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Segregating California's Future: Inequality and its Alternative 60 years after Brown v. Board of Education

Jongyeon Ee

Loyola Marymount University, joy.ee@lmu.edu

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SEGREGATING CALIFORNIA'S FUTURE

**Inequality and Its Alternative
60 Years after *Brown v. Board of Education***



Gary Orfield and Jongyeon Ee

May 2014

The Civil Rights Project



Proyecto Derechos Civiles

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Cover photo by Bernard J. Kleina

Executive Summary

California has had serious issues of separation and discrimination in its schools since it became a state. It was little affected by the *Brown* decision, which was directed primarily at the 17 states that had laws mandating the segregation of African Americans.

Although the California Supreme Court recognized a broad desegregation right in the state constitution, and the legislature briefly mandated that school boards take action to enforce this right, both were reversed by voter-approved propositions. The 1979 Proposition One led to the termination of the city's desegregation plan—the first major city in the U.S. to end its plan.

U.S. Supreme Court decisions in the 1990s led eventually to the termination of the federal desegregation orders in San Francisco and San Jose. Major court decisions in California mandating desegregation that occurred in the 1970s were overturned by the 1990s, thus California presently has no school integration policy.

Segregation has grown substantially in the past two decades, especially for Latinos. White students' contact with nonwhite and poor students has increased significantly because of the dramatic change in overall population. Black and Latino students are strongly concentrated in schools that have far lower quality, according to state Academic Performance Index (API) ratings. Conversely, a far larger share of whites and Asians attend the most highly related schools and thus are the most prepared for college.

A half-century of desegregation research shows the major costs of segregation and the variety of benefits of schools that are attended by all races.

California has had an extremely dramatic increase in the segregation of Latinos, who on average attended schools that were 54 percent white in 1970, but now attend schools that are 84 percent nonwhite. In fact, by one of our measures, California is now the state in which Latinos are the most segregated, making them the most isolated group in the state's schools and becoming more so.

Latinos on average attend schools in which three-quarters of the students are poor. The best way to understand segregation today in California is the isolation of the combined population of Latinos and African Americans from the combined population of whites and Asians. The correlation of Latinos plus African Americans with the percentage of poor students in a school is extremely high. Black and Latino

students attend schools that on average have more than two-thirds poor students, while whites and Asians typically attend schools with a majority of middle-class students.

The typical black student in California today attends a school with more than 2.5 times as many Latinos as blacks, thus making them a minority within a school dominated by another disadvantaged group.

The most segregated districts are in the Los Angeles-Inland Empire Region. The most integrated large districts are in the Sacramento and Fresno areas, where housing segregation is low.

Current demographic trends make full integration impossible, but they also offer important opportunities to expand integrated options and thus to support lasting community integration. For example, the existing choice and charter systems ignore integration, but with the right policies in place, choice could become an important positive force.

Among large school districts in California, some are far more integrated than others, which demonstrate that a pattern of segregation is not inevitable and offers models for other communities.

Where desegregation is simply not possible, we spell out important things that can be done to make opportunity more equal in segregated schools, and to offer students more choices. The Local Control Funding Formula targets funding for many children in segregated schools, and the funds could be used to support efforts to offer more equal opportunities. However, there is currently no state initiative in the pipeline to deal with issues of resegregation in California. California educators need to step up and provide leadership on civil rights.

***Segregating California's Future:
Inequality and Its Alternative
60 Years after *Brown v. Board of Education****

Gary Orfield and Jongyeon Ee

The time has come to celebrate the 60th anniversary of *Brown v. Board of Education*, a landmark U.S. Supreme Court decision that was announced by Chief Justice Earl Warren on May 17, 1954. This soaring unanimous decision challenged the legitimacy of the entire education system in the U.S. South and helped kick off a great social movement that changed the country in the 1960s. *Brown* is celebrated across the world as a landmark on the march toward racial equality. Today, however, a look at California's schools shows little sign of movement toward integrating the education of the state's remarkably diverse population of young people. In fact, we see major court orders long abandoned, the idea of state leadership and support for integration essentially forgotten, an entirely new system of highly segregated charter schools, and the spread of Latino and African American segregation into major sectors of what not too long ago were white suburbs. We see California's Latino students, now the majority, locked into schools that are vastly more segregated today than during the civil rights era, and also facing concentrated poverty. Blacks are now deeply segregated from whites and middle-class students; they also are typically a small minority within schools dominated by Latinos. To a large extent, teachers who have had extensive experience and educational opportunities are concentrated in middle class white and Asian schools, which increases inequality, placing less experienced teachers and many teachers of color in the schools that need highly experienced teachers the most, and denying white and Asian students the opportunity to learn from a truly diverse faculty.

California has tacitly accepted the *Plessy v. Ferguson* standard of "separate but equal," and California educators and local leaders act as if they can make equal schools that the Supreme Court said in *Brown* were "inherently unequal." Although a handful of much praised schools have achieved equality against the odds inherent in isolated concentrated poverty settings, a half century of efforts, under a succession of reforms since 1965, with hundreds of billions of federal and state dollars spent, has produced no evidence that this is possible on a larger scale. Californians rush to condemn racist comments by visible leaders, public or private, but accept astonishing inequalities in school opportunities by race as a normal reality and rarely seriously discuss ways to change it or even to stop its spread.

This report begins with a history of segregation and inequality in California's schools. It analyzes the changes that have occurred in the California schools since the civil rights era of the 1960s and assesses the degree to which African American and Latino students today are attending segregated or diverse schools. It looks at segregation by economic status as well as by race, and examines the links between the two that result in severe double segregation. It discusses the serious problem in some areas of linguistic isolation, which can lead to triple segregation. It also examines large districts across the state to see whether there are important variations in different regions that can point out issues that future policy should address. Importantly, this report points out ways that various institutions and groups in California could begin to turn the state back toward the goals of *Brown*—of public education that is fair for all and brings our diverse society together within our most fundamental institution to prepare students for the future. It suggests, finally, that school districts consider using the major new state funding provided by the newly enacted Local Control Funding Formula to help address these issues through voluntary strategies.

A State in Continuous Change. California was originally settled by many Indian tribes and then became a lightly populated outpost of the Spanish empire. It was briefly part of an independent Mexico before the Gold Rush and the Mexican American War. Statehood was followed by generations of vast immigrations of largely European-American residents creating what was an overwhelmingly white state, but the society of what had become America's largest state took a dramatically different turn from the 1970s to the present. In one of the great demographic transformations in the nation's history California became a predominantly nonwhite state in less than a half century.

California's population has expanded continuously and massively since the state's founding, sometimes more than doubling in a single decade. There was not a large population of Mexican American students in California at the time of *Brown*, as the state had primarily attracted streams of Anglo migration from the rest of the country for generations. Southern California was the strongest magnet, growing by 101 percent in the 1870s, 213 percent in the 1880s, and 51 percent in the 1890s. From 1900 to 1940, Southern California grew by 1,107 percent and Los Angeles by 1,536 percent.¹

By the early 20th century, the state was overwhelmingly white and its schools remained that way at the time of *Brown*. Large migrations of Latinos and blacks flowed into the state, primarily in response to a demand for labor, bringing large numbers of their children into California's public schools. The central

¹ Carey McWilliams, *Southern California*

reality of California schools now is that an unprecedented racial transformation changed the state from one with a school population that was over 80 percent white in the mid-1960s to one with a majority of Latino students; today only about one-fourth of students in the state are white. As the number of white students declined sharply as a share of the growing population and the Latino proportion soared, the proportion of African Americans declined modestly. Asians, whose numbers were insignificant in the state in the 1950s, today comprise a group that is half again as large as blacks. This process of change continues, even as birthrates for all groups and immigration have dropped substantially, and the state is experiencing a decline in the number of high school students and young workers. If California cannot educate its own people fairly and help them understand each other and live and work together effectively, it will face deeper decline and increased polarization.

A History of Discrimination. Historically, school segregation has been a contentious issue in California since it became a state. The state discriminated by law against several groups and long accepted local practices which put students in separate and highly unequal schools. California authorities had laws which overtly discriminate against some groups until a few years before the *Brown* decision. After the segregation laws ended, segregative practices remained entrenched. Many practices, public and private, allowed segregation to become far worse, especially for Latinos, the state's future majority population.

California has discriminated against many groups in many ways. The Gold Rush, which brought a sudden tidal wave of people to California from all over the world, the U.S. victory in the Mexican-American War, and the state's rapid growth produced ethnic conflicts in an openly racist society. Very early on, California enacted a strong fugitive slave act that enabled out of state slave owners to repossess their "property." In a white Protestant nation committed to the "manifest destiny" of white rule, the presence of Indians, Chinese, Mexicans, and blacks in a society that assumed white racial superiority and feared racial change triggered many forms of separation and subordination. In fact, the state constitution embodied discrimination against Asians and Indians: California Chief Justice Murray, writing in 1856, concluded in *The People v. Hall* that Asians were a "distinct people [and] a race of people whom nature has marked as inferior, and who are incapable of progress or intellectual development beyond a certain point." Nature had created an "impassible difference," he said.² As a result, community leaders and educators created segregated schools while minorities fought to have any

² *The People v. George W. Hall*, 13 Cal. 73.

schools at all. Asian schools, Indian schools, and black schools were created, along with practices that separated Mexicans from others in their own schools.³

San Francisco passed the first ordinance that attempted to use zoning powers to exclude Chinese from residing in certain parts of the city, and the Chinese community had to fight for a school.⁴ One was finally provided for them in a dank basement room in a church; this was later replaced by a new segregated school building in Chinatown. A bitter struggle in the city over access to school became an international incident when the emperor of Japan intervened. Eventually, President Theodore Roosevelt had to call the entire city school board to Washington to get them to agree to enroll Japanese children. The president promised San Francisco officials that he would take action to forbid more immigration, and he did. Immigrants from Asia were totally excluded from settling in the U.S. until Lyndon Johnson signed the 1965 immigration act, a civil rights era reform that set in motion what would become a great wave of immigration from Asia. This wave, however, was not an immigration of the poor but largely of the educated, of people with money and professions who would build extremely successful families and communities in late 20th-century California. Ironically, it was an element of the empowered Chinese community in San Francisco that brought the lawsuit ending desegregation plan for blacks and Latinos and poor isolated Asians in the city in the 1990s.

California's Japanese children experienced a shocking form of segregation during World War II, when families were rounded up and forced to move to internment camps because of racial prejudice and rumors that the Japanese were spying on the U.S. during the war, which turned out to be completely false. Earl Warren, the hero of *Brown*, supported this effort while serving as California's attorney general and governor, and in advocating for it he actively opposed the U.S. Justice Department.⁵ Interned Japanese families were encouraged to move inland, away from traditional Japanese areas, and many lost their land and businesses.⁶

³ Although California had a substantial Indian population, it had no large tribes occupying large land masses, as in other parts of the Southwest. The Indians tended to occupy small *rancherías* or to be scattered among the exploding urban communities. A few areas established segregated Indian schools, and the federal Bureau of Indian Affairs educated a significant number of students in reservation schools or in Indian boarding schools. The Indian population is now substantially less than 1 percent of the state's students, and although we could not do so in this report, we believe that the current story of Indian educational opportunity deserves serious research.

⁴ C. S. Johnson, *Patterns of Negro Segregation*. New York: Harper and Brothers, 1943, p. 173.

⁵ J. Newton, *Justice for All: Earl Warren and the Nation He Made*. New York: Riverhead Books, 2006, p. 129.

⁶ Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975*, Berkeley: Univ. of California Press, 1975. pp. 28-81.

When substantial Asian immigration to California resumed in the late 1960s, the preference systems under the act and the high cost of immigration from Asia brought a highly educated immigrant population to the state, an Asian population that resembled the early immigrants from Cuba following the Cuban Revolution, who also were largely gifted and educated. These Asians did not face serious residential segregation and were highly integrated in the public schools. There were few majority Asian schools, and the fact that Asians spoke many languages and few had any intention of returning to their country of origin meant that there was very little language segregation. The flow of Asian technical workers into California's Silicon Valley was a striking example of a truly exceptional immigration. The major exceptions were the post-Vietnam immigrants from Indochina, who included many uneducated families, some from primitive communities in Laos and Cambodia and from tribes that had supported the U.S. during the war. By and large, however, segregation did not become a significant issue for Asians in this era of extremely rapid growth in the student population, as they had become California's most integrated and educationally successful racial group.⁷

Major Latino and black settlements were late in developing. California's Mexican-origin population tripled in the 1920s, and their children became one-tenth of the state's total school enrollment, about nine-tenths of them in Southern California.⁸ World War II, with its vast military operations, had an enormous impact on California's economy and society. The massive need for labor for shipbuilding, aircraft plants, and many related industries brought the active recruitment of minority workers, which produced significant growth in the state's small African American population. During this period, communities were formed and migration paths developed that would later have a massive impact on the state and its schools. There was blatant whites-only residential discrimination, and the wartime "zoot suit" riots targeted Mexicans and other minorities in Los Angeles and other California cities.⁹

⁷ There is a great deal of writing about the "model minority myth" that disputes claims of U.S. Asians' success. It is of course true that significant Asians subgroups, particularly post-Vietnam refugees from Indochina, have experienced severe educational and economic problems. There are also some white communities with concentrated poverty and disadvantage, and there are in turn significant groups of African Americans and Latinos who have experienced substantial educational and economic success. Nonetheless, the average experiences of each of these groups are very distinctive, as the data in this report show.

⁸ C. Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855-1975*, Berkeley: Univ. of California Press, 1975.

⁹ A. M. Rose, ed., *Race Prejudice and Discrimination*. New York: Alfred A. Knopf, 1951, pp. 208-219, 270-275.

California's major segregation issues arose from what is often described as the de facto segregation of Mexican American students. Many California educators had long believed that Mexican American children would be better off in segregated schools, and the rapid increase in the number of Mexican students enrolled in the state's public schools led many communities to operate segregated Mexican schools or to create attendance boundaries that concentrated these students. Widely considered by white leaders and educators of the time to be intellectually and culturally inferior, Mexican American children were educated in separate facilities and only received an elementary education.¹⁰ In his history of discrimination in California, Wollenberg concludes that by the late 1920s "Mexicans became by far the most segregated group in California public education."¹¹

Desegregation Law and Policy. After World War II, a war against a racist dictatorship, policy on racial discrimination began to change. Mexican Americans won a famous victory in the 1947 *Mendez* case, which held that local school districts' practice of segregating Mexican American students was unconstitutional, and the state responded by repealing its segregation laws, but neither of these made much difference, as segregated housing and schools increased and little was done to stop it. At the time of *Brown*, California's African Americans were highly segregated, Latinos less so. However, the most stunning change in terms of segregation in the state is the level of Latino segregation from the 1960s to the present. Today, both blacks and Latinos are widely segregated both by race and economic status, and they often attend the same disadvantaged schools.

Brown held that the basic system of segregating black students that was in place in 17 states was deeply unequal and could not become equal because of the racist attitudes and practices inherent in a society where the dominant racial groups kept the best for themselves. This reality violated the 1868 Equal Protection Clause of the 14th Amendment to the Constitution, which mandates "equal protection of the laws," as segregation was "inherently unequal" and a fundamental injustice. The decision helped trigger a great social movement and led to a revolution in law and politics, which ended the system of apartheid in the U.S. South and made it the least segregated region in the nation for African American students. California, which had recently repealed a law legalizing the segregation of Asians and Indians and had a relatively small black population, was little affected by *Brown* during the civil rights era, despite its long

¹⁰ McWilliams, *Southern California*, pp. 110-116.

¹¹ McWilliams, *Southern California*, p. 116.

history of discrimination in education, the intense segregation of black students, and a history of segregating Latinos.

The ruling in *Brown* generated massive legal and political struggles over the fate of Southern schools, but officials in California denied that the state had a segregation problem. California school authorities refused to even count their students or publish the facts on segregation, although it was obviously spreading neighborhood by neighborhood, producing protests by civil rights organizations in minority communities.

Although *Mendez v. Westminster*, a key pre-*Brown* case decided in California in 1947, held that school districts' practice of segregating Mexican American students was unconstitutional, the case only resolved the issue for those who lived within the boundaries of attendance areas of predominantly white schools.¹² It did not address segregation arising from manipulation of boundaries or from residential segregation and it did not prescribe any ongoing oversight of the schools. That decision never went to the U.S. Supreme Court, did not define what "desegregation" meant, and was not applied to the rapid spread of de facto segregated Latino schools that were mushrooming as the Mexican American community grew, and as school boards were making decisions about school sites, boundaries, assignment patterns, etc.

