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## The Changing Politics of Diversity: Lessons from a Federal Technical Assistance Grant

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The Changing Politics of Diversity:  
Lessons from a Federal Technical Assistance Grant<sup>1</sup>

Compared with desegregation politics of the 1970s, the early 21<sup>st</sup>- century version is much tamer. Although crowds still sometimes mobilize, parent blogs are more likely than busing riots to be the contemporary face of diversity politics. “Desegregation” itself as a goal has largely been replaced by “diversity” in various forms, without explicit reference to race. Despite this general reduction of intensity and shift in goals, the underlying problem has not changed. In many school districts, the quality of schools varies. All students are equal in terms of their right to have access to a place in school, but because of the variation in school quality, the process of assigning students to schools also distributes educational advantage and disadvantage. Parents know this, and they act with greater or lesser success to make the system work in their children’s favor.

The politics behind this distribution of advantage and disadvantage is most visible at times when student-assignment policies are subject to change. The aftermath of the U.S. Supreme Court’s 2007 decision in *Parents Involved in Community Schools v. Seattle School District #1* and *Meredith v. Jefferson County Public Schools* has led—either directly or indirectly—to change in many districts’ policies. In 2009, the U.S. Department of Education distributed \$2,500,000 in grants via the Technical Assistance for Student Assignment Plans

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program to eleven school districts in the process of altering their policies. The grants provide an opportunity to learn about the changing politics of diversity, especially of race and socioeconomic status, in public education.

This paper begins with background information on the federal grant program, and on the scholarship that has informed our research. We then provide brief sketches of the eleven grantee districts and how they have used their federal funds. Our analysis focuses on how the school districts defined diversity, and how local politics were shaped by national factors like the economic recession. These policies fundamentally affect the distribution of educational and social opportunity within communities, and, in fact, may be even more subject to local variation and political dynamics than were earlier federal diversity efforts. We conclude that existing ambiguity about the use of race and growing governmental austerity constrained *how* districts chose to pursue diversity at the local level. We found that the districts whose plans explicitly connect diversity to educational improvement were likeliest to produce diversity plans that were approved by local boards while those districts who framed diversity as unrelated or in competition with academic quality adopted plans that moved away from equity. In addition, although the growth of race neutrality and lack of involvement by groups making racial equity claims may have resulted in districts' adoption of largely race-neutral approaches to diversity, there is also a sense that such decisions have tradeoffs in terms of effectiveness.

#### The Technical Assistance for Student Assignment Plans Grant Program

Desegregation orders require race-conscious student assignment policies. Many school districts that never experienced court-ordered desegregation, and districts released from court supervision, have also used race-conscious school choice to maintain racial diversity in their schools. In 2007, the U.S. Supreme Court's *Parents Involved in Community Schools v. Seattle*

*School District (PICS)* decision threw these policies into legal uncertainty. *PICS* invalidated Seattle's and Jefferson County (metropolitan Louisville), Kentucky's policies that considered individual students' race in assigning them to schools. The five-Justice majority found that race-conscious student-assignment policies violated plaintiffs' rights because their race had determined which schools they attended. Four of the five Justices in the majority also rejected the idea that government has a compelling interest in maintaining diverse K-12 enrollments; Justice Kennedy agreed that the policies were unconstitutional but also agreed with the dissenters that diversity of enrollment and reducing racial isolation are compelling governmental interests. In his concurring opinion, Kennedy hinted at what kinds of policies he might find acceptable to pursue these interests. The possibility of support from five Justices (Justice Kennedy plus the four dissenting Justices who found the race-conscious policies constitutional) encouraged school officials who wanted to maintain integration policies to seek approaches consistent with *PICS*.

Many school districts that wished to pursue voluntary integration efforts were unclear about precisely what would survive judicial scrutiny because of the lengthy, numerous, and contradictory opinions that the Court issued in *PICS*. Under the Bush administration, the signals about integration efforts from the Department of Education were discouraging. More than a year after the *PICS* decision, the Office of Civil Rights issued a "Dear Colleague" letter that only endorsed the goals of diversity as articulated in *Grutter*<sup>2</sup> and described race-neutral means of being able to achieve such goals.<sup>3</sup> Civil rights advocates believed the letter to be an overly restrictive reading of the decision (Le, 2011). Preliminary research on the initial political and

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<sup>2</sup> It is possible the OCR letter cited *Grutter* because, at the time, due to the fact that Kennedy wrote separately and identified different compelling interests than the Breyer dissent did, there was some legal debate as to whether this constituted a clear majority holding in *PICS* about the compelling interests school districts had. This debate only underscores the considerable confusion existing at that time.

<sup>3</sup> While the federal official we interviewed emphasized that TASAP developed entirely separately from OCR's work on the guidance about race-conscious student assignment, the TASAP program officers did provide occasional briefings to OCR about the progress of grantees although it's unclear whether, or to what extent, that informed their thinking.

legal response by districts after *PICS* found considerable variation in response, which might, in part, reflect misunderstanding about what the decision meant (McDermott, DeBray, and Frankenberg, in press).

In 2009, at the urging of the Council of Great City Schools, the budget for the U.S. Department of Education's Equity Assistance Centers included \$2,500,000 for the Technical Assistance for Student Assignment Plans program. The Council of Great City Schools' goal was to support districts seeking advice on how to develop or maintain voluntary integration efforts consistent with *PICS*. USED did not define what kind of diversity districts should pursue, or even make an explicit connection between diversity and student outcomes (*Federal Register*, v. 74, no. 139). At the time TASAP was announced, aside from the Magnet Schools Assistance Program (MSAP), it stood as the only federal initiative that could be seen as promoting diverse elementary and secondary schools. As described in DeBray, McDermott, Frankenberg, & Blankenship (2012), the federal government's goal in providing technical assistance was to help districts seeking to "use strategies to avoid racial isolation and resegregation in their schools, and to facilitate student diversity, that are permissible within the parameters of current law" (*Federal Register*, v. 74, no. 139, p. 36175).

The grantee districts have used the funds to pay for private-sector consulting services, including data analysis, redistricting proposals, and public-engagement facilitation. The original intent of the TASAP applicants was to produce and/or maintain diversity in terms of race and, frequently, socioeconomic status, among their schools. In effect, USED is funding school districts' efforts to use whatever discretion remains to them after *PICS*. Directly reversing the situation of the 1970s, when federal courts insisted on integration while Congress and the president restricted use of federal funds for busing, now the legislative and executive branches

are funding local efforts to pursue diversity within limits set by the courts. TASAP also represents a shift in the instruments of federal policy, funding private-sector consulting rather than providing technical assistance via federally funded organizations, like the equity assistance centers.

### Conceptual Framework

This paper is grounded in research on how the politics of race and class have changed, particularly the growing appeal (and risks) of race-neutral framing of problems and policy solutions. Our analysis is also informed by the Civic Capacity in Urban Education project carried out in the 1990s, which, among other issues, highlighted the ways in which external stimuli affect local politics.

#### The Changing Politics of Race and Class

In addition to the legal complexity of pursuing diversity without running afoul of *PICS*, the TASAP grantee districts face political challenges. Many Americans believe that the country has transcended racism, because overt bigotry has declined among whites. After the election of President Barack Obama, some commentators went so far as to suggest that the country was entering a “post-racial” era. White Americans are becoming less likely to attribute economic inequality to discrimination (Bobo, Kluegel & Smith, 1997; Pride, 2002; Schuman, et al., 1997), and more likely to insist that public policies should thus treat members of all racial groups exactly the same (Bonilla-Silva, 2010), even though they support “diversity” as an abstract goal. Political scientists Desmond King and Rogers Smith warn that “because it rejects policies targeted at near-term equalization of racial conditions, thereby preserving for now partly state-crafted patterns of material racial inequality, the color-blind order is the successor to earlier orders that worked to sustain white advantages” (2008, p. 688).

Student-assignment policies are part of the order that entrenches white, and middle-class, people's advantages. The schools students attend matter a great deal for their chances of success, and policies for assigning students to schools are deeply patterned by race and class. Research on the politics of post-*PICS* student assignment policies has identified new terms of debate about socioeconomic, as opposed to racial, diversity. Many participants in local politics also frame the issue of diversity as separate from and less important than school improvement. If diverse enrollments seem peripheral to schools' core mission, it is harder for officials to justify the transportation costs associated with diversity policies while districts are under financial stress (McDermott, Frankenberg, Diem, & DeBray 2010; McDermott, DeBray, and Frankenberg, in press).

