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Education - School Desegregation

Educ – school desegregation

Sept. 18, 1998

To: Interested Persons
From: Eddie Correia

Here are some materials on school desegregation for our Tuesday meeting:

1. a paper by Gary Orfield at Harvard

2. a discussion of inter-district magnet schools prepared by staff at ED

See you at the meeting -- Tuesday, 9/22, from 9:30-11:00 am in room 472 of the OEOB.

Deepening Segregation in American Public Schools

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Harvard Project on School Desegregation

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INTRODUCTION

After the Supreme Court outlawed segregated education in the South, it took fifteen years and a series of actions by the courts, Congress, the executive branch, and civil rights groups before the seventeen states with legal segregation were changed from an area of total educational segregation to the nation's most integrated. It remained that way for a generation. Now, there are clear signs that that progress is coming undone and that the nation is headed backwards toward greater segregation of black students, particularly in the states with a history of *de jure* segregation.

The trends reported here are the first since the Supreme Court approved a return to segregated neighborhood schools under some conditions. A number of major cities have recently received court approval for such changes and others are in court. The segregation changes reported here are most striking in the southern and border states but segregation is spreading across the nation, particularly affecting our rapidly growing Latino communities in the West. This report shows that the racial and ethnic segregation of African American and Latino students has produced a deepening isolation from middle class students and from successful schools. It also highlights a little noticed but extremely important expansion of segregation to the suburbs,

particularly in larger metropolitan areas. Expanding segregation is a mark of a polarizing society without effective policies for building multiracial institutions.

Latino students, who will soon be the largest minority group in American public schools, were granted the right to desegregated education by the Supreme Court in 1973 but new data show they now are significantly more segregated than black students, with clear evidence of increasing isolation across the nation. In contrast to the varied regional trends and changes in direction over time for African Americans, Latino students are becoming more isolated almost everywhere. Part of this trend is caused by the very rapid growth in the number of Latino students in several major states. Regardless of the reasons, Latino students now experience more isolation from whites and more concentration in high poverty schools than any other group of students. This was long true in the centers of Puerto Rican settlement in the Northeast but it is rapidly increasing now for students in areas where the Latino communities are overwhelmingly of Mexican background.[1]

The segregation is not simply racial separation; it is segregation by class and family and community educational background as well. Segregated black and Latino schools are fundamentally different from segregated white schools in terms of the background of the children and many things that relate to educational quality. This report shows that only a twentieth of the nation's segregated white schools face conditions of concentrated poverty among their children but more than 80% of segregated black and Latino schools do. Desegregation is not only sitting next to someone of the other race. A child moving from a segregated African American or Latino school to a white school will very likely exchange conditions of concentrated poverty for a middle class school. Exactly the opposite is true when a child is sent back from an interracial

[1]Distribution of Latinos by ethnicity and state is reported in M. Beatriz Arias, "The Context of Education for

school to a segregated neighborhood school as is happening under a number of recent court orders which end busing or desegregation choice plans.

This is of fundamental importance to educational opportunity. The United States is a nation with a shrinking proportion of white students and a rising share of black and Latino students, groups which experience far less success in American public education and are concentrated in schools with lower achievement levels and less demanding competition. Recent court decisions approving a return to segregated neighborhood schools in various parts of the country will intensify the isolation.

The Supreme Court's 1954 conclusion that intentionally segregated schools are "inherently unequal," and contemporary evidence indicating that this remains true today, means that it is very important to continuously monitor the extent to which the nation is realizing the promise of equal educational opportunity in schools that are now racially segregated. Education was vital to the success of the black tenth of the U.S. population when *de jure* segregation was declared unconstitutional in 1954. It is far more important today, in an era in which millions of the good, low-education jobs have vanished. We are now talking about a society which has one-third non-white[2] public school students and where whites will make up only half of the school age population in a third of a century if well-established trends continue.[3] The stakes are much higher and this report shows that we are moving backward toward greater separation rather

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Hispanic Students: An Overview," American Journal of Education, vol. 95, no. 1 (November 1986): 26-57.

[2]In this report, "white" means non-Hispanic whites. Hispanic or Latino is treated as part of the "non-white" population, although many Latinos define themselves as whites in racial terms. These definitions are used to avoid the awkward and confusing language that would otherwise be necessary and is not an attempt to define Latinos as a race.

