



Decoupling where students receive education from where they live is key to undoing the system's racist roots.

Derrell Bradford

Racial Justice through Expanded Choice

One of the earliest conversations I can remember was my mother and grandmother discussing whose address we would use so I could attend a middle school I was not zoned for. That conversation happened at a kitchen table at the corner of Baker and Woodyear Streets in southwest Baltimore, a neighborhood that would become known to many Americans years later when its burning in the wake of the death of Freddie Gray was nationally televised. Decades before I wrote an op-ed or analyzed the performance data

of a school, my family was living in this neighborhood, trying to figure out how I could get the education that was right for me, just as many others do. And unknowingly, one of the most important lessons I learned there was about school choice in Baltimore—and in the country.

As an education reform advocate, I work on school choice policies the most, and it is the issue about which I feel most strongly. You might call it my first love, but it was not an amorous love. It was instead a love born of necessity.

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The American public education system is already a school choice system, which is navigated in four ways. Families are lucky (as I ultimately was, having received a scholarship from grades 7-12 to an independent, all-boys school just outside the city, which we never could have afforded on our own). They are rich enough to pay private school tuition, or they are able to leverage the mortgage market to get a house near the right school. They are connected and thus know the right people. Or they lie about where they live to gain entrance to a school for which they normally would not be eligible. The revelation that we already live in a choice system, but one that does not distribute the power to choose equally or fairly, turns the usual conversation about school choice—who has it and how much they should have—on its head. It is essential context for members of state boards of education and other state leaders considering choice policies in any and all of their forms.

And while it might be too much to expect state board members to set policy based on luck or social networks, those based on wealth and address should be wholly in their purview—and top of mind, given the historical context from which these policies arose. So why would a state board support or adopt school choice policies in 2021 and into the future? Here are three reasons worth considering: the effects on schooling of segregated neighborhoods, the way the pandemic has redefined choice, and the demonstrated lack of resilience of many existing school systems.

Address and Education

The debate over race relations and racial equity in America gives public education policymakers an opportunity to examine one of its most fundamental links, that of housing and schooling, and their respective roles in the delivery of public education. It would be a mistake to see such an examination as an attack on neighborhood schooling. It is instead an opportunity to ask why the place where a child lives—and indeed the value of the property and how much tax revenue can be derived from it—is the most important determinant of educational opportunity and not the fit of the school itself.

The troubling racist origins of America's housing policy are rooted in the New Deal-era creation of the Home Owners Loan

Corporation (HOLC) and the Federal Housing Administration (FHA). A key plank of New Deal policy in post-Depression America was to provide loans to prospective homeowners and thus stoke wealth creation. The HOLC examined America's neighborhoods and created a series of now infamous maps that defined where federally backed mortgages would be made available and where they would not.¹ These maps literally color-coded America into four categories: Best (green), Still Desirable (blue), Definitely Declining (yellow), and Hazardous. The hazardous zones, denoted by the color red, birthed one of the century's most racially divisive and corrosive economic policies, known as redlining.

This policy's effects were twofold. First, they built upon a national agenda that segregated public housing and intensified the country's racial divides. Indeed, these policies divided communities that had been integrated—often working-class and including new immigrants and African Americans. The result: the country's African Americans in particular found themselves living in the “hazardous” zones, which were often ringed off by highways, train tracks, and power plants.

Second, the FHA, through its widely propagated underwriting policies, created the conditions by which African Americans living in these zones were systematically denied mortgages to improve their own housing or to move to a more “desirable” zone and thus to build wealth as their White counterparts were doing, through amortized mortgages at favorable rates of interest.

In his seminal book *The Color of Law: A Forgotten History of How Our Government Segregated America*, Richard Rothstein noted an example: how a local HOLC appraiser color-coded the middle-class St. Louis suburb of Ladue green because it had “not a single foreigner or negro.”² The similarly middle-class, suburban Lincoln Terrace was colored red because it had “little or no value today... due to the colored element now controlling the district.” While Rothstein notes some exceptions, he rightly identifies how this process did a great deal to label African American homeowners as poor risks, which had a pronounced and chilling effect.