### Local Responses to External Stimuli

In their study of eleven urban districts in the 1990s, Clarence Stone and his colleagues describe civic capacity as “the mobilization of varied stakeholders in support of a communitywide cause” (Stone, 1998, p. 16). Civic capacity, they found, was likely to be higher in communities in which community stakeholders contributed to reform and saw it as a community, not individual, problem that needed a response. Even if stakeholders differed in terms of their motivation for participation or positions on some issues, where higher civic capacity existed, this coalition of actors were able to come together to respond, in the case of that study to improve education. Civic capacity is arguably just as necessary in communities in which student assignment plans (and their redesign) are viewed as allocating educational opportunity via assigning students to certain schools.

Stone (1998) identifies one of the factors influencing civic capacity as “an external stimulus to which local actors must respond. Local communities do not operate in isolation” (p.



16). Before and during the time of their grants, TASAP grantees were responding to two external stimuli: (1) ambiguity about race-conscious policymaking and (2) the financial crisis that led to austerity in government spending. Both external factors shaped the response of communities as they considered student assignment through bringing new actors into the decision-making process, adding competing goals to diversity, and/or by creating obstacles that were perceived by some members of the community as prohibiting at least some possible options for student assignment policies with the goal of creating diverse schools. Taken together, the districts illustrate diverse, complicated political responses to the *PICS* decision even with the assistance of federal resources.

### Data and Methods

The research methods used were primarily qualitative. We conducted interviews with people who were involved in federal-level decisions about TASAP, to understand how the program arose, how decisions were made about whom to fund, and subsequent administration of the grant.

The district-level data, which investigates the specific questions of the districts' adoption of policies and implementation, was collected in ten of the eleven awardee districts<sup>4</sup> between summer of 2011 and spring of 2012. Interviews were conducted using a common, but flexible, interview protocol. In these ten districts, we conducted interviews with school board members, administrators, staff identified on TASAP applications, consultants hired through TASAP, and activists on all sides of public debate about diversity in education. We achieved this sampling through a limited form of "snowball" sampling by asking each identified interviewee to identify

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<sup>4</sup> Most of the TASAP districts have received no-cost extensions, which have affected the sequencing of our research. Fieldwork in San Diego has been delayed due to shifts in the district's plans. Interviews about Boston's original TASAP-funded project were conducted in the summer of 2010. We have collected media accounts of Boston's new efforts to redesign its student-assignment plan, but have not yet conducted fieldwork.

other people we should talk with. Among other topics, interviews probed the reasons the district applied for TASAP funds, the local educational and/or political needs served by the grant-funded efforts, the kinds of coalitions that were emerging in the districts, and the various reasons why constituents supported or opposed the grant activities. The vast majority of interviews were conducted in person, many of which have been transcribed, and targeted follow-up interviews were conducted via phone. We engaged in ongoing collaborative analysis of interview data and documents, as well as through case-specific analyses.

### Overview of TASAP Districts

Under TASAP, USED awarded grants to eleven school districts for projects that began in late 2009 and were slated to last two years (all but one was on-going as of February 2012, with most of the districts having requested no-cost time extensions to complete their grant activities). As the table in the appendix shows, the eleven districts represent a large range of size and demographics, especially students' race and ethnicity and the proportion of low-income students. As Table 1 shows, they also vary in terms of their prior desegregation history. At the time of their TASAP application, all districts had some policy to promote diversity (voluntarily or due to court oversight) but the districts varied considerably in the design and extent to which their actions were pursuing integration.

--Table 1 here--

We briefly summarize the district political context and the activities each district undertook with the TASAP money.

#### Boston, Massachusetts

The Boston Public Schools were under a desegregation order from 1974 until 1990. When federal court supervision of the district ended, the city had shifted from mandatory

assignment of students to school choice within three large zones of the city, controlled so that all schools remained within the same range of racial balance. School closings left parts of the city without enough school capacity to serve their students. These neighborhoods, where most of the city's African American and Latino residents live, are also the site of most of the city's low-performing schools. In 1999, Boston changed its controlled choice policy so that elementary and middle schools were balanced between students who lived within their "walk zones" and students who lived further away, but still within the same zone. High schools draw students from across the city. The goal of this policy was to make the system race-neutral while still preserving access to good schools for students who lived in underserved parts of the city. Many parents find the choice system baffling, and parents who live near sought-after schools that their children cannot attend because of set-asides for students from outside the "walk zone" often find it infuriating (Vaznis, 3/13/12).

Since 2004, the Boston Public Schools have tried several times to change their policy, attempting to increase the number of zones so that more students would be attending schools closer to home. Mayor Thomas Menino, who appoints the Boston School Committee, has made it clear that having more students able to walk to school is one of his priorities. Superintendent Carol Johnson has said that reducing transportation, and thus transportation costs, is a key part of her overall strategy for "redesigning" and "reinvesting" in the system. However, to date all efforts to move away from the existing policy have fallen apart because activists representing the underserved parts of the city have argued that reducing school transportation will close their children out of the opportunity to attend successful schools. Boston's TASAP application outlined a collaboration between the public schools and three civil rights organizations, with the goal of doing public outreach and designing a better plan. This collaboration fell apart in the

summer of 2010. The Boston Public Schools has since secured a no-cost extension of its TASAP and continued efforts to reduce school choice. With private funding, it put out an RFP in January, 2010 for a geospatial analysis of the city's school system. In March, 2012, the Boston Public Schools began a public engagement process with the goal of developing a new student-assignment policy. Superintendent Johnson has also appointed an External Advisory Committee.

### Champaign, Illinois

Champaign's consent decree ended in early 2009, ending court oversight from a case that was filed during the 1990s. The consent decree required that elementary school assignment had be conducted via race-based controlled choice. When released from the consent decree, the district was advised by their lawyer that because of *PICS*, they could not use race any longer, and with little discussion, switched to a race-neutral controlled choice policy that used socioeconomic status and geography. They saw TASAP as a way to thoroughly explore how they assigned students, and, in particular, how they used SES. Although controlled choice is also used for middle schools, the focus of TASAP was on the elementary schools. The choice algorithm is quite complicated and uses five different socioeconomic characteristics of students (parents' education, income, FRL status, number of parents in household, and preschool). It also assigns each student a proximity school, which gives him or her a strong preference if they select this school. The district has used consultant Michael Alves since they were under court supervision to operate their controlled choice plan in part because using an outside expert helps to assure district families that the results are fair. The bulk of the first part of the TASAP grant went to Alves and the evaluators.

After transition in the district leadership, including most of those who had been in charge

of implementing TASAP, the district has received a no-cost time extension to address some of the findings from the evaluations of the first part of the grant. Efforts include focusing on improving publicity about the choice plan, create a new website to include online application submission, and to dispel myths about the choice plan. District officials viewed TASAP as helping to provide resources like the website and video about the choice process that were infrastructure that could support the controlled choice plan moving forward. The marketing is aimed at white and/or middle-class parents, who might be considering non-district school choice options such as private schools that have been opening in the area. Indeed, while no one had a clear idea of the percentage of parents not getting their first choice school, but district officials were concerned about the growth of private schools. District officials who support diversity see the TASAP as giving them leverage for continuing to push for diversity after the court order ended. At the same time, they spoke positively of TASAP in terms of being more flexible and less burdensome than the court reporting requirements.

In Champaign, the district consistently talked about the goals of the controlled choice plan as creating balance, but in a multifaceted way (L. Peiser, personal communication, 1/5/12). It seems that the balance idea is a holdover from the consent decree, and has been modified. While there is consensus among staff interviewed about the importance of diversity and balance, the district is also in the process of building a school in the southern part of the district that will likely be filled with white, middle-class students when it opens due to the proximity preference. Like many districts, Champaign's schools are not necessarily well-placed for its current population. The district also received the MSAP grant in 2011 to convert several schools in minority neighborhoods into magnet schools beginning in fall 2012. Although there were brief periods of civil rights activity in the past, it was rarely mentioned in current student assignment

planning. There is a district equity committee, but it appears that the civil rights groups and former plaintiffs are not active and an equity position within the district administration has been eliminated. Most of the community activity is from those who dislike the controlled aspect of the plan and think its terminology as “schools of choice” is misleading parents that they will not necessarily get their first choice.

### Evangeline Parish, Louisiana

Evangeline Parish (“parish” is the Louisiana term for what is called a “county” in other states) is a rural school district covering 680 square miles in south-central Louisiana. It is sparsely populated, with only 8,000 people in Ville Platte, its largest town. Residential segregation has posed continuing challenges for achieving diverse enrollments in the public schools.

