

# With All Deliberate Speed: The Reversal of Court-Ordered School Desegregation, 1970-2013

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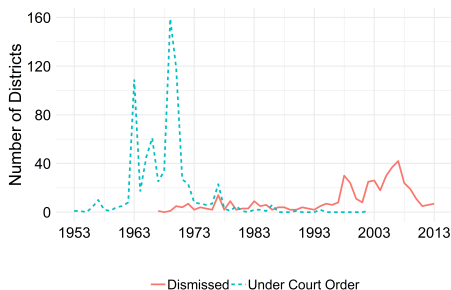
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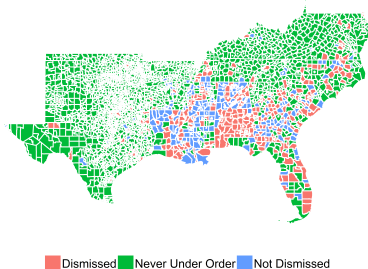
ASA Conference, 2018

# School Desegregation in the U.S.

## De(Re)Seg Trend, 1953-2013



## De(Re)Seg Distribution, 2013



# School Desegregation in the U.S.

- Court-ordered desegregation is being dismantled **with all deliberate speed**.

# Research Question

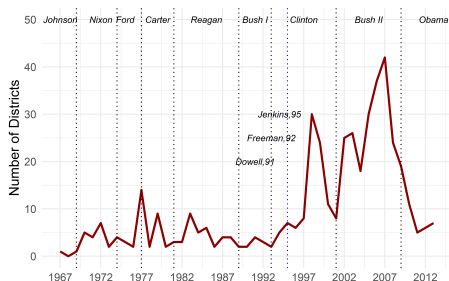
We seek to understand why.

# Two Approaches to the Reversal of School Desegregation

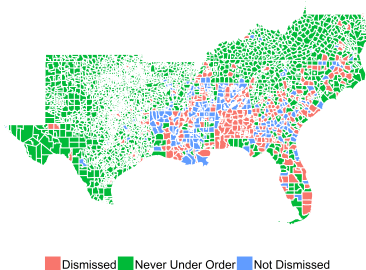
- Mainstream: *A Top-Down Story* focusing on federal actors representing a political conservative movement hostile to school desegregation.
- Few case studies: *A Bottom-Up Story* focusing on local social conditions and actors pursuing their own interests.

