

## School Choice and Segregation by Race, Class, and Achievement

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### ***Executive Summary***

This chapter summarizes the empirical literature on the growth in school choice options, the increasing diversity of the school-aged population, and the segregation of America's schools by race, socioeconomic status, and student ability. Research findings suggest choice schools and programs are as segregated, and in some instances, more segregated by race and socioeconomic status (SES) than the other schools in their local community. Moreover, many forms of choice also segregate students by ability and achievement levels. The ways that school choice options are designed and implemented result in very little desegregation. The exceptions to this generalization are intradistrict full magnet programs that operate under conditions of controlled choice, interdistrict desegregation plans, and some secular private schools.

The reasons that most choice options are segregated by race, SES, and in some cases by ability, are complex. Four principal reasons emerged from the research findings, however: (1) many choice programs are designed to provide education to selective student populations, such as the gifted or special-needs students; (2) choice programs formally and informally allow schools to select students, thereby including some youth while excluding others; (3) there is a scarcity of interdistrict choice options that could capture the diversity in larger metropolitan communities; and (4) parents exhibit preferences for schools with student bodies similar to their own demographic backgrounds.

The preponderance of social science research indicates that students who participate in almost all forms of choice attend schools that are segregated but this need not be the case. If policy makers are interested in promoting choice schools that are diverse, they can design programs that support and encourage integrated schools.

Policymakers can restructure existing choice plans and design new ones that create genuine and realistic opportunities for diverse education. To that end, it is recommended that policymakers:

- Redesign current choice policies to ensure diversity.

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- Provide more transportation to students and information about diversity and choice options to parents.
- Increase and enforce accountability among choice schools.
- Redesign public/private sector relationships to ensure diversity.

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### ***Introduction and Overview***

In the past two decades a range of school choice forms have become viable educational options for students in all 50 states and the District of Columbia. School choice is a complex, politically charged, imprecise concept that subsumes a vast array of practices across both the public and private education sectors. The various forms of public school choice include intradistrict magnets, a limited number of interdistrict options, charters, and public voucher programs. Private schools, private voucher programs, and home schooling comprise private sector choice options. Since the 1980s school choice has become more popular with local, state, and federal policymakers who look to market principles for restructuring education. Choice also has appeal to parents and educators frustrated with the slow pace of school improvement in many low-performing urban schools, and to those whose ideologies maintain markets can provide more efficient education than the state.<sup>1</sup> Choice advocates expect that implementation of various forms of choice will trigger broad-based gains in academic achievement and greater equity, both in the choice schools and their host school systems.<sup>2</sup>

Efforts to reform education through market principles have been circulating for decades.<sup>3</sup> Market principles involve competition, choice, deregulation, accountability, and the individual pursuit of rational self-interest. Various choice options, along with efforts to privatize educational services and school management, reflect ideologies that seek to diminish the role of the state in public and private domains, to reassess the distinctions between private and public realms, and to advance market forces in the provision of essential social services including education. In theory, school choice will empower parents to match the needs of their children with an array of educational options, thereby maximizing the quality of their child's education. Deregulation and competition will foster innovation and reform among choice and non-choice schools, and market forces ultimately will eliminate schools that do not provide the high quality education that parents demand.

Choice advocates gained important allies during the presidencies of Ronald Reagan and George H.W. Bush as the executive branch of the federal government renewed its focus on the shortcomings of public education.<sup>4</sup> Chubb

and Moe's influential 1990 book *Politics Markets, and America's Schools*<sup>5</sup> brought additional attention and mainstream policy legitimacy to claims that school choice could be the "silver bullet" for school improvement.

As market-inspired school reforms gained momentum among conservative policymakers in federal and state governments, the continuing crisis in urban education, despite decades of compensatory education programs and desegregation efforts, led many parents of low-income students of color to consider choice reforms as an alternative strategy for improving their children's educational opportunities. For example, choice in the form of vouchers gained traction in Milwaukee, home of the nation's first public voucher plan, through an alliance between ascendant political conservatives and powerful black Milwaukee legislators, who together made common cause with parents frustrated over the failing Milwaukee Public Schools.<sup>6</sup>

### **Choice, Desegregation, and Segregation**

Integrated schooling is rooted in the concept of equality of educational opportunity. However, school choice has not always fostered integration or educational equity; in fact, the practice has notorious roots in the historic desegregation struggles that followed the 1955 *Brown II* decision.<sup>7</sup> After the Supreme Court ordered school districts to end de jure segregation with all deliberate speed, in lieu of dismantling their dual systems Southern school districts devised "freedom of choice" plans that ostensibly allowed black and white students to attend any school of their choice. In practice, freedom of choice plans were a conscious strategy of resistance to desegregation.<sup>8</sup> These choice plans did nothing to desegregate public education because only a handful of blacks enrolled in white schools, while no whites enrolled in black schools. Eventually the Supreme Court ruled that freedom of choice plans by themselves were not sufficient to achieve integration, and it approved other means, such as busing.<sup>9</sup>

Decades later various forms of public school choice were reintroduced as reforms specifically designed to voluntarily desegregate public schools. Magnets designed as desegregation tools employed "controlled choice" pupil assignment plans that considered how an applicant's race contributed to the magnet school's racial balance.<sup>10</sup> Today, controlled choice pupil assignment plans continue to be used in both mandatory and voluntary desegregation plans.

In 2007, however, the Supreme Court held voluntary desegregation plans in Seattle and Louisville were unconstitutional. The Seattle and Louisville decision left many school leaders and citizens confused about the future use of race in school assignments. Although a majority of the Justices recognized the importance of diversity and avoiding racial isolation in K-12 public schools, the Court struck down particular aspects of the Seattle and Louisville student assignment plans because they relied too heavily upon only an individual applicant's race as an admission criterion.<sup>11</sup> While the Court placed limits on the ability of school districts to take account of race, it did not—as is sometimes reported—rule out any and all consideration of race in student assignment. In fact,

a majority of Justices explicitly left the window open for school districts to take race-conscious measures to promote diversity and avoid racial isolation in schools,<sup>12</sup> and even invited educators and citizens to collaborate creatively to design diverse schools. Justice Kennedy's opinion also endorsed specific strategies, including choice options like magnets and interdistrict plans.

