

Reclaiming the Promise of *Brown*: The Integration of Desegregation & School Funding Reform

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Brown's Promise



This year, 2024, marks the 70th Anniversary of the landmark court decision in education which sought to end legal segregation, *Brown v. Board of Education*. At the time, the hope was that ending segregation would address the vast and deep inequities in educational resources by race that had long been the legacy of schooling in the United States. Getting to the *Brown* decision was a long, hard battle, fought by civil rights attorneys, but also by educators, social psychologists, and members of the Black community—parents and students. And yet, despite the hopes for resource equity and higher quality education for Black students, inequities by race still plague our education system, and the promises of *Brown* remain substantially unfulfilled.

This paper is a part of a series, titled *Brown at 70: Reflections and The Road Forward*. The series consists of nine papers by leading scholars of educational equity, and each takes an honest look at the progress since *Brown*, documenting the shifts over time on key aspects of education including segregation levels of schools across the country, achievement trends in relation to policies and practices over time, the diversity of the teaching force, access to resources, the role of Black scholars and community activism, and the relationship between democracy and education. Taken together, the set of papers offers both an historical look at the impacts of the *Brown* decision, and, importantly, also offers guidance for the road ahead—promising policies, practices, and directions for the schools we need.

The cover art for this series is a reproduction of the Jacob Lawrence painting from 1960, *The Library*, which depicts the library as a vibrant learning setting for Black community members, and signifies the important of reading, learning, and education in the Black tradition.

— **Na'ilah Suad Nasir, Spencer Foundation President**
Linda Darling-Hammond, Learning Policy Institute President

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Brown v. Board of Education propelled the Civil Rights movement. The legacy of *Brown* is a symbol of America's commitment to racial integration, as the ruling struck down state-sponsored racial segregation and Jim Crow's state-enforced superstructure of racial hierarchy. Applying overtly to the nation's schoolchildren, symbolically *Brown* applied to all aspects of the entrenched system of racial hierarchy, and was a catalyst that helped dismantle state-sanctioned racial apartheid in the United States more broadly. The vestiges of structural racism, branch by branch, would not go untouched—this was the promise and original meaning of *Brown*. Symbolically, yes, undeniably so—but substantively, the story is far more complicated, the journey a winding road with mountainous terrain, not a smooth straightforward path. And now we are at a crossroads—or destined for dead ends if new approaches are not embraced.

While the racial/ethnic and socioeconomic diversity of America's schoolchildren have never been greater, entrenched resegregation of American public schools has returned segregation to the levels that prevailed in the early 1970s, as support for integration efforts has waned substantially over the past three decades. This is no accident; it is, rather, the direct result of policy actions in education and policy inaction in housing. In many ways, the country has abandoned the ambition of integrated schools, and settled for a different and more politically comfortable vision. The prevailing view today amongst equity advocates is that education reform efforts should be directed solely at improving the quality of school resources that minority students receive, regardless of whether those students are in integrated or segregated schools. We have turned our back on the dream of *Brown*. In some places, violent opposition and hotly contested and antagonistic processes of implementation turned the dream into an avoidable nightmare in some communities. This at times led to disillusionment, and for many, the spirit of *Brown* seems to be lost. Where there was success, it was hidden from view, and there was less sharing of exemplars that might have informed best practices. How did we get here? Just as people have intergenerational lineages, so do policies. We must not have policy amnesia, but we must understand the policy lineage of equal education opportunity in this country. What lessons could we import from history that could inform contemporary policy debates about the best ways to address unequal opportunity in children's lives? Where there was success, what were schools doing right?

This essay explores (1) the enduring relationship between racial segregation and unequal opportunity; (2) the divergent paths of "school integration" and "school resource equity" post *Brown*; and (3) the urgent need for a recommitment to advancing integrated and well-resourced public schools; and (4) it begins to outline a path forward, if we are serious about achieving this vision. Ultimately, we argue that it is naïve to envision or assume that school funding reform can produce the same social benefits for children that racially and socioeconomically integrated schools can; nor, however, can greater educational opportunity be guaranteed just by engineering more diversity in schools through student-school assignment policy.

The best available research evidence provides support of the pursuit of a holistic set of policy reforms that rethink how we assign students and resources to schools if we are ever to achieve equal educational opportunity that prepares all students to thrive in a multiracial democracy.

Segregation is not only about separation of people, but it is segregation—hoarding, in fact—of opportunity. Segregation is not uniquely Southern, nor a Black problem, but an American problem. Educational opportunity continues to be unequally distributed along race and class lines. *Brown* is rightly celebrated, but widely misunderstood—as though, instantaneously, a light switch was turned on. *Brown* struck down segregation, it did not say how its opposite—integration—should be enacted. *Brown* diagnosed the illness but did not prescribe the cure. It sketched the vision of a racially just society but left the details for someone else to fill in. There was nothing in the ruling about how specific districts were to be compelled into desegregation; nor was there an exact definition of what it would mean to have a desegregated school, or a deadline by which every district in the Jim Crow South would have to show itself in compliance with *Brown I & II* rulings.

Segregation has been protected and preserved in ways that go beyond laws and the trace of law, but embodies practices, resources, and values that live in individuals' hearts and minds. There is a false distinction between de jure and de facto segregation: whether it occurs by law or by fact, the consequences are the same. Strategic city planning and residential segregation (via exclusionary housing zoning ordinances) pervasive throughout regions of the country outside the South effectively produce the same outcomes as Jim Crow laws in the South (Rothstein, 2017). This issue is penetrable, tractable – this is not a disease for which there is no known cure. It is a disease for which the deeply ingrained will to preserve racial segregation has not been matched by a sustained commitment to undo it. Integration is like a surgical procedure performed on a school system. It hurts, but it cures. Segregation is like a painkiller. It gives instant relief for families looking to avoid diversity, but has long-term side effects.

Integration is not only about assignments of children to schools by race and parental *socioeconomic status* (SES), but centrally about equitable school resources: funding, teacher quality and teacher diversity, curricular quality, facilities, guidance counselors, school nurse and health-related support staff. Indeed, advocating for more funding and resources in schools serving high concentrations of students living in poverty and students of color, without tackling the broken borders, boundaries, and policies that create the concentrations of poverty and racial isolation in the first place, will severely undermine forward progress. Achieving resource equity is most often not attainable without an explicit focus on desegregation because:

- Segregation increases overall costs. The more socioeconomically segregated¹ schools are, the more money is needed overall to achieve equal educational opportunity, because student populations of concentrated poverty are expensive to serve well;
- Segregation increases the need for redistribution. In a system funded largely by local property taxes, greater fragmentation and tiny isolated districts create a substantial need to shift money from one district to another to achieve equitable funding. Redistribution is politically unpopular and State policy made by elected officials doesn't—and won't—adequately address inter-district tax inequities; and
- Segregation ensures funding equity is not resource equity. Funding equity only matters to the extent it actually changes the student experience. Teacher churn, insufficient access to rigorous coursework, and over reliance on exclusionary discipline too often remain in segregated schools, even if funding is allocated more equitably.

It is thus paradoxical and ironic that, despite desegregation and school funding reforms sharing the goal of addressing educational opportunity gaps, school desegregation litigation and school finance litigation have taken two remarkably separate paths. The overlaps in aims, yet the divergence in methods to achieve them, should not be overlooked. Moreover, what is often under appreciated is that the pursuit of desegregation litigation and school finance litigation separately has contributed to the limited effectiveness of each.

¹ Race is still meaningfully correlated with poverty overall in America, although the correlation has been reduced over the last 60 years. This pattern is also true specifically for children; Black, American Indian, and Latinx children are more than twice as likely to grow up in poverty as their non-Hispanic White and Asian and Pacific Islander peers. Even more distinctive than family poverty, though, is Black children's disproportionate exposure to high concentrated poverty neighborhoods. There are vast differences in the neighborhood quality in which Black and White families with children, with identical incomes, reside in metropolitan areas across the United States. Affluent Black households (those with income above \$75,000) live in neighborhoods with a higher average poverty rate than poor White households (those with income below \$40,000) (Logan, 2011; Reardon et al., 2015). There is substantial neighborhood inequality by race throughout the entire household income distribution, and it is linked to racial parental wealth disparities. It takes more than \$65,000 in household income for Black households to reside (on average) in the median American neighborhood (measured by income), while White households with just \$21,000 in income reside in comparable neighborhoods (Bayer, Charles, and Park, 2021).

While the policy and legal process have historically viewed desegregation and school finance reform as policy substitutes (and continue to, but with perilous results), the reality is school resource equity in integrated schools and classrooms are complements and must be pursued in tandem, if either is to maximize effectiveness for student success.

Divergent Strategies Post *Brown*

Two Supreme Court cases in the mid-1970s helped to create a gulf between those who worked toward resource equity and those who worked toward school integration. In 1973 the Supreme Court decided a seminal resource equity case: in *San Antonio Independent School District v. Rodriguez*, the Court decided there was no federal constitutional right to a public education. Resource equity advocates responded by shifting to state court litigation, pursuing cases demanding better and more equitable resources for schools serving high concentrations of students of color and from low-income families, based on state constitutional requirements to provide a public education. The following year, in an equally seminal integration case, the Court ruled, in *Milliken v. Bradley*, (1974), that federal courts could not impose multidistrict, regional desegregation plans in the absence of any evidence that individual districts intentionally committed acts causing racial segregation. Integration advocates responded largely by pursuing federal court litigation and remedies focused on within-district integration. There have been a few meaningful state court efforts to pursue school integration, including *Sheff v. O'Neill* in Connecticut, *Latino Action Network et al. v. State of New Jersey*, *Cruz-Guzman v. State in Minnesota*, and *Paynter v. State in New York*. In the intervening 50 years, integration litigators and advocates have focused largely on federal courts and intra-district desegregation strategies, while resource equity advocates have focused on state courts and interdistrict funding inequities.