Evangeline Parish has been under court supervision since a 1965 lawsuit. In 2004, parents of students at predominantly black Ville Platte High School complained to the U.S. Department of Justice about conditions at the school. Investigation revealed that the district’s majority-black schools were in worse condition than its majority-white schools, and that the majority-white schools were better funded. The Evangeline Parish school board agreed to reconfigure its elementary and middle schools, and to establish magnet programs at two high schools. An AP magnet program with a math and science focus opened at predominantly black Ville Platte High School, and a performing-arts magnet program opened at predominantly white Pine Prairie High School. To ensure that the magnets would affect the racial balance of the two schools, only white students could enroll in the Ville Platte magnet, and only black students could enroll in the Pine Prairie magnet. Evangeline Parish filed a motion for partial unitary status in 2009, and was granted unitary status with regards to transportation, extracurriculars, and

staff assignment, but not with regards to student assignment, teacher assignment, and buildings.

In a new settlement, the parties to the suit agreed that the district could be considered for unitary status in 2012 if it met certain criteria during the 2009-10, 2010-11, and 2011-12 school years.

An attorney at the U.S. Department of Justice encouraged Evangeline to apply for a TASAP grant to support its work. In the application, the district stated that its goal was to “increase participation and desegregation effectiveness of Magnet school component of the School Board’s voluntary student assignment plan” (p. e0). The district hired a contractor to improve recruitment and coordination support, beginning in 2009 and continuing through September, 2011. He began a “branding” and marketing campaign, and worked with attorneys to modify the magnet programs’ admission policies so that students of all races, not just the race “needed” for integration, may participate. The size of the district has posed implementation challenges, and the performing arts magnet has not been as appealing as the district had hoped. However, the academic magnet at Ville Platte High School has shifted the school’s enrollment from 90% black to 75% black (M. Lombas, personal communication, 10/12/11). The district’s consultant prepared a 5-year plan for continued growth of magnet programs, and he worked without pay until the end of 2011 to help with the transition while the district shifted to running the magnets with its own funds.

#### Hillsborough County (Tampa), Florida

Hillsborough County (Tampa, Florida) was declared unitary in 2000. There is an active magnet program in operation, as well as a strong school board commitment to maintaining diverse schools (Chairwoman Candy Olson had also served on the board of the Council of Great City Schools, which helped draft TASAP’s authorizing statute). Board members, as well as the TASAP coordinator, Steven Ayers, described TASAP as an effort to broaden how they defined

diversity -- a “paradigm shift” in terms of what it was considered before (black/non-black), and what it might be considered now.

There was no immediate zoning decision facing the board at the time of TASAP. The Board used the grant to hire local consulting firm SEER Analytics to develop “scenarios” that would maximize diversity while also efficiently using existing space (a “distance-balance” trade-off). Community meetings involving key stakeholders such as the NAACP and the Citizens’ Choice Advisory Council were also a part of the TASAP process. The Board was also very clear that it was more interested in looking at socioeconomic and “opportunity” indicators rather than race. The 5-factor index that was developed looked within Census tract areas of students for percentages of low-income, parental education levels, home ownership, non-English speaking, and single-parent families. Said Steve Ayers, the director of student assignment: “We will never achieve anything that would entirely balance the entire district. But with data, we can see what solution is acceptable and affordable. . . sometimes in the past, zoning decisions were not always data-driven” (personal communication, 8/18/11).

Carol Kurdell, a twenty-year veteran of the school board, told us of the TASAP work:

It’s been magnificent work, as far as I’m concerned, because it takes it out of the hands of someone or a department and makes it appear less subjective to the public. I think it could be a really fair way to handle all the issues that come with moving boundaries. `Cause number one, it’s emotional, it affects somebody’s child. And diversity is always a priority for us, we want our community to be represented in every facet of our community. We have a very rich history of diversity in Hillsborough County, and we value that” (personal communication, 12/1/11).

While there is no re-districting planned immediately, Bill Lazarus, the principal at SEER told us: “Hillsborough really means it; they will do it. It is an incredibly well run organization. When they learn something, they incorporate it. We will eventually move this from being a ‘one-off’ project, to being part of the process” (personal communication, 8/18/11).



### Jefferson County (Louisville), Kentucky

Jefferson County was under a court order from its beginning as a newly merged city-county district in 1975 through 2000 when it was declared unitary. Although the district had initially faced significant opposition to the imposition of a court-ordered desegregation plan, desegregation efforts were very effective in creating desegregated schools and had become widely accepted. As a result, in 2000, the school board voluntarily continued its desegregation efforts, with a few modifications to the race-conscious controlled choice plan. The plan was challenged by parents whose children did not get their first choice school. This was one of two cases combined in the *PICS* decision. After the Supreme Court struck down their plan in 2007, the district undertook an extensive process to consider alternative plans to comply with *PICS* and pursue diversity. In fall 2009, JCPS implemented a controlled choice plan for entering elementary students (all other students were grandfathered into their existing assignments). The new plan altered the geographic clusters, added more than a dozen magnet programs, and used a multifactor definition of diversity that considered the characteristics of households residing within the “resides area” of their closest school.

The district applied for TASAP funds to help with two aspects of implementing the new policy. First, they hired a Parent Assistance specialist on a short-term basis to assist parents and families with information and strategies in the review and selection of magnet programs and magnet schools that meet the interests of the students. This specialist, a retired JCPS employee, also helped families complete the elementary magnet/cluster applications correctly. Second, they contracted to develop an electronic tracking and reporting system for student transfer requests to improve response time to parents, provide transparency regarding the equitable implementation of the transfer process and procedures; and provide reports to the community, BOE, and to

district staff to better respond to open records requests and legal challenges. The district also hired some summer help to assist with processing the applications/ paperwork in first year.

Despite hiring the parent assistant specialist, the new magnet programs fell short of their goals during the first several years of implementation. In spring 2012, a review of magnet programs will be presented to the JCPS Board. This is one of many aspects of implementation that has not gone as expected, leading to negative publicity for the district's integration efforts. In 2011, the district hired consultants to suggest revisions to the post-*PICS* plan, some of which will go into effect in Fall 2012. In addition, the district continues to fight legal challenges: after resolving a challenge in federal court, it is currently awaiting a decision from the state Supreme Court in April about whether the student assignment plan is constitutional. The plaintiff in the state case and the lawyer have suggested they might run for school board elections in November 2012; the state legislature is also considering a bill that would return JCPS to neighborhood schools although a similar bill did not pass last year. Thus far, however, the board has remained unanimous in its commitment to student assignment plans to pursue diversity, even as its notion of diversity has shifted from race-only prior to *PICS* to diversity consisting both of race and other socioeconomic characteristics.

#### Orange County (Orlando), Florida

In Orange County, a district that was in the process of negotiating its final settlement agreement post-unitary status declaration, school board politics directly altered how the grant was spent.

The grant was going to be used for community engagement specialists to consult about the closing of 8 small schools whose operation is costing the district \$6 million. While the grant was still under review by the feds, the board was persuaded by very vocal and passionate

opponents, many of them teachers, at several public hearings to keep the schools open. (The only African-American member of the board, Kat Gordon, voted the other way: to close the schools). The Chair of the school board, Joie Cadle admits there was “intense political pressure” and that is why board kept the schools open (personal communication, 8/23/11). Realizing that the proposed community engagement portion of the grant would now be impossible to implement, the district’s prospective TASAP coordinator contacted the feds and told them that they wanted to withdraw the application, but the contact officials at ED told them to proceed with applying (A. DeCandis, personal communication, 6/22/11). Orange used the grant to hire two legal consultants – one national and one local -- for input on a unitary status settlement agreement. The three priorities in the settlement agreement are employment, school renovation, and extracurricular activities. It specifies a priority-order list for 18 school renovations. The Board during this period also established a Unitary Status Advisory and Oversight Committee to monitor the agreement and report back to the board.

According to DeCandis, the TASAP coordinator, the Board of Education has not enacted any changes in student assignment policy following the unitary status declaration. In fact, he says that the board has never done a rezoning, except for the opening of new school. Sandy Simpson, the County’s pupil assignment director, says this is because the court order would have largely prohibited it (personal communication, 6/22/11). Two mechanisms from the former desegregation plan remain in place: “island zones” which are maintained to avoid a return to neighborhood schools in some areas (and one “finger zone,” in which students in the residential area attend several different schools), and an “M-to-M” transfer provision, which serves approximately 500-600 students a year. It is notable that the original TASAP grant application called for the gradual elimination of the “island” zones, but it has not yet been addressed by the

school board.

Between \$65 and \$70,000 of the TASAP grant was estimated to be paid back to the US Department of Education.