[3]U.S. Census Bureau projections, Steven A. Holmes, "Census Sees a Profound Ethnic Shift in U.S.," *New York Times*, March 14, 1996; *Education Week*, March 1996.

than pressing gradually forward as we were between the 1950s and the mid-1980s for black students.

This report presents the latest available evidence on segregation trends from federal enrollment statistics. It shows a delayed impact of the Reagan Administration campaign to reverse desegregation orders, which made no progress while Reagan was President but now has had a substantial impact through appointments which transformed the federal courts. The 1991-94 period following the Supreme Court's first decision authorizing resegregation witnessed the continuation of the largest backward movement toward segregation for blacks in the forty-three years since *Brown v. Board of Education*.

During the 1980s, the courts rejected efforts to terminate school desegregation and the level of desegregation actually increased, although the Reagan and Bush Administrations advocated reversals. Congress rejected proposals for major steps to reverse desegregation and there has been no trend toward increasing hostility to desegregation in public opinion. In fact, opinion is becoming more favorable.[4] The policy changes have come from the courts. The Supreme Court, in decisions from 1991 to 1995, has given lower courts discretion to approve resegregation on a large scale and it is beginning to occur.

The statistics reported today show only the first phase of what is likely to be an accelerating trend. These statistics for the 1994-95 school year do not reflect post-1994 decisions to end desegregation plans in a number of areas including metropolitan Wilmington, Broward

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[4] Gary Orfield, "Public Opinion and School Desegregation," Teachers College Record, vol. 96, no. 4 (Summer 1995); Gallup Poll in USA Today, May 12, 1994; Gallup Poll in Phi Delta Kappan, September 1996. The 1996 survey reported that "the percentages who say integration has improved the quality of education for blacks and for whites have been increasing steadily since these questions were first asked in 1971." The report also showed that 83% of the public believed that interracial schools were desirable (PDK, September 1996: 48).

County Florida, Denver, Buffalo, Mobile, Cleveland, and a number of others. Important cases in a number of other cities are pending in court now. These decisions are virtually certain to accelerate the trend toward increased racial and economic segregation of African American and Latino students. Thus, the trends reported today should be taken as a modest sign of larger changes now under way.

BACKGROUND OF DESEGREGATION

Forty-three years ago, in 1954, the Supreme Court began the process of desegregating American public education in its landmark decision, *Brown v. Board of Education*. Thirty-three years ago, Congress took its most powerful action for school desegregation with the passage of the 1964 Civil Rights Act. Twenty-six years ago, in 1971, the great national battle over urban desegregation began with the Supreme Court's decision in the Charlotte, North Carolina busing case, *Swann v. Charlotte-Mecklenburg Board of Education*.[5] With Swann, there was a comprehensive set of policies in place for massive desegregation in the South.

No similar body of law ever developed in the North and West. The Supreme Court first extended some desegregation requirements to the cities of the North and recognized the rights of Hispanic as well as black students from illegal segregation in 1973.[6] In the early 1970s, Congress enacted legislation to help pay for the training and educational changes (but not the busing) needed to make desegregation more effective. The last major initiatives intended to foster desegregation took place more than two decades ago.

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[5] 402 U.S. 1 (1971).

[6] Keyes v. Denver School District No. 1, 413 U.S. 189 (1973).

Since 1974, almost all of the policy changes have been negative and there has been a major increase in the nation's non-white population, particularly among school age children. The key decision limiting metropolitan desegregation, *Milliken v. Bradley*,[7] concerned metropolitan Detroit and was a drastic limitation on the possibility of substantial and lasting city-suburban school desegregation in what was rapidly becoming a society dominated by suburbia, a society in which only a small fraction of white middle class children were growing up in central cities. That decision ended significant movement toward less segregated schools and made desegregation virtually impossible in many metropolitan areas where the nonwhite population was concentrated in central cities. (It is not surprising that the state of Michigan ranks second in the nation in segregation of black students two decades after the Supreme Court confined desegregation efforts within the boundaries of a largely black and rapidly declining central city.)[8]

The Supreme Court ruled that the courts could try to make segregated schools more equal in its second Detroit decision in 1977, *Milliken v. Bradley II*.[9] The Court authorized an order that the State of Michigan pay for some needed programs in Detroit which were aimed at repairing the harms inflicted by segregation in schools that would remain segregated because of the 1974 decision blocking city-suburban desegregation. Unfortunately, there was little serious follow-up on the educational remedies by the courts and the Supreme Court would radically limit their reach in the 1995 *Missouri v. Jenkins* decision.[10]

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[7] 418 U.S. 717 (1974).