The Court in *Milliken v. Bradley* ruled in 1974 that integration efforts could not cross district lines unless both districts were found to have discrimination policies on the books, planting early incentives for the secession movement, which reinforced and accelerated White and middle-class flight and the urban-suburban pattern of racial segregation and geography of unequal opportunity evident in most metropolitan areas today (Baum-Snow and Lutz, 2011). Consequences of the *Milliken* decision make it among the most important of desegregation court rulings outside of the original *Brown I* and *II*. Addressing the problem of racially and socioeconomically segregated districts does not have the same set of functional policy tools as the problem of segregated schools (within districts)—without housing policy reforms that support integrated, mixed-income housing developments.

These siloed strategies are created by more than Supreme Court jurisprudence and litigation. For example, data availability has reinforced the division between researchers focused on school funding and those focused on integration. Student race and family income information is widely available at the school level, meaning that researchers can study and model levels of integration/segregation between schools within districts fairly easily, and they do. But until recently, there was no widespread data on per pupil spending at the school level; the only way to assess funding inequities at scale was to analyze interdistrict spending patterns, which reinforced the idea that school funding work is about district lines, while integration was about school assignment boundaries within districts, and kept the two fields working in often parallel paths without building relationships, connections, and knowledge about the ways that these two issues are intertwined and so deeply impact one another.

For those reasons and more, today's research, policy, legal, and advocacy landscape is strikingly siloed. There are a relatively small number of "school integration" organizations, researchers, and advocates that specifically dedicate time and attention to school funding formulas. A vast number of organizations, researchers, advocates, and networks of changemakers are dedicated to educational equity more broadly. While they talk about all types of resource equity—school funding, access to excellent educators, access to advanced coursework, school discipline inequities, social and emotional learning, STEM, arts, etc.—they have been notably silent about the role school segregation and integration play in hindering or advancing the work.

Despite these siloed approaches, school finance and school desegregation litigation have a deeply interwoven history in some respects. The landmark *Green* decision in 1968 (*Green v. County School Board of New Kent County*, in Virginia) sketched a blueprint for desegregation plans. The Court created six "Green factors"—"students, faculty, staff, transportation, extracurricular activities and facilities"—and established the prototype that would define, across the country, district compliance with desegregation mandates, explicitly centering the importance of access to resources as a core reason to prioritize school integration. The judicial landmarks of the school desegregation cases provided part of the basis for the movement toward school finance reform and marked debates about the constitutionality of local finance systems that rely disproportionately on local property taxes to fund K-12 schools, creating inequality in school resources.

School desegregation aims to accomplish the goal of equal educational opportunity by redistributing school children; school finance reforms, by redistributing resources; and expansions of pre-K, by redistributing the timing of school investments back to the earliest years of cognitive development. They each have positive independent effects, but it is the synergy between them wherein the power to transform children's life chances lie. While desegregation focuses on race, preK-12 school funding reforms target poverty and resources.

To undo the harms of segregation, one emphasizes the color of peers while the other the color of money; one centers on the power of diversity, the other(s) on the power of resources. Some advocates viewed the pursuit of integration as an end in and of itself, while others sought integration as a necessary means to the end: to realize the promise of equal opportunity.

While the overlap of the goals of these policies is clear, the overlap in the timing of implementation of them is less so, where the implementation timing differs considerably and depends on the specific district. But rarely have these three strategies been pursued in concert for extended periods of time. Rather, in most places and times, these policies have been advanced one at a time, unevenly and inconsistently, with each policy often framed initially as a panacea. The substantial variation in their timing and implementation across districts provides a rare testing ground for the first generation suite of equal education opportunity policy initiatives. There is a difference between a collection of good, but separate, policies as we now have in some places, and a collaboration of interconnected policies, the ultimate goal. The separation of school finance litigation and school desegregation litigation mirrors the separation of poverty/SES and race in our diagnosis and formulation of the problem, and therefore the design of the policy prescription; it also mirrors the siloing of housing policy from education policy where residential segregation is now taken as immutable. Extant efforts at solving our educational woes detach health from education, early education from K-12 schooling, and so on. Current policy designs are as divided as our segregated classrooms—and must be combated just as vigorously. This paper shifts the paradigm from a singular approach chasing after illusory silver bullets to an integrated solution that create an aligned and coherent strategy for our children's long-term future.

The principle underlying the NAACP's desegregation strategy was that "Green follows White": money for well-resourced schools follows the White students. On the other hand, school finance litigation and reform is most often presented as if it has little to do with race and is all about poverty vs affluence in the struggle for school resources. Battles over school funding inequities have been waged in over forty state supreme courts and over forty state legislatures. These debates appear colorblind, focused solely on differing perspectives on the need for redistribution of resources, the efficacy of increased expenditures, and retaining local control over education, with race not explicitly mentioned, not centered, so far in the background it requires binoculars to view. But this is far from being the case. Race is always an undercurrent in these legislative and judicial cases, and while less visible to the naked eye, race often sets the tone for, and shapes the perceptions of, the nature of the problem and what policy action (if any) should be done. The way we view and define a problem ultimately determines how we try to solve it. Focusing on the right problem, fighting the right battle, requires both an awareness of the true costs of racial and economic isolation on the geography of opportunity, and needs the ammunition of new evidence on the costs of providing quality schools for children who live with the multidimensional disadvantages of concentrated poverty.

Race is not a distraction, but a vitally important contextual factor. Colorblind analyses and “poverty-blind” analyses (i.e., analyses that don’t carefully consider the intersectional relationship between poverty and race and their influence on the dynamics of race relations and policy adoption) can be both detrimental and, at times, dangerous, blurring a clear focus on the problem, and can undermine policy design and effectiveness.

Colorblindness in the natural world is a hereditary health condition that causes the inability to distinguish certain colors. My son, Rucker Jr., suffers from colorblindness, as did his grandfather; but we did not discover his ailment until his eyesight was formally checked by a physician. Research has the capacity to perform this diagnostic function for education policymakers and practitioners to illuminate root causes and consequences of policy reforms, so that we do not become blinded by the (racial) politics of an issue. Without credible data and evidence, researchers would just be another set of people with an opinion. Seeing this, we assembled fresh, rigorous empirical evidence on what actually works that doesn’t depend solely on hunches, good intentions, ideology, or the politics of reform. In this case, the inherited problem was state-sponsored (residential and educational) segregation, so it seems odd that race-conscious remedies would not be deemed requisite to address the enduring legacy of segregation—indeed, seeing race allows one to identify structural racism and perceive discrimination. Research, policy, and practitioner communities are all guilty of this tendency to obscure the intersectionality of race and class issues. The same can be said for the evolution of the academic research literature on the topic, in that studies of school funding reform rarely give explicit attention to issues of race, and especially not in framing the impacts analyzed; it is assumed to be mostly an issue of poverty/SES, where it is presumed that inclusion of simple controls for race/ethnicity are sufficient. In an analogous way, earlier literature on school desegregation was largely silent on the issue of socioeconomic integration. This separation gives rise to significant blind spots—in our policy designs, research designs, implementation designs—where research intersects with policy and practice.

After the Supreme Court held, in *San Antonio Independent School District v. Rodriguez* in 1973, that school funding inequities did not violate the U.S. Constitution, litigants directed their attention to state courts and raised claims under both equal protection and education provisions in state constitutions. State courts’ interpretations of what this vague state constitutional language requires, have differed substantially. Thus, school finance reform has traditionally been a state-by-state effort. Today about 75% of per-pupil spending disparities are between states (Evans et al., 2019). Inequality in school spending has risen since 2000 (after 3 decades of narrowing due to state school finance reforms), but rose especially sharply following the Great Recession that resulted in large education funding cuts (Evans et al., 2019). The recessionary drop in spending contributed to the end of decades-long national growth in test scores and college-going, and led to significant increases in the academic achievement gap and reduced college attendance rates (Jackson et al., 2021).

Both school finance reform and school desegregation are racially divisive issues – even when all groups stand to benefit from reforming the system. One can attempt to turn a blind eye to the dynamics of race relations when analyzing impacts of school finance litigation, but research from public opinion scholars has consistently shown that the level of support for school funding reform among Whites depends heavily upon racial attitudes (Tedin, 1994; Reed, 1998). Further, a meta-analysis of the history and success rate of predominantly minority districts in school finance litigation cases in the United States over the past 4 decades shows that the racial composition of the district(s) appears to play an influential role in determining its success or failure in school finance litigation and legislative reform. While there are a host of factors unrelated to race that affect the success of school finance litigation and the speed with which legislative remedies are implemented (e.g., anti-tax sentiment within the state, general urban/suburban/rural power struggles, and the state’s economy all play a role), legislative responses to court decisions have differed markedly when predominantly minority or predominantly White districts have been lead plaintiff in a case. The record to date strongly suggests that, apart from desegregation funding imposed federal court rulings (which has largely been eliminated with substantial releases from court supervision in recent decades), predominantly minority districts have fared less well in the political process in terms of securing more progressive state funding formulas and increases in state educational funds. While this evidence is suggestive, and not definitive causal evidence, it nonetheless must be considered, as public opinion about the value of (popular support for or opposition to) school finance reform is often colored through racialized lenses (Reed, 1998; Teden, 1994; Ryan, 1999a). Anecdotally, to improve the chances of winning, plaintiffs’ attorneys intentionally structured their cases to avoid racial issues (Ryan, 1999b).

Intentionally Pursuing an Integrated Approach

School desegregation, school funding reform, and pre-K, when implemented separately, lead to dead ends; but when integrated they make a path that, while a road unpaved and less traveled, is one that leads to the “promised land”—or at least a more promising land of opportunity—a land characterized by equal educational opportunities and racial tolerance and marked reductions of racial prejudice and bias. If this looks like a fairy tale, it is only because we have abandoned the commitment to address segregation. Neither school finance reform nor school desegregation can achieve equal educational opportunity when pursued separately and in isolation; the research has revealed the limits of school desegregation without school resource equity, and the limits of school funding reform in high poverty and racially isolated schools. We are at a crossroads where the dead-end paths of school finance and school desegregation must come together in a new path so that the principles embodied in *Brown* can be realized today for contemporary cohorts. However, insufficient research attention has been paid to the relationship between school finance and desegregation and to the roles that race plays in school finance reform and that concentrated poverty plays in school integration efforts.

