

State Policy Options to Promote K-12 Integration

Cassidy Francies and Bryan Kelley

Horace Mann called education “[the great equalizer](#),” and that sentiment has persisted even in modern-day American society. Despite this sentiment, many inequities persist in our education system that create barriers for students and threaten the ability for all students to succeed. Racial and socioeconomic school integration are policy levers available to policymakers to address some of these persisting inequities.

Almost 70 years after the landmark Supreme Court case [Brown v. Board of Education](#), studies show that schools in the United States are often segregated by race and socioeconomic status. While the student body in U.S. schools is becoming [more diverse overall](#), students’ learning environments may be increasingly lacking in diversity. According to one 2020 [source](#), almost seven in 10 Black children attend schools where a majority of students are Black, Latinx, Asian, or American Indian, but only about one in eight white students attend schools where a majority of students are students of color. Research also shows that [socioeconomic](#) and [racial](#) segregation have increased in recent years.

Racial and socioeconomic integration have a [positive influence](#) for students, academically and otherwise; however, as noted by the [Civil Rights Project](#), “sitting next to a white student does not guarantee better educational outcomes for students of color.” Rather, it is access to resources “that are consistently linked to predominately white and/or wealthy schools” that makes a difference in students’ education. Students in racially and socioeconomically integrated learning environments have more access to well-maintained [facilities](#), qualified [teachers](#), [advanced courses](#), and public and private [funding](#). They benefit academically, as demonstrated by

Key Terms

This guide uses the terms [Black](#) and [Latinx](#), as opposed to African American and Hispanic/Latino, to refer to specific populations of students.

While there are key distinctions between each racial and ethnic identification, [Black](#) is considered more inclusive and representative of [current demographics](#), while [Latinx](#) is considered [gender](#) and [race](#) inclusive. We also recognize that many students experience an intersectionality of identities and, as a result, experience a wide array of systemic challenges often not captured in research and not addressed in this guide.

[improved test scores](#), lower [dropout rates](#) and [higher college enrollment](#). Beyond academic benefits, students in integrated learning environments also show increased likelihood to [live in integrated settings](#) later in life, among other things. Benefits are experienced by all students, regardless of race or socioeconomic status.

This guide explores three distinct types of segregation that exist at the K-12 level: segregation across districts, between schools in a district and within individual schools. It also provides considerations for policymakers interested in promoting integration within their schools and districts.



Historical Context

Segregation is the result of years of policies and practices that distribute educational resources and opportunities unequally, [harming students](#) of color and students from low-income backgrounds. Diverse schools, on the other hand, have [positive impacts](#) for all students, regardless of race or socioeconomic status. [Federal court cases](#) have played a prominent role in shaping the policy landscape of integration as we know it. While [Brown v. Board of Education](#) is the most well-known court case shaping the landscape of school segregation, court involvement predates this decision and continues today.

Fifty years after [Plessy v. Ferguson](#) upheld the constitutionality of school segregation by race, a federal court case involving a

Racial and Socioeconomic Segregation

This guide distinguishes between racial and socioeconomic segregation where possible. While socioeconomic status and race are not synonymous, forms of racial and economic discrimination are [closely tied in the United States](#). Black and Latinx students are more likely to attend schools with a high proportion of students from low-income backgrounds and are more likely to come from low-income backgrounds themselves. As a result of this connection, some studies cited in this guide may address racial and socioeconomic segregation simultaneously.

Latinx student, [Mendez v. Westminster](#), helped illuminate the issue of segregation in **California** and its impact on all students of color. This case ultimately led to the prohibition of segregation in California public schools. Some believe that the Mendez decision helped set the stage for Brown v. Board of Education eight years later, which was a combination of [five](#) cases — one each from **Delaware, Kansas, South Carolina, Virginia** and **Washington, D.C.** — that were unsuccessful in lower courts, appealed and brought to the Supreme Court. In Brown v. Board of Education, the Supreme Court made a unanimous decision, declaring the previously held doctrine of “separate but equal” conditions to be unconstitutional, thus ending legal segregation nationwide. Despite

this ruling, there was resistance to integration in states. In [Virginia](#), for example, a group of laws opposing integration — known as the Massive Resistance — were passed in 1956, two years after the Supreme Court ruling.