[8] Calculations of metropolitan segregation from 1992 NCES Common Core data.

[9] 433 U.S. 267 (1977).

[10] 115 S.Ct. 2038 (1995).

The government turned actively against school desegregation in 1981 under the Reagan Administration, with the Justice Department reversing policy on many pending cases and attacking urban desegregation orders. Congress accepted the Administration's proposal to end the federal desegregation assistance program in the 1981 Omnibus Budget Reconciliation Act. Twelve years of active efforts to reverse desegregation orders and remake the federal courts followed before the Clinton Administration, which defended some orders but developed no coherent policy and took no significant initiatives for desegregation.

By far the most important changes in policy in the 1990s came from the Supreme Court. The appointment of Justice Clarence Thomas in 1991 consolidated a majority favoring cutting back civil rights remedies requiring court-ordered changes in racial patterns. In the 1991 *Board of Education of Oklahoma City v. Dowell* decision,[11] the Supreme Court ruled that a school district that had complied with its court order for several years could be allowed to return to segregated neighborhood schools. In the 1992 *Freeman v. Pitts* decision,[12] the Court made it easier to end student desegregation even when the other elements of a full desegregation order had never been accomplished. Finally, in its 1995 *Jenkins* decision , the Court's majority ruled that the court-ordered programs designed to make segregated schools more equal educationally and to increase the attractiveness of the schools to accomplish desegregation through voluntary choices were temporary and did not have to work before they could be discontinued.

In other words, desegregation was redefined from the goal of ending schools defined by race to a temporary and limited process that created no lasting rights and need not overcome the

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[11]498 U.S. 237 (1991).

[12]503 U.S. 467 (1992).

inequalities growing out of a segregated history. These decisions stimulated efforts in a number of cities to end the court orders, sometimes even over the objection of the school districts involved.

RACIAL COMPOSITION OF AMERICAN SCHOOLS

As the courts were cutting back on desegregation requirements the proportion of minority students in public schools was growing rapidly and becoming far more diverse. American public schools enrolled more than 43 million students in the fall of 1994 of whom 66% were white, 17% African American, 13% Latino, 4% Asian and 1% Indian and Alaskan. By 1994, the proportion of Latinos in the U.S. was higher than that of blacks at the time desegregation began in 1954 and the proportion of whites far lower. The two regions with the largest enrollments, the South and the West, were 58% and 57% white, foreshadowing a near future in which large regions of the U.S. will have white minorities. Table 1 shows that there has been a huge 178% growth in the number of Latino students during the 26 years from 1968, when data was first available nationally, to 1994, while the number of white (Anglo) students declined 9% and the number of black students rose 14%.

Table 1
Enrollment Changes, 1968-1994, in Millions

	1968	1980	1994	Change
Hispanics	2.00	3.18	5.57	+3.57 (178%)
Anglos	34.70	29.16	28.46	-6.24 (-9%)
Blacks	6.28	6.42	7.13	+0.85 (14%)

Source: DBS Corp., 1982, 1987; Orfield, George, and Orfield, 1986; 1994 Common Core data.

On a regional level, African Americans remained the largest minority group in the schools of all regions except the West and Alaska and Hawaii. The proportion of black students in the South was, however, about twice the proportion in the Northeast and Midwest and more than four times the level in the West. Latinos, on the other hand, had more than a fourth of the enrollment in the West but only about a fiftieth in the Border region and a twenty-fifth in the Midwest (table 2).

Table 2
Regular Public School Enrollments by Race/Ethnicity
by Region, 1994-95 School Year

Region*	Total Enrollment	% White	% Black	% Latino	% Asian/ Pacific	% Indian/ Alaskan
South	13,104,747	57.8	27.2	13.0	1.7	0.4
Border	3,356,431	75.0	18.7	2.0	1.6	2.7
Northeast	7,566,103	70.9	14.8	10.5	3.6	0.3
Midwest	9,382,999	80.1	13.0	4.2	1.9	0.8
West **	9,478,267	56.6	6.3	27.4	7.6	2.1
Alaska	121,895	64.4	4.8	2.5	4.2	24.1
Hawaii	183,737	23.2	2.7	4.9	68.8	0.4
U.S. Total ***	43,194,179	65.9	16.5	12.9	3.6	1.1

* See Appendix B for a list of states included in each region.
** The racial proportions for Idaho are estimated from data collected by the U.S. Department of Education Office for Civil Rights (OCR) for the 1989-90 school year. The OCR data include 42 percent of students in Idaho for 1989-90. The proportions differ by less than one percent from those reported in the 1990 U.S. Census for all students in Idaho.
*** Alaska, Hawaii, and Idaho are included in this table but omitted from subsequent analyses (see Appendix A).

