter schools reported having a mandated desegregation plan—either under court order, or, more commonly, under an agreement with federal civil rights enforcement officials. Such plans—which run the gamut from reducing racial isolation in schools to improving capital facilities—are in place in districts or charter school agencies in every state except Hawaii and Nevada, according to the results of the Civil Rights Data Collection released by the Education Department this spring.

"This data is useful because it tells us where we need to be looking to ensure that districts that do in fact have plans are taking steps to operate within the plan," said Catherine Lhamon, the assistant secretary for civil rights in the Education Department.

Advocates also have ramped up their use of complaints to officials in the Education Department's office for civil rights, or OCR—using Title VI of the Civil Rights Act of 1964—to push districts to address equity issues that often play out racially, such as the disparate use of out-of-school suspensions against students of color, especially African-American boys, or unequal access to the most-rigorous courses in high schools.

But the scope and nature of the civil rights reviews and enforcement activities in schools have also widened to a larger array of issues, including whether a district is providing English-language learners and their families with adequate translation and interpretation services in their home languages.

"The Title VI complaints continue to be a very important tool," said Ms. Smith-Evans of the Legal Defense Fund.

As one example, she cited her organization's involvement in a complaint to federal civil rights officials about the Bryan school district in Texas, where, advocates allege, school resource officers' ticketing of disproportionate numbers of black students for nonviolent behavior, such as using profane language, is discriminatory. The OCR agreed last year to an investigation, which is ongoing.

Officials in the Bryan district "are fully cooperating" with the OCR's investigation, according to spokesman Brandon Webb. "We are hopeful that a full and fair review of discipline practices and data will reveal the diverse and inclusive environment in [the] Bryan [district]," he said.

"We also reach out directly to districts where we hear about problems and try working directly with them to come to a resolution," Ms. Smith-Evans said.

Alternative Approaches

For the rare districts that still make creation of schools with a diverse mix of students a priority, district leaders have several ways to do so that can withstand legal scrutiny, said Mr. Borkowski, the civil rights lawyer who advises districts. Those methods include using socioeconomic status in assigning students to schools and considering the racial and ethnic mix of students in deciding where to build schools.

"Districts first must define what a diverse school looks like in their community and be able to explain and demonstrate why that is educationally beneficial to students," Mr. Borkowski said.

The 100,000-student Jefferson County, Ky., school system, one of two school systems that were at the heart of the Supreme Court's 2007 ruling limiting the use of race in assigning students to schools, has one of the most enduring records of pursuing integration. The district, which includes Louisville, is now using a complex combination of measures of family income and adult educational-attainment levels, as well as race, to help guide its student-assignment decisions while also offering families choice.

But perhaps the 83,000-student system in Nashville, Tenn., which is still in the early stages of putting a "diversity management plan" into practice as a key way to address flagging student achievement, represents the future of school desegregation.

While the district—which was under a federal court order for more than two decades—achieved unitary status in 2000, it has recently brought renewed attention to the diversity issue, as demographics have shifted radically, leaving no majority racial group

In 2012, the Nashville school board approved a multilayered diversity definition that includes race and ethnicity, household income, language-learner status, and disability status.

The goal is that no school should have a single racial or ethnic group that makes up more than half of student enrollment, or that schools either enroll students from at least three racial or ethnic groups—each representing at least 15 percent of overall enrollment—or enroll students from at least two racial or ethnic categories, each representing at least 30 percent of total enrollment.

In addition, the Nashville district has set goals that each school have a representative sample of students who are low-income, are English-learners, or are classified as having a disability. Schools that fall short of those goals are considered in need of "greater diversity," said Jesse Register, the superintendent.

"To not do this, I think, is the wrong direction for the future of our country," said Mr. Register.

Nashville's plan is distinctive in that school board members and district leaders weigh every major policy decision against its impact on diversity. For example, the board will not approve a new charter school unless it agrees to use the same standards for student and staff diversity that the district has defined.

"[W]e can't be measuring ourselves against old ideas of desegregation," said Mr. Register. "We have to infuse advocacy for keeping our schools diverse across all the decisions we make here, whether it's recruiting staff members, where we locate new schools, and how we draw attendance zones.