Pursuing school integration and school finance reforms along separate, isolated paths has contributed to the joint policy failures reflected in the present-day realities that educational opportunity in most metropolitan areas remains deeply segregated and unequal. Our research findings regarding desegregation have revealed significant insights about school finance reform, and our analyses of the efficacy of school funding reform have revealed limits in achieving school resource equity amid persistently high rates of school segregation and concentrated poverty (Johnson, 2019).

This paper focuses attention on the enduring relationship between racial segregation and unequal educational opportunity, and on the urgent need for policy prescriptions and revitalization of the ones that have worked in the past to create school resource equity in integrated classroom environments. It is vital that these efforts begin in the earliest years and are sustained throughout high school. This paper lays out the evidence-based argument that the integration of race and class, housing and education policy, school resource equity in diverse schools and classrooms is the future (and was more of the focus in the early era following *Brown I* and *II*, before we lost our way). Restoring and reclaiming the promise and original meaning of *Brown* and extracting lessons from past policy successes and failures is critical for the future of school integration, and to change dead ends into hopeful new paths.

Litigation was a key agitator of change, but not necessarily the anchor of change. Anchors of change for education systems often occur at district and school levels, supported by state and federal equity policy. All systems' change begins with grassroots efforts mobilized on the ground, and this was true in each of the cases of school desegregation, school finance reform, and pre-K expansions. These battles were not only waged and vigorously fought in the courts, often embroiled in lengthy legal battles, but also swayed in the court of public opinion; demarcated along the color spectrum, class continuum, and regions of the country, and cut along generational lines, with younger generations having potential for development of more progressive racial attitudes, perhaps stemming from early formative experiences in integrated schools. Reformers embraced the perspective that "the belief can come after the mandate."

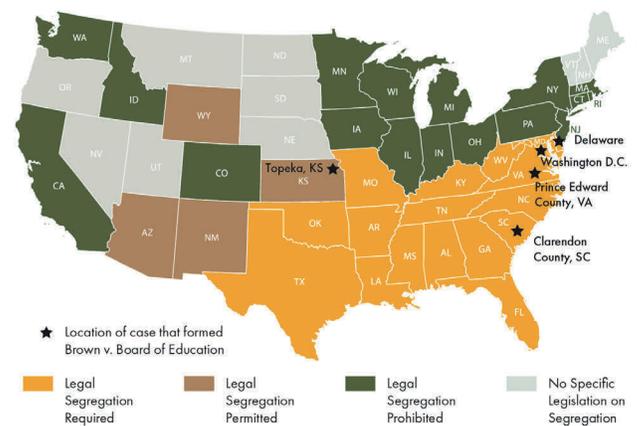
Our argument is not predicated on the false (and racist) notion that poor and minority children can't learn in schools without White and non-poor children. Such a belief itself has a racist underpinning, and it is woefully incomplete to characterize a school's quality solely by the racial composition of its students. Instead, we question what makes a segregated school system inherently unequal. It is in part the impacts of segregation on both school resources and school practices.

Beyond academic outcomes, it is important consider potential impacts of integration on racial attitudes. The "Contact Hypothesis" posits that under appropriate conditions, interpersonal peer contact (particularly in formative years of development), can reduce prejudice, increase racial tolerance, and influence an individual's values (Boisjoly et al., 2006; Pettigrew and Tropp, 2006; Dobbie and Fryer, 2015).

Ethnographic evidence highlights that awakenings occur from exposure to diverse school environments; prejudice and stereotypes are less likely to be enabled to live and grow. We test this contact hypothesis empirically. "Diversity is the art of thinking individually together," as Malcolm Forbes aptly described. It is difficult to become what you never see; therein lies the impact of role models and diversity of both teachers and students in schools.

As first documented in nationally-representative survey data from the National Opinion Research Center, and summarized in *Learning for Justice* (2004), in 1940, 30% of Americans—40% of Northerners and 2% of Southerners—believed that Whites and Blacks should attend the same schools. By 1956, 49% of Americans—61% of Northerners and 15% of Southerners—believed that Whites and Blacks should attend the same schools. By 1963, on the eve of the federal passage of Civil Rights Act, 62% of Americans—73% of Northerners and 31% of Southerners—believed Blacks and Whites should attend the same schools (Schwartz, 1967). The pendulum was beginning to swing in a new direction; whether it pointed to a brighter future for children is the verdict that was still outstanding.

Figure 1. School Segregation, 1952



Almost no integration occurred during the first 10 years after *Brown*, which highlights where leaving it to "local control" got us despite the racially dual system being declared illegal—in fact, 99% of Black students still attended all-Black schools in the South in 1963. Racial apartheid in access to educational opportunity and health care characterized much of the Jim Crow South. Developments in all three branches of government—judicial, executive, and legislative—were influential for both school and hospital integration.²

2 We found that, by the end of 1966, 25 percent of the counties in the South—and 75 percent of the counties in the Mississippi Delta—were not yet in compliance with the order to desegregate hospitals.

This changed dramatically after 1964 due to federal intervention and required all 3 branches: from Congress, passage of the 1964 Civil Rights Act, 1965 Elementary and Secondary Education Act; enforcement by courts, actions by the Departments of Justice, and of *Health, Education, and Welfare* (HEW). Local communities would not have desegregated without the application of federal pressure and, in most cases, under court order. The Civil Rights Act of 1964 put teeth in enforcement and prohibited discrimination in public schools and hospitals receiving federal financial assistance. This prohibition became potent with the passage of the Elementary and Secondary Education Act in 1965, which dramatically raised the amount of federal aid to education from a few million dollars to more than \$1 billion a year. For the first time, the threat of withholding federal funds became a powerful inducement for school districts to comply with integration mandates. As the prominent lawyer Archibald Cox put it, the Civil Rights Act of 1964 made *Brown* “more firmly law” (Liu, 2006).

The fight against integration by no means ended. Instead, in many ways it adopted the same tactics as the civil rights movement: mass protest, legal activism, and voter registration. A motivated and enlightened citizenry ultimately matters as much if not more than the decisions of the Supreme Court. As we witnessed with the Black Lives Matter grassroots movement, change can be catalyzed by the mobilization of a multiracial coalition of young people. The courts' decisions alone have not been sufficient, and at times have been oppositional to these goals. Congress exercised its power to enforce civil rights and advance racial justice and equality of opportunity, as the work of integration was achieved through legislative policy reforms and on-the-ground local policy implementation that (at its best) embraced the principles and spirit of the law, not just the cosmetic appearance. State and federal legislative bodies established guidelines and incentives for school districts to adopt integration plans that met educational quality standards and constitutional standards. These are some of the efforts that began in earnest but have since passed away.

One of the most enduring myths of school desegregation is that we tried it for a long time. But, in fact, significant efforts to integrate schools only occurred for about a 15-year window. We reached peak integration levels in 1988, and in every year since have regressed, ending up back at levels of segregation that prevailed before busing even began. With an attention to the integration efforts launched in that historical period, we next summarize research evidence on the long-run impacts of court-ordered school desegregation.³

Overview of Methodological & Empirical Approach

Because every child has unique abilities and faces a particular set of childhood conditions influenced by a complex set of parental, neighborhood and school factors, it is impossible to say for certain how the quality of schools affected a child's subsequent life trajectory by simply looking at the correlation between school characteristics and student outcomes.

Instead, much like the process of clinical trials designed to test new medications, it is necessary to examine a large number of children and school systems, followed over time, to gauge the impact of school quality.

Since the 1950s, when the first clinical trials of new drugs and other medical therapies were conducted, many researchers have emphasized randomized controlled trials (RCTs) as the preferred way to evaluate not only health interventions but also policy reforms in schools and elsewhere. In clinical drug trials (e.g., for hypertension or heart disease), doctors randomly assign participants to treatment and control groups, giving some the medication and others a placebo. Random assignment ensures that those receiving the medication and placebo are statistically identical and, therefore, a comparison of their outcomes provides a clean test of the medicine's efficacy. These randomized experimental designs (and those that mimic them) are generally considered the gold standard in research designed to uncover the causal impacts of a policy reform or intervention.

As it turns out, the desegregation history and education policy innovation in the real world provides a similar kind of random assignment and natural experiments for the study of equal education opportunity policies in the United States. In particular, in the first study, we use the quasi-random timing of court-ordered school desegregation during the late 1950s through mid-1980s. We examine cohorts born between 1945 and 1970 who straddle the transformation from segregation to desegregation and were differentially exposed to integrated schools depending on place and year of birth. This includes a nationally-representative sample of more than 10,000 Black and White children who have been followed from birth to adulthood over nearly five decades (1968–2015), all from districts that at some point underwent court-ordered school desegregation (not necessarily during their school-age years).

Because it is neither ethical nor practical to randomize children to variable school conditions (as they are not mice or guinea pigs), this subject cannot be studied purely within a formal RCT, but research can follow the same logic and be made equivalent to an RCT by using naturally occurring policy changes, for what is referred to as a *natural experiment*. The school policy reforms we examined, induced by (desegregation) court orders and implementation of new programs or funding, were enacted in ways that enabled some children to obtain better educational opportunities while leaving other, similar children in their previous substandard school contexts. This dramatic part of our policy history, which both shaped opportunity and influenced the dynamics of race relations, enabled us to capitalize on the timing of those policy changes to study the effect of school desegregation and resultant school spending changes on student outcomes.

³ See Johnson's book *Children of the Dream* (2019) for fuller discussion.

Our central question examined whether integration works or fails (and by what yardstick)—i.e., whether (a) it improves outcomes of children of all races, (b) is a zero-sum game that improves the outcomes of some groups while worsening the outcomes of other groups, or (c) whether, indeed, it harms students generally. This is trickier to estimate than it may seem. Simply comparing the earnings and later-life success of people who were exposed to desegregated schools against those who weren't would not be evidence of a causal relationship, since the family backgrounds of children who attended integrated or well-funded schools may differ in important ways from those who didn't, and these differences may in turn affect their income potential. What is really needed is a source of randomization which takes a group of children of different races and assigns some of them into integrated and/or better funded schools.