The justices' affirmation of the centrality of diversity to educational equity and excellence aligns with social and behavioral science research that shows the demographic composition of schools is strongly related to the opportunities to learn within them.<sup>13</sup> Research indicates that socioeconomic status, racial backgrounds, and achievement levels of other students in a school are factors strongly associated with that school's academic climate and the material differences in learning opportunities within it—especially students' access to qualified, licensed, and experienced teachers—which, in turn, affect the levels of equity and excellence in the school. Specifically, the preponderance of the evidence shows that racially and ethnically diverse schools and schools without concentrated poverty can be optimal learning environments for students from all ethnic backgrounds, socioeconomic levels, and academic potentials.<sup>14</sup> Diverse schools foster academic achievement, break the intergenerational transmission of racial misunderstanding and hostility, and prepare students for citizenship and work in a pluralistic democratic society that is part of a globalizing economy.<sup>15</sup> However, research suggests diverse schools can be resegregated by ability grouping and tracking. The benefits from integrated schools are weakened when ability grouping and tracking deny students the opportunity to learn in diverse classrooms.<sup>16</sup>

Two trends related to the issues above are now clearly in evidence: school choice and its various options are becoming widespread and America's schools are resegregating. Racial isolation levels, in fact, are rising to the levels of the 1970s.<sup>17</sup> These concurrent trends raise an important question: are school choice options promoting diversity, or are they instead contributing to segregation?

### **Definitions and Methods**

The widespread growth of school choice and the length of time that many forms have operated are now sufficient to permit empirical examinations of the relationships between choice and various dimensions of diversity within and among schools, including race, SES, achievement, and ability composition. The present study uses this literature to investigate if the design and implementation of various choice options promote diversity or segregation in choice schools themselves and among the other schools in their communities. It is worth noting that the choice literature remains rife with methodological, measurement, and epistemological debates that reflect the intensely political and ideological nature of school choice policy.<sup>18</sup>

Race is the first focus of this brief. Contemporary racial and ethnic categories are socially constructed, historically contingent, and fluid.<sup>19</sup> Nevertheless, this research utilizes the conventional categories of American Indian, Asian, black, Latino, and white to refer to the major racial and ethnic

groups, even though these designations cannot capture the dynamic aspects of America's demography or the ethnic variations within each major racial group. These variations include multiracial designations, identities that are increasingly embraced by younger people wishing to claim all aspects of their heritage.

The second focus of the brief, socioeconomic status (SES), reflects a family's location into the social stratification hierarchy. Researchers often use free or reduced-price lunch status or parental educational attainment to indicate SES. Race and SES are highly correlated because people of color are disproportionately poor. The intersection of race and SES is especially relevant to how particular forms of choice affect school segregation, because many choice options are designed to target low-income children.

Most schools organize instruction by ability groups or academic tracks,<sup>20</sup> the third focus of this brief. Although ability and achievement are related constructs, achievement refers to the performance of students, while ability captures whether a student has certain identified intellectual gifts or learning disabilities that entitles him or her to special education services. Certain choice options are designed to target students with disabilities or those who are gifted, again illustrating how the design of a choice option may contribute to the demographic composition of a school.

This brief summarizes the authors' survey and synthesis of existing research on how forms of school choice affect diversity in school composition—both within choice schools and in the host community's non-choice public schools. The synthesis includes published journal articles, books, chapters in collections, and unpublished reports from scholars and a variety of research institutions including the federal government.<sup>21</sup> The breadth of the literatures on magnets, interdistrict plans, vouchers, charters, private schools, and home schooling allows for a report only on major trends, rather than more nuanced findings. Whenever possible, findings from state and national studies are included; case studies are discussed if they illustrate a general point, or in some instances, if they are the only studies available on a particular topic.

The remainder of this report is organized into three sections. The first section addresses how school choice forms may or may not promote segregation by race and socioeconomic status. The second section examines whether various forms of school choice foster segregation by ability or achievement. The final section summarizes the findings and offers policy recommendations.

### *Segregation by Race and Socioeconomic Status*

#### **History and Background**

As school choice reforms grew in popularity during the 1990s, the population of American students became more racially and ethnically diverse. During the last two decades, America's schools have resegregated by race and socioeconomic status. The resegregation of American schools is a reversal of a trend toward greater desegregation that peaked at the end of the 1980s. At present, resegregation is growing in Southern and Border states that were once largely



desegregated. In the Northeast, Midwest, and West—regions that experienced less desegregation—segregation is taking on an ethnic complexity not seen before as the nation becomes increasingly multiracial.<sup>22</sup>

Asian students constitute the most integrated ethnic group while whites are the most racially isolated. Whites typically attend schools where only one out of five students comes from other racial groups. Roughly three-fourths of black and Latino students attend racially isolated minority schools. A majority of racially isolated black and Latino neighborhood schools are also schools of concentrated poverty. A school's SES composition is strongly predictive of its students' academic achievement. Racially isolated schools with high concentrations of poor students have very high drop-out rates and very low achievement scores.<sup>23</sup>

Many factors contribute to the resegregation of America's schools. For one, as the relative size of the white population declines, students of color have fewer interracial contacts. Changing residential patterns—the spatial footprint of race and SES inequality—also contribute to resegregation. Federal court decisions and school district policies also contribute to resegregation. For example, in the 1990s, a series of Supreme Court decisions ending mandatory desegregation allowed many school districts to return to racially segregated neighborhood-school based assignment plans.<sup>24</sup>

Given the concurrence of resegregation with the increasing popularity of school choice, it becomes important to ask to what extent school choice may also be contributing to segregation by race and social class. The following sections examine this question.