"This is our way of taking this rich asset of diversity that we have and leveraging it in new ways that help us ensure equal opportunities for all our kids," he said.

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K-12 Education: Still Separate, Still Unequal

By Leticia Smith-Evans

Any conversation about the 1954 decision in *Brown v. Board of Education of Topeka* and its impact on education in this country must consider the decades of efforts made by advocates of integration prior to the landmark ruling. Lawyers and nonlawyers alike engaged in a vigorous, carefully planned and considered campaign to eradicate Jim Crow laws and dismantle the legally mandated system of racial segregation of public facilities. Despite these efforts, in the century before the *Brown* decision, the U.S. Supreme Court consistently affirmed legally mandated racial segregation.

As early as 1857, the Supreme Court pronounced in the *Dred Scott v. Sanford* decision that African-Americans, even if they were "free," could not be citizens of this country. About 40 years later, in 1896, the court held in *Plessy v. Ferguson* that separate but equal public facilities were permissible. About 30 years after *Plessy*, in 1927, in *Lum et al. v. Rice et al.*, the court specifically condoned racial segregation in schools by permitting the prohibition of students of color from enrollment in white schools. A number of legal challenges to racially segregated school systems preceded and followed the *Lum* ruling, and the challenges occurred from the elementary to the postsecondary level.

The deliberate and vigorous efforts of advocates to end de jure racial segregation appeared to culminate in *Brown v. Board of Education*. On May 17, 1954, nearly a century after *Dred Scott*, the Supreme Court decided that legally mandated racial segregation was unconstitutional and that the system of "separate but equal" public institutions was inherently unequal. The monumental *Brown* decision put an end to legally mandated racial segregation in institutions—not just schools—in the United States. The court's order, however, did not end racial segregation.

Following *Brown*, many Americans, including some elected officials, remained staunchly opposed to dismantling institutionalized racial segregation. In numerous districts, schools closed down to avoid having to enroll nonwhite students. It took the passage of the Civil Rights Act of 1964 for there to be significant compliance with the court's mandate to desegregate schools. With the enactment of this legislation the federal government began greater enforcement of the Supreme Court's order to integrate K-12 education.

Many Americans alive today lived through the federal government's effort to implement school desegregation in the 1960s. These individuals carry with them the living memory of our country's attempt to move from a racially segregated society to an integrated one. They also carry with them the scars—emotional, professional, and financial—of our country's policy of stripping nonwhites of educational opportunities and restricting their opportunities merely because of their skin color.

“There is no reason to hesitate in addressing these inequities and eliminating them ‘root and branch.’”

With the milestone of the 60th anniversary of the *Brown* decision, some may believe that the scarring from racial apartheid in this country has faded, that racial integration has been achieved, and that racial disparities in education have been removed. The truth is that public schools remain racially segregated, and that racial and ethnic disparities in education continue. The ultimate goal of *Brown v. Board of Education* of ending a "separate but equal" system thus remains an ideal.

To keep the objective of *Brown*—to ensure equality of opportunity for all—alive and in focus requires, in part, assessing school district operations to ensure that all students do, in fact, have the chance to succeed. Following *Brown* and subsequently the 1964 Civil Rights Act, desegregation lawsuits were filed against hundreds of school districts, which thereafter remained under the jurisdiction of federal courts as they implemented desegregation plans. Some of these school systems successfully completed their court-ordered desegregation and were removed from court supervision.

Although a majority of school districts in this country are not currently under court order to desegregate, what occurs inside their schools is effectively a dual system in which racial isolation exists and racial disparities are prevalent. Recent discussions surrounding racial disparities have been informed by the U.S. Department of Education's Civil Rights Data Collection, which disaggregates student enrollment and educational programs and services by race and ethnicity. Data from the CRDC show that students of color face resource inequities, which are evident in school facilities, classroom sizes, and availability of textbooks. Similarly, students of color often do not have the same access to courses, programs, and curricula as their white peers. In addition, the consequences of racial disparities in schools are seen in student discipline and graduation rates.