Further, the FHA, which insured bank mortgages with amortized, 20-year terms, included an explicit Whites-only standard in

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its appraisal policies, thus making segregation the official policy of the federal government. Its 1935 *Underwriters Manual* declared, “If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same social and racial classes. A change in social or racial occupancy generally leads to instability and a reduction in values.” As Emory Law Professor Dorothy Brown asserts, the nation’s housing markets still penalize Black homeowners—through reduced home appreciation—in neighborhoods that are more than 10 percent African American.³

This policy still matters a great deal for public schooling, as the FHA recommended that if children were “compelled to attend school where a majority or a considerable number of the pupils represent a far lower level of society or an incompatible racial element, the neighborhood in question will prove far less stable and desirable than if this condition did not exist,” and mortgage lending would be inherently riskier.

The impact of these edicts is obvious and lives with us today. While America’s growing diversity rightly confounds the lexicon we use to define racial isolation in public institutions and in the nation’s public schools, there is significant scholarship asserting that America’s public schools are more segregated now than they were in the era before *Brown v. Board of Education*. Because property taxes are a fundamental element of many school finance agreements, predominantly-White school districts receive on average \$2,200 per student more than their predominantly minority and urban counterparts, a difference of almost \$23 billion.⁴

And while families of color living in urban areas may feel these effects most acutely—being boxed out of higher performing schools just across the street or navigating a schooling environment of underperformance and scarcity—they are not the only ones who pay a high price. Young families must routinely overmortgage themselves to gain entrance to coveted public schools. Other families must make an expensive bet on a house before they even know if the school is a good match for their children. This arrangement traps many people. We can and must do better.

A system of choice is a good start, whether by open enrollment in public schools, expanded access to nonpublic schools, or engines of

new-school creation like charter or magnet schools. That is to say, decoupling a child’s address from where they attend school is fundamental. State boards should work with their partners in state legislatures to leverage the American Rescue Plan’s monies to modernize their school finance arrangements to make this possible, while holding wealthier districts harmless. Combining these approaches will help tackle housing’s troubling effects on schooling without having to tackle the worst elements of housing segregation itself.

Giving Families What They Want

An environment that assigns students to schools based on where they live is an environment based not on abundance but on scarcity. In this environment, excellent or right-fit schools are a fixed or rationed quantity, and competition for them is always zero sum. U.S. public school governance exacerbates the issue, as it is in some ways held hostage by this emphasis on place and the congruence of municipal and neighborhood boundaries to schools perceived as “desirable.”

Again, it does not have to be this way. And if a year and a half of disrupted schooling across the country has done anything positive, it has been to give policymakers a broader notion of what choice is and how to assemble, finance, and support ways for learning to happen without regard to a child’s home address.

State boards have many opportunities to expand choice. Boards should encourage the tremendous infusion of resources from the American Rescue Plan to build on efforts made to roll out a large-scale “summer of choice” in 2022 where community groups, museums, camps, sports, and enrichment programs are all engaged to reorient millions of students who spent the 2020–21 school year tethered to computer screens. Boards could jumpstart this effort by using scheduled breaks in the school calendar as well. Much learning happens outside the classroom and school day. Now is a great time to turn this axiom into a foundational element of public education.

Boards should consider a permanent virtual option for learning. Whether it is because trust has not been fully restored between families and school districts that denied them an in-person

option at first for epidemiological reasons, but later clearly for political ones, families deserve to be able to choose a virtual option if that works for them.⁵ More specifically, state boards could adopt a “district in the cloud” approach that allows families to match with a wide array of school districts, charter networks, independent schools, and specialist educators to both remediate and accelerate learning for students.

Boards should embrace pods and hybrid homeschooling arrangements as a feature of future education landscapes. Small-group learning, where relationships and trust are built, is essential, whether in a school building or in a living room. These options can be implemented with an emphasis on equity to profound effect.⁶ Homeschoolers may need a lab or a sports team, and schools may need the head count and better community engagement. An openness to these arrangements and choices will make the landscape richer for all students. Families could be funded directly to engage with a professional tutor of their choice as well.

The problem of scarcity cannot be solved by limiting the creation of things families want. The paradigm of address and assignment automatically pits those with less desirable options against those with more—a political fight the former has not been able to win. It would be better to focus on opening access to preexisting schools of all types—open enrolled public schools, charters, magnet, and independent schools—so that districts replicate schools that show heightened demand and design unique learning environments alongside parents instead. This “choice” environment will give policymakers, educators, and families more levers to pull to create a more dynamic, changeable, responsive system of schooling for everyone.