# Two Approaches (cont)

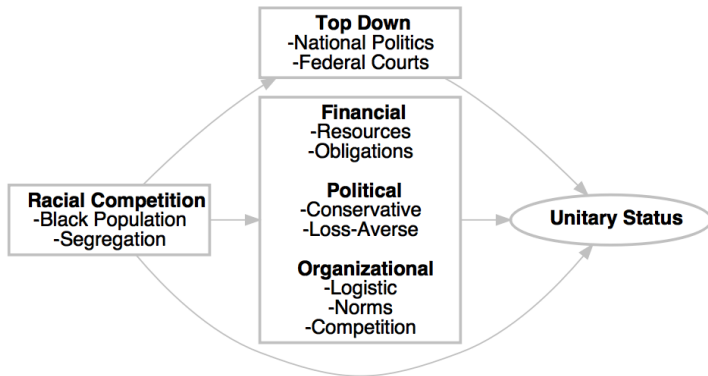
## The Top-Down Story



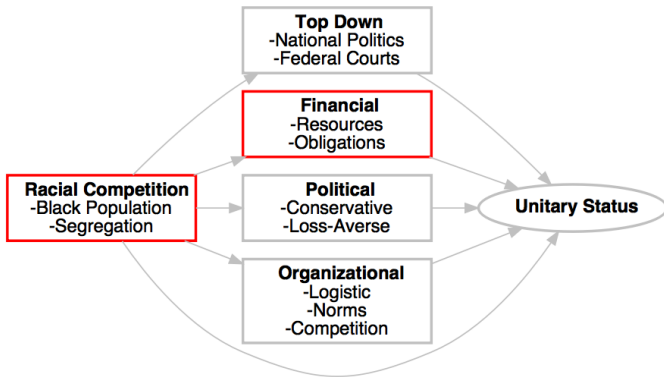
## The Bottom-Up Story



# Reconciling Two Approaches: A Conceptual Model



# Reconciling Two Approaches: A Conceptual Model





# Financial Incentives

- Legal costs should deter financially constrained states or districts.
- Court orders provide school districts deseg-related funding, which gives districts incentives to remain under order.
- Deseg funds represent financial obligations for states, which give them incentives to have districts attain unitary status.

# Hypotheses

- Legal costs hypothesis: state and district financial resources should be positively associated with unitary status.
- Deseg funding hypothesis: district dependence on state funding should be negatively associated with unitary status.
- State obligations hypothesis: state debt should be positively associated with unitary status, and should moderate the effect of district funding.

# Racial Competition

- School segregation is driven by racial/ethnic groups competing for school-based status and resources.
- Racial competition likely contributes to whites' desire to achieve unitary status, which would enable them more freedom to seek out exclusive schools and reassert their status advantage.

# Hypotheses

- Racial composition is the most common proxy for racial competition.
- We expect unitary status to be positively associated with black population share.
- We also expect a *tipping point* at which the association increases.

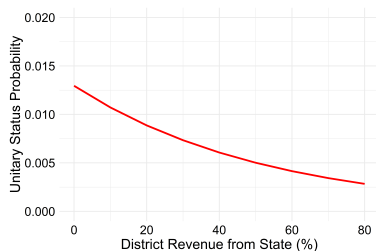
# Data

- The School Desegregation Orders Data (SDO) from Propublica (2013).
- State-level financial data from the Government Finance Database (Pierson et al. 2015).
- District-level financial data for 1970 and 1980 from the Elementary and Secondary General Information System, and for 1990-2013 from Local Education Agency Finance Survey.
- Racial Composition Data from the 1970-2000 decennial censuses and the 2009-2013 American Community Surveys.

# Method

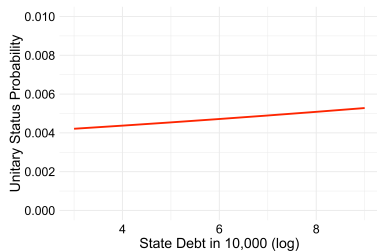
- Discrete Time Hazard Models:  $\text{Log}\left(\frac{\text{Pr}(\text{unitary}=1)}{1-\text{Pr}(\text{unitary}=1)}\right) = \alpha + \beta X$
- District-year dataset with districts included each year from the beginning of the order until dismissal
- Spans 1970-2013
- Logit model predicting dismissal in each year among at-risk cases

# Results: Financial Incentives



- Focus on district revenue: unitary status less likely as districts depend more on state revenue.
- Consistent with deseg funding hypothesis.

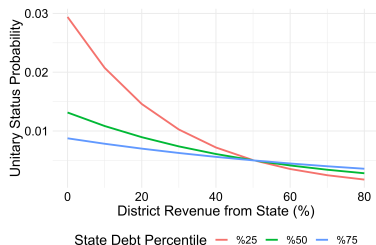
# Results: Financial Incentives (cont)



- Focus on state debt: unitary status more likely as state debts increase.
- Consistent with state obligations hypothesis.

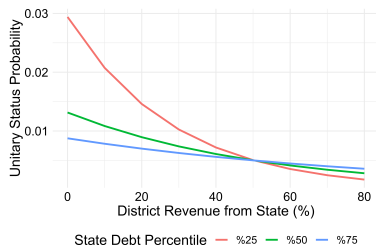


# Results: Financial Incentives (cont)



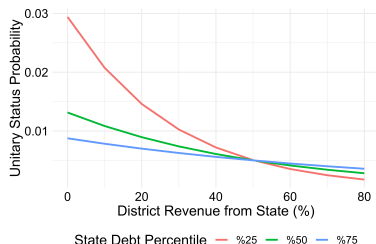
- Focusing on interaction: the association of unitary status with state-based revenue is most pronounced in states with low levels of debt.