### Portland, Oregon

Portland has never been under a court order to desegregate. For a city-only school district, it is unusual in that about half its students are white, and just over half come from families that are too well-off to be eligible for free or reduced-price lunches. Recently, the Portland Public Schools have been losing enrollment overall, with uneven distribution of students across the city (some schools are overcrowded; others are under capacity). Funding follows students, so the under-enrolled schools—especially high schools—may lose the ability to offer full academic programs. The district's leaders also are attempting to address a large achievement gap between white and nonwhite students.

Portland's TASAP proposal specifically addressed changes to the city's system of high schools. As of 2009, each student had a guaranteed place in his or her neighborhood high school, plus the right to choose any other high school in the city where there was space available. Portland does not provide school buses for any high-school students, though many who lack access to cars are able to get to school by bicycle, city bus, or light rail. The goal of high-school choice was to overcome residential segregation and make schools more diverse than they would otherwise be, but the reality according to Portland Public Schools staff was that schools were actually less diverse than they would have been in if students had simply attended their neighborhood high school. Choice also negatively affected some schools' resources. Schools with fewer students had less money, and thus less ability to offer academic programming. Access to both advanced and remedial courses varied greatly among the schools.

Portland's TASAP began as part of its effort to make the high schools balanced in terms of overall enrollment and academic programs. The TASAP funds went initially to SEER Analytics, which prepared a set of scenarios involving closing one or more schools, and also paid for public outreach. Portland began with the intention of also making the high schools more balanced in terms of a multifactor, but race-neutral, diversity index, but as the political difficulty of large-scale change became clear, it backed away from this goal. According to Portland Public Schools' staff, low-income students and students of color were not necessarily doing better in the lower-poverty schools, so they decided that pushing for more balance was not a priority. In 2010, the Board of Education voted to close a campus in a low-income neighborhood that housed three small magnet high-school programs and to distribute those students among three nearby neighborhood schools. It also converted Jefferson High School, which serves the city's historically black neighborhood and has housed magnet programs over the years, into a "middle college" magnet school whose students will take courses at Portland Community College. Other than the Jefferson magnet and adjusting some attendance boundaries, students will henceforth have to attend their neighborhood high school, so that enrollment numbers will become more comparable (Portland Board of Education, 2010a, 2010b). However, the schools' percentages of low-income students in 2011-12 still ranged from 15% to more than 75% ([www.pps.k12.or.us/schools-c/profiles/enrollment](http://www.pps.k12.or.us/schools-c/profiles/enrollment)).

Race and class politics have been complicated even with these relatively modest changes. Many black activists wanted Jefferson to become a comprehensive, neighborhood high school like the others in the city. However, Jefferson has had a low "capture rate" (the proportion of neighborhood students who actually attend the school). In part, this is because the Jefferson neighborhood has been undergoing gentrification, and many of the gentrifiers' children did not

want to enroll there. The middle-college magnet is a compromise that Portland's leaders hope will appeal to students in the neighborhood as well as drawing some non-resident students. Students in the Jefferson neighborhood will have "dual citizenship" at one of two other comprehensive high schools, so they have an option other than the middle-college magnet. Portland also has a no-cost extension to its TASAP funding, and is now working on balancing enrollment numbers in its elementary, middle, and K-8 schools. Although on its face, the goal is just to end overcrowding and underuse of buildings, this process may also confront race and class issues, since some of the overcrowded schools are in white, affluent neighborhoods adjacent to less-advantaged neighborhoods with space in their schools.

#### Rockford, Illinois

In 1994, the Rockford Public School District was found guilty of intentional racial segregation. The court issued a "Comprehensive Remedial Order," a plan that would help redesign the district and eliminate segregation. The order included a Controlled Choice plan that split the district's elementary schools into three zones. Students living on the west of Rock River, the predominantly African American portion of the community, were given the choice to attend a number of schools east of the river, the more affluent part of the community. In addition, schools were held to a definition of desegregation that mandated each school's racial composition to be plus or minus 15 percentage points of the district's average minority population. The Controlled Choice plan reduced the number of segregated elementary schools in Rockford from nearly 15 to 4 (Taylor & Alves, 1999). In 2001, the Controlled Choice student assignment plan was suspended when the court decided the district had accomplished unitary status. Between 2001 and 2010, a choice plan had been in operation without consideration of race (Rockford Public Schools, 2009).

Rockford's open choice plan, however, caused some old issues to resurface. Because there were so few schools making AYP, the choice system caused schools that were making AYP to be "over chosen" and the district found it difficult to place the NCLB choice transfers (Rockford Public Schools, 2009). Schools east of Rock River were consistently making AYP while those to the west, with more low-income families, consistently failed to make AYP. The district concluded that a school's ability to meet AYP is "directly and proportionally related to their SES indicators" (Rockford Public Schools, 2009, p. e3). The district applied for the TASAP grant in order to alter their student assignment process and increase achievement.

Once Rockford was awarded the TASAP grant, the district hosted a number of open houses, focus groups, and disseminated surveys in order to solicit public input. Even though there was low turnout to the open houses and few people responded to the surveys, the district eventually presented three choices to the board. The plans included maintaining the current choice plan (which did not take into account race or SES), changing to elementary zones (where children would walk to their nearest school), or assigning students based on clusters in a zone (a hybrid of the choice and zone plan). The superintendent, who was in the midst of a short, tumultuous tenure when student assignment came to a vote, did not endorse any option. The board decided, 5-2, to return to a zone plan (Bayer, 2010). A key reason was that the district would save \$4 million in transportation costs once the new plan had been fully implemented.

While the district leadership team and TASAP consultant did not endorse any of the possible assignment options, a coalition of community members formed called Zones Now including the business community, realtors, and young professions to advocate for the neighborhood zone plan. The coalition developed a website, a facebook page, and disseminated a petition to support zones, making their voice and coalition one of the most visible groups

involved in the student assignment process. Member of “Zones Now” also wrote position papers, and spoke at board meetings in order to underscore the importance of abandoning the choice plan for one that favored zones. These groups, such as the Chamber of Commerce, argued that neighborhood schools would improve the quality of the schools and were essential to the economic development of Rockford (personal communication, March 2, 2012).

Those who opposed zones struggled to have their voices heard. One such group, the Rockford NAACP, did not become involved until very late. The NAACP had no input when the district was initially awarded the grant and the group did not have much of a public presence until after the choice plan had already been dismantled. They also noted that the district’s attempts to get public input had made it difficult for low-income community members to participate.

Even though the district proposed in its TASAP application that it wanted to remedy problems caused by racial isolation and concentrated poverty, it eventually abandoned any discourse resembling this because of tense community relations and serious opposition for any choice options in the assignment plan. Due to the turmoil within the district, including of the selection of and pay for the TASAP consultant, the district leadership had very little influence on the student assignment decision. This allowed the Zones Now coalition to exert considerable influence in the board’s decisionmaking.

#### St. Paul, Minnesota

St. Paul has never been under a desegregation order, but a Minnesota law requires districts to take action when a school’s nonwhite enrollment exceeds the district nonwhite population by a specific percentage. Although this law is now difficult to apply to St. Paul because it has so many students of color, the idea that “diversity” is about race persists there.



Several interviewees defined “diversity” as a visible presence of multiple ethnic groups in a school (personal communication, 12/7/11; personal communication, 11/15/11). The city opened its first magnet school in 1974, in an effort to draw white students to a school that previously served mostly black children. Since then, the city’s demographics have shifted dramatically from about three-quarters white to about three-quarters students of color, divided about equally among blacks (African-Americans and recent African immigrants), Asian-Americans and new Asian immigrants, and Latinos. Over 70% of students are low-income. By 2009, that first magnet school had grown into citywide school choice, with many other magnet schools and nearly complete family choice among schools. St. Paul’s TASAP consultant estimates that about 80% of St. Paul students were attending a school outside their neighborhoods. Many families’ choices were driven by “cultural comfort” or by convenient logistics (Schellenberg, Osorio, & Porter, 2002).

In its TASAP application, the St. Paul Public Schools said that their school choice system “no longer achieves the job it was designed to do” because of changing demographics (p. e0), and moreover that it had become too expensive to operate. In 2008-09, the city had a community engagement process for “Large Scale System Change,” and it used its TASAP funds as part of the second phase of this process. Much of the funding went to TeamWorks International, a strategic planning firm that analyzed school choice using demographic and educational data, outlined scenarios, and helped prepare a strategic plan for “achievement, alignment, and sustainability.” The key points of TeamWorks’ analysis were that students attending schools outside their neighborhoods were actually doing somewhat worse in school than students who had not exercised choice, and an achievement gap persisted, with African-American students doing poorly whatever kind of schools they were in.