There is no reason to hesitate in addressing these inequities and eliminating them "root and branch"; the CRDC data point to areas in need of improvement, allowing us to identify where inequities and disparities exist. Systemic barriers based on race and other factors must be eradicated in order to guarantee equal educational opportunities for all students in this country. We must continue to embrace the court's ruling and uphold the ideal of *Brown*.

Sixty years after the Supreme Court's order, the existence of racial disparities throughout education systems in this country sets forth the challenges we face. This should serve as a call to action, one that requires us to move forward swiftly to address the barriers that students, particularly those of color, face in K-12 schools and higher education institutions across the country. In light of our long history of de jure segregation, we must encourage ongoing conversations about race and education because those discussions clearly are still necessary.

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Hispanics Are Forgotten in Civil Rights History

By Nicholas Dauphine

Whenever civil rights has been covered in history class, or when I've seen a documentary or read an article concerning such, I have always been very aware of what is missing, and it is something that I am interested in and looking for. As an American of Hispanic descent, I never see any information related to my ethnicity's cause for civil rights. Where is the plight of Hispanics represented in the civil rights discussion and history of the United States?

In my household, I have heard the stories from older relatives about the treatment of Mexican-Americans in Texas in the 1900s. From what has been relayed to me, it was not much different from how black Americans were treated in Mississippi. Through my parents, I have heard of schools for Mexican children, separate drinking fountains, having to sit in the "black" balconies at movies, and not being able to go to restaurants and other establishments that were designated as "whites only."

But the public record of what the conditions were for the people of my background is severely lacking. It is as if we did not exist in this country between the Alamo in 1836 and the introduction of Freddie Prinze to the world in "Chico and the Man" in 1974.

When discussing civil rights milestones, where are the discussions about Mendez, et al. v. Westminster School District of Orange County, et al.? This 1946 case challenged the racial segregation that was occurring in Orange County, Calif., schools against Mexicans and Mexican-Americans. This landmark litigation was instrumental in repealing many of the segregationist provisions in California law, but it is not presented at all in the canon of civil rights milestones. In fact, even as a Hispanic, I had not heard of this case until President Barack Obama awarded the Presidential Medal of Freedom to Sylvia Mendez, the daughter of the lead plaintiff of the lawsuit, in February 2011, and I searched for who she was and why she was being honored.

"It is as if we did not exist in this country between the Alamo ... and the introduction of Freddie Prinze."

When discussing civil rights milestones, where are the discussions about Hernandez v. Texas? This 1954 case established that the protection granted by the 14th Amendment of the U.S. Constitution was not only for white and black Americans, but that all racial groups required equal protection. This case questioned the use of Jim Crow laws against other classes of Americans, and determined that Americans of Hispanic, Asian, Middle Eastern, Inuit, Native American, and other nonwhite or black descent should also be treated equally.

Along with the discussions of the Freedom Riders and freedom marches, where are the discussions of the 1938 pecan shellers' strike and the wrongful arrest and imprisonment of over 700 Mexican-Americans peacefully protesting a cut in wages and walking off the job in San Antonio? This action was seen as impacting the creation of the Fair Labor Standards Act of 1938, which defines many of the occupational rules that govern workers' rights. Should the name of the Mexican-American labor leader Emma Tenayuca be, at least, presented alongside other civil and women's rights activists when the conditions that led to the Civil Rights Act of 1964 are presented?

Considering that people of Hispanic descent make up more than 16 percent of the total population of the United States today, efforts should be made to shine a light on the history, conditions, people, and effects of Latino activists and legislation. It's time to give a large portion of the population its due, so that maybe when educational resources are developed into lesson plans, Hispanics have an element of pride and purpose in knowing that our predecessors also played a role in shaping the world and civil rights that we enjoy today.

Nicholas Dauphine is a senior at Claudia Taylor "Lady Bird" Johnson High School in San Antonio, where he is a National Hispanic Recognition Program Merit Scholar and a member of the National Honor Society. He will attend St. Mary's University, in San Antonio, in the fall. This essay includes oral history from his maternal grandparents, who were migrant farmworkers. In slightly different form, it won first prize in the 2014 "Civil Rights Today" essay contest sponsored by the LBJ Presidential Library.