# Results: Financial Incentives (cont)



- At most levels of state-based district revenue, higher state debt is associated with a lower likelihood of unitary status.
- Consistent with legal costs hypothesis.

# Results: Financial Incentives (cont)

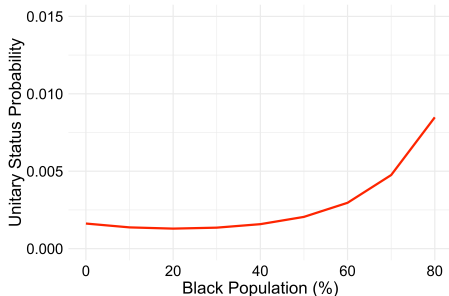


- For districts with very high state funding, the negative effect of state debt disappears and possibly reverses.
- Consistent with state obligations hypothesis.

# Results: Financial Incentives (Brief Summary)

- Desegregation funding at the district level protects desegregation plans.
- But this is offset when states who are the source of many of these funds face financial problems.

# Results: Racial Competition



- Unitary status is positively associated with black population share.
- There is a *tipping point* that the risk takes off when black population reaches 40 to 60%.

# Results: National Politics, Political, Organizational

- Political partisanship variables at the state, district, and national level are poor predictors.
- Some evidence that racial composition of judiciary matters.
- Some evidence that district competition with private schools and other districts heightens risk of unitary status.
- Unitary status is more likely as school segregation declines.

# Discussion

- To better understand school resegregation, we need to broaden our focus.
  - ▶ Not only national policies, but local processes.
  - ▶ Not only attitudes about desegregation policy, but financial and organizational incentives.

# Discussion (cont)

- Changes at the federal level cannot solely explain resegregation.
  - ▶ 40% of mandatory desegregated school districts remain under court order.
- Local factors determine which cases are litigated and whether they are dismissed.
  - ▶ We should focus more on local processes, instead of the presidential administration and the Supreme Court.



## Discussion (cont)

- Regarding incentives local actors face when considering whether to seek dismissals, competing financial incentives at the state and district level appear especially important.
  - ▶ When designing and protecting school desegregation policies, policy makers should attach economic incentives to the policies.
  - ▶ One strategy is to create magnet schools to hire personnel whose jobs depend on state funding.

## Discussion (cont)

- Desegregation orders have been most vulnerable when black population shares reach a tipping point of about forty percent.
  - ▶ We need to learn more about the underlying mechanisms in these contexts.
  - ▶ How much is due to black frustrations or ambivalence about policies?
  - ▶ How much is due to white resistance?

# Limitations

- We have only been able to test our hypotheses very indirectly.
- Case studies could provide more direct evidence about the specific actors making important decisions (school boards, superintendents, voters, judges, etc.).

# QUESTIONS? THANK YOU!

*For more information please visit our websites.*

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## Appendix 1. Data Sources- Desegregation order data

Our primary source of information on school desegregation cases is the School Desegregation Orders (SDO) data from ProPublica (Qiu and Hannah-Jones 2014). We cross-referenced the SDO records with data collected a few years prior by Sean Reardon and his colleagues, provided via the Center for Education Policy Analysis at Stanford University (Reardon 2012). Reardons data updated and revised an earlier dataset compiled by John Logan and his colleagues and provided via the US Schools site at the American Communities Project at Brown University (Logan 2018).

## Appendix 1. Data Sources- Court data

The MQ score data used to measure Supreme Court ideology come from the Martin-Quinn Scores Project (Martin and Quinn 2016). We match counties to district courts and appellate court circuits using the County/District Locators database from the Public Access to Court Electronic Records (PACER) site (2018). We obtain data on the racial identifications and appointing presidents of all federal judges from the Biographical Directory of Article III Federal Judges (Federal Judicial Center 2018).