Two decades after its *Brown* decision, the Supreme Court took up a new case regarding racial integration in schools: [Milliken v. Bradley](#). In this case, the court ruled that racial integration across district lines could be enforced only if districts provide direct evidence of discrimination, a decision that ultimately made desegregation in many metropolitan areas [difficult](#) and led to worsening levels of segregation. More recently, in [Parents Involved in Community Schools v. Seattle School District No. 1](#), the Supreme Court struck down district-assignment policies for schools in Seattle, **Washington** and Louisville, **Kentucky**, that directly considered race of individual students in determining who would attend which school.

Despite the *Brown v. Board of Education* ruling, many schools in the United States remain segregated, with some students experiencing increasing isolation by race or socioeconomic status. The proportion of Black students attending majority-white schools peaked in 1988 and has since [decreased](#). Segregation of Latinx students has also [increased](#), with 43% of Latinx students in the United States attending schools with at least 90% students of color in 2011, compared with 23% in [1968](#). Further, as previously noted, [research](#) shows that socioeconomic segregation in general has increased since 1990. Specifically, cross-district socioeconomic segregation among families with school-age children increased by about 20% between 1990 and 2008.

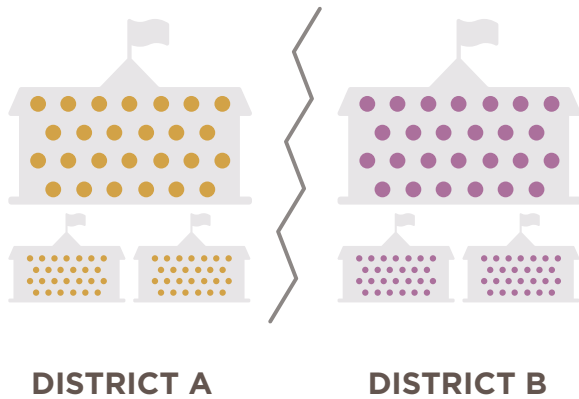
While decisions in federal court cases have limited options for racial integration, states and school districts can still employ policy approaches that do not rely on the race of individual students — such as [socioeconomic factors](#), parental education, neighborhood socioeconomic status, geography and composition of area housing — when creating integration policies. Districts may also consider race as one of many factors. Though rescinded, federal [guidance](#) outlining many of these policy levers may still be informative for policymakers seeking to promote integrated educational environments.

Housing Policy and Segregation

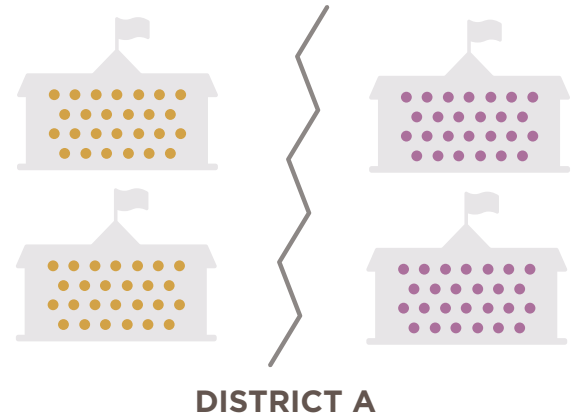
Housing policy also plays a role in racial and socioeconomic segregation, because the makeup of schools [often resembles](#) the neighborhoods in which they are located. However, systemic forces, such as the legacy of [“redlining,”](#) have shaped where individuals are able to live and are linked to a wide range of [harmful consequences](#). Research shows that education policy can either reduce or increase segregation levels in housing through attendance zones, district boundaries and other means. Segregation in housing and education are further linked given the role of property taxes in school funding, which generally disadvantages communities of color and low-income communities.

According to the [National Coalition on School Diversity](#), “state governments are in the best position to reverse the tide of increasing racial and socioeconomic segregation in our public schools, if the political will is present.” This policy guide provides overviews and policy considerations for states interested in increased integration across districts, between schools in a district and within individual schools.