Just such a randomization tool was provided in the 1960s, 70s, and 1980s by the staggered timing of desegregation implementation across districts resulting from the timing of judicial rulings of local federal court orders. This timing was influenced not by changes in family characteristics but instead by idiosyncratic chance that approximates randomness. Because of the high importance of legal precedent, the NAACP pursued the strategy of bringing suits first where and when they had the greatest chances of winning, not necessarily where Blacks would benefit most; thus, the timing was driven largely by factors other than systematic differences in family or neighborhood conditions that may have independently affected children's outcomes.

The Supreme Court ruled in the 1968 *Green* decision that all racial distinctions with regard to differences in access to school resources had to be totally eliminated in order to desegregate a school system—including differences in school spending, teacher quality (e.g., teacher experience and credentials, racial composition of teachers, principal experience and credentials), class size, curricular offerings, condition of school facilities, library resources and sufficiency of classroom textbooks, and other services. This was the new standard upon which the ruling would now define district compliance with desegregation mandates. The Court's insistence in *Green* on immediately destroying segregated schools "root and branch" hastened the pace of change. The percentage of southern Black students attending integrated schools jumped from 32% in 1968–69 to 79% in 1970–71. In a private note to Justice Brennan, Justice Warren writes: "When this opinion is handed down, the traffic light will have changed from *Brown* to *Green*. Amen!"

The protracted timing of desegregation court orders therefore created a sharply defined period when integration efforts accelerated and were vigorously pursued, and plans were implemented and enforced, with most initial court orders occurring between 1965 and 1975. This process essentially placed otherwise similar children into a treatment group (those who were exposed to integrated schools) and a control group (those who weren't) by quasi-random timing of desegregation plans mandated by court rulings.

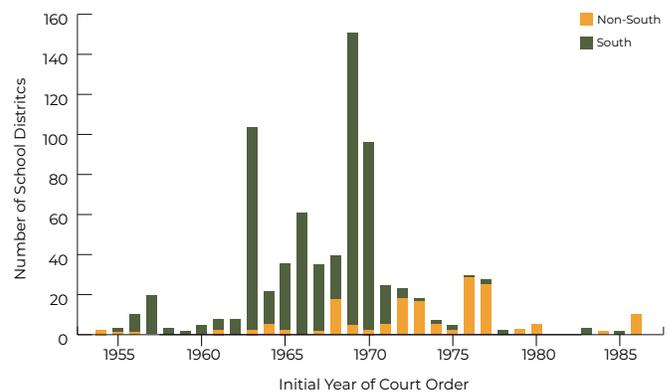
By combining the legal data on all judicially-mandated desegregation cases with the nationally-representative longitudinal data of tens of thousands of children born between 1945 and 1970, and followed into adulthood, we were able to analyze the life trajectories of these two groups of children.

To evaluate the long-run impacts of desegregation, we followed representative birth cohorts over time and compared the adult outcomes of Black and White children from the same district before and after the implementation of court-ordered desegregation plans. Comparisons of children exposed to desegregation with those who were already older than 17–18 at the time of initial court order (and therefore were unexposed to desegregation and confined exclusively to segregated school environments throughout K–12 years) provide credible estimates of the effects of desegregation.

Due to the substantial changes school systems underwent following court orders, children born only a few years apart during this period may have experienced very different school environments. The timeline of school integration (and factors that influenced it) is not only important to accurately characterize the true nature of these efforts historically, but is also instrumental to our empirical approach for determining the causal impacts of desegregation.

Figure 2 shows the staggered rollout of desegregation court orders.

Figure 2. School Segregation Court Order Dates



There was considerable geographic variation in both the timing and type of desegregation plan implemented across districts. This variation led to differences in the degree of racial school integration and resource equalization (improvement in access to school resources) achieved by initial court orders. At one end of the policy spectrum were desegregating districts in which school spending was raised for minority children to the level White children had always had access; this was achieved by the infusement of state funds to desegregating districts, as occurred in Louisiana (Reber, 2011).

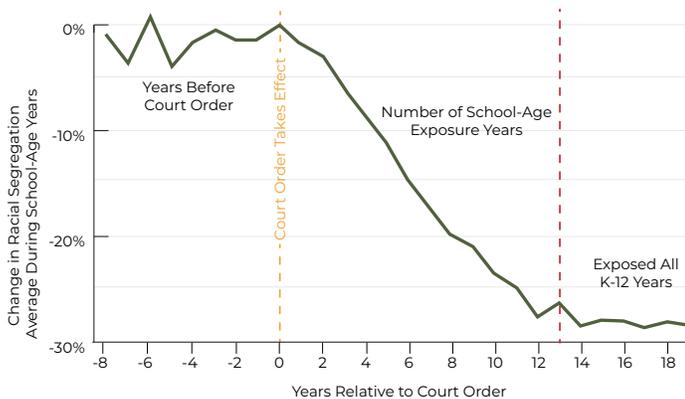
Other settings were typified by districts like *Los Angeles Unified School District* (LAUSD), where the sprawling urban form and segregation pattern of Los Angeles made busing not a feasible long-term solution. Following a 1978 Los Angeles court-ordered desegregation plan (*Crawford v. Board of Education of Los Angeles*, 17 Cal.3d 280) that required compensatory spending to counteract the harms of school segregation, LAUSD schools in which more than 70% of students were minority were deemed eligible to receive: (a) additional funding to hire more teachers to reduce class sizes; (b) priority staffing program to help fill teacher vacancies; (c) access to pre-K “School Readiness Language Development Program”; (d) Medical-Counseling, Organizing and Recruiting (Med-COR program)—which provides extra support for high school students enrolled in the medical magnet schools; and (e) additional parent-teacher conferences and parent-education classes to better support parental involvement (Choy and Gifford, 1980).

Our research highlights the “*how*” of school reform matters as much or more as the “*what*”. Beyond what policy (i.e., whether integration) works, we examine *how*, the type of implementation, in order to determine why it worked (or didn’t).

Lessons from the Past

To inform future integration efforts of what works, why and how, drawn from past experiences, we aspire to retain the positive aspects of integration experiences that we find in the best available research evidence, while also mitigating the negative features of implementation resistance that undermined integration success for students.

Figure 3. Effects of Court-Ordered School Desegregation on Racial School Segregation

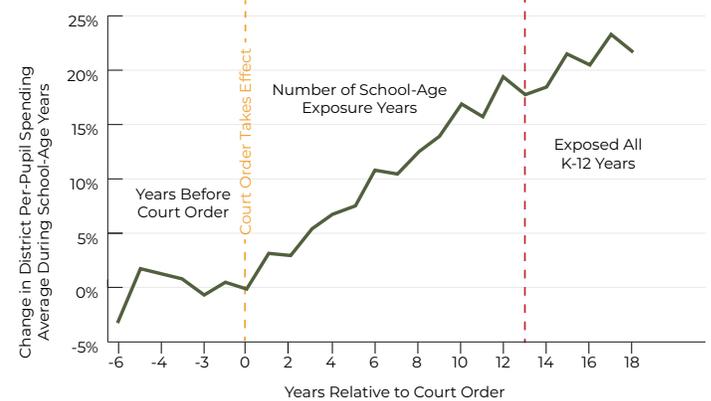


Desegregation is a policy; *integration* is an outcome. Prior to desegregation, school district spending was disproportionately allocated to the majority-White schools within a district—this school practice was particularly acute in the South where Black teachers were systematically paid lower salaries, Black students confined to overcrowded classrooms, and school facilities in Black schools were older and systematically less well maintained.

The strength and persistence of White resistance to integration efforts meant that little desegregation implementation occurred without a court order or before the 1964 Civil Rights Act put teeth in enforcement and 1965’s ESEA created financial incentives to be in compliance with *Brown* orders or risk losing substantial federal Title I funding (Cascio et al., 2010). Once desegregation was enforced, especially after *Green*, in many districts resources for Black students were leveled up to match what White students were already receiving (Johnson, 2019; Reber, 2011).

After desegregation plans were enacted, there were not only substantial reductions in racial segregation, among both students and teachers, but also sharp increases in per-pupil spending (by an average of 22.5 percent) and significant reductions in the average class sizes experienced by Black children (as shown in Figures 3–4).

Figure 4. Effects of Court-Ordered School Desegregation on School Spending for Blacks



The law alone was not enough to ensure compliance. Desegregation court orders did not necessarily ensure adherence to integration implementation in ways that fulfilled the *Green* criteria so that a school would no longer be racially identifiable, nor did they ensure the experience of being exposed to integrated schools with equitable resources (e.g., teachers, staffing, curricular quality, facilities). When desegregation policy impacts appear unsuccessful, one must be wary not to conflate desegregation implementation failures with ineffectiveness of school integration for student success; and thus, impacts of desegregation court orders should be viewed as “*intent-to-treat*” estimates. Desegregation is the first step. Moving from desegregation to integration means moving from exposure to understanding; it means moving from access to inclusion.

Consider, for example, the unintended harmful effects of desegregation on racial teacher diversity when some racist administrators systematically laid off many Black teachers, as documented by Thompson (2022). The share of Black teachers employed in Deep South schools fell by 31.8% between 1964 and 1972, compared with the likely trajectory of teacher employment in the absence of desegregation.

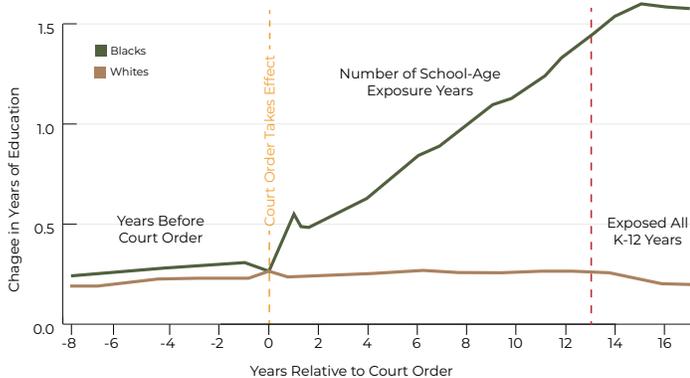
The unjust firing of Black teachers may have had significant deleterious effects on Black students, as highlighted by the long-term positive impacts of racial teacher diversity as demonstrated in the work of Gershenson et al. (2022).