# Appendix 1. Data Sources-Financial data

State-level financial data come from the Government Finance Database compiled by Pierson, Hand, and Thompson (2015). District-level financial data for 1970 and 1980 come from the Elementary and Secondary General Information System (United States Department of Education, National Center for Education Statistics 2002a, 2002b). Yearly district-level financial data for 1990-2013 come from Local Education Agency Finance Survey (United States Department of Education, National Center for Education Statistics 2018c).

## Appendix 1. Data Sources-Political and racial competition data

We obtain state gubernatorial data from the Governors Database provided by the National Governors Association (2015). County-level Democratic vote shares in presidential elections come from the CQ Voting and Elections Collection (CQ Press 2018); County-level sociodemographic measures racial/ethnic composition, age composition, educational attainment come from the U.S. Census Bureau; specifically, the 1970-2000 decennial censuses and the 2009-2013 American Community Surveys, extracted from Social Explorer (2018).



## Appendix 1. Data Sources-Organizational data

School desegregation data come from various sources over time. We obtain within-district elementary school segregation measures (dissimilarity) in 1968-71 and 1980-82 from the US Schools Project (Logan 2018). We calculate analogous measures on our own from 1989-2013 using school-level data from the Public Elementary/Secondary School Universe Survey (United States Department of Education, National Center for Education Statistics 2018b).

We calculate residential segregation using tract-level racial composition data from the Longitudinal Tract Data Base (LTDB) at Brown Universitys Diversity and Disparity Project (Logan, Xu, and Stults 2014).

## Appendix 1. Data Sources-Organizational data (cont)

Data on the number of schools per district and the number of districts per county come from the School District Geographic Reference Files in 1969 and 1973 (United States Department of Commerce, Bureau of the Census 2002a, 2002b); the data for 1980, 1990, 2000, and 2010 come from the CCD (United States Department of Education, National Center for Education Statistics 1999b, 1999a, 2018a). These district data are limited to districts that include operational elementary schools. County-level private school enrollments come from the decennial census, 1970-2000, and the 2009-2013 ACS, all acquired from the IPUMS National Historical Geographic Information System site (Manson et al. 2017).

## Appendix 2. Logit Models AMEs

	Federal Courts	Full
MQ Score	0.011	0.007
SC White	0.004	0.003
SC Dem	0.002	−0.004
AC White	0.006*	0.006*
AC Dem	−0.003 <sup>†</sup>	−0.003
DC White	−0.002*	−0.001
DC Dem	0.001	0.000

Note: Year, duration, and appellant court dummies not presented.

<sup>†</sup>  $p < 0.1$ , \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

## Appendix 2. Logit Models AMEs

	National Politics	Full
Ford	0.003	0.003
Carter	0.044**	0.051**
Reagan	0.062*	0.044*
Bush 1	0.031 <sup>†</sup>	0.027 <sup>†</sup>
Clinton	0.031 <sup>†</sup>	0.030 <sup>†</sup>
Bush 2	0.019	0.019
Obama	0.012	0.023

<sup>†</sup>  $p < 0.1$ , \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

## Appendix 2. Logit Models AMEs

	Financial	Full
State budgt surplus	0.002**	0.001
Log state debt	0.000***	-0.002*
state edu exp	0.006***	0.005***
District revenue from state	-0.003***	-0.002**
District budgt surplus	-0.001	0.000
Log district debt	0.000	-0.000

<sup>†</sup>  $p < 0.1$ , \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

## Appendix 2. Logit Models AMEs

	Political	Full
Dem governor	-0.001	0.001
New party new gov	-0.008*	-0.007 <sup>†</sup>
Same party new gov	0.002	0.002
Dem Votes	-0.000	-0.003
Age 5-17	-0.014**	-0.017**
Age 55+	-0.006*	-0.007*
<High sch	-0.008***	-0.004 <sup>†</sup>
BA or more	-0.005*	-0.011***

