

**School Choice Beyond District Borders:
Lessons for the Reauthorization of NCLB
from Interdistrict Desegregation and
Open Enrollment Plans**

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The Problem:

The school choice provisions of the current NCLB offer only an empty promise to most children enrolled in failing schools

In the first five years of NCLB implementation less than 6 percent of students enrolled in schools that did not meet AYP two years in a row actually were able to choose and transfer to a non-failing school

Most likely causes of the lack of student choice under NCLB:

1. Lack of meaningful choices within school districts with many failing schools due to:

- More racial and social-class segregation across district lines; 84% of segregation is now between districts and non within them (Clotfelter, 2004)**
- Higher concentration of poverty in poor districts; "... income segregation at the micro level came to substitute class segregation at the macro level [in regions, states and metro areas] (Massey and Fisher, 2003)**
- The more likely a school district is to have one or more failing schools, the less likely that district is to have many non-failing schools and the closer its non-failing schools will be to not meeting AYP (Clotfelter, 2004)**

Causes of the lack of student choice under NCLB cont:

2. The burden of gaining access to non-failing schools (especially those in other districts) is placed on students and parents

-- no mandates, commitments or incentives for non-failing schools to accept students from failing schools

-- no outreach, recruitment, guaranteed access or free transportation systems in place

Expanding NCLB through interdistrict choice: What we can learn from the two most prevalent interdistrict choice policies:

1. Interdistrict Voluntary Desegregation Plans

2. Open Enrollment School Choice Programs

Historically, these two policies have differed dramatically in terms of their

- goals/intent**
- structure and design**
- outcomes**

Eight Largest and Best-Known Interdistrict Desegregation Plans

| | Year Started and Impetus | Peak/ Current Enrollment | Race/ Ethnicity of Transfer Students | Guidelines/Incentives for Suburban Districts |
|--|--|--|---|---|
| St. Louis Voluntary Interdistrict Transfer Plan | 1983 Federal Court Case | 13,000 city & 1,500 suburb/ 8,000 from city | Black students from city/ white students from suburbs | Strong guidelines Per pupil funding historically Now \$8,000 |
| Hartford Project Choice | 1997 State Court Case | 1,070 urban to suburban | Black and Latino from city to suburbs | Weak guidelines \$2,000 per pupil |
| Boston METCO | 1966 State Legislation | 3,200 urban to suburban | 75% Black; 16% Hispanic; 4% Asian | Suburban participation is voluntary \$3,700 per pupil |
| Milwaukee Chapter 220 | 1976 State Leg 1987 Settlement Agr. | 6,000 in 1993 3,000 now urban to suburban | 72% Black; 9% Hispanic; 13% Asian in the late 1990s | Guidelines = total goal for program Suburbs receive per pupil |
| Rochester Urban-Suburban Transfer Program | 1965 Begun Voluntarily | 500-600 urban to suburban | Black and Latino Students (White student sued to participate but failed) | State aid for out of district transfers |
| Indianapolis-Suburban Township Desegregation Plan | 1981 Federal Court Case | Early 1980s 7,000 urban to suburban Now phasing out | Black students | City students assigned to suburban schools Suburbs receive roughly per pupil funding |
| Tinsley Interdistrict Transfer Plan | 1986 State Court Case | 206 per year for grade K-3 Students matriculate through 8 th grade | Latino and Black students | Strong guidelines related to prior achievement Receiving districts receive per pupil |
| Minneapolis Choice is Yours Program | 2001 State Court Case | 2,000 urban to suburban | Based on SES and not race – Only 53% Black; 19% White; 18% “Other” | Weak Guidelines Suburbs receive state per pupil plus compensatory \$ |

Open Enrollment Interdistrict Choice Plans

As of 2007, nearly all 50 states have interdistrict open enrollment policies on the books Most laws were passed between 1993 to 2003

Enrollment in these plans grew from 208,000 in 1993-94 to over 487,000 students in 1999-2000, more than the enrollment in charter schools and voucher programs combined that year

42.5% of all districts allow students to transfer out
45% accept students from other districts