It was not until 1973, more than a quarter century later, that the U.S. Supreme Court spoke about Latinos' desegregation rights under the U.S. Constitution and about the rights of urban students of color in states outside the South that had no segregation laws but where discrimination was practiced in many dimensions. The 1973 *Keyes v. Denver* decision established the conditions for getting federal urban desegregation orders outside the South. *Keyes* required desegregation only when civil rights lawyers proved a violation by showing systematic official action and policies that had the effect of segregating students of color. Therefore, the real impact of *Brown* did not reach California until the 1970s, and then only through *Keyes*. Although the Johnson administration vigorously enforced the Supreme Court's orders in the 1960s, President Nixon and his administration were opposed to and fought hard against urban desegregation in the courts. As a result, *Keyes* was not significantly implemented. In California, Governor Ronald Reagan was similarly opposed, and in 1974 the U.S. Supreme Court narrowly blocked

¹² *Mendez v. Westminster*, 64 F.Supp. 544 (S.D. Cal. 1946), aff'd, 161 F.2d 774 (9th Cir. 1947) (en banc).

desegregation orders from crossing into the suburbs, making desegregation unworkable under federal law, no matter what violation occurred, in cities with few white or middle-class students.¹³

California lawyers usually turned to the California courts rather than Federal courts because the state Supreme Court, held that segregation violated the state constitution, whatever the cause, making it much easier to win a desegregation case in the state courts. Civil rights lawyers did not have to prove a complex pattern of fostering segregation, and undermining integration over many years against the resources of school districts and their much better funded lawyers. California's education authorities implemented their own desegregation policies in small districts during the 1960s and 1970s, but state law did not require extensive proof of violations and could permit remedies that crossed district lines, as was done in the Palo Alto area. Therefore, apart from major federal cases in San Francisco and San Jose and a smaller one in Pasadena, the California desegregation battle was largely limited to state courts and to voluntary action. Berkeley and Riverside were among the first communities to desegregate their schools voluntarily.

California's Desegregation Efforts and the Persistence of Segregation

Until the 1960s, more than a decade after *Brown*, there was little systematic reporting of patterns of school segregation in California, although the state's schools had long been strictly segregated for black students. Both black and Latino students faced serious segregation in California after *Brown*, but it was much more intense for African Americans and the Latino segregation levels were much lower than those in some other areas with a large Latino population. A 1966 California survey showed that, in the state's largest school districts, 57 percent of Latino students were attending minority schools, 28 percent were in "mixed" schools, and just 15 percent were attending predominantly white schools. Blacks were then far more segregated, with 85 percent attending minority schools, 12 percent mixed schools, and only 3 percent white schools.¹⁴ By the fall of 1968, the federal Office for Civil Rights was systematically collecting enrollment data by race across the U.S. Those statistics showed significant segregation of Latinos in the elementary schools but less in high schools. Although California had the lowest level of segregation for Hispanics in the Southwest, about one-third (32.8 percent) of Mexican American

¹³ *Milliken v. Bradley* (1974).

¹⁴ T. P. Carter and R. D. Segura, *Mexican Americans in School: A Decade of Change*. New York: College Board, 1979.

elementary students were in schools with populations more than half Mexican American; that number was only one-sixth (15.6 percent) in high school.¹⁵

The civil rights revolution of the 1960s created a mixed picture in California with positive moves mixed with serious resistance. As national attention turned to urban desegregation, to investigating the roots of segregation outside the South, and to the rights of Latino students, lawsuits, local initiatives, and policy proposals sprouted in California. Pasadena, Los Angeles, and San Francisco were especially important in these developments. Berkeley,¹⁶ Riverside,¹⁷ Sacramento, and several other California communities initiated substantial voluntary desegregation programs.¹⁸

There was increasing recognition in this period within the education policy and research worlds of the inequalities associated with segregation and the desirability of integration in a state that still had a very large white majority. In 1962, the state board of education required districts to “exert all effort to avoid and eliminate segregation.”¹⁹ In 1965, the California School Boards Association urged districts to “take steps to ameliorate any imbalances that exist.”²⁰ A case in Pasadena challenged the California Supreme Court to explore the significance the state constitution had for school integration. The wartime surge of the black population in Pasadena had produced patterns of school segregation in the city's schools that were made worse by the board's creation of “neutral zones,” which enabled white families in racially evolving areas to transfer their students to a “whiter” school. In response to an NAACP lawsuit, the California Supreme Court made its first response to *Brown* in its 1963 *Jackson v. Pasadena* decision, which found the city guilty of intentional segregation and ordered a remedy. The court went on to rule that the state constitution required action even when there was no proof of intent: “The right to equal opportunity for education and the harmful consequences of segregation require that school boards take steps, insofar as is reasonably feasible, to alleviate racial imbalance in schools regardless of its cause.”²¹

¹⁵ Carter and Segura, *Mexican Americans in School*, p. 137.

¹⁶ Neill Sullivan, *Now Is the Time: Integration in the Berkeley Schools*. Bloomington: University of Indiana Press, 1969.

¹⁷ F. M. Wirt, *School Desegregation in the North: The Challenge and the Experience*. San Francisco: Chandler Publishing 1967, pp. 116-128.

¹⁸ T. P. Carter, *Mexican Americans in School: A History of Educational Neglect*. New York: College Board, 1970, pp. 73-74.

¹⁹ Wollenberg, *Segregation*,] p. 143.

²⁰ Carter, *Mexican Americans in School*, 73.

²¹ Wollenberg, *Segregation*, p. 142.

In the wake of the *Jackson* decision, the state carried out a racial survey of segregation, something educators had previously refused to do by claiming to be “colorblind.” The survey showed that the state student population was 8 percent black, 13 percent Latino, 2 percent Asian, and slightly more than 75 percent white. Early studies documented the inequalities among schools with different racial compositions. The California legislature enacted the Bagley Act in 1971, which made California school officials responsible for integrating their districts. The law was strongly criticized, however, and a referendum was organized to repeal it. Proposition 21, known as the Wakefield Anti-Busing Initiative, was enacted by the voters the next year, which quickly led to the repeal of the requirement,²² even as the Nixon administration was strongly attacking busing orders.²³

A desegregation battle developed in Los Angeles in 1962, when civil rights groups asked the Los Angeles school board to act against segregated schools. The board denied that there was a problem and claimed to be running a neutral neighborhood school system, although it refused to collect any statistics. Finally, in 1966, the school system was required by the state to collect data. The resulting survey showed that black students in Los Angeles were attending eight highly segregated high schools, 13 junior highs, and 72 elementary schools; only a few black students attended some of the 400 predominantly white schools.²⁴ A desegregation case was filed against the Los Angeles district, and after a lengthy trial, Superior Court Judge Gitelson ordered the district to begin desegregation and to eliminate majority minority schools by 1972.²⁵ The decision was attacked by the Los Angeles mayor, by President Nixon, and by the state superintendent of public instruction. Governor Ronald Reagan called this decision by a Republican judge “utterly ridiculous.” The case was appealed, no desegregation took place, and the judge was defeated in a reelection bid after a nasty campaign later in 1970.²⁶ In the aftermath, no local judges would take the case, and it was assigned to Paul Egly, a judge from San Bernardino County. In 1976, after a long delay, the California Supreme Court ordered Los Angeles to desegregate its schools.²⁷ By that time, nearly a decade after the case was originally filed, the school board reported that 101,000 minority students were attending 113 elementary schools that were 99-100

²² F. Kemerer and P. Sampson, *California School Law* (2nd ed.). Palo Alto: Stanford University Press, 2009.

²³ Orfield and Eaton, *Dismantling Desegregation*.

²⁴ J. W. Caughey, *Segregation Blights Our Schools*. Los Angeles: Quail Books, 1967, pp. 14-19.

²⁵ *Crawford v. Board of Education* (Calif. Super. Ct. Los Angeles County, No. 822, 854, 1970).

²⁶ Wollenberg, *Segregation*, pp. 158-160.

²⁷ *Crawford v. Board of Education*, 130 Cal. Rptr. 724 (1976).

percent nonwhite, and 53,000 more students attended 70 other schools that were more than 80 percent nonwhite. Another 91,000 students of color attended segregated middle and high schools.²⁸

Los Angeles finally began limited school integration in 1979, after voters adopted Proposition I. Egly was shocked when the high courts accepted the legitimacy of this restriction on the rights of blacks and Latinos: "I believed that with the passage of Prop I, if declared constitutional, desegregation efforts by the court would be finished." The California Supreme Court had been the bedrock of the state's desegregation effort and civil rights lawyers believed the court would strike down the proposition, but, as Egly recalled, "the California Supreme Court refused to hear the case. The case was then handed back to the Appellate Court effectively ending the California litigation."²⁹ "I truly believe," Egly said, "that the court was ducking the case for political and personal reasons. I was ashamed of the court."³⁰ The next year, the U.S. Supreme Court rejected a challenge to the proposition, although in the 1960s it had overturned the California proposition forbidding fair housing laws.³¹ Civil rights groups in Los Angeles simply never had the money to pursue a federal lawsuit against the Los Angeles system. Moreover, it was now the Reagan era and the justice department and the federal courts were becoming far more conservative on school desegregation and on civil rights in general.

Proposition I ended the last state effort to push for desegregation. Under federal law civil rights plaintiffs would have needed millions of dollars to prove the historic violations occurring in the city, and any remedy would be limited to the single district. The plaintiffs attempted to bring a federal court case but could not raise the necessary funds. The upshot in Los Angeles was the abandonment of the partial plan that had been briefly implemented. Nothing remained but a small voluntary transfer and magnet school plan, which was not supervised by the court. Los Angeles became the first city in the U.S. to abandon its court-ordered desegregation plan. Though opponents had argued that the decline of whites in the district would change with no desegregation, the changes continued. There was to be no remedy for desegregation in the nation's second largest school district, which served the nation's largest Latino community and the largest black community in the West.

Ongoing conflicts in Pasadena brought a key issue to the U.S. Supreme Court in 1976. Spreading housing segregation, together with boundary and student assignment policies, were increasing

²⁸ *Crawford v. Board of Education*, 72.

²⁹ *Crawford v. Board of Education*, 138.

³⁰ *Crawford v. Board of Education*, 144.

³¹ *Crawford v. Board of Education of Los Angeles*, 458 U.S. 527 (1982).

segregation in Pasadena, and civil rights lawyers went to court to request an update of the desegregation plan. Pasadena resisted strongly, however, and appealed the case to the U.S. Supreme Court. By this time, President Nixon had appointed four far more conservative judges to the Court. In the *Spangler* decision, the Court ruled that there was no ongoing responsibility to adjust a desegregation plan as a city's population changed.³² Since all cities are constantly changing in a society where the average family moves every five or six years and the boundaries of minority communities are spreading, this was a severe threat to the long-term viability of urban desegregation plans across the country. Two years earlier the Court had blocked city-suburban desegregation in Detroit, despite conclusions by the conservative trial judge and the court of appeals that serious city and state violations of minority students' rights had occurred and that there was no viable remedy within the city. Both California and the country were getting to a point where it was often difficult to win any viable remedy.

The other epic California legal battle over desegregation took place in San Francisco, the most ethnically complex large city in the nation. San Francisco, California's first great city, has always been the center of Asian population in the U.S. During World War II, large black and Latino populations were recruited to satisfy the enormous demand for wartime labor in shipbuilding and other fields. Highly segregated black communities developed in Bayview-Hunter's Point and other areas, and the large public housing projects were intensely segregated. The federal lawsuit was brought by African Americans, who were then San Francisco's largest minority community and highly segregated. *Johnson v. San Francisco* resulted in a court order in 1971 requiring limited desegregation.³³

The resultant effort to integrate schools fell seriously short, however, especially in heavily African American areas, so the plaintiffs returned to court. Rather than a traditional trial, however, Judge William Orrick directed the parties to appoint experts and the court appointed its own two experts.³⁴ When the settlement was developed after long negotiations, it included major education reforms, especially at the schools that were still segregated. It relied on radically reorganizing and improving the most segregated schools, creating more magnet schools and encouraging voluntary transfers to create multiracial schools, and capping the percentage of students from any one of eight groups in a school. The court approved a consent decree that brought radical changes, including the reconstitution of failing

³² *Pasadena City Board of Education v. Spangler*, 427 U.S. 424 (1976), at 436.

³³ *Johnson v. San Francisco Unified School Dist.*, 339 F. Supp. 1315 (N.D. Cal. 1971).

³⁴ The school district, the NAACP, and the state of California appointed their experts, and the court appointed two experts (including the author) to negotiate a possible settlement.

segregated schools, new magnet efforts, special funding for reforms in other heavily minority schools, and a national search outside the union contract for the best teachers for the new schools.³⁵ The decree remained in effect, with some added elements, until 1999, and some key elements remained in place until the court ended the effort in 2005. The plan was ultimately ended by a lawsuit supported by one faction of the city's Chinese community.³⁶ The U.S. Supreme Court decisions in the 1990s on the termination of desegregation plans set the stage for ending this plan; although it had produced substantial desegregation and some notable educational breakthroughs, major resegregation developed soon after the plan ended, as reported by the state monitor.³⁷

Despite the limits of these legal efforts in California, desegregation in some parts of the state did advance for a time. During the desegregation era, a sharp decline in the segregation of blacks in San Diego occurred as a result of the state lawsuit, where the dissimilarity index fell from 79 in 1967 to 42 in 1986. There was also a decline in Los Angeles, from 91 in 1967 to 69 by 1988, which no doubt reflected not only the limited school desegregation effort but also the outward residential movement from Watts and the South Central area, the historic center of black Los Angeles. The Los Angeles index showed strong and persistent segregation but small gains. In New York City during this same period segregation actually increased from 62 to 74.³⁸ Even these modest positive trends in California would be reversed in the coming years.

The upshot of these and other legal battles is that no state or federal requirement calls for further desegregation in California, unless there is proof of new violations, and the California state constitution now includes anti-desegregation provisions. On the other hand, any indirect pursuit of integration by geographic area, by language background, by persistent poverty, or by neighborhood racial composition is still permissible under federal and state law. The Berkeley school district, for example, which has been a leader on these issues for almost half a century, developed a remedy that has been affirmed by California courts. Districts that still have a residual court order have far more freedom to consider a broad range of alternatives and any proof of new discrimination could trigger a new court order.

After the U.S. Supreme Court supported the termination of existing desegregation plans in its 1991 *Dowell* decision, it became impossible to sustain major federal court-ordered desegregation plans in

³⁵ *San Francisco NAACP v. SFUSD*, 576 F. Supp. 34 (N.D. Cal. 1983).

³⁶ *Brian Ho v. San Francisco USD*

³⁷ S. Biegel, *Education and the Law* (3rd ed.). St. Paul, MN: West Publishing, 2012, pp. 399-406.

³⁸ CRP calculations from U.S. Office for Civil Rights data.

California. The Court ruled in *Dowell* that desegregation orders were temporary and that after a district complied with its court order for a time, it should be declared unitary and return to local control, even if the local decisions produced segregated schools. Following that decision, the major orders in San Francisco and San Jose were dropped by the federal courts.³⁹ Further weakening the possibility of desegregation was the 2007 U.S. Supreme Court decision in the *Parents Involved*,⁴⁰ which undermined voluntary desegregation by forbidding choice programs and magnet schools that assigned students to schools with integration policies that set aside seats for underrepresented groups to ensure diversity in the schools. Such efforts had been actively encouraged by federal courts and civil rights officials for 40 years as a voluntary way to use choice and attractive educational programs to create successfully diverse schools. In the aftermath of that decision, conservative legal action groups challenged the Los Angeles magnet school plan and the desegregation policy in Berkeley. Both challenges, however, were defeated in the California courts because Berkeley relied on the racial composition of small neighborhoods, not individual students, in its desegregation plans,⁴¹ and because Los Angeles was still under a modest magnet school court order that made it exempt from the *Parents Involved* standard.⁴²

The upshot of all these legal battles is that little has been done in California to realize the desegregation rights of Latinos established by the Supreme Court four decades ago in *Keyes*, and there currently is no state or federal mandate requiring further desegregation in California in the absence of proof of new violations, even though magnet school policies from the desegregation era may be illegal and the California state constitution includes anti-busing provisions. On the other hand, any indirect pursuit of integration by geographic area, language background, persistent poverty, or a neighborhood's racial composition are still permissible, and districts that still have a residual court order in place have the freedom to explore a broad range of alternatives.

The Harms of Segregation

Early studies of Mexican segregation documented inequalities and reported strong bias against Mexican students in the community and schools. For example, one study of junior high students in Los Angeles in the 1960s found that those who were born in Mexico and spoke Spanish as the home language

³⁹ If new violations were proved, new remedies might be forthcoming.

⁴⁰ *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 551 U.S. 701 (2007).

⁴¹ G. Orfield and E. Frankenberg, *Educational Delusions*. Berkeley: University of California Press, 2013, pp. 69-88.

⁴² M. Landsberg and J. Rubin, "L.A. Unified Can Use Race-Based Formula for Admissions, Judge Rules." *Los Angeles Times*, December 12, 2007.

actually got higher grades than those born in the U.S. The author concluded that “a process of ghettoization takes place, in which the longer a family line remains in the large, segregated Mexican American communities of the Los Angeles area, the more inward-grown they become and the less inclined to acculturation and achievement in the Anglo culture.”⁴³ He found that these students’ achievement level was significantly related to the percentage of white students in their schools. The question was whether or not California was going to offer Latinos the same opportunities to enter the mainstream that white newcomers had enjoyed.

There were repeated warnings of deepening inequality in California’s schools. A 1986 study of data from the late 1970s found that, “by grade three, 81.4 percent of Hispanics and 84.5 percent of blacks sampled are attending schools that are below the statewide average in achievement scores.”⁴⁴ The researchers found that 78 percent of black third graders and 58 percent of Hispanics were attending a school that was in the lowest achievement quartile, which compared to 14 percent of whites and 27 percent of Asians.⁴⁵ They found a significant relationship between students’ test scores and their social isolation. They were able to identify a small number of successful segregated grade schools with a high concentration of black and Latino students, but successful segregated high schools were almost nonexistent.⁴⁶ The authors concluded:

California Hispanic students, even in the earliest grades, are highly concentrated in segregated schools where the average achievement level is seriously lower . . . The same pattern holds through all grade levels . . . It means, of course, that a student of above-average potential in a Hispanic neighborhood would be very likely to attend a school with less challenging classmates and lower than average expectations than a similar Anglo student.