Integration: New Concepts for a New Era

By Leonard B. Stevens

In 2007, in a ruling that would resonate nationwide, the U.S. Supreme Court rejected voluntary school desegregation plans for Louisville, Ky., and Seattle. Since then, the conventional interpretation of the decision in Parents Involved in Community Schools v. Seattle School District has been that the court prohibited school boards from pursuing integrated schools. I disagree. Indeed, I think this view is dangerous because it discourages schools from seeking integration, something I believe they can do legally, and should.

For more than 30 years, I have worked full time in school desegregation, including 10 years as the federal court-appointed monitor for such efforts in Cleveland. I've worked on about 40 desegregation cases involving more than 80 school systems, including Topeka, Kan., the genesis point of the historic *Brown v. Board of Education* decision. Over the decades, I have written desegregation plans or modified old plans, assessed compliance with desegregation orders, and testified in the courts on integration.

In my view, integrated education has value, and it ought to be pursued. But how we do it is more critical than ever.

We need to continue to work toward integrated schools, but within the current law, including the Supreme Court's 2007 decision. We need to be inventive in defining an integrated school because the demographics of our schools have changed since *Brown* was handed down in 1954 and because the vast majority of school districts today are not under court supervision for desegregation, meaning they are not legally required to pursue integration, but may choose to do so.

So, if we look at a school system that is not under court order, has at least some diversity in its student population, and values integrated education, is a traditional definition of desegregation the best fit? Despite my lengthy experience with desegregation and support of it, I don't think so.

The traditional way to define a desegregated school—and a method I have used for three decades for districts under court order—is called a “plus or minus” model. If a segregated district is 40 percent black (or 40 percent minority), the traditional definition of a desegregated school means it enrolls plus or minus, say, 15 points of the districtwide average for black or minority student enrollment. In such a district, desegregated schools would have enrollment of 25 percent to 55 percent black (or minority) students. If a school did not fall within those percentages, it would be in noncompliance with the district's plan and be told to comply. This is how desegregation gets done.

One consequence, however, of this desegregation definition is that the focus inevitably is on maximums—too many blacks or other minorities here, too many white students over there. As a court monitor, this was precisely my view.

However, for the district that today is not under court order and that values integration, a different vision of an integrated school is in order.

This vision should address factors in addition to race and ethnicity and look to build critical masses of distinguishable groups of students in schools as a means of producing diverse schools. The additional factors beyond race and ethnicity might include parents' levels of education, family income, disability, or primary language at home (whichever seem most apt to the district in question). Real metrics or measures can be applied to all the factors, including race and ethnicity, to make the definition work. Since this model is based on critical masses of students (or minimums), not maximum percentages of students, the only operative cap is the capacity of the school.

Nashville, Tenn., has taken this approach, and the details are unusual. Full disclosure here: I worked with Nashville in designing its plan, and I continue to advise the district on the plan's initial implementation.

Nashville's integration initiative is styled as a “diversity management plan.” A countywide school system of 82,863 students, Nashville has plenty of diversity to manage. The district enrollment is 45 percent black, 32 percent white, 19 percent Latino, and 4 percent Asian, plus Native Americans and Hawaiian/Pacific Islanders at levels under 1 percent each. Note that there is no racial or ethnic majority in the district.

Nashville is also increasingly a system of school choice—about one in four students there chooses the school he or she attends.

Thus, any integration plan for Nashville had to recognize contemporary law, local student demographics, and the significant role of school choice.

Now in its first year of implementation, the Nashville plan is careful not to assign or reassign any student or staff member on the basis of his or her race. Instead, it does the following:

- Defines a diverse school. In terms of its student composition, a school is diverse when it meets any of three measures: when its enrollment has multiple racial/ethnic groups, and three of them each makes up at least 15 percent of the enrollment, or when the school has two such groups that each represents at least 30 percent of the student body, or when the school, like the district as a whole, is a “plurality” school, meaning its student body has no majority racial/ethnic group.