### **Choice Options and Segregation by Race and Socioeconomic Status**

Magnet schools offer families a range of curricular and instructional options within a school system (intradistrict choice) and in rare instances, across school boundaries (interdistrict choice). About 3% of all public school students in the United States attend magnet schools, which are found in more than half of the states.<sup>25</sup> Common intradistrict magnet options are specialized schools (full magnets) or programs within schools (partial magnets). Magnets are characterized by their curricular themes (such as science and art) or pedagogic emphases (such as discovery learning) that are intended to appeal to students across ethnic and SES boundaries. Specialized magnet schools may employ selective admissions requirements (such as test scores or artistic performance). The designs of magnet schools are central to whether they promote diversity or contribute to resegregation by race and SES. Many magnets were designed to voluntarily desegregate schools through “controlled choice.” Race-neutral intradistrict choice plans permit families to choose any school in the district and less often have diverse student bodies.

It is possible for a magnet to attract a diverse student body yet have an internal organization that produces second-generation segregation.<sup>26</sup> For instance, a diverse magnet school can be internally segregated by race, SES and achievement if it is a partial magnet or it uses academic tracking or ability grouping.<sup>27</sup> Schools with partial magnets or dual magnets (a school with two

distinct magnet themes) can be quite diverse in terms of their overall SES, race, and achievement composition. However, the student population in the partial magnet can be strikingly different from the rest of the school.<sup>28</sup>

The most common forms of interdistrict choice plans are interdistrict open enrollment and interdistrict desegregation plans.<sup>29</sup> Interdistrict open enrollment plans allow students to transfer between school districts. Because they are guided by competitive market forces, interdistrict open enrollment policies are not designed specifically to address the needs of students in failing urban schools. Instead, the policies are intended to provide families with educational choices and to encourage competition among districts as a means of stimulating school improvement. In 2003, 487,000 students were enrolled in open enrollment plans permitted by 42 states and Puerto Rico. By 2007, almost all states had interdistrict open enrollment policies and almost half of all school districts (46%) accepted students from other districts. However, many suburban districts refuse to accept transfer students from urban school systems.

Interdistrict—or metropolitan—desegregation plans have enabled students to cross over existing school district boundary lines for the purpose of voluntary race, ethnic, and socioeconomic school desegregation. These equity-inspired plans were designed to remedy past race and class inequalities in educational opportunities. Interdistrict desegregation plans allow suburban students to attend schools, typically magnets, in urban areas and urban residents to attend schools in suburban districts. Interdistrict desegregation plans have been implemented in St. Louis, Hartford (Conn.), East Palo Alto (Calif.), Boston, Indianapolis, Milwaukee, Rochester (N.Y.), and Minneapolis. Several plans (most notably St. Louis) grew out of federal mandates, while other plans originated in state court responses to desegregation or fiscal equity lawsuits. The Boston and Rochester plans were initiated through state and community efforts to avoid litigation. The eight plans provided transportation, incentives for receiving districts, and outreach for recruitment. The plans tended to be small, with between 500 and 10,000 student participants. Their enrollments have diminished over the last decades due to waning legal and political support for interdistrict school desegregation.

Charter schools are another public choice option shaped by their enabling statutes. Since 1990, 40 states, the District of Columbia, and Puerto Rico have enacted charter school legislation. Jurisdictions with the greatest proportion of public school students in charter schools are the District of Columbia, with 22.4%, and Arizona, with 8.4%. The racial and SES composition of charters is affected both by legislation, which varies from state to state,<sup>30</sup> and by local and state demographics.<sup>31</sup> Varying legislation<sup>32</sup> leads to charters with diverse missions, pedagogical styles, and informal admission practices, all of which affect the schools' levels of diversity or segregation.

More than 80% of the charter schools have a theme or curricular focus such as math and science or the arts; students' academic needs (gifted and talented, special education); instructional approaches (Montessori, experimental learning), or ethnic themes (Afrocentrism). Pre-existing schools may be converted to charters, as is happening in Washington, D.C., where the Catholic archdiocese recently announced it will convert seven Catholic elementary schools into

charters.<sup>33</sup> And, 18 states permit Internet-based cyber charters, which blend home schooling with an Internet-based “virtual” school.<sup>34</sup>

Voucher programs are a limited and controversial form of public school choice. Voucher programs are not designed to promote school diversity by race, SES, or ability. Most public vouchers are targeted at low-income students in urban schools, those attending failing schools, or students with disabilities. In 2007, publicly funded voucher programs existed in Arizona, Florida, Maine, Ohio, Utah, Vermont, Wisconsin, and the District of Columbia, the first federally funded voucher system.<sup>35</sup> As of 2002, there were 78 privately funded voucher programs open to low-income recipients in 38 states and the District of Columbia.<sup>36</sup> Because of the paucity of information about privately funded programs, this brief focuses on publicly funded vouchers.

District-level public voucher programs for low-income students exist in Cleveland, Milwaukee, and Washington, DC. Milwaukee’s program is the largest, serving 17,410 students in 2007.<sup>37</sup> In theory, vouchers can be used to gain entrance into any receptive private or public school; in practice, most voucher recipients attend religious private schools.<sup>38</sup> The Supreme Court held in *Zelman* (2002) that public funds for vouchers could be used to pay for private education in parochial schools.<sup>39</sup>

Several statewide public voucher programs are also in place. Maine and Vermont provide vouchers to rural high school students whose communities have no secondary schools. Arizona, Florida, Ohio, and Utah offer special education voucher programs or vouchers for students in low-performing schools. Florida offers vouchers to low-income students.<sup>40</sup> In November, 2007, Utah voters defeated an expanded plan for a universal program that would have provided all students with tuition vouchers to attend a sectarian or secular private school of their choice.<sup>41</sup>

As of 2003, about 10% of all students in the US attended private schools. Secular private schools are less racially segregated than public schools because they draw their students from a broad geographic area. However, almost 80% of private school students attend religious schools where levels of racial segregation are quite high.<sup>42</sup> In Catholic and other religious private schools, the levels of segregation are often equal or greater than the levels in nearby public schools. Forty-eight percent of private schools are Catholic, another 28% are other religious—primarily conservative Christian denominations—and the remaining 24% of private schools are secular.<sup>43</sup> Elite, secular private schools also tend to be segregated by SES.