As part of the strategic plan, the St. Paul Board of Education voted in March, 2011 to shift from citywide school choice to choice within six regions of the city. The district also reduced school-level discretion over curriculum, instituted grade-level performance benchmarks, and organized elementary, middle, and high schools into feeder patterns. Within each of the six regions, families will still have some choice among schools. In 2011-12, the St. Paul Public Schools were planning to implement the changes, including developing a policy for ranking student preferences when schools are overchosen. The district seems likely to adopt a race-neutral system of “preference points” that gives weight to disadvantaged students, and also to set aside 20% of places in low-poverty schools for students from neighborhoods with high levels of educational need. Like Portland, St. Paul is contracting with the Pacific Education Group for training on how to discuss issues of race.

#### San Diego, California

San Diego’s system of school choice has often been regarded as a national model (Ravitch, 2010). Its TASAP application noted the challenges that its geography poses for sustaining school choice; the district is large (207.8 square miles) and its many highways pose barriers to transportation (San Diego Unified School District, 2009, p. e0). In its TASAP application, San Diego proposed to use federal funds for analysis of the potential for reducing resegregation by rezoning its neighborhood schools and for development of “new transportation schema” (p. e0) for “voluntary attendance options, within the newly developed neighborhood attendance areas, aligning transportation patterns to new demographic realities,” (p. e1).

San Diego received less money from USED than it had requested (it received \$122,573), and has a no-cost extension. As far as we know, the district has not yet begun using the funds. For the past several years, San Diego has been in financial turmoil caused by the recession,

reductions in state transportation aid (Magee, 2010a) and the failure of a proposed “parcel tax” for the schools (Magee, 2010b). In 2011, the school board directed the superintendent to eliminate all student transportation except for what was legally required for special education students and for students using the school choice option in No Child Left Behind (Kucher, 2011). It also considered closing schools (Magee, 2011a), though in the end it did neither (Magee, 2011b). The board of education has been exploring ways of revitalizing neighborhood schools (Magee, 2011c). As of March, 2012, the San Diego school district had proposed cutting \$122 million out of its \$1.1 billion operating budget, while selling real estate and seeking concessions from its unions (“Budget outlook at the county’s school districts,” 2012). One school board member had stated that the district should consider declaring insolvency, which would trigger a state takeover (“Insolvency on table for city schools,” 2012).

We will explore these developments when we conduct fieldwork in this site later this spring.

### San Francisco, California

The San Francisco Unified School District (SFUSD) has been under a series of desegregation plans since the 1980s due to a federal court case brought by two civil rights groups. Today there is little involvement by either group, and SFUSD has not used race to assign students to schools in more than a decade due to California’s Proposition 209. Yet, more than five years after its use of a complicated race-neutral diversity factor ended after the court concluded that it might be exacerbating segregation, SFUSD continues to voluntarily pursue integration through a student assignment plan combining choice and zones. Like San Diego, it is faced with a statewide budget crisis that has drastically cut district resources including those for transportation. Politically, they are still committed to diversity and equity, and trying to explore

simpler ways to achieve diversity in a very complex, multiracial/multilingual city.

SFUSD had already begun its student assignment redesign process prior to TASAP; it had re-hired Orla O’Keeffe as a special assistant to oversee this process. It adopted a policy statement indicating the general outlines of a new student assignment plan in March 2009 and saw TASAP as a way to get additional funding for their efforts. They leveraged the grant funding to get other smaller grants to support this initiative as well. The money was used for intensive community engagement to develop the specifics of the policy, to build internal demographic capacity to be able to adjust the plan as demographics or preferences changed, to produce marketing and website to support the plan (e.g., online applications), and to monitor its effectiveness through annual reporting. Because of Proposition 209 and *PICS* the district did not consider using race in its assignment plan though a goal was to reduce racial isolation. Two other somewhat contradictory foci were to (1) improve access to quality choices for disadvantaged families and (2) to attract more students who were choosing non-district schooling options back to SFUSD (e.g., more affluent students choosing private schools). The former rationale was a major focus of two community groups that worked closely with the district on its extensive public engagement efforts.

In fall 2011, the first assignments under the new plan occurred, which is a controlled choice plan that gives preference to students living in areas of the district in which there are high concentrations of low-achieving students. It also incorporates a layer of zoning preference that also tried to create diversity. The district also has a variety of magnet/linguistic theme schools. A less-noticed part of the plan was that it created feeder patterns from elementary to middle school, which SFUSD had not formerly utilized. Parents and the community groups that had engaged with the district collaboratively through the public engagement process felt blind-sided when

they realized their elementary school choices would also affect where they would attend middle schools. A second round of engagement has focused on this part of the policy, and the district sees improving the middle schools as a major hurdle remaining in the student assignment process (M. Leigh, personal communication, 8/5/11). The district is also focused on redesigning transportation to support the new student assignment plan, although they conceptually had limited significantly the eligibility for transportation under the new policy.

### The Ambiguity of Diversity

From our fieldwork, we learned that people in the TASAP districts believe that they cannot talk about race. Although some of the people who pushed for the TASAP program saw it as a way to keep the door open for integration efforts (DeBray, et al., 2012), the door did not necessarily remain open for race-conscious policies. A consistent theme across many of the TASAP recipients was that they did not even consider race in revising their student assignment plans. When we asked why, they often indicated that they had been told by experts that it was not permissible. For example, in San Francisco, which had ended the use of a race-neutral diversity index that exacerbated segregation, district staff members said that they were not able to use race. When asked whether they contemplated using race, a staff member replied, “We didn’t look at it as a factor, but we did look at it from a racial lens. When people are talking about diversity they really are talking about race” (D. Lim, personal communication, 8/5/11). San Francisco’s TASAP application and subsequent redesign process focused on academic diversity, which they have defined as students living in areas of historic low-achievement. SFUSD’s system is a hybrid one consisting of family choices and attendance areas, but gives students living in the low-achievement areas preference in receiving their school choices. Although Portland referenced addressing SES and ethnicity gaps in its TASAP application, one district

official said that *PICS* had been clearer about what couldn't be done in terms of pursuing diversity than what could. This person believed that adopting a race-conscious policy would be visible enough that it would likely draw a legal challenge, and it was unclear whether or not the district would prevail (interview).

Indeed, avoidance of race seemed to be a pattern in three districts that specifically mentioned the pursuit of some type of racial diversity in their TASAP applications: Boston, Orange and Rockford. Rockford, for example, applied for TASAP funds to help it transition from post-unitary status and specified that it intended to pursue socioeconomic and racial diversity. They went through a contentious process debating a variety of choice and neighborhood student assignment models. Ultimately, bowing to the preferences of a coalition of partners, including the business community, the school board chose the option that returned elementary schools to neighborhood assignment, which is least likely to increase racial diversity. Boston has not yet implemented any new policy, but since the partnership with the civil-rights groups fell apart, both the mayor and the superintendent have emphasized cost reductions and access to quality schools rather than any sort of integration. Orange County, FL had begun to back away from its application before the grant was even awarded when the board decided not to proceed with closing 8 small schools.

Jefferson County and Champaign both mentioned some type of geographic diversity in their TASAP applications. Champaign's controlled choice policy has two different types of geographic proximity factors (in addition to five SES factors) while Jefferson County uses geography to assign a diversity value to each student within that geographic area as well as creating six large geographic zones. Virtually every district (except St. Paul) mentioned socioeconomic diversity in their TASAP application. Finally, reflecting the ambiguity of 2009,

Evangeline Parish and San Diego mention pursuing other, undefined diversity. Evangeline Parish, for example, has pursued different strategies to help better “magnetize” their magnet schools and adjust the admissions criteria so that the programs will be in compliance with *PICS* once the district is released from court oversight, possibly at the end of the 2011-12 academic year.

Even Jefferson County, a district that had argued the necessity of using race to the Supreme Court in 2006, referred to pursuing a goal of socioeconomic status diversity using geography in their TASAP application, a policy which they subsequently implemented beginning during the TASAP period. Perhaps due to legal risk—needing to satisfactorily resolve the pending legal case that had been remanded to the federal district court after *PICS*—they describe geographic diversity as their new goal. This was despite the fact that they implemented a race-conscious multifactor (race, educational attainment, and household income as the three factors) that defined first whether a student lived in area A or B and now whether they are in area 1, 2, or 3. Yet, as former director of student assignment Pat Todd remarked, not talking about racial diversity was a political tradeoff in a district with a deep history of racial segregation and who had heard the district describe the rationale for first court-ordered and later voluntarily-adopted desegregation efforts as the need to continue to take account for the racial segregation still existing in the district. As Todd saw it, JCPS’s decision to replace the pursuit of racial diversity to a complex type of diversity-- and the adoption of a student assignment plan to pursue this new type of diversity-- made it more difficult to explain to the community why such efforts were needed if they were no longer being described in racial terms. Subsequent political developments, namely the political and legal challenges to the district’s assignment plan, bear out this concern (McDermott, Frankenberg, Diem, & DeBray, 2010).

