

Race and Education

Sonja Erickson, Erin Meyers

Summary

Race and Education is one of a series of papers prepared by the Institute of Public Policy as briefing materials for the Ferguson Commission during the summer of 2015. It is published here for the benefit of a broader audience.

- St. Louis' history of residential segregation has created significant disparities between educational opportunities for white and black children.
- Because of these disparities, children of color underperform on several key measures of educational achievement, creating an "academic achievement gap."
- Black children receive the most severe disciplinary measures and are punished at a disproportionate rate compared to Hispanic and white students. These measures have resulted in decreased instructional time and negative academic outcomes.

School Segregation, Integration and Re-Segregation

Educational segregation has a long and complex history in the United States, dating back to the nation's founding. Prior to the Civil War, several states had laws expressly prohibiting the education of slaves. After slaves were emancipated, a segregated education system developed informally in most of the country. This system was codified by the 1892 Supreme Court ruling *Plessy v. Ferguson*, which made it legal to segregate public facilities by race, including public schools. Over the next several decades, however, it became evident that segregated schools were not equal, largely due to the limited public resources provided to schools teaching black children.

The argument that segregated educational facilities were inherently unequal came before the Supreme Court in 1954, leading to the *Brown v. Topeka Board of Education* decision, which laid the legal foundation for equal access to educational opportunity in the United States. In 1964, Title VI of the Civil Rights Act of 1964 guaranteed students the right not to be discriminated against on the basis of race, color or national origin and the 2004 Individuals with Disabilities Education Improvement Act expanded those rights to include students with disabilities. The Elementary and Secondary Education Act of 2008 ("No Child Left Behind") explicitly promised equal opportunity for improved educational outcomes for all children (Skiba et al., 2011). In theory, legal protections for equal educational opportunity are now the law of the land.



Sonja Erickson is Senior Research Analyst of the Institute of Public Policy at the Harry S Truman School of Public Affairs at the University of Missouri.



Erin Meyers is a Policy Analyst of the Institute of Public Policy at the Harry S Truman School of Public Affairs at the University of Missouri.

However, much of the progress toward educational equity in the 1970s and 1980s has been reversed by several Supreme Court decisions, leading to a re-segregation of America's public schools. Generally speaking, the courts have ruled that it is unconstitutional to use race as the sole factor when developing school integration plans. Various rulings have found: desegregation court orders were not intended "to operate in perpetuity," (*Board of Education of Oklahoma City v. Dowell* and *Missouri v. Jenkins*); school systems can desegregate incrementally (*Freeman v. Pitts*); and voluntary school integration plans are unconstitutional (*Parents Involved*). Finally, in 2007, the Supreme Court ruled in *Parents Involved in Community Schools v. Seattle School District No. 1* and in *Meredith v. Jefferson County Board of Education* that public school districts cannot use explicitly race-based measures to achieve or maintain integration in public schools. Consequently, by 2014 many schools had "re-segregated by race, resources, socioeconomic status, and language, making separate and unequal schooling the norm in American public education" (Scott & Quinn, 2014, p. 750).

This "re-segregated" educational system is due, in large part, to the racial and economic segregation that persists in many communities throughout the United States. Decades of government policies, residential zoning practices and racial prejudice have created these residential divides (Rothstein, 2014) and widespread socioeconomic disparities, including neighborhoods with high concentrations of poverty (Washington University, 2014, p. 28). As the courts have weakened the legal foundation of race-based integration efforts, returning children to their neighborhood schools has resulted in public schools again becoming as segregated as their communities and neighborhoods. In St. Louis, with its long history of segregation, the impact of re-segregation on educational equity has been pronounced.

