

#ITSTIME

#STRIKE301AND302

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**The National Coalition**  
on  
**School Diversity**



## IT'S TIME TO STRIKE 301 AND 302

We urge Congress to remove harmful and outdated language from FY2019 appropriations legislation and similar language in Section 426 of the General Education Provisions Act (GEPA).

*In all appropriations legislation since at least 1974, there has been a rider prohibiting federal funding from being used for transportation to support public school racial integration. These anti-integration provisions were most recently included in the legislation that funded the federal government for FY2018.*

## WHY IT'S TIME FOR CONGRESS TO REMOVE ANTI-INTEGRATION RIDERS FROM FY2019 APPROPRIATIONS BILLS

### **Anti-integration riders limit local control and undermine ESSA.**

By barring the use of federal funds to transport students for the purposes of racial integration, the provisions limit school improvement strategies, and hamper innovators' ability to explore new and potentially significant school improvement techniques. In addition, the provisions conflict with the will of Congress in passing the Every Student Succeeds Act (ESSA), clearly undermining the law's focus on local control and flexibility.

### **Anti-integration riders are outdated.**

These prohibitions are vestiges of an era during which opposition to court-ordered public school racial integration raged. It is alarming that such legislative language would still be present today, at a time when racial resegregation of our public schools has surged, and when so many districts are working voluntarily to promote racial and economic integration for the benefit of their children and communities.

### **Anti-integration riders inhibit voluntary integration efforts.**

Recent events in our country underscore the importance of supporting diversity in schools so that everyone can ultimately live, work, and play in an inclusive environment. As Justice Anthony Kennedy stated in his concurring opinion in *Parents Involved n Community Schools v. Seattle School Dist. No. 1*: "This Nation has a moral and ethical obligation to fulfill its historic commitment to creating an integrated society that ensures equal opportunity for all of its children." Striking and nullifying harmful, outdated language from current legislation is a small—but important—step in reaching this goal.



Dozens of organizations and individuals signed our letter to remove anti-integration language from FY2019 appropriations bills.

Add your support at [goo.gl/dzoaMS](https://goo.gl/dzoaMS).

More info: [school-diversity.org/rider2019](https://school-diversity.org/rider2019)

# STRIKE WHAT?

Section 301: “No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.”

Section 302: “None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student’s home, except for a student requiring special education, to the school offering such special education, in order to comply with Title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.”

Section 426 of General Education Provisions Act (GEPA): “No funds appropriated for the purpose of carrying out any applicable program may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system...”

Congress pledged to “consider a longer term solution of this issue” during the FY2019 appropriations process, when it exempted the Magnet Schools Assistance Program from these provisions in its FY2018 appropriations bill. Now is the time to act on this commitment.



## WHY IS SCHOOL DIVERSITY IMPORTANT?

Students attending racially and socioeconomically diverse schools show:

- Improved critical thinking and problem solving skills
- Increased levels of civic engagement
- Increased workplace readiness and interpersonal skills for a global economy
- Better test scores and higher college attendance rates than peers in more economically and racially segregated schools.

The benefits from attending diverse schools also continue into adulthood. These include subsequent reduced segregation in neighborhoods, colleges, and workplaces; higher levels of social cohesion; and reduced racial prejudice.

*To learn about the research base supporting integration, visit [school-diversity.org/research-briefs](http://school-diversity.org/research-briefs).*

## —REFERENCES—

<sup>1</sup> Parents Involved in Community Schools v. Seattle School Dist. No. 1, 551 U.S. 701, 797-798 (2007)(Kennedy concurring), available at [www.supremecourt.gov/opinions/boundvolumes/551bv.pdf](http://www.supremecourt.gov/opinions/boundvolumes/551bv.pdf).

### **The National Coalition on School Diversity**

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*bridging research, practice, advocacy, and policy*

*The National Coalition on School Diversity (NCSD) is a network of nearly 50 civil rights organizations, university-based research centers, integration practitioners, and state and local coalitions working to expand support for government policies that promote school diversity and reduce racial isolation. Our work is informed by an advisory panel of scholars and academic researchers whose work relates to issues of equity, diversity, and desegregation/integration.*