They suggested that this was “one of the key mechanisms by which educational inequality is perpetuated and by which talented students are denied the opportunity for equal preparation for college.”⁴⁷

A generation later, Patricia Gándara analyzed the racial concentration of students in schools as classified by API scores, the state’s current rating system. She found that almost half of Asian students (49 percent)

⁴³ W. L. Kimball, “Parent and Family Influences on Academic Achievement among Mexican-American Students,” unpublished doctoral dissertation, UCLA, 1968, pp. 217-220.

⁴⁴ R. Espinosa and A. Ochoa, “Concentration of California Hispanic Students in Schools with Low Achievement: A Research Note,” *American Journal of Education* 95, no. 1 (1986): 80.

⁴⁵ Espinosa and Ochoa, “Concentration of California Hispanic Students,” p. 81.

⁴⁶ Espinosa and Ochoa, “Concentration of California Hispanic Students,” pp. 83-85.

⁴⁷ Espinosa and Ochoa, “Concentration of California Hispanic Students,” p. 95.

and about 40 percent of whites are in the top two deciles of schools in the state in terms of API ratings, as compared to only 12 percent of blacks and 9 percent of Latinos. Research over a half century has shown that students' academic success is significantly related to the success of the peer groups they attend school with, therefore the fact that some racial and ethnic groups have 4 to 6 times more access to the best high schools than others is a serious matter in a state where affirmative action college admissions are illegal.

The consensus of nearly 60 years of social science research on the harm caused by school segregation is that racially and socioeconomically isolated schools are strongly related to an array of factors that limit educational opportunities and outcomes. These factors include less experienced and less qualified teachers, high teacher turnover, less successful peer groups, and inadequate facilities and learning materials. One recent longitudinal study showed that having a strong teacher in the elementary grades had a long-lasting, positive impact on students' lives, including lower teen pregnancy rates, a higher level of college attendance, and higher earnings.⁴⁸ Unfortunately, we also know that highly qualified and experienced teachers are spread unevenly across schools and are much less likely to remain in segregated or resegregating settings.⁴⁹

Findings that the academic performance of classmates is strongly linked to educational outcomes for poor students date back to the 1966 Coleman Report commissioned by the U.S. Congress. The central conclusion of that report (and numerous follow-ups) was that the concentration of poverty in a school influenced student achievement more than the poverty status of an individual student, although the latter was also important.⁵⁰ This finding relates to whether high academic achievement, homework

⁴⁸ R. Chetty, J. N. Friedman, and J. E. Rockoff, *The Long-Term Impacts of Teachers: Teacher Value-Added and Student Outcomes in Adulthood*, NBER working paper no. 17699. Cambridge, MA: National Bureau of Economic Research, 2011. Retrieved from http://obs.rc.fas.harvard.edu/chetty/value_added.pdf.

⁴⁹ C. Clotfelter, H. Ladd, and J. Vigdor, "Who Teaches Whom? Race and the Distribution of Novice Teachers," *Economics of Education Review* 24, no. 4 (2005): 377-392; S. Rivkin, E. Hanushek, and J. Kain, "Teachers, Schools, and Academic Achievement," *Econometrica*, vol. 73, issue 2, (2005), pp. 417-458. Also see, for example, H. Lankford, S. Loeb, and J. Wyckoff, "Teacher Sorting and the Plight of Urban Schools: A Descriptive Analysis," *Educational Evaluation and Policy Analysis* 24, no. 1 (2002): 37-62; S. Watson, *Recruiting and Retaining Teachers: Keys to Improving the Philadelphia Public Schools*. Philadelphia: Consortium for Policy Research in Education, 2001. In addition, one research study found that, in California schools, the percentage of unqualified teachers is 6.75 times higher in high-minority schools (more than 90 percent minority) than in low-minority schools (less than 30 percent minority). See L. Darling-Hammond, "Apartheid in American Education: How Opportunity Is Rationed to Children of Color in the United States." In T. Johnson, J. E. Boyden, and W. J. Pitz, eds., *Racial Profiling and Punishment in U.S. Public Schools*. Oakland, CA: Applied Research Center, 2001, pp. 39-44.

⁵⁰ G. Borman, and M. Dowling, "Schools and Inequality: A Multilevel Analysis of Coleman's Equality of Educational Opportunity Data." *Teachers College Record* 112, no. 5 (2010): 1201-1246.

completion, regular attendance, and attending college are normalized by peers.⁵¹ Schools serving low-income and segregated neighborhoods have been shown to provide less challenging curricula than schools in more affluent communities, which largely serve white and Asian students.⁵² High-stakes testing has hurt minority-segregated schools, as it leads to a focus on learning rote skills and test-taking strategies and often takes the place of creative, engaging teaching.⁵³ By contrast, students in middle-class schools normally have little trouble with high-stakes exams, so these schools and their teachers are able to broaden the curriculum.

Segregated schools are also significantly less likely than more affluent schools to offer AP or honors-level courses.⁵⁴ Additional findings on expulsion rates, dropout rates, success in college, test scores, and graduation rates underscore the negative impact of segregation. Student discipline is harsher and the expulsion rate is much higher in minority-segregated schools than in those that are wealthier and whiter.⁵⁵ Dropout rates are also significantly higher in segregated and impoverished schools (nearly all of the 2,000 U.S. schools considered “dropout factories” are doubly segregated by race and poverty),⁵⁶

⁵¹ R. Kahlenberg, *All Together Now: Creating Middle Class Schools through Public School Choice*. Washington, DC: Brookings Institution Press, 2001.

⁵² R. W. Rumberger, and G. J. Palardy, “Does Segregation Still Matter? The Impact of Student Composition on Academic Achievement in High School.” *Teachers College Record* 107, no. 9 (2005): 1999-2045; C. M. Hoxby, “Peer Effects in the Classroom: Learning from Gender and Race Variation,” NBER working paper no. 7867. Cambridge, MA: National Bureau of Economic Research, 2000; J. W. Schofield, “Ability Grouping, Composition Effects, and the Achievement Gap.” In J. W. Schofield, ed., *Migration Background, Minority-Group Membership and Academic Achievement Research Evidence from Social, Educational, and Development Psychology*. Berlin, Germany: Social Science Research Center, 2006, pp. 67-95.

⁵³ C. Knaus, “Still Segregated, Still Unequal: Analyzing the Impact of No Child Left Behind on African-American Students.” In National Urban League, ed., *The State of Black America: Portrait of the Black Male*. Silver Spring, MD: Beckham Publications Group, 2007, pp. 105-121.

⁵⁴ G. Orfield and S. E. Eaton, *Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education*. New York: New Press, 1996; G. Orfield and C. Lee, *Why Segregation Matters: Poverty and Educational Inequality*. Cambridge, MA: The Civil Rights Project, 2005.

⁵⁵ Exposure to draconian, “zero tolerance” discipline measures is linked to dropping out of school and subsequent entanglement with the criminal justice system, a very different trajectory than attending college and developing a career. Advancement Project and The Civil Rights Project, *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies*. Cambridge, MA: The Civil Rights Project, 2000. Retrieved from <http://civilrightsproject.ucla.edu/research/k-12-education/school-discipline/opportunities-suspended-the-devastating-consequences-of-zero-tolerance-and-school-discipline-policies/>.

⁵⁶ R. Balfanz and N. E. Legters, “Locating the Dropout Crisis: Which High Schools Produce the Nation’s Dropouts? In G. Orfield, ed., *Dropouts in America: Confronting the Graduation Rate Crisis*. Cambridge, MA: Harvard Education Press, 2004, pp. 57-84; C. Swanson, “Sketching a Portrait of Public High School Graduation: Who Graduates? Who Doesn’t?” In Orfield, *Dropouts in America*, pp. 13-40.

and research indicates that students who do graduate are less likely to be successful in college, even after controlling for test scores.⁵⁷ Segregation, in short, has a strong and lasting impact.⁵⁸

Desegregated schools give students of all races the opportunity to learn and work with children from a range of backgrounds. Such settings foster the critical thinking skills that are increasingly important in today's multiracial society, as they help students understand a variety of different perspectives.⁵⁹ Integrated schools are also linked to a reduction in stereotyping,⁶⁰ and students attending integrated schools report a heightened ability to communicate and make friends across racial lines.⁶¹ Moreover, desegregated schools are associated with minority student's heightened academic achievement,⁶² with no corresponding detrimental impact on white students.⁶³ Black students who attend desegregated schools are substantially more likely to graduate from high school and college, in part because they are exposed to a challenging curriculum and the social networks that support such goals.⁶⁴ Earnings and physical well-being are also positively impacted: a recent study by a Berkeley economist found that black

⁵⁷ E. Camburn, "College Completion among Students from High Schools Located in Large Metropolitan Areas." *American Journal of Education* 98, no. 4 (1990): 551-569.

⁵⁸ A. S. Wells and R. L. Crain, "Perpetuation Theory and the Long-Term Effects of School Desegregation." *Review of Educational Research* 64 (1994): 531-555; J. H. Braddock and J. McPartland, "Social-Psychological Processes That Perpetuate Racial Segregation: The Relationship between School and Employment Segregation." *Journal of Black Studies* 19, no. 3 (1989): 267-289.

⁵⁹ J. Schofield, "Review of Research on School Desegregation's Impact on Elementary and Secondary School Students." In J. A. Banks and C. A. M. Banks, eds., *Handbook of Multicultural Education*. New York: Macmillan, 1995, pp. 597-616.

⁶⁰ R. Mickelson and M. Bottia, "Integrated Education and Mathematics Outcomes: A Synthesis of Social Science Research." *North Carolina Law Review* 88 (2010): 993; T. Pettigrew and L. Tropp, "A Meta-Analytic Test of Intergroup Contact Theory." *Journal of Personality and Social Psychology* 90, no. 5 (2006): 751-783; D. Ready and M. Silander, "School Racial and Ethnic Composition and Young Children's Cognitive Development: Isolating Family, Neighborhood and School Influences." In E. Frankenberg and E. DeBray, eds., *Integrating Schools in a Changing Society: New Policies and Legal Options for a Multiracial Generation* (pp. 91-113). Chapel Hill: The University of North Carolina Press, 2011, pp. 91-113.

⁶¹ M. Killen, D. Crystal, and M. Ruck, "The Social Developmental Benefits of Intergroup Contact among Children and Adolescents." In E. Frankenberg and G. Orfield, eds., *Lessons in Integration: Realizing the Promise of Racial Diversity in American Schools*. Charlottesville: University of Virginia Press, 2007, pp. 31-56.

⁶² J. Braddock, "Looking Back: The Effects of Court-Ordered Desegregation." In C. Smrekar and E. Goldring, eds., *From the Courtroom to the Classroom: The Shifting Landscape of School Desegregation*. Cambridge, MA: Harvard Education Press, 2009, pp. 3-18; R. Crain and R. Mahard, "The Effect of Research Methodology on Desegregation-Achievement Studies: A Meta-Analysis." *American Journal of Sociology* 88, no. 5 (1983): 839-854; J. Schofield, "Review of Research on School Desegregation's Impact on Elementary and Secondary School Students." In J. A. Banks and C. A. M. Banks, eds., *Handbook of Multicultural Education*. New York: Macmillan, 1995, pp. 597-616.

⁶³ J. Hoschild and N. Scrovnick, *The American Dream and the Public Schools*. New York: Oxford University Press, 2004.

⁶⁴ J. Guryan, "Desegregation and Black Dropout Rates." *The American Economic Review* 94, no. 4 (2004): 919-943; J. E. Kaufman and J. Rosenbaum, "The Education and Employment of Low-Income Black Youth in White Suburbs." *Education Evaluation and Policy Analysis* 14 (1992): 229-240.

students who attended desegregated schools for at least five years earned 25 percent more than their counterparts in segregated schools. By middle age, the same group was also in far better health.⁶⁵ Perhaps most important of all is evidence that school desegregation can have a perpetuating effect across generations. Students of all races who attend integrated schools are more likely to seek out integrated colleges, workplaces, and neighborhoods later in life, which in turn may provide integrated educational opportunities for their own children.⁶⁶

Of course these benefits are not automatic, and much depends on how diversity is handled within a school. In 1954, Gordon Allport, a prominent Harvard social psychologist, suggested that four key elements are necessary for positive contact across different racial groups.⁶⁷ Allport theorized that all group members need to be given equal status, that guidelines must be established for working cooperatively, that group members need to work toward common goals, and that strong leadership that is visibly supportive of intergroup relationship-building was necessary. Over the past 60-odd years, Allport's conditions have held up in hundreds of studies of diverse institutions across the world.⁶⁸ This does not mean that desegregation solves all problems of inequality, some of which are deeply rooted outside the schools, or that segregated schools are not sometimes able to succeed on a number of these dimensions, but it does mean that students are significantly more likely to succeed if they attend diverse schools and white students experience no losses in achievement while gaining in terms of preparing to live and work successfully in a multiracial society.

How Schools Become Segregated

Although often referred to as “de facto,” the segregation of Mexicans and the growing segregation of black students in California after the large migration of the 1940s did not just happen, it was the product of the discrimination found in virtually every city outside the South. This discrimination took many forms: gerrymandering attendance boundaries to separate minority and white students, permitting white

⁶⁵ R. C. Johnson and R. Schoeni, “The Influence of Early-Life Events on Human Capital, Health Status, and Labor Market Outcomes over the Life Course.” *The B.E. Journal of Economic Analysis & Policy Advances* 11, no. 3 (2011): 1-55.

⁶⁶ R. Mickelson, “Exploring the School-Housing Nexus: A Synthesis of Social Science Evidence.” In P. Tegeler, ed., *Finding Common Ground: Coordinating Housing and Education Policy to Promote Integration*. Washington, DC: Poverty and Race Research Action Council, 2011, pp. 5-8; A. S. Wells and R. L. Crain, “Perpetuation Theory and the Long-Term Effects of School Desegregation.” *Review of Educational Research* 6 (1994): 531-555.

⁶⁷ G. Allport, *The Nature of Prejudice*. Cambridge, MA: Addison-Wesley, 1954.

⁶⁸ T. Pettigrew and L. Tropp, “A Meta-Analytic Test of Intergroup Contact Theory.” *Journal of Personality and Social Psychology* 90, no. 5 (2006): 751-783.

students from areas with substantial nonwhite enrollment to transfer elsewhere, assigning teachers based on race, concentrating inexperienced or un-credentialed teachers in minority schools, offering minority students an unequal curriculum, segregating students within diverse schools through tracking and assignment to special education, and many others.⁶⁹ When housing was built for the poor, it was located and tenanted to produce neighborhoods and schools that were intensely segregated by both race and persistent poverty, forcing students to attend weak, segregated schools, even in the recent past.⁷⁰

Housing and Schools. Housing segregation was a basic element causing school segregation. Housing discrimination and developing separate communities for Mexican Americans and whites began early in California's cities, and African Americans were rigidly segregated. One study of racial change in Los Angeles found that as soon as a neighborhood approached a 2 percent black population it would almost always resegregate irreversibly. Since minorities were able to live only in limited zones, there was great demand for housing in new areas opened up for black homeseekers and the practice in the real estate business was to encourage whites to sell, often in a panic over racial change, and steering new white homeseekers to other areas. Since U.S. families typically move every five or six years, this could quickly change neighborhoods.⁷¹ A statistical study conducted for the Los Angeles Superior Court during the Los Angeles desegregation trial in the 1970s concluded that it took an average of seven years from the time blacks first entered a classroom for a neighborhood school to resegregate.⁷² Racially restrictive covenants that prohibited the sale of a home to blacks and others, including Mexicans and Jews, were used extensively in California, which often left minorities facing legally enforceable prohibitions that prevented them from buying a home in any surrounding community, even if a seller were willing to make such a transaction. These covenants were fostered by federal mortgage policies, and racial boundaries were often defended with violence and intimidation. Public housing and other forms of subsidized housing were blocked within white areas and concentrated in ways that reinforced and even intensified housing segregation.

⁶⁹ G. Orfield, *Must We Bus? Segregated Schools and National Policy*. Washington, DC: Brookings Institution Press, 1978, pp. 19-22.

⁷⁰ D. Pfeiffer, *The Opportunity Illusion: Subsidized Housing and Failing Schools in California*. Los Angeles: The Civil Rights Project/Proyecto Derechos Civiles, 2009. Retrieved from <http://www.civilrightsproject.ucla.edu/research>.

⁷¹ J. M. McQuiston, "Negro Residential Invasion in Los Angeles County," unpublished doctoral dissertation, University of Chicago, 1969.

⁷² Report of Bernard Gifford to the Los Angeles Superior Court, 1979.

Although California has a self-image of being diverse and progressive, a referendum at the peak of the civil rights movement in 1964 painted a much less positive picture. By a large majority, California voters supported a proposition that wrote what would have been a permanent prohibition against a fair housing law into the state constitution. One very active supporter of that proposition, Ronald Reagan, who also fought the historic 1964 Civil Rights Act, became governor of California two years later. This proposition was struck down only by a decision by the U.S. Supreme Court. Five more major propositions limiting civil rights were adopted by California voters in the next three decades, two of them limiting school desegregation and one blocking college integration through affirmative action policies.