The dramatic changes in the composition of American school enrollment is most apparent in five states which already have a majority of non-white students statewide. These include the nation's two most populous states, California and Texas, which enroll 6.8 million students and are both moving rapidly toward a Latino majority in their school systems (table 3).

Table 3

Enrollments in Majority Non-White States
1994-95 School Year

STATE	Total Enrollment	% White	% Black	% Latino	% Asian/ Pacific	% Indian/ Alaskan
California	5,168,334	41.4	8.5	37.8	11.4	0.8
Hawaii	83,737	23.2	2.7	4.9	68.8	0.4
Mississippi	502,985	48.0	51.0	0.3	0.5	0.1
New Mexico	320,832	39.9	2.4	46.4	1.0	10.4
Texas	3,624,056	47.2	14.3	36.0	2.3	0.2

NATIONAL INCREASE IN SEGREGATION

In fall 1972, after the Supreme Court's 1971 busing decision, which led to new court orders for scores of school districts, 63.6% of black students were in schools with less than half white enrollment. Fourteen years later, in 1986, it was virtually the same but now it is 67.1% (see Table 4). Desegregation remained at its high point until about 1988 but then began to fall significantly on this measure.

Table 4
Percent of U.S. Black and Latino Students in Predominantly Minority and 90-100 Percent Minority Schools, 1968-1994

YEAR	Predominantly Minority		90-100% Minority	
	Blacks	Latinos	Blacks	Latinos
1968-69	76.6	54.8	64.3	23.1
1972-73	63.6	56.6	38.7	23.3
1980-81	62.9	68.1	33.2	28.8
1986-87	63.3	71.5	32.5	32.2
1991-92	66.0	73.4	33.9	34.0
1994-95	67.1	74.0	33.6	34.8

Source: U.S. Department of Education Office for Civil Rights data in Orfield, *Public School Desegregation in the United States, 1968-1980*, tables 1 and 10; 1991 and 1994 NCES Common Core of Data.

A second measure of segregation, calculated as the number of students experiencing intense isolation in schools with less than one-tenth whites (i.e. 90-100% minority enrollment), shows that the proportion of black students facing extreme isolation dropped sharply with the busing decisions, declining from 64% in 1968 to 39% in 1972 and continuing to decline slightly through the mid 1980s (Table 4). This kind of intense isolation has increased gradually from 1988 to 1991 but actually declined slightly from 1991-1994. This is the only measure that does not show increased black segregation.

The third measure of desegregation used in this study, the "exposure index" which calculates the average white percentage in schools attended by black students, shows a level of contact with whites almost as low as it was before the busing decisions in the early 1970s, 33.9%, down from its 1980 level of 36.2% (Table 5). Overall, the level of black segregation in U.S. schools is increasing slowly, continuing a historic reversal first apparent in the 1991 enrollment statistics.

Table 5
Average Percent White in Schools Attended by Typical Black or Latino Student, 1970-1994

Year	Blacks	Latinos
1970	32.0	43.8
1980	36.2	35.5
1986	36.0	32.9
1991	34.4	31.2
1994	33.9	30.6

CLIMBING AFRICAN AMERICAN SEGREGATION IN THE HEARTLAND OF THE OLD SEGREGATION

The South and the Border State Region are leading the nation in the turn back toward segregation for black students, because they have been the most desegregated regions and have the most progress to lose. Ever since the civil rights revolution in the 1960s, the seventeen states of these two regions (the eleven states of the Old Confederacy and the adjoining six states from Oklahoma to Delaware which also maintained state-mandated segregation) have been the center of the least segregated region for black students. The transformation of this huge region, with more than one-third of the states, from an area of complete educational apartheid to the least segregated area in the U.S. was a historic accomplishment. That accomplishment is being lost.