### Framing of diversity as means to achieve other goals

We hypothesized that framing diversity as the means to achieve other goals, such as improving achievement, would create more favorable political environments for the approval of diversity policies. Notably, districts with a legacy of court desegregation oversight that were successful in getting political support for voluntary integration efforts described their pursuit of diversity as key to district efforts to close the achievement gap. We speculate that recent court involvement created a favorable environment for TASAP recipients in that there was an understanding among district officials and community members about the importance of equity-minded policies. There was also some recognition that moving from race-based integration to other types of balance/diversity might lessen their effectiveness. By contrast, districts with less recent experience with overt desegregation oversight typically framed diversity as a tradeoff to pursuing other goals, such as improving educational quality. In these districts, we found that to the extent policies were adopted during the TASAP grant period, they tended to move away from pursuing diversity.

One way to interpret the framing of diversity as a way to achieve other district goals is that the experience of prior diversity efforts helped the district and community realize the benefits of diverse schools, e.g., the arguments for diversity were not theoretical but had become commonplace and therefore accepted by the community. As a result of this acceptance, districts then sought TASAP funds to be able to continue to pursue diversity but to do so in a way that could “translate” it to a post-unitary world. Desegregation had created a culture in which districts had language around striving for “balance” and needed to think of it more broadly than just racial diversity. Officials in Hillsborough County, FL, for example, described their efforts through TASAP to broaden how they defined diversity as a “paradigm shift” in terms of what it was



considered before (black/non-black) and what it might be considered now. Champaign district officials talked about balance, but a different kind of balance since they had been released from the consent decree. In San Francisco, district officials described the student assignment redesign as one part of how to address overall quality issues. One said the district applied for the grant to: “address the fact that there were inequities in terms of enrollment, another was the racial concentration (district was not achieving racial, academic, income diversity, linguistic diversity). That was contributing to the achievement gap” (D. Lim, personal communication, 8/5/11). In these places, TASAP gave these districts money to be able to keep pursuing diversity, and to reinforce already favorable political conditions (particularly important in a time of budget cuts). In each there was the presumption that diversity helped them achieve their goals.

At the same time there was some acknowledgement of the cost of transitioning to new forms of diversity from what had been known under court order, and the progress that had been made. As one district official in Champaign said, “I think what we saw is the whole consent decree, we were focused on equity, focused on African American achievement, but when we went to the SES, I feel like we kind of lost some ground. Because we focused on that, we sort of took the focus off of race and maybe the focus off the achievement gap because we were so focused on SES part of it” (T. Nadrozny, personal communication, 1/4/12). As mentioned above, Jefferson County also wondered about the political tradeoff in terms of support for student assignment efforts when the goal was no longer described in racial terms.

#### Diversity in competition with other district goals

This framing described above was different than other micropolitical patterns around what kinds of diversity people talked about in places that had not been under order or had not been for a while. In particular, Portland (never under order) and Boston and Rockford (had not

been under order for at least a decade) viewed diversity as separate from—and competing against—efforts to improve school quality. Some interviewees in Portland, both white and black, commented that despite their reputation for liberalism and sensitivity, Portlanders have a hard time discussing class differences, and even more difficulty with racial issues. As one black activist said, “I always hear people correct me...telling me it’s not about racism, it’s about class, and it’s usually white people correcting me” (personal communication, 8/24/11). A Portland Public Schools employee said, “We’re liberal...when it comes to a spotted owl, or you’re a bicyclist or you’re a tree, but not when you talk as a person of color” (personal communication, 8/26/11). The Portland Board of Education has a policy committing it to “racial educational equity” and has contracted with the Pacific Education Group to convene “Courageous Conversations on Race.” Yet, its current focus of TASAP activities is only to balance the enrollment to address overcrowding or underuse of other buildings. Because the overcrowded schools are in white, affluent areas this may indirectly force the district to confront race or class inequality.

In Boston, where the civil rights groups withdrew from participating in TASAP in 2010, the superintendent explicitly framed diversity efforts in opposition from quality. She argued—thus far unsuccessfully—that the district needed to put money in instructional improvement not gasoline for buses. In a number of these instances, at a time of increasing austerity as described above, diversity is directly pitted against improving the educational quality of the schools in terms of the money that diversity “costs” instead of being as essential way to achieve quality as districts that had more recently been under order framed it.

Rockford, which ended its consent order in 2001, had initially framed their TASAP application as revising their student assignment program in light of AYP and its adverse impact

on chosen/underchosen schools. But, the three main arguments for adopting the neighborhood based approach each saw that policy option as a means of improving quality, which diversity would detract/compete (Bayer, 2010). First, if diversity required children to be sent far from home, it would make it difficult for parents to support their children's education and/or other parents. Second, the cost of transportation under the choice option was estimated to be \$4 million more than under the neighborhood option, money that could be spent on other instructional resources. Third, the business community argued that professional families were opting not to locate in the district due to the instability of the choice plan and that the neighborhood plan would cause them to opt in, thereby improving the quality of Rockford's schools (and increasing revenue for the district) (business official, personal communication, March 2, 2012). It wasn't until three months after the Rockford board's decision that the NAACP publicly questioned the new plan linking student assignment to educational quality and opportunity. They (unsuccessfully) argued that the choice plan that the district replaced with a zones plan was "the only way parents of color, students of color in this community, have an opportunity, even a chance, to get a good education" (Fay, 2011). Further, in contrast to the business community and the majority on the school board, the Rockford NAACP explicitly saw school diversity as a means to improve achievement. According to their education chair, "[the] district's goals should be equal educational opportunity. That means valuing and respecting diversity. Looking at diversity as a means to academic achievement. ... It benefits everyone, not just some people but everyone" (C. Achebe, personal communication, 3/15/12). Rockford then, just a decade after the end of court desegregation case, represents an example in which political actors frame the influence of race and privilege in very different ways. The business community successfully influenced the board to view diversity, if anything, as a detriment to improving

achievement and to adopt a colorblind assignment policy that—in a segregated community—will sustain the advantage of whites.

#### Dearth of participation by civil rights groups

One reason why we may see the prevalence of race neutrality and/or framing diversity in competition with other district goals is the general lack of active involvement by civil rights groups in most TASAP sites, a finding that was surprising. Despite the fact that many of these districts had minority groups as plaintiffs in the recent past, there was little current activity in determining new or altered student assignment plans in most of the sites. In Champaign and SFUSD, minority groups had been plaintiffs but there seemed to be little to no current engagement. Indeed, Champaign had had difficulty getting any African-American to run for school board despite its majority-minority enrollment (1 of the 9 seats is currently held by an African-American; all others are white). While San Francisco went through an extensive community engagement process in partnership with parent organizations, the NAACP (one of two plaintiff organization) was described as only “hav[ing] an eye on what’s going on” (D. Lim, personal communication, Aug. 5, 2011). Another SFUSD staff member reflected on the lack of opposition from any groups to the redesign saying, “I think that I was surprised that there was a unanimous decision and there were hardly any people in the room when the board was talking about it” (O. O’Keeffe, personal communication, Aug. 5, 2011). In Rockford, the NAACP was focused on other educational issues, and only began to publicly challenge the board’s decision to go to neighborhood schools several months after the school board had voted on the student assignment policy switch. Across these districts, the lack of involvement by minority advocacy groups allowed school boards and/or other community stakeholders to frame both the issue and potential solutions.

Two exceptions to this general pattern were in Jefferson County and St. Paul, two districts in which race-conscious actions (even if not called such) were more central to the district's TASAP process.<sup>5</sup> In Jefferson County, the NAACP and Urban League remain highly visible in holding the district accountable for equitably serving African-American students in particular. Given the continued legal action challenging the district's integration efforts, their involvement—and criticism of the district for not doing enough to implement the new plan—is an important factor in maintaining district commitment to pursuing yet a second redesign of their student assignment plan post-*PICS*.