Historically, California's black population has been much more segregated residentially than Latinos. On a scale known as the dissimilarity index, in which absolute segregation by race is 100 and random distribution of population among two groups is zero, the segregation between blacks and whites in Los Angeles in 1960 was a very high 88, while the segregation between Hispanics (then measured by Spanish surname) and whites was 57. Latinos and blacks were also highly segregated from each other at a level of 76. In San Francisco, the Latino-white number was only 37 and the black-white number was 66.⁷³ In 1980, Los Angeles was classified as hyper-segregated for African Americans, with an index of 81; the San Francisco-Oakland index was 72.⁷⁴

The 2010 U.S. Census showed that Los Angeles is the most residentially segregated large metropolitan area in the U.S. in terms of the even distribution of Latinos and whites. Three other California metro areas—Salinas, Oxnard-Ventura, and Santa Ana-Anaheim-Irvine—were also in the top nine most segregated in the country. Four of the nine most segregated areas were within the greater Los Angeles megalopolis, followed closely by the Bakersfield-Delano region, the San Francisco-San Mateo area, and the greater San Diego region. Los Angeles ranks among the nation's most segregated large metropolitan areas for Latinos, with a dissimilarity index of 63, up from 57 in 1980. Almost a half century since the federal fair housing law was passed the level of segregation is getting worse, independently of population changes. At the other end of the spectrum, the state's least segregated metro areas were Stockton, Modesto, and Sacramento. When looking at another measure—the level of isolation in the

⁷³ K. Taeuber and A. Taeuber, *Negroes in Cities*, New York: Atheneum, 1969,, p. 67.

⁷⁴ D. Massey and N. Denton, *American Apartheid: Segregation and the Making of the American Underclass*, Cambridge: Harvard Univ. Press, 1990

most heavily Latino neighborhoods—Salinas and Los Angeles were among the worst and Sacramento was clearly the best.⁷⁵

In 2010, California had only three of the nation's 50 metro areas with the most black residents, but 16 of the 50 most populated metro areas for Latinos and 10 of the top 25 for Asians.⁷⁶ Segregation of African Americans in metropolitan Los Angeles was by 2910 virtually the same as for Latinos, although blacks were substantially less segregated in the Inland Empire Riverside-San Bernardino area. Blacks in Los Angeles and Oakland, which are among the 50 U.S. metro areas with the largest black populations, had far fewer black neighbors than most large metros elsewhere and African Americans living in Riverside-San Bernardino had only 13 percent black neighbors, the second lowest.⁷⁷ This reflects the large number of Latino neighbors.

Housing segregation is a root cause of school segregation. Any long-term policy to foster increased and lasting school integration must determine how to enforce fair housing and affordable housing policies more effectively. Plans to avoid the kind of resegregation that now affects an increasing number of suburban rings would be greatly facilitated by collaboration with municipal and housing agencies.⁷⁸

California schools now face severe segregation in a state with segregated communities and no significant state or federal policies pressing for integration of schools or housing. Our new study shows the results of a history of half measures, mostly abandoned, on an issue that is clearly directly related to educational opportunity in the state. In a state with excellent public universities, but with fiercely competitive admissions, where few of the gains of California's abundance go to those without colleges, a separate and unequal system of public schools is a fundamental threat to its future.

⁷⁵ J. R. Logan and B. Stults, "The Persistence of Segregation in the Metropolis: New Findings from the 2010 Census," census brief prepared for Project US2010, 2011, pp. 12-16. Retrieved from <http://www.s4.brown.edu/us2010>.

⁷⁶ Logan and Stults, "The Persistence of Segregation,"

⁷⁷ Logan and Stults, "The Persistence of Segregation," pp. 6-9.

⁷⁸ G. Orfield and E. Frankenberg, *The Resegregation of Suburban Schools: A Hidden Crisis in American Education*. Cambridge, MA: Harvard Education Press, 2012.

Current Data on Segregation in California

California as a National Leader in Segregation

Since the civil rights era, there has been a major increase in the concentration of Latinos in intensely segregated schools across the West. In 1968, only 12 percent of Latinos in the West attended intensely segregated schools (those with 90 percent to 100 percent students of color); by 2011 this share had nearly quadrupled to 45 percent. This trend has been particularly pronounced in California, where Latino and African American students are among the nation's most segregated, which calls into question the state's racially progressive self-image.

Table 1: Latino Segregation across U.S., 1968-2011; Percentage of Latino Students in 90%-100% Minority Schools, 1968, 1988, 1991, 2001, and 2011

	1968	1988	1991	2001	2011	Change from 1968-2011 (% Change)	Change from Past Decade (% Change)
South	33.7	37.9	38.6	39.9	41.5	7.8 (23.1)	1.6 (4.0)
Border	---	---	11.0	14.2	20.0	---	5.8 (40.8)
Northeast	44.0	44.2	46.8	44.8	44.2	0.2 (0.5)	-0.6 (-1.3)
Midwest	6.8	24.9	20.9	24.6	26.2	19.4 (285.3)	1.6 (6.5)
West	11.7	27.5	28.6	37.4	44.8	33.1 (282.9)	7.4 (19.8)

Source: Computation from NCES Common Core of Data 1991-2011, from Office for Civil Rights survey data for prior years

California ranks as the most segregated state in terms of the share of blacks who attend majority white schools, a measure often used in the state during the civil rights era. Only one-sixteenth of black students had this experience in 2011 (6.3 percent), which compares to twice that number in Texas and much higher numbers across the South, despite that region's history of de jure segregation. New York State has the worst overall record for black students. California ranks third, after New York and Illinois, in the percentage of nonwhite students in the typical black student's school—just 17.9 percent.⁷⁹ Thus the average black student in California now attends a school with a population that is 82 percent students of color. In spite of considerable resegregation in the South, which has a much higher share of black students, Southern black students are more than three times as likely as those in California to be in a majority white school.

⁷⁹ G. Orfield and E. Frankenberg with J. Ee and J. Kuscera, *Brown at 60: Great Progress, a Long Retreat and an Uncertain Future*. Los Angeles: The Civil Rights Project/Proyecto Derechos Civiles, 2014.

The record for Latino students is worse. There has been an increase in the concentration of Latinos in intensely segregated schools across the West. In 1968, only one-ninth of Latinos in the West attended intensely segregated schools, that is, with 90 percent to 100 percent students of color. By 2011 this share had nearly quadrupled to 45%.

A State Experiencing a Transformation

California’s school enrollment has changed radically since 1993, continuing the dramatic change that began in the 1970s. In the mid-20th century, California was known as a state that was 90 percent white, with blond girls on beaches, guys driving convertibles and surfing, and an enormous wave of people flowing in from all other parts of the U.S., but little from other countries. In the last two decades California’s student enrollment grew by about a million students. That growth had ended by 2002, since which time there has been a slight decline. The most significant change in the state’s student population is what amounts to a massive replacement of white students by Latino students. In 1993 the school population was 42 percent white and 37 percent Latino; by 2012 whites were only 25.5 percent, whereas the share of Latinos had risen to 52.7 percent. Although the black population had grown, its share had slipped from 8.7 percent to 6.3 percent. Asians had grown enough to maintain a constant one-ninth share of the total.

Table 2: Public School Enrollment in California

	Total Enrollment	Percentage					
		White	Black	Asian	Latino	AI	Mixed
California							
1993-1994	5,267,277	42.3%	8.7%	11.2%	37.1%	0.8%	
2002-2003	6,244,732	33.7%	8.3%	11.2%	45.2%	0.9%	0.8%
2012-2013	6,226,989	25.5%	6.3%	11.7%	52.7%	0.6%	3.1%

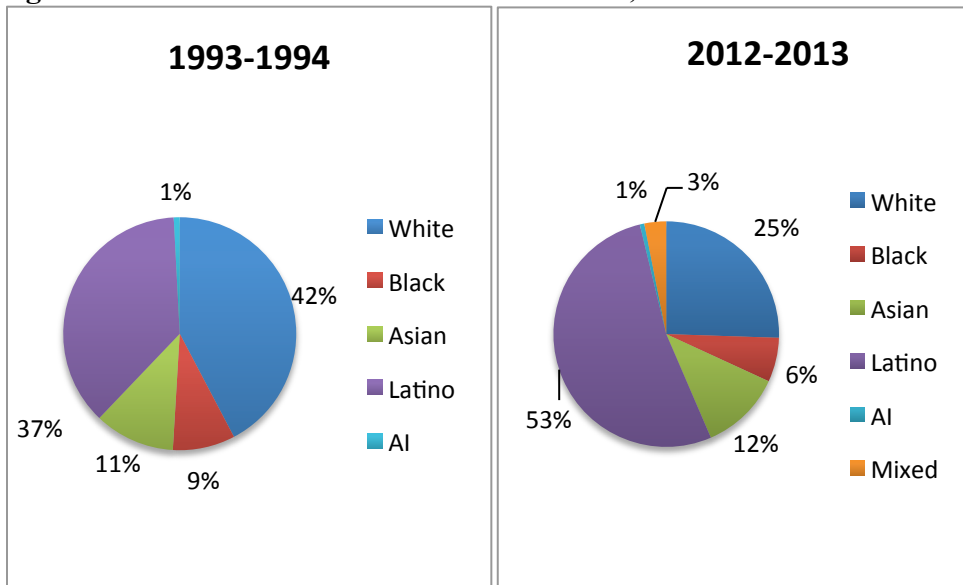
Note: AI=American Indian

Source: California Department of Education, Enrollment by School Data

Given the vast transformation of the state’s school enrollment and the rapid decline in the percentage of whites, students of colors’ significant contact with whites would have declined even if the students were distributed evenly across the state and nothing else had changed. It is critical to keep this point in mind when considering the following statistics, which address students’ actual experience in their schools. The statistics are not about the causes of segregation, which is usually a result of changing housing

patterns, birth rates, immigration, and other demographic factors, as well as changes in school policy and practice at various levels of government. The most important aspect of the educational and social impact of segregation and integration is the level of separation or contact between groups of students. These statistics explore the changes in the California school population along those dimensions.

Figure 1: California Public School Enrollment, 1993-1994 and 2012-2013



Note: AI=American Indian

Source: California Department of Education, Enrollment by School Data

The number of white students in California did not change significantly between 1993 and 2002, dropping just 5 percent, while the number of black students actually increased 13 percent. However, the real indicator of change in that decade was a 44 percent increase in the number of Latinos.

**Table 3: California Statewide Public School Enrollment by Ethnicity
1993-1994**

Ethnicity	Number of Students	Percent of Total Enrollment
White not Hispanic	2,227,652	42.3%
Hispanic or Latino	1,951,578	37.1%
African American not Hispanic	455,954	8.7%
Asian	432,140	8.2%
Filipino	126,878	2.4%
AI or Alaska Native	43,459	0.8%
Pacific Islander	29,616	0.6%
Total	5,267,277	100.0%

2002-2003

Hispanic or Latino	2,819,633	45.2%
White not Hispanic	2,106,211	33.7%
African American not Hispanic	515,776	8.3%
Asian	502,679	8.1%
Filipino	156,549	2.5%
AI or Alaska Native	53,955	0.9%
Multiple or No Response	48,483	0.8%
Pacific Islander	41,446	0.7%
Total	6,244,732	100.0%

2012-2013

Hispanic or Latino of Any Race	3,282,105	52.7%
White, Not Hispanic	1,589,393	25.5%
Asian, Not Hispanic	536,970	8.6%
African American, Not Hispanic	394,695	6.3%
Filipino, Not Hispanic	154,891	2.5%
Two or More Races	149,806	2.4%
None Reported	44,757	0.7%
AI or Alaska Native, Not Hispanic	40,414	0.7%
Pacific Islander, Not Hispanic	33,958	0.6%
Total	6,226,989	100.0%

Source: California Department of Education, Enrollment by School Data, 1993, 2002, and 2012

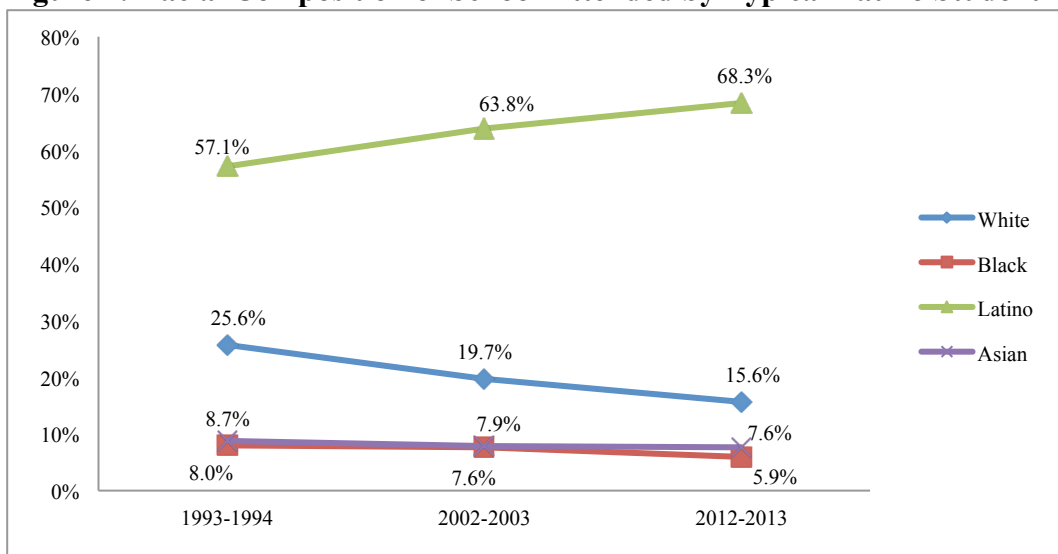
The most dramatic change occurred in the last decade, when white and black numbers fell substantially. The number of white students fell 517,000 during the decade, or 25 percent, while the number of Latino students grew from 2.8 million to 3.3 million; overall enrollment declined slightly, by 18,000. The statistics for the last decade reveal a critical fact: that the long and rapid growth of young people entering California's schools and labor market ended in this decade. The only major increase was among

Latinos, who have by far the least success in attaining a higher education, a trend that will threaten the state’s future if it is not changed. California has long had abundant newcomers to fill its jobs and fuel growth, and under those circumstances the educational success of any one group was not critical. However, when that level of growth stops and the group with the most severe educational problems replaces the groups that have greater educational success, the pattern of schooling deserves and demands urgent attention.

Racial Composition of California Schools, 2012-2013

California Latinos on average have fewer white classmates than Latinos in any other state. The typical Latino student in California attends a school whose population is just 15.6 percent whites and 84 percent students of color. More than 50 percent of the state’s Latino students attend intensely segregated schools, the second highest in the U.S. and well above western and national averages.

Figure 2: Racial Composition of School Attended by Typical Latino Student in California



Source: California Department of Education, Enrollment by School Data

In 1993, more than two decades ago, about half of California’s schools were still majority white schools, and only one-seventh were intensely segregated (zero to 10 percent whites). Fewer than 5 percent were “apartheid” schools (99 percent to 100 percent students of color). By 2012, 71 percent of the state’s schools had a majority of students of color and fewer than 30 percent were majority white. The proportion of intensely segregated schools had doubled in just two decades, with one school in fourteen

an apartheid school. Since there is a systematic relationship between segregated schools and lower educational achievement, as shown in the summary of a half-century of research earlier in this report, this is, of course, a serious challenge to the state.

Table 4: Schools Classified by Percent of Nonwhite Students

California Schools by Percent of Nonwhite Students	Total Schools	% of 50-100% Nonwhite Schools	% of 90-100% Nonwhite Schools	% of 99-100% Nonwhite Schools
California				
1993-1994	7,732	51.4%	15.3%	4.9%
2002-2003	9,088	61.0%	22.2%	5.8%
2012-2013	10,345	70.8%	31.1%	7.3%

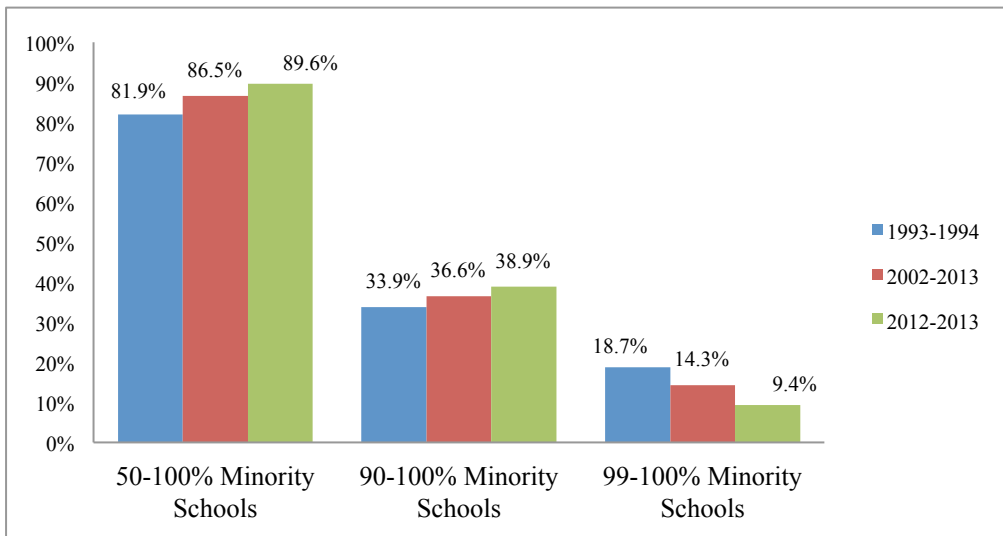
Source: California Department of Education, Enrollment by School Data

The conventional method of calculating segregation measures and trends is in terms of the isolation of nonwhite (or minority) groups from whites, and we will provide those statistics here. This was a very central measure in the historic context of a black-white society with a substantial white majority but it is not adequate for contemporary multiracial California. However, the better way to think about integration in California in the long run may be to calculate the separation of under-represented (URM) students from disadvantaged groups from the combined group of white and Asian students, the two most affluent and educationally successful groups, on average, and we provide those data as well. In 1993, the typical student from the three disadvantaged groups attended a school that was 54 percent white and Asian; that number has declined to 37 percent. The typical Asian student has experienced virtually unchanged exposure to URM students, but such exposure for whites has increased significantly to two-fifths, about the level for Asians. The typical black or Latino student was exposed to over 60 percent URM students in 1993, and that number has now reached about three-fourths, indicating that the URM population clearly dominates their schools.