Home schooling is a rapidly growing diverse practice that ranges from highly formal and structured to informal, child-centered, and flexible approaches to curricula and instruction.<sup>44</sup> While parents instruct their children in core subjects in their homes, they often join with other home schoolers in their communities for field trips to concerts and museums, foreign language instruction, organized sports, music and dance lessons, and social activities. Home schooling has become a social movement—a collective project with a history, well-developed social networks, and organizational and material supports.<sup>45</sup> Roughly 20% of those who practice home-based education draw upon the resources of local

schools or virtual charter schools as a supplement. Importantly, a number of home-schooled students attend schools for long periods of their childhoods.<sup>46</sup> For example, during 2007 Senator John Edwards and his wife home schooled their two younger children while he campaigned for the Democratic Party presidential nomination.

There are growing numbers of on-line and virtual schools available for home schoolers. Roberts reports there are more than 30 virtual schools representing both Christian and secular perspectives.<sup>47</sup> Virtual schools often blur the line between charter and home schooling. Several states have on-line charter schools that cater to home schoolers. Some states accept out-of-state students who pay tuition, thereby allowing students from one state to be “home schooled” in another state.<sup>48</sup>

### **Race and SES Enrollment Patterns in Choice Schools**

Because many choice schools seek to serve a particular population, their designs influence their demographics. Charter school students are more likely to be black or Latino and less likely to be white or Asian than those who attend regular public schools.<sup>49</sup> In almost every state, the average black charter school student attended school with a higher percentage of black students and a lower percentage of white students than her noncharter counterpart. Although whites are less likely to attend charters than minority students, due to the disproportionately high enrollment of minority students in charter schools, white charter schools students are likely to go to school with more non-white students than whites who attend regular public schools. An exception tends to be charters devoted to gifted education, which are disproportionately white.

Ethnic self-segregation is evident among many charter school populations. These trends are not due to white flight from charters, but to white, black, Native American, and Latino parents who choose schools based more on their racial composition than on the relative academic quality of the charter school. Parents often seek charter schools with a majority of students from their own race, schools that often have lower test scores than the school their children exit.<sup>50</sup>

Racial segregation is also evident in voucher programs. In Florida the percentage of black voucher recipients was much higher than the percentage of blacks in the overall state population. A majority of students in voucher programs in Milwaukee, Cleveland, and Washington, D.C., are black.<sup>51</sup> Hanauer reported that 53% of voucher recipients in Cleveland were black, compared with 71% of public school students.<sup>52</sup> In contrast, rural voucher recipients in Vermont and Maine, states with very small minority populations, are overwhelmingly white.

Approximately three-fourths of private school children are white, 9% are black, another 9% are Hispanic, 5% are Asian/Pacific Islander, and 1% is American Indian or Alaskan Native. Asians and white students are twice as likely to enroll in private school as are blacks and Latinos, who despite being Catholic, have become less likely to enroll in private schools, including Catholic schools, in recent years. Private school enrollment rates are higher among middle-class and affluent families than poor families. One in four private schools serves wealthy,

elite families. While most Catholic schools have some students who qualify for free or reduced-priced lunch, other types of private schools are much less likely to have low-income students<sup>53</sup> Elite, nonsectarian, private schools frequently offer a limited number of scholarships to less affluent students of color. Middle- and upper-class white students are overrepresented in private school populations.

The nation's approximately 1.35 million home-schooled students represent 2.2% of the nation's school population<sup>54</sup> In 2004, about 2.7% of white students were home schooled compared to 1.3% of blacks and 0.7% of Hispanic students.<sup>55</sup> This means that whites were twice as likely as blacks and four times as likely as Hispanics to be home schooled. Home schoolers come from diverse social class, race, and ethnic backgrounds. While they hold a wide spectrum of political, ideological, religious, and educational beliefs,<sup>56</sup> a majority are Evangelical Christians.<sup>57</sup> Many home-schooling parents are religiously motivated to protect their children from what they perceive as secular humanism and other antireligious forces in public schools. In addition to the larger "Christian" majority, there is a much smaller "inclusive" camp within the home-school movement.<sup>58</sup>

While the above trends are documented, accurately describing the size and demographics of the home-school population is a difficult task because of the essentially private, largely unregulated nature of education.<sup>59</sup> Existing studies suggest that home-schooling families are more likely to be English speakers, white, slightly more affluent, and more religious than the general population. In addition, families are more likely to be large, headed by adults with more education, and more politically conservative than families that send their children to school.<sup>60</sup>

### **Which Choice Designs Promote Race and SES Segregation?**

Intradistrict magnets are designed to be more racially and socioeconomically diverse than their surrounding neighborhood schools.<sup>61</sup> They generate the voluntary desegregation of public schools by offering students alternatives to neighborhood schools, which most often have homogeneous race and SES compositions. Racially diverse magnet schools also tend to be diverse in terms of student SES.<sup>62</sup> Some school districts that once employed controlled choice magnet programs to satisfy court-mandated desegregation kept their magnet programs after being granted unitary status. But when Dade County, Fla.,<sup>63</sup> Charlotte-Mecklenburg (N.C.) and Nashville<sup>64</sup> changed the designs of their magnet programs and dropped controlled choice, schools resegregation by race and SES followed.

While, in theory, open enrollment interdistrict choice plans could counteract the race and SES resegregation in urban schools by providing students with an opportunity to transfer to higher-performing suburban schools, the evidence indicates open enrollment plans have not done so. Almost every state and the District of Columbia have open enrollment plans, but the number of students involved in them is limited. Practical problems (lack of transportation) and structural limitations (receiving districts can choose not to participate or

refuse to accept inner-city students) often render open enrollment plans more symbolic than genuine. In fact, open enrollment plans allow more advantaged students to transfer to relatively whiter, more affluent school systems, thereby exacerbating race and SES inequality between districts.<sup>65</sup>