St. Paul's pursuit of racial diversity may be influenced by the state policy context, which, at the time of TASAP, had a desegregation rule that held districts accountable for racial balance within and between school districts, and allocated funds to pursue this diversity. The racial politics of St. Paul's TASAP are complex. The St. Paul branch of the NAACP opposed the shift from citywide choice to six-region choice. Their main concern was that they did not believe the district's claim that the shift would not lessen diversity in the schools. One St. Paul NAACP member noted that when the Board voted on the new policy, the district had not yet set attendance boundaries for the neighborhood schools within each region (J. Hilbert, personal communication, 2/3/12), making demographics hard to predict. The St. Paul NAACP President added that ending citywide choice would remove many students of color from predominantly white schools (personal communication, 2/16/12). The St. Paul Public Schools asked the NAACP branch to participate in its nine implementation action teams. The organization's board voted not to participate officially, but some NAACP members are on the teams as individuals.

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<sup>5</sup> The head of the NAACP in Evangeline Parish wrote a letter in support of the TASAP grant as part of their application but in Fall 2011 knew very little about the grant. While the NAACP in Rockford did criticize the district's decision-making about student assignment, it was several months after the board had voted, so we do not consider them to have been involved in the TASAP process although they have subsequently become more visible in monitoring the school district and through participation on a district accountability committee.

Two other African-American groups, the Black Ministerial Alliance and the African-American Leadership Council, did give their support to the shift in choice. Interviewees from both the NAACP and the Black Ministerial Alliance cautioned against seeing the black community as divided, however. Many people are members of more than one of these organizations,<sup>6</sup> and according to the head of the ministers' group, "we all had the same goal, that was the education of our children" (personal communication, 2/8/12).

### Summary

The lack of specific discussion of race in most of the districts receiving TASAP funds shows the influence of the chilly national climate for race-conscious policies. Until late in 2011, the only official federal position on race-conscious student assignment was the discouraging 2008 Bush administration letter. The larger political climate of ambiguity and uncertainty around the *PICS* decision blunted the extent to which any TASAP recipients would begin to test the contours of the decision and specifically the meaning of Kennedy's concurrence as it pertained to the acceptability of race-conscious actions (see DeBray et al., 2012). In an era of growing race-neutrality, school districts politically may reason that it would affect support for diversity efforts to frame them in racial equity terms that make many people uncomfortable. Further, we find evidence of diminished participation by groups making explicitly racial claims, which might help to explain the growth of race-neutral policies.

One issue that we believe warrants further inquiry is the use of the term "neighborhood schools." At the height of desegregation in the 1970s, advocating neighborhood schools had racial symbolism akin to that of "states' rights," but we found mixed evidence as to whether it retains this meaning for participants. In Boston, where an earlier group favoring changing the

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<sup>6</sup> The NAACP President and the head of the Black Ministerial Alliance actually talked with each other about participating in the study before we interviewed either of them.

school choice policy had been called “Walk2School,” an organization called the Coalition for Neighborhood Schools is now active. One of its founders told the Boston Globe that she had been unaware of the history of the term, and that “if I had known that ‘neighborhood schools’ was racist...I certainly would have second-guessed it” (Ebbert & Russell, 2011). Although Seattle was not a TASAP grantee and had already returned to neighborhood high schools before *PICS* invalidated its controlled-choice policy, interviewees in several TASAP districts cited it as a model for their own efforts. At the same time, it is also possible that neighborhood schools still imply resistance to diversity, and that is why people like the idea. In San Francisco, a nonbinding ballot measure calling for “neighborhood schools” won a majority during the November 2011, after the district’s extensive public engagement efforts about the student assignment plan’s goals of pursuing diversity.

#### The Effect of Austerity

Many of the TASAP grantee districts have been hit hard by budget austerity, brought on by declining enrollments, the global recession, or both. This means that instead of the positive-sum situations that may be most conducive to reversing historic patterns of discrimination (Hochschild & Danielson 1998), many of the communities were trying to increase or maintain diversity while closing schools and facing pressure to reduce spending on transportation.

#### Closing Schools

School siting, opening and closing decisions have long been part of desegregation plans. As described in the summaries of the TASAP districts’ activities, many of them have been closing schools recently (or contemplating doing so). In part due to financial constraints and dwindling enrollment, some TASAP districts included consideration of school closures as part of their student assignment redesign process. While it seems that closing schools was on the table in

several districts prior to TASAP, it is likely that districts saw the ability to contract with outside expertise as a way to address (and share blame about) what is often among the most divisive political issues. They also hoped to head off some closures. The consultant St. Paul paid with their TASAP funds told them that if they got the whole "systems change" right, they could attract students back to the public schools (particularly the growth of immigrant families) and if they increased their market share to 74.5% from 73% they would not have to close any schools as they had been anticipating (J. O'Connell personal communication, 12/6/11). Orange County, Florida intended to use its TASAP to help close schools, but the political pressure came too soon for TASAP to be of help. The district wrote its TASAP application to get expertise and to conduct community engagement to help them close eight small schools that were costing the district \$6 million to operate. Before the TASAP grant was even awarded, the board voted to keep the schools open due to vocal protests at several public hearings. Orange instead used their grant on outside legal expertise to negotiate their post-unitary settlement agreement.

#### Reducing Transportation Costs

A second major way in which austerity affected the local politics around student assignment was adopting policies that limited transportation, which has traditionally been used to create more diverse schools. Particularly for those districts (see Table 1) that had previously been under court desegregation orders, TASAP provided the opportunity to re-envision diversity efforts with a new flexibility in terms of limiting costs. Without the immediate link between desegregation and educational justice, "diversity" and the associated transportation can look like an add-on to the core academic program rather than like a means of achieving educational quality. This has perhaps been most directly framed in Boston, among all of the TASAP districts, by the superintendent. In St. Paul and Portland, data analysis suggested that choice did not seem



to benefit students of color. One of the reasons the board in Rockford cited in support of their decision to adopt neighborhood schools as opposed to one of the assignment models that would have involved some type of choice is that it would save them \$4 million in transportation costs once implemented. In interviews in San Francisco, district officials did not cite transportation savings as a reason they adopted the plan but did acknowledge as part of their overall redesign effort they had modified transportation: “As part of the work we have redesigned transportation for two reasons. One we don’t have the money to continue. We also had to shrink it because no one could articulate what the purpose of the transportation was.” Now, transportation is used “strategically” to “provide equitable access” (O. O’Keefe personal communication, 8/5/11). Hillsborough realized their school district is too vast to be able to completely balance, but used their TASAP funds to be able to systematically analyze demographic patterns to understand “what solution is acceptable and affordable” in developing boundaries (and related, transportation) for schools (S. Ayers, personal communication, 8/16/11).

#### Attracting “Desirable” Students

A response to austerity through student assignment was that in a number of districts, TASAP-funded projects either (1) explicitly included activities to try to attract the white middle-class back to the schools and/or not lose them and/or (2) concern about losing “desirable” students derailed efforts to adopt equity-minded policies. The TASAP coordinator in San Francisco noted that the kindergarten applicant pool is usually much higher in white percentage than the share of students who end up enrolling in kindergarten (O. O’Keefe personal communication, 8/5/11). At an August 2011 student assignment ad-hoc board meeting, one of the SFUSD board members asked the staff about how the plan had done at getting these white/affluent families to come back to the system, reflecting this as a measure of the plan’s

success. In St. Paul, the district described streamlining the choice options as a way to recruit folks back into the district who would have otherwise sent their children to private or charter schools, which would ultimately increase district funding. In fall 2011, they reported a small increase in the number of students, which is “one of the early ways for us to measure the success of our changes” (Koumpilova, 10/4/11).

In Champaign, where the TASAP activities focused on transitioning to a race-neutral controlled choice plan (that included preference for proximity students), and there was some concern about private school usage, the district tried to draw the white middle-class back to the district by building a new school in the southern region of the district (white/affluent). Likewise this group was a target of outreach activities to convince them that “if you go to Booker T. Washington [located in African-American neighborhood], it’s going to be an excellent school for your child” (T. Nadrozny, personal communication, January 4, 2012). In other words, even if the choice system resulted in you not getting your first choice, the district wanted to keep these “Montessori” parents in district schools instead of choosing the growing private school options. (The district placed less emphasis on the fact that black/Latino parents were less likely to submit applications and receive first choice at the same rate.)

A similar argument was made in Rockford by the business community and its coalition partners including realtors and young professionals, albeit with even more extreme ways in which this concern derailed equity-minded policies. Their coalition, “ZonesNow”, launched a marketing campaign against the proposals the district was considering that involved choice, which the majority of parents supported. A major argument that the business community used was that the instability of the choice policy prevented white, middle-class potential residents from buying homes in Rockford because they had no guarantee whether their child would attend

a school in their neighborhood or would be bused across the river to more diverse areas of the district. The Chamber of Commerce surveyed its membership in February 2010 and 88% of respondents believed the district's student assignment plan for elementary schools (which is what TASAP focused on) negatively affected their recruitment efforts (Rockford Chamber of Commerce, 2010).

