Lessons from a Federal Grant for School Diversity: Tracing a Theory of Change and Implementation of Local Policies

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Abstract

In 2009, the U.S. Department of Education made grants to eleven school districts under the Technical Assistance for Student Assignment Plans (TASAP) program. The impetus for the program came mainly from the Council of Great City Schools, which was concerned that school districts would respond to the U.S. Supreme Court’s *Parents Involved in Community Schools* decision by dismantling policies intended to maintain diverse school enrollments. In this paper, we use data from interviews with federal and local participants to identify the theory of change behind TASAP and to determine the local effects of TASAP. The federal government’s intentions for the grants were often vague to people in the field. Also, local politics generally led to the TASAP grants having less diversity-oriented effects than the federal theory of change assumed. Nonetheless, the program satisfied the Council’s desire to see that districts would “do something” in the area of diversity, and it may in the long run prove to have laid important groundwork for the future.
The U.S. Supreme Court’s 2007 *Parents Involved in Community Schools v. Seattle School District* decision (*PICS*) invalidated Seattle’s and Jefferson County, Kentucky’s policies that considered individual students’ race in assigning them to schools, while also upholding the idea that government has a compelling interest in maintaining diverse public school enrollments. Thus, *PICS* appeared to end school-integration policies while, paradoxically, endorsing their goals. The resulting confusion among local educational leaders convinced the federal government that in the aftermath of *PICS*, it should assist districts that sought to maintain or design voluntary integration efforts that would survive constitutional scrutiny. The U.S. Department of Education’s (USED) Technical Assistance for Student Assignment Plans (TASAP) grants to eleven school districts represent a new direction for the federal role in education and social opportunity, as the supporter of local diversity initiatives rather than the enforcer of desegregation mandates over local protest.

This paper traces two specific themes related to implementation by the U.S. Department of Education and in ten of the eleven total grantee districts where we conducted research in 2011 and early 2012: (1) The theory of change of the federal Technical Assistance for Student Assignment Plans (TASAP) grant program, as we derive it, and (2) the specific policies adopted and activities undertaken by grantee districts during this same period. We conclude that local politics generally led to the TASAP grants having less diversity-oriented effects than the federal theory of change assumed. Nonetheless, the program satisfied the Council’s desire to see that districts would “do something” in the area of diversity, and it may in the long run prove to have laid important groundwork for the future.
Conceptual Framework

Evaluation of programs and policies often begins with identification of their “theory of change” or “theory of action”—the way in which its designers expect that its various parts will interact to produce its intended result (e.g., Weiss, 1995; McDonnell, 2004). Lorraine McDonnell (2004, p. 25) writes: “All policies embody an implicit theory of change; they assume that if governments initiate certain actions, the targets of those actions will alter their behavior to be consistent with the policy’s goals. . . however, for the theory to be valid, certain causal assumptions must be operational.” For reasons that will be detailed later in this paper, TASAP differed from earlier federal integration policies. Because TASAP was something of a departure for USED, it seems particularly useful to identify its theory of change as an indicator of how federal policy makers’ sense of their role in integration is changing.

Policy makers’ choices about what kinds of instruments to use to pursue their goals provide clues about their implicit or explicit theory of action. In their influential analysis of mandates, incentives, capacity building, and system changing policy instruments, McDonnell and Elmore (1987) note that the various options for addressing particular policy problems have “underlying theoretical premises” (p. 136), and that “different policy instruments carry different assumptions about problems and solutions” (p. 140). Mandates, which for several decades were the policy instrument of choice for school integration, assume an “essentially coercive or adversarial relationship” between enforcers and enforcers (p. 141). In the case of federal court orders for integration, and requirements that districts integrate in order to receive any federal funds, mandates indicated that officials at the U.S. Department of Health, Education, and Welfare (HEW) and federal judges did not trust local school officials.
Inducements, which transfer money from one level of government to another conditional on the recipient performing particular actions, imply somewhat more goodwill between the inducer and the inducee. Rather than assuming that the targets of the policy are recalcitrant, inducements assume common interests coupled with lack of resources. According to McDonnell and Elmore, policy makers who design an inducement are assuming that “one would not expect certain valued things to be produced, or to be produced with the frequency or consistency prescribed by the policy,” that “preferences and priorities [of targets] support the production of these things,” and that “individuals and agencies vary in their ability to produce things of value, and that the transfer of money is one way to elicit performance.” Implementation of inducements poses a “central problem” for officials: “how much variation policymakers are willing to tolerate in production of things of value, and how narrowly they are willing to prescribe how money is to be used and what is to be produced” (McDonnell & Elmore, 1987, p. 142).

This problem has been particularly acute in school integration, and in other policies intended to make public schools perform better or more equitably (i.e., McLaughlin, 1990; Kirst, 2004; Welner & Oakes, 2005; Manna, 2006; Fuhrman, Goertz, and Weinbaum, 2007; Wells, 2009). Policy analysts have generally assumed that some degree of coercion is necessary for equity to result (Hochschild 1984; Vergon 1990). Kevin Welner and Jeannie Oakes examine school de-tracking policies in three communities, and argue that federal court orders, while not sufficient to bring about change, were essential in supporting the communities’ “bottom up” mobilization in the development of equity policy (Welner & Oakes, 2005). While Welner’s and Oakes’s example is federal mandates, as opposed to TASAP’s competitive grant structure, we find it a transferrable concept to thinking about the role of the federal government in assisting
local efforts to promote educational equity. Mandates may actually affect local policy choices from below rather than above, if they inspire or complement politics on the ground. This sort of local pressure for equity is significant because otherwise, as Hochschild (2005, p. 328) has pointed out, school boards “often work to maintain if not increase political and educational inequality across groups in the larger arena” because of their responsiveness to “well-off, disproportionately white, parents” (Hochschild, 2005, p. 329).