Black students in California were far more segregated than Latinos during the civil rights era, but Latino segregation has intensified rapidly and now is very high as well. In the two decades studied here, the share of blacks attending schools with a majority of students of color reached 90 percent. That share in intensely segregated schools rose from 34 percent to 39 percent. The one encouraging sign is a decline in students attending “apartheid” schools, from 19 percent to 9 percent, a significant drop. This probably relates to the large outmigration of blacks from the inner city to some sectors of suburbia, and the

demolition of old housing projects that have been replaced with voucher programs, which allow eligible tenants to rent affordable private housing. In any case, blacks remain highly segregated.

Figure 3: Percentage of Black Students in Minority Schools in California Minority Schools



Note: Minority school represents black, Latino, American Indian, and Asian students.

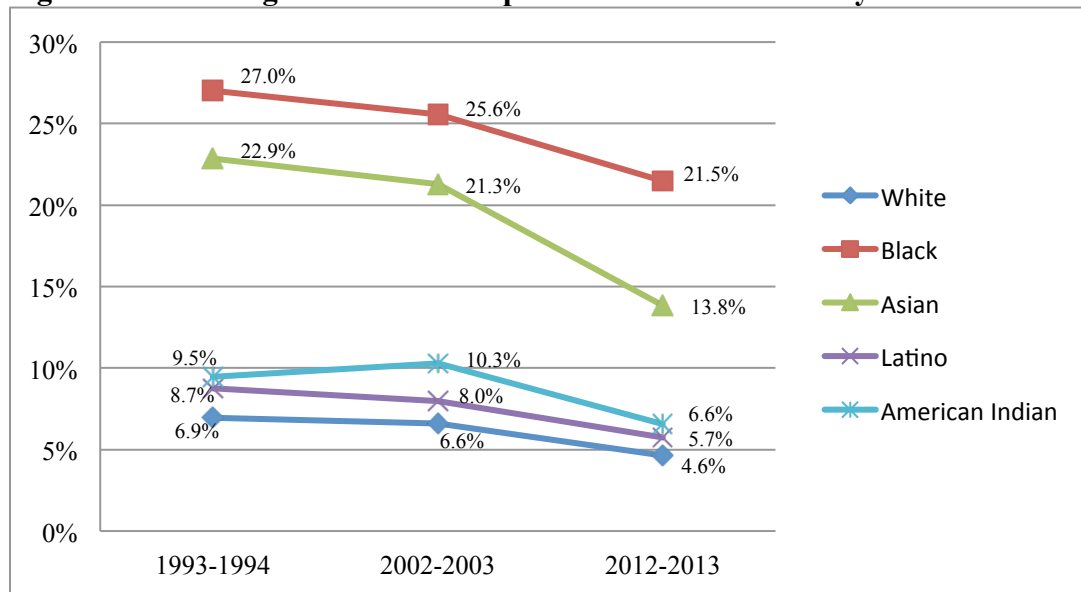
Source: California Department of Education, Enrollment by School Data

During these two decades, the share of Latinos attending majority nonwhite schools has become close to that of blacks, at nine-tenths. With these higher levels of segregation, however, Latinos experience significantly worse isolation: 39 percent of blacks and 51 percent of Latinos attend intensely segregated schools, whereas 9 percent of blacks and 12 percent of Latinos are enrolled in apartheid schools. With these numbers, Latinos in California now have the distinction of leading the country in segregation on some of our measures. Texas was historically much more segregated than California, but California has moved backward faster.

As student enrollment in the U.S. becomes increasingly multiracial in many states, students will be increasingly likely to attend a multiracial school. Schools where three or more racial and ethnic groups are more than one-tenth of the enrollment reflect the complexity of a multiracial society. Two decades ago, 27 percent of blacks and 23 percent of Asians attended such schools in California, but those numbers have declined significantly, especially for Asians, now only 14 percent. As the percentage of whites in a school falls substantially, one would assume that more whites would now attend multiracial schools; however, the data show that only 5 percent of whites do so, the lowest number of any group.

The percentage of Latinos attending multiracial schools has dropped from 9 percent to 6 percent, another measure of their growing isolation. If properly managed, a multiracial school offers good preparation for a multiracial society, but that opportunity is shrinking for California’s student population.

Figure 4: Percentage of Racial Group in Multiracial Schools by Race in Calif



Note: Multiracial schools are those with any three races, each representing 10% or more of the total student enrollment, respectively.

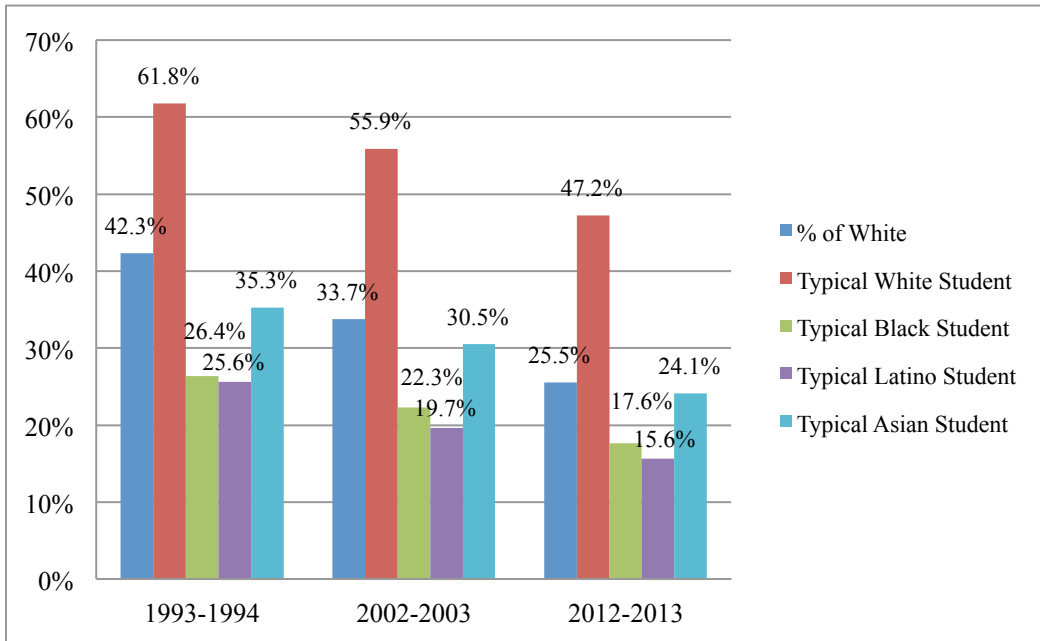
Source: California Department of Education, Enrollment by School Data

Some of the most revealing data about segregation in California today comes from “exposure” statistics which examine the racial composition of the schools attended by all students in California and compute a average school composition experienced by each racial or ethnic group—showing the exposure students who are, for example, Asian, would have to students from the various racial and ethnic groups. By examining all students and all schools in California, we can determine the average school composition for a student of each racial or ethnic group. These data are particularly interesting, in that they reveal the very different experiences students of different races confront and how they are changing.

Given the dramatic reduction in the proportion of white students in the state, it is to be expected that the average student of each race will be in contact with fewer whites at school over time. Whites on average attended schools that were 62 percent white in 1993; today their fellow students are only 47 percent white, which is still about twice the white share of enrollment. Even two decades ago the typical black or Latino student had only about one-fourth white schoolmates; now they have about one-sixth. Asian

students used to have slightly more than one-third white classmates; now they have about one-fourth. The opportunity to integrate all or most Californians in predominantly or even significantly white schools has long since passed. This is not because of white flight to private schools, which serve a small minority of California students, but a reflection of birth rates and migration patterns, both nationally and internationally.

Figure 5: Percentage of White Students in School Attended by the Typical Student of Each Race in California



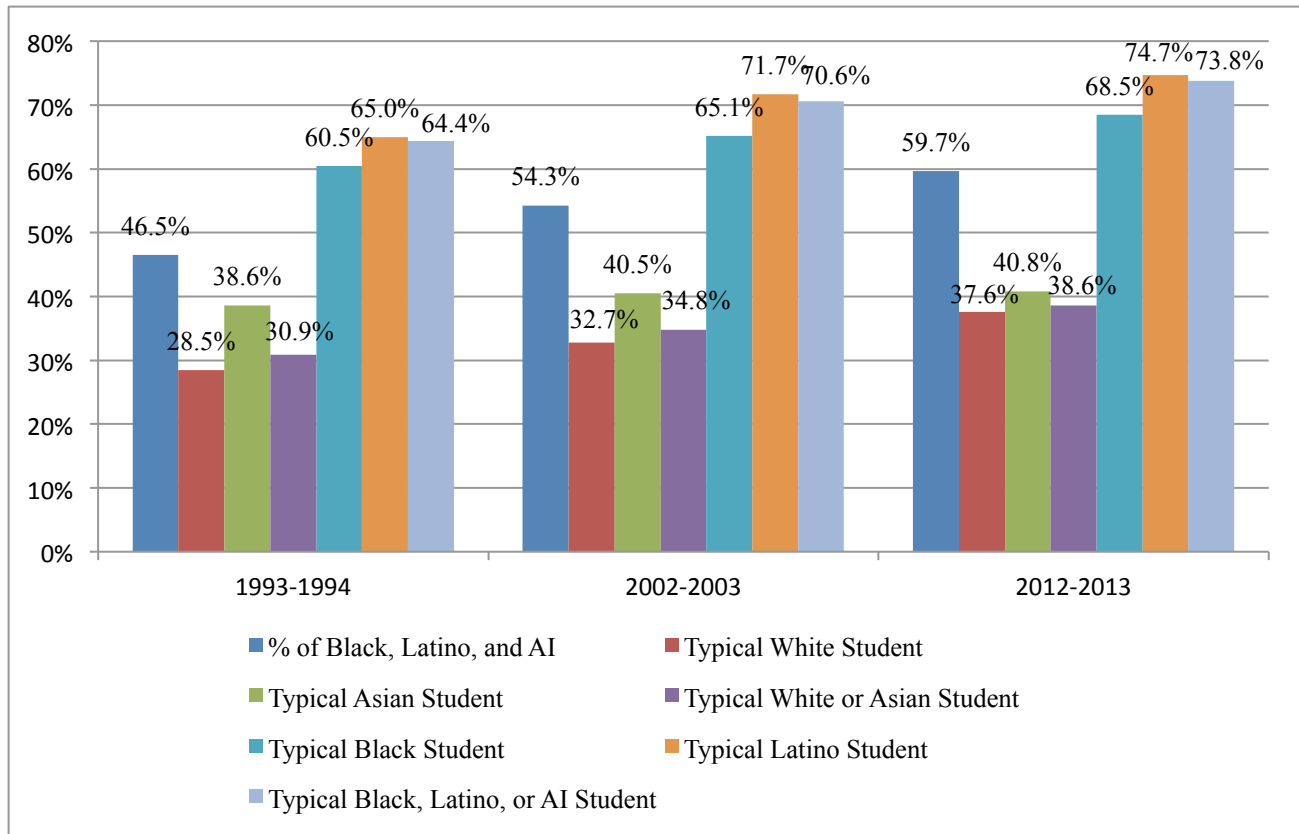
Source: California Department of Education, Enrollment by School Data
 California's school population includes about 60 percent combined black, Latino, and American Indian students, but the typical student from those groups attends a school with an average of 74 percent students from those groups, compared to 38 percent for whites and 41 percent for Asians. The typical white or Asian student attends a school that has almost 57 percent white and Asian students.

Table 5: Percentage of Black, Latino, and American Indian Students in School Attended by the Typical Student of Each Race in California

	% of Black, Latino, and AI	Typical White Student	Typical Asian Student	Typical White or Asian Student	Typical Black Student	Typical Latino Student	Typical Black, Latino, or AI Student
1993-1994	46.5%	28.5%	38.6%	30.9%	60.5%	65.0%	64.4%
2002-2003	54.3%	32.7%	40.5%	34.8%	65.1%	71.7%	70.6%
2012-2013	59.7%	37.6%	40.8%	38.6%	68.5%	74.7%	73.8%

Source: California Department of Education, Enrollment by School Data

Figure 6: Percentage of Black, Latino, and American Indian Students in School Attended by the Typical Student of Each Race in California



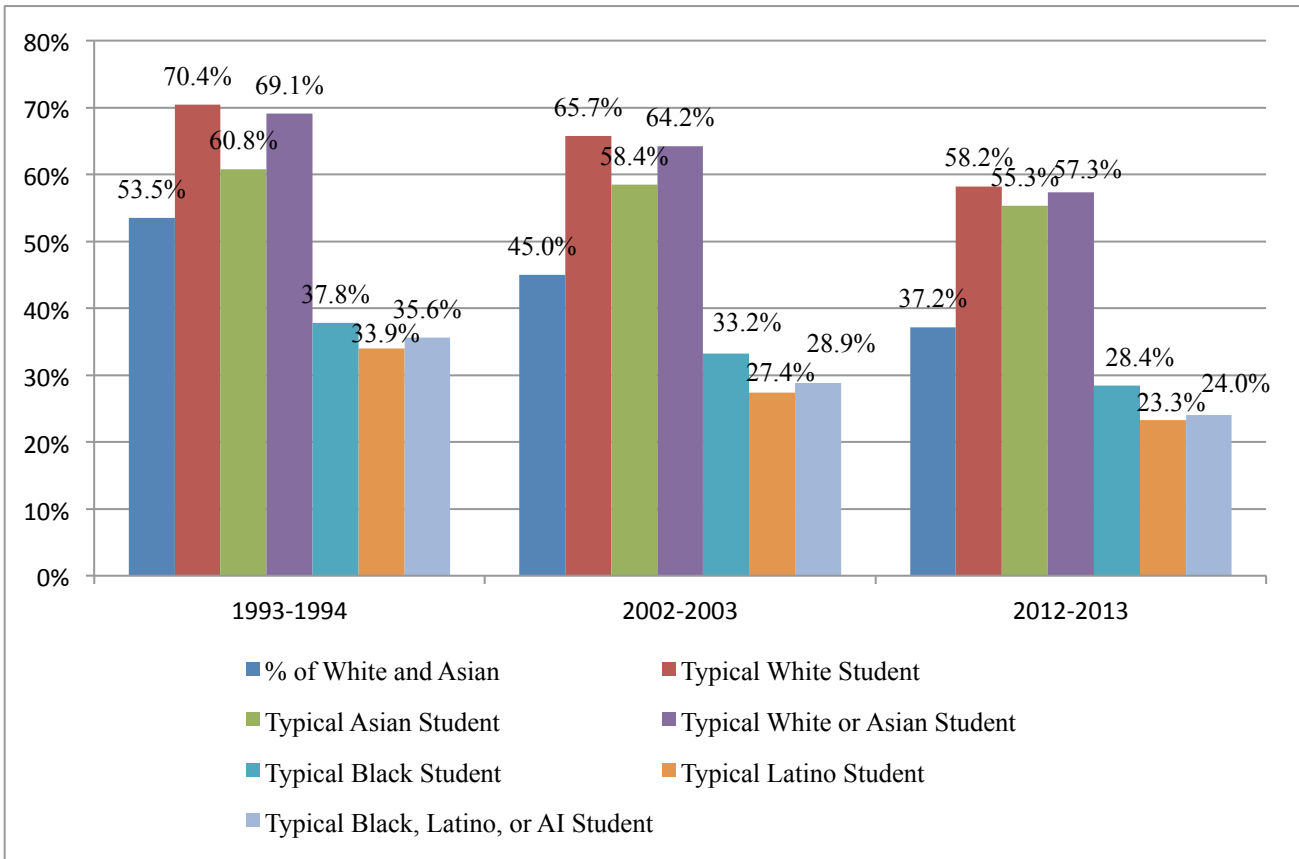
Source: California Department of Education, Enrollment by School Data

Table 6: Percentage of White and Asian Students in School Attended by the Typical Student of Race in California

	% of White and Asian	Typical White Student	Typical Asian Student	Typical White or Asian Student	Typical Black Student	Typical Latino Student	Typical Black, Latino, AI Student
1993-1994	53.5%	70.4%	60.8%	69.1%	37.8%	33.9%	35.6%
2002-2003	45.0%	65.7%	58.4%	64.2%	33.2%	27.4%	28.9%
2012-2013	37.2%	58.2%	55.3%	57.3%	28.4%	23.3%	24.0%