In its 1972 decision, *Liddell v. Board of Education of the City of St. Louis*, the Supreme Court ruled that St. Louis public schools had not provided equal educational opportunity for black children. A decade of countersuits and negotiations resulted in a 1983 settlement creating a dual transfer system which allowed black children from the St. Louis public school system to transfer to suburban schools, and white suburban students to transfer to city magnet schools. Progress toward integration began to be reversed in 1999 when St. Louis Public Schools reached a settlement agreement which ended federal court supervision of its integration efforts. Suburban schools no longer had to accept a specific number of transfer students, and as a result, the number of transfer students, which peaked at 14,227 during the 1999-2000 school year, fell to 5,130 by 2013 (Grooms, 2014, p. 12). This settlement decision, combined with legal limitations on mandatory racial integration, has resulted in a re-segregation of St. Louis city and county public schools.

The impact of this re-segregation is significant, because the socioeconomics of a school district help shape the educational opportunities in that district. In Missouri, public schools receive 49 percent of their funding from local government revenue, plus 42 percent from the state and nine percent from the federal government (U.S. Census Bureau, 2015). Local government revenues are derived primarily from property taxes, meaning that in Missouri, almost half of a public school district's funding is determined by the amount of property tax revenue generated in that district. Low-income communities, with fewer home owners and lower property values, generate less property tax revenue and have less money to fund public schools. Consequently, children in low-income communities have become increasingly re-segregated into neighborhood schools with fewer resources and less funding.



The Academic Achievement Gap

Legal protections for equal educational opportunity in the United States have not affected other factors which contribute to an academic achievement gap between white students and students of color. Generally speaking, sociocultural factors and educational achievement are inextricably linked. A wide body of scholarly literature has shown that an achievement gap persists in large part due to the sociocultural disadvantages experienced disproportionately by the black population in the United States (Norman, Ault, Bentz, & Meskimen, 2001).

Public school funding discrepancies can exacerbate the effects of poverty on educational achievement, as many low-income students live in less affluent communities which have fewer tax dollars to spend on public education. A recent analysis of this disparity found that, nationally, the highest poverty school districts receive about \$1,200 less in funding per student than the lowest poverty districts, and that districts with the most students of color receive about \$2,000 less per student than those districts with the fewest students of color (Ushomirsky & Williams, 2015). Less funding means schools have less access to educational resources and students consistently fall behind their peers.

The combination of segregation policies and poverty has had a significant impact on educational opportunities for American children. In 2013, 39 percent of all black children under the age of 18 were living in poverty, compared with 13 percent of white children (Kena, Musu-Gillette, Robinson, 2015). Due to a lack of appropriate funding, segregated school districts often do not have the resources to provide extra support for children in need. Research suggests that racial segregation, the policies that create it, and the resulting educational inequities have created an academic achievement gap between black and white children.

Long-term data collected by the National Center for Education Statistics from 1990 to 2007 shows that when fourth and eighth grade students were given standardized mathematics and reading tests, white students had higher scores, on average, than black students on all assessments. These findings indicate that black boys are at risk of falling behind their peers in school, as they scored significantly lower in both math and reading assessments than black girls and white or Hispanic boys and girls. This achievement gap is the largest between black and white boys, and the disparity increases significantly between the fourth and eighth grades (Vanneman, Hamilton, Baldwin Anderson, Rahman, 2009).

The achievement gap between black and white students continues throughout high school and is observed through a comparison of the scores of twelfth graders who took the National Assessment of Educational Progress in 2013. When compared to white and Hispanic twelfth grade students, black students scored significantly lower in terms of reading and math proficiency.

High school completion rates also suggest an academic achievement gap between white students and students of color, although that gap has been narrowed. Between 1950 and 2005 there was an increase in the percentage of all young adults (ages 25-29) who had completed high school, rising from 53 percent in 1950 to 86 percent in 2005. While black students still graduate at a lower rate than white students (86 percent to 93 percent, respectively), that disparity has decreased

significantly since 1950, when graduation rates were 24 percent for black students and 56 percent for white students (National Assessment of Educational Progress, 2013).