Thus, it is important to bear in mind that the estimated total net effect⁴ of desegregation court orders represents a combination of potential impacts of: (a) school resource equity; (b) peer effects; (c) racial resentment/violent resistance/hostility/school climate that was exclusionary (psychosocial impacts that were negative for Black children in many cases); (d) racial diversity of teachers/unjust firing of Black teachers. Likewise, potential heterogeneity in the estimated long-run effects reflects possible differences in reform-induced school conditions along several dimensions. The conditions of desegregation matter—the how as much as the what.

The Panel Study of Income Dynamics (PSID; psid.org), run by the Institute for Social Research at the University of Michigan, has come to be known as “America’s family tree” due to its ability to follow generations of families including siblings over time. With more than a half century of data, it enables analyses of the multigenerational effects of education policy. It is the longest-running longitudinal panel data set in the world. The PSID combined with our research design enables the ability to compare the outcomes of otherwise similar children who differed in how many years of integration they experienced.

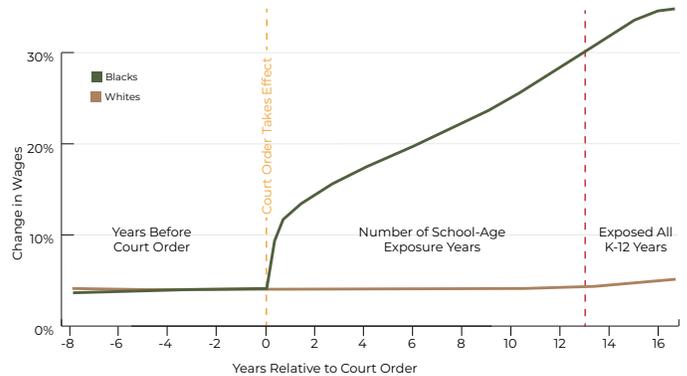
Using longitudinal data from the PSID, we find that for Black children, the experience of school integration has causal beneficial impacts on long-run socioeconomic attainment outcomes in adulthood, including significant increases in educational attainment (Figure 5) and earnings (Figure 6); reductions in the annual incidence of poverty (Figure 7) and decreased likelihood of ever being incarcerated; and improvements in overall health status and neighborhood quality in adulthood (likely resultant from an increase in SES).

Figure 5. Effects of Court-Ordered School Desegregation on Educational Attainment, By Race



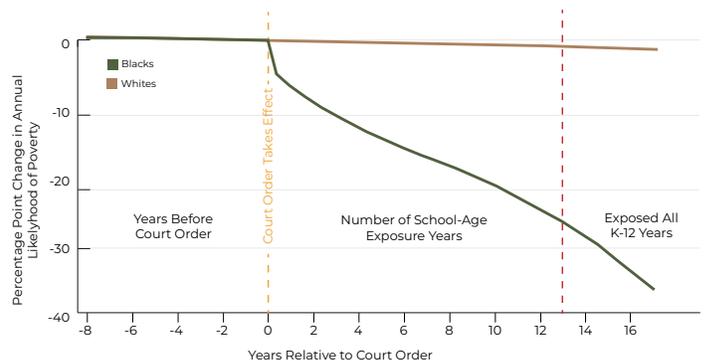
⁴ Often referred to as the “reduced-form” effect in empirical policy research.

Figure 6. Effects of Court-Ordered School Desegregation on Adult Wages, By Race, Ages 20-50



Moreover, we find a dose-response in terms of both duration of school-age years of exposure and the intensity of treatment in which the longer students were treated for the symptoms of a segregated, poorly funded school, the larger the improvements were found to be (Figures 5–7); likewise, the more ambitious the scope of the integration efforts and comprehensiveness of desegregation plans were, the larger the gains Blacks experienced. Conversely, we found small, insignificant effects of desegregation for Whites on each of these socioeconomic attainment outcomes. (See Johnson (2019) for fuller details, including multigenerational impacts.)

Figure 7. Effects of Court-Ordered School Desegregation on Annual Incidence of Poverty in Adulthood, By Race



A more recent study by Garrett Anstreicher, Jason Fletcher, and Owen Thompson (2023) also focuses on the most intensive period in which school desegregation efforts were pursued in the US, to document long-term impacts of court orders on educational attainment and labor market outcomes of affected cohorts born between 1945 and 1985. The key innovation is their use of big data drawn from restricted-use administrative longitudinal data on labor market outcomes in adulthood, from the 2000 Long-form Census & 2001–2015 American Community Survey, for individuals ages 25–54.

Using these data has many advantages; most notably, larger sample sizes that included 187 medium and large districts of more than 15,000 total students, which enables superior statistical power that was not possible in the prior work of Johnson (2011; 2019), Guryan (2004), Reber (2010) and others.⁵ This data offers the opportunity to explore heterogeneity in effects of desegregation court orders and to examine their possible mechanisms. Importantly, the authors present estimated school desegregation impacts separately by race and region.

Largely following the research design and methods outlined in Johnson (2011), but analyzed on the larger samples that the restricted-use RDC Census data enable, Anstreicher et al. (2023) find that for Blacks in the South, exposure to court-ordered desegregation throughout the school-age years was estimated to have increased educational attainment by a full year, high school graduation rates by approximately 15 percentage points, employment rates by approximately 10 percentage points, and annual wages by approximately 30%. Furthermore, they find small, insignificant effects among Southern Whites, suggesting that these gains among Black students did not come at the expense of Whites. These patterns and effect sizes are similar and on par with the estimates reported previously by Johnson (2019; Figures 5–7).

Furthermore, the authors documented that the estimated desegregation effects were greater in counties with: (a) larger prior racial disparities, (b) larger Black enrollment shares (pre-reform), (c) less residential segregation, (d) fewer potentially competing school districts, and (e) stronger racial segregationist preferences (pre-reform).

In stark contrast, however, they find no significant beneficial effects for Blacks outside of the South. This data, with all its advantages, is not without its own limitations that have bearing on important interpretation issues, particularly estimated differential effects by region. The researchers cannot identify school districts, only the county of birth, and they have no information on schools attended. Countywide systems are far less common outside of the formerly Confederate states; this may explain why no effects were detected outside of the South (e.g., in the typical county, there was an average of 27 districts in the North and only 6 districts in the South).⁶ This lack of geographic specificity could lead to mismeasurement of integration exposure in a way that likely dilutes estimated impacts in the North. Identifying the causal mechanism requires finer-grain geographic specificity data than county.⁷

⁵ Earlier historical accounts and studies include Ashenfelter et al. (2006), Clotfelter (2004), Greenberg (2004), Orfield (1983), Bayer & Charles (2018), among others.

⁶ Most state constitutions in the South delegated the responsibility of providing public K–12 education to the county systems in those Southern states, as opposed to municipal districts or individual cities as was true for the North.

⁷ For example, in prior work when we've aggregated district per-pupil spending to the county level and used it as an outcome, we find desegregation no longer has detectable impacts on school resources (even though these impacts comes through when per-pupil spending is properly measured at the school district level).

Greater district fragmentation (in response to desegregation court orders) could provide a counter-explanation for the null effects in the North (i.e., may act to mediate/moderate effects of desegregation court orders). For example, Cui (2024) shows in states that passed early legislation to desegregate public schools, Black in-migration had the largest effects on exclusionary zoning policy adoption, and housing policies were designed to exclude Blacks in ways that affected their access to school quality.

Taken together, this evidence further serves to underscore the importance of considering the interconnections between inclusionary housing and education policies and potential positive synergies when combined; and conversely, the consequences of each in isolation wherein exclusionary housing policies can undermine the effectiveness of school desegregation policies. The evidence that desegregation impacts appear stronger in counties with less residential segregation is suggestive of potential synergies between housing policies that promote integration and school assignment policies that aim to do the same. In line with this, results show that court-ordered desegregation had less impact in settings where there was a greater district fragmentation.

Other Related Corroborating Evidence

Moving beyond the Black–White differences related to school desegregation, in a precursor to the *Brown* case, a federal appeals court in 1946 struck down segregated schooling for Mexican American and White students (*Mendez et al. v. Westminster School District of Orange County*, 64 F. Supp. 544 (1946)). The verdict prompted California Governor Earl Warren to repeal a state law calling for segregation of Mexican American, Native American, and Asian American students. Francisca Antman and Kalena Cortes, using the timing of *Mendez*, study the impacts of school desegregation on Mexican American students' adult attainments, and find remarkably similar patterns of large, beneficial effects of school desegregation exposure on success in adulthood for Mexican American cohorts that experienced these policy reforms relative to otherwise similar prior cohorts (Antman and Cortes, 2023).

Taking Steps Backward

There has been a major school choice movement over the past 25 years emphasizing individual concerns over the public mission of education, with an apparent willingness to sacrifice the latter. The contemporary language used by some proponents of school choice (and its concomitant, privatization of public education) is eerily similar to the arguments of those who vehemently opposed integrated schools in the 1950s through the 1970s. We hear the same ideas reincarnated in the contemporary voices of the proponents of privatization (vouchers) without regard to the goals of equity, inclusion, and excellence, which, contrary to myth, can go hand in hand.

“Local control” of public schools is the same language invoked by defenders of segregation before *Brown*.⁸ This perspective is especially important given the current era of unprecedented racial and ethnic diversity among America’s children, whose differences too often are not leveraged as assets in our schools, but viewed as deficits and barriers.

Beginning in the early 1990s, Courts began ruling that school districts formerly under orders to integrate had reached “unitary” status, meaning their schools were sufficiently desegregated that they no longer needed to follow desegregation plans. In other words, so long as a school district had tried, it did not matter whether it had succeeded, nor did it matter what would be likely to happen if it ceased its efforts.⁹

The 2007 Supreme Court decision in *Parents Involved in Community Schools v. Seattle* (551 U.S. 701) ruled that it was unconstitutional for race to be the sole factor in student assignment plans to achieve school diversity. Chief Justice John Roberts wrote the decision’s most famous line: “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.” *Parents Involved* eliminated many of the most effective voluntary integration strategies for district leaders. The decision rendered all race-based admissions policies the same, equating racism (segregation) with attempts to end racism (integration). More recently, anti-integration advocates attempted to push even further, asking the Supreme Court to outlaw even the use of race-neutral efforts to promote diversity in schools. This year (2024) the Supreme Court declined to hear the case, leaving in place the 4th Circuit decision upholding the district’s race neutral efforts to promote more diversity in the selective admissions school. See *Coalition for TJ v. Fairfax County School Board*, United States Court of Appeals for the 4th Circuit. No. 22–1280 (5/23/2023).