In addition, the diverse school has a fair share of low-income students, English-language learners, and students with disabilities. For at least two of the three categories, the diverse school must have at least two-thirds the district average in these categories at its grade level. Consequently, diversity comprises four demographic factors: race/ethnicity, income, language, and disability.

The definition for each of these four factors sets minimum levels for diversity, not maximums. This approach, in turn, inspires efforts toward building a rich mix of students in each diverse school, but in varying combinations. Any of the six racial/ethnic groups in the system could represent the largest group in a school, but not an overwhelming majority.

For school staff members, the plan applies to black and white certified and support employees because they are the largest racial groups in the staff systemwide. A school's certified staff (which includes teachers and most administrators) is considered diverse when it has black and white representation that is at least two-thirds the district average for each racial group at the grade level of the school. For support staff, the minimum is half the district average.

- Dramatically alters the way the district reports on the demographics of its schools. Nashville no longer counts majority-black, majority-white, and majority-Hispanic schools. Instead, it now counts diverse schools, including plurality schools, which represent the district's paradigm for integration.
- Reports whole-school achievement data alongside school-by-school diversity data. This means that policymakers and observers can examine a school's diversity status and its achievement level all at once.
- Requires charter schools to have comparable diversity plans and to report comparable demographic data. This brings charter schools, which are funded with public dollars, under the diversity tent.
- Creates four staff work groups—each one interdepartmental—to generate a continuous flow of ideas on how best to implement the plan and priorities. The work groups are focused, respectively, on school choices for students; staff matters, including staff development; funding; and whole-school performance, with each group looking to support diversity.
- Calls for district administrative decisions to be made after considering “foreseeable diversity impact.” This provision has already shaped, to the advantage of diversity, one high-profile decision on how to address overcrowding in a popular secondary school.

Of 134 schools in the district this school year (by my count), 63 meet the diversity definition for student enrollment. That's 47 percent of the total. But 58 percent of the district's students attend these diverse schools because Nashville's secondary schools, which are larger than elementary schools, tend to meet the definition at a somewhat better rate than its smaller elementary schools.

On staff diversity, the district batting average is a bit lower: Fifty-four schools meet the definition. But another 57 meet the definition for certified staff, although not for support staff, or vice versa, a pattern that illuminates where progress, with effort, can be made over time.

It's not a perfect plan, and it likely will never produce a perfect result. The district still has its pockets of racial/ethnic and low-income concentrations, and the plan will have to address them and the students in them.

But Nashville's goal—“to maximize the number of schools that meet the [district's] definitions of student and staff diversity”—is unequivocal. Moreover, the plan seems to have legs, since it was adopted unanimously by the elected nine-member district board on the strong recommendation of the district's chief executive officer, along with a resolution that describes diverse schools as “indispensable to the civic and educational purpose” of the district.

With implementation equal to the goal, the Nashville initiative has a promising future not unrelated to the spirit of *Brown v. Board of Education*.

Leonard B. Stevens is a court-recognized expert on school desegregation and an education consultant based in Sarasota, Fla. The Nashville Diversity Management Plan and related school board resolution can be found at www.mnps.org.

OPEDucation Blog

Lenses on Brown's Legacy

By Kevin Kumashiro

These charts illustrate what research has made clear: that schools and communities remain racially segregated 60 years after *Brown*, and economic and educational inequities continue to divide along lines of race. But these charts also raise questions for me—about why, how, and what else—that complicate any simplistic rendering of *Brown's* “legacy.” I offer below three lenses that I hope will help to trouble the conversation.

Lens #1: Interconnected Problems. *Brown*, together with the Civil Rights Act, did increase school integration in the 1960s and '70s, but when desegregation programs began expiring in the 1980s and districts returned to residence as the basis for

school assignment, schools resegregated because neighborhoods are segregated and have been increasingly so over time. Racial inequities permeate all social institutions, and therefore, addressing inequities in education cannot be done without addressing inequities in other connected arenas.