Since the 1990s, however, federal courts have backed away from compelling racial integration. In fact, with the Parents Involved in Community Schools decision (discussed below), the federal government appears to be compelling districts to move in the other direction, by narrowing the circumstances in which individual children’s race may affect their assignment to a particular school. At the same time, some localities have built political support for integration or its near relative, racial “diversity” (Holley-Walker 2010; McDermott, DeBray, & Frankenberg in press). In this context, it may not be naïve to expect that federal inducements could lead to new racial equity policies, or support existing ones. In the context of standards-based reform and NCLB, Paul Manna and Jennifer Wallner (2011) observe that “producing valued outcomes in education and other social policy areas increasingly depends on the ability of federal policy to help mobilize networks of actors” (2011, p. 168). Transferring this concept to our present inquiry, targeted federal incentives like TASAP, which is aimed at enhancing opportunity in selected localities via mobilization of multiple actors, would presumably be a better policy tool than a large-scale set of mandates across multiple levels of government (such as NCLB parental choice).

Greater federal incentives for equity have also been advocated recently by both Chinh Le (2011) and Gary Orfield (2011); the latter has called for reviving technical assistance for school
desegregation along the lines of the former ESAA. Other scholars have called for targeted federal incentives for equity-based policies, including socioeconomic diversity (Kahlenberg, 2012), more targeted provisions for racial balance in magnet schools (Frankenberg & Le, 2008), and incentives for inter-district choice (Holme & Wells, 2008) and targeted suburban school transfer/housing relocation programs (DeBray & Frankenberg, 2011).

Methods

Our research methods were primarily qualitative. We conducted interviews with people who were involved in federal-level decisions about TASAP, in order to identify its designers’ intended goals about supporting district-level change. The district-level data, which investigates the specific questions of the districts’ adoption of policies and implementation, was collected in nine of the eleven awardee districts¹ between summer of 2011 and spring of 2012. In these nine 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 conducted a limited form of “snowball” sampling by asking each interviewee to identify 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. We engaged in ongoing collaborative analysis of interview data and documents (including all eleven successful TASAP applications, obtained under the Freedom of Information Act), as well as through case-specific analyses.

¹ 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.
The Federal Role in Desegregation

Relatively little school integration happened between the 1954 Brown decision and 1965, when federal funds began flowing to districts under Title I of the Elementary and Secondary Education Act (ESEA), on the condition that the districts were no longer segregated (Rosenberg, 1991; Orfield, 1969). Technically, this use of federal money was an inducement, not a mandate (since districts were not required to accept ESEA funds). However, because school districts needed the funding, in practice it worked more like a mandate by pushing districts to desegregate when, if past patterns had held, they would not have. According to Reardon et al., “in 1964, 99% of black students in the South attended all-black schools, whereas by 1971, only about 20% attended such schools, and schools in the South were more integrated than elsewhere in the country” (2011, p. 1). Although districts that had been de jure segregated needed to be certified as integrated in order to receive Title I funds, the federal government did not stringently enforce the integration requirement outside the South. For example, when an official at the U.S. Department of Health, Education, and Welfare threatened to withhold Chicago’s Title I funds because the district was using portable classrooms to keep black students in overcrowded, predominantly black schools while predominantly white schools had space available, the official lost his job and Chicago retained both the portable classrooms and the Title I funds (Bailey & Mosher, 1968). Beginning in the 1990s, federal courts became more lenient in their interpretations of what it meant for a formerly de jure segregated district to be integrated, and also began rejecting racial-balance policies as unconstitutional for the same reason that de jure segregation had been. These shifts culminated in the Parents Involved in Community Schools (PICS) decision, which will be discussed in more detail below. During this period, requirements for standards and accountability replaced racial integration as the most visible ESEA-related
mandates (Cohen & Moffitt, 2009). Reardon et al. (2011) have documented that with the end of court-ordered desegregation in southern school systems, millions more students are attending racially isolated schools.

The federal government also had desegregation programs that fit McDonnell and Elmore’s “incentive” category. The Emergency School Assistance Act (ESAA) lasted from 1972 to 1981 and “funded training, intervention programs, new curricula development, magnet schools, and large-scale research on ways to improve race relations” (Orfield, 2007, p. 3). ESAA conditions required recipients to demonstrate that they were not engaged in discriminatory practices within schools (Vergon, 1990). Orfield notes that “school districts eagerly applied for these funds” and indeed, “districts were often willing to do additional desegregation of students and teachers, not required by their own [court-ordered] plan to get [the funds]” (2007, p. 3). The Reagan administration ended the program as part of the 1981 Omnibus Budget Reconciliation Act. The Magnet School Assistance Program (MSAP) began in 1976 as an amendment to ESAA. MSAP provided funding to school districts that were using magnet schools as part of efforts to combine desegregation with school choice. Magnet schools have generally been a very popular policy, so much so that the Council of Great City Schools successfully lobbied to have MSAP reinstated in 1984 after it had been ended along with the rest of the ESAA. There are also Equity Assistance Centers, funded under Title IV of the 1964 Civil Rights Act, that provide assistance to state departments of education and local school districts around equity issues concerning national origin, gender and race in public schools.

The PICS decision, issued in June, 2007, initially seemed like it would lead to further reduction of the U.S. Department of Education’s role in supporting school integration. Justice Anthony Kennedy’s concurrence in PICS suggested that he might support race-conscious student
assignment policies in some instances. Adding the potential Kennedy vote to the votes of the four PICS dissenters, integration advocates argued that districts should not discontinue race-conscious policies, even though they would need to be revised. In opposition to this view, the Bush OCR released a “Dear Colleague” letter in August 2008 emphasizing race-neutral approaches to school desegregation for districts (Monroe, 2008), which was viewed by many in the civil rights community as stifling the development of constitutional practices in local school districts (see Le, 2011, p. 80).

The Technical Assistance for Student Assignment Plans Grants

Despite PICS, many school districts have continued with policies that strive to assign students to schools in ways that will facilitate “diversity” in enrollments. Some of these districts are still operating under desegregation agreements, and thus not directly affected by PICS, but others either never were under order or are continuing diversity policies after being declared unitary (McDermott, DeBray, & Frankenberg, in press; Holley-Walker, 2010). Integration advocates like the NAACP Legal Defense and Education Fund (LDF) and the Council of Great City Schools (CGCS) continued to look for ways of supporting these policies.