Chartering a Path to Segregation

North Carolina House Bill 514 was signed into law in June 2018. The bill allowed four wealthy, predominantly White suburbs in Mecklenburg County to create charter districts for their own residents, effectively permitting their secession from the Charlotte-Mecklenburg public school system. Because these charter schools receive government funding, taxpayers throughout the district—including those parents who might prefer integration—are being forced to subsidize these split-offs.

The resegregation of public schools in recent decades has been affected by other local policy decisions as well. Evidence has shown how changes in the political composition of a state’s elected local school boards has affected school segregation through differences in the propensity to redraw school boundary zones in ways that promoted either integration or segregation (Macartney and Singelton, 2018). Republican-controlled school boards have been found to be more likely to gerrymander district boundaries to segregate. These patterns have been reinforced by Supreme Court decisions that sap opportunities for integration; state statutes greenlight subsidized segregation via district lines, policies that allow communities to secede from their own school districts, and, in some cases, charter schools that act as White flight schools (though it is worth noting that some charter schools are diverse by design) (Monarrez et al., 2022; Monarrez, 2023; Monarrez and Schönholzer, 2023).

National evidence from Jang and Reardon (2019), shows that the socioeconomic gradient in academic achievement in reading and math is more than 2 grade levels on average, when comparing outcomes for students in low-income and affluent districts. However, it is important to not confuse symptoms with root causes. Wherever we see achievement gaps, we can trace them back to educational opportunity gaps that transpired earlier. To address inequities beyond resources, one must also consider school practices. Even in desegregated schools, there are often segregated classrooms, racialized tracking that begins in early elementary school grades and differential placement in college-preparatory curricular coursework (including advanced placement courses) (Reardon et al., 2022). Evidence shows that even among high-achieving Black and White 3rd graders with the same test scores, Black children are one-third less likely to be placed in gifted programs (Card and Giuliano, 2016; Grissom and Redding, 2016). Black and Hispanic students are disproportionately referred to special education and not referred to college-preparatory tracks, and experience differential disciplinary practices (Adukia et al., 2023). In this way, teacher segregation may accelerate student segregation at the classroom level and speed the flow of the school-to-prison pipeline (Bacher-Hicks, Billings. Deming, forthcoming).

⁸ School choice without equity guidelines can exacerbate school segregation.

In the spirit of elevating parent engagement, many charter schools put a heavy value on choice. But it is naive to assume that all parents equally understand and can manage the many options available to them. Most of our most vulnerable parents have limited skills to understand their school choice options; and without an aggressive community engagement effort on their behalf, it is likely that the better educated and more affluent families will be first in line to avail their children of opportunity. Further, charter schools have often not been required to submit to the same oversight as public schools (e.g., desegregation guidelines). Permissive district secession laws or unregulated charter school growth policies accelerate racial and socioeconomic school segregation patterns. The claim is “local control,” but it’s often designed to control the racial and socioeconomic composition of schools in segregative ways. We must remain vigilant to address modern-day forms of state-sanctioned discrimination affecting education opportunities by race & class.

⁹ Reardon et al. (2012) and Lutz (2011), using the timing of releases of desegregation court orders, show that they contributed significantly to the resegregation of public schools, and Lutz (2011) find this led to significant increases in the probability of dropping out of high school for Black students.

Currently, about two-thirds of segregation occurs between districts (not within them), and thus it has become imperative to use tools beyond busing to integrate schools. Housing policy is central, including reforms to counteract real estate steering practices (e.g., *Newsday's* 2019 audit study “Long Island Divided”). That district lines are invisible does not make them less powerful tools of segregation. Among current school resource disparities (Johnson, 2019):

- Nationwide, schools in which the majority of enrollment is comprised of students of color have 15% less per-pupil spending (from state & local sources) than predominantly White, affluent ones, despite greater need due to higher proportions in poverty, with special needs, or who are English language learners;
- Only a third of public high schools with high Black/Latino enrollment offer calculus, which is a gateway to majoring in STEM fields in college;
- Schools with high levels of Black/Latino enrollment have almost twice as many first-year teachers as schools with low minority enrollment; in 33 states, minority students are more likely to be taught by inexperienced teachers than experienced ones;
- About 20% of teachers leave the profession within the first five years, and even higher rates of teacher turnover are found in concentrated poverty schools (up to 50%) are found, disproportionately negatively affecting minority students.

The most significant school resource disparity, aside from money, is in teacher quality. That’s among the most important resources that a school provides its children and a big part of what money buys, as roughly 80% of the school budget of a typical district is spent on teachers (determining both teacher salaries and class size). Concentrated poverty schools notoriously face greater challenges in consistent staffing of schools with high quality teachers, particularly in math and science, and experience high teacher turnover and higher rates of burnout than better-resourced schools (Jackson, 2009). Minority and poor students thus more often have inexperienced and less effective teachers, and administrators as well. Research shows employees don’t leave companies, they leave managers; this is also true of K–12 teachers (Bartanen, Grissom, & Rogers, 2019; Boyd, Grossman, Ing, Lankford, Loeb, & Wyckoff, 2011). Effective leadership at the principal and superintendent levels is central to recruitment, development, and retention of high quality teachers, and evidence shows the diversity of the teaching workforce is an important aspect of raising that quality. High-poverty schools are often located in high crime areas and economically distressed communities. This makes attracting, developing, and retaining the best teachers and school leaders difficult because, all else being equal, teachers and administrators tend to choose schools with greater resources in supportive environments.

Reardon et al. (2022) show that racial segregation leads to growing achievement gaps, and it does so in part through differences in school poverty (because racial segregation typically concentrates Black and Hispanic students in concentrated poverty schools that affects access to teacher quality).

School funding policies that make adjustments to per-pupil expenditure levels to capture the actual “buying power” of educational funds within different kinds of districts and account for the higher costs of providing equitable educational opportunities in concentrated poverty schools are important. Weighted student funding formulas incorporate cost and need adjustments to establish greater equity in school financing —e.g., differences in the relative costs of providing educational services that may include differences in costs of living and in the educational needs of students.

California bookends our analysis in that it’s the home of the first successful state court-school finance litigation (*Serrano v. Priest*, 5 Cal.3d 584 (1971)), which was far less successful in improving student outcomes than if optimally designed because the funding formula’s design features effectively leveled down spending, in connection with Proposition 13, the 1978 California constitutional amendment that strictly limited property taxes. But with the passage of *Local Control Funding Formula* (LCFF) in 2013, California significantly increased funding overall and implemented among the most progressive school funding formulas in the country, with an \$18 billion commitment over 8 years. We evaluated LCFF’s impact on student outcomes using student-level data on the full universe of public school students in California from 2004 through 2019. Using quasi-experimental methods (2SLS-IV, difference-in-difference, and regression kink designs) to facilitate causal inference, we find positive and significant effects of LCFF-induced increases in per-pupil spending on academic achievement for every grade (3–8 and 11), every subject (math and reading), and for every school that experienced this new infusion of state funds, which targeted lower-income districts and students (Johnson, 2023).¹⁰ The impacts on student achievement increased with both school-age years of exposure to the greater funding and with the amount of increased funding that occurred due to LCFF. Furthermore, we find the increase in school spending subsequently increased the likelihood of graduating from high school and college readiness; and resulted in a significant narrowing of the average achievement gap by district socioeconomic status (SES) and race (Johnson, 2023). This major progress notwithstanding, California public schools remain highly segregated and significant achievement gaps remain. Our future work aims to examine the extent to which the efficacy of school spending effectiveness may be even more fruitful in more racially and socioeconomically integrated school environments beginning in the early years.

¹⁰ The debate over whether money matters dates all the way back to Coleman et al. (1966), and this current work builds on a growing body of research on the causal impacts of school spending on student success. Other influential studies include Card and Krueger (1992a, 1992b), Jackson, Johnson, Persico (2016), LaFortune, Rothstein, Schanzenbach (2018), Johnson and Jackson (2019), among others.

Charting a Path Forward

It is not simply that resegregation portends a loss of opportunity, mobility, and unity (Chetty et al., 2020). It is that integration has the power to transform communities, and society, in ways we have only begun to realize. We must revive the dream, and bring together the people whom redlining, White flight, secession statutes, conservative Supreme Court precedent, gentrification, and other social forces would keep apart. But how? It is not that we are looking in the wrong places for policy solutions; rather we have made the faulty assumption that there is only one place to look. Whether it is desegregation, school finance reform, pre-K, or charter schools, all offer *an* answer, but none is a complete answer to address inequality. For that, we must turn to integrated solutions.

In this section we outline a holistic policy agenda that simultaneously advances early interventions, integration, resource equity and access to high quality teachers. This includes: adequately and equitably funding schools, changing district lines, making district lines more porous, moving dollars across district lines, ensuring within-district integration, creating positive student experiences in every school, and cultivating an education ecosystem that values and promotes integration and resource equity broadly. In the paragraphs below we flesh out each. Much of this policy agenda has been co-created by a Community of Practice comprised of a wide variety of academic researchers, advocates, and litigators. The Community of Practice is convened by Brown's Promise, a new organization hosted by the Southern Education Foundation dedicated to advancing integrated, well-resourced public schools that prepare all students for success (learn more at www.brownspromise.org).

1. Adequately and Equitably Funding Schools

State funding policy should ensure that every district and school has the funding it needs to provide an *adequate* education, ensuring that all students can attend school in buildings that are safe, healthy, welcoming places, and that they have access to a rigorous, high quality public education within those walls. The funding should also be *equitable*, targeting money to districts and schools based on the level of student need, and ensuring that all children have equal opportunity to achieve a common set of outcome goals. Districts with similar levels of need should receive similar levels of funding, and the same is true for schools. Turning away from a scarcity mentality in education will help pave the way for integrated schools and resource equity for schools; if we appropriately resource all schools, many of the policies described below to foster integration and equitable access to resources will be met with far less resistance.