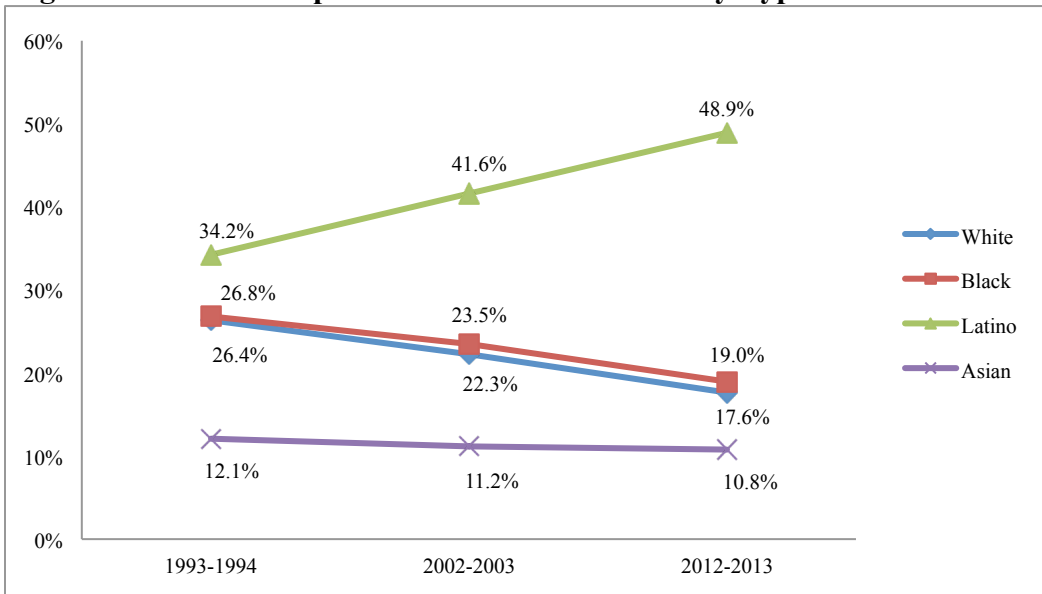
Source: California Department of Education, Enrollment by School Data

Figure 7: Percentage of White and Asian Students in School Attended by the Typical Student of Each Race in California



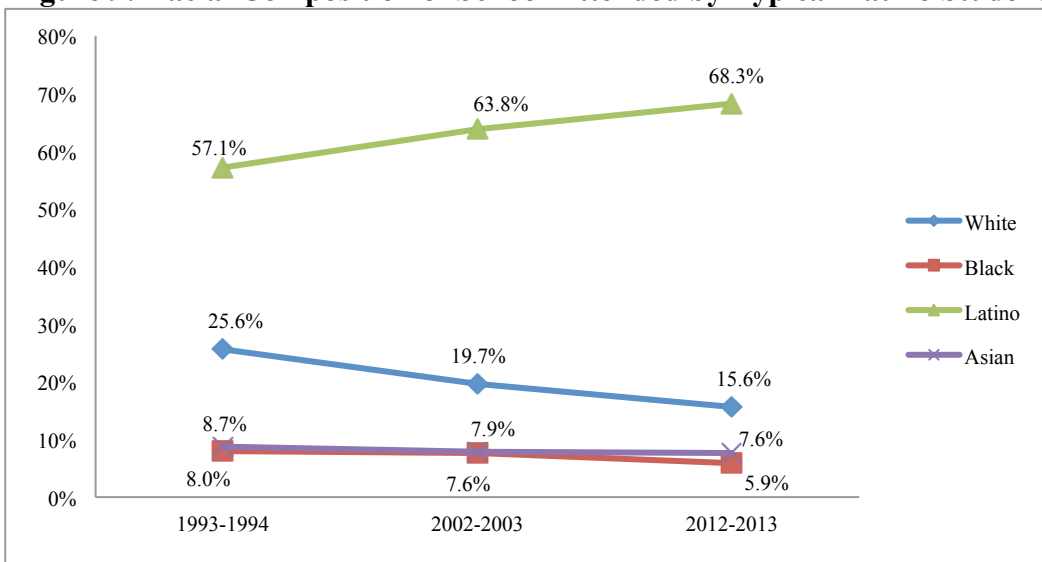
Source: California Department of Education, Enrollment by School Data

Figure 8 - Racial Composition of School Attended by Typical Black Student in California



Source: California Department of Education, Enrollment by School Data

Figure 9: Racial Composition of School Attended by Typical Latino Student in California



Source: California Department of Education, Enrollment by School Data

Table 7: Correlations coefficients, Race and API Scores, 2012-13 School Year

	2013 API Scores	% of Whites	% of Asians	% of Whites and Asians	% of Blacks	% of Latinos	% of Blacks and Latinos
2013 API Scores	1.00						
% of Whites	0.45	1.00					
% of Asians	0.33	-0.22	1.00				
% of Whites and Asians	0.63	0.76	0.47	1.00			
% of Blacks	-0.39	-0.33	-0.06	-0.34	1.00		
% of Latinos	-0.53	-0.68	-0.47	-0.93	0.00	1.00	
% of Blacks and Latinos	-0.63	-0.74	-0.48	-0.99	0.32	0.95	1.00

Sources: California Department of Education, Enrollment by School Data 2012-2013 and 2013 Grow API Data

Table 8: Correlation Coefficients, Race and Graduation Rates, 2012-13 School Year

	Graduation Rates	% of Whites	% of Asians	% of Whites and Asians	% of Blacks	% of Latinos	% of Blacks and Latinos
2012-3 Graduation rates	1.00						
% of Whites	0.19	1.00					
% of Asians	0.14	-0.25	1.00				
% of Whites and Asians	0.27	0.79	0.39	1.00			
% of Blacks	-0.36	-0.37	-0.01	-0.35	1.00		
% of Latinos	-0.13	-0.71	-0.40	-0.92	-0.01	1.00	
% of Blacks and Latinos	-0.25	-0.78	-0.39	-0.99	0.33	0.94	1.00

Source: California Department of Education, Enrollment by School Data 2012-2013 and 2013 Cohort Outcome Data

In debates on desegregation during the era of the civil rights and black power movements, black critics of desegregation called for blacks to have power over the schools and for an Afrocentric curriculum. If integration could not be achieved or was not done well and fairly, they argued, staff members and parents who were especially concerned about black youth could do the job better. They argued further that the achievement of black leaders and their ideas could be celebrated in ways that would create a positive learning environment for black students. The changing demography of California and the lack of integration today, however, mean that black students rarely experience either. In 1993, the typical black student in the state attended a school with 27 percent blacks; that figure declined to 19 percent by 2012. These students typically attend schools with 49 percent Latino students, far more than twice the black share, and only one-sixth white students. Therefore, although the schools are overwhelmingly attended by disadvantaged students, blacks are largely isolated from whites and the middle class, and attend schools in which another disadvantaged minority is the dominant population.

The pattern for the typical Latino student is very different. Latinos now attend schools that are on average more than two-thirds Latino, making them the most isolated group in California schools. With an average of one-sixth white students and small fractions of blacks and Asians, these schools are severely isolated.

When we look at the relationship between a school's API scores and its share of white students, we find a strong positive .45 correlation, indicating that a school with more white students tends to have higher API scores. As for the relationship between the percentage of Asians and the API scores, there is a moderate .33 correlation, but it is also positive. When we add the shares of whites and Asians in a school, there is a stronger .63 correlation. For Latinos, we found a -.39 negative correlation. The percentage of African Americans is strongly related to the API scores in a negative direction, at a minus .53. When we combine African Americans and Latinos, the correlation becomes stronger and is still negative, at -.63. The result shows that API scores, California's leading academic achievement index, is strongly associated with the percentage of students from specific racial and ethnic groups who attend a school. When we add the two more advantaged or the two less academically successful groups together, since they tend to be disproportionately in the same schools the relationship becomes more powerful.

Graduation rates, another indicator of academic achievement, confirm the racial segregation in California schools. For whites, there is a positive if not substantial correlation ($r=.19$) between graduation rates and the share of whites in a school. There is also a weak but positive .14 correlation between graduation rates and the share of Asians. However, when we add the shares of whites and Asians, we find a moderate .27 correlation, indicating that students who have more white and Asian schoolmates tend to graduate. The percentage of Latinos in a school is slightly associated with graduation rates ($r=-.13$), but the direction for blacks is negative, at -.36. This group shows the strongest magnitude of correlation among given racial groups.

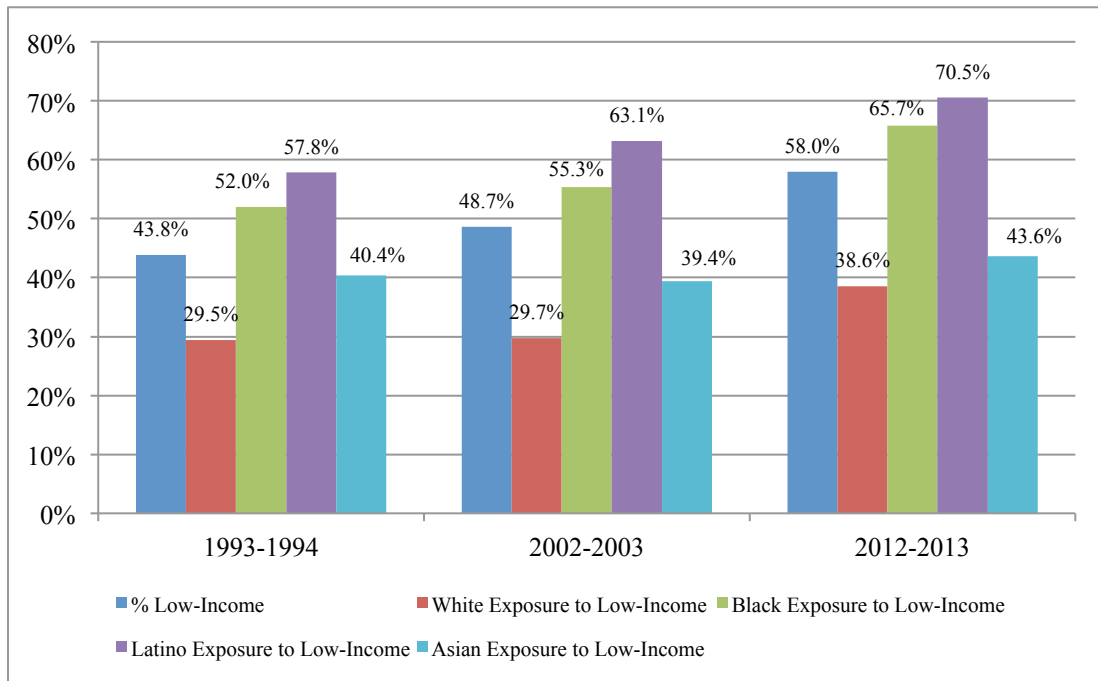
Double Segregation: Racial and Poverty Segregation, and Differences in Neighborhood Schools

There is a clear pattern of intense double segregation by race and poverty for black and Latino children in California's metro areas, where the average white or Asian student attends a school where about 40 percent of their schoolmates are poor, while the typical black or Latino student attends a school where 70 percent of students are poor. In other words, the default for a white or Asian family is a middle-class school, while the default for a Latino or black family is a school of concentrated poverty. Contact with

poor classmates is lowest for white Californians, about 37 percent, and highest for Latinos, about 71 percent. Since poverty levels are linked to many forces inside and outside of schools that produce very different kinds of educational opportunity and attainment, this difference, which we call double segregation, matters tremendously.

The poverty California's children experience has increased markedly in the last generation, as has the level of segregation by poverty, particularly for black and Latino students. In 1993, black and Latino students attended schools with 52 percent and 58 percent poor children, respectively, as measured by subsidized lunch eligibility (around 120 percent of the federal poverty level qualifies for free school lunch). By 2012, blacks on average attended schools whose populations were two-thirds poor children, and Latinos attended schools that were more than 70 percent poor. Whites and Asians, on average, attended schools with a clear middle-class majority, although also a rising poverty level. This pattern, which we find nationally and in many state studies, is a strong indicator that, without desegregation plans in place, white and Asian neighborhood schools will be middle-class, while black and Latino schools face concentrated poverty and the many associated social and educational challenges.

Figure 10: Racial Group Exposure Rates to Low-Income Students for Typical Racial Student in California Public Schools



Source: California Department of Education, Enrollment by School Data

When we look at the relationship between the percentage of whites and the percentage of poor students in a school, the correlation is a very strong $-.70$, indicating a strong relationship between a school having more whites and less poverty. For Asians, despite their high average income, the relationship is strong but not nearly as strong as that of whites. There is also a relatively modest $.34$ correlation between the percentage of blacks and a rising percentage of poor students. The percentage of Latinos is very strongly related to the percentage of poor children, at $.75$. When we add the shares of whites and Asians in a school, the relationship becomes a very high minus $.82$. When we add the shares of African Americans and Latinos in a school, the relationship is $.82$. Poverty, race, and ethnicity are very strongly related, and when we add the two more advantaged or the two less educationally successful groups together, we see an unambiguous relationship. Whether a school has a population from concentrated poverty or a concentrated middle-class enrollment is very directly related to race and ethnicity across California.

Table 9: Correlation Coefficients, Race and Poverty, 2012-13 School Year

	% of Low-Income Students	% of Whites	% of Asians	% of Whites and Asians	% of Blacks	% of Latinos	% of Blacks and Latinos
% of Low-Income Students	1.00						
% of Whites	-0.70	1.00					
% of Asians	-0.28	-0.22	1.00				
% of Whites and Asians	-0.82	0.76	0.46	1.00			
% of Blacks	0.34	-0.33	-0.06	-0.34	1.00		
% of Latinos	0.75	-0.68	-0.47	-0.93	-0.01	1.00	
% of Blacks and Latinos	0.82	-0.74	-0.47	-0.99	0.32	0.95	1.00

Source: California Department of Education, Enrollment by School Data, 2012-2013

Triple Segregation

As the Latino population grew substantially for the past twenty years, so did the number of English language learners (ELLs). In the last two decades the ELL enrollment grew by nearly 200,000, and over one in five students in California schools today are ELLs. Much of the ELL population growth occurred between 1993 and 2003, which made a fourth of total enrollment were ELLs in 2002. Although there was a slight decrease, dropping about 15% in the last decade, however, the share of ELLs in a school did not change significantly between 1993 and 2013. Furthermore, the number of Latino ELLs increased nearly 30% in the last two decades, and in California 85 percent of ELLs are Latino students. Given the fact that Latinos comprise of 53 percent of the California total enrollment, we can see that a significant proportion of the ELLs in California is made up of Latino students.

Table 10: English Language Learner (ELL) Enrollment

	Total ELL Enrollment	Share of ELLs of Total Enrollment	Total Latino ELLs	Share of Latino ELLs
1993	1,148,200	21.8%	887,757	77.3%
2002	1,590,251	25.5%	1,348,934	84.8%
2012	1,346,307	21.6%	1,138,917	84.6%

Sources: California Department of Education, Enrollment by School, English Learners Data

In 2005, Latino students, particularly those in the major population centers, attended schools that typically had a substantial share of English language learners (ELLs), an average of 40 percent in the Los Angeles district and 34 percent in the San Diego Unified School District. With such a high share of students classified as ELLs, it is likely that many other students in those schools were formerly classified as ELLs and came from non-English-speaking homes. This creates linguistic segregation, meaning that current or former ELL students are not likely to be exposed to many classes where a high

level of academic English is spoken, a factor that is so important in taking tests and for college success. When students attend schools that have been resegregated by race or ethnicity, by poverty, and by language, we refer to it as triple segregation.

Table 11: Exposure to Students Classified as English Language Learners (ELLs) by Race, 2005-2006

	ELL Percentage of School Enrollment	White Exposure to ELL Students	Black Exposure to ELL Students	Latino Exposure to ELL Students	Asian Exposure to ELL Students
Southern California	23%	10.6	19.8	28.9	17.9
Los Angeles	25%	10.7	20.6	30.2	17
Los Angeles Unified	35%	16.5	23.8	39.6	24.6
Orange	27%	11.7	21.9	39.3	24.3
Riverside	22%	15.1	21.3	26.4	16
San Bernardino	19%	8.5	17.1	24.3	10.9
San Diego	17%	9.3	18.7	23.6	16.3
San Diego Unified	35%	15.2	24.3	33.8	23.3
Ventura	12%	6.3	8.7	17.9	7.1

Note: Southern California includes Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties; ELL = English Language Learners

Source: U.S. Department of Education CRDC, 2005-2006

In addition, exposure statistics show that ELL’s are one of the most segregated groups in California schools. Nearly two decades ago, ELLs were in schools with one-thirds of schoolmates were whites or Asians, but the number has declined to 23%. Instead, they are in contact with more black, Latino, or American Indian students. For instance, ELLs, on average, attend a school with nearly 70% Latino students, and they have 75% schoolmates who are Latino, black, or American Indian. Moreover, ELL student is in a school with three-fourths low-income students, and this is extremely higher than the average share of poor students in California, which is 58%. Finally, ELLs do not have sufficient contact with non-ELL students, attending a school that are nearly two-fifths ELLs on average, and this affects their language development as well since many of the other students in these schools are reclassified former ELLs not fluent native English speakers.. These statistics indicate that ELLs have suffered from severe triple segregation by race or ethnicity, by poverty, and by language, and unfortunately, this triple segregation for ELLs has not ameliorated over the past two decades.