The Council’s sense that it was imperative to do something emanated from its Executive Committee, according to Candy Olson, a Board of Education member in Hillsborough County and CGCS Executive Committee chair at the time of PICS. As she describes the Executive Committee’s anticipation of the decision:

When the suit was filed, it was of great concern to us. Because we, as a group, believe very strongly that a high-quality education is a civil right... and part of a high-quality education is learning to deal with all different kinds of people, learning that different people have different gifts. And in my opinion, one of the very best ways to learn that is at a very early age in a diverse school. So to say this is a violation of the Constitution, I understand the emotion that drives it, but you miss the point that every child needs to be with lots of different kinds of
children, children who look different, and think differently; kids who have different backgrounds.

So it was a great concern, and we started thinking and talking about what are we going to do, looking at the Supreme Court -- we were all kind of betting that the decision would be what the decision was -- so then, how do you address it in a way that respects the Constitution, but also respects the needs of the society to have a very diverse educational system? (C. Olson, personal communication, 12/2/11).

Simering, the CGCS legislative director, reiterated that technical assistance was going to be “absolutely necessary,” because districts were confused about their options (J. Simering and M. Naik, personal communication, 12/2/11). Many CGCS member districts had been recipients of technical assistance through the desegregation assistance centers funded under Title IV of the Civil Rights Act.

Working together, LDF and the CGCS obtained funding from the Ford Foundation (J. Simering and M. Naik, personal communication, 12/2/11). CGCS’s Director, Jeff Simering, and Manager of Legislative Services, Manish Naik, recalled that at the same time, his organization decided to “see what we can find in terms of the public side” of funding (J. Simering and M. Naik, personal communication, 12/2/11). This effort, which led to the Technical Assistance for Student Assignment Plans (TASAP) grant program, began while George W. Bush was still President. Thus, Executive Branch support was unlikely, but Democrats controlled Congress and CGCS had good connections with staff and leadership. CGCS approached the House subcommittee with jurisdiction over the budget for the Title IV Equity Assistance Centers. As Jeff Simering said, “we did our thing, you know, up on the Hill, and discussed this with both the authorizers and the appropriators, and I think they seemed to be in fairly easy agreement that providing some help for some folks immediately after the decision seemed an appropriate thing to do so that’s how it came about” (J. Simering and M. Naik, personal communication, 12/2/11). Formally, TASAP was a $2.5 million addition to the Equity Assistance Centers’ budget,
earmarked for technical assistance grants to districts for revising their student assignment plans. Establishing a separate grant program, rather than adding to the mission of the existing Equity Assistance Centers, was a deliberate decision. Reflecting on this decision, Simering stated:

You could’ve potentially directed the technical assistance centers to take on this thing, but we didn’t want to constrain our districts [to] doing things that a technical assistance center decided were appropriate….we wanted to at least let our districts deal creatively with the issue and the particular politics they had to deal with (J. Simering, personal communication, 12/2/11).


In the meantime, of course, President Barack Obama had replaced President Bush, leading many of the people who had been involved with the NAACP’s and the CGCS’s efforts to be optimistic that the change of administration would lead to a change in the kind of guidance being issued by ED about what kinds of diversity policies were permissible. Observers unfamiliar with the CGCS’s leadership in obtaining the TASAP appropriation might reasonably have assumed that TASAP itself was part of an Obama-administration-led federal shift of policy on racial diversity. In order to understand what happened later, while ED was implementing TASAP and the local grantees were spending their funds, it is important to bear in mind that the impetus for TASAP came from outside USED. In fact, the first notice the office that would implement TASAP had of the program came from its budget officer, “saying there is language in the appropriation for the equity centers this year that talks about doing technical assistance for districts who want to develop a student assignment plan” (anonymous federal official, personal communication, 2/10/12). Some evidence suggested that the Obama-era USED would take a quite different stance on race and diversity than its predecessor had. For example, the 2010-13 round of MSAP grants, awarded in 2010, strengthened its provisions to encourage diversity and reduce racial isolation. However, when the TASAP grants were made in 2009, and until the
release of new federal guidance on December 2, 2011 ("Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools," 2011), the Bush USED’s 2008 “Dear Colleague” letter discouraging race-conscious policies remained current federal policy. The release of the 2011 guidance took place via conference call, rather than with a higher-profile event. From 2009 on, USED seems not to have been trying to make a dramatic change in its stance on diversity and student assignment policies. In fact, consistent with USED’s normal operating principles, it seems to have been trying to avoid drama entirely.

Implementing TASAP at the Federal Level

A theory of change can be identified in the appropriations language that created TASAP. In essence, the idea of the program was for the federal government to provide funds for a wide range of local activities, without specifying too much in advance what school districts ought to do. As described above, this theory came largely from outside the U.S. Department of Education. The department itself, as it often does, avoided narrowing districts’ options or offering interpretations of what the language meant.

TASAP’s Theory of Change

If having a federal theory of change means that staff in either Congress or USED sat down and thought through what they wanted to do with TASAP, then we have to conclude that the federal government did not have a theory of change. However, a theory of change is implicit in the appropriations language; in fact, it is probably not too large a stretch to say that the Council of Great City Schools called on the federal budget to implement its own theory of change. The Council wanted to ensure that school districts would be able to continue work on diversity in some way. As Jeff Simering put it, “We didn’t really want to constrain people [in
districts] because we didn’t know what direction they might want to go in, but we wanted them to go in at least some direction” (J. Simering and M. Naik, personal communication, 12/2/11).

Simering’s explanation sounds very much like McDonnell and Elmore’s account of the assumptions behind use of incentives (as opposed to mandates) in education policy, cited above. Policy makers turn to incentives when they are willing to tolerate a wide variety of possible responses, rather than insisting on one specific outcome. In this instance, it was also true that the kinds of expertise districts needed were available, if they were able to pay for it.

