

Five Decades of Federal Initiatives Concerning School Desegregatory Effects: What Have We Learned?

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This article describes miscalculations as well as deliberate deceptions of legal, social science, governmental, judicial, and media leaders in appraising and reporting the impact of mandated desegregation, or forced busing, on the lives of students, families, communities, and the nation.^{2, 3} Two central themes are advanced. First, forced busing was constructed around the simplistic environmental assumption that children would significantly benefit from attending racially balanced schools and that complex biophysical, environmental, emotional, genetic, and neurological influences warrant short shrift. Further, it is argued that little has been learned from the failure of school desegregation and that contemporary intervention programs, including tracking^{4, 5} ongoing forced busing programs as well as

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² Throughout this paper the term "desegregation" refers to both voluntary and mandated programs to achieve racial balance; however court-ordered desegregation invariably was mandatory. Consistent with other studies probing desegregatory effects, this paper discusses emotional issues which can easily be misunderstood. The purpose of this paper is not to defend segregation but to provide an historical account which questions the ability of America's social scientists to objectify the impact of schooling reforms, especially when those concerns necessarily deal with racial themes. Further and reflecting linguistic and cultural shifts since initiation of desegregatory measures, the terms "Negro," "African-American," "Black," and "minority" are used interchangeably.

³ Organizations, whether governmental, private or professional, are often wrongly assumed to be self-regulatory. Three years before Enron declared insolvency, an Arthur Andersen auditor warned of questionable accounting practices, a warning which was ignored (Schroeder, 2002) until external forces revealed a web of unethical practices.

⁴ There is considerable evidence of bias within major governmental and philanthropic agencies. Research awards by the NIE, United States Commission on Civil Rights (USCCR) and other Federal agencies, invariably contain the statement "The research report herein was developed under a contract from the (NIE, etc.). However the contract does not necessarily reflect the position on policy of that agency, and no endorsement of their materials should be inferred." Despite such disclaimers, close examination reveals historic and ongoing bias. Lack of objectivity within academia is also well established and is linked to funding dynamics and cognitive constructs of awardees and researchers (Begley, 2002; Scott, 2000a; Stroufe, 1997). Weiss (1977) gathered responses from 60,000 social scientists and concluded that an

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President George W. Bush's "No Child Left Behind" initiative, will prove unproductive because they fail to recognize that the most fundamental forces of human learning lie beyond classroom reach.^{6,7}

Key Words: Ability grouping, Black education, Desegregation, Educational Reform, and School Desegregation

Origins of the Desegregation-Achievement Debate

Controversies concerning desegregation-achievement issues preceded the NIE investigation and stem from the *Brown v. Board of Education* (1954) citation of plaintiff's social science testimonies which Kenneth Clark collated into the Social Science Statement, later identified as

overwhelming majority favored social changes such as forced busing and deemphasis on standardized testing. Similar trends persist in contemporary social science. Thus, Russo (2002) and McCain (2002) examined evidence of bias reflected in a 2001 poll of Ivy League professors, conducted by David Horowitz of the Center for the Study of Popular Culture. Further, publications of the such professional organizations as the American Psychological Association (APA) characteristically advance a pro-activist and anti-biological advocacy (Neisser, 1998; Scott, 2000b). In his presidential address before the American Educational Research Association Banks (1998) proposed that educators' greatest responsibilities are not to seek truth but to conduct studies which produce "greater social good." To reach that goal, Banks urged inclusion and the placement of students in the same instructional groups regardless of academic skills or aptitude. Additionally, Banks attacked standardized and aptitude tests as instructional instruments used by those who "seek to disempower marginal groups and groups of color."

⁵ Kenneth Clark, who in *Brown* (1954) knowingly provided inaccurate information concerning academic benefits of school desegregation, and a former president of the American Psychological Association (APA) continues to be praised in the professional literature and in effect has threatened those who refused to proclaim desegregatory benefits which by all scientific standards are illusionary. Shortly after serving as APA president, Clark (1973) declared that social scientists who suggest biophysical influences may play a role in ethnic differences "...are providing public officials with rationalizations for regressive policies...thus becoming agents of injustice." Expanding on this theme, Clark stated "Social scientists must set up an apparatus to monitor scrupulously their own work and involvement in matters affecting social policy. They must assume the responsibility for protecting a gullible public from the seductive pretensions of scientific infallibility which are now increasingly being offered..."