Table 12: English Language Learner's Exp. to Each Race, 1993-4, 2002-3, and 2012-3

	ELL Exp. to White Students	ELL Exp. to Asian Students	ELL Exp. to White/Asian Students	ELL Exp. to Black Students	ELL Exp. to Latino Students	ELL Exp. to Black/Latino and AI Students	ELL Exp. to Low-Income Students	ELL Exp. to ELL Students
1993	21.9%	11.9%	33.8%	8.6%	57.1%	66.1%	64.0%	43.4%
2002	16.5%	9.9%	26.4%	7.7%	64.9%	73.1%	69.4%	45.2%
2003	13.1%	9.6%	22.7%	5.6%	69.1%	75.1%	73.9%	37.7%

Sources: California Department of Education, Enrollment by School, English Learners, and Free and Reduced Meals Program Data

Six decades after *Brown*, there is little evidence that the landmark ruling ever touched the schools of California. Double segregation by race and class has been consolidated. Significant triple segregation exists. The barriers to earning a college degree have increased, due to an affirmative action ban, soaring tuition, and rising competition for limited slots. Segregation is a reality for Latinos at a level that could not have been imagined a half-century ago. Now the majority group in the state’s public schools, Latinos (and blacks) experience an extreme lack of significant contact with white or Asian students, or with middle-class students of any race. Schooling for Latinos has become profoundly isolated on many dimensions.

Regional Variations in Segregation among 20 Largest Districts

For this statewide analysis, we have combined whites and Asians, by far the most academically successful and affluent groups in the state, and shown the degree to which they attend school with other whites and Asians, and with students from the three historically excluded groups—African Americans, Latinos, and American Indians. Blacks statewide typically attend schools where 69 percent of students are from disadvantaged groups, and Latinos, 75 percent, meaning that these students have little contact with whites and Asians. In contrast, whites on average attend a school where 38 percent of students are from disadvantaged groups, and 41 percent of Asians’ schoolmates are Latino, black, or Indian.

These patterns differ substantially between school districts. In Los Angeles, whites on average attend a school where 48 percent of students are from disadvantaged groups; for Asians the number is 62 percent. Blacks attend schools with a very high 86 percent and Latinos 90 percent of students from those groups. At the other extreme are the San Juan Unified School District in the Sacramento suburbs and the Clovis district in the suburbs of Fresno, where black and Latino students on average attend well-integrated

schools with around two-fifths black, Latino, and Indian students, and three-fifths white and Asian students. In Clovis, the white and Asian students attend schools of similar racial composition. In San Juan they attend schools with almost three-fourths fellow white and Asian students.

An interesting comparison can be made between Sacramento, Elk Grove, San Juan, and Stockton, all large districts relatively close to one another in Northern California. San Juan and Elk Grove adjoin the Sacramento Unified School District and cover large areas of suburbs and exurbs. Stockton is a city facing a serious economic crisis and a bankrupt government. Sacramento's school district has been hard hit by the Great Recession and by major cutbacks in state government, the city's dominant employer. When *Time* magazine asked The Civil Rights Project to identify the nation's most residentially integrated big city after the 2000 Census, we computed a number of indices and gave that label to Sacramento, thus it is not surprising that the entire metro area looks different from the many extremely stratified regions of California. Stockton is your classic impoverished, overwhelmingly minority school system. The whites and Asians who remain in the Stockton school district on average attend schools with more than two-thirds combined enrollment of Latinos, blacks, and Indians. Sacramento has a heavily nonwhite but diverse population, and the statistics look quite different from the racial composition of the big city schools, including Los Angeles, San Francisco, San Diego, and others where there is far less diversity. In Sacramento, whites, on average, attend schools with 46 percent combined minority enrollment (blacks, Latinos and Indians) and Asians with 52 percent, while blacks and Latinos attend schools that are, respectively, 62 percent and 60 percent from those groups. All groups of students in Sacramento tend to go to schools that are highly diverse. In the Elk Grove and San Juan school districts, students of all races typically attend schools with a significant majority of whites and Asians but also a substantial presence of the usually segregated groups.

The most extreme isolation of African Americans and Latinos exists in Los Angeles, Santa Ana, San Bernardino, and the Fontana Unified School District (located near San Bernardino in the Inland Empire). These are all Southern California cities with a very large Latino majority in the school-age population. In these districts, close to nine-tenths of the students in schools attended by Latino and black students are from disadvantaged minorities. In all of these districts, except Los Angeles, the remaining white students also attend schools with a large majority of Latino and African American students. Los Angeles is an important exception, especially for white students, who attend schools that are 51 percent white and Asian, and Asians attend schools that are 37 percent white and Asian—very different circumstances

from the extreme isolation the other groups experience. In San Francisco, in part because of its large Asian enrollment, its substantial high-income neighborhoods, and the removal of many major public housing projects, the termination of the school desegregation plan has a distinctive pattern. Whites and Asians in San Francisco's public schools on average have many fewer black and Latino schoolmates than other large central cities in California, only about one-fourth. The city's black and Latino students, in contrast, attend schools that have almost 50 percent white and Asian students, much higher on average than in other cities.

In Los Angeles, the typical Latino attends a school with an 81 percent poverty rate, whereas whites in this district attend schools where 43 percent of students are poor; the rate for Asians is typically 59 percent poor children. The statistics are similar for San Diego, except the poverty for Latinos is not quite as high, much like San Francisco. In San Bernardino, Stockton, and Fontana, on the other hand, the declining group of whites in these districts attend deeply impoverished schools.

Table 13: Racial Group Exposure Rates to Black/Latino/American Indian Students by Typical Student in Top 20 Large Districts in California in 2012-2013

District	Total Enrollm	White	Asian	White/Asian	Black	Latino	Black/Latino /AI
California		37.6%	40.8%	38.6%	68.5%	74.7%	73.8%
Los Angeles Unified	655,494	48.3%	62.2%	54.0%	86.0%	89.9%	89.4%
San Diego Unified	130,270	39.3%	46.5%	42.0%	65.6%	68.7%	68.0%
Long Beach Unified	82,256	52.3%	66.7%	59.0%	71.5%	75.5%	74.6%
Fresno Unified	73,689	65.3%	72.7%	69.1%	73.9%	76.9%	76.5%
Elk Grove Unified	62,137	35.4%	40.9%	38.5%	46.3%	45.9%	46.0%
Santa Ana Unified	57,410	52.0%	78.3%	65.9%	84.5%	95.6%	95.6%
San Francisco Unified	56,970	29.1%	24.6%	25.5%	50.7%	53.6%	52.8%
San Bernardino City Unified	54,102	81.7%	85.3%	82.6%	86.6%	88.1%	87.8%
Capistrano Unified	53,785	23.0%	21.4%	22.8%	28.8%	37.9%	37.3%
Corona-Norco Unified	53,437	50.9%	53.8%	51.6%	56.3%	63.0%	62.2%
San Juan Unified	47,752	25.2%	27.4%	25.4%	39.8%	36.9%	37.3%
Sacramento City Unified	47,616	45.5%	52.3%	49.0%	62.3%	59.7%	60.5%
Garden Grove Unified	47,599	41.3%	42.8%	42.5%	53.3%	64.8%	64.6%
Oakland Unified	46,486	45.2%	53.1%	50.2%	74.8%	82.9%	79.5%
Riverside Unified	42,560	57.5%	56.7%	57.4%	65.2%	72.0%	71.2%
Sweetwater Union High	40,916	70.7%	70.1%	70.3%	73.1%	80.9%	80.5%
Fontana Unified	40,374	90.0%	87.0%	89.0%	89.7%	92.5%	92.3%
Clovis Unified	39,894	34.2%	36.0%	34.7%	39.5%	40.4%	40.3%
Stockton Unified	38,435	72.7%	68.3%	69.7%	74.0%	78.8%	78.0%
Kern Union High	37,070	48.8%	57.4%	49.9%	73.2%	78.3%	77.6%

Source: California Department of Education, Enrollment by School Data, 2012-2013

Table 14: Racial Group Exposure Rates to Low-Income Students by Typical Student in Top 20 Large Districts in California in 2012-2013

District	Total Enrollment	White	Asian	White/Asian	Black	Latino	Black/Latino /AI
California		38.6%	43.6%	40.2%	65.7%	70.5%	69.9%
Los Angeles Unified	655,494	43.3%	59.2%	49.9%	72.3%	81.1%	80.0%
San Diego Unified	130,270	41.9%	58.8%	48.4%	73.2%	73.5%	73.4%
Long Beach Unified	82,256	42.2%	63.4%	52.0%	66.5%	71.4%	70.3%
Fresno Unified	73,689	70.1%	85.6%	78.0%	82.5%	86.4%	85.9%
Elk Grove Unified	62,137	41.8%	57.1%	50.2%	62.3%	62.3%	62.2%
Santa Ana Unified	57,410	37.2%	65.4%	52.1%	71.8%	85.8%	85.7%
San Francisco Unified	56,970	43.3%	57.3%	54.4%	59.2%	65.6%	63.8%
San Bernardino City Unified	54,102	86.6%	91.8%	87.8%	90.4%	92.0%	91.7%
Capistrano Unified	53,785	20.4%	17.8%	20.2%	25.7%	35.7%	35.1%
Corona-Norco Unified	53,437	36.9%	36.9%	36.9%	39.6%	49.4%	48.3%
San Juan Unified	47,752	42.5%	42.9%	42.5%	60.0%	57.0%	57.3%
Sacramento City Unified	47,616	54.8%	76.7%	66.1%	76.7%	77.3%	77.0%
Garden Grove Unified	47,599	52.4%	68.8%	65.2%	66.4%	77.0%	76.8%
Oakland Unified	46,486	37.4%	73.9%	60.2%	72.3%	83.8%	79.1%
Riverside Unified	42,560	53.1%	51.7%	52.9%	61.2%	70.6%	69.5%
Sweetwater Union High	40,916	36.1%	37.6%	37.0%	40.2%	52.9%	52.3%
Fontana Unified	40,374	79.9%	75.8%	78.5%	78.9%	83.5%	83.2%
Clovis Unified	39,894	34.1%	38.0%	35.0%	41.3%	43.8%	43.5%
Stockton Unified	38,435	81.8%	83.2%	82.7%	85.2%	86.9%	86.5%
Kern Union High	37,070	43.3%	44.7%	43.5%	61.8%	66.0%	65.5%

Source: California Department of Education Enrollment by School Data and Free and Reduced Meals Program Data, 2012-2013

Table 15: Racial Group Exposure Rates to Black/Latino/American Indian Students by Typical Student in Top 20 Large Districts in California, 2002-2003

District	Total Enrollment	White	Asian	White/Asian	Black	Latino	Black/Latino /AI
California		32.9%	40.7%	34.9%	65.7%	72.0%	70.6%
Los Angeles Unified	742,173	55.2%	65.0%	59.1%	87.5%	89.3%	89.0%
San Diego Unified	140,753	39.6%	45.1%	41.8%	63.9%	69.3%	67.7%
Long Beach Unified	97,212	52.3%	63.9%	57.9%	68.6%	73.1%	71.8%
Fresno Unified	81,222	53.4%	62.6%	57.8%	66.1%	68.8%	68.2%
Santa Ana Unified	63,610	65.0%	82.8%	73.7%	83.3%	94.6%	94.5%
San Francisco Unified	58,216	27.0%	27.7%	27.6%	50.6%	53.2%	52.1%
San Bernardino City Unified	56,096	73.5%	76.2%	73.9%	79.1%	81.1%	80.5%
Sacramento City Unified	52,850	45.7%	49.5%	47.7%	55.2%	54.0%	54.4%
Oakland Unified	52,464	50.7%	59.0%	56.9%	80.9%	83.4%	82.0%
Elk Grove Unified	52,418	32.2%	41.0%	35.9%	45.8%	43.9%	44.6%
San Juan Unified	51,987	18.8%	20.4%	19.0%	31.1%	29.3%	29.1%
Garden Grove Unified	50,066	37.2%	44.9%	42.0%	49.6%	62.1%	61.7%
Capistrano Unified	48,608	15.8%	14.3%	15.7%	16.6%	38.0%	36.3%
Corona-Norco Unified	41,977	44.5%	46.5%	44.8%	50.0%	57.8%	56.8%
Riverside Unified	40,881	50.3%	51.0%	50.4%	56.7%	61.4%	60.6%
Fontana Unified	40,168	85.4%	85.5%	85.4%	86.3%	87.2%	87.1%
Stockton City Unified	39,421	63.2%	62.5%	62.8%	66.5%	69.4%	68.7%
Sweetwater Union High	37,849	64.6%	67.4%	65.8%	71.0%	76.1%	75.8%
Mt. Diablo Unified	36,842	20.5%	27.3%	21.7%	42.3%	46.9%	45.8%
Montebello Unified	35,590	88.6%	77.7%	82.1%	89.1%	93.9%	93.9%

Source: California Department of Education, Enrollment by School Data, 2002-2003

Ten years ago, before the last decade of major demographic change and the Great Recession, the racial pattern was already set. However, all measures of isolation have become worse for Latinos and African Americans in the last decade. There also have been major changes for whites in some districts. For example, a decade ago whites and Asians in Los Angeles actually had higher proportions of black and Latino schoolmates than they do in the most recent data, although whites in a number of school districts at that time attended schools with a substantially smaller percentage of black and Latino classmates. In 2002 the poverty levels were lower statewide, but whites on average still attended schools with less than a 30 percent poverty level, blacks were in schools with almost half middle-class students, and Latinos did not yet face the extreme economic isolation that they now confront. Only Los Angeles, Fresno, San Bernardino, and Montebello showed the extreme poverty concentrations for Latinos that would become much more common eight years later.

Table 16: Racial Group Exposure Rates to Low-Income Students by Typical Student in Top 20 Large Districts in California in 2003

District	Total Enrollment	White	Asian	White/Asian	Black	Latino	Black/Latino /AI
California		29.7%	39.4%	32.1%	55.3%	63.1%	61.6%
Los Angeles Unified	742,173	49.1%	62.5%	54.5%	69.4%	80.2%	78.6%
San Diego Unified	140,753	41.7%	52.0%	45.9%	63.5%	66.0%	65.2%
Long Beach Unified	97,212	44.9%	63.8%	53.9%	67.5%	72.3%	70.9%
Fresno Unified	81,222	56.3%	79.8%	67.6%	76.4%	82.2%	81.0%
Santa Ana Unified	63,610	42.9%	62.2%	52.3%	59.6%	76.8%	76.6%
San Francisco Unified	58,216	44.0%	57.2%	55.0%	64.3%	66.6%	65.6%
San Bernardino City Unified	56,096	73.4%	78.6%	74.2%	81.4%	82.5%	82.1%
Sacramento City Unified	52,850	49.5%	62.1%	56.1%	65.3%	67.0%	66.0%
Oakland Unified	52,464	33.7%	68.4%	59.7%	65.8%	70.9%	67.9%
Elk Grove Unified	52,418	27.3%	42.6%	33.7%	47.4%	46.4%	46.6%
San Juan Unified	51,987	17.4%	18.9%	17.5%	30.9%	29.5%	29.0%
Garden Grove Unified	50,066	41.3%	59.9%	53.0%	56.3%	66.9%	66.5%
Capistrano Unified	48,608	13.1%	11.1%	12.9%	14.1%	39.1%	37.1%
Corona-Norco Unified	41,977	31.6%	32.5%	31.7%	36.3%	46.3%	45.0%
Riverside Unified	40,881	40.1%	39.6%	40.0%	48.6%	56.2%	54.8%
Fontana Unified	40,168	61.4%	61.5%	61.5%	63.2%	66.4%	66.1%
Stockton City Unified	39,421	61.8%	57.2%	58.9%	61.8%	65.7%	64.6%
Sweetwater Union High	37,849	33.1%	38.3%	35.4%	42.5%	50.6%	50.0%
Mt. Diablo Unified	36,842	18.5%	26.1%	19.8%	40.3%	45.7%	44.5%
Montebello Unified	35,590	67.7%	55.0%	60.1%	69.6%	74.8%	74.8%

Source: California Department of Education Enrollment by School Data and Free and Reduced Meals Program Data, 2002-2003

Table 17 - Racial Group Exposure Rates to Black/Latino/American Indian Students by Typical Student in Top 20 Large Districts in California in 1993-1994

District	Total Enrollment	White	Asian	White/Asian	Black	Latino	Black/Latino /AI
California		28.9%	38.9%	31.0%	61.6%	65.6%	64.4%
Los Angeles Unified	639,005	53.8%	62.2%	56.9%	85.6%	86.5%	86.3%
San Diego Unified	126,711	38.2%	40.0%	38.9%	55.5%	60.6%	58.6%
Long Beach Unified	76,783	48.9%	54.7%	51.7%	58.6%	60.4%	59.7%
Fresno Unified	75,443	41.2%	50.0%	45.1%	55.0%	55.9%	55.6%
San Francisco Unified	61,579	31.2%	31.5%	31.4%	48.4%	51.6%	50.0%
Oakland Unified	51,532	50.1%	57.5%	55.6%	80.0%	78.1%	79.4%
Sacramento City Unified	49,997	40.0%	42.7%	41.2%	46.7%	46.4%	46.4%
Santa Ana Unified	48,319	74.5%	81.6%	78.6%	80.3%	89.9%	89.7%
San Juan Unified	47,456	12.8%	15.0%	13.0%	22.7%	19.9%	20.5%
San Bernardino City Unified	43,685	61.1%	60.9%	61.1%	66.2%	68.0%	67.4%
Garden Grove Unified	41,472	30.6%	37.2%	34.0%	40.8%	50.3%	49.9%
Stockton Unified	34,251	47.7%	44.7%	45.9%	57.7%	58.3%	57.9%
Mt. Diablo Unified	34,076	15.1%	18.1%	15.5%	29.3%	27.8%	28.1%
Riverside Unified	33,607	43.4%	43.2%	43.3%	48.4%	48.9%	48.8%
Montebello Unified	32,321	83.9%	72.0%	76.9%	87.7%	90.5%	90.5%
Elk Grove Unified	32,038	26.6%	34.9%	29.0%	40.9%	34.7%	37.8%
Moreno Valley Unified	31,621	44.2%	45.9%	44.4%	48.0%	47.9%	47.9%
West Contra Costa Unified	31,258	40.6%	49.8%	44.5%	64.9%	63.0%	64.2%
Capistrano Unified	31,216	13.4%	12.0%	13.4%	14.7%	33.3%	31.6%
San Jose Unified	30,905	46.2%	38.6%	44.0%	50.3%	58.5%	57.5%