As the United States economy transitions from a service-based economy to one driven by information and specialized knowledge, the subsequent shift in the job market has made having a post-secondary degree more important. Despite disparities in graduation rates, today more people than ever are graduating from high school and pursuing advanced degrees in full- or part-time degree programs. While the college enrollment rate for Hispanic and black students has

increased over the past forty years, the completion rate for these populations is much lower than that of white students. Between 1996 and 2012, Hispanic college enrollment (ages 18-24) has increased by 240 percent, while the enrollment for black students increased by 72 percent. Black women are more likely than black men to pursue post-secondary education, comprising 62 percent of all black undergraduates (Aratani et. al., 2011). Despite this increase in college enrollment, the percentage of black and Hispanic individuals who complete a bachelor’s degree is still very low (Figure 1), putting them at a competitive disadvantage in the 21st century economy.

The Higher Education Pipeline, By Race/Ethnicity

Percent of public high school graduates, 2011-2012 school year



Percent of 18-24 yr olds enrolled in college, 2012



Percent of 25-29 yr olds with a bachelor's degree or higher, 2012

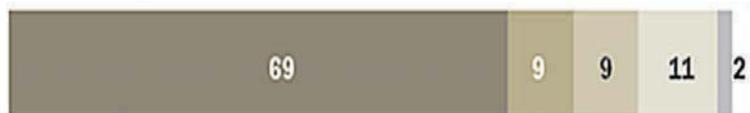


Figure 1. Source: Pew Research Center, Facttank, April 2014

The Discipline Gap

As with the achievement gap, there is a relationship between discipline disparities in the classroom and the sociocultural background of students, teachers and administrators. However, the disproportionate number of black children subjected to out-of-school suspensions and expulsions has increased over the last few decades, and many point to the “zero tolerance” policies which schools began implementing in the 1990s. These policies were modeled after the federal government’s approach to the “War on Drugs” in the 1980s, and were given legal heft in 1994 when Congress passed the Gun Free School Zones Act of 1994 (GFSA), the Safe Schools Act, and the Safe and Drug Free Schools and Communities Act, all of which enjoyed significant public support (MacGillivray, Medal & Drake, 2008).

School violence, such as the Columbine school shootings in Denver, Colorado in 1999, prompted many states to implement state laws similar to the GFSA, which established mandatory out-of-school suspensions for specific violations.



Over time, these policies have led to the use of severe consequences for even minor infractions, increased numbers of suspensions and expulsions, and an increased police presence in schools (MacGillivray et. al., 2008). Zero tolerance policies now extend beyond weapons and drugs to more subjective violations, such as showing disrespect or loitering, many of which also mandate suspension. Research indicates that black children are disproportionately punished for these more subjective violations, although no definitive conclusions can be drawn yet as to why (Skiba et. al, 2011).

Nevertheless, there is a significant difference between how white children and children of color are disciplined in America’s classrooms. Starting as early as preschool and continuing through high school, black students are suspended, expelled, or referred to law enforcement at disproportionately higher rates than white students (Figure 2). Research over the past 25 years shows that this “discipline gap” has been consistent and appears to be getting larger (Skiba, Horner, Chung, Rausch, May & Tobin, 2011). The punitive focus of zero tolerance policies, the increased interaction between law enforcement and the schools, and the disproportionate number of black children who are suspended and expelled for a variety of infractions have contributed to the perception that current disciplinary practices in many schools have created a pipeline to prison for students, putting their educational achievement and opportunities at risk.