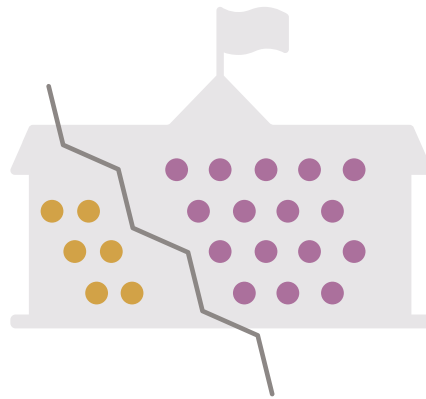
SEGREGATION ACROSS DISTRICTS



SEGREGATION BETWEEN SCHOOLS IN A DISTRICT



SEGREGATION WITHIN A SCHOOL



Integration Across Districts

Approximately [two-thirds](#) of segregation in metropolitan areas occurs across districts, not within districts. Neighboring districts, despite their close proximity, can have vastly different demographic compositions. For instance, the [Urban Institute](#) highlights two neighboring districts in **Connecticut** for consideration: Wethersfield is a suburban school district where 20% of its 1,529 K-5 students are Black or Latinx. Its neighbor to the north, Hartford, has 9,620 K-5 students, 87% of whom are Black or Latinx. School district boundaries can have significant impacts on the funding levels, experiences and opportunities extended to students.

Research demonstrates that segregation across districts is associated with disparities in educational resources. A [study](#) that specifically looked at Black students found that “when Black students are increasingly concentrated in separate school districts from White students in the same state, total revenue shifts in a way that disfavors the typical Black student’s district, even after controlling for racial differences in poverty.” A separate [analysis](#) finds that as the percentage of Black and Latinx students in a school district increases, the adequacy of per-pupil funding to cover actual district spending needs decreases. Further, because of the [reciprocal relationship](#) between school segregation and housing segregation, not all student populations have equal choice in the location of their home and, therefore, their school.

Attempts to integrate across district lines have been complicated by legal limitations set in landmark Supreme Court cases. One [study](#), in particular, found that the Milliken v. Bradley decision “made it difficult to include suburban districts in a desegregation plan” and “made it much more likely that plans could be undermined by white flights as white families could move to nearby districts to avoid the plan.” Moreover, district boundaries are not static. [EdBuild](#) has identified at least 128 instances of districts proposing boundary changes to form a new district since 2000, which sometimes [lead](#) to “massive funding inequities [and allow] wealthier and whiter districts to isolate themselves and their resources from students with greater need.”

Policy Considerations

If a district is proposing a boundary change that results in a new school district, are there state requirements that consider how the action would impact the community the new school district would leave behind? For instance, proposals to change district boundaries to form a new district may not progress in **Arizona** unless the local communities in both the withdrawing district and the remaining district [pass a vote](#) approving the plan. Relatedly, **Utah** requires an advisory committee to [study and report](#) on the impact that boundary changes would have on original districts. Some states prohibit district formation of new districts altogether: **Georgia’s** [constitution](#) (Article 8, Section 5) prohibits the creation of new independent school systems, and **Florida’s** [constitution](#) (Article 9, Section 4) establishes that each county constitutes a school district, allowing only for consolidation, not fragmentation.

Are there opportunities for regional entities or multiple school districts to collaborate on integration efforts? In 2006, **Nebraska** enacted a [bill](#) that led to the creation of the Learning Community Coordinating Council, a regional governance system that included Omaha Public Schools and 10 surrounding school districts.

Among several other innovative provisions, such as the use of magnet schools, the LCCC [initially](#) pooled resources through a common levy. This levy collected property taxes from across the 11 districts. The LCCC, using a funding formula that gave extra weight to students who were English learners and students from low-income backgrounds, allocated those funds back into the districts as determined by the formula. In addition to its funding implications, this regional tax-sharing plan intended to “create a shared sense of fiscal responsibility” among the 11 districts. According to the [Learning Policy Institute](#), “although the common levy was phased out in 2016, it was successful in providing an equitable distribution of resources.”