In contrast, interdistrict desegregation plans were designed to foster racial and social class integration. Interdistrict magnet plans reflect the reality that cities and their suburbs are spatially and politically integrated metropolitan areas with interdependent economies, workforces, utilities, and transportation systems.<sup>66</sup> For example, at its peak St. Louis's interdistrict plan involved almost 13,000 black urban students in suburban schools and 1,500 white suburban students who attended urban magnets.<sup>67</sup> Boston's METCO plan currently enrolls about 3,300 students who attend 34 school districts in metropolitan Boston and four school districts outside Springfield.<sup>68</sup> Holme and Wells report that not only do interdistrict desegregation programs promote racial and socioeconomic diversity, but overall, urban and suburban residents, students, and educators participating in them grow to like them the longer the program continues. Despite the evidence of the relative satisfaction of parents, and their success in promoting race and SES diversity, metropolitan area interdistrict desegregation plans remain rare.<sup>69</sup>

Rossell found that magnet schools increase interracial exposure, particularly in districts with mandatory desegregation plans.<sup>70</sup> For example, in San Diego, all students tended to apply to magnet schools that had a higher percentage of white students than their neighborhood schools. Magnet programs increased the exposure of white and middle-class youth to non-whites and low-income students because as more minority than white students applied to magnet schools, the magnets became more integrated, and the neighborhood schools became less segregated.

The effects of magnet schools on the racial and SES composition of other schools in the host district also depend upon the demographics of a local community. Within a school district, the location of a magnet school in relationship to residential patterns is crucial to a magnet school's capacity to generate racial and SES diversity. Magnets could have a negative effect on desegregation if there are too many or if they are placed in white neighborhoods.<sup>71</sup> Saporito reported that whites were more likely to apply to magnet schools as the percentage of non-white students in their neighborhoods increased.<sup>72</sup> Minorities, however, were not more likely to apply as the percent of non-white students in their neighborhoods increased. He concluded that school choice among magnets in Philadelphia led to increases in economic and racial segregation in neighborhood schools. However, Archibald found that magnet schools did not increase economic segregation among schools. Economic segregation was prevalent in all districts whether or not they had magnet schools.<sup>73</sup>

Charter schools tend to be more racially segregated than the other public schools in their school systems<sup>74</sup> but both types appear to have comparable socioeconomic compositions.<sup>75</sup> The majority of charter schools are located in central cities where 65% of students are low-income, whereas in rural and urban fringe districts the proportion of low-income students drops to about 30%.<sup>76</sup> Although a majority of black and Latino students in both regular and charter

schools are low-income, slightly fewer low-income blacks and Latinos attend charters in urban fringe and rural schools. Irrespective of a charter's location, relatively few white charter students are from low-income families.<sup>77</sup>

Rather than promoting racial diversity, charter schools tend to be places of racial isolation. Charter schools in most states enroll disproportionately high percentages of minority students. As a result, students of all races are likely to attend charter schools that have a higher percentage of minority students than their host district's other schools.<sup>78</sup> Segregation is worse for African-American than for Latino students, but is very high for both. For example, Cobb and Glass found that Arizona's charter schools are significantly more racially segregated than the traditional public schools.<sup>79</sup> They reported that charter schools enrolled a considerably higher proportion of black students than traditional public schools. Rapp and Eckes examined charter school enrollment data in the Common Core of Data. They concluded that although charter schools have the opportunity to be more racially integrated than non-choice schools, they rarely are. Even when students have the flexibility to enroll in charters across traditional school district boundary lines, which would generate more diverse enrollments, students infrequently do so.<sup>80</sup>

Because there are relatively few charters in most school districts, it is unlikely that they affect the racial composition of the other schools in the host district.<sup>81</sup> Carnoy and his colleagues found that charters enrolled the more advantaged of the disadvantaged student population. In school districts where large proportions of the student population enroll in charters, like Washington, D.C., it is possible that charters contribute to the concentration of most disadvantaged of the low-income students in the host district's non-choice schools.<sup>82</sup>

By design, most public voucher programs are targeted at low-income students. The limited evidence available suggests that low-income students who have more knowledgeable and informed parents are the ones who take advantage of voucher plans. Witte found on average Milwaukee parents of voucher recipients had higher education levels but lower incomes than non-recipients.<sup>83</sup> Similar results were found in Cleveland. Although incomes of voucher recipients and those who are eligible for vouchers did not significantly differ, twice as many mothers of voucher recipients completed college as the mothers of those who were eligible but who did not receive vouchers.<sup>84</sup>

Very little information is available about the SES and racial composition of the schools that accept vouchers. Available data suggest that vouchers do not promote racial desegregation. Most voucher recipients are from low-income black and Latino families, and those families tend to choose private religious schools that are frequently racially segregated.<sup>85</sup> There is evidence from Milwaukee that voucher students attended racially identifiable schools, although the schools may be less segregated than Milwaukee Public Schools.<sup>86</sup> Forster reported that urban voucher schools, while still segregated by race and SES, were somewhat less segregated than the other schools in the host district.<sup>87</sup> Because vouchers are sometimes equivalent only to partial funding for most private school tuition, families of recipients often must supplement the voucher in order to utilize them

in private schools, something the poorest of low-income families cannot afford.<sup>88</sup> Available data do not permit estimates of vouchers' likely effects on the racial or SES composition of the public school systems from which their recipients exit, although an earlier assessment of vouchers in Milwaukee found that choice has no effect on overall racial balance of the public schools.<sup>89</sup> At best, charters and vouchers do not undermine or counteract trends toward greater segregation. At worst, they slightly exacerbate them.

As noted above, private schools, the most widespread form of school choice, typically are segregated by race and SES. Reardon and Yun<sup>90</sup> found that, overall, private schools are racially segregated and that private school segregation contributes to the segregation in the public sector. They conclude that segregation within the private sector does more to produce racially homogeneous schools than do patterns of segregation between public and private sectors.<sup>91</sup>

At all income levels whites are more likely to enroll in private school than their black, Latino, or Asian counterparts. On average, whites are more racially isolated in private than in public schools, and they experience the most racial isolation in Catholic schools. Levels of black-white segregation are greater within the private school sector than within public schools, and they are highest in black Catholic schools. While, nationally, white enrollments are twice as large as those of minorities, in certain local markets whites enroll in private schools at rates up to 10 times that of minorities. White enrollment rates in private schools are highest in school districts with the largest percent black students. Latino-white segregation is greatest in public and Catholic schools and relatively lower in secular private schools. Latino public school students are more racially isolated than black public school students, but those who attend private schools are more integrated than their peers in the public sector.<sup>92</sup>

Whether as an intended or unintended consequence, home schoolers are segregated by race and social class because they learn among children who are almost always the same race and social class—members of their own family. Parents choose home schooling for a variety of complex and multidimensional reasons.<sup>93</sup> In some cases, parents are attracted to home schooling precisely in order to insulate their children from people in schools (students and educators) who are different in terms of religion, culture, behavior, and academic performance. Other parents choose to home school in order to celebrate and reinforce their own culture—Afrocentric home schoolers, for example.<sup>94</sup> Because home schoolers represent a relatively small portion of the overall student population and are widely dispersed geographically, there is insufficient evidence of the practice's effects on the race and SES composition of the school systems the students would otherwise attend.