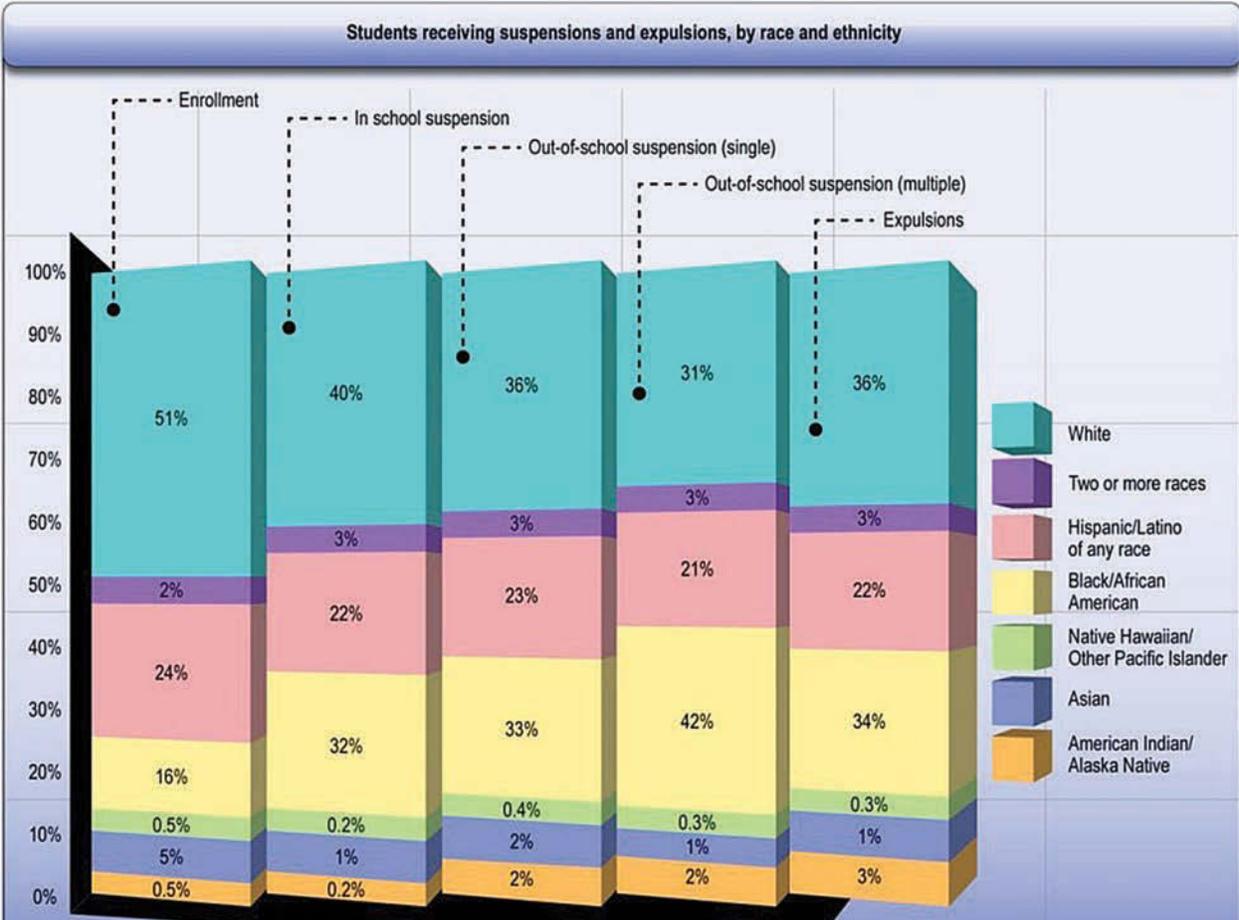


Figure 2. Source: U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection, 2011-2012

Data gathered by the United States Department of Education also show that, compared to students without a disability, students with disabilities (who represent 12 percent of all students) are twice as likely to be suspended from school more than once, and a disproportionate percent of these are black students. Students with disabilities also experienced the most disciplinary actions by restraint and seclusion, with 58 percent placed in seclusion and 75 percent physically restrained.

More than 25 percent of black boys with disabilities received an out-of-school suspension during the reporting period, compared with 12 percent of white boys with disabilities (U.S. Department of Education, 2014).

School-based discipline practices and policies can increase the risk for court involvement among school-aged children. When children are referred to law enforcement or made subject to school-related arrests, they enter the juvenile justice system, a relationship often referred to as the “school-to-prison pipeline” (Christle, Jolivette, & Nelson, 2005). Compared to all other race categories, black children in public schools are subjected to arrest as a disciplinary measure at disproportionately higher rates than are white children (Figure 3).