Source: California Department of Education, Enrollment by School Data, 1993-1994

Table18: Racial Group Exposure Rates to Low-Income Students by Typical Student in Top 20 Large Districts in California in 1993-1994

District	Total Enrollment	White	Asian	White/Asian	Black	Latino	Black/Latino/ AI
California		29.4%	40.4%	31.7%	52.0%	57.9%	56.0%
Los Angeles Unified	639,005	47.9%	58.8%	52.0%	65.1%	77.5%	75.2%
San Diego Unified	126,711	46.6%	55.7%	50.0%	64.9%	68.6%	67.1%
Long Beach Unified	76,783	54.3%	66.8%	60.4%	65.2%	69.9%	68.1%
Fresno Unified	75,443	46.2%	70.5%	57.1%	63.1%	67.9%	66.8%
San Francisco Unified	61,579	41.6%	46.9%	45.7%	53.4%	54.9%	54.2%
Oakland Unified	51,532	26.4%	63.5%	54.0%	59.2%	68.1%	61.4%
Sacramento City Unified	49,997	47.9%	59.4%	53.1%	58.0%	60.8%	59.2%
Santa Ana Unified	48,319	47.7%	61.9%	55.9%	54.7%	71.6%	71.3%
San Juan Unified	47,456	15.6%	16.1%	15.7%	23.9%	21.4%	22.1%
San Bernardino City Unified	43,685	55.6%	60.0%	56.3%	62.5%	64.2%	63.6%
Garden Grove Unified	41,472	39.0%	54.2%	47.0%	50.4%	60.1%	59.6%
Stockton Unified	34,251	55.9%	57.2%	56.7%	55.8%	57.9%	57.3%
Mt. Diablo Unified	34,076	18.2%	21.1%	18.6%	36.6%	35.2%	35.3%
Riverside Unified	33,607	44.4%	43.7%	44.3%	50.1%	52.2%	51.6%
Montebello Unified	32,321	62.3%	52.3%	56.4%	61.7%	70.1%	70.1%
Elk Grove Unified	32,038	28.3%	38.9%	31.4%	44.0%	37.8%	41.0%
Moreno Valley Unified	31,621	35.3%	39.1%	35.8%	41.4%	41.7%	41.5%
West Contra Costa Unified	31,258	31.2%	42.4%	36.0%	53.9%	58.5%	55.5%
Capistrano Unified	31,216	13.9%	11.6%	13.8%	15.0%	36.4%	34.4%
San Jose Unified	30,905	34.3%	29.2%	32.8%	39.2%	46.7%	45.7%

Sources: California Department of Education Enrollment by School Data and Free and Reduced Meals Program Data, 1993-1994

In 1993, almost 20 years before our new data was gathered, no racial or ethnic group in California attended schools of overwhelming poverty. All groups of students were, on average, attending schools with substantial middle-class enrollment. Whites attended schools that were 71 percent middle class, Asians 60 percent, blacks 48 percent, and Latinos 42 percent. Schools in Los Angeles, Santa Ana, Montebello, and Long Beach (table 16) had substantially higher concentrations of poverty among Latinos, but there was considerably more social class diversity in many other districts. San Francisco, under its desegregation plan, had much a lower level of segregation. Big suburban districts like San Juan and Elk Grove had substantial middle-class majorities among all groups.

The basic message of the new statistics compiled for this report is that, 60 years after *Brown*, California shows no significant change in the segregation of its African American students, who have been highly segregated since state statistics were first collected in the 1960s. Temporary gains from civil rights policies have evaporated, and no state or local policies are significantly addressing this issue. The major difference is that back in the 1960s blacks were heavily segregated with other blacks. Now they are heavily segregated from whites and attending schools where two-thirds of students on average are poor, and the schools have more than twice as many Latino as black students.

In contrast, the Latino story of recent decades is a one of a drastic increase in segregation. In 1970, Latino students on average attended majority white schools in a state that still had a large white majority, though it was beginning to change rapidly. Now Latino students attend schools with only one-sixth whites, three-quarters poor children, and in some places with significant linguistic segregation. This change is related to the much greater challenges faced by schools and more severe obstacles to children. Particularly dramatic is these students' isolation from qualified and experienced teachers, college-going curricula, well-prepared fellow students, and schools that provide a strong path to college.

The data show that there are variations across the state and that school segregation is significantly linked to housing segregation. We see both extremes—from the level of isolation in the Los Angeles-Inland Empire area to the considerable diversity in some metro areas. This clearly suggests that housing issues are part of the cause and should be part of the solution.

Conclusion and Recommendations

Since the end of desegregation plans and the radical limitation of desegregation laws, the dominant reaction has been to ignore the deepening segregation that is explored in this report. There is little new work that explains the current reality and its impact, or that frames policy alternatives or develops techniques, incentives supports, or strategies to guide the many schools and communities that have become far more diverse and now face the possibility of resegregation. The basic reaction has been to give up and to assume that there is some other way to provide equal opportunity. Clearly evident in these data is the fact that when this problem is ignored it does not go away; it only gets worse and affects more schools and communities. The problems associated with double and triple segregation which is the situation faced by California's Latinos, now the majority of the state's students, are much worse than in the years following *Brown*, but they are too often seen as something that cannot be changed. The fact that African Americans are segregated from whites, Asians, and middle-class students while attending schools dominated by another disadvantaged minority is virtually ignored. The enactment of California's Local Control Funding Formula, with its effort to create solutions for children who are poor, who need language development, or who have no family to care for them (foster children), is a hopeful sign that policymakers have recognized that something must be done. Now is the time to think about how to use that money and other resources to make California schools less separate and more equal.

There are no current policy initiatives in California or even any significant discussion about the goals of *Brown*. In schools the ruling is treated as a long-ago triumph that ended segregation, while nothing is said about segregation's powerful return and the virtual reversal of *Brown* by our courts is ignored. Segregation is again being accepted as normal, and its spread into suburbia is not being addressed, although people are leaving communities because of it.

One central institutional change in recent years has been a large expansion of charter schools, which do not embrace any of the civil rights policies that worked in the more effective magnet schools. There are many theories about how to make "failing" schools (which are mostly segregated schools of concentrated poverty) better, but most of the policies are about increasing the pressure, threats, and sanctions on these schools and their teachers. Another popular theory is that any school not run by a school district will, in its nature, be better and offer students a better choice. There is no significant empirical evidence that any of these theories works, and yet, strangely, there is also little discussion of policies that will give students who are locked

into weak segregated schools access to schools with strong performance records, staffs, and curricula—schools that could clearly make a difference in their lives.

Segregation is so deeply embedded and so severe in major segments of California that the first step should simply be to take a serious, systematic look at the level of segregation by race, poverty, and language in each region, and the degree to which it is related to unequal opportunities and unequal outcomes. The state and local data systems will not support a serious longitudinal analysis that follows individual students, but the simple and stark pattern of separation by race and poverty and its relationship with obviously key aspects of educational opportunity should be given serious consideration. Academic researchers, education leaders, journalists, and others need to examine the data and write and talk about what they find. We are making available data on the segregation levels of all school districts in California.

Since school choice is a major aspect of contemporary reform, state and local school authorities and policy-makers need to make sure that schools of choice must systematically reach out to all sectors of their potential audience and plan for and welcome diversity in their schools. The basic requirements of equitable choice plans are clear: real and worthwhile educational options, good information and outreach to parents of all communities, lottery selection from among those interested rather than entrance requirements and screening, diversity plans and a welcome to all, and free transportation so that choices are not controlled by residential isolation or access to private transportation. Many existing choice options usually fall so far short that they actually foster isolation and inequality.

Because many communities are either diverse or becoming diverse, while many once diverse are losing diversity and threatening to spread segregation and its educational and social disadvantages, states, cities, suburbs, and metropolitan organizations need to support plans to achieve successful and lasting diversity and to avoid resegregation and its consequences. Successful efforts include clear goals, coordination of housing and educational policy, and effective outreach to all groups so a community does not become known as being nonwhite, which is a self-fulfilling prediction. These strategies must include methods to keep schools integrated and effective, to avoid any symptoms of neighborhood decline or crime, and to be certain that all staff members are welcoming to all. They also should include prosecution for racial steering that guides whites and Asians away from and blacks and Latinos into changing neighborhoods. Many suburbs do not know how to do these things and receive no good advice or assistance, thus change often simply happens and people leave the community, first whites and then middle-class families of all races. The state, counties, nonprofits, universities, and others need to provide assistance and advice to minimize

resegregation and help communities achieve stable integration, a situation that is attractive to many people of all races and tends to attract and hold strong teachers and administrators.

We must prosecute discrimination. Districts with declining white, Asian, and middle-class enrollments often take measures to provide special options or charter schools to appeal specially to those students. When this is done through racial gerrymandering of attendance boundaries and unfair operation of choice programs, it may be a constitutional violation, as it denies equal protection of the laws to the excluded Latino and black students. Similarly, when charter and choice schools deny services to language minority students or send them to other schools, they are violating the 1964 Civil Rights Act. Systemic and disproportionate assignment of minority students to special education classes, or using discipline and suspension in unfair ways, are among the issues that could lead to federal investigations, civil rights litigation, and ultimately new remedies.

Racial diversity and racial change are not things teachers and administrators automatically know about. Understanding students, their families, and their cultures is not only helpful but essential. Teachers need training in well-researched methods for handling diversity and potential division in their classes in positive ways. Administrators play a central role in setting the norms and the climate of their schools, which can have a significant impact. Solid training in these issues should be required in college teaching programs, and teachers and administrators should be offered continuing professional training, particularly in times of major change. Obviously these efforts would be greatly aided by seriously increasing the number of teachers and administrators from California's communities of color.

Given the tremendous richness of California students' linguistic and family backgrounds, the state and the school districts should systematically plan to expand dual immersion schools, where instruction is carried out in two languages with groups of students who are fluent speakers of each. These schools should offer quality programs and be rapidly expanded, as they have the particular advantage of creating positive and equal status between the two groups, each of which has something very valuable to help the other acquire important learning.

Create regional collaborations. In our intensely interconnected society, we often create regional collaborations about many issues far less important than the preparation of the next generation of our society and our workforce. Many valuable educational experiences that cannot be offered within individual school districts could be offered regionally, thus expanding options for all families. The state and private

foundations and county school authorities need to crystallize these collaborations and figure out the treaties that are needed between systems to finance, staff, and supervise these new institutions. State and federal incentive funding that could deal with the fears of losing revenue would ease some of the major barriers. Regional collaborations could develop and operate regional magnet and transfer programs that have been very successful in other locations. Most segregation is among school districts, not within them, and we should take any opportunities to offer powerful new educational options that make it possible for students of all races to voluntarily cross those lines of division and create school communities that would reflect the diversity of our society.

Support and revive civil rights organizations. Civil rights organizations, including MALDEF, the NAACP Legal Defense Fund, the ACLU, and others, have a critical role to play in any process of change. California organizations alone do not have sufficient staff and resources to do the research and the work that needs to be done. Citizens and foundations need to support these organizations in undertaking serious campaigns to change the existing patterns of school inequality.

Anyone reading these recommendations has probably asked herself or himself about what should be done to make segregated schools more equal. Since there will be a great deal of segregation in any case, it is obviously critical to have a strategy for the many schools that are likely to remain profoundly segregated for the foreseeable future. Although there is no proven systemic strategy to make segregated schools equal, they can and must be made less unequal. We close with a few key recommendations.

Create college preferences for those in segregated high schools. Since preparation for college is profoundly unequal in our highly segregated high schools and the majority of Latino and African American students in these schools do not get a fair chance to prepare in an extremely competitive system, they should be given extra consideration in college admissions decisions and support at the beginning of their college careers to help make up for what they would have received in middle-class high schools.

Expanded learning opportunities are critical. Since students who attend schools in segregated areas of concentrated poverty typically begin school far behind other children and experience growing gaps over time, it is critical to provide them with expanded learning opportunities. These would include preschool conducted by professionally trained teachers, training for parents, and addressing health issues early. Segregated schools often water down the curriculum to deal with students' lack of readiness for school and the excessive focus on test preparation due to by accountability policies. These students need a challenging

curriculum, but also strong support and tutoring for those students who start behind. For students to be able to catch up, they need professional after-school and summer supplemental learning opportunities, including credit recovery programs effectively linked with the school, rather than ineffective grade-retention practices. Since the beginning of high school is especially risky in these schools, ninth-grade academies should be offered to address problems with courses and other precursors to dropping out. AP and honors programs, often missing in these schools, must be provided.

More support is needed to recruit, train, and retain diverse and skilled educators. A basic scandal of American education is that we provide the weakest teachers for the students most needing skillful help and strong instruction. Since teachers are a school's most important resource, we must assign and retain experienced and skilled administrators in the most profoundly inadequate schools. To attract and hold such personnel, we must provide fair evaluation systems that reward teachers who make a real difference, rather than systems that are punitive in design and arbitrary in requirements.

Investing in educators' cultural and linguistic competency is crucial. Colleges and school districts must work together to recruit and retain a more diverse teaching force to provide more teachers with personal experience in underserved communities and inspire a desire to serve there. All levels of government should support special training in impoverished schools to foster intercultural understanding and stronger relations between parents and teachers and administrators. Since most of the families sending children to doubly and triply segregated schools do not speak English as their home language, special priority should be given to teachers who have the language skills needed to effectively teach non-native speakers of English and communicate with their families

More health and counseling services are needed at schools for the entire family. Children of poor families in isolated neighborhoods would be greatly helped by school-based health and social-service centers to deal with the problems of students and their families. If a student cannot see or hear well or has a chronic untreated health problem, their teachers face tremendous obstacles they cannot solve. Such families often face instability and disruption caused by economic and housing and other problems, and live in communities without accessible information about what students need to do to achieve adult success. We need counseling and social work resources for impoverished schools, especially to give advice about dropout prevention, course choices, testing, and access to post-secondary education, as well as the severe out-of-school problems many students face.

Replace punitive school discipline with positive approaches that keep students in school. A basic standard for schools serving these communities should be to avoid anything that makes an already challenging situation worse. This includes ending discretionary suspensions and misplacements in special education, and replacing them with research-based in-school alternatives. Staffs will need training and support in using these approaches.

Offer real choices. In a period that emphasizes student choice, students in segregated schools need authentic choices, not to attend simply another segregated impoverished school or a charter school in their neighborhood. All students in segregated schools should have options to transfer to magnet and other stronger schools, including free transportation. This is extremely critical for high-achieving students who need a stronger school setting to develop their potential and to be prepared for the competition and diversity of the best colleges.

California's new Local Control Funding Formula is an equity-focused policy and funding strategy that is entirely consistent with these recommendations. As districts around the state make their choices about the use of this very important new resource, it is critical to for educators and citizens to keep in mind the fundamentally unequal opportunities we provide in schools that are segregated by race, ethnicity, poverty, and language. Since we have allowed these problems to become so profound and because even starting to reverse them will be challenging and take a good deal of time, it is vital to use these funds to help address some of the inequalities that face students in these unequal and separate schools while also expanding their real choices.

Appendix A

Segregation statistics for all districts in California

Exposure rates

In this report we used exposure statistics to measure segregation and to capture the experiences of segregation. Exposure of certain racial groups to one another or to majority groups shows the distribution of racial groups among organizational units – districts in this report – and describes the average contact between different groups. It is calculated by employing the percentage of a particular group of students of interest in a small unit (e.g., school) with a certain group of students in a larger geographic or organizational unit (e.g., district, county, or state). The formula for calculating the exposure rates of a student in racial group A to students in racial group B is:

$$P^* = \sum_{i=1}^N \frac{a_i b_i}{A t_i}$$

- where n is the number of small units (e.g., school) in a larger unit (e.g., district)
- a_i is the number of student in racial group A in the small unit i (school i)
- A is the total number of students in racial group A in the larger unit (district)
- b_i is the number of students in racial group B in the small unit i (school i)
- t_i is the total number of students in all racial groups in the small unit i (school i)

Exposure rates files for all districts in California

Our report contains exposure statistics for top twenty large districts in California, but given the length of the report, we did not offer exposure rates for all districts. Instead, our supplementary documents include exposure statistics for all districts in California for three different time periods: 1993-1994, 2002-2003, and 2012-2013. We also focus on the following exposure statistics to reveal segregation by race and ethnicity and by poverty:

1. Racial group exposure to low-income students by typical student in school districts
2. Racial group exposure to African American, Latino, and American Indian students by typical student in school districts
3. Racial group exposure to white and Asian students by typical student in school districts

How to read tables?

Let's take the table of racial group exposure to low-income students by a typical student for example. The table below indicates that a typical white student attends a school with 47.7 percent low-income students in the ABC Unified District, whereas a typical Latino student is in contact with 65.8 percent low-income students in school in the same district. The full report and lists showing segregation by district for all districts in California are available at www.civilrightsproject.ucla.edu

Racial Group Exposure to Low-Income Students by Typical Student in School Districts in CA

District	Total Enrollm	Wh	As	White/As	Bl	Lati	Black/Latino/AI
ABC	20,845	47.7	36.1	38.3%	53.1	65.8	63.6%