Two of the three measures used in this study, show that the South has fallen behind another region of the country. The Border state region is now reporting an extremely high level of intense segregation, exceeded only by the Northeast. These regions are clearly slipping back toward their far more segregated pasts.

In terms of the proportion of black students in desegregated majority white schools, the South increased dramatically from virtually total segregation in 1960 to 14% of blacks in majority white schools in 1967, 36% in 1972 and a high of 44% in 1988. Since then the number dropped to 39.2% in 1991 and 36.6% in 1994, losing all the slow progress of the last two decades and heading back toward the levels of segregation before the cities were desegregated. On the other measures of segregation the pattern for the region was similar. Its level of intense segregation increased slightly and the exposure of its black students to white students fell.

The Border state region, encompassing the six states from Oklahoma to Delaware which were

not part of the old Confederacy but had a system of mandated segregation at the time of the Brown decision, experienced a more rapid rise in segregation from 1991-1994-95. The Border State region went from having 41% of its black students in majority white schools to 36% in just three years, a very rapid rate of change. The percent in intensely segregated schools climbed from 33% to 37% and exposure of black students to whites also declined significantly.

The most segregated regions for the past generation, the Northeast and the Midwest continued to lead the list this year, except the Border region surpassed the Midwest in terms of intense segregation. Segregation was increasing gradually for black students in the region on two of the three measures. Segregation in the most segregated region, the Northeast, remained about the same. The region now has about half of its African American students in schools that are 90-100% nonwhite, far surpassing other regions in the level of intense segregation.

TRENDS FOR LATINO STUDENTS

Latino segregation has become substantially more severe than African American segregation by each of the measures used in this study. In the Northeast, the West, and the South, more than three-fourths of all Latino students are in predominantly non-white schools, a level of isolation found for African American students only in the Northeast. We have been reporting these trends continuously for two decades. They are clearly related to inferior education for Latino students. Though survey data is limited, the surveys that have been done tend to show considerable interest in desegregated education among the Latino family and substantial support for busing if there is no other way to achieve integration.

All three measures of segregation reported in tables 4 and 5 show a continuing gradual

national increase in segregation for Latino students. The most significant change comes in the proportion of students in intensely segregated schools, which rose to 34.8% in 1994. In 1968, only 23% of Latino students were in these isolated and highly impoverished schools compared to 64% of black students. Now the percentage of Latino students in such schools is up by almost half and is slightly higher than the level of intense segregation for black students.

REGIONAL SEGREGATION FOR LATINOS.

Since the statistics on Latino segregation were first collected, segregation has always been most intense in the Northeast, where most Latinos are from Puerto Rico and other Caribbean islands. By 1994, the isolation of Latinos was still intense in the Northeast and was also high in the South and West. In all three regions, over 75% of Latinos were in schools with majorities of Black or Latino students (Table 6). The West, deeply shaped by the migration of Mexican Americans and Mexicans, now isolate Latinos at levels exceeding the national figures for Blacks.

Table 6
Latino Segregation by Region, 1994-95
Percent of Latino Students in Region in Schools

Region*	0-50% Minority	50-100% Minority	90-100% Minority
South	24.4	75.6	38.0
Border	59.2	40.8	12.3
Northeast	22.4	77.6	45.1
Midwest	46.9	53.1	21.8
West	24.1	75.9	32.1
U.S. Total	26.0	74.0	34.8

Source: 1994-95 NCES Common Core of Data; Harvard Project on Desegregation.
See Appendix B for a list of states in each region.

Since Latino students are experiencing far higher dropout rates than African Americans and the

majority of Latino students live in two states where the education officials have adopted policies ending affirmative action for college admissions, the increasing concentration of students in low achieving, high-poverty schools where few children prepare competitively for college raise extremely important issues. If the growing community of Latino students is increasingly isolated in inferior schools and standards are raised without the schools having the means to meet them, there could be a vicious cycle of declining opportunity.

RACE AND POVERTY

The relationship between segregation by race and segregation by poverty in public schools across the nation is exceptionally strong. The correlation between the percent of black and Latino enrollments and the percent of students receiving free lunches is an extremely high .72. This means that when we talk about racially segregated schools, they are very likely to be segregated by poverty as well.

There is strong and consistent evidence from national and state data from across the U.S. as well as from other nations that high poverty schools usually have much lower levels of educational performance on virtually all outcomes. This is not all caused by the school; family background is a more powerful influence. Schools with concentrations of low income isolated children have less prepared children. Even better prepared children can be harmed academically if they are placed in a school with few other prepared students and, in some cases, in a social setting where academic achievement is not supported.