Suspensions, expulsions and arrests remove children from school, resulting in a significant loss of instructional time, and posing the risk for further negative outcomes and poor academic performance (Skiba et al., 2011).

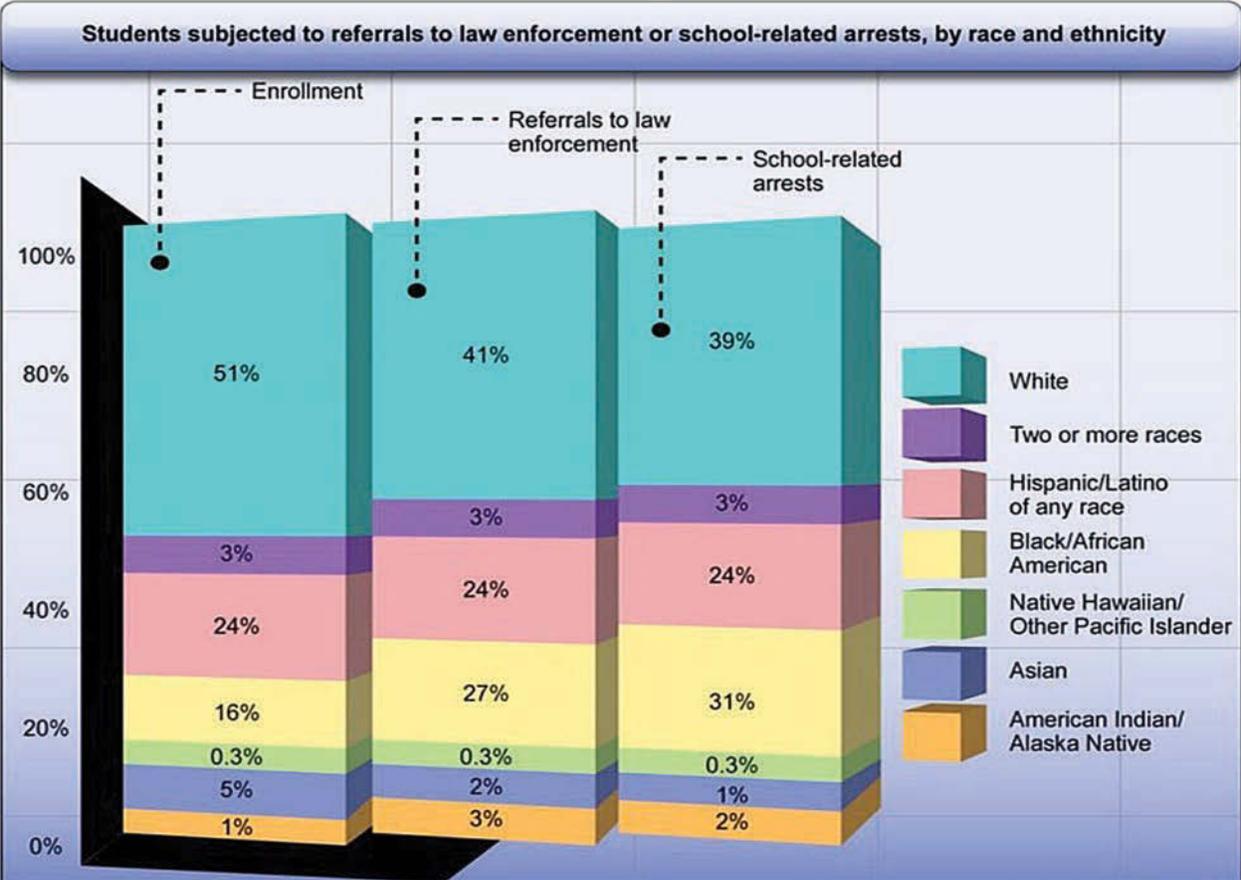


Figure 3. Source: U. S. Department of Education, Office for Civil Rights, Civil Rights Data

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