Are there opportunities for policymakers to incentivize the creation of magnet schools? [Magnet schools](#) — which are specialized schools traditionally designed to attract enrollment from students of different racial and socioeconomic backgrounds from different geographic regions — have [often been used](#) toward this end. According to [The Century Foundation](#), magnet schools do not inherently increase integration, but many have been created with that specific purpose, attempting to reach “specific desegregation goals” and “factoring diversity into the admissions lottery” process to allow for “socioeconomically and racially integrated student bodies in school districts with high levels of segregation in neighborhood schools.” Policymakers may consider incentivizing magnet schools. For instance, **Connecticut** allows the [reimbursement](#) of up to 80% of some interdistrict magnet school facilities costs if they are deemed to reduce racial, ethnic and economic isolation. This may be a particularly feasible policy option due to federal investments, such as the [Magnet Schools Assistance Program](#). It is worth noting that school choice policies, in general, have [not been found](#) to lead toward integration, but they provide policymakers with levers that have the potential to lead toward integration.

One example of such a program can be seen in **Texas**. San Antonio operates a [nationally recognized](#) controlled choice and magnet school program to “intentionally diversify the city’s notoriously segregated public schools.” [San Antonio Independent School District](#) serves a student population with [89% of students](#) eligible for free or reduced-price lunch or other form of public assistance, and is surrounded by 16 school districts in the greater metropolitan area. Magnet schools were created to draw in a wide range of students across the districts in the region. In an attempt to balance student composition by socioeconomic status, San Antonio designated seats for students outside the district, for whom transportation costs are covered. The [lottery systems](#) used for seat allocation can include consideration and weighting along several factors, including whether the student lives within the district, whether the student qualifies for free or reduced-price lunch and whether the student is an English learner. The district offers a

variety of outreach resources and events to help families navigate the enrollment process. With this system, the district seeks to promote socioeconomic integration both across districts and between schools in the district. Policymakers interested in using transportation to pursue integration efforts — such as busing students to schools far from their homes — may also now consider the use of federal funding to defray those costs. The federal [Consolidated Appropriations Act](#) of 2021 [removed](#) existing prohibitions against using federal school transportation funds to support school integration.



Integration Between Schools in a District

The Century Foundation created a [database](#) of 185 integration policies and active court-ordered desegregation plans in place throughout the country. The overwhelming majority of these plans pursued integration between schools within the same district, creating a variety of [examples](#) to consider. It is also worth noting that overlap can exist between policy efforts to promote integration across districts and integration between schools in a district.

Several of the outlined policy considerations involve school attendance boundaries, which are often a dividing line for segregation that occurs between schools in a district. [According](#) to the Urban Institute, “school districts have the administrative authority to set student assignment policy ... [which is] the key lever available to district officials to tilt the scale toward racially and ethnically balanced public school enrollment.” The Urban Institute’s case study of Atlanta looks at school-attendance boundaries and varying levels of segregation between schools in the district. For instance, the school-attendance boundary for one elementary school is cast over an area that is only 11.5% Black and Latinx, whereas a neighboring elementary school zone is cast over an area that is 61.2% Black and Latinx. Although the authority to alter boundaries and related policies may formally exist at the district level, state policy can still shape, encourage and/or incentivize district policy considerations.

Policy Considerations

Can school assignment in open enrollment choice systems be used to enable increased between-school integration? The examples of controlled choice earlier in this guide can also be used within district boundaries to encourage integrated, diverse schools. For instance, some states' [open enrollment](#) and charter school policies give [enrollment preference](#) to students with certain characteristics. Until recent changes were made, **Oregon law** stated that “for the purpose of ameliorating the impact of discrimination against historically underserved students, a public charter school may select students through a weighted lottery that favors historically underserved students,” a category defined to mean students who are classified by the state as “at risk because of any combination of two or more factors including their race, ethnicity, English language proficiency, socioeconomic status, gender, sexual orientation, disability and geographic location.” **North Carolina** [requires](#) charter schools to make efforts to reflect the [racial and ethnic composition](#) of either the general surrounding population or the special population that a school is seeking to serve. **Connecticut's** mandatory interdistrict open-enrollment [policy](#) has the stated purpose of either reducing racial, ethnic and economic isolation or preserving racial and ethnic balance.

Can school attendance boundaries be drawn to increase integration between schools in a district? The Century Foundation's [database](#) of integration policies found 49 school districts that factor racial and/or socioeconomic diversity into decisions on redrawing school attendance boundaries to promote integration. For instance, Minneapolis Public Schools is currently implementing a [Comprehensive District Design](#) that “by redrawing boundaries and centralizing district magnets ... is expected to reduce the number of racially and economically segregated schools by over 50%.” This plan was approved by the board of education in May 2020, and implementation will begin in fall 2021.