### *Segregation by Ability & Achievement*

#### **History and Background**

Racial and socioeconomic isolation are not the only forms of segregation affected by the design and implementation of school choice. Choice can also



isolate academically gifted or learning-disabled students from mainstream populations. Historically, for example, students with disabilities were segregated from other students in separate schools and classrooms. In 1975 the Education for All Handicapped Children Act<sup>95</sup> gave students with disabilities the right to an education in mainstream classrooms rather than in restrictive settings presented within separate classrooms and schools. Today many choice forms give special-needs students and their families the option to be mainstreamed or to attend selective programs or programs targeted to their educational needs.

Curricular tracking and ability grouping are widespread practices found in most schools. Tracking and ability grouping separate students by prior achievement or ability level, ostensibly in order to target instruction and curricula to their needs. However, because race and SES are correlated with school performance, ability grouping or tracking often result in segregation by race and SES—as well as by ability and prior achievement—even in schools that are racially diverse.<sup>96</sup> There is very little systematic research available about the role of tracking and grouping in the promotion of segregation by achievement level within choice schools. Given the widespread practice of ability grouping and tracking in non-choice schools, it is unlikely that choice schools expose their students to levels of segregation by ability or achievement that are greater than non-choice schools. For this reason, the remainder of this discussion will primarily focus on the evidence on segregation by ability levels among choice options.

### **Choice Options and Segregation by Ability and Achievement**

Just as some forms of school choice may promote race and SES desegregation or segregation by virtue of their designs, a choice option also may promote segregation by ability or achievement. This segregation may occur when parents choose a magnet, voucher program, private, or charter school specifically designed for special-needs or higher-ability students, or when educators “counsel” students away from certain schools.<sup>97</sup>

A magnet’s student body can be academically diverse or segregated depending upon the school’s design or theme. For instance, there is a long tradition of selective exam, college preparation, or gifted magnet schools that segregate by ability. Certain charters segregate by student achievement or disability because they are designed to meet differing academic needs of specific student populations. They serve students along the achievement and ability continua: special education students, adjudicated youth, English language learners, teen parents and gifted and talented students.<sup>98</sup>

As Mclaughlin and Broughman point out, private schools have a complicated relationship with special education. On the one hand, public school administrators regularly contract with the small number of specialized private schools to educate students with severe disabilities who cannot be adequately served in public schools. On the other hand, many private schools (especially elite, secular ones) have admission requirements that screen out low-ability

students or low-performing students. Only half of all private schools offer remedial reading and math, and very few offer special education services.<sup>99</sup>

### **Enrollment Patterns by Ability and Achievement in Choice Schools**

Since many charters, magnets, vouchers, and private schools are designed for gifted, general, and special-needs students, it follows that such options will attract a particular type of student and, therefore, promote segregation by achievement or ability level. Choice options designated for gifted students, particularly schools that require certain test scores to enter, will by design resegregate students by achievement. And because achievement is correlated with race and SES, exam school students tend to be disproportionately white, Asian, and middle-class.

Importantly, public charter schools and magnets are legally obligated to ensure that students with disabilities enjoy equal consideration for admission, though interpretation of the law varies by state.<sup>100</sup> However, special-needs students appear to have differential access to choice programs that target specialized populations. In Pennsylvania, Miron, Nelson, and Risely found that charter schools had lower percentages of gifted students than traditional public schools.<sup>101</sup> Similarly, aside from the charter schools that explicitly focus on special-needs children,<sup>102</sup> charter schools tend to have smaller proportions of students who have disabilities requiring special educational services (8%) than district-operated regular public schools (11%).<sup>103</sup> In Michigan, for instance, special education enrollment in charter schools is about 3.7%, while the public school enrollment is 12.3%.<sup>104</sup> Other states report similar gaps in enrollments of special-needs students.<sup>105</sup> This may be because some charter schools steer and counsel parents of special-needs students in ways that dissuade them from enrolling their children in a particular charter school.<sup>106</sup> School policy may also affect the numbers of special-needs students who attend charter schools.<sup>107</sup> Lacireno-Paquet found that admissions criteria, college prep curriculum and transportation availability all affected the types of students who attended the charter school.<sup>108</sup> The actual percentages of special-needs students in charter schools may not be adequately assessed because some parents may hide the disability status of their children when applying to a charter school.<sup>109</sup>

Although some voucher programs target special-needs students, there is some evidence that voucher programs have not provided them with more attractive or accessible opportunities.<sup>110</sup> For example, in Cleveland, voucher recipients were more likely to come from higher-achieving schools. The Cleveland schools that lost 17 or more students to vouchers all had test scores above the district's or the state's average.<sup>111</sup> The voucher students' exit may have reduced the mean achievement in the public schools they left and thereby increased the stratification of achievement within low-income public schools, but the evidence is inadequate to definitively assess whether voucher programs affect the achievement composition of the public school systems voucher students choose to leave.<sup>112</sup>

Private schools are much less likely than public schools to provide services to children with disabilities.<sup>113</sup> This is the case in Catholic schools, the largest private system. The exceptions to this statement are the small number of private schools that specialize in teaching children with learning disabilities. Elite, nonsectarian schools frequently admit students by exam, thereby screening out those with academic weaknesses or special needs. And finally, there are insufficient data to draw any conclusions about home schooling and diversity by ability.