School level educational achievement scores in many states and in the nation show a very strong relation between poverty concentrations and low achievement. This is because high

poverty schools are unequal in many ways that effect educational outcomes. The students' parents are far less educated--a very powerful influence--and the child is much more likely to be living in a single parent home which is struggling with multiple problems. Children are much more likely to have serious developmental and untreated health problems. Children move much more often, often moving involuntarily in the midst of a school year, meaning that schools often do not have the students for sufficient time to make an impact. High poverty schools have to devote far more time and resources to family and health crises, security, children who come to school not speaking standard English, seriously disturbed children, children with no educational materials in their homes, and many children with very weak educational preparation. These schools tend to draw less qualified teachers and to hold them for shorter periods of time. They tend to have to invest much more heavily in remediation and much less adequately in advanced and gifted classes and demanding materials. The level of competition and peer group support for educational achievement are much lower in high poverty schools. Such schools are viewed much more negatively in the community and by the schools and colleges at the next level of education as well as by potential employers. In states that implemented high stakes testing that denies graduation or flunks students, the high poverty schools tend to have the highest rates of sanctions by far.

None of this means that the relationship between poverty and educational achievement is inexorable and that there are not exceptions. Many districts have one or a handful of high poverty schools that perform well above the normal pattern. Students of the same family background may perform at many different levels of achievement and there are some talented students and teachers in virtually every school. The overall relationships, however, are very powerful.

Students attending high poverty schools face a much lower level of competition regardless of their own interests and abilities.

This problem is intimately related to racial segregation. The bottom row of Table 7 shows that 60.7% (50.3+10.4) percent of the schools in the U.S. have less than one-fifth black and Latino students while 9.2% (2.7+6.5), have 80-100% black and Latino students. At the extremes, only 5.4% of the schools with 0-10% Black and Latino students have more than half low income students; 70% (333.1+37.4) of them have less than one-fourth poor students. Among schools that are 90-100% African American and/or Latino, on the other hand, almost nine-tenths (87.8%) are predominantly poor and only 3% (1.2+1.6) have less than one-fourth poor children. A student in a segregated minority school is 16.3 times more likely to be in a concentrated poverty school than a student in a segregated white school.

Table 7
Relationship Between Segregation by Race and by Poverty, 1994-95
Percent Black and Latino Students in Schools

% Poor in Schools	0-10%	10-20%	20-30%	30-40%	40-50%	50-60%	60-70%	70-80%	80-90%	90-100%
0-10%	33.1	21.1	7.2	3.2	2.2	2.0	1.3	1.4	1.2	1.2
10-25%	37.4	39.4	34.1	22.1	12.4	7.9	3.8	3.1	2.9	1.6
25-50%	24.1	31.8	45.9	52.5	49.6	40.3	27.5	18.0	14.2	9.5
50-100%	5.4	7.2	12.8	22.2	35.8	49.7	67.4	77.5	81.7	87.7
Total	100	100	100	100	100	100	100	100	100	100
% of U.S. Schools	50.3	10.4	7.8	6.3	5.4	4.4	3.4	2.8	2.7	6.5

Note: The correlation between percent Black and Latino enrollments and percent free lunch eligible is .72.
Source: 1994-95 NCES Common Core of Data; Harvard Project on Desegregation.

WHERE IS SEGREGATION CONCENTRATED?: THE LONG-TERM EFFECTS OF THE SUPREME COURT'S DECISION AGAINST SUBURBAN DESEGREGATION.

Blacks living in rural areas and in small and medium sized towns or the suburbs of small metropolitan areas are far more likely to experience substantial school desegregation than those living in the nation's large cities. Students living in towns and rural areas and in suburbs of small metropolitan complexes attend school with an average of about half white students (see Table 8). In contrast, those in the big central cities attend schools those that have an average of 83% nonwhite students. Suburbs of big and small central cities occupy an intermediate position, with black students in schools with about 40% whites and 60% nonwhite students.(see Table 8). Considering the small proportion of minority students in many suburban rings this level of segregation is a poor omen for the future of suburbs which will become more diverse.