Single School System as a Liability

The pandemic and resultant school closures quite possibly constitute the single biggest disruption to a public institution in a century. While fights simmer over whether we should use the term learning loss to describe what has happened to students, a greater revelation occurred. Many school systems—large urban districts in particular—were not up to this challenge. There was no one break in the armor. Instead, myriad cracks—from labor agreements to political vulnerabilities

to chaotic, unsustainable school finance arrangements—turned to deep fissures all at once. The façade crumbled.

In a centrally run and uniformly governed monosystem, there would have been few if any examples to point to for parents who were desperate for an in-person option. But parochial schools in New York and Philadelphia, for instance, were able to manage mask-wearing regimens while delivering in-person instruction. In a monosystem that deployed virtual learning poorly, there would have been no excellent programs of online instruction or statewide virtual tutoring initiatives, like in Rhode Island, to show what was possible. In a monosystem of public schools where teachers are sourced from one union and trained almost exclusively by schools of education, there would be no philanthropic tutoring efforts, like in Tennessee, to help students recover.⁷

A uniformly governed, single method of delivering education might seem rational on paper, but it confounds our pluralist roots as a nation of diverse people and leaves us dangerously ill equipped to deal with large shocks, be they epidemiological, political, or educational. I urge state board members to glean from this last year and a half that a uniform system is uniformly vulnerable and to see “choice” as the power to create new schools, fund unique modes and matching of learning, or expand access to schools of all types. In this way, they can build a more resilient, desirable educational enterprise that better equips students and families to find the education that works best for them. ■

¹Digital Scholarship Lab, “Mapping Inequality: Redlining in New Deal America,” website, <https://dsl.richmond.edu/panorama/redlining/#loc=5/39.1/-94.58>.

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³Dorothy A. Brown, “Shades of the American Dream,” *Washington University Law Review* 87, no. 2 (2009).

⁴Sarah Mervosh, “How Much Wealthier Are White School Districts Than Nonwhite Ones? \$23 Billion, Report Says,” *New York Times*, February 27, 2019; Dylan Lukes and Christopher Cleveland, “The Lingering Legacy of Redlining on School Funding, Diversity, and Performance” EdWorkingPaper (Providence, RI: Annenberg Institute at Brown University, 2021): 21-363, <https://doi.org/10.26300/queer-8c25>. See also <https://edbuild.org/content/23-billion>. Even if federal funding equalized per-pupil spending (which it does not), property wealth remains the predominant source of discrepancies in school funding.

⁵Paymon Rouhanifard, “Blue States Are Failing Their

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²Previously, state-level functions related to education were carried out by the central office of DC’s largest local education agency, DC Public Schools.

³DC State Board of Education, Social Studies Standards Advisory Committee, “Why Revise DC’s Social Studies Standards?” web page, <https://sboe.dc.gov/page/social-studies-standards>

⁴Experts included Dr. Danielle Allen, director of Democratic Knowledge Project at Harvard University; Dr. Hasan Kwame Jeffries, historian and producer of the Southern Poverty Law Center podcast “Teaching Hard History”; Dr. Karen Thomas-Brown, member of C3 Framework Writing Committee; Natalie Wexler, author of *The Knowledge Gap*; Dr. Bernard Demczuk, historian at Ben’s Chili Bowl Foundation; Jennifer Manise, executive director of The Longview Foundation for World Affairs and International Understanding; and Christopher Riano, executive director of the Center for Civic Education.

⁵Historian David Blight describes hard history as dealing with the “hard questions of our past—slavery, exploitation, violence, dispossession, discrimination and the work that has been done to overcome or thwart those realities.” “Teaching Hard History” (Montgomery, AL: Southern Poverty Law Center, 2018), p. 7.

⁶DC State Board of Education, “State Board of Education Resolution: Social Studies Standards Guiding Principles,” SR20-15, December 16, 2020, <https://sboe.dc.gov/sites/default/files/dc/sites/sboe/documents/SR20-15%20Social%20Studies%20Standards%20Guiding%20Principles%20SIGNED.pdf>.

⁷DC does not use the free and reduced-priced lunch designation. Instead, DC designates particular students at risk: those who qualify for Temporary Assistance for Needy Families or for the Supplemental Nutrition Assistance Program, have been identified as homeless during the academic year, are under foster care, or are high school students at least one year older than the expected age for their grade.

⁸Office of the State Superintendent of Education, “Quick Stats: Public Schools in the District of Columbia,” web page, <https://osse.dc.gov/page/data-and-reports-0>.

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⁸Ibid.

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