### **Which Choice Designs Promote Segregation by Ability and Achievement?**

Whether a choice school will mainstream or segregate students of varying abilities and achievement levels depends upon the school's theme, its design, and its resources. For example, charter schools tend to have fewer special-needs students than other schools in the host district,<sup>114</sup> which may be explained by economies of scale. Charter schools tend to be smaller and have fewer resources than traditional public schools and therefore have fewer means to adequately educate special-needs students.<sup>115</sup> In contrast, North Carolina charter schools enroll a higher percentage of special education students than traditional public schools. However, their special education students are at the low end of the needs spectrum, and those with more severe needs appear to have been "counseled out."<sup>116</sup> Similarly, a report on Pennsylvania charter schools found that not only did charter schools enroll a lower percentage of special-needs students than traditional public schools, but many of the special education students enrolled either were speech- or language-disabled.<sup>117</sup>

Academically selective magnets, charters, and private schools, by design, have high-achieving or gifted students. These selective schools may also affect levels of segregation by ability in other schools in the host district. For example, Neild examined effects of the presence of academically selective magnet schools on surrounding neighborhood schools in Philadelphia.<sup>118</sup> She found that academically selective magnets had very little effect on low-achieving, non-choice schools. This is because the students within those schools were less likely to apply to the magnet schools. However, because academically selective magnets tended to draw more academically talented students from higher-achieving schools, they can reduce the sending school's overall achievement.<sup>119</sup> Dills reported similar results in a Washington, D.C., suburb. She estimated the effects of introducing an academically selective magnet school into a district and found that removing higher-performing students from non-magnet schools not only lowered the mean achievement of the sending schools, but also lowered the actual performance levels of the students in those schools.<sup>120</sup> Except for the 30% of charter schools that have gifted and talented themes,<sup>121</sup> there is little evidence that charter schools generally cream higher-achieving students away from the host district's public schools.

**Table 1. Summary of Research Findings on Effects of Various Forms of Choice on Race, SES, and Achievement Diversity Within Choice Schools and Between Choice Schools and Local Non-choice Schools**

Type of School Choice		Effects on Race & Ethnicity Diversity	Effects on SES Diversity	Effects on Ability & Achievement Diversity
<b>Vouchers</b>				
	Within voucher school.	Segregation.	Segregation.	Insufficient information.
	Between voucher school and local non-choice schools.	Effects unlikely due to limited number of students participating.	Effects unlikely due to limited number of students participating.	Some evidence that higher-achieving students leave higher-achieving urban schools for voucher schools.
<b>Intradistrict Magnets</b>				
	Within magnet school or magnet program	Diversity in full magnets; segregation in partial magnets.	Diversity, but less SES diversity in race-neutral plans.	Segregation in gifted and talented magnets.
	Between magnet school/program and local non-choice schools.	Increased non-choice school diversity when magnets are not placed in white neighborhoods.	Inconclusive-Some studies show no effect. Other studies show increase in SES segregation.	Some evidence of segregation in high achieving non-choice schools due to exit of high performers to gifted magnets.
<b>Interdistrict Plans</b>				
	Within interdistrict plans.	Diversity if controlled choice desegregation plan.	Diversity if controlled choice desegregation plan.	Insufficient data to generalize.
	Between interdistrict plans and local non-choice schools.	Some evidence open enrollment resegregates schools in sending district.	Some evidence open enrollment resegregates schools in sending district.	Insufficient data to generalize.
<b>Charters</b>				
	Within charter school.	Segregation.	Segregation.	Segregation in exam charters and for special-needs and gifted children.
	Between charter schools and local non-choice schools.	Effects unlikely due to the relatively small number of charters in most school districts.	Effects unlikely due to the relatively small number of charters, and their comparable SES compositions to local non-choice schools in district.	Lower proportion of student with disabilities in charter schools. Some evidence that charter schools cream higher-achieving students away from host district's public schools.
<b>Private</b>				
	Within private school.	Segregation.	Segregation.	Segregation in schools for special-needs students.
	Between private schools and local non-choice schools.	Segregation.	Segregation.	Inconclusive due to contradictory findings.

Type of School Choice	Effects on Race & Ethnicity Diversity	Effects on SES Diversity	Effects on Ability & Achievement Diversity
<b>Home Schooling</b>			
Within home schools	Segregation.	Segregation.	No effect.
Between home schools and local non-choice schools.	Effects unlikely because home schooling represents a relatively small portion of the overall student population and they are widely dispersed geographically.	Effects unlikely because home schooling represents a relatively small portion of the overall student population and they are widely dispersed geographically.	Effects unlikely because home schooling represents a relatively small portion of the overall student population and they are widely dispersed geographically.

### *Discussion and Policy Analysis*

This study synthesized research findings on the relationships of various forms of school choice to the racial, SES, achievement, and ability composition within six choice options—intradistrict magnets, interdistrict desegregation plans, vouchers, charters, private schools, and home schooling—and how the composition of each option, in turn, affected the composition of the other non-choice schools in local communities. Table 1 summarizes the chapter’s findings. The cells in the table represent generalizations grounded in the research reviewed in the chapter. There are, of course, exceptions to most generalizations. When possible, the nuances that do not appear in the cell were captured in the more expansive discussions that appeared above.

#### **Discussion: Does Choice Foster Diversity?**

Choice theory can be interpreted as sympathetic to diversity or as inherently unrelated to it. Some choice advocates believe market forces will break down the ethnic, racial, and socioeconomic barriers to school attendance that at present relegate many poor children of color to utterly failing urban schools. In contrast, others see the market principles underlying choice as theoretically unrelated to diversity. Market principles are not egalitarian; they are blind to race and SES. As such, market mechanisms are more likely to perpetuate racial and SES stratification in educational opportunities than generate greater equality in them.