Lens #2: Problematic Scripts. When steeped in the rhetoric of "equal educational opportunity" and "leaving no child behind," it is easy to conclude that the persistent economic and educational inequities illustrated in these charts are signs that public education has failed. But throughout history schools have been designed to sort students (by race, social class, gender, and so on) and have functioned successfully so, even if how they do so has changed over time, which means that achievement gaps are actually signs that public education has succeeded. This does not mean that we give up on public education because history also tells us that schools are sites of struggle, of culture wars, of ideological battles over who we are and what we are to become. To enter this struggle, we need to insist on naming the ways that schools continue to benefit some more than others, and ways that certain "reforms" are actually widening these gaps, in coordinated ways, even while claiming to close them.

Lens #3: Coordinated Strategies. During the 1960s-'80s, as schools were becoming increasingly integrated, we also saw the rise of multicultural curriculum in classrooms, more communities of color growing their own teachers, more community involvement in governance, more federal funding targeting underserved students, and a narrowing of the achievement gap. But opponents of the civil rights movement were similarly (and more effectively) coordinated in their efforts to shape policy and public consciousness, eventually turning attention in the 1980s-'90s to public education. They called, for example, not for desegregation programs, but school choice programs; not multicultural curriculum, but "back to basics;" not diversity among teachers, but alternative routes to teaching; and not increased federal funding for targeted groups, but state disinvestment of public schools. We are now in the third decade of an era when standards, testing, rewards, and punishment have become the "common sense" of school reform.

The last 60 years reveal a complex picture of how a new common sense has emerged that masks the real problems and possibilities of public education. The legacy of Brown calls on this nation to once again build a movement to remake public education to advance equity and justice for all.

Kevin Kumashiro is the dean of the school of education at the University of San Francisco, and the president of the National Association for Multicultural Education. He is the author of several books on education and social justice, including most recently, Bad Teacher!: How Blaming Teachers Distorts the Bigger Picture (Teachers College Press, 2012).

Narrowing the Income Achievement Gap

By Heather Schwartz

As the three Education Week figures attest, racial and economic inequalities in schooling remain stubbornly large even 60 years after the Brown vs. Board of Education of Topeka ruling. The gap in average test scores between white and black children is still substantial, but fortunately it has diminished in size since 1960. Meanwhile, the achievement gap between children from the highest- and lowest-income families has substantially grown over the same period. The income achievement gap is now about twice the size of the black-white achievement gap.

Most concerning of all, the income achievement gap emerges in children's earliest years and does not diminish as children progress through school. Children from different family income brackets enter the earliest grades with large gaps in their early math and reading skills, attention, and behavior that grows modestly, rather than shrinks, as children progress through grade levels.

Given how early achievement gaps emerge in children's lives, it is important to look within and beyond educational reforms that take place within the walls of K-12. Focusing on education policy, a good place to start is with sustaining the federal Department of Education's focus on expanding preschool opportunities and supporting research to identify the critical elements of quality care and early education.

But given the size of the problem, no single reform is going to eliminate the income achievement gap. Instead, the problem should be attacked from multiple sides. In addition to expanding and improving preschool, low-performing, high-poverty schools can be improved by structuring school turnaround grants to encourage continuity of implemented reforms rather than expecting one- to three-year fixes. High-poverty schools tend to be high-turnover settings, and continuity of staff and curricula are needed for schools to adapt, refine, and generally master any type of comprehensive reform.

Likewise, pilot programs should be created to help parents effectively prepare their children for and help them succeed upon enrollment in school. Parents are critical to children's performance, and their involvement is needed if the achievement gap is going to appreciably narrow.

Finally, low-income families' access to high-performing schools should be increased. Increased public school choice such as through charter schools, development of school boundaries and student enrollment policies to reduce racial and economic segregation across schools, and the location of affordable housing in communities with high-performing schools are three potential ways to do this. But whatever the means, meaningful choice requires providing families not only with access to quality schools and but also with digestible information about schools that is specific to family needs and preferences—e.g., schools that are accessible by public transit or close to parents' work commutes.

Schooling remains among the most important public policy tools the United States has for raising children out of poverty. But instead of looking for a silver bullet, serious efforts to narrow the achievement gap require a multi-pronged approach that addresses both in-school and out-of-school factors.

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