

Planning for Equity

A comprehensive focus on equity in programs and facilities is the best way to help desegregation stick

BY KELLEY D. CAREY

School desegregation is the law. That was settled by the U.S. Supreme Court more than 50 years ago, but plenty of folks still do not accept it. Not long ago, when I was serving as a planning consultant to a school district, state troopers had to escort me to a town meeting, where I told an angry crowd that the court required the district to have a desegregation plan. The mood was menacing. The local editor wore a Confederate

officer cap and flew the Confederate battle flag over the newspaper office.

This district, like many, operated under desegregation court order for years without it making much difference in how things were done. That's not unusual: Despite the gravity of the issue, in my experience, most school districts have not gone beyond the most basic steps to end segregation. They have not developed the tools to include desegregation or equity in their planning or to help it stick in the long run. But that need not be the case. Districts—whether they're under court order to desegregate or not—should consider the positive benefits of including desegregation and equity in school district planning.

WHAT GOES WRONG

Despite the Supreme Court's landmark 1954 ruling in *Brown v. Board of Education*, many school districts perpetuate the old idea of separate but equal by failing to plan for long-term desegregation. They argue that current desegregation is not the result of operating a dual school system—*de jure*

segregation, for which the school district is liable. Instead, they blame natural demographic shifts—*de facto* segregation, for which the district is not liable.

But according to Supreme Court rulings, districts are still liable if any of the resulting segregation is traceable to their actions. It is not reasonable to put the burden on a district to show that nothing it has done perpetuated *de jure* desegregation. That burden could be extended to very minor arguments over precise percentages of students of either race or over minor repairs needed to different schools. But to argue over small matters as vestiges of segregation would clog the courts and waste resources. It is reasonable, however, to make the district show how it planned across the board to desegregate when its prior planning was aimed at segregating students.

That desegregation plans may eventually fail to work or lose public support is no accident. It is the result of failure to see that demographics are always shifting, that a planning process—not a single document—is the only practicable way to help desegregation stick. I have seen many

cases of construction programs that entrench segregation, school by school. Add classrooms at the mostly white school, add classrooms at the mostly black school, and keep adding on to old schools so they cannot be closed. The result is to further “separate but equal” and avoid possible dissent—then argue to the court that desegregation will be disruptive.

For their part, courts fail to understand the disjointed, one-shot nature of most district planning. As a result, courts often don't see what negligence underpins the district's defense, what questions need answers, and what solutions are in fact rational and practicable in a specific context.

SEARCHING FOR DESEGREGATION TOOLS

Pairings, clustering, consolidations, and massive redrawing of boundaries were the broadswords of early desegregation. They were all based on existing schools, and none of them worked for long.

The next approach was to convert some or all schools in a district into magnet schools. Just design the right programs, experts promised the courts, and the whites will travel back into town and desegregate a black school. Or, the blacks will want to be bused to the suburbs to a “mirror magnet.” Well over a billion dollars has been spent on the concept, but magnet schools have seldom been of more than limited utility for desegregating. In some cases, for example, magnet

schools were used to desegregate a district and then were slowly disbanded once the district was declared unitary by the court overseeing the mandated desegregation.

Choice plans were also designed to force desegregation, but choice is impractical because schools have fixed enrollment capacities and parents frequently prefer certain schools and principals, in part because of race. The next step is “controlled choice,” which limits parents’ choice to maintain a target racial balance. Such plans are generally unpopular because of their convoluted nature and uncertain outcomes. Gambling on where your children will go to school is hardly a choice. And although plans that allow white students to transfer to predominantly minority schools and vice versa are common in desegregation plans, I have yet to see much participation in these programs over the long term. The most likely candidates will be black kids who want to go to a better program. Many such students are low income and require bus transportation, but many choice programs do not provide transportation.

RETURNING TO ‘PLESSY’?

Some experts who pushed magnet schools for desegregation are abandoning them now, citing supposed new research about voluntary desegregation. According to this new theory, segregation is a matter of individual choice based on where a student “decides” to live, as though income had nothing to do with it. But the use of voluntary transfers as a sole tool for furthering desegregation is a return to the Supreme Court’s 1896 “separate but equal” ruling in *Plessy v. Ferguson* and a backdoor dismissal of *Brown v. Board of Education*.

Voluntary desegregation was the central statement of *Plessy*. “If the two races are to meet upon terms of social equality,” the court said in that case, “it must be the result of natural affinities, a mutual appreciation of each other’s merits and a voluntary consent of individuals.”

But voluntary desegregation is not the law of *Brown*. Trusting to voluntary transfers as the main tool to further desegregation is a Band-Aid approach to planning aimed at making any concerns about segregation of society go away, at least for the moment. It presupposes that the programs and facilities at one school are better than those at another, a total contradiction of equity planning. And of necessity, desegregation is intertwined with equity planning. Only a comprehensive planning process can truthfully tell if desegregation is practicable at every school—and it not always is. But equity in programs, demographics, and facilities is always practicable, though difficult to maintain in a segregated environment.