Contrary to the assertions of advocates who argue that choice will promote diversity and enhance learning, the empirical evidence presented in this brief suggests that, overall, choice options have neither fostered greater equity in educational outcomes nor stimulated improvement in non-choice schools.<sup>122</sup> In practice, choice schools and programs are as segregated, and in some instances, more segregated, by race and socioeconomic status than the other schools in their

local community. School choice design and implementation have resulted in very little desegregation within any of its forms. The exceptions to this generalization are full magnet programs with controlled choice, interdistrict magnet plans, and some secular private schools. Rarely do any of the other choice options offer students a racially or socioeconomically diverse educational experience. Moreover, many forms of choice also segregate students by ability and achievement. The reasons that most choice options are segregated by race, SES, and in some cases by ability are complex but four reasons emerged from the research findings.

***Design of Choice Program.*** Many choice options are intended to serve a homogeneous population such as gifted, special-needs, or low-income children. Under these circumstances, the design of the choice school itself, established by statutes or school board policies, permits schools to segregate.

***Schools Choosing Students.*** As long as choice schools informally (and in some cases, formally) select their pupils despite statutes and policies prohibiting selection, some choice schools and programs will discourage the parents of English language learners, low performers, students with discipline problems, and special-needs children from enrolling in them.

***Scarcity of Interdistrict Choice.*** Most choice options are confined within a school district's boundaries. If a district has high proportions of low-income and ethnic minority students, it is impossible to achieve race and SES diversity. Metropolitan programs remain rare even though interdistrict choice programs have been successful in fostering diverse schools.

***Parental Preferences.*** Some Native American, black, Latino, white parents, and parents of special-needs children choose schools segregated by race or ability. Parents frequently say they choose better quality schools for their children, but the evidence reviewed in this chapter indicates that they are often guided less by a school's academic reputation and more by its demographic profile. Parents appear to select a choice school with a student body similar to their own race, even if the choice school has lower test scores than their current school. The economic theory that proposes parents will choose better schools for their children is based on the unrealistic assumptions that everyone agrees what makes one school "better" than another and that parents have perfect information about their choice options. However, parents of children with different abilities or from various race and SES backgrounds may construct the concept of a "better" school in various ways, sometimes preferring schools where the background of the students is similar to their own. Even in cases where parents define "better" schools as having higher levels of student academic achievement (the assumed universal definition), they may lack good information about the academic quality of specific schools. In such cases, many parents use a school's SES, race, and ethnic composition as a proxy for its academic quality and level of safety.

### ***Recommendations***

Although education policymakers cannot influence the composition of schools in the private sector, shape housing policy, or influence the rapid

demographic transformation of the student population, if they wish to avoid continued segregation by race, SES, ability and achievement, they can restructure existing choice plans and design new ones to create genuine and realistic opportunities for diverse education.<sup>123</sup> They can, that is, accept Justice Kennedy's invitation to devise creative and comprehensive plans that take account of race as well as other diversity factors as part of a "nuanced, individual evaluation of school needs and school characteristics."<sup>124</sup> In addition, all public choice policy can be modified either to negatively sanction designs that segregate or to reward those that generate diversity. Publicly funded choice schools can be required to actively pursue racial, SES, and achievement representation. Recommendations for policymakers and other stakeholders who wish to pursue this goal include:

### **I. Redesign current choice policies to ensure diversity.**

- Because unregulated school choice leads to de facto segregation by race, SES, and at times by achievement, return to controlled-choice admission plans based on combinations of residential census tracts, student achievement, and SES (and in some cases, student race as well).<sup>125</sup>
- Create new magnet schools and site them in integrated or inner-city communities, not white neighborhoods. Do not give neighborhood students preferences for admission to magnets.
- Given that most communities already have multiple metropolitan area-wide plans for public services (e.g., water, power, transportation, telecommunications), and that interdistrict plans have proved popular and successful, renew and expand metropolitan area-wide choice options that transcend school district boundaries.
- Design public vouchers so that they can only be used in diverse schools.
- Avoid the use of informal admission criteria (for example, requiring parental volunteers), steering, counseling, and other practices that result in magnet and charter schools choosing students, not students choosing schools.
- Disincentivize other public schools or local education agencies from opting out of choice plans.

### **II. Provide transportation to students and enhanced information to parents.**

- Provide free transportation to all students involved in school choice.
- Provide comprehensive and accessible information to parents about the value of diverse schools and the opportunities diverse schools offer to all children, and dispel stereotypes about racial and social class and disability.

### **III. Increase and enforcing accountability among choice schools.**

- Hold charters and voucher schools to the same accountability standards as public schools.

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- Revise the accountability incentives so that those who operate choice schools are not motivated to shape their clientele in ways that exclude students deemed less desirable.
- Hold charter schools accountable for failing to meet the diversity standards of their establishment agreements.

### **IV. Redesign public/private sector relationships to ensure diversity.**

- End public funding, support, or collaboration with home schooling and cyber schools because they are inherently segregated by race and SES.
- Decline public sector cooperation with private voucher programs.
- Do not permit public voucher programs to be used for enrollment in racially or SES-segregated private schools.



## *Notes and References*

- <sup>1</sup> Initial research on diversity effects on student outcomes was supported by grants to the first author from the American Sociological Association, the Poverty & Race Research Action Council, and the National Science Foundation (REESE 06-0562).
- <sup>2</sup> Available empirical evidence does not support claims that school choice triggers gains in academic achievement. Other chapters in this volume address this issue in greater detail.
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- Risk* see Carol Ray & Roslyn Arlin Mickelson, "Restructuring students for restructured work: The economy, school reform, and noncollege-bound youth" *Sociology of Education* 66 (1), 1-23.
- <sup>5</sup> Chubb, J.E., & Moe, T.M. (1990). *Politics, markets and America's schools*, Washington D.C.: The Brookings Institute.
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- <sup>13</sup> The authors have been involved in a survey and synthesis of the literature on the effects of school and classroom composition on educational outcomes. This research is supported by the American Sociological Association's Sydney S. Spivack Program in Applied Social Research and Social Policy and the National Science Foundation's REESE Program. To date they have reviewed and evaluated 350 articles, chapters, and other research reports on the effects of school and classroom composition on educational outcomes.
- <sup>14</sup> The evidence on this issue is vast. See, for example, Brief of 553 Social Scientists as Amici Curiae in support of respondents *Parents Involved in Community Schools v. Seattle School District #1*, et al., 551 U. S. (2007)
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