Can states increase transparency around the status of school segregation? Policies creating increased transparency and awareness of segregation in schools can also be a step toward integration. **Connecticut**, for example, [requires](#) local and regional boards of education to annually submit data on the number of non-white students and teachers, as well as students eligible for free and reduced-price lunches in each school and grade. When school racial demographics substantially differ from district racial demographics, the board of education must create and implement a plan to correct that “racial imbalance,” which may include districtwide student reassignment.

Is meaningful outreach being done to include families with diverse racial and socioeconomic backgrounds? Outreach to families and local communities to encourage and increase uptake rates for new policies can aid integration, especially if policy success is dependent on the participation of communities that are not often reached by general messaging. For instance, families who speak a language other than English at home may not be as responsive to promotional resources offered only in English. While the importance of such outreach efforts holds across policy areas, levels of integration, and both traditional public school and public school choice settings, one particular application of this consideration can be seen in charter school enrollment policies. The Century Foundation [notes](#) that 15 states require charter school authorizers to gather detailed plans for diverse outreach from charter school applicants, including efforts to reach families from varied racial and socioeconomic backgrounds. **Rhode Island**, for example, requires applicant charter schools to describe “[outreach and recruitment](#) programs to encourage the enrollment of a diverse student population,” which [guidance](#) from the Rhode Island Department of Education specifies should include multiple approaches to reach families, such as public notices, open houses, community meetings, visits to community centers and knocking on doors.



Integration Within Schools

[Studies](#) show that when integration across districts and between schools in a district increases, segregation within schools increases through practices, such as tracking and ability grouping and exclusionary discipline — presenting new problems that potentially offset the [benefits](#) of across-district and between-school integration, if not attended to in policy and implementation of integration initiatives. Tracking and ability grouping, [two distinct practices](#), functionally separate students to receive different instruction, either in separate classrooms or within the same classroom with separate resources. While there was a decline in the use of tracking and ability grouping through the 1990s, recently there has been a [resurgence](#) in the use of these practices. Research, however, has long documented the negative impacts of these practices, noting that they may lead to [unequal and inequitable learning opportunities](#) and negatively impact educational [attainment](#).

Schools are [less likely](#) to place students of color into high-track classes, even when they demonstrate the same achievement as their white peers.

Student discipline policies and practices also separate students within a school. Racial [disparities](#) in student discipline mean that students of color are more likely to be impacted by exclusionary discipline policies, such as suspension and expulsion, than their white peers and are more likely to miss school for the same infractions, taking them out of classrooms. [Research](#) suggests that [implicit bias](#) probably plays a role in the disproportionate rates of discipline for students of color and [demonstrates](#) that these exclusionary discipline policies are associated with negative academic outcomes.

Students of color and students from low-income backgrounds may not have access to the same resources or treatment as a result of these practices and may experience a lack of true inclusion in diverse schools. In addition to addressing tracking and ability grouping and exclusionary discipline directly, policymakers may consider culturally relevant teaching practices and a diverse school staff as additional strategies to promote diverse, equitable and inclusive learning environments.

Policy Considerations

Does the educator workforce closely resemble the student population? Do teachers have access to professional development and curricula to implement culturally responsive practices and instruction? In 2017-18, [79%](#) of teachers in public schools were white, while only [48%](#) of students in public schools were white. [Research](#) shows that teachers of color have high expectations for students of color and are a positive influence on student outcomes. The advantages from same-race student-teacher matches may also combat within-school segregation, as they can lead to higher placement rates into [gifted programs](#). Further, when Black students have Black teachers, the disparity in the severity of disciplinary referrals is [reduced](#). Policymakers looking to increase teacher diversity may [consider](#) financial incentives, grow-your-own programs, and alternative preparation and licensure pathways.

In addition to diversifying the teacher workforce, policymakers may want to consider teacher professional development and curricula that promote culturally responsive practices to create more inclusive school environments. Culturally responsive practices have been shown to have [positive impacts](#) on students in many areas, including academic achievement, racial and ethnic identities, and social and emotional well-being. **Illinois** State Board of Education [policies](#), for example, include Culturally Responsive Teaching and Leading Standards, which include eight standards for teachers.