Goals and Purposes

Interdistrict Desegregation Plans

- Grounded in Civil Rights Movements, Laws and Court Cases;
- Focused on remedying past discrimination by providing greater access and opportunities to students who have been disadvantaged due to race/ethnicity and poverty;
- Choice programs skewed in favor of those with the fewest choices

Open Enrollment Interdistrict Choice Plans

- Born of a more recent era in which solutions to most social problems are almost exclusively conceptualized in market terms
- Central goal is to force school districts to compete for students and state funds
- Any choice is good; let the market lift all boats

Structure and Design:

Interdistrict Desegregation Plans

- Designed to achieve greater racial (or SES) diversity in suburban (and often urban) schools
- Suburban district involvement is mandated or strongly encouraged
Administrative bodies monitor transfer process and recruit minority student
- State pays for free transportation
- Some plans (St. Louis, Hartford, Milwaukee, Tinsley, and Minneapolis) include an urban school reform programs – magnets and other resources
- Strong state (or court) support – administrative support and oversight - is critical

In writing about the St. Louis interdistrict program at the time that NCLB was working its way through the U.S. Congress, Freivogel (2002) noted that it contains many of the key elements of educational reform that were central to President George W. Bush's proposed federal law, which was soon to become NCLB:

“It permits parents of children in failing schools to send their children to more successful public schools. And it reconstitutes failing schools with new principals and educational programs... As a notable example of the last century's great educational experiment of desegregation and as an example of this century's educational reform model, St. Louis has lessons to offer the rest of the nation.”

In their surveys of parents of CIY participating students, the Aspen Associates (2003) authors found that only one-third of the parents whose children were attending suburban schools said they would “definitely” choose the same school for their child whether or not free transportation was available.

Structure and Design:

Open Enrollment Interdistrict Choice Plans

- Lack of transportation (less than $\frac{1}{4}$ of the states have provisions for low-income families – in the form of reimbursements)
- Suburban Districts decide who comes and who they have room for
- Very weak diversity guidelines, no oversight
- Weak mandates on parent information outreach and no monitoring
- State per pupil payments = sending district amounts; disincentive for affluent districts to accept students from poor districts

Outcomes:

Interdistrict Desegregation Plans

- Achieve Greater Racial Diversity in Suburbs
- Improved Racial Attitudes and Growing Support of Integration in the Suburbs (especially among students who participate)
- Higher Academic Achievement/ Graduation and College Going Rates for Transfer Students Over Time
- Long-Term Positive Effects on Careers and Adult Lives

Open-Enrollment Interdistrict Choice Plans

- Greater Racial and Social Class Stratification

Unfettered Choices Advantage the Advantaged: How Current Interdistrict Open Enrollment Choice Policies Leave Urban Students Behind

Existing evidence from state evaluations of interdistrict open enrollment choice policies shows not only that lower income students of color are less likely to participate, but that those students who *do* participate tend to transfer to higher income, less diverse school districts. Together with the existing student transfer information presented above, it becomes clear that, as currently designed, open enrollment choice policies are allowing whiter and more affluent students to transfer to whiter and more affluent school districts.

Racial differences in the students participating in the Chapter 220 program versus the Wisconsin open enrollment program are quite startling and a testament to the differences in design, goal and targets of these two programs.

“Enrollment data show Chapter 220 has indeed diversified suburban districts; an elimination of the program would result in greatly reduced levels of racial integration in suburban schools. Open enrollment, as a successor to Chapter 220, would not contribute to greater diversity. In the 2001-02 school year, 85% of Open Enrollment participants were white, including 63% of transfers from Milwaukee [district enrollment is 18% white]. Thus, unless Open Enrollment policy is changed to attract greater minority participation, the program will not help suburban districts maintain their current levels of integration should Chapter 220 end” (Dickman, et. al., 2003; p. 4).

In their interviews with local administrators in Milwaukee area school districts, Dickman, et. al. (2003) found that they wanted the Chapter 220 program to remain because they said that the overall benefits outweighed the costs to the state. “Put simply, more than 25 years after the creation of Chapter 220, administrators place the highest value of the program on creating a diverse student community” (p. 30).