2. Changing School District Lines

Tuttle (2019), provides compelling evidence from a case study of Jefferson County, Kentucky (including Louisville), and analyzes the long-run causal impacts of school desegregation on adult economic outcomes by race. Using conditional random assignment of students to schools, and confidential individual-level longitudinal data from the U.S. Census Bureau, he finds school desegregation had positive long-run effects on adult economic attainments for Black students by giving them access to better schools (e.g. schools with more capital investment, more credentialed teachers, lower drop-out rates, etc.), with negligible effects on the adult economic outcomes of White students from the same cohorts. This example from Louisville's countywide system is a particularly interesting one, in that Louisville was involved in the 1974 *Milliken* case, juxtaposed with Detroit, but in stark contrast with Detroit's substantial district fragmentation that has reinforced persistent segregation patterns for decades.

Changing district lines can allow students the opportunity to exchange ideas and perspectives by learning alongside people from different cultures and backgrounds and can ensure all students' schools have access to a reasonable and relatively even property wealth base from which to generate local revenue. In some places, this can be done by shifting to countywide districts or pursuing other integrative district consolidation. For example, Florida and West Virginia have true countywide districts (without the many exceptions to this general rule that are found in most Southern states).

In Starkville, MS the state consolidated two small districts to save money and provide a better education for students in an under-resourced, racially isolated school district bordering a better resourced, more diverse district. Despite initial resistance, some families have even started to pull their children out of private schools to return to the newly integrated and better resourced public schools (Lewis, 2016). In Morristown, NJ, the state consolidated two districts explicitly to address racial segregation and created one of the most racially diverse districts in New Jersey, despite dire predictions of White flight at the time (Westhover, 2022; Trachtenburg et al., 2016).

In other places, strategic redrawing of district lines to promote integration might not mean shifting to countywide districts or consolidation, and instead might simply mean minor shifts to existing lines. Strategic revision of district lines may enhance district diversity, minimize overall cost (by deconcentrating student poverty), and maintain reasonable student commute times, particularly in some states where existing district lines create hundreds of very tiny districts near one another. Researchers are beginning to use sophisticated tools to illustrate the possibilities. See, for example, Tyler Simko's work showing that New Jersey district lines essentially require school segregation today, and that the state could reduce segregation by nearly 40% in the median New Jersey county if students could be assigned to schools anywhere in the county, even within short commute distances.

One important part of this policy conversation is “playing defense” to prevent continued fracturing and White flight. This includes adopting or strengthening *anti-secession laws*. Without careful attention to this, efforts to promote integration are likely to be met with backlash and backsliding, as happened in Tennessee after equity and integration leaders pursued an innovative effort to consolidate Memphis Schools into Shelby County School District (Zubrycki, 2013)—which was followed by quick secession of White, wealthy districts (Bauman, 2017). Examples of stronger policies that would have prevented such a response include (EdBuild, 2019): allowing secession only via a constitutional change (see Georgia and Florida) and statutory language requiring strong processes for secession (see California, where a state agency must review and approve after considering the impact on segregation, efficiency, and funding, and Connecticut, Arizona, Texas, and Vermont, which require voters in the “left behind” district to vote to approve any such change).

3. Making District Lines More Porous

Where district lines must remain fixed in the same places as they are today, we can minimize the damage by making it possible for students and dollars to move across them in intentional, equitable ways, by focusing on regional approaches to enrolling students.

This can be done by creating, strengthening, and expanding interdistrict transfer and magnet programs. It is important to note that, done badly or haphazardly, public school choice programs can, and do, exacerbate segregation and educational inequities. However, this approach can succeed with the right design elements built in to ensure equity (George, 2023). These must include:

- Free transportation;
- Lotteries that preference underserved communities —to eliminate selection policies that are biased and often discriminatory;
- Siting policies that ensure
 1. Historically underserved students are not asked to bear disproportionate commute burden and
 2. Communities of color and low-income communities / school districts receive resource infusions to create the new magnet programs, and do not disproportionately lose of resources to wealthier neighboring districts;
- Policies to recruit and retain educators of color;
- Cohorting efforts to avoid students being “the only”;
- Automatic enrollment policies and other detracking supports within schools;
- Inclusion in standard statewide accountability and oversight systems;

- Promotion of restorative justice practices through teacher professional development on disparate discipline and building a culture of belonging; and
- Additional supports for students enrolling in new schools across district lines.

For an example, we can look to Hartford, CT. The greater Hartford area is marred by substantial segregation by race and income, but after a 1996 state court decision, *Sheff v. O’Neill*, the region has become a strong example of policies and practices that allow students to enroll across district lines, through a mix of *magnet schools* (some run by Hartford City School District and some run by the Capitol Region Education Council (CREC), a separate organization that serves 35 school districts in the region) and an *interdistrict transfer program* that allows students to enroll in traditional public schools across district lines (Quick, 2016). This is a two-way integration program in which students move both into and out of higher-wealth and lower-wealth districts, instead of only asking students of color to leave their neighborhoods. The magnet schools (with additional resources) located in the city serve primarily the students of color who live in the city (roughly 75%), increasing opportunities for access to well resourced, integrated schools for students of color in districts where they live. It is the largest such program we are aware of, showing that this can be done at scale. It serves nearly 40,000 kids in interdistrict magnet schools each year (School and State Finance Project, 2023) and another 3,000 or so in an interdistrict open choice program (School and State Finance Project, 2022). Between one-third and one-half of all Hartford’s students of color attend one of these schools each year; however, supply has not kept pace with demand (Megan, 2019; Quick, 2016; Putterman, 2023)

Evaluation of the programing in Harford shows positive results. In addition to increasing integration along both race and income lines, participation provides more positive learning environments, (e.g. fewer teacher and student absences, more advanced math and world languages classes, lower grade retentions, higher peer support for academic achievement, support for college); a stronger sense of safety and belonging for students than reported in city non-magnets (although weaker than in suburban non-magnets), increases in student academic achievement outcomes (test proficiency), and an increased sense of cross cultural / cross racial friendships and connections for all students (Cobb et al., 2009).

That said, there are challenges. Hartford has created a complicated system that is difficult to understand for policymakers and families alike. Some believe the program is undercutting financial stability for the Hartford City Public School district, though others contest that allegation. It relies on parents and families navigating a complicated system of choices that undoubtedly leave some of the most vulnerable and marginalized students out of accessing the opportunity, and potentially in lower-resourced, and still racially isolated, schools as a result. We cannot ignore these challenges, but also cannot let the perfect be the enemy of the good.

Another example worth mentioning are the “50/50 Schools” in Dallas, TX. This is a popular district-run program that draws students from outside the district and a wide variety of neighborhoods within the district to create an intentionally diverse student population. In each of these schools, 50% of students are considered economically disadvantaged and 50% are not (Rix, 2022). It relies on race-neutral measures of students’ SES that are in line with today’s limited Supreme Court guidance on how to promote diversity, and that are more nuanced than Free and Reduced Lunch eligibility status, making it a helpful model that states should consider using in designing new programs.

4. Moving Dollars Across District Lines

By this point, it should not be surprising that in our integrated approach, it is not only students that can flow across current district lines, but also dollars and resources. Roughly 45% of all school funding in America comes from local sources (National Center for Education Statistics, 2023)—meaning it is closely tied to the wealth of the local community in which the district is located. State and federal dollars are often used to attempt to ameliorate the inequities in school funding this creates for students who live in low-wealth neighborhoods, but too often low-wealth communities continue to (1) have fewer dollars to support their school, especially relative to the often greater levels of student need in those communities; (2) have to tax themselves at disproportionately high levels to support their schools; or (3) both. Weakening the link between today’s district lines and the ability to fund schools could be game changing for students of color and students in low-income neighborhoods, and might ultimately increase school integration by reducing the gap in perceptions of school quality created by inequities in school funding. State policy changes to advance this goal fall into two primary categories:

- ***Redefining what “local” means*** by creating revenue pooling across district lines, e.g. countywide pooling of funds (or some other “regional,” multidistrict version of pooling that does not rely on county lines). For example, in Wyoming, school districts are smaller than counties but have at least some countywide taxation for schools (FundEd, 2024). In the Omaha Learning Community, a new regional governing body was to oversee a tax-sharing plan to redistribute revenue across 11 school districts located in two counties as well as an interdistrict student integration plan (Homes, 2015). The effort was created and implemented from 2005 to 2012, and despite the demise of much of the structure, including the revenue sharing component, the unique legislative intent and process still has potential to inform new efforts (Blomstedt, 2013).
- ***Reducing the share of funding from local sources and increasing share from statewide sources.*** In Michigan, for example, Proposition A shifted schools from local to state funding, creating a state property tax designated for schools (School Finance Reform, 2002).

While this is not a perfect system because of reliance on regressive sales and “sin” taxes and because the total amount raised is still probably too little and not equitably distributed, this shift to statewide funding is an important example (Loeb and Cullen, 2004). In Texas, the state shifts local funds raised in property wealthy districts into property poor districts (Swaby, 2019). This, too, is not a silver bullet; because of other issues in the funding system, the state still has too little spending and inequitable spending, but this effort to shift local property tax funding from wealthier to less wealthy is also an important example. And in Vermont the state sets tax rates and redistributes money, so it is really a state property tax to fund schools instead of a local one (Kolbe et al., 2020).

5. Ensuring Within-District Integration

States’ responsibilities to ensure students have access to well-resourced, integrated public schools do not end where district lines begin. The state is ultimately responsible for the actual education received by each student, including the impact of decisions made by local district and school leaders. To that end, the state should also adopt policies that require, incentivize, and support local and school leaders in adopting and implementing policies that advance integration and resource equity. This might include adopting diversity requirements that, if not met, must be addressed by reworking student assignment policies, for example:

- No school in a district can have more than 10 percentage points more poverty than the districtwide average, but with exceptions for high performing schools successfully serving historically underserved students well; or
- If districts have high segregation and resource inequities they must redraw boundaries; or
- When districts choose to change school assignment policies for any reason (capacity, budget, new programming, etc.), they must conduct a diversity impact analysis and cannot move forward with the plan if it will exacerbate segregation or resource inequities.