Are policies in place to prohibit or restrict exclusionary discipline in schools?

The U.S. Department of Education Office for Civil Rights noted in its 2013-14 [data](#) that Black students in K-12 schools are 3.8 times more likely to be suspended than white students and two times more likely to be expelled. Given the disproportionate impact of exclusionary discipline on students of color, many states are introducing legislation in an attempt to reduce negative effects. A [number of states](#) have policies restricting suspension and expulsion by grade level and type of infraction, limiting the length of exclusion, implementing reporting requirements, and/or supporting re-engagement. For example, **California** [prohibits](#) suspension as a result of classroom disruption for students in elementary and middle school.

Are there policy levers in place to ensure equitable access to advanced

courses? The history of tracking and ability grouping as a cause of within-school segregation makes equitable [access to advanced courses](#) a potential policy lever for policymakers looking to integrate their classrooms. Black and Latinx students [make up](#) 37% of students in high schools but only 27% of students enrolled in at least one Advanced Placement course. To increase access to these courses, policymakers may consider a range of policies, such as expanding eligibility, collecting data to identify barriers and reducing costs.

For example, **New York** administers an [advanced course access grant](#) aimed “to increase equity in access to advanced courses, including Advanced Placement, International Baccalaureate and dual-credit courses, for high school students who currently have very limited or no access to advanced courses, through online learning, distance learning or other evidence-based methods.” The state department of education also issued [Equitable Course Access Guidance](#). States may also leverage [Every Student Succeeds Act funds](#) to support equitable access to advanced courses.

Can data be collected and disaggregated to promote within-school integration?

States can leverage disaggregated data in their existing data systems, or work toward collecting, disaggregating and reporting data on teacher diversity, discipline and enrollment in advanced courses to identify where equity concerns exist and to determine the best path toward within-school integration. For instance, at least 22 states and the **District of Columbia** [require](#) that data on the use of discipline be disaggregated by race, ethnicity, gender or another category. **Massachusetts** disaggregates [data](#) at the school level on the diversity of school employees.

Final Thoughts

Given the history of discrimination in the United States, segregation is a multifaceted and persistent issue. It is further complicated by litigation at the federal level that may make it difficult to determine the role and scope of state policy in addressing the issue. However, policymakers throughout the country have successfully implemented policies that foster integrated, diverse and successful classrooms, schools and districts. Many policymakers are seeking to replicate and promote these integrated educational environments to achieve the [well-documented benefits](#) of integrated learning environments and to create a more equitable and just education system for all students.

Education Commission of the States continues to support state policymakers interested in pursuing integration efforts across districts, between schools in a district and within schools. Stay tuned for more work in this area, and in the meantime, [reach out](#) to the ECS team with specific questions or requests.



This guide is a companion resource to “[Addressing Inequities in Higher Education](#),” which explores the barriers that Black, Latinx and American Indian students face as they prepare for college, transition to college and ultimately pursue a degree. The guide provides pertinent policy questions to consider in alleviating these barriers along the higher education pipeline.

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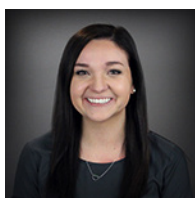
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Halley Potter, senior fellow, The Century Foundation

About the Authors

Cassidy Francies



As a policy researcher, Cassidy supports the Policy Team by tracking legislation and responding to information requests on a variety of education policy issues. Prior to joining Education Commission of the States, Cassidy completed her bachelor's degree in political science and psychology at the University of Colorado Boulder. Cassidy is passionate about providing state leaders with quality information to support them in improving education systems for all students. Contact Cassidy at cfrancies@ecs.org.

Bryan Kelley



As a policy researcher, Bryan works on tracking legislation, answering information requests and contributing to other policy team projects. Prior to joining Education Commission of the States, he worked in public policy research at the National Conference of State Legislatures in Denver and AcademyHealth in Washington, D.C.; he also earned a master's degree from the University of Manchester and a bachelor's degree from Colorado College. When Bryan is not busy researching education policy, he can be found hiking around Colorado, trying a new cafe or brewery, or planning his next vacation destination with his wife. Contact Bryan at bkelly@ecs.org.