In contrast with earlier uses of federal Elementary and Secondary Education Act funding as leverage for desegregation in resistant communities (Orfield, 1969; Cascio, Gordon, Lewis, & Reber, 2008), TASAP funds are not intended to induce changes in local leaders’ preferences, but to help them pursue a preference they have already expressed, within a changed legal environment. In fact, TASAP is a result of a desire for assistance expressed by local leaders, via the Council.

The Federal Register notice of TASAP lists the program’s Absolute Priority as follows:

Applications from LEAs seeking to obtain technical assistance in preparing, adopting, or modifying, and implementing student assignment plans that 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. LEAs must use the grant funds to seek assistance and expertise from student assignment specialists, demographers, community relations specialists, facility and other planners, curriculum specialists and others in comparable school districts with relevant and successful experience, as well as specialists and consultants from academia, non-profit organizations, civil right organizations, and the private sector.

The Federal Register also states that proposed project budgets must not exceed $250,000, to be spent over a period of up to 24 months (Federal Register, v. 74, no. 139, p. 36175).
A few elements of a theory of action can be identified in this language. It refers to the “parameters of current law,” presumably PICS and its companion case, Meredith v. Jefferson County Public Schools, indicating that the federal government wanted to help districts either enact new student-assignment plans or modify existing ones, in order to survive legal scrutiny. At the same time, though, the language clearly identifies the goal of avoiding “racial isolation and resegregation.” Recall that five Justices (Chief Justice Roberts, Scalia, Thomas, Alito, and Kennedy) had rejected the Seattle and Jefferson County assignment plans, but that Kennedy suggested that some race-conscious measures might be appropriate under different conditions. Four Justices (Breyer, Stevens, Ginsburg, and Souter) dissented and argued that the Court should have upheld Seattle’s and Jefferson County’s policies. Here it seems as if the grant program is inviting school districts to seek USED help in pushing the bounds of PICS, and to craft student-assignment plans that Justice Kennedy and the four liberals might vote to uphold. These plans might emerge looking like those of “school districts with relevant and successful experience,” which it seems logical to imagine as districts whose student-assignment plans were achieving diversity and avoiding resegregation in ways likely to survive federal court scrutiny (rather than as districts safe from federal scrutiny because they did not have those goals). However, despite these lofty goals, the technical assistance may only last for two years, and must cost less than $250,000. The program also has a “Competitive Preference Priority” for school districts with board-approved “voluntary student assignment plans” in place, suggesting that they sought to direct funds to districts that already had shown local support for diversity plans.

Implementation by USED

TASAP was an unusual sort of federal program. As one official noted, “It’s rare that we say to people, we are going to give you money because we don’t know what you should do, but
you should find out from someone else what you should do” (anonymous federal official, personal communication, 2/10/12). USED emphasized fidelity to this language through its own implementation of the grants. According to one official, this is the department’s usual role. In this case, the USED staff faced the challenge of developing a program around several lines of appropriation language, rather than a statute (which would have been more typical).Typically, in all grant programs, Department staff “hew really closely to the specific language” of the statute (or appropriation): “You repeat the language over and over again, because it’s not our job to interpret for the public what Congress wants. That’s the language Congress wrote, that’s apparently what Congress wants” (Anonymous federal official, personal communication, 2/10/12).

It appears, however, that in the absence of explicit, clear guidance during the TASAP application stage and most of the duration of TASAP grants, confusion remained even among the eleven districts that were funded. Although the RFP cited the goal of avoiding racial isolation and resegregation, it did not specify whether the plans supported by the technical assistance could use race or whether they were prohibited from doing so, and according to an anonymous federal official, they received numerous inquiries from districts that were trying to understand what types of plans to propose that might receive funding. Yet, as the official said, “it wasn’t like we could say, ‘here is the money, here’s what the Department thinks, take it or leave it, go for it.’ It was in my mind really a great opportunity but if you couldn’t grasp that opportunity as a district, then we weren’t providing any help. Just the money.” From the perspective of a successful district (e.g., a district that received a TASAP grant), a district participant reflected some frustration with the federal ambiguity, saying that if there were future grants, she “would hope that more guidance would come with it, more facilitation would come with it, rather than
just giving us the money to find the facilitator, that there would be more opportunity for districts
to collaborate and be think tank groups” (O. O’Keefe, personal communication, August 2011).

Selection of Grantees

USED awarded grants to eleven school districts representing a range of size, demographics, and region (see Appendix A):

- Boston, MA
- Champaign, IL
- Evangeline Parish, LA
- Hillsborough County (Tampa), FL
- Jefferson County (Louisville), KY
- Orange County (Orlando), FL
- Portland, OR
- Rockford, IL
- St. Paul, MN
- San Diego, CA
- San Francisco, CA

Nearly all of the eleven awardees were districts with histories of voluntary integration, and evidence that local officials wanted to preserve integration in some sense despite PICS (DeBray, Frankenberg, & McDermott, 2010). The districts that applied, but did not receive funding, are even more various than the awardees, including city districts, metropolitan districts, suburbs, and a charter school:

- Charleston City Schools, SC
- Cincinnati City School District, OH
- Clark County School District (Las Vegas), NV
- Leake County Schools, MS
- Metropolitan Nashville Public Schools, TN
- Pulaski County Special School District, AR
- Scholars Academy Charter School, GA
- St. Landry Parish School District, LA
- Tucson Unified School District, AZ
- Walpole Public Schools, MA
- Wichita Public Schools, KS
The RFP included a very tight turnaround time for districts to submit grants (they were due August 21). This made it likelier that applications would come primarily from districts that were either already working on student assignment issues or had staff members responsible for identifying federal grants for which the districts might apply (Anonymous Reviewer, personal communication, 9/29/11). The inclusion of need for the grant as the largest source of points (25 out of 100) probably limited the chances of rural and suburban districts to be funded. In particular, the RFP describes how this need will be evaluated as including “consideration of the complexity of the student assignment plan – the extent to which the applicant’s student assignment plan involves particular challenges because of either the size of the student body that is part of the plan, the diversity of the student population that is part of the plan, or the applicant’s current pattern for assigning students to schools” (Federal Register, v. 74, no. 139, p. 36177). As a result many of those who were grant recipients were urban districts facing the challenge of declining enrollments and funding. According to a federal official who preferred anonymity, USED did some outreach through the desegregation assistance centers, but did not contact particular districts, in order to avoid the appearance that those districts had an inside track to win the funding.