⁶ An established educational practice, tracking or inclusion involves placing students in instructional groups consistent with their contemporary ability to learn. As one illustration of harmful untracking effects and while teaching tenth grade Chicago students, Scott (1965) reported reading skills ranging from second grade through the first year of college. His request to group students on the basis of their (general) academic profiles was denied.

⁷ A paper supported by the Ford Foundation and reviewed by Willis Hawley, (Mickelson 2001, p. 220-221) cites reports of the NAACP (1991) and Wells and Crain (1994) in concluding that when schools employ such practices as elimination of ability grouping and tracking "desegregation has clear (albeit modest) academic benefits for Black students and does no harm to Whites"; Mickelson further attributes lower achievement of minority students to tracking. Conversely, Scott (1981, 2001) concluded that disproportionate ethnic classroom composition frequently is based on sound educational and psychological policies inasmuch as more experienced as well as less experienced children learned more effectively when assigned challenging tasks on which they could be successful.

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Footnote Eleven of the decision.^{8,9} Relying on expert opinions expressed in that famous footnote, the Court ruled that racial separation adversely affected self-esteem, which reduced motivation and consequently retarded the “educational and mental development of Negro children.”

In retrospect, it is quite astonishing that testimony contained in the now-famous footnote was not contested during the *Brown* hearings. Absence of constructive dialogue concerning the educational merits of desegregation, which ultimately impacted on hundreds of thousands of families, prompted Justice Felix Frankfurter to ask Thurgood Marshall, Chief NAACP Counselor, why plaintiff’s claims of desegregatory educational benefits had not been challenged by defense experts. Marshall replied that no social scientist in the country would contest the NAACP position on educational issues (Kluger, 1976). In fact, Archibald Roberts, defendants’ attorney in Prince Edward litigation which led to *Brown* (1954) found virtually all social scientists unwilling to testify for the defense. Their resistance was not based on compelling evidence of desegregation benefits: most feared that questioning merits of school desegregation might ruin their careers (Kluger, 1976).¹⁰ Julian Stanley, President of the Division of Educational Psychology of the American Psychological Association, reported that most measurement specialists feared speaking out and those who did speak up were likely to be la-

⁸ In *Brown* proceedings, Clark, and contrary to what he confided to NAACP attorneys, assured the Supreme Court that school integration would make up for all psychological and intellectual damage imposed on Black children by the crushing burden of Southern racist ideology (Kluger, 1976; Scott, 1977; Young and Bress, 1975a).

⁹ Despite general acknowledgement that Clark’s social science evidence as presented to the Supreme Court was erroneous and deliberately misleading, a former president of the American Educational Research Association concluded that Clark “...epitomizes the role of the socially responsible scholar in a democratic pluralistic society...he consistently opposed institutionalized structures that promoted racism and inequality and constructed scholarship that challenged existing knowledge systems and paradigms ...because education is a moral endeavor, educational researchers should be scientists as well as citizens committed to democratic ideals.” (Banks, 1998). Banks’ position prompts a very basic question: should social science focus on values or on truth? To raise this question is not to justify racism, segregation, or inequality but rather to determine the purpose and consequence of social science.

¹⁰ As forced busing gained momentum, the editor of the *Journal of Clinical Psychology* remarked “...an increasing number of students are being brainwashed by extremist psychologists who go far beyond anything scientific in their advocacy of political activities...” (Thorne, 1974).

beled racists or at least illiberal.¹¹⁻¹² Eventually Henry Garrett, former President of the American Psychological Association and a professor at Columbia University, agreed to testify for the defendants; he later documented bias exerted by university administrators because he testified for the defense (Kluger, 1976).

Precedent having been established by the *Brown* decision, lower courts subsequently ignored ecological and biological/genetic variables, and