The voluntary desegregation theory is bound to attract a following of financially strapped and desegregation-challenged dis-

tricts, but there is something unsettling about undoing a desegregation plan intentionally. And such programs have a way of changing as districts change, degenerating into “us and them” distinctions and distrust and undoing much that was achieved at high cost after *Brown*.

FINDING ANSWERS

No magic formula will help school districts find long-term strategies for attaining—and maintaining—desegregation and equity. But districts can take some simple steps to further desegregation:

1. Make a commitment to comprehensive planning. Comprehensive planning brings together programs, demographics, and facilities in a process that includes collecting data, defining needs, examining al-

Failure of a magnet school plan

In 1988, the Savannah-Chatham County, Ga., district launched a plan to turn some 20 inner-city schools into magnets. The majority of the students currently enrolled in the schools were low-income African Americans who would not qualify for most magnet programs and could not be bused out. Regular programs for these students continued alongside the new magnet academies, which enrolled primarily white students. Nothing was done to desegregate the learning environment.

When the desegregation case returned to federal district court in 1993, my statistical analysis predicted that the scheme had peaked and would fail to desegregate the district through projected increased enrollment. Why, I asked in court testimony, would white parents send their children downtown

to an old building when the district was at the same time building \$200 million worth of new schools in the suburbs?

The local newspaper reported 10 years later on the district’s failure to desegregate and quoted my court testimony. According to district data, in the decade following the court case, the magnet plan had unraveled. Nine of the 20 magnets were abandoned. Four new ones were set up elsewhere, and three had failing programs that were disbanded in favor of a new theme. The number of schools involved dropped from 20 to 15, and magnet enrollments dropped instead of growing.

As to desegregation, none of the programs met the 50 percent black, 50 percent white ratios projected, and seven have 70 percent or more of one race. The magnet plan did not desegregate the district, but it did raise transportation costs.

ternative solutions, forecasting long-range impacts, and careful scheduling of implementation.

Comprehensive plans are living documents that must be revitalized each year with commitment and know-how. As applied to desegregation, such planning looks at the long-term trends of demographic shifts, facilities needs, and programmatic developments and examines how those trends, under different scenarios, would further desegregation while serving all the other goals.

Enrollment projections and computer mapping of students (including by race) are elemental planning tools, so there is little reason to be surprised at demographic shifts—and no reason to ignore them when planning for new school construction. In the long run, desegregation depends in large part on the location of school buildings, which cannot easily be changed except in stages.

2. Understand that schools are platforms to support programs—not icons to stand in the way of desegregation. Good school design is of incredible value, but in the end, schools are there to house programs effectively. Decisions about where and what to build can affect a district for 50 to 100 years. Students from affluent neighborhoods will not be attracted to run-down historical monuments in bad areas. If old schools have historical merit, convert them to some other use, such as office space or condominiums. If not, evaluate whether it is more economical to tear an old building down or to renovate it. But bear in mind that a renovated old building is still an old building and may quickly sink back into disrepair. Even extensively renovated buildings are seldom comparable to flexible and forward-looking new facilities that enhance education and invite white folks back into the city.

3. Build schools in places that are interfaces between segregated neighborhoods. Schools in such areas are identified with no race—they are owned by all the

people. It isn't always feasible, of course, but look for new school sites near business or shopping centers where people come together or between residential neighborhoods characterized by different ethnic or racial concentrations. Demographics always shift over time, but carefully chosen interface locations can survive for years. Making schools part of the community—by creating joint-use library and gym facilities, for example—will also further desegregation, as will after-school programs that involve the community.

4. Get away from the “neighborhood schools” argument. The term neighborhood schools has been a big block to desegregation. It is generally a buzzword used by developers or a code phrase for good education in your own neighborhood versus bad outcomes from desegregation. Schools should be located for the long view, for flexibility in student assignment, and for common ownership without racial identification.

In truth most schools serve many so-called neighborhoods. Their attendance lines cannot always mirror neighborhood boundaries—if such boundaries are even clear. From a city planning standpoint, people's neighborhoods really consist of whom they know and mingle with, which may be their church congregation, club members, or a mix of folks living close by and other friends.

In urban districts where we have mapped students for the first time, we've often found 30 percent or more attending school out of zone, most of them without permission. Districts often have a policy allowing employees' children to attend the school where their parents work. Why not let other students attend the school nearest to where their parents work? With high rates of mobility in many districts, job sites might be more stable identifiers than home addresses. Such a plan would foster equity by encouraging suburban students to return to city schools—perhaps saving under-enrolled buildings from being closed.

5. Do not depend on transitory programs to desegregate a school district.

The life of a themed magnet school depends hugely on the school's leadership. Lose that principal, and the school may rapidly decline. Don't believe a particular theme will bring affluent white students downtown and away from new schools in the suburbs. This approach generally works just long enough to capture the large funding that could have been used for more lasting desegregative tools.

6. Apply the “practicability test” to a staged development of alternative plans. Student assignment plans should evolve, starting with the least change and moving toward complete district desegregation.