The short turnaround time meant that the districts did not have time to consult with community organizations about how best to set up their local projects. In the field, this seems to have contributed to the TASAP grants’ frequently being low-profile undertakings. Finally, since all of the funds left USED at the same time, the department did not have financial leverage over the districts once their projects began. The only financial report required is not due until the end of the project, and nearly all of the districts have received no-cost extensions; thus,

\[^2\] In a no-cost extension, the grantee does not get extra money, but does get extra time in which to spend the money they originally received.
comprehensive information about how much the districts spent on what is not available is not available at this point. Even if there had been multiple stages to the federal funds, it seems unlikely that USED would have attempted to use them as leverage. As the anonymous federal official with whom we spoke reiterated, “these people are all super committed to making this stuff work and we are glad we can get them the money. But we don’t try to intervene other than that” (personal communication, 2/10/12).

For the sole grant reviewer we have interviewed thus far, the language in the RFP meant there was some ambiguity about what projects to fund. The selection criteria in the RFP are less specific than the language that describes the grant program. The “Need” criterion mentions that the diversity of the population included in the plan will be considered, but the criteria do not mention racial isolation or, indeed, race (Federal Register, v. 74, no. 139, pp. 36177-78). He said:

You do have this Federal Register that points in one direction, but does not rule out funding other things. If you are a reviewer, you can take a position that we want to fund diversity plans, or you can take the position that you would fund any number of plans (Anonymous Reviewer, personal communication, 9/29/11).

When we asked this individual about his perceptions of the theory of change driving TASAP, he described what he viewed as the weaknesses of the grant as an effective federal policy lever:

I feel like that money is so small that it’s not really leveraging anything. If you are really thinking about use of that money would have been better used to fund yourself [the interviewer] to be hired at the U.S. Department of Education to serve as the national coordinator and technical assistant director for student assignment. That way there is somewhere there to work through and answer questions about the grants. And that way you are not leveraging but you are providing assistance to the extent where needed as opposed to acting like you are doing something. The money they got was not going to affect policy decisions (Anonymous Reviewer, personal communication, 9/29/11).

Compared with the likely results of a mandate, this may not seem like a great deal of impact.

However, it is consistent with McDonnell and Elmore’s analysis of the implicit theory of action
behind incentives: that the targets of the policy are inclined to do what the policy maker wants them to do, if they get resources in exchange for doing it.

To summarize, the TASAP enactment process was driven by the civil rights and urban education communities’ urgent sense that a rapidly put-together, small-scale program to which there might be a wide variation of local response was better than no response and no alternatives for districts post-PICS. Although there was no a priori worked-out theory of change from the federal level, the appropriations language did contain explicit principles. The first was that districts’ response should draw on outside consultants, i.e., from experts across a range of sectors including private, non-profit and academic. The second was that community and civil rights groups’ support would be important at the local level. Third, local context mattered: there would be a range of appropriate uses for the funds, depending on local “particular needs and complexity of plans.” Undergirding all of these was the explicit statement that it was all to be done in service of the goal of preventing racially isolated schools.

As we will see, this legislative enactment process (which we view as a rather savvy maneuver by a coalition in the midst of a very politically challenging time for their causes), and the final language, enabled a wide latitude in the subsequent implementation process, at both federal and local levels.

What Happened in the TASAP Districts

We turn next to the questions of what kinds of policies were adopted or advocated for by the ten districts during the period we studied, and what kinds of Technical Assistance we found that the grants actually supported. (See Appendix B for a summary table of types of technical assistance and policy aims in the original applications.)
Types of Technical Assistance

Because of the no-cost extensions of most TASAP grants, we cannot yet know for sure exactly how districts spent all the money. Given the emphasis on compliance with PICS and other federal court decisions, and the plans outlined in TASAP applications, we were surprised that attorneys were relatively infrequent providers of technical assistance in TASAP districts. Based on our interviews to date, the most popular kind of technical assistance has been various kinds of data analysis, particularly geospatial analysis that links demographic and educational data to neighborhoods. Jefferson County, Kentucky, which was already in the midst of redesigning its student-assignment policy to comply with Meredith when it received the TASAP grant, used some of its TASAP funds to develop a system for tracking and reporting on student requests to transfer among schools. Both Portland, Oregon and Hillsborough County, Florida hired SEER Analytics, a firm in Tampa, to develop and analyze a variety of student-assignment scenarios using diversity indices that did not include race. Rockford, Illinois, San Francisco, and Champaign, Illinois also contracted for development of diversity indices.

Districts have also used TASAP funds to pay for help with community engagement on student assignment policy, such as facilitators and publicity. Champaign officials spent part of the grant on to focus on improving publicity about the choice plan, create a new website to include online application submission, and to dispel myths about the choice plan. The marketing is clearly aimed at white/affluent parents.

St. Paul, Minnesota, decided to use a large amount of its TASAP funds to broaden the strategic planning for which it was already contracting with TeamWorks International, a Minnesota consultancy that “work[s] with mission-focused organizations to build their capacity for long-term success” (http://teamworksintl.net/twi/?page_id=18). TeamWorks analyzed
student demographics and achievement data across the city and concluded that students enrolled in magnet schools were actually performing slightly worse academically than students in non-magnet schools. One Board of Education member noted that the problem was more acute for students of color: “white kids in the city can do well regardless of income, regardless of where they go to school but kids of color were really not being served by the magnets and they were spending a lot of time on buses” (J. O’Connell, personal communication, 12/6/11). TeamWorks also pointed out to the district that if it could attract more of the city’s students back into the public schools from charter and private schools, it would not need to close as many schools as it was assuming it would need to. Finally, and probably most decisively, TeamWorks helped the district’s leaders explain their proposal to shift from citywide school choice to choice within six zones as a crucial part of its strategic plan for school improvement, rather than just a cost-cutting measure (J. Cacy personal communication, 11/14/11; J. O’Connell personal communication, 12/6/11).