## Discussion

In Clarence Stone's 1998 edited book, *Changing Urban Education*, several chapters consider desegregation. Fraga et al. (1998) focus on the role of the court in San Francisco Unified (two iterations earlier than their current student assignment policy) and find the court's oversight as a source of pressure for change, without which the various actors would not have gotten their act together. McDermott (1998) studies a regional planning process for "educational quality and diversity" in Connecticut, in which the state was terrified of sparking a backlash and thus gave the participants essentially no direction. Taking both chapters together, the lesson may be that movement toward equity (especially where race is an issue) requires direction and perhaps even compulsion. In an era in which most integration plans are voluntarily adopted, there is little compulsion to promote integration. TASAP, as described, was deliberately without direction as it was devised as a way to allow districts to flexibly seek whatever expertise needed and without any clear understanding of how the federal government was interpreting what remained legally (much less politically) viable in the aftermath of *PICS*. The federal government made a point of not steering the directions districts took in developing their proposals or carrying out their plans (DeBray et al., 2012). Only in December 2011 did the federal government give direction as to what was permissible in terms of using race, which for TASAP recipients was largely *after* the time in which decisions were being made as to what policy to adopt for student

assignment and was well after the time that districts decided whether to apply and what actions to propose in their applications.

Our study outlines what may be tension inherent to federal systems. When dealing with entities down the line such as school districts with legitimate political power, the federal government has to live with uncertainty. This is likely to be particularly true in education due to the notions of local control/autonomy. For example, while the federal government now has taken a stronger stance in support of the value of diversity, a number of districts used federal funding in ways that seemed to be less effective in furthering this goal and, in part due to other local stakeholders or in response to external stimuli, framed diversity as counter to the goal of improving achievement.

Even as the grant provided districts with additional resources to contract to obtain expertise, districts approached the design/redesign with the understanding that it was unlikely there would be significant long-term resources to support diversity plans. In key ways, thinking about financial costs both in terms of generating potential new revenue and through reducing student assignment costs influenced districts' decisions about design of student assignment plans. Although it is too early to understand the precise impact of such policy decisions, it seems likely that these decisions could ultimately hamper the effectiveness of the districts' ability to create or maintain diverse schools. At the very least, they have shifted and constrained the framing of diversity efforts in significant ways.

As the country grows more racially diverse with complicated overlaps of race and class, it is perhaps not surprising that the politics of diversity have also become more complex. We find that "diversity" is truly diverse in its meaning across the eleven TASAP districts: in the way that they frame diversity and the ways in which they pursue it. The vast majority of districts were not

pursuing racial diversity nor were they using race-conscious policies. While it is possible that they made such decisions due to consideration of legal risk given the post-*PICS* ambiguity, in a time of growing race-neutrality, it may have been politically risky—even in the majority nonwhite districts—to frame the adoption of new policies in terms of racial equity. In virtually every district, class was at least a component of diversity, and here too we saw differences in how class was measured and used. Many districts relied on a conception of geographic diversity and San Francisco, having already discarded the use of one race-neutral diversity index, has decided to measure diversity in terms of achievement. Thus, while TASAP grantees may not have exploited the creative uses of race permitted in the Kennedy decision, they have, in many cases, sought to test the plurality’s assertion that race-neutral student assignment was as effective as race-conscious policies. In some districts, however, those interviewed worried about the trade-offs of moving away from policies more tightly connected with race. Although it is still early to judge the effectiveness of districts’ TASAP activities, it will be important to monitor this concern.

We also found, as expected, that districts that framed diversity as central to achieving other district goals were more likely to adopt diversity policies than those that did not. This finding is important to consider for local efforts to pursue diversity as well as for federal and civil rights groups’ efforts to promote diversity.

While we cannot say with any certainty what the effects of the new federal guidance might be for these districts or others, removing the ambiguity about race-conscious policies that districts were responding to might make it likely that future policy decisions by districts might be “braver” in terms of adopting more race-conscious approaches to integration. This might be even more likely were there to be additional funds available to districts to pay for short-term

expertise or capacity building within districts. It is likely that until governmental austerity wanes, economics will likely constrain diversity efforts. Likewise, to the extent that districts have moved away from equity-focused diversity efforts, as race-neutrality persists, it also seems unlikely that districts would—of their own volition—choose to reverse such decisions without the influence of new actors (e.g., civil rights groups, influx of one or more groups of students) or external stimuli that the district responds to.

Investigating the politics of diversity in TASAP districts also furthers our understanding of the complex policy and political response to *PICS*. One interpretation of TASAP is that it helped provided resources at a critical juncture to support districts in “keeping the door open” for integration, at a time in which there was concern that the legal and political risk to continue integration efforts was too steep. As we have seen, the recent legacy of desegregation was a key factor in successful TASAP use, and by trying to sustain efforts in almost a dozen districts it was, at the very least, better than providing no support while waiting to see if the climate got more supportive of integration (as it did with subsequent federal initiatives such as 2010 MSAP cycle, “reinvigorated” OCR, 2011 guidance, etc.). Further, in some instances the technical assistance purchased did some good. In addition, it has helped districts to experiment with enhancing diversity of many different kinds. Ultimately, it is too early to assess the full political impact of TASAP but particularly if there is a second Obama administration that continues such diversity initiatives, TASAP may be viewed as a critical link to supporting local policy experimentation and implementation at a time in which the environment seem hostile to diversity.

This study broadens understanding of the contemporary federal role pertaining to integration by exploring local political response to a federal policy in *support* of integration. Our work contributes to a new understanding of how race and socioeconomic status interact in

education politics, and thus how the salience of these two concepts is evolving in the context of a larger trend towards race-neutral politics and policy. Policies that determine how districts assign students to schools—including both segregation and desegregation—have been a key way of influencing the distribution of educational and social opportunity. Thus, understanding how these policies are evolving is crucial to understanding changing patterns of opportunity.

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Table 1: TASAP Districts' Desegregation History

<p>Under desegregation order at time of TASAP grant:</p> <ul style="list-style-type: none"> <li>• Evangeline Parish, LA</li> <li>• Orange County, FL (Orlando)</li> </ul>
<p>Formerly under desegregation order/subject to consent decree (with year of unitary status declaration/end of consent decree):</p> <ul style="list-style-type: none"> <li>• Boston, MA (1990)</li> <li>• Rockford, IL (2001)</li> <li>• San Diego, CA (1998)</li> <li>• San Francisco (2005)</li> <li>• Champaign, IL (2009)</li> <li>• Hillsborough County, FL (2001) (Tampa)</li> <li>• Jefferson County, KY (2000)</li> </ul>
<p>Never under desegregation order:</p> <ul style="list-style-type: none"> <li>• Portland, OR</li> <li>• St. Paul, MN</li> </ul>

## Appendix

### TASAP Grantees and District Demographics, 2009-10

Grantee	Enrollment	Percentage of District Students who are:							
		American Indian	Asian	Black	Latino	White	Multiracial	Low-income	English Language Learners
Boston (MA)	55,371	0.4%	8.7%	36.5%	39.6%	13.1%	1.8%	75.6%	11.9%
Champaign (IL)	9,458	0.3%	9.7%	38.0%	7.6%	42.7%	n/a	52.7%	7.0%
Evangeline Parish (LA)	5,994	0.2%	0.4%	40.1%	0.9%	58.4%	n/a	79.2%	0.2%
Hillsborough County (Tampa, FL)	193,265	0.3%	3.1%	21.9%	28.5%	41.4%	n/a	53.7%	11.5%
Jefferson County (Louisville, KY)	98,808	0.1%	2.7%	35.5%	5.4%	50.6%	n/a	58.2%	5.0%
Multnomah County (Portland, OR)	45,748	1.3%	9.6%	12.9%	14.3%	52.3%	n/a	42.7%	10.4%
Orange County (Orlando, FL)	173,259	0.4%	4.5%	27.3%	32.2%	37.8%	n/a	50.9%	17.3%
Rockford (IL)	29,071	0.1%	3.3%	30.0%	22.8%	36.6%	n/a	73.9%	10.9%
San Diego (CA)	131,417	.39%	15.2%	11.6%	45.9%	23.4%	3.2%	64.5%	28.3%
San Francisco (CA)	55,140	0.4%	47.1%	11.0%	23.7%	10.7%	7.0%	56.6%	37.9%
St. Paul (MN)	38,531	1.8%	29.3%	29.8%	13.7%	24.4%	n/a	72.3% %	36.1%

SOURCE: NCES Common Core of Data, 2009-10