Where charters are a substantial part of the public school ecosystem, states should regulate to support integration and equity by: requiring (or incentivizing) the use of weighted lotteries to promote integration; requiring the provision of free and reduced priced meals and transportation; requiring the use of a unified district/charter enrollment system to allow a single process to apply and help ameliorate inequities in access to and navigation of these systems; requiring charter schools to set enrollment targets based on the demographics of the communities served and take steps to reach those targets; allowing charter schools to enroll students from multiple school districts or across a region, without requiring a preference for in-district students; and tying approval of new charters to an analysis of predicted impact on overall school enrollment patterns in the region, including on concentration or deconcentration of poverty and racial segregation/integration (Potter and Nunberg, 2019).

6. Creating Positive Student Experiences in Every School

An integrated school is more than a diverse student body. States and districts must ensure that schools are led by *diverse educators*; students of color and students from low-income families are not disproportionately taught by novice, uncertified, or out-of-field educators; the *curriculum* reflects accurate history; the *school climate* is truly welcoming for all to be their authentic selves; *academic tracking* does not resegregate students within the walls of the building; and everyone has the opportunity to participate in *extracurriculars* that build a sense of belonging and community within the school.

There are robust state policy agendas from organizations that outline key steps states must take to support each of these critical policy elements. For example, see The Education Trust's key state policies to advance educator diversity and to ensure that Black and Latino students are not disproportionately served by novice or uncertified educators; (Mehrotra et al., 2021 (a) and (b)); policies to advance equity in social, emotional, and academic development (including a focus on climate, discipline, wrap around supports, and curriculum), created in collaboration with CASEL (Ed Trust and CASEL, 2012); and policies to advance equitable access to advanced coursework (Ed Trust, 2019).

These policies are critical statewide, but in designing and supporting cross-district integration programs, states must specifically attend to each of these elements within the impacted schools. For example:

- **Educator quality and diversity:** If a state is investing in a new interdistrict transfer program, it should publish educator diversity and retention data for the program, set goals specifically for the schools that participate, target resources to support educator diversity in the program, and invest in opportunities to retain teachers of color in the program. If the state is creating new, magnet high schools in previously underserved school districts, it might consider making one or more of them part of a "Grow Your Own" program, or a Career and Technical Education program for Black students interested in teaching. The state should also require publication and tracking of data showing patterns in assignment to novice and uncertified educators for students by race, ethnicity, and socioeconomic status, within the program and to set goals and hold adults responsible for addressing any inequities that emerge in that data.
- **Professional development:** States should explicitly require and fund evidence-based professional development for educators in schools participating in interdistrict integration efforts, including support for educators in understanding adult mindsets and asset-based pedagogies; and provide antibias, diversity, equity, inclusion, and belonging training.

- **Student, family, and community engagement:** States should provide guidance, training, and funding focused on community engagement, specifically on the issues that are likely to arise for educators in integrating schools, including the need to ensure engagement from families that live further from a particular school or who speak different languages; provide guidance on leveraging community based organizations (CBOs) to partner with the school to accelerate student learning and meet student needs, including CBOs in both the "sending" and "receiving" communities; creating parent and family advisory councils with actual power to participate in decision-making about the school's programming, practices, and policies that include families from underrepresented communities; require training and provide funding to provide ongoing support for community engagement work.
- **Access to advanced coursework:** States should require—and fund—schools participating in integration programs to do universal screening for participation in gifted and talented programs at the elementary level; implement automatic enrollment policies that automatically enroll all students who demonstrate readiness on any of a variety of metrics, including grades, end-of-course assessments, standardized tests, or teacher recommendations, in advanced courses. For example, see Dallas, TX (Napolitano, 2023); Washington State (Blad, 2020) and a Maryland bill that did not advance to become law (Maryland House of Delegates, 2020).

7. Cultivating an Education Ecosystem that Values and Promotes Integration and Resource Equity

States should collect and report data to build understanding of segregation and resource inequities and, ultimately, build pressure for change. States can calculate and share on report cards information about measures of integration/segregation for each school as compared to the district as a whole; levels of segregation between schools for each district as a whole; and between-district segregation statewide and regionally. They can also calculate and share measures of resource (in)equities within each school and for each district as a whole (assessing how strategically and equitably the district has aligned resources—spending, non-novice educators, school counselors, psychologists, health supports, extracurriculars, etc.—to levels of need in different schools). For example, the National Coalition on School Diversity has model legislation (National Coalition for School Diversity, 2020, pages 6-7) that was the basis for a bill introduced in North Carolina in 2021 (Nordstrom, 2021).

States can also *change accountability policy* to support integration and resource equity within districts and schools. States can include measures of integration and resource equity as a "fifth indicator" under the Every Student Succeeds Act's accountability requirements, which set parameters around the grades schools are assigned by states (e.g., letter grades, star systems, colors, etc). States with distinct state accountability systems can also change those to add a focus on integration and resource equity.

Note that accountability systems must hold leaders accountable for decisions in their locus of control: Individual schools should be rated on things that they can control (e.g., how they promote integration and allocate resources and opportunities within their school to different student groups; how well they recruit and retain diverse educators); similarly, districts should be held accountable for things that they can control (e.g. the level of segregation or integration between schools, the level of resource equity or inequities between schools within the district, how well they recruit and retain diverse educators). Both types of accountability are important, but the second half of this equation, district accountability, is often given too little attention. The inequities we are calling out at the 70th anniversary of *Brown* are systemic. Many cannot be resolved by the leaders and educators at a single school; states must change how students and resources are assigned to districts, and district leaders must then be held accountable for rethinking, in partnership with their communities, how they assign students and resources to schools to promote integration and resource equity. The National Coalition on School Diversity has model legislation (National Coalition for School Diversity, 2020, pages 6–7) that was the basis for a bill introduced in North Carolina in 2021 (Nordstrom, 2021).

Finally, states can *provide financial incentives and technical assistance to advance intra-district and intra-school integration and resource equity*, including, for example, additional formula funding per student in a district where all schools are within a certain percentage of each other in student poverty (but only for districts with at least some base amount of poverty to start with); grants to support addressing inequities in access to critical resources; integration strategies (such as grade level schools—for example, see Pearl, MS and Clinton, MS (Harris, 2020)—and school (re)assignment (Barshay, 2022); recruiting and retaining educators of color; detracking; restorative justice practices that end racialized exclusionary discipline practices; and cooperative learning opportunities within or in conjunction with integration efforts. States can also provide technical assistance and support by facilitating communities of practice and funding consultant support to assist districts in making these sorts of comprehensive policy changes.

Strategies and Tactics

Achieving the transformative redesign of our public school systems as described above—rethinking, essentially, how we assign both students and resources to schools to ensure that they are integrated and adequately resourced to meet students’ needs—will require building public will and the use of every “tool” in our collective toolkit: applied research to make the case and show what’s possible; state court litigation to provide political cover and force state action; strategic communications and messaging to effectively build public and political will; and, undoubtedly most important, thoughtful and sustained community engagement, power building, and empowerment to center the expertise, experiences, and desires of those most directly impacted by today’s patterns of segregated schools that under-resource students of color and students from low-income families.

We are encouraged by two current state court lawsuits beginning to reinvigorate these conversations in states as different as New Jersey and Minnesota. *Latino Action Network v. State of New Jersey* is a case filed in 2018, led predominantly by the Latino Action Network and NAACP of New Jersey, to hold the state accountable for the dramatic and unacceptable level of school segregation across the state. New Jersey’s 600+ school district boundaries have trapped many kids in under resourced and underfunded schools for decades, and prevented Black, Latino, and low income kids from accessing a quality education. In its most recent decision (*Latino Action Network v. State*, No. L-1076-18 (N.J. Super. Oct. 6, 2023), the state superior court concluded that the state of New Jersey is responsible for addressing school segregation, and the “[plaintiffs]...have demonstrated marked and persistent racial imbalance in numerous school districts across the State that Defendants... have failed to remedy.” This means that the seriousness and impact of school segregation is being acknowledged by state courts.

Halfway across the country, in December, 2023, the Minnesota Supreme Court issued a decision on a crucial question in *Cruz-Guzman v. State of Minnesota*: whether the plaintiffs are required to show more than the existence of “racial imbalance” in schools in order to establish a violation of the education clause of the Minnesota Constitution. The court started by pointing out that plaintiffs need not show that the state intended to violate the constitution—or intended to segregate schools, in this case. That, in and of itself, is really important.

The court then went on to analyze whether plaintiffs were required, in order to prove a constitutional violation, to show: (1) that the state caused the racial imbalances in schools and (2) that the racial imbalances caused their children to receive an inadequate education. The court found that the plaintiffs are not required to prove that the state caused the racial imbalance. This is a big deal, because the state has argued that it cannot be held responsible for school segregation that has resulted from local, district policies.

The court did say that simply showing segregation in schools is not, itself, a violation of the constitution. The plaintiffs must establish that “the racial imbalances are a substantial factor in causing their children to receive an inadequate education.” The court is essentially asking the plaintiffs to prove “separate is not equal” at trial. And while it feels a little funny to have to prove that in the year 2024, we know there is strong social science research and evidence available to make the case.

There is a long way to go, but overall the decision is a positive step forward. The court found that the state, specifically the Minnesota legislature, can be found responsible for school segregation without the plaintiffs having to prove a particular state action that caused it. The Minnesota State Constitution’s education clause is very similar to those in other states, making it a promising example for this work in other places. Advancing this kind of big picture, transformative change will take all of us.

Conclusion

The surges of racial prejudice, racial intolerance and polarization of political attitudes, and unprecedented economic inequality are not coincidental, but directly related to, and exacerbated by, the inequality of resources across our public schools and its lack of diversity. The world that existed during the era of integration and civil rights was not the same as the one we have inherited. The Black–White dichotomy is an old paradigm. We have shifted from Black and White communities to ones that are multi-ethnic in a globally competitive, international, 21st-century knowledge economy. Global community requires multicultural competencies. No matter where our children live and work in the future, their neighborhoods will be multicultural, part of the global community. Our failure will be in not adequately preparing them for that new reality.

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