Evangeline Parish, Louisiana represents one of the most targeted and effective uses of technical assistance. Facing racial segregation at its two high schools, it hired a private contractor in charge of student recruitment and coordination support for a period of two years (from late 2009 to September 2011). The contractor’s primary duties included setting up and running a marketing program to publicize the magnet programs, creating a lottery admission system for the magnet programs, and making logistical and systematic improvements to the two magnet programs. With a background in organizational communication, he was able to apply business tactics to market the programs directly to students. For his first order of business, he “branded” the magnet programs by creating recognizable logos targeted at young people for use on print adds, billboards, and pamphlets. He also organized radio and television promotions. He
worked closely with the TASAP coordinator and the Supervisor of Personnel and Secondary Schools, to hold community meetings, parent engagement sessions, and conduct direct student recruitment. In addition to coordinating marketing efforts, he helped the Parish make some necessary changes to the admission procedures for the magnet programs. Upon his arrival, both magnet programs were designed to admit students of one race. He undertook the necessary steps to secure changes in admissions policies so that students of both races could be admitted to both programs (R. Domingue, personal communication, 10/12/11).

**Types of Change in Student Assignment Policies**

The TASAP grantee districts did not generally try to push the limits of *PICS* or develop race-conscious policies that were consistent with Justice Kennedy’s concurrence. Jefferson County came the closest, but it was already engaged in this work before receiving the TASAP grant. It also had to deal with a state court challenge to its new student assignment policy, in which a ruling is due in April, 2012.

A few districts used TASAP to expand school choice. Champaign, Illinois is implementing a controlled choice plan that emphasizes proximity to a stronger degree, and emphasizes socioeconomic balance (using 5 different SES measures) instead of racial balance. TASAP enabled them to refine their race-neutral index after using it for one assignment cycle.

**Reducing School Choice**

Other TASAP grantees were redesigning their student assignment policies in ways that reduced school choice, generally because the districts were losing enrollment (and, sometimes, closing schools) and trying to cut costs. Three of the northern districts among the grantees were in this category. The goal of the St. Paul TASAP was to redesign a citywide school choice system that had begun with a single magnet school in 1974. St. Paul’s choice system had
become complicated and expensive, with about 80% of students not attending their neighborhood schools. Enrollments were declining, and transportation costs rising. St. Paul had tried on several other occasions to change their choice system, but did not succeed. This time, they connected the choice changes to a new district strategic plan for “achievement, alignment, and sustainability.” The board of education approved the new plan on March 15, 2011. It divides the city into 6 regions, within which families can choose to attend a neighborhood school, or not (Belden, 2011).

Portland, like St. Paul, had been losing students, which under Oregon’s school funding formula also meant that the district was losing funding. For several years prior to TASAP, Portland had been considering “redesign” of its high school system, including the possibility of closing one or more schools, and reducing disparities among the schools in terms of their enrollment, demographics, and academic offerings. Portland’s high schools were, in theory, neighborhood schools, but the city permitted students to attend high schools other than their neighborhood school, and many students did this. Overall, choice meant that some schools, particularly in low-income but gentrifying neighborhoods, served fewer white and middle-class students than they otherwise would have, since those students went to other public high schools. Funding followed students, and led to declines in the programs that the under-chosen schools could offer.

Although Portland’s TASAP application had identified a goal of using the redesign process to “enhance diversity,” and some participants wanted to bring the schools’ percentages of low-income students closer together, the package of high-school changes that the Board of Education adopted in 2010 made relatively modest changes. It closed one campus that had housed three small high schools, converted the high school that served the city’s historically
black neighborhoods into a middle-college magnet program, adjusted a few attendance boundaries, and reduced students’ ability to attend schools outside their neighborhoods (Portland Board of Education, 2010a, 2010b). In 2011-12, Portland high schools’ percentages of students receiving free and reduced-price lunch range from 14.8% to 75.9% (www.pps.k12.or.us/schools-c/profiles/enrollment).

After a planned partnership between the Boston Public Schools and three civil-rights organizations fell apart in 2010, Boston has been using its TASAP funding to continue its ongoing attempts to revise its existing system of choice within three zones, with spaces in all schools reserved for students who live further away than walking distance. These set-asides are a race-neutral replacement for the city’s race-conscious controlled-choice system, and are intended to give students from all neighborhoods an equal chance at attending the sought-after schools in more affluent parts of the city. The Mayor and the Superintendent both want to shift to smaller zones, to reduce travel times and transit costs (Vaznis, 2011). Many residents of middle-class neighborhoods want to increase their children’s access to their neighborhoods’ schools. Parents around the city found the choice process excessively complicated (Ebbert & Russell, 2011). Thus far, the Boston Public Schools have made some changes to the process, but have not yet been able to resolve a basic problem of arithmetic: although enrollments have fallen considerably since the 1970s, the city still has more students than it can accommodate in schools with strong reputations. Advocates for the neighborhoods where most of the city’s black and Latino students live argue that school choice should not be reduced until all schools in the city are of uniform quality (McDermott, Frankenberg, Diem, & DeBray 2010). Mayor Menino insists that all of the city’s schools are good, and that the under-chosen schools simply have problems with how the public perceives them (Ebbert & Russell, 2011). The latest round of
public engagement on the issue began in March, 2012, supported by a no-cost extension of Boston’s TASAP.

Rockford, Illinois’s school board also retreated from school choice when it rejected the desegregative clusters that were the original policy direction outlined in the grant. After ending their consent order in 2001, Rockford proposed using TASAP funds to redesign its elementary school assignment process after one prior redesign had been unsuccessful in 2007. The district considered different scenarios that ranged from neighborhood schools to controlled choice as well as hybrids incorporating choice and neighborhood preference. After more than a year of assessing community preferences, the superintendent ultimately made no recommendation to the board, which was instead persuaded by a coalition of the business community, realtors, and young professionals to move to a zone system.