<sup>†</sup>  $p < 0.1$ , \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

## Appendix 2. Logit Models AMEs

	Organizational	Full
Sch seg	-0.002***	-0.002**
Residential seg	0.001	0.000
Neighboring orders	0.000 <sup>†</sup>	0.000
Current neighboring orders	-0.001*	-0.000
Log total districts	0.001	0.002 <sup>†</sup>
Private sch students	0.002	0.003 <sup>†</sup>
Log total schools	0.004***	0.005**
Metro area	0.003	0.003

<sup>†</sup>  $p < 0.1$ , \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

## Appendix 2. Logit Models AMEs

	Racial Competition	Full
Sch seg	−0.002*	−0.002**
Res seg	0.001***	0.000
Popblk	−0.001	0.001**
Foreignborn	0.001	0.005 <sup>†</sup>
Observations	24063	24063

<sup>†</sup>  $p < 0.1$ , \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$



## Appendix 3. National Politics

- Presidential Administrations
- Federal Courts

## Appendix 3. Political Incentives

- Political conservatives are often cast as opponents of desegregation.
- Practical considerations may prevent extreme actions, esp. in competitive environments.
- Democratic politicians have rarely advocated for desegregation policy.

## Appendix 3. Organizational Incentives

- Local autonomy versus Equity
- Logistical difficulties (e.g., assignments, transportation)
- District competition for student enrollment

## Appendix 4. Results: National Politics

- The hazard of Unitary status is highest in the Reagan (R) and Carter (D); No strong partisanship effect.
- Unitary status is more likely when the Supreme Court is more conservative and has a greater share of white justices.
- The hazard of unitary status is highest in the 6th, 7th, and 10th circuits (Midwest and Southwest), and lowest in the 2nd circuit (Northeast).
- The white justices share in appellant courts is significantly associated with unitary status.

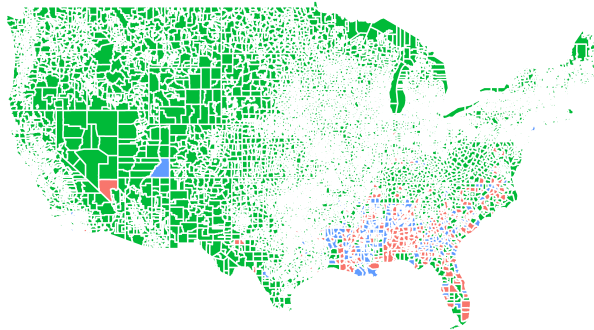
## Appendix 4. Results: Political Incentives

- Partisan political variables (e.g. democratic governor, vote share for democratic presidential candidate) are not useful predictors. Abandoning desegregation policy is politically contentious and is avoided in competitive contexts.
- Districts in counties with larger school-age populations and college-educated populations are less likely to attain unitary status.

## Appendix 4. Results: Organizational Incentives

- Unitary status becomes more likely as school segregation declines, though not statistically significant.
- Little support for local norms related desegregation policy.
- Mixed evidence for logistical incentives and organizational competition to pursue unitary status. A larger total number of schools reduces the hazard of unitary status. The number of districts and the share of students in private schools are both positively associated with unitary status.

# Appendix 5. Mapping School Segregation in the U.S



Dismissed Never Under Order Not Dismissed

## Appendix 6. Court Orders by Appeal Circuits

Circuit	State	Freq
1st	MA(3)	3
2nd	CT(1),NY(5)	6
3rd	DE(4),NJ(3),PA(4)	11
4th	NC(33),SC(33),VA(20)	86
5th	LA(59),MS(96),TX(53)	208
6th	KY(3),MI(7),OH(6),TN(21)	37
7th	IL(5),IN(29),WI(1)	35
8th	AK(26),MD(1),MN(1),MO(27),NE(1)	56
9th	AZ(2),CA(10),NV(1)	13
10th	CO(1),KS(2),OK(2),UT(1)	6
11th	AL(125),FL(34),GA(108)	267
Total		728