The nation's nonwhite population is extremely concentrated in metropolitan areas. Outside the South, this concentration tends to be in the largest metropolitan areas with the largest ghettos and barrios. Many of the small cities and towns in Illinois and Michigan, for example, have few African American students and the vast majority of the white students live in suburbs divided into scores of separate school districts, all laid over extremely segregated metropolitan housing markets. This means that the central city school districts become extremely isolated by race and poverty and are critical only for nonwhite students. Since the minority communities are constantly expanding along their boundaries and virtually all-white developments are continuously being constructed on the outer periphery of suburbia, the central cities have a continual increase in their proportion of black and Latino students.

Interdistrict Magnets

A significant number of large urban school districts have high minority student enrollments (most have student enrollments that are 70% or greater minority). Minority enrollments are continuing to increase in these districts.

In the ten largest school districts, students who are isolated on the basis of race also tend to be isolated by poverty.

Student achievement in predominantly minority isolated and poor schools is well below the national average.

During the last several years, reported incidents of racial violence and tension have increased. At the same time, because schools are resegregating racially, students of all racial and ethnic groups are experiencing fewer opportunities to interact with one another.

In Milliken v. Bradley, the Supreme Court found that in order for a court to order an interdistrict remedy, the court must find a violation with continuing interdistrict effects. Very few cases have been brought along these lines. Therefore, there are very few court-ordered interdistrict remedies.

Magnet schools provide opportunities for students of different racial, ethnic, social and economic backgrounds to study and learn together. This experience affects both minority and non-minority students and results in these students gaining a better appreciation of people who are different from themselves and better skills in interacting with individuals from backgrounds other than their own.

Magnet schools' high quality special curricular programs provide challenging academic instruction that also help raise student achievement levels for both minority and non-minority students with various academic backgrounds. The special curricular programs provided by magnet schools are not designed exclusively to meet the needs of the academically elite.

In a limited number of instances, interdistrict magnet programs are supported under the Magnet Schools Assistance Program (MSAP). However, these programs account for less than five percent of MSAP funding.

In a large number of metropolitan areas, urban school districts with high and increasing minority enrollments are bordered by suburban school districts whose enrollment is predominantly non-minority. In these areas, interdistrict magnet programs could create or significantly expand opportunities for social and academic growth for students that would otherwise not be available to them in their current schools and districts.

Major advantages of a specific interdistrict magnet initiative or program include the following:

Like other magnet programs, participation on the part of students and their families would

be completely voluntary.

An interdistrict magnet program would provide opportunities to create integrated schools that in many instances are not possible within the confines of either urban or suburban school districts, because the demographic make-up of one group tends to include extremely large percentages of minority group students while the demographic make-up of the other tends to include very small percentages of minority students.

With specific respect to the MSAP, an interdistrict approach has the potential of creating viable joint programs for which neither party to the interdistrict project would have been eligible if it attempted to apply seperately for its own intradistrict magnet schools.

With respect to the MSAP, an interdistrict approach would afford participating school districts with new opportunities to create challenging and innovative educational programs that they could not otherwise afford to develop. This may be as true for many more affluent suburban school districts trying to either avoid tax increases or trying to cut taxes as it is for urban school districts struggling to adequately fund basic programs.

An interdistrict magnet initiative or priority would also face several barriers and potential liabilities:

Basic funding formulas in many States are driven by average daily attendance (ADA). This creates a disincentive for schools and school districts to permit or encourage their students to enroll in a school that is not in their district and under their jurisdiction.

The development of an interdistrict program requires two (or more) school districts to work together in ways that they are not accustomed to working. This involves making mutually acceptable decisions regarding issues such as the location of magnet schools, magnet school curriculum, student selection procedures, funding support for basic operational costs (with or without Federal funding from the MSAP), and decision-making authority with respect to the magnet school(s).

In many instances, school districts will incur additional costs for student transportation which cannot be supported with MSAP funds because the statute prohibits the use of grant funds for transportation at 20 U.S.C. 7209(a).

Many school districts are large county-wide systems, making it difficult to link their schools with schools in other districts because of size and geography (e.g., the large county-wide districts in Florida).

In instances where there is significant community concern or a perception that the location of the magnet school is unsafe, or negative attitudes towards the safety or quality of schooling in adjacent jurisdictions, building support for interdistrict magnet programs, will be extremely difficult.

In some instances, school districts may not believe that there are adequate incentives to justify what they perceive to be a risky and burdensome venture that requires significant involvement and partnership with other school districts that have less successful track records than their own.