



Anniversary of Brown decision leads to questions about its legacy

by Tim Anderson

Fifty years after the U.S. Supreme Court's historic *Brown v. Board of Education* ruling, schools are resegregating, achievement gaps between white and black students are wide, and several courts have found that their state's system of funding schools is inadequate and unconstitutional.

Those realities have led policymakers and civil rights advocates to do more than just look back at *Brown* on its 50th anniversary. They also are focusing on what is being called the landmark ruling's "unfinished business."

"We have a long way to go to realize the principles of that decision," says John Jackson, national director of education for the National Association for the Advancement of Colored People.

The 1954 Supreme Court decision found that segregated schools are "inherently unequal." While *Brown's* impact was not immediately felt, and some have even questioned its long-term effects, a national trend toward integration did occur in the decades following the decision.

That trend, though, has reversed over the past decade and a half, a [2004 study by the Harvard University Civil Rights Project finds](#).

Between 1968 and 1991, the percentage of black students in the Midwest attending predominantly minority schools (meaning a population in which at least nine out of 10 students are minorities) fell from 58.0 percent to 39.9 percent. But from 1991 to 2001, the rate increased to 46.8 percent.

Trends are slightly different for Latino students in this region, though the overall pattern of increased segregation is still seen. In 1968, 6.8 percent of Latino students were attending predominantly minority schools, compared to 20.9 percent in 1991 and 24.6 percent in 2001.

What has caused this rise in the segregation of schools? Chungmei Lee, co-author of the Harvard study, says there are many factors. Her 2004 report focuses on trends after 1991. That year, Supreme Court justices authorized a return to neighborhood schools, even if such a move would mean a resegregation of schools by race.

But just as *Brown* could not alone integrate the nation's schools, the 1991 decision should not be viewed as the sole reason for the subsequent rise in segregation patterns, Lee contends.

"It takes more than court orders," she says. "For

desegregation to last, a serious attempt has to be made to make it really work in schools and in communities."

Lee notes that integration efforts have stalled in part because they have too often focused on individual school districts. Meanwhile, she says, housing and population trends within an entire region are causing schools to segregate.

The recent trends have been most acute in the large, central cities of metropolitan areas, followed by those regions' suburban rings. Conversely, rural and small-town schools are, on average, the nation's most integrated.

The Harvard study offers several recommendations for policymakers interested in revitalizing the integration of U.S. schools. They include the following:

- Develop housing subsidy programs that provide low-income families access to middle class schools.
- Use voucher programs or charter schools as a tool of integration.
- Provide financial incentives to white and Asian suburban schools that accept significant numbers of segregated minority students from schools designated as failing.

Another recommendation is to educate students and parents about the advantages of integrated schools. While research has been inconclusive regarding these schools' educational benefits, Lee

education has led to an underfunding of schools in low-income, predominantly minority districts.

Ironically, the state of Kansas, whose capital city of Topeka played a central role in the *Brown* case, is the latest Midwestern state to have its school funding system ruled unconstitutional. Late last year, Shawnee County District Judge Terry Bullock called the state's current formula a "blatant

violation" of the state and U.S. constitutions.

Not only are public schools generally short-changed by the state, he wrote, but schools serving minority and disadvantaged students are particularly left

with inadequate resources.


"The current funding scheme provides least to those school districts which have the largest concentrations of our most vulnerable and/or protected students: our poor, our disabled, our minorities, and our children not fluent in the language spoken in their schools."

The Kansas Legislature wants the state Supreme Court to now hear the case. In the meantime, thanks in part to the judge's ruling, school funding dominated this year's legislative session in Kansas.

In his decision, Bullock talks about a "disturbingly telling" achievement gap between different groups of Kansas students. In 2003, 33.3 percent of the state's black 11th-graders and 42.1 percent of Hispanic 11th-graders had test scores considered "proficient" in reading, compared to 64.4 percent for their white counterparts. The proficiency scores for Kansas' fourth-grade math students also varied widely among different ethnic groups — 79.0 percent for whites, 56.4 percent for Hispanics and 47.8 percent for blacks.

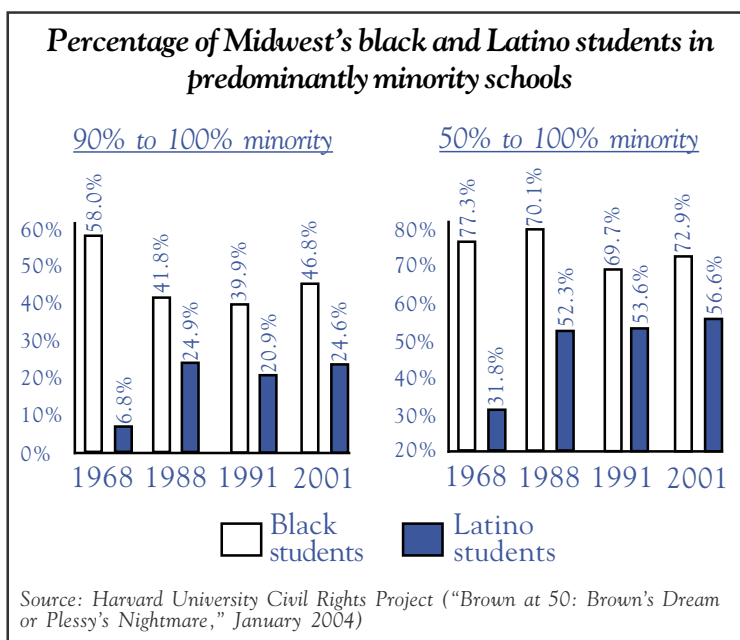
Across the country, similar patterns of achievement disparities are being reported. However, Lee warns that dumping more resources into schools predominantly serving low-income, minority students won't necessarily solve the problem.

"It is not the magic bullet," she adds. "There is so much more that goes into a successful school and students — peer effects, parental involvement, the effectiveness of teachers. A lot of those issues can't be solved with money alone."

Achievement and funding gaps, along with resegregation trends, have left many questions about the legacy of the *Brown* case. Jackson, though, says the decision has at least "institutionalized" a belief that the nation's public education system should adequately serve all of its students. 

Student subgroup	4th-grade reading	8th-grade reading	4th-grade math	8th-grade math
American Indian	53%	41%	35%	46%
Asian/Pacific Islander	31%	22%	13%	23%
Black	61%	47%	46%	61%
Hispanic	57%	46%	38%	53%
White	26%	18%	13%	21%

Source: National Center for Education Statistics



contends that they certainly better prepare students of all races to function and succeed in an ethnically diverse society.

Jackson adds that "resegregation trends also are tied to resource inequities."

In other words, he says, a central

concern raised in the *Brown* ruling — that separate schools are "inherently unequal" — is still applicable a half century later.

Lawsuits have been filed in recent years against states around the country seeking to equalize the way local K-12 schools are funded. One of the plaintiffs' central claims in many of these cases is that an overreliance on local revenue sources for