It was not 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 with 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. …That is something that is not practiced in this community, it’s not valued in this community, not acknowledged as an essential way to be educated… 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.

Cross-Cutting Themes

Because of the possibility for districts to spend their TASAP funds in a wide variety of ways, one of the major consistencies across the grantees is that their use of funds fits into a larger policy agenda. Some districts planned all along to fit TASAP funds into ongoing projects; others essentially redirected funds once the grants were made. Another theme across districts is more ironic: some used TASAP funds to help them close chapters in their desegregation history.

TASAP as Continuing an Ongoing Effort

In several of the TASAP districts, the federal funding had a low profile, with interviewees who did not work for the districts unaware that part of the work was federally funded. One reason for the low profile was that districts tended to fold TASAP funds into efforts that were already underway. Jefferson County was well along in the process of revising its student assignment policy so that it would conform to the Meredith decision. St. Paul was already in the midst of public outreach for “Large Scale Systems Change,” including proposals to close schools and constrain school choice in order to reduce costs. Portland’s High School Redesign process began in 2009, and then the district’s grants office recognized the TASAP RFP as an opportunity to fund part of the work. This might be a very “successful” way of using federal funds, in terms of producing visible results. However, these districts are not necessarily where need is greatest. As one former St. Paul Public Schools administrator said:

You could argue that it [TASAP in St. Paul] was the sort of straw that—either depending on your perspective, productively or destructively—broke the camel’s
back. Because there was this momentum, that it really was a good bet. If you’re trying to draw some larger principles of federal grantmaking, if you were going to give Race to the Top Grants… do you do it on some kind of objective need and measure and the clarity of the plan, or do you do it based on some kind of sense of near-term likelihood of success? (K. Pekel, personal communication, 2/12/12).

**TASAP as Support for Implementation**

In a number of places, TASAP did not change policy so much as it went to fund policy implementation efforts. One of the reasons that these efforts received funding is the competitive funding priority that awarded five additional points for applicants “with existing school-board-approved voluntary student assignment plans, seeking to obtain technical assistance to modify or implement those plans” (RFP, 2009, pg 37). This funding priority, combined with the relatively small amount of money districts received in TASAP, perhaps favored districts that needed support implementing already determined student assignment policy.

San Francisco is a prime example of using the TASAP to focus on implementation. They had adopted a policy statement endorsing the broad parameters of their new plan in March 2009, prior to the existence of TASAP. The TASAP money was used for intensive community engagement to develop the specifics of the policy and try to think about improving access to choices for disadvantaged families, to build internal demographic capacity to be able to adjust the plan, to produce marketing and website to support the plan (e.g., online applications), and to monitor its effectiveness. Part of the plan also included feeder patterns from elementary to middle schools. This is new, and community groups were outraged because they had not realized this was part of the plan. Consequently, a second round of engagement is focusing on this issue. The district sees improving the middle schools as a major hurdle in the student assignment process. Given the fact that the district has already ended the use of one post-unitary
voluntary integration plan, it was perhaps especially important for them to focus on getting the
details of their policy right.

Champaign is another example of a district that used TASAP money to address issues of
implementation. The district had already switched from a race-conscious controlled choice plan
to one that was race-neutral prior to applying for TASAP. They have used TASAP in two ways.
First, they used money to get technical expertise from choice consultant Michael Alves to
consider other race-neutral factors to include in their controlled choice algorithm. Second, after
a significant transition in district (and TASAP) leadership, the new administration has focused on
trying to improve other details of implementation: publicizing the choice process timeline more
widely, moving to online application submission, and helping to make the process more
transparent and to share information about all schools. The latter detail in particular stems from
the district’s concern that opponents of the plan did not understand that it was not a pure open
choice plan (perhaps understandable due to being called “Schools of Choice”) and that families
did not see all schools as good options.

**Diversion**

Another pattern in the TASAP districts is what we are labeling “diversion:” using
TASAP funds for something different from what the proposal outlined. Boston, described
above, was one of the diverters, in that its planned partnership with three civil-rights
organizations fell apart and then the city received a no-cost extension to continue its ongoing
efforts to scale back its school choice program. Thus, Boston also fits the “continuing efforts
already under way” pattern. Orange County, Rockford, and San Diego also fit the diversion
pattern. Orange County’s TASAP proposal was to pay community engagement specialists to
consult about the closing of 8 small schools whose operation was costing the district $6 million
per year. While the grant was still under review, the Orange County 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 to close the schools.) At this point, the district’s TASAP coordinator contacted ED to withdraw the application, but the federal officials told them to proceed (A. DeCandis, personal communication, 6/22/11). Orange County then used the grant to hire two attorneys, one based in Washington and one local, for input on a unitary status settlement agreement. Between $65,000 and $70,000 will be paid back to the US Department of Education. In San Diego, the original proposal to use the grants for magnet schools as a means to avert racially isolated schools were re-directed after a new school board was elected. As of this writing, the TASAP is being extended and redirected for general enrollment analysis. Rockford, Illinois’s school board also enacted a policy, though it went counter to the aims of the desegregative clusters that were the aim of the grant.

Ending an Era

One final cross-cutting pattern is ironic, given what the RFP language hinted that the federal government was trying to achieve with the program: districts used their TASAP funds in ways that closed out particular phases in their desegregation histories. Orange County and Rockford, described above, did this the most explicitly. Evangeline Parish’s TASAP work was part of its efforts to be declared fully unitary in 2012. St. Paul’s shift from citywide choice to choice within six zones reversed the expansion of choice that had begun with its magnet schools for desegregation in the 1970s. If Boston’s mayor gets his way and the city shifts to “neighborhood schools,” it will end a choice policy that traces its origins back to the years when the city was under order to desegregate.
Discussion

Identifying and testing a policy’s theory of change is necessary to evaluate whether or not it had the intended effects. In the case of TASAP, the federal government (and the Council of Great City Schools) made technical assistance available for districts to reconsider their student-assignment policies, on the assumption that the assistance would be an incentive for districts to maintain diversity-promoting policies after PICS. Similar to the effects of the mandates analyzed by Welner and Oakes (2005), the top-down move by the federal government would stimulate action at the “bottom” of the system, in school districts. Based on our fieldwork thus far, TASAP’s record is mixed. It did indeed support local efforts to revise and implement student-assignment policies, but only some of these efforts actually seem likely to enhance diversity. Districts’ general sense that race-conscious policy remained illegal constrained the extent to which they pushed the boundaries of the Kennedy concurrence.

Milbrey McLaughlin wrote that there are few “slam bang” effects of policy (1990), and our initial findings about TASAP confirm this. If the intent behind the grant was to build capacity for developing student assignment plans, the theory has played out reasonably well in some districts. They did indeed hire consultants to help them with various elements of the process, such as data analysis and public outreach; some districts used this opportunity to enhance internal district capacity to help modify student assignment in the future. However, some of the plans that districts have adopted were not major changes, and other districts used the grants to help them move away from plans adopted as part of desegregation remedies. The extent to which they will actually enhance diversity in enrollments is unclear. In other districts, there was either an actual retreat from the goal of diversity, or a pro-forma compliance with
what was being mandated. We believe it is worth following events in these districts to determine
whether seeds may have been sown for integrative policies in the future.

One reason for the TASAP grants’ modest effect on diversity policy at the local level was
that the federal government’s position on the use of race-conscious tools to pursue diversity or
reduce racial isolation was ambiguous throughout the initial grant period. In other words, the
message coming from the “top” was unclear. PICS itself was ambiguous because of the multiple
opinions and the confusion about what the Kennedy concurrence meant. The TASAP RFP stated
its “absolute priority” as “applications from LEAs seeking to use technical assistance in
preparing, adopting, or modifying, and implementing student assignment plans that 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), but the evaluation criteria for the applications did not. When districts asked
USED for guidance in drafting their TASAP applications, federal officials referred back to the
appropriations language and were flexible about what districts actually could do with the funds.
In our fieldwork, we were repeatedly told that districts did not even consider using race in
redesigning their student assignment plans, including in districts that had had a history of doing
so. When we asked why local officials believed this to be the case, they would cite the advice of
national legal expertise, mostly from outside the framework of the TASAP grants. For example,
Champaign officials cited the advice of national legal counsel as the reason for switching away
from race-conscious to race-neutral controlled choice plan after their consent decree ended.
Evangeline Parish, which was still subject to federal oversight because it had not fully satisfied
all Green factors, were influenced by an expert that had worked with another Louisiana parish to
expand access to magnet programs to students of all races.
Another reason for the modest effect was that there was also not much pro-diversity mobilization from the “bottom up.” Local politics generally pushed the districts away from pushing for racial diversity, and away from diversity in general. Racial politics has changed since the days of massive resistance and anti-busing riots; resistance to racial diversity now looks like skepticism that racial categories still matter, or arguments that other goals are more important. Budgets and enrollment politics usurped the energy of a separate agenda about use of race-based assignment (see McDermott, DeBray, and Frankenberg, in press; Frankenberg et al., 2012).

There also needs to be greater clarity of message from the federal level. One of the major findings from the implementation literature is that coherence of communication is vital for lower levels of government to understand what a policy demands (Rudelavige, 2011). This sort of coherence was absent from TASAP. Implementation of a future technical assistance policy would be far more effective if it were part of a larger federal strategy to support diversity, in which officials within ED provided stronger and more consistent communication and were supported by the “bully pulpit” from the highest levels. Right now, there is no coherent strategy to support school-level diversity, although the December 2011 issuance of guidance to school districts by the Office of Civil Rights is a positive first step. Should the federal government ever offer an additional round of technical assistance, this affirmative guidance would be useful in helping other districts think through whether using race might make a positive difference.

Although a more deliberative process, one in which a well-specified theory of change was developed with input from those inside and outside of government might have resulted in a clearer awards and implementation process, TASAP may have been the optimal policy design

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\(^3\) OCR has not yet begun providing technical assistance around the guidance, though it appears to be planning to do so.
possible, considering the pressures facing the civil rights community at the time. TASAP did embody critical principles that may, in time, prove to have laid important precedent for the future of the federal role in equity-based and student assignment policies. We hope that further research will build on our findings about the local-level complexities of implementing technical assistance for student assignment. Racism is by no means dead in the United States, but the local politics of diversity are different in 2012 from what they were in the 1960s and 1970s. White attitudes are more supportive of diversity, at least in principle. People of color have more political power, and they constitute the majority in many school districts. The way forward is not obvious, but so long as federal and local officials continue to work together, the door may not be closed.
Appendix A  
TASAP Grantees and District Demographics, 2009-10

<table>
<thead>
<tr>
<th>Grantee</th>
<th>Enrollment</th>
<th>Percentage of District Students who are:</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>American Indian</td>
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<tr>
<td>Boston (MA)</td>
<td>55,371</td>
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<tr>
<td>Champaign (IL)</td>
<td>9,458</td>
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<tr>
<td>Evangeline Parish (LA)</td>
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<tr>
<td>Hillsborough County (Tampa, FL)</td>
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<tr>
<td>Jefferson County (Louisville, KY)</td>
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<tr>
<td>Multnomah County (Portland, OR)</td>
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<tr>
<td>Orange County (Orlando, FL)</td>
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<tr>
<td>Rockford (IL)</td>
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<td>San Diego (CA)</td>
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<td>San Francisco (CA)</td>
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<tr>
<td>St. Paul (MN)</td>
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SOURCE: NCES Common Core of Data, 2009-10
## Appendix B
### Kinds of Technical Assistance Included in TASAP Proposals

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1. R = racial diversity, S = socioeconomic diversity, G = geographic diversity, L = language diversity, U = undefined
2. Grant writing
3. Academic consultant
4. Consultant to develop tracking system
5. Technical consultant
6. Market research and management consultant; coaching the school board
References