Signs of creeping resegregation

Demographic research has documented the increasing resegregation of U.S. schools. Signs to watch for include:

- New board members who are insensitive to the issue
- A new superintendent who does not understand the priority
- Lack of attention to desegregated leadership at schools and in the administration
- A little redrawing of attendance boundaries
- A few new classrooms built here or there on the premise of growth that's not in evidence
- Lack of integration of schools into the community
- Promises of community involvement that are largely ceremonial
- Failure to plan comprehensively and keep the planning process alive to ensure that all students are treated equitably in terms of facilities, programs, and instruction whether they can be in a desegregated setting or not.

Somewhere along the way will be the plan that is most practicable. That means it will be possible to pay for modifying, constructing, or enlarging the schools involved; programs will be of uniform content and instruction of consistent quality; the distances students must travel will be reasonable and equitable; building capacities will handle the projected enrollments; and the plan will be flexible enough to respond to possible demographic shifts without a complete redo.

In districts where I consult, I develop studies to establish the reasonableness (practicability) of the recommended programs in terms of attendance, facilities, and funding. For example, one plan included closing three elementary schools and using the savings to remodel the middle school. In place of the old, deteriorated buildings, the students got a fine central school within a

reasonable distance and with enriched course offerings. Planning like this must carry the theme of equity, as desegregation is not always practicable but equal educational opportunity certainly is.

7. Provide the courts with experts for desegregation cases. The field is rife with experts who represent the same point of view over and over but lack the analytical tools to decide what is practicable in a given desegregation case. The court expert is there to represent the people when the sides are divided. So look for someone who works in the field of school district planning and has the knowledge, wisdom, and experience to apply all planning tools to equity and desegregation in the search for a practicable plan.

8. Involve community parents in planning. Sometimes the original plaintiffs in a desegregation case are responding to long-ago situations and can lose sight of what it takes to arrive at a harmonious joint plan. Parents want a good and safe education for their children and may be more inclined to put old prejudices aside and work together as part of a planning team.

9. Consolidate small old schools with declining enrollments. Hanging onto very small schools can be a real barrier to desegregation. In addition, consolidation often yields huge annual cost savings. While the right size for schools will vary by the circumstances, bear in mind that old schools—especially those that need much renovation—can perpetuate segregation and undermine badly needed economies of scale.

10. Select a superintendent who knows the community and who has a stake in its desegregation and the leadership skills to bring people together. The superintendent must take the lead in ensuring equity and helping desegregation and must be adept at relating to people of all races and ethnicities. That takes local knowledge and investment in the outcomes. No matter how good a candidate is, it takes time to understand the culture of the district and the larger community. The best superintendent candidate may be already on your

staff. Requiring staff development for future leaders is part of this picture.

11. Consider that the traditional ways to pay for school construction may promote segregation. Property taxes underpin most school budgets, which means construction funds are territorial by definition. The neighborhoods that produce new taxes want the new schools. This can lead to a disconnect between where new schools are built and where they are actually needed. Low property taxes in some areas put school districts on subsistence income and drive affluent residents to choose private schools. In short, depending on property taxes to fund school construction encourages segregation. In contrast, sales tax, which has been used very effectively in recent years for school construction programs, has no territorial need for payback. The money comes from everyone who shops at the local Wal-Mart or Target.

12. Understand that other community planning can be a hindrance to desegregation. Local housing authorities continue to rehab old public housing, usually located in low-income and black residential areas. Similarly, local community master plans subsidize suburbs with new sewers and roads to undeveloped areas. White migration to suburbs, supported by such public investment, was a documented trend following World War II, well before the *Brown* decision. People still use the fear of white flight to fight desegregation, but the courts say it should be considered only in fine-tuning a desegregation plan—not avoiding one. White migration to the suburbs has helped develop zones of wealth and poverty and stalled development of useful public transportation that would further racial dispersion. Fuel price hikes might slowly reverse this trend; urban reinvestment, a growing trend, is also a positive shift.

LOOKING AHEAD

Segregation today is not just a black and white issue. Practices that are, in effect,

For more information

Kelley D. Carey has written numerous articles for *American School Board Journal* and *ASBJ's* school facilities annual *Learning By Design*. All of these articles are available online at www.asbj.com/lbd/2004/resources.html.

- "Before You Dig," *ASBJ*, October 1999.
- "Best-Laid Plans," *ASBJ*, October 2001.
- "Building within Budget," *School Spending*, a supplement to *ASBJ*, 2000.
- "Designing for Students' Needs," *LBD*, 2003.
- "Hearing the Public Voice," *LBD*, 2001.
- "Renovate or Replace?" *ASBJ*, October 2000.
- "Selecting an Architect," *ASBJ*, August 2000.

hostile to desegregation and equal education for African-American children will surely have the same effect on Hispanics and other immigrant groups—especially with their added need for language instruction.

Providing the same level of competent instruction at all schools will further desegregation. Yes, that is a challenge, but unless school leaders are committed to equity, segregation will be perpetuated. School board

members and administrators, and the courts, must be attuned to opportunities to encourage desegregation as a part of district planning—and to the equity that such careful planning engenders.

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