Housing Discrimination School Segregation & School Funding

How Housing Discrimination Reproduces Unequal Opportunity

Moreover, underrepresented minority students are more likely to live in poverty and attend schools with a high concentration of poverty.[7] When combined with residential segregation and school funding systems that rely heavily on local property taxes, this leads to racial minority students attending schools with fewer resources. See *San Antonio Independent School Dist.* v. *Rodriguez*, 411 U. S. 1, 72–86 (1973) (Marshall, J., dissenting) (noting school funding disparities that result from local property taxation).[8] In

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[8] See also L. Clark, Barbed Wire Fences: The Structural Violence of Education Law, 89 U. Chi. L. Rev. 499, 502, 512–517 (2022); Albert Shanker Institute, B. Baker, M. DiCarlo, & P. Greene, Segregation and School Funding: How Housing Discrimination Reproduces Unequal Opportunity 17–19 (Apr. 2022).

INTRODUCTION
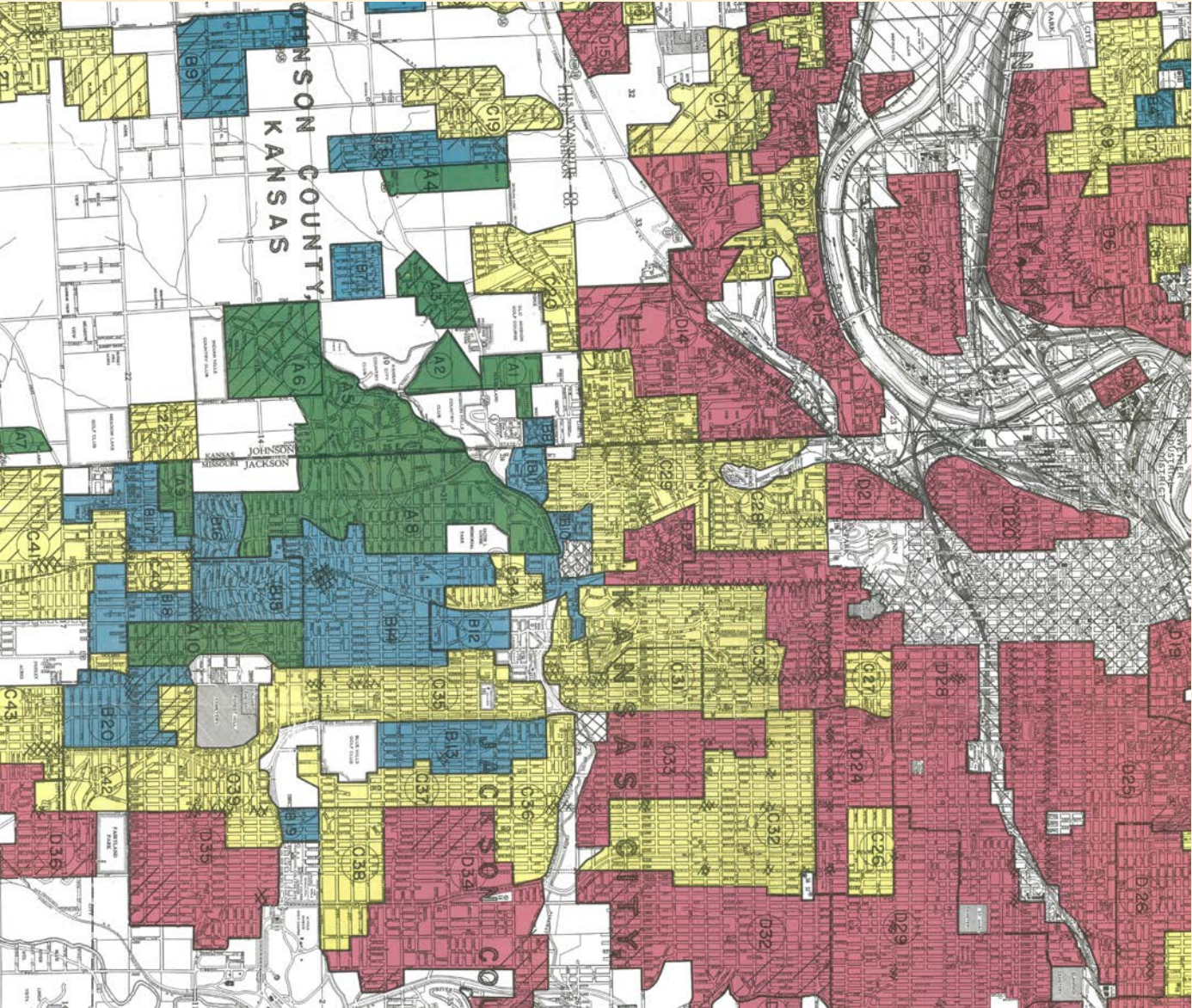
- Unequal educational opportunity by race and ethnicity depends on segregation (particularly between districts)

- Today, racial/ethnic funding inequity is driven largely by (inter-district) racial and economic segregation

- But the roots of this cycle are in generations of **ongoing** institutional housing discrimination based solely on race and ethnicity

SEGREGATION AND SCHOOL FUNDING

Albert Shanker Institute

System & Resource Effects

- **1st Order**: First order effects include the persistent, measurable differences in the values of residential properties owned in Black, Latino, and white neighborhoods, as well as their respective incomes.

- **2nd Order:** "first order" effects of racial segregation—wealth disparities by race and ethnicity—play out predictably in "second order" effects on school funding. That is, less taxable wealth, combined with the reliance on that wealth to fund K-12 education (e.g., via property taxation), means less property tax revenue for schools in Black and Latino communities. This creates pressure on these communities to tax themselves disproportionately to improve local schools.

- **3rd Order:** Third order effects on equal educational opportunity and adequacy Far more substantial are the effects of persistent housing discrimination on the costs of providing adequate education and equal opportunity, measured in terms of achieving common educational outcomes. Prior research has shown that racially isolated, majority-Black districts face substantially higher per-pupil costs to achieve the same academic outcomes as their majority-white, more affluent neighbors. Majority-Black districts have higher costs than districts with similar rates of child poverty but are not racially isolated.
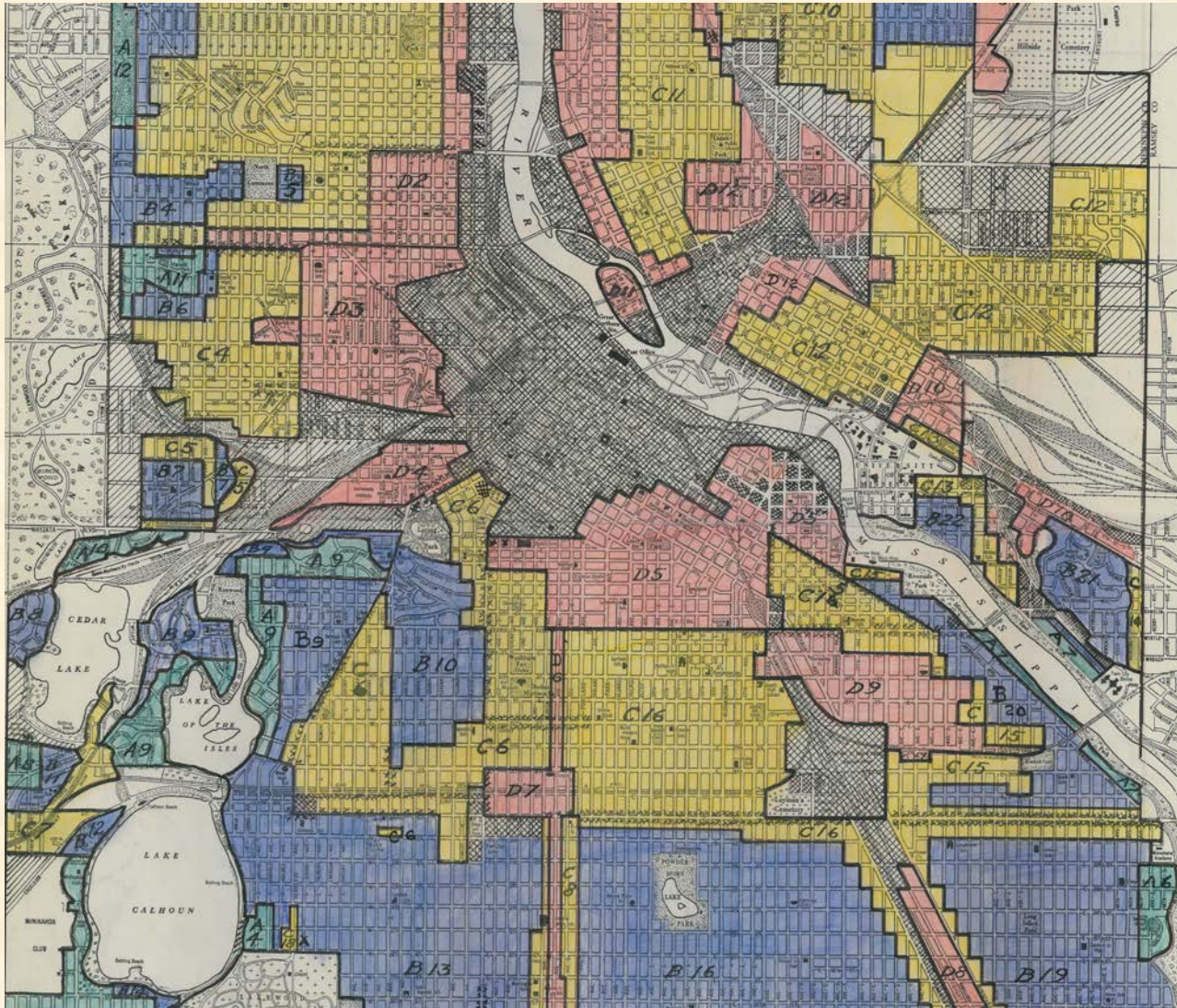
TWIN CITIES

HARTFORD

BAY AREA

KANSAS CITY

BALTIMORE

BIRMINGHAM

SAN ANTONIO

Albert Shanker Institute

- American Community Survey (U.S. Census)
- Common Core of Data (NCES)
- Annual Survey of School System Finances (U.S. Census)
- HOLC "redlining" map data, 1935-40 (University of Richmond)
- School Finance Indicators Database (ASI/Rutgers)

RESULTS

- In our seven case study metro areas (and nationally), compared with their white counterparts in the same area, Black and Hispanic homeowners:
  - Earn less income
  - Own homes of lower values
  - Pay a higher effective local property tax rate
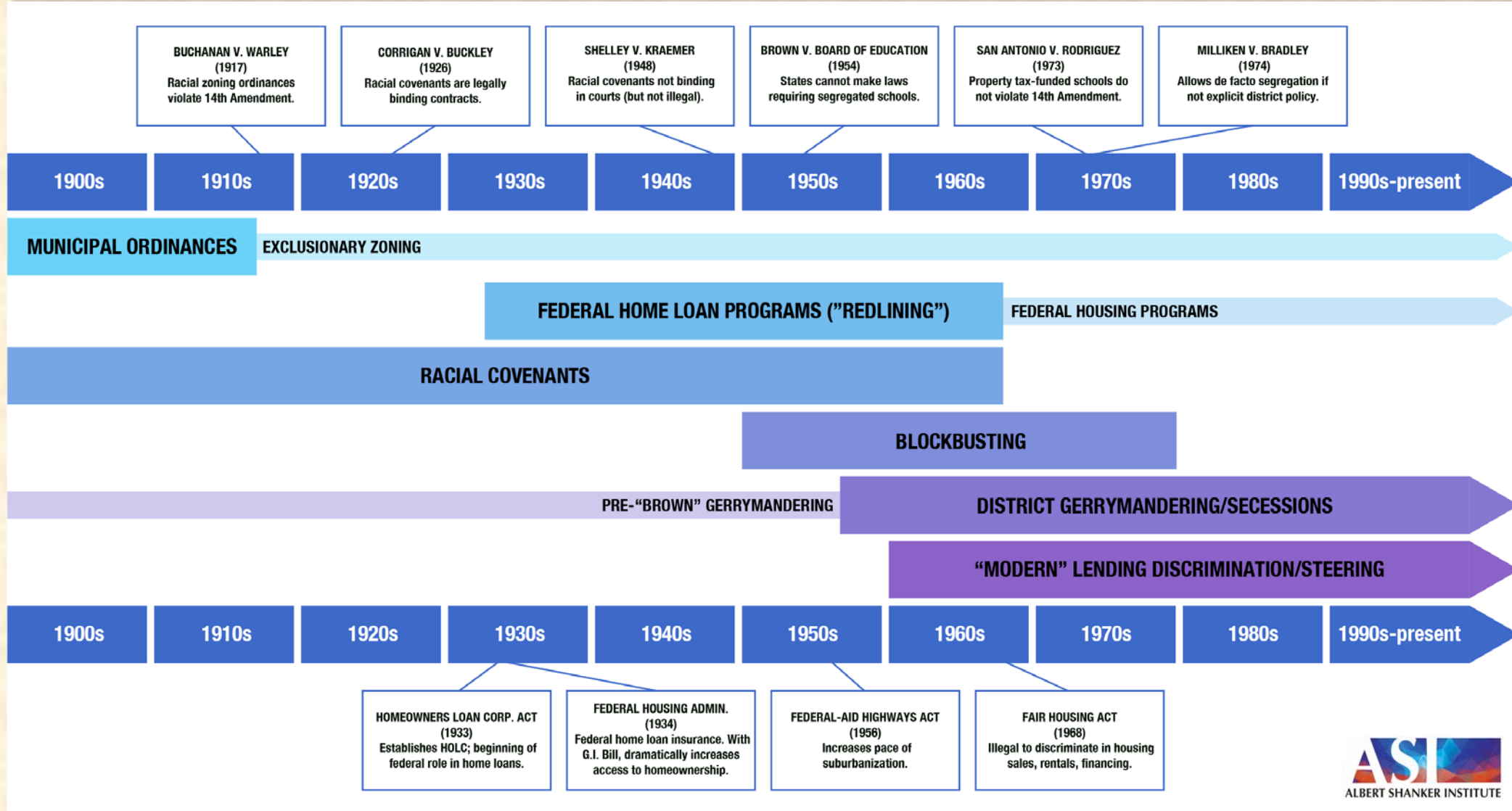 - Live in districts that receive less local property tax revenue

SEGREGATION AND SCHOOL FUNDING

Albert Shanker Institute

ADEQUATE FUNDING GAPS BY STUDENT RACE AND ETHNICITY AND METRO AREA, 2016-18 (POOLED)
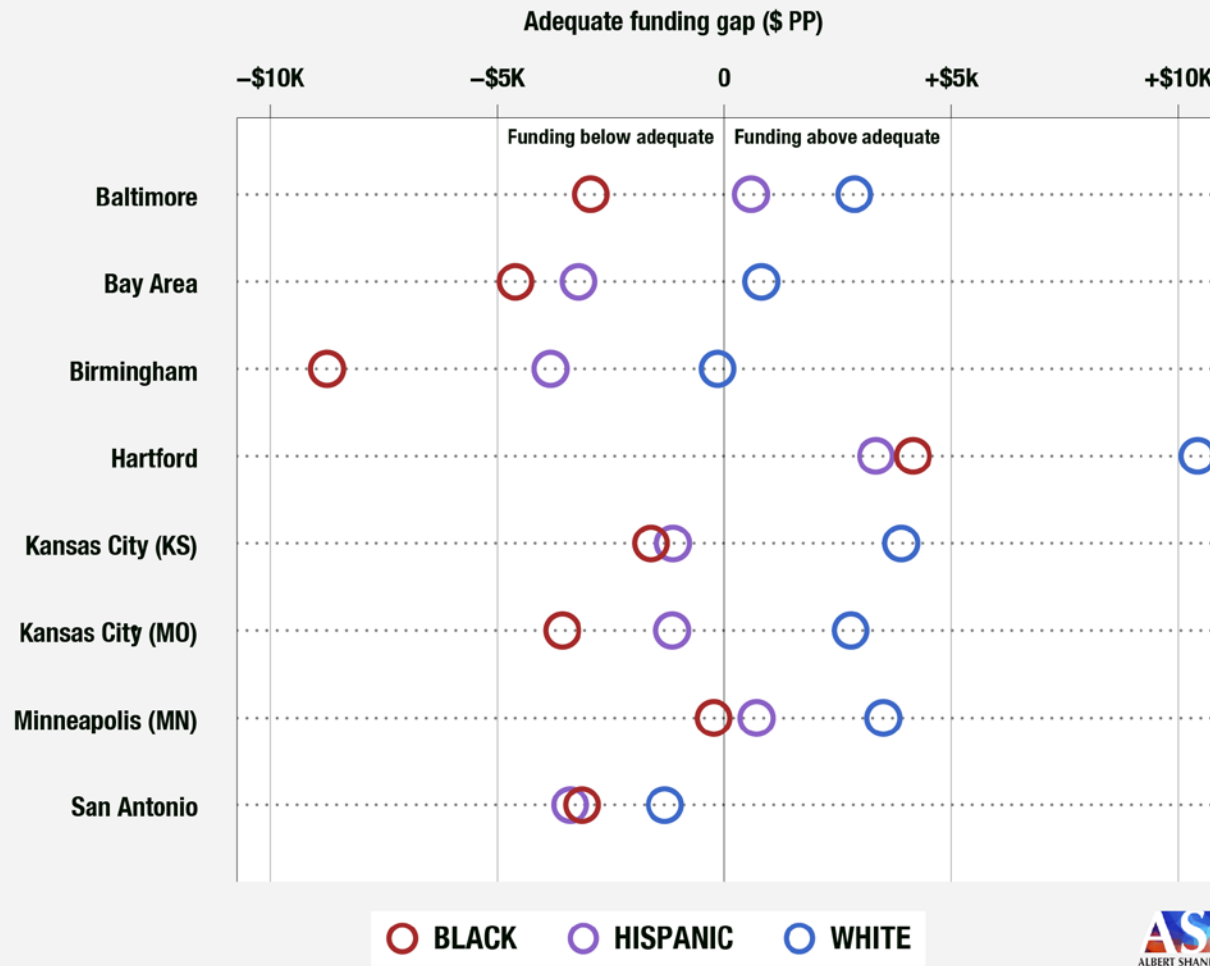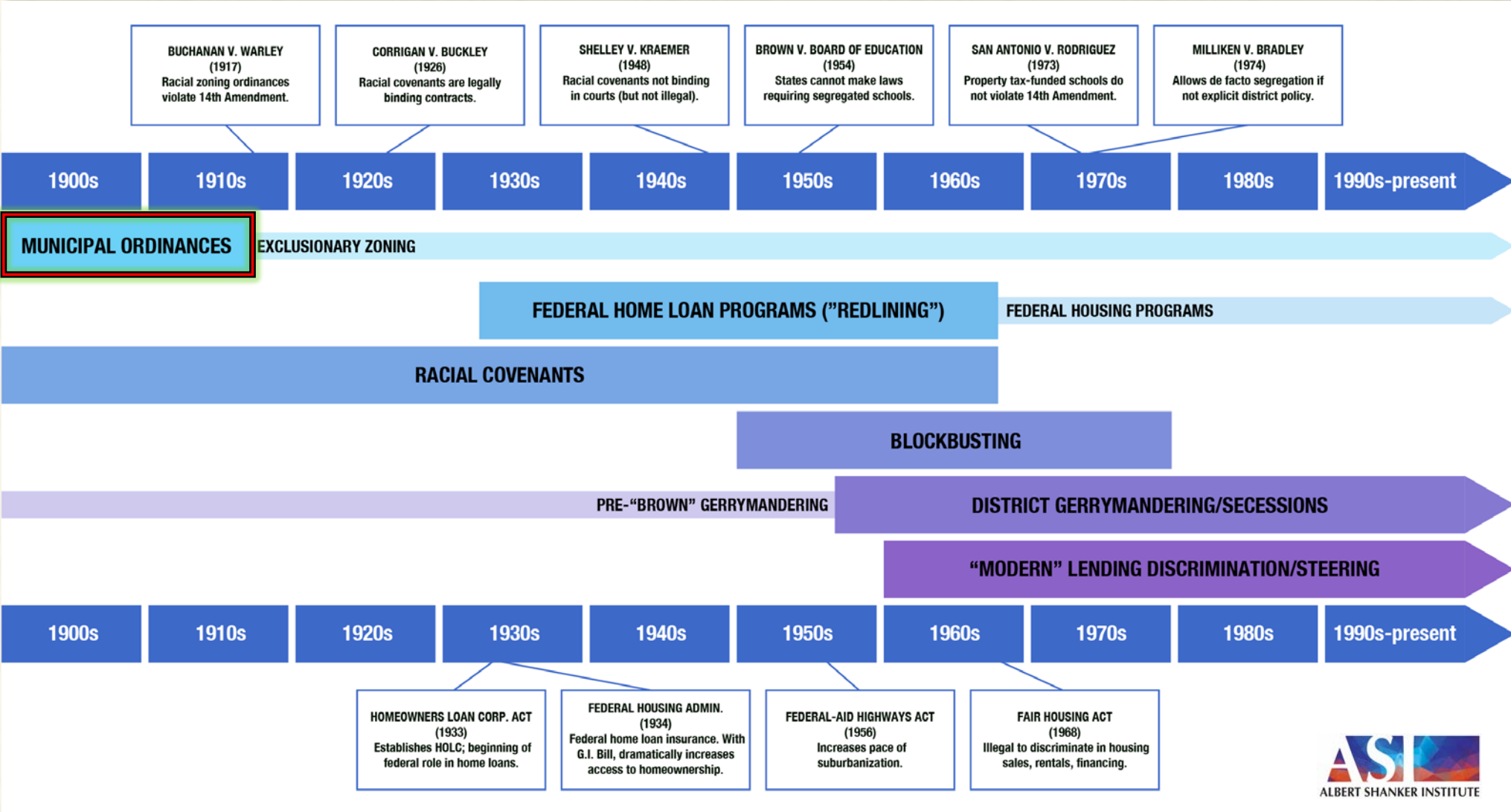
- Segregation-fueled racial/ethnic wealth gaps, along with concentrated poverty:
  - Increases costs
  - Decreases revenue
- This contributes to opportunity gaps in our case study metro areas (and in virtually all other metro areas in the U.S.)
- Unequal opportunity → unequal outcomes → intergenerational reproduction of inequality

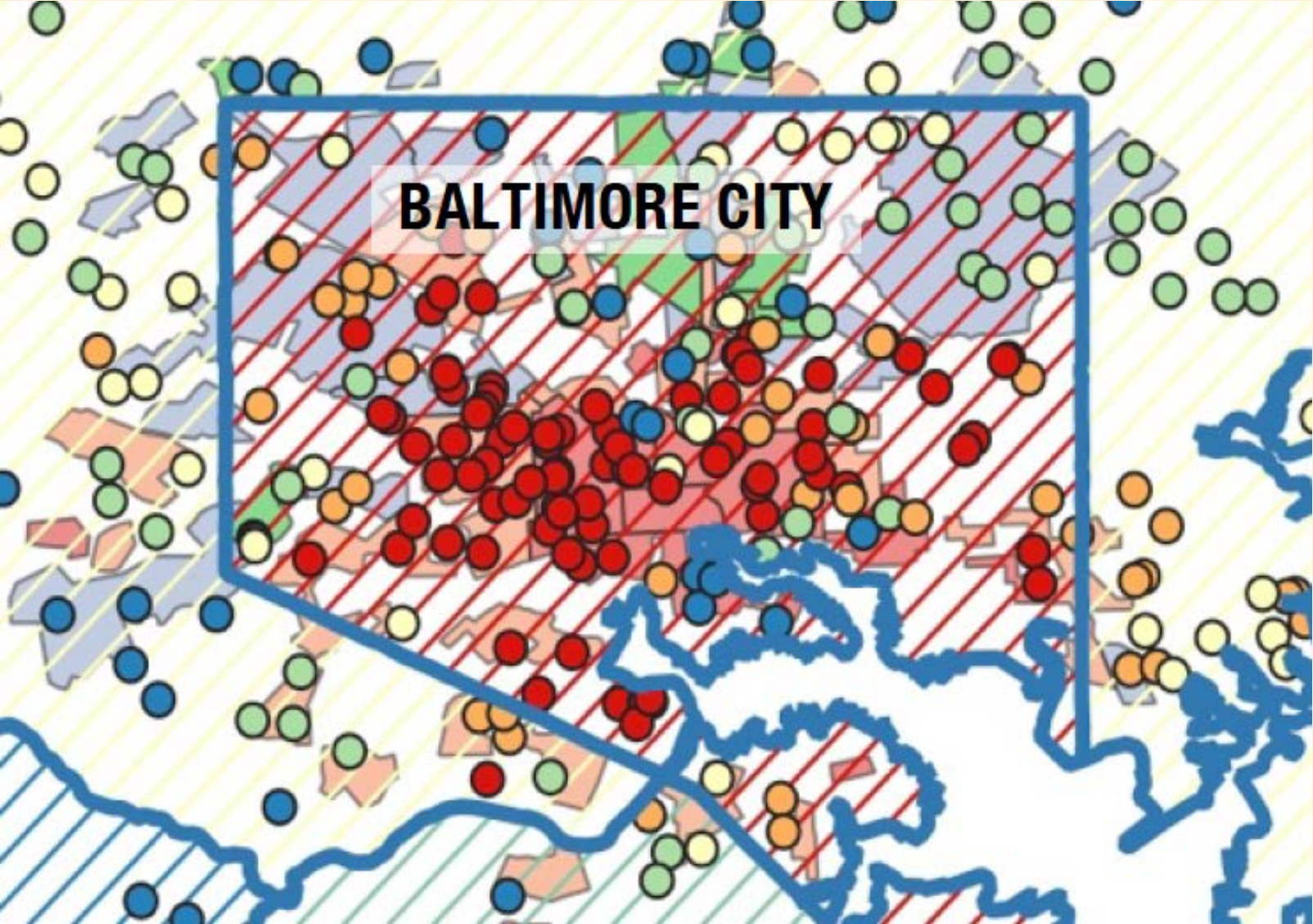# The evolution of the segregation "toolkit", 1900-present

Municipal ordinances (and zoning)

BUCHANAN V. WARLEY (1917) — Racial zoning ordinances violate 14th Amendment.

CORRIGAN V. BUCKLEY (1926) — Racial covenants are legally binding contracts.

SHELLEY V. KRAEMER (1948) — Racial covenants not binding in courts (but not illegal).

BROWN V. BOARD OF EDUCATION (1954) — States cannot make laws requiring segregated schools.

SAN ANTONIO V. RODRIGUEZ (1973) — Property tax-funded schools do not violate 14th Amendment.

MILLIKEN V. BRADLEY (1974) — Allows de facto segregation if not explicit district policy.

1900s | 1910s | 1920s | 1930s | 1940s | 1950s | 1960s | 1970s | 1980s | 1990s-present

MUNICIPAL ORDINANCES / EXCLUSIONARY ZONING

FEDERAL HOME LOAN PROGRAMS ("REDLINING") / FEDERAL HOUSING PROGRAMS

RACIAL COVENANTS

BLOCKBUSTING

PRE-"BROWN" GERRYMANDERING / DISTRICT GERRYMANDERING/SECESSIONS

"MODERN" LENDING DISCRIMINATION/STEERING

1900s | 1910s | 1920s | 1930s | 1940s | 1950s | 1960s | 1970s | 1980s | 1990s-present

HOMEOWNERS LOAN CORP. ACT (1933) — Establishes HOLC; beginning of federal role in home loans.

FEDERAL HOUSING ADMIN. (1934) — Federal home loan insurance. With G.I. Bill, dramatically increases access to homeownership.

FEDERAL-AID HIGHWAYS ACT (1956) — Increases pace of suburbanization.

FAIR HOUSING ACT (1968) — Illegal to discriminate in housing sales, rentals, financing.

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LEGEND

SCHOOL NEIGHBORHOOD POVERTY

- 🔴 Highest poverty (0-185% inc-to-pov ratio)
- 🟠 High poverty (185-242% ratio)
- ⚪ Medium poverty (242-303% ratio)
- 🟢 Low poverty (303-406% ratio)
- 🔵 Lowest poverty (ratio of 406% or higher)

DISTRICT FUNDING ADEQUACY

- More than $5,000 PP below adequate
- $1,000-5,000 PP below adequate
- Between -$1,000 and +$1,000 PP
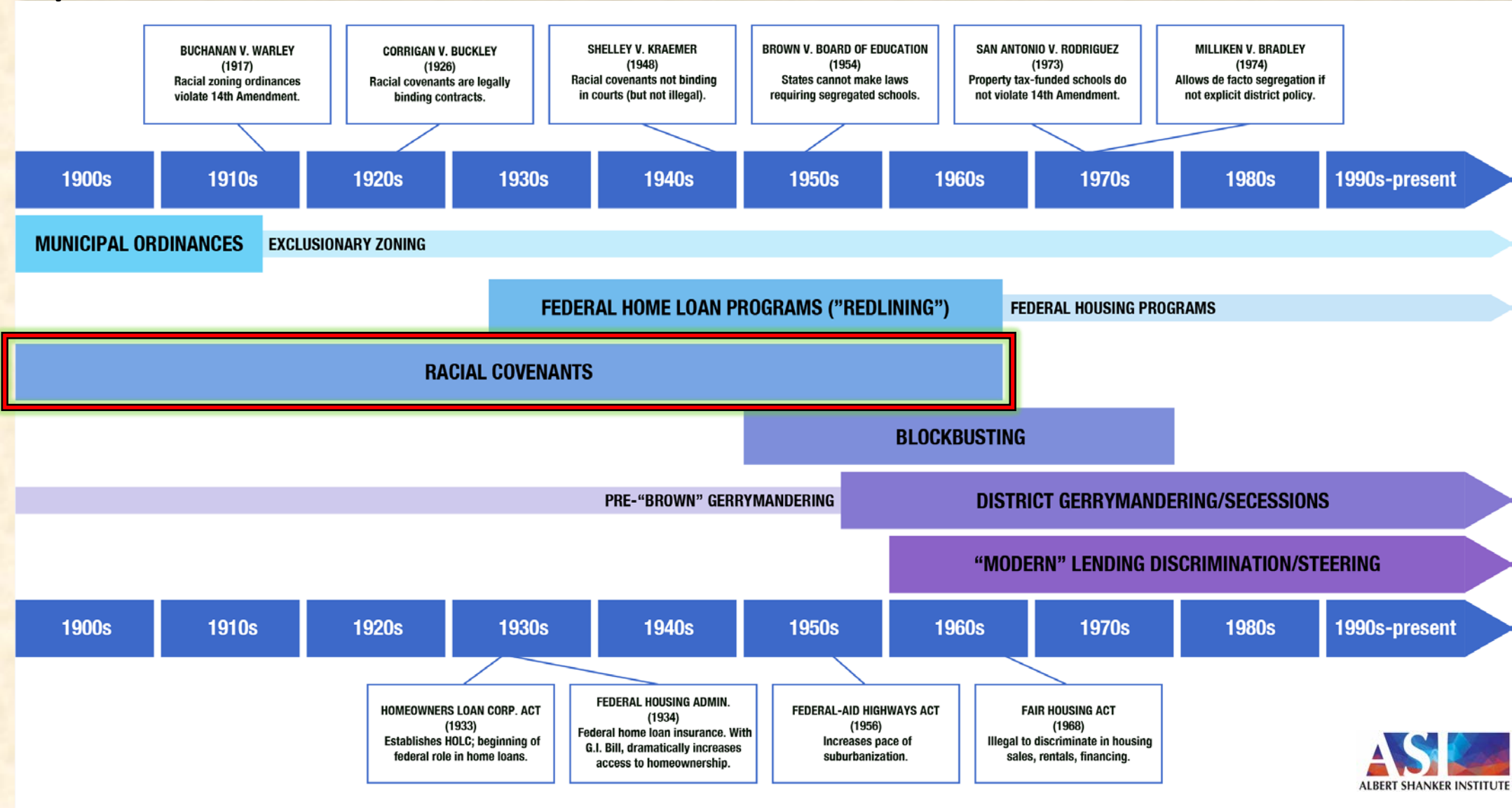- $1,000-5,000 PP above adequate
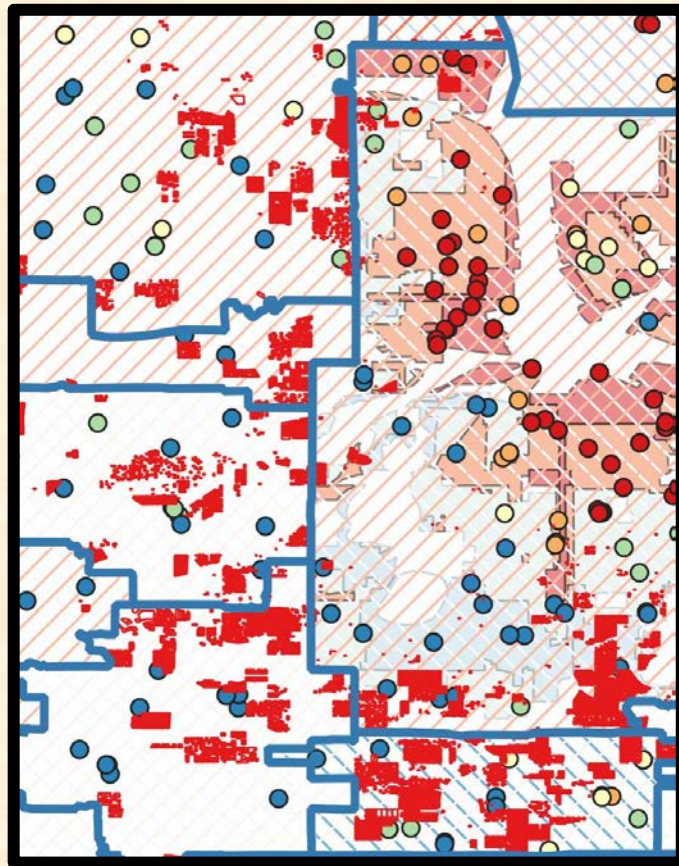- More than $5,000 PP above adequate
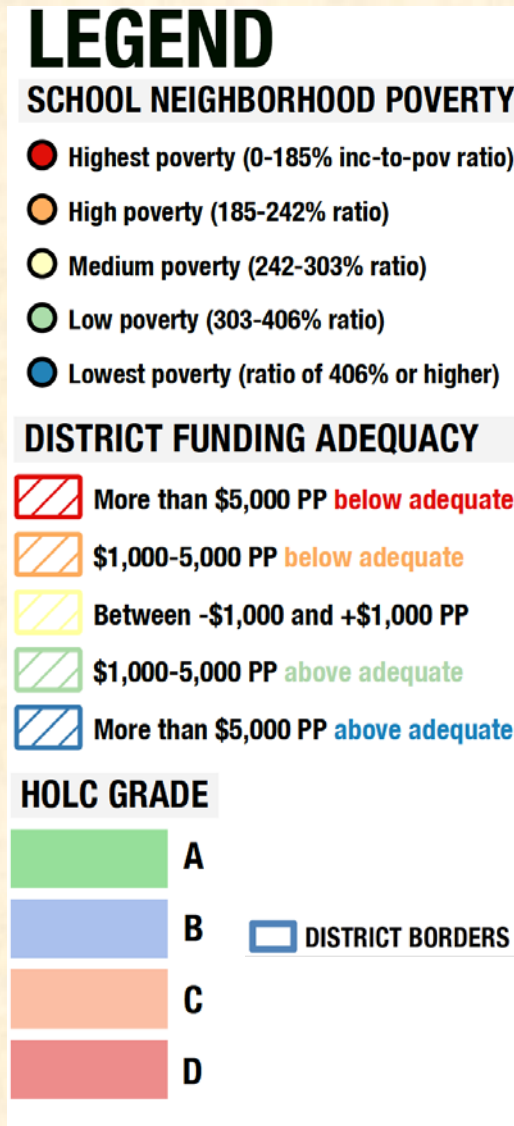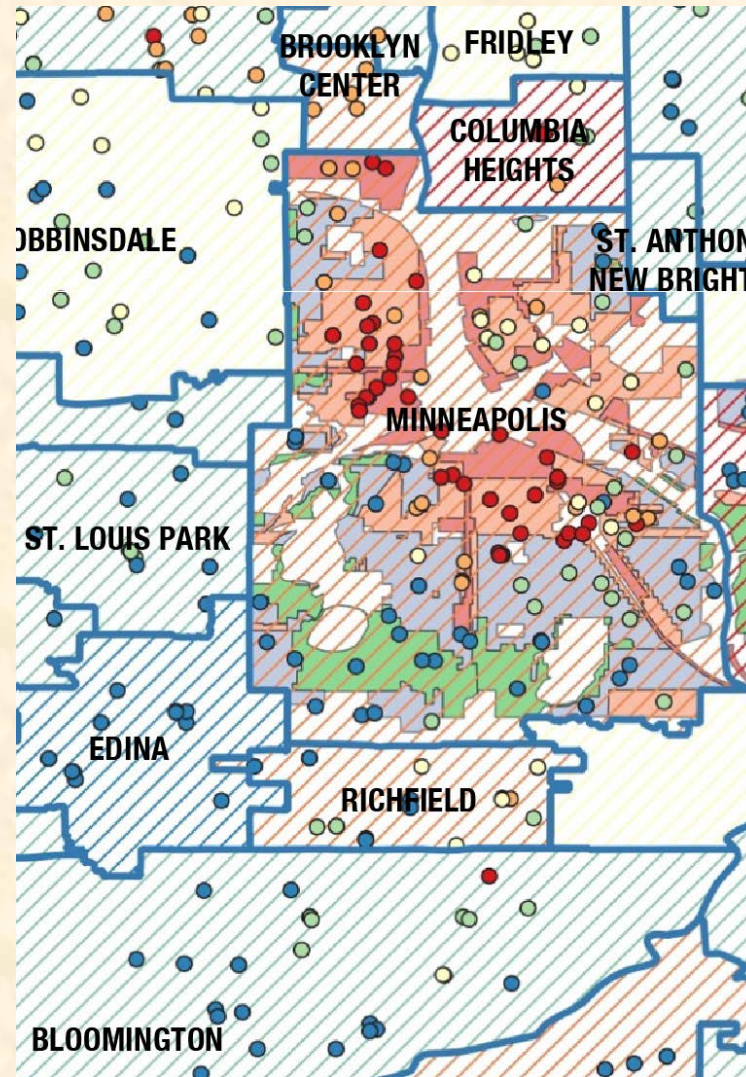
HOLC GRADE

- A
- B
- C
- D
- DISTRICT BORDERS

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Racially restrictive covenants

BUCHANAN V. WARLEY (1917) Racial zoning ordinances violate 14th Amendment.

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| 1900s | 1910s | 1920s | 1930s | 1940s | 1950s | 1960s | 1970s | 1980s | 1990s-present |

MUNICIPAL ORDINANCES — EXCLUSIONARY ZONING

FEDERAL HOME LOAN PROGRAMS ("REDLINING") — FEDERAL HOUSING PROGRAMS

RACIAL COVENANTS

BLOCKBUSTING

PRE-"BROWN" GERRYMANDERING — DISTRICT GERRYMANDERING/SECESSIONS

"MODERN" LENDING DISCRIMINATION/STEERING

| 1900s | 1910s | 1920s | 1930s | 1940s | 1950s | 1960s | 1970s | 1980s | 1990s-present |

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FUNDING ADEQUACY / COVENANT MAP | TWIN CITIES METRO AREA (PARTIAL)

Covenanted areas

LEGEND

SCHOOL NEIGHBORHOOD POVERTY

- ● Highest poverty (0-185% inc-to-pov ratio)
- ● High poverty (185-242% ratio)
- ● Medium poverty (242-303% ratio)
- ● Low poverty (303-406% ratio)
- ● Lowest poverty (ratio of 406% or higher)

DISTRICT FUNDING ADEQUACY

- More than $5,000 PP below adequate
- $1,000-5,000 PP below adequate
- Between -$1,000 and +$1,000 PP
- $1,000-5,000 PP above adequate
- More than $5,000 PP above adequate

HOLC GRADE

- A
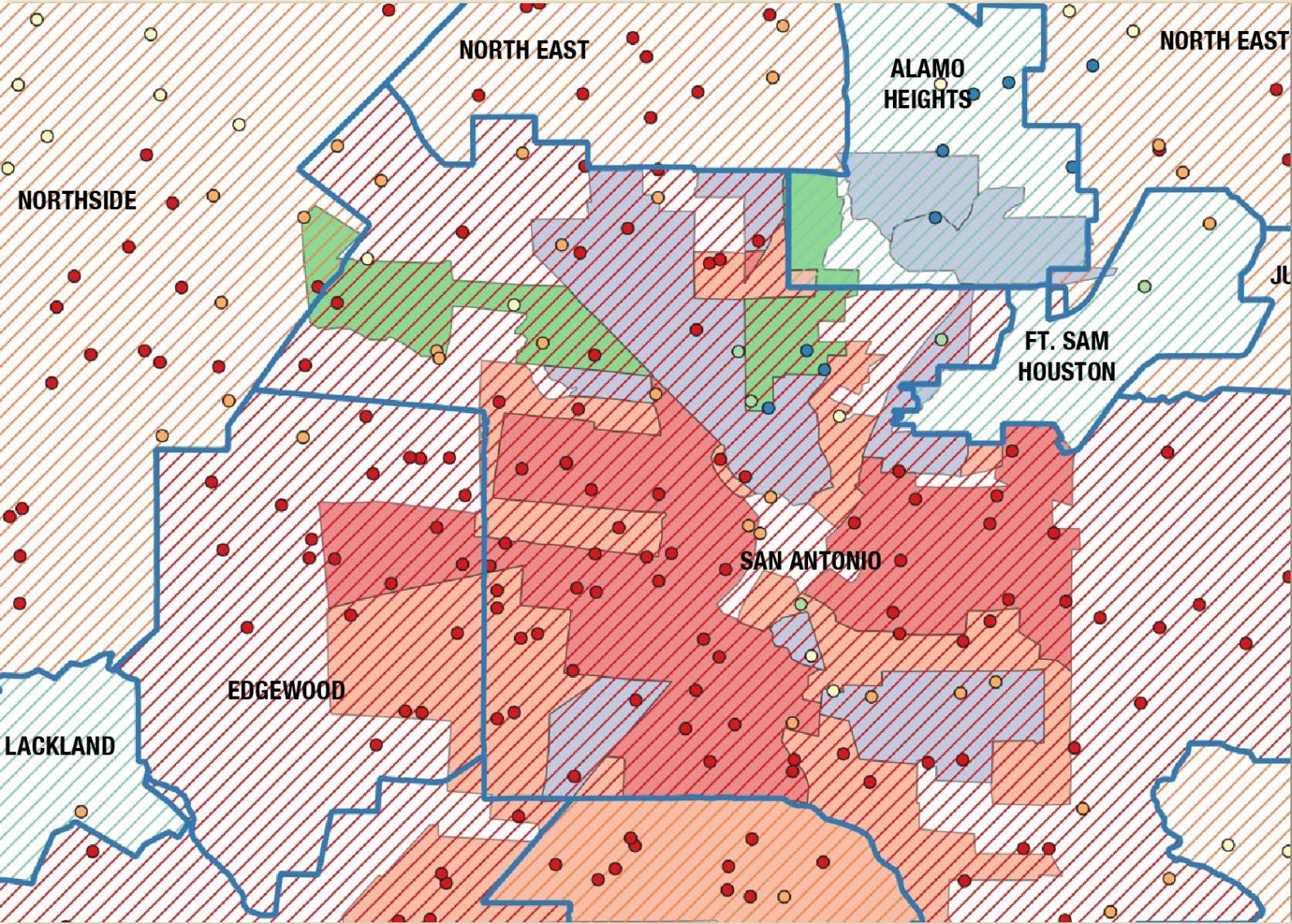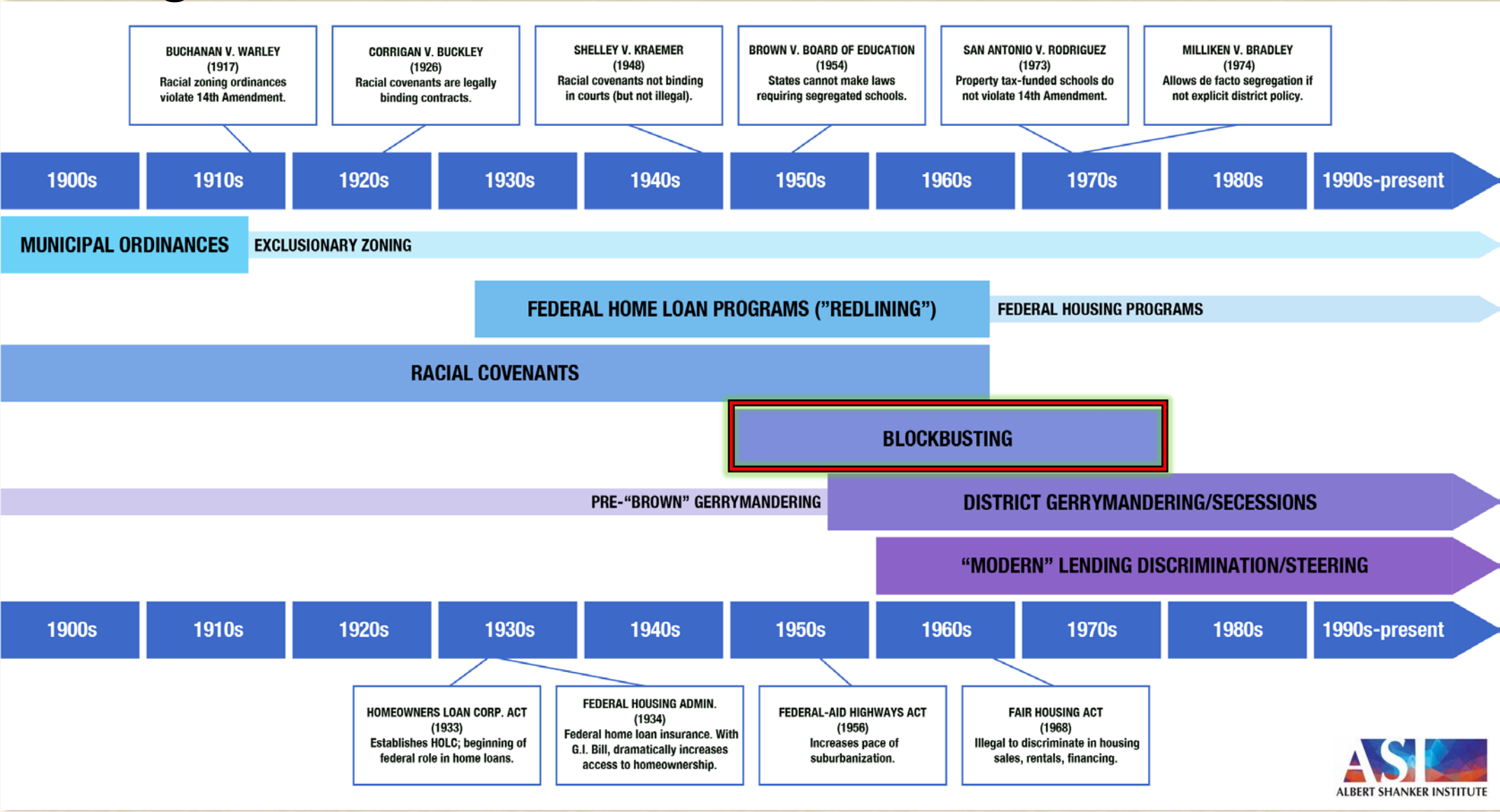- B — DISTRICT BORDERS
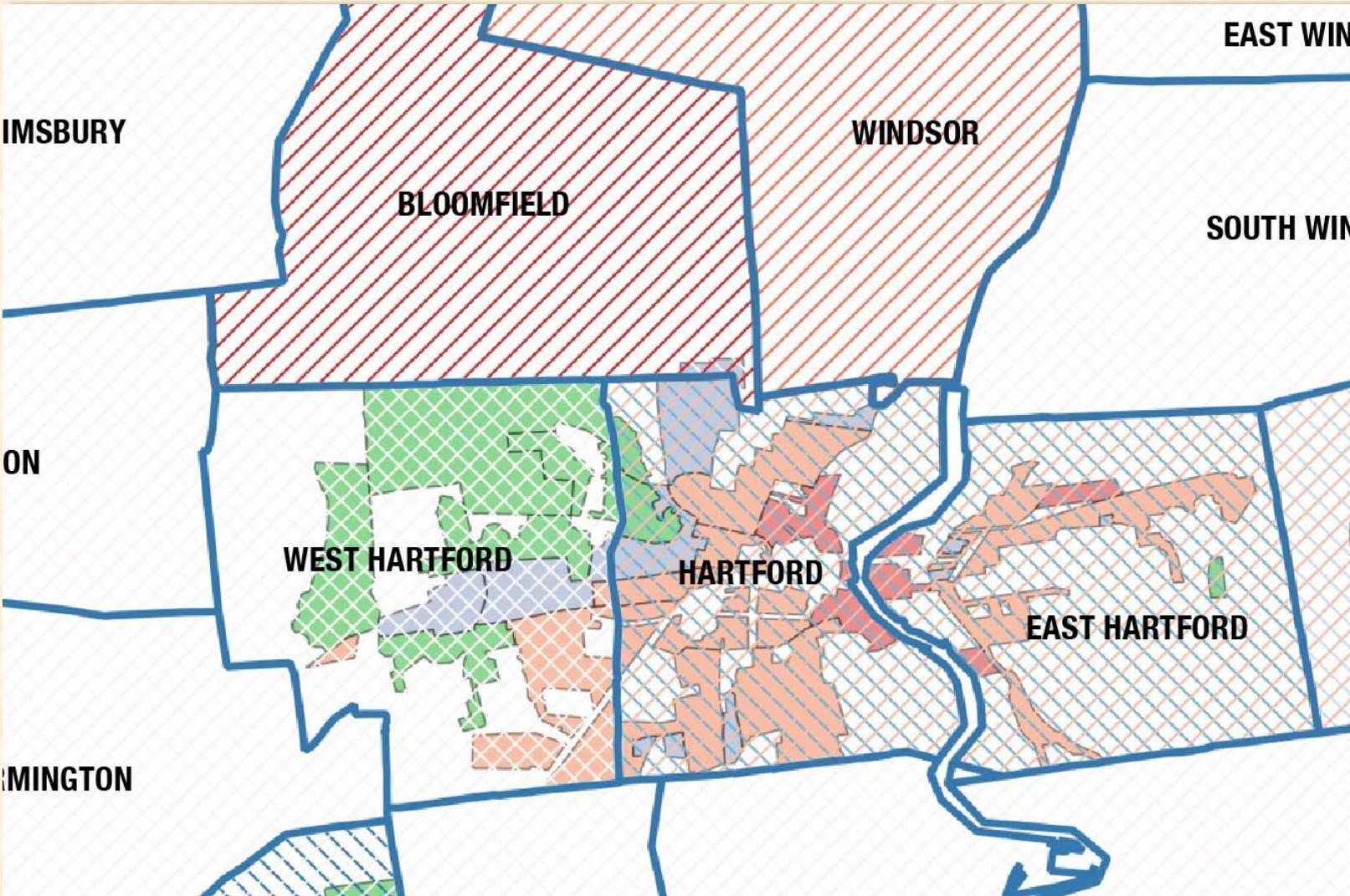- C
- D

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Federal loan insurance programs ("redlining")

BUCHANAN V. WARLEY (1917)
Racial zoning ordinances violate 14th Amendment.

CORRIGAN V. BUCKLEY (1926)
Racial covenants are legally binding contracts.

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1900s | 1910s | 1920s | 1930s | 1940s | 1950s | 1960s | 1970s | 1980s | 1990s-present

MUNICIPAL ORDINANCES — EXCLUSIONARY ZONING

FEDERAL HOME LOAN PROGRAMS ("REDLINING") — FEDERAL HOUSING PROGRAMS

RACIAL COVENANTS

BLOCKBUSTING

PRE-"BROWN" GERRYMANDERING — **DISTRICT GERRYMANDERING/SECESSIONS**

"MODERN" LENDING DISCRIMINATION/STEERING

1900s | 1910s | 1920s | 1930s | 1940s | 1950s | 1960s | 1970s | 1980s | 1990s-present

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Increases pace of suburbanization.

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Illegal to discriminate in housing sales, rentals, financing.

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COMPOSITION MAP | KANSAS CITY METRO AREA (PARTIAL)

Map labels: KANSAS, MISSOURI, SING, PARK HILL, LIBERTY 53, MISSOURI CITY 56, N. KANSAS CITY 74, FORT OS, PIPER, KANSAS CITY UNIFIED, BONNER SPRINGS, TURNER, INDEPENDENCE 30, KANSAS CITY 33, DE SOTO, SHAWNEE MISSION, RAYTOWN C-2, BLUE SPRINGS R-IV, CENTER 58, HICKMAN MILLS C-1, LEE'S SUMMIT R-VII, OLATHE, GRANDVIEW C-4, BLUE VALLEY

LEGEND

DISTRICT COMPOSITION LEGENDS

PERCENT BLACK	PERCENT HISPANIC
0-20%	0-20%
20-40%	20-40%
40-60%	40-60%
60-80%	60-80%
80-100%	80-100%

HOLC GRADE

- A (green)
- B (blue)
- C (orange)
- D (red)

DISTRICT BORDERS
STATE BORDERS

ALBERT SHANKER INSTITUTE

LEGEND

SCHOOL NEIGHBORHOOD POVERTY

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HOLC GRADE

- 🟩 A
- 🟦 B   ▢ DISTRICT BORDERS
- 🟧 C
- 🟥 D

BERKELEY
EMERY
PIEDMONT CITY
CANYON ELEMENTARY
M ELE
ALAMEDA
OAKLAND
SAN FRANSISCO BAY
ALAMEDA

ASI
ALBERT SHANKER INSTITUTE

FUNDING ADEQUACY MAP | SAN ANTONIO METRO AREA (PARTIAL)

LEGEND

SCHOOL NEIGHBORHOOD POVERTY

- 🔴 Highest poverty (0-185% inc-to-pov ratio)
- 🟠 High poverty (185-242% ratio)
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DISTRICT FUNDING ADEQUACY

- More than $5,000 PP below adequate
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HOLC GRADE

- A (green)
- B (blue)
- C (orange)
- D (red)
- DISTRICT BORDERS

Map labels: NORTH EAST, NORTH EAST, ALAMO HEIGHTS, NORTHSIDE, FT. SAM HOUSTON, JU..., SAN ANTONIO, EDGEWOOD, LACKLAND

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Blockbusting

1900s	1910s	1920s	1930s	1940s	1950s	1960s	1970s	1980s	1990s-present

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FEDERAL HOME LOAN PROGRAMS ("REDLINING") FEDERAL HOUSING PROGRAMS

RACIAL COVENANTS

BLOCKBUSTING

PRE-"BROWN" GERRYMANDERING **DISTRICT GERRYMANDERING/SECESSIONS**

"MODERN" LENDING DISCRIMINATION/STEERING

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COMPOSITION MAP | HARTFORD METRO AREA (PARTIAL)

LEGEND

DISTRICT COMPOSITION LEGENDS

PERCENT BLACK	PERCENT HISPANIC
0-20%	0-20%
20-40%	20-40%
40-60%	40-60%
60-80%	60-80%
80-100%	80-100%

HOLC GRADE

- A
- B
- C
- D

DISTRICT BORDERS

STATE BORDERS

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District gerrymandering and secessions
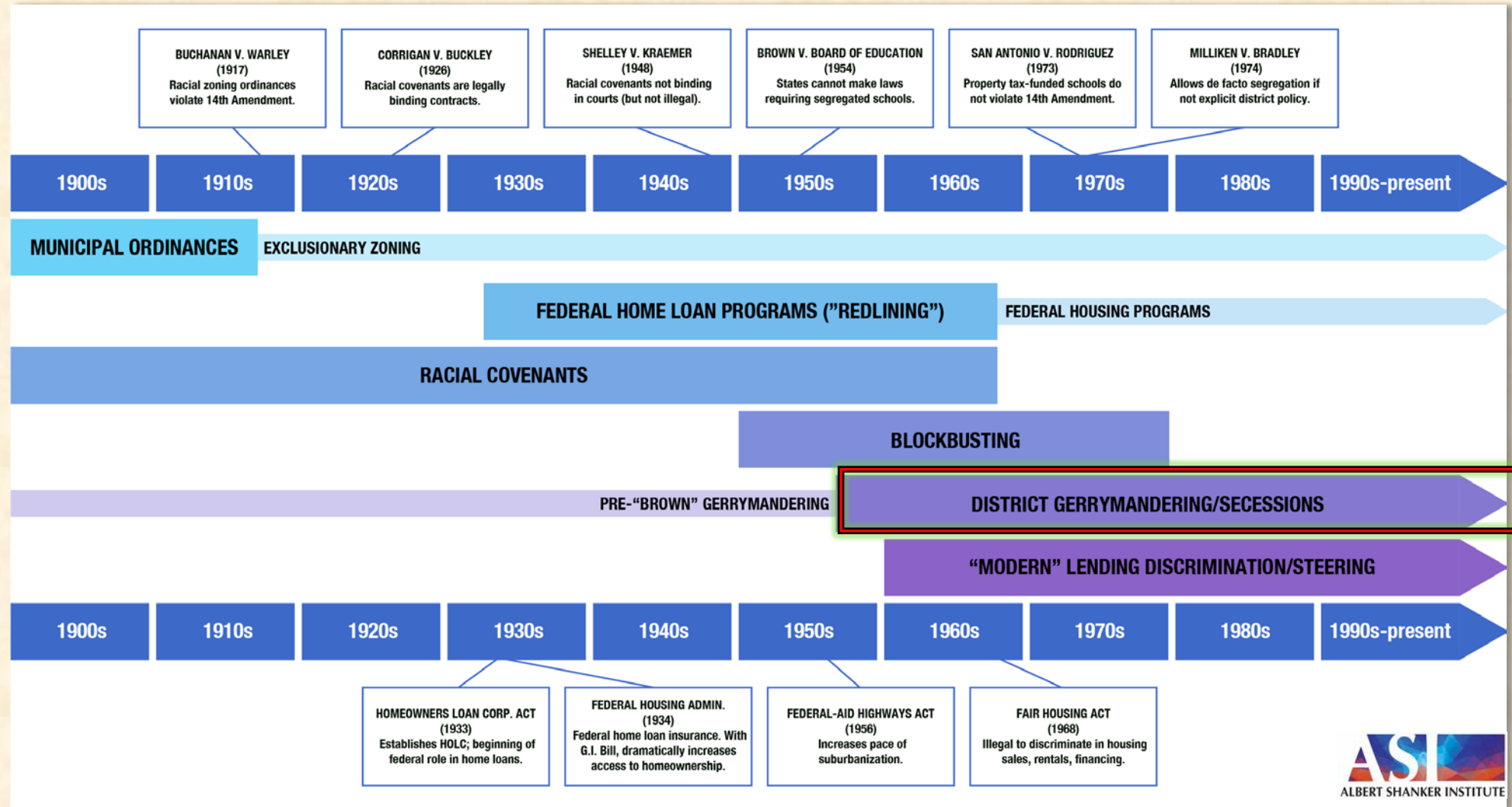
COMPOSITION MAP | BIRMINGHAM METRO AREA (PARTIAL)
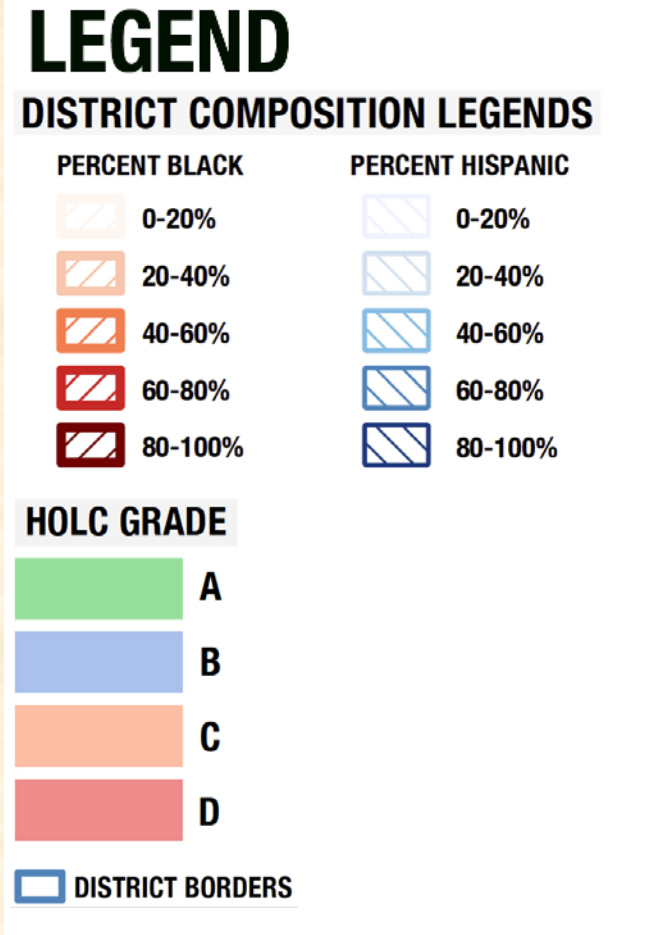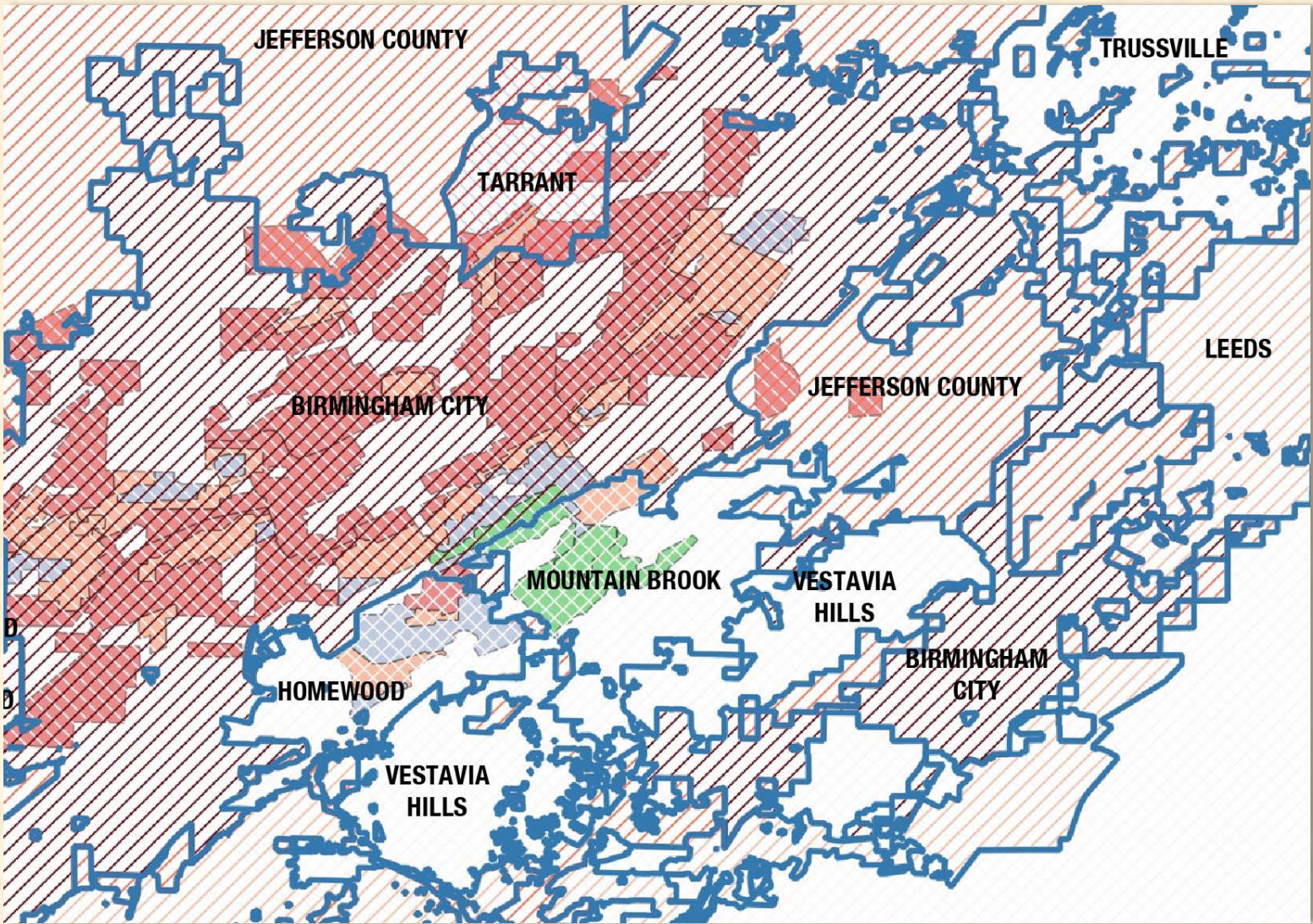
Modern lending discrimination
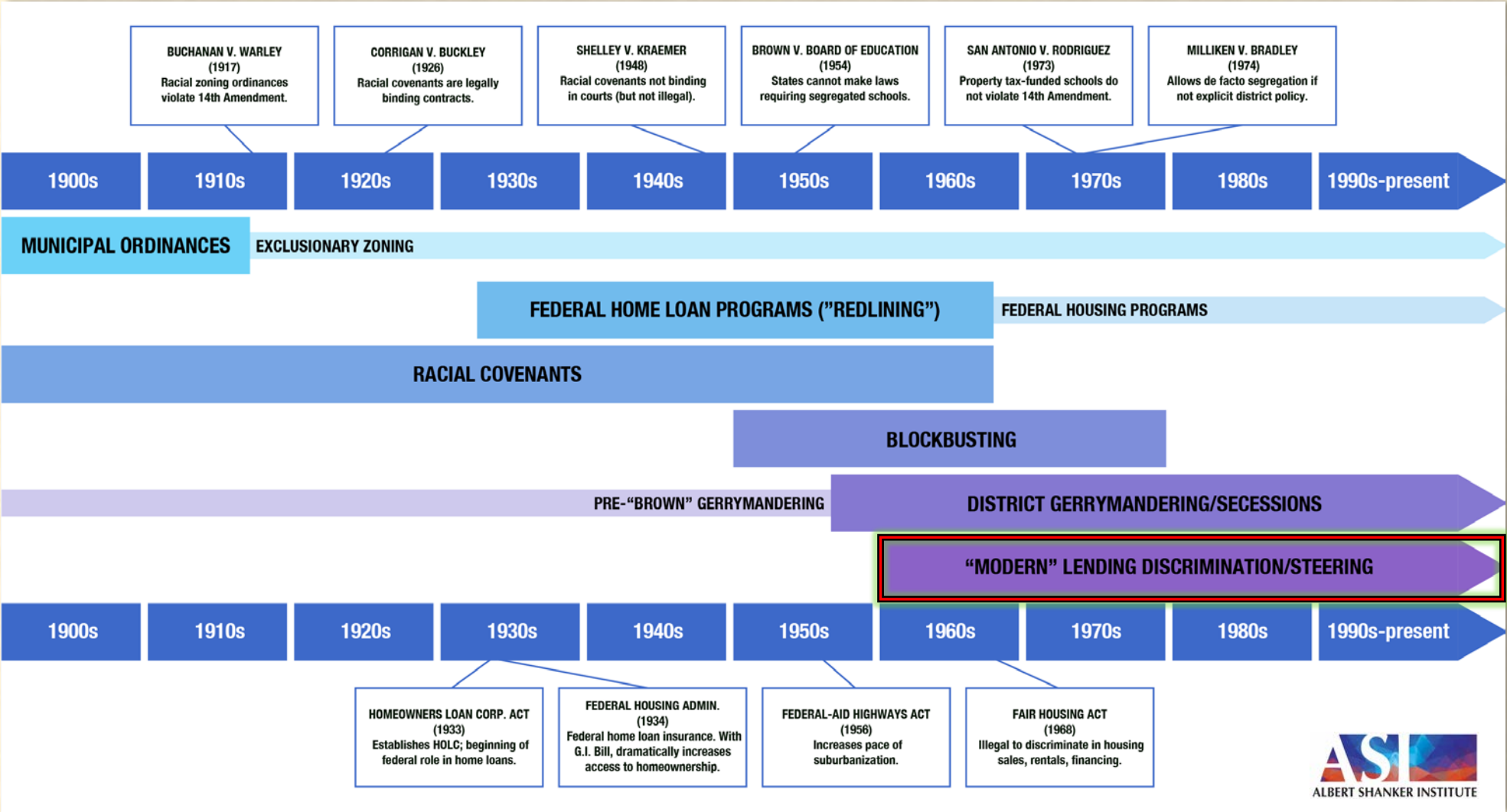
COMPOSITION MAP | HARTFORD METRO AREA (PARTIAL)
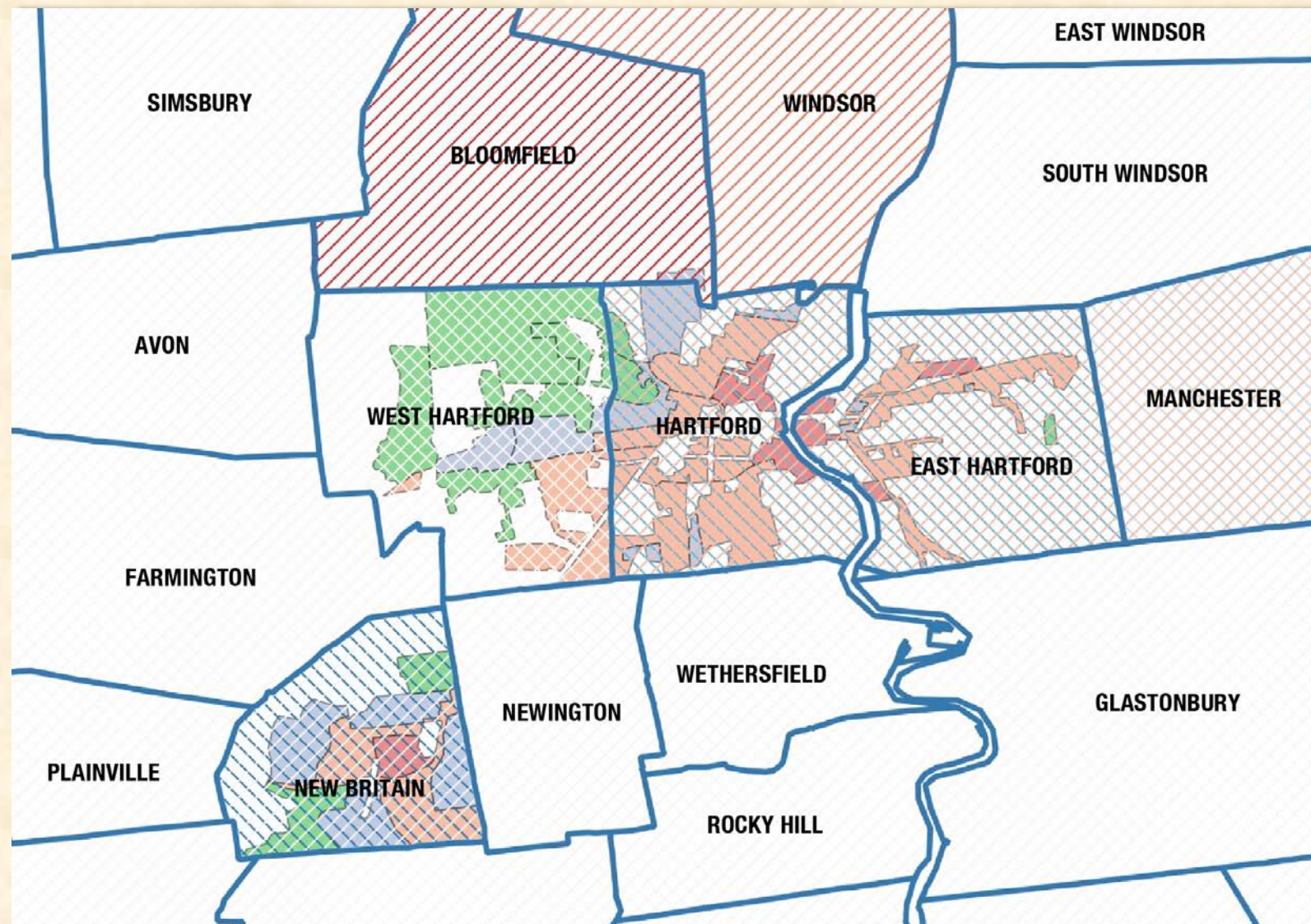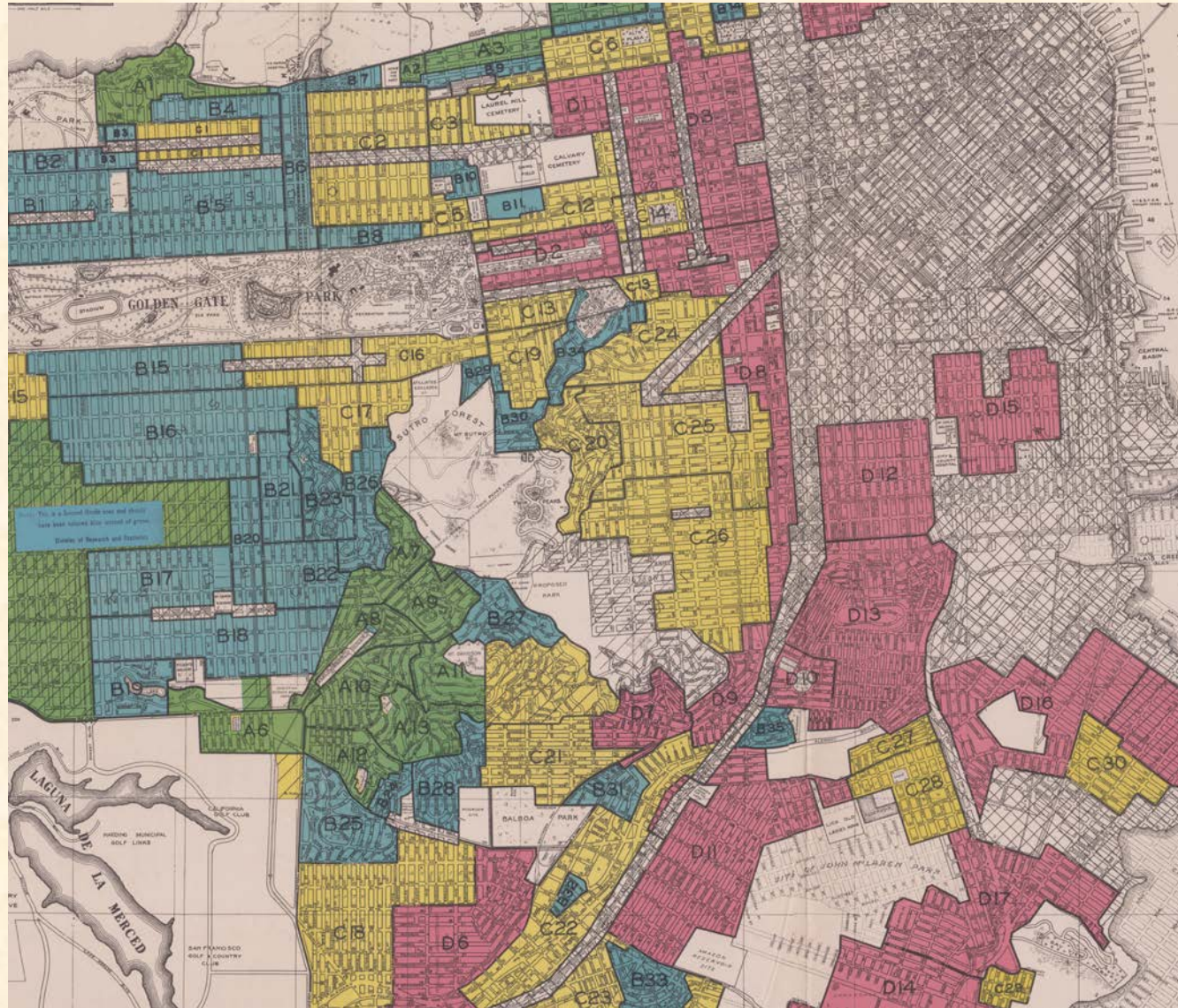
CASE STUDIES IN NATIONAL CONTEXT

STUDENT OUTCOME GAPS BY ADEQUATE FUNDING GAPS
(SEVEN METRO AREAS), 2018

- 85 percent of majority-Black/Hispanic districts in our 7 metro areas are located in the lower left quadrant

- Only one of these majority-Black/Hispanic districts found in the upper right quadrant

STUDENT OUTCOME GAPS BY ADEQUATE FUNDING GAPS
(U.S. METROPOLITAN DISTRICTS), 2018
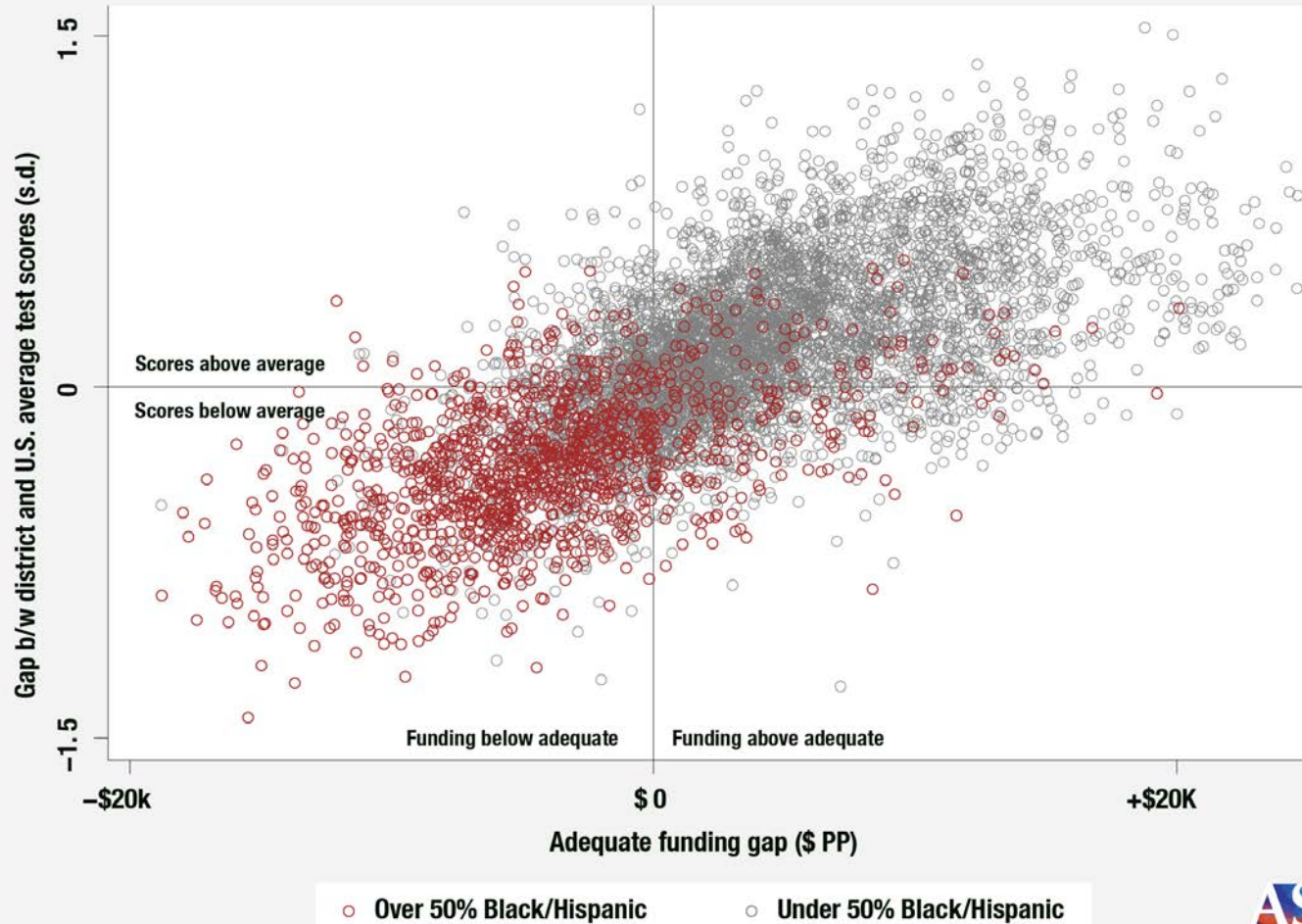
- Our 7 metro areas are not the exception

- Nationally, roughly 82 percent of majority-Black/Hispanic districts receive funding below estimated adequate levels, compared with 22 percent of majority-White districts

RELATIVE BLACK/HISPANIC STUDENT SHARE BY RELATIVE ADEQUATE FUNDING GAP (SEVEN METRO AREAS), 2018
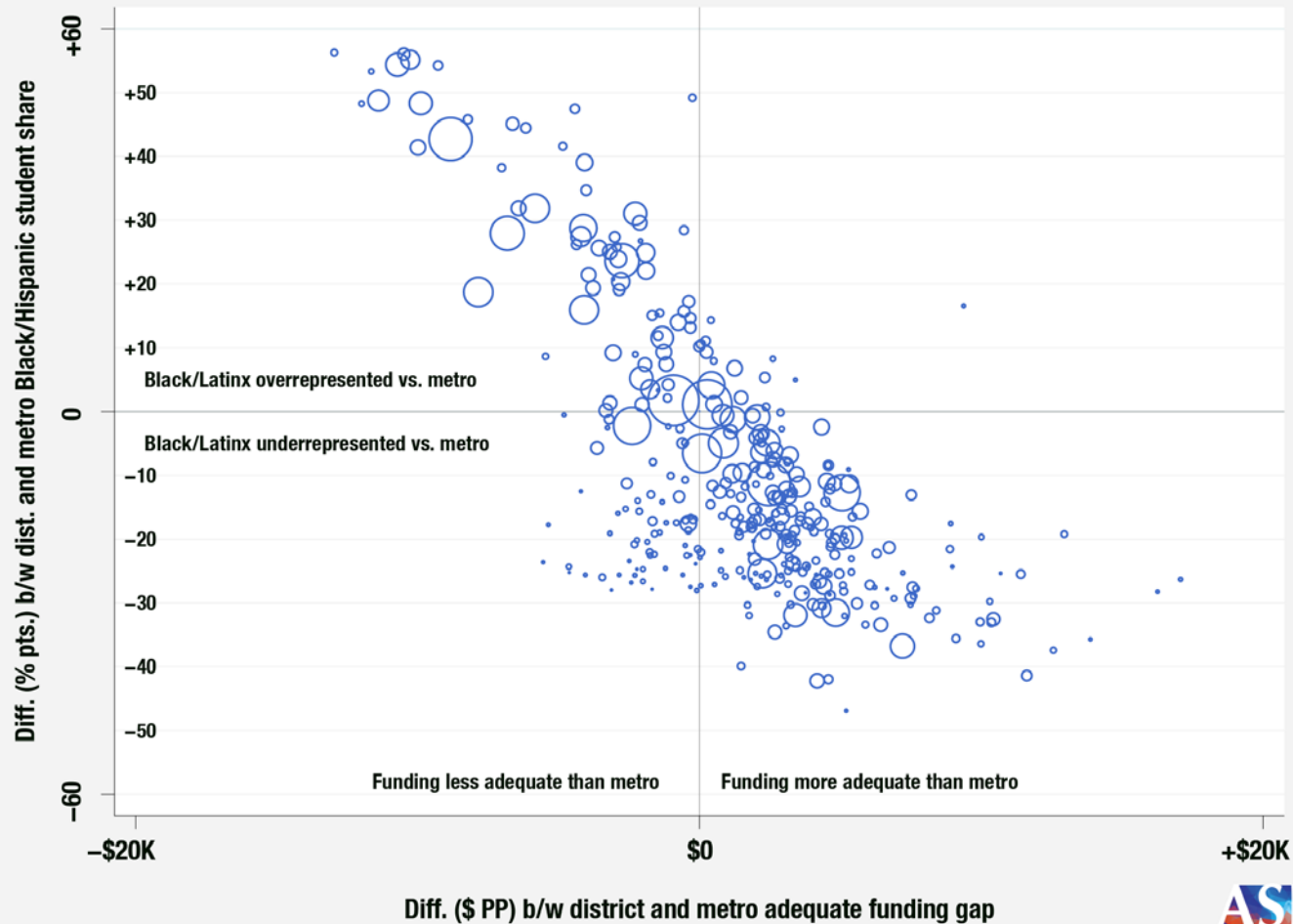
- What if we measure racial/ethnic composition and funding adequacy relative to metro area?

- Districts in which Black and Hispanic students are overrepresented versus their metro areas overall have less adequate funding versus their metro areas overall

AVERAGE RELATIVE ADEQUATE FUNDING GAP BY RELATIVE BLACK/HISPANIC STUDENT SHARE (NATIONAL AND SEVEN METRO AREAS), 2018

Avg. diff. b/w district and metro adequate funding gap ($ PP)
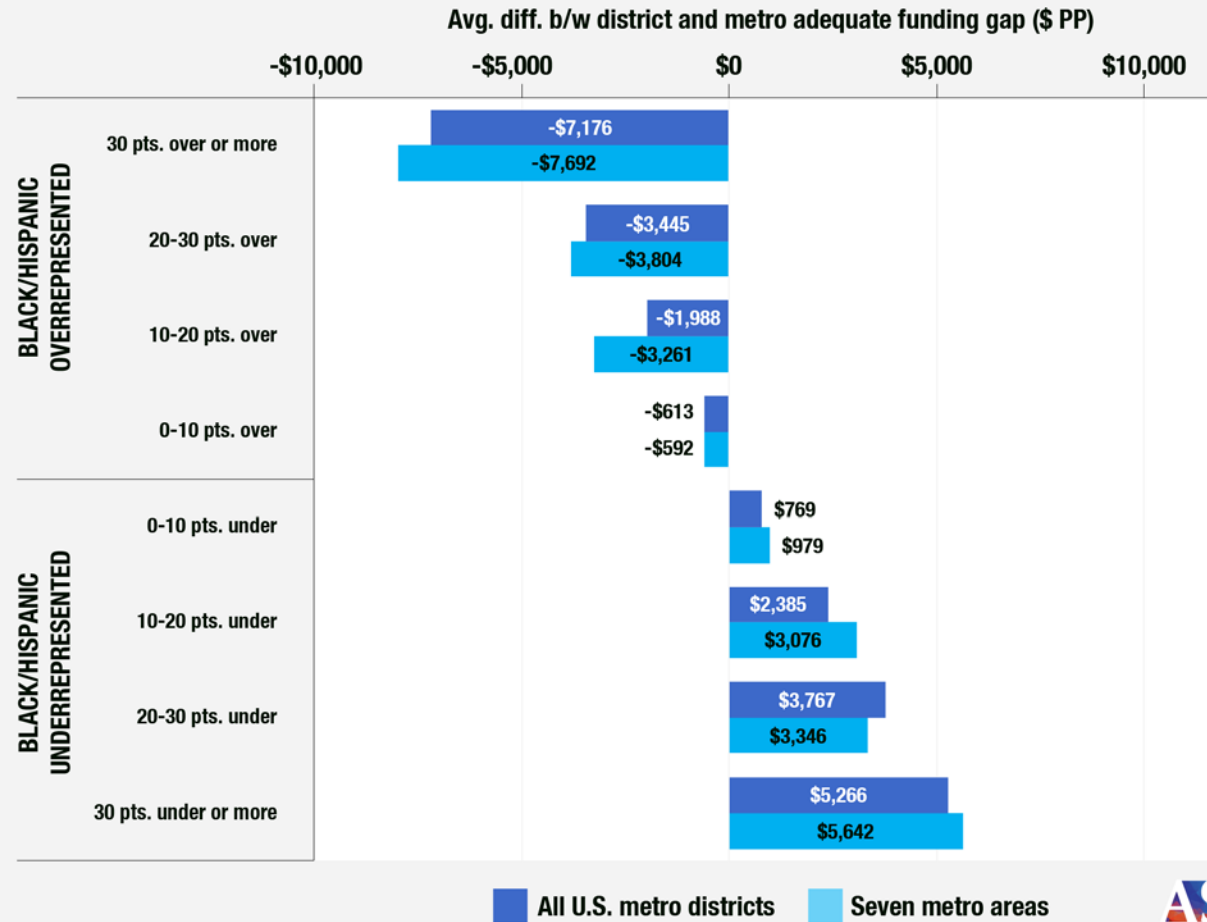
- Once again, the same basic situation is found nationally
- To illustrate, a 10 point increase in relative Black/Hispanic share is associated with a decrease in relative funding adequacy of $1,500 per pupil

- We find the same basic situation in so many otherwise different metro areas because they were all built with the same set of tools

- Housing discrimination continues today; the "toolkit" has kept evolving

- The impact of all these efforts on school funding is evident today

- Segregation is persistent and self-sustaining; this cycle will not break itself
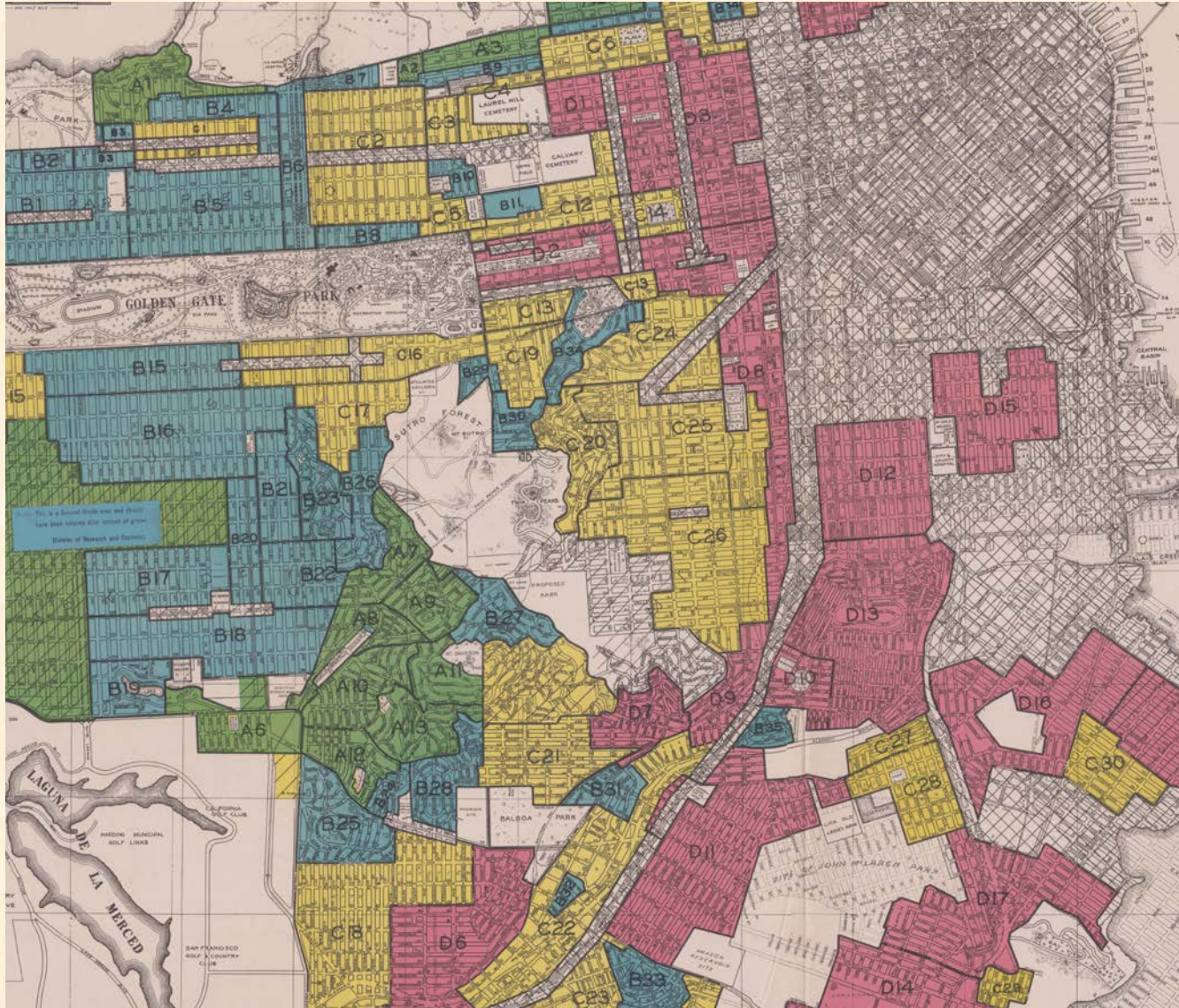
A closer look at school level disparities

New York

Statewide
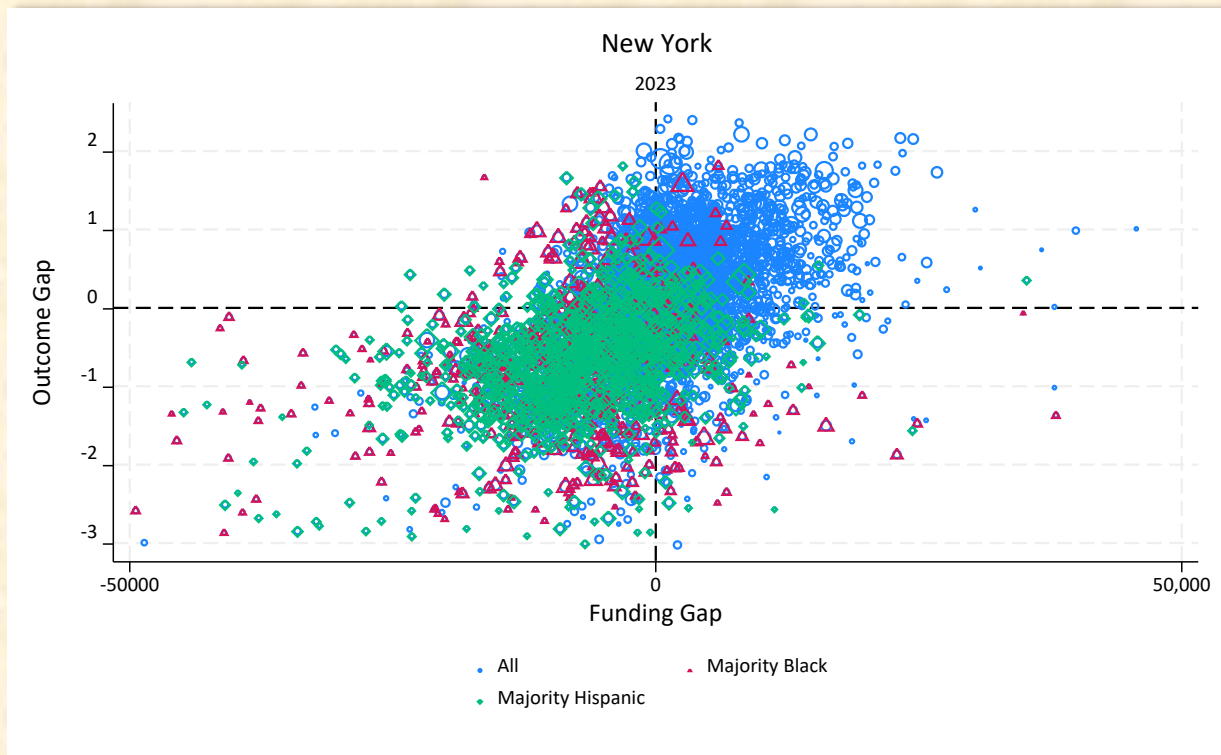
New York City
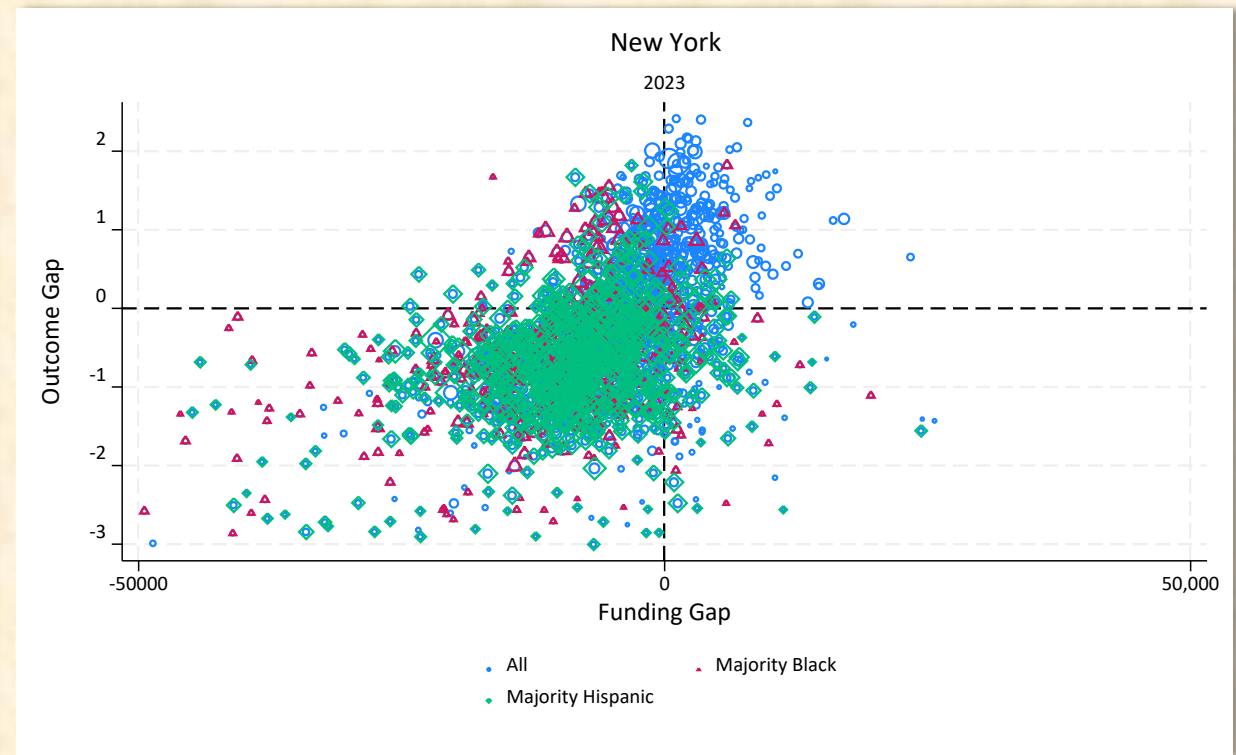
Colorado

Statewide
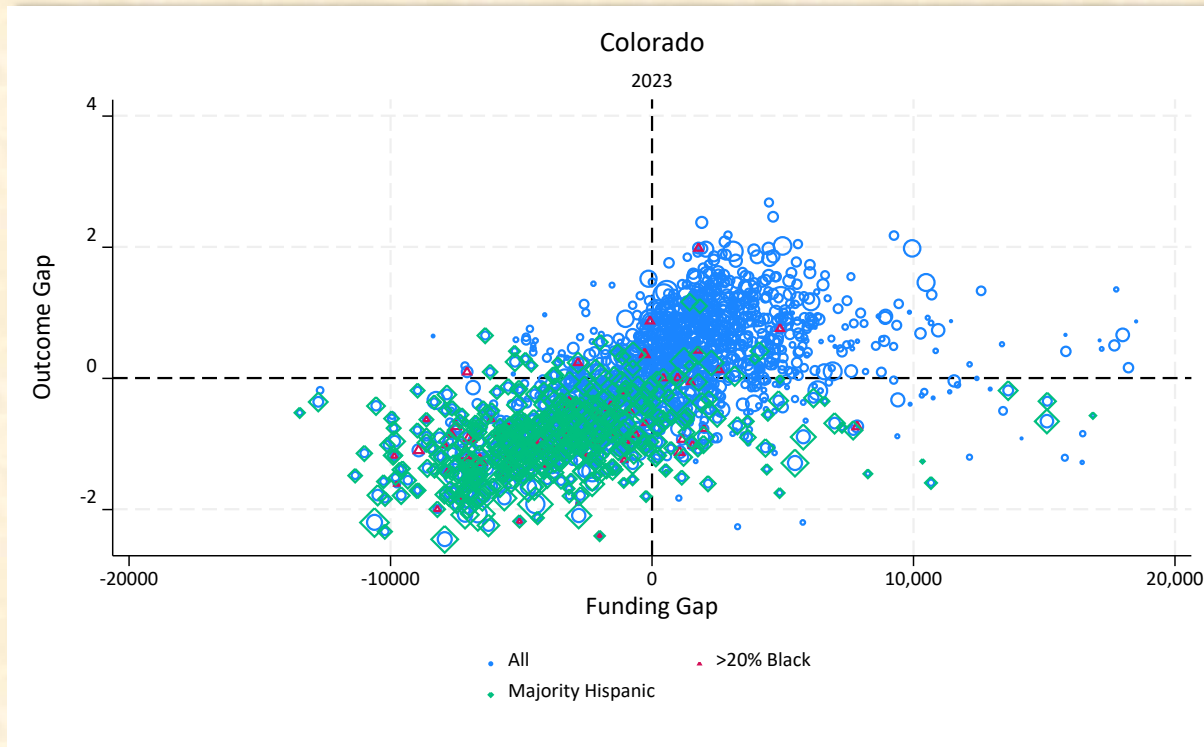
Denver
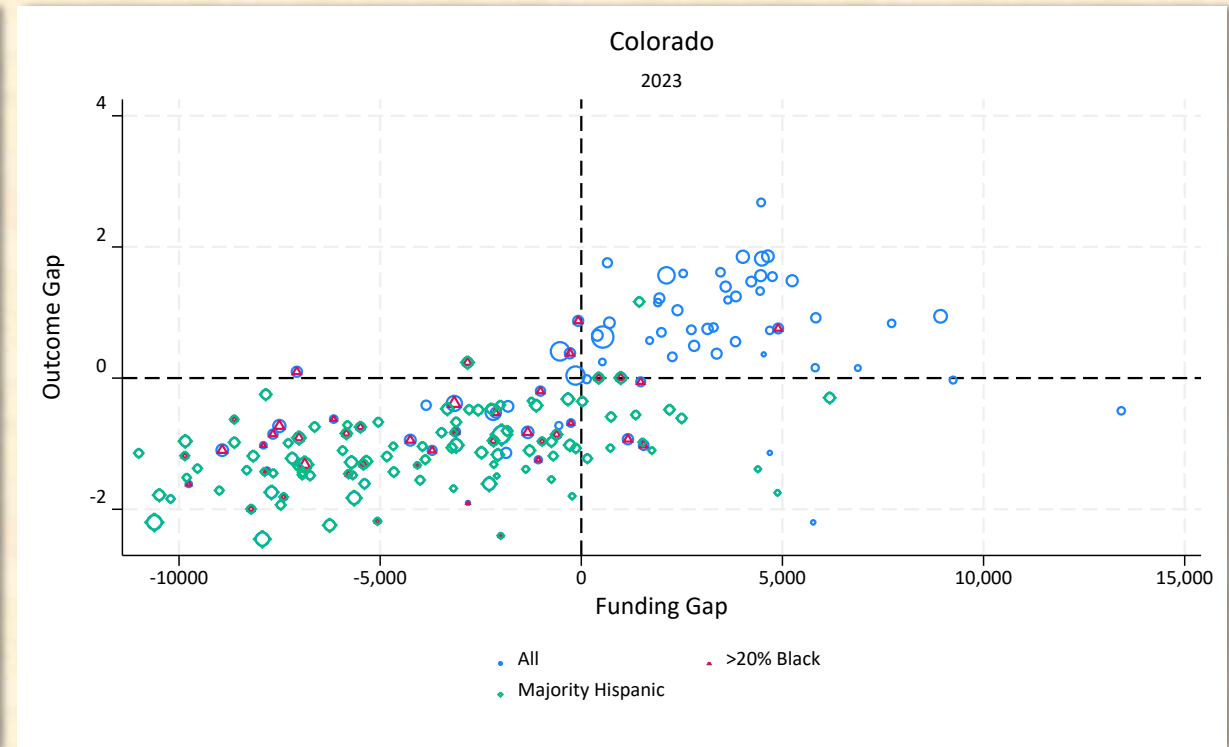
Ohio

Statewide

Cities

Delaware

Delaware

2022
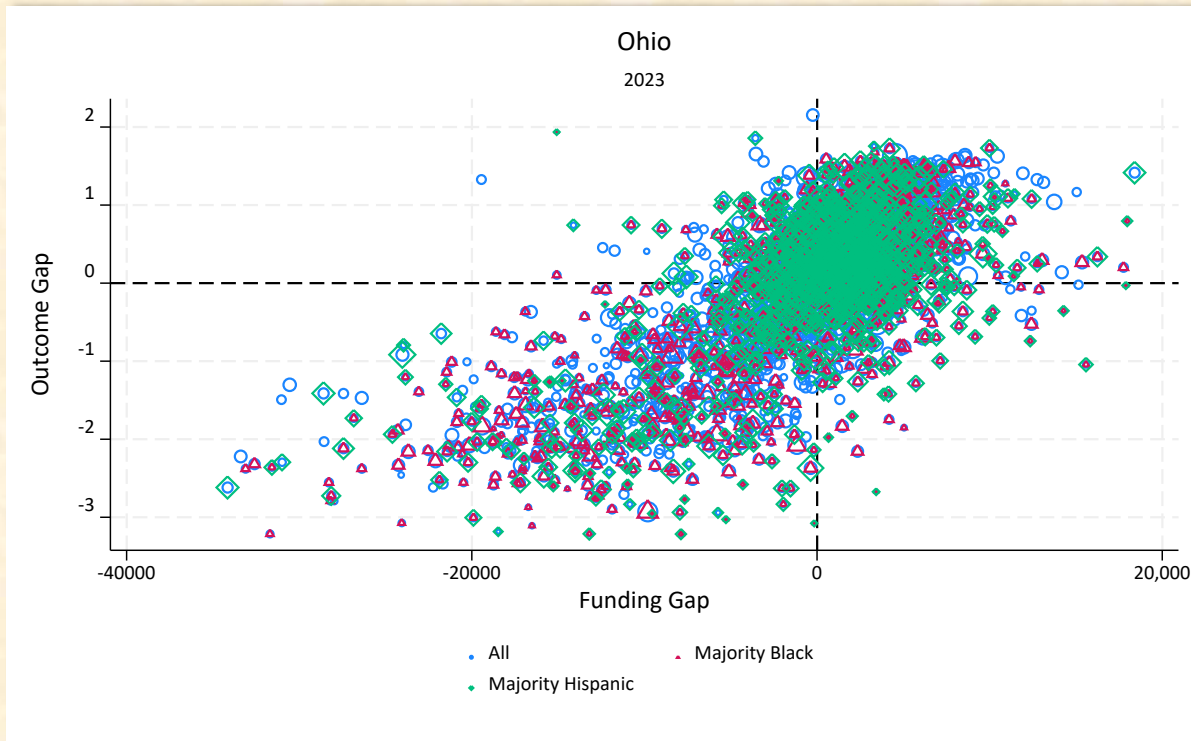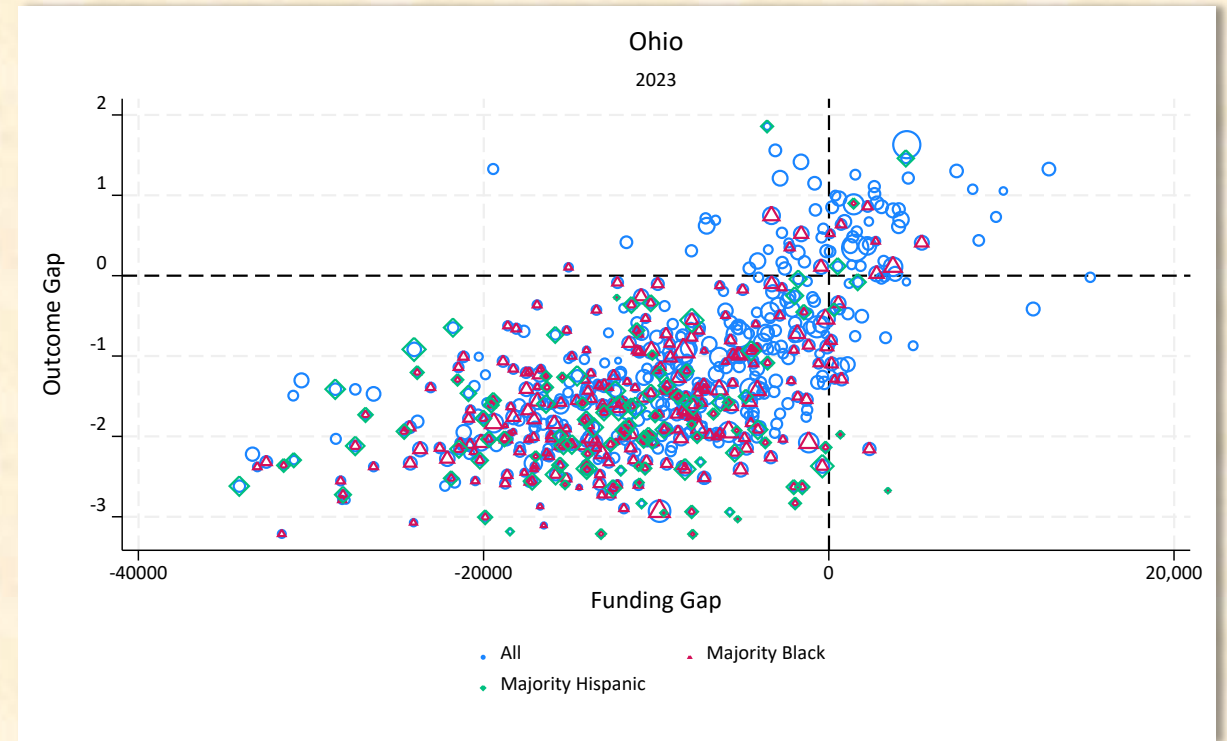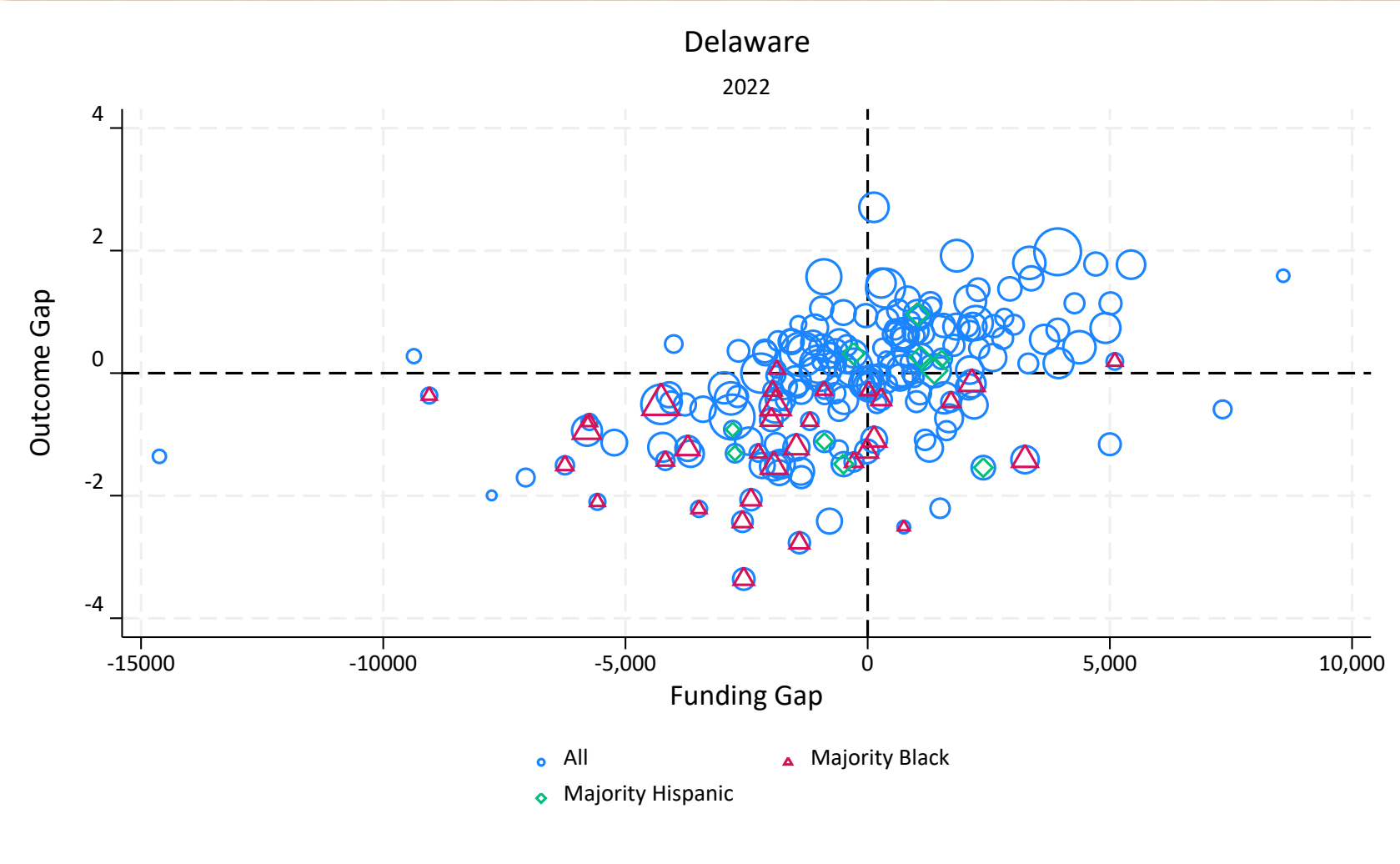
Oregon
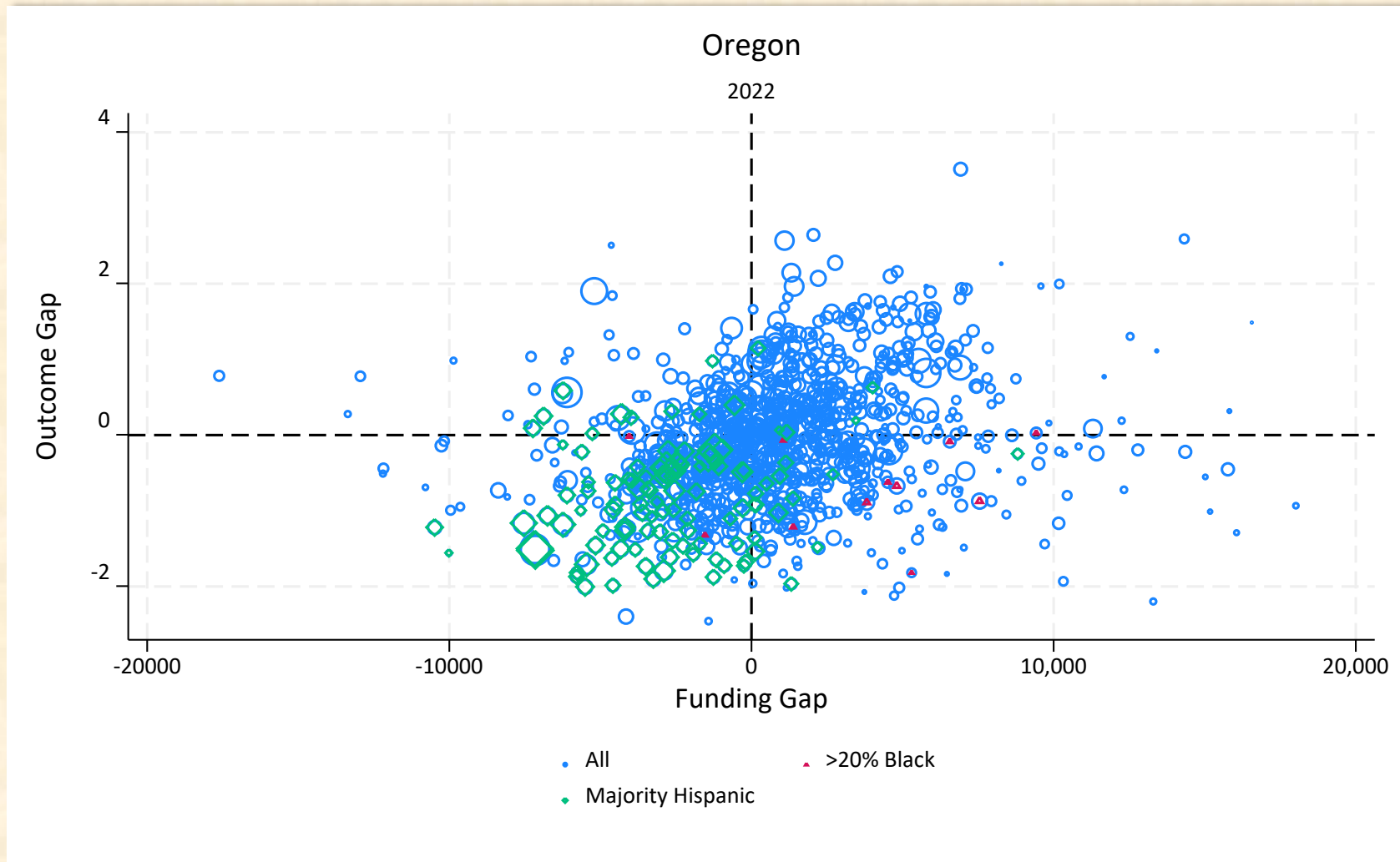
More Info

- HOLC Redlining Maps
  - https://dsl.richmond.edu/panorama/redlining/map#loc=5/38.0448/-95.8425
- My Data Site(s)
  - https://www.schoolfinancedata.org/
  - https://www.shankerinstitute.org/segfunding
- Related Organization
  - https://www.brownspromise.org/

- John Oliver segments
  - Housing Discrimination
    - https://www.youtube.com/watch?v=_-0J49_9lwc
  - School Segregation
    - https://www.youtube.com/watch?v=o8yiYCHMAlM&t=599s

Book Club Reading List

RACE, REAL ESTATE, AND UNEVEN DEVELOPMENT
The Kansas City Experience, 1900-2000
KEVIN FOX GOTHAM

THE COLOR OF LAW
A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA
RICHARD ROTHSTEIN

N. D. B. CONNOLLY
A WORLD MORE CONCRETE
REAL ESTATE AND THE REMAKING OF JIM CROW SOUTH FLORIDA

CHILDREN OF THE DREAM
WHY SCHOOL INTEGRATION WORKS
RUCKER C. JOHNSON
with ALEXANDER NAZARYAN

Newer Additions →

THE CONTAINMENT
DETROIT, THE SUPREME COURT, AND THE BATTLE FOR RACIAL JUSTICE IN THE NORTH
MICHELLE ADAMS

AMERICA'S FIRST CIVIL RIGHTS MOVEMENT, FROM THE REVOLUTION TO RECONSTRUCTION
UNTIL JUSTICE BE DONE
KATE MASUR

Miami Examples

SELECTIONS | FULL

5. CLARIFYING REMARKS

This is a sparsely settled outlying area, wherein is located many small truck gardens growing winter vegetables and flowers. It is a typical rural community in every respect.

2. INHABITANTS

e. Infiltration of: None

c. Foreign-born families: None %; None predominating

d. Negro: None %; EMPTY predominating

f. Relief families: Many

a. Occupation: Farmer, cowhand, laborer, mechanic

b. Estimated Annual Family Income: $500-1,500

1. AREA CHARACTERISTICS

b. Favorable Influences: None

c. Detrimental Influences: Lack of zoning restrictions, transportation, schools, stores, churches. Close to dump and Negro area.

a. Description of Terrain: Level

https://dsl.richmond.edu/panorama/redlining/map#loc=5/38.0448/-95.8425

Discriminatory patterns in (& related to) education

- Disciplinary actions
  - More likely to be disciplined
  - More likely to face harsher penalty for same infraction
- Disability classification
  - https://journals.sagepub.com/doi/pdf/10.1177/23780231211024398
- Teacher evaluation, rating & dismissal
- School closures, turnarounds & teacher dismissal
- Housing discrimination
  - Mortgage lending
    - Denial, differential credit ratings/interest rates
  - Steering
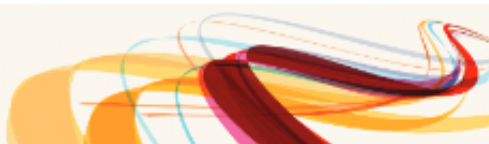
Disability as Status Competition: The Role of Race in Classifying Children

Thomas M. Skrtic[1], Argun Saatcioglu[1] (iD), and Austin Nichols[2]

Abstract

Many African American and Hispanic children are classified as mildly disabled. Although this makes special education services available to these and other children who need them, contention endures as to whether disability classification also is racially (and ethnically) biased. The authors view disability classification as status competition, in which minorities are overrepresented in low-status categories such as intellectual disability and emotional disturbance, and whites are overrepresented in high-status categories such as attention-deficit/hyperactivity disorder and autism. The authors address the racialized construction and evolution of the mild disability classification system along with mechanisms that perpetuate racial segmentation in contemporary classification. They analyze a large federal longitudinal data set (1998–2007) to examine racialization and find that classification continues to operate at least in part as a racial sorting scheme. Implications for research and policy are discussed.

Keywords

race, categorization, status competition, schools, disability

Disparities and Discrimination in Student Discipline by Race and Family Income ⬀

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ABSTRACT

Black and poor students are suspended from U.S. schools at higher rates than White and nonpoor students. While the existence of these disparities has been clear, the causes of the disparities have not. We use a novel data set to examine how and where discipline disparities arise. By comparing the punishments given to Black and White (or poor and nonpoor) students who fight one another, we address a selection challenge that has kept prior studies from identifying discrimination in student discipline. We find that Black and poor students are, in fact, punished more harshly than the students with whom they fight.

A Teacher Like Me: A Review of the Effect of Student–Teacher Racial/Ethnic Matching on Teacher Perceptions of Students and Student Academic and Behavioral Outcomes

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Considerable research has examined the positive educational experiences of students of color assigned to teachers of the same race or ethnicity. Underlying this research is the belief that the cultural fit between students and teachers has the potential to improve a child's academic and nonacademic performance in school. This comprehensive review examines the extent to which Black and Latino/a students (1) receive more favorable ratings of classroom behavior and academic performance, (2) score higher on standardized tests, and (3) have more positive behavioral outcomes when assigned to a teacher of the same race/ethnicity. Assignment to a same-race teacher is associated with more favorable teacher ratings, although the relationship differs by school level. There is fairly strong evidence that Black students score higher on achievement tests when assigned to a Black teacher. Less consistent evidence is found for Latino/a students.

FIGURE C6
SEVENTH GRADE COHORTS, YEAR AFTER YEAR, ARE REDUCED BY 25 TO 40% AS THEY MATRICULATE TO 12TH GRADE
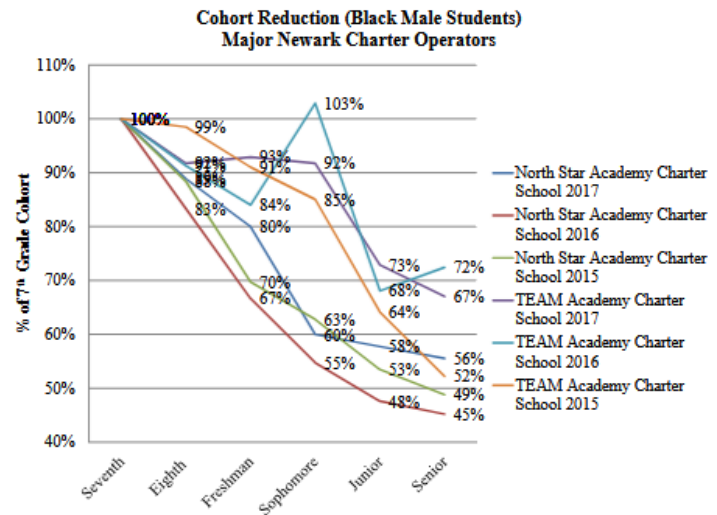
FIGURE C7
SEVENTH GRADE COHORTS OF BLACK BOYS, YEAR AFTER YEAR, ARE REDUCED BY 28 TO 65% AS THEY MATRICULATE TO 12TH GRADE
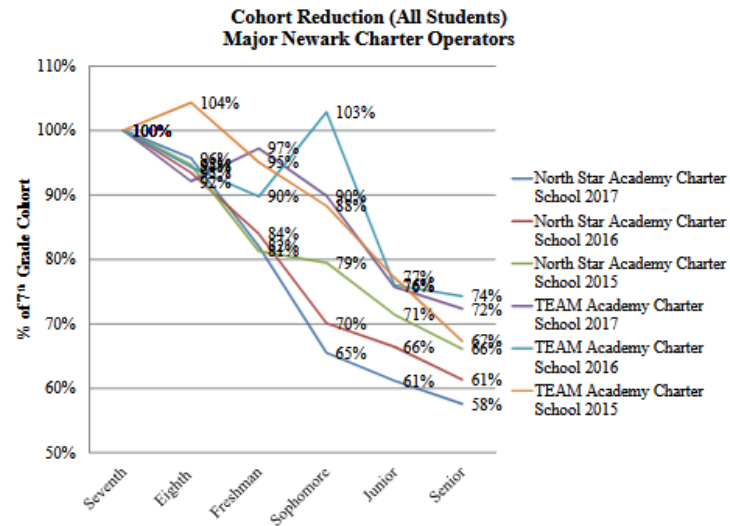
Newark, NJ Charter School Attrition Rates
https://njedpolicy.wordpress.com/wp-content/uploads/2017/12/baker-weber-newark-12-13-17.pdf

Chicago School "Turnarounds"

https://www.fishlawfirm.com/documents/2017-3.6-Dr.-Baker-Report.pdf

Figure 2

Change in Staff Racial Composition Post-Turnaround
2009 & 2010 Turnarounds
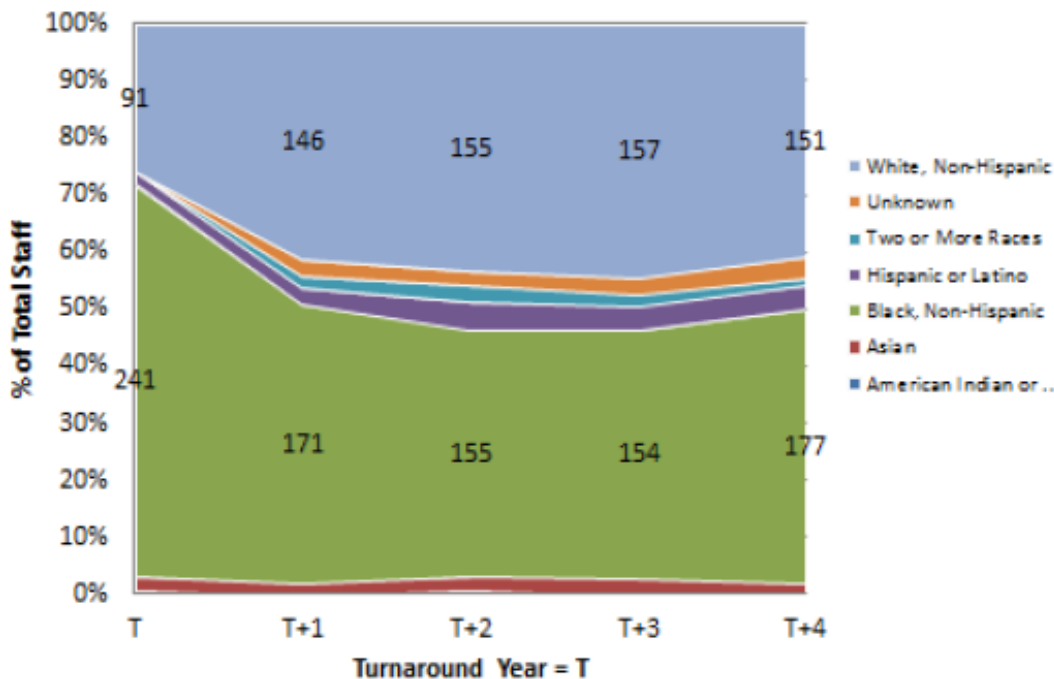
Figure 4

Change in Staff Racial Composition Post-Turnaround
2012 Turnarounds
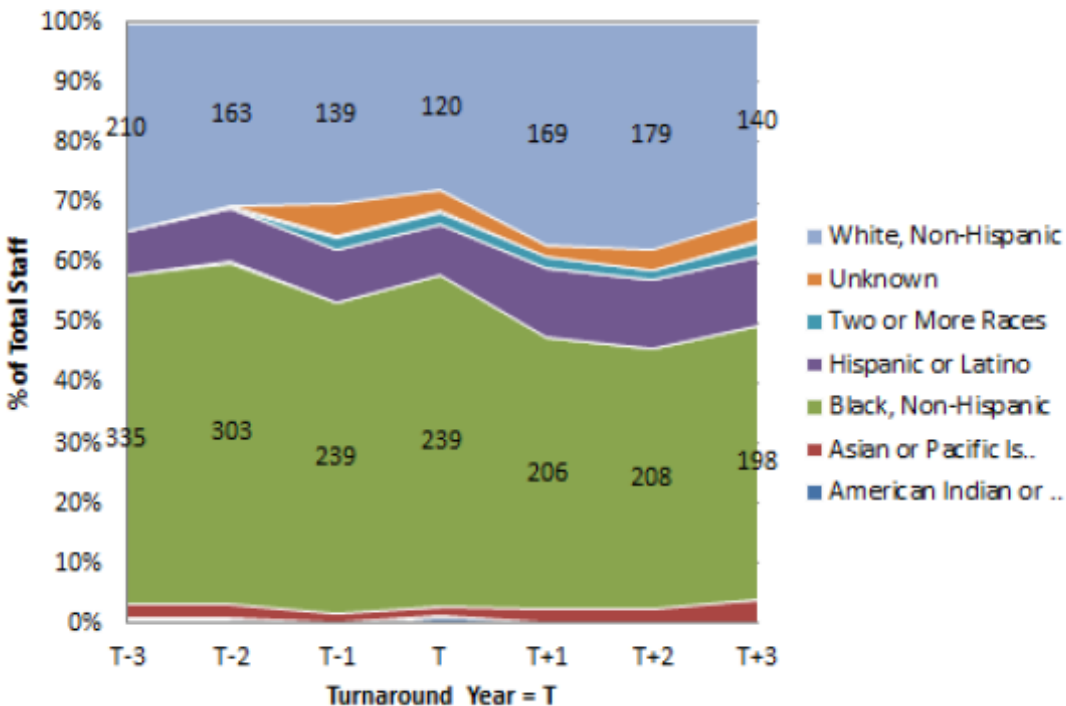
Chicago School "Turnarounds"

https://www.fishlawfirm.com/documents/2017-3.6-Dr.-Baker-Report.pdf

Table 11. Correlates of Elementary School Rating Components

Measure	# Points	Type	Partial Correlation (across years 2009–2013)						Regression
			% Black	% Black or Hispanic	% FRL	% ELL	% Special Ed		Variance Explained (R2 ALL)
1. ISAT Math	6	Current status	-0.54	-0.56	-0.55	0.21	-0.33		0.73
		Trend	0.20	0.15	0.17	-0.07	-0.05		0.04
2. ISAT Reading	6	Current status	-0.53	-0.63	-0.65	0.16	-0.29		0.73
		Trend	0.04	0.08	0.10	0.05	-0.04		0.03
3. ISAT Science	6	Current status	-0.57	-0.58	-0.56	0.24	-0.22		0.54
		Trend	0.14	0.12	0.17	-0.07	-0.02		0.04
4. ISAT Composite (All Grades)	6	Current status	-0.38	-0.71	-0.80	-0.03	-0.17		0.72
		Trend	-0.12	-0.22	-0.20	0.04	-0.15		0.09
5. ISAT Composite (Highest Grade)	6	Current status	-0.36	-0.64	-0.70	0.00	-0.15		0.56
		Trend	-0.06	-0.09	-0.10	0.02	-0.08		0.02
6. Attendance	6	Current status	-0.52	-0.35	-0.31	0.33	-0.49		0.55
		Trend	0.09	0.06	0.07	-0.08	-0.04		0.20
7. Value Added ISAT Reading	3		-0.24	-0.24	-0.22	0.07	-0.05		0.07
8. Value Added ISAT Math	3		-0.09	-0.16	-0.12	0.00	-0.08		0.03

Data Sources:
Performance Policy Results: http://schoolreports.cps.edu/cpsedu/schooldata/2013_PerformancePolicy_Results_03262014.xls
Merges with School Demographics by year: http://www.cps.edu/SchoolData/Pages/SchoolData.aspx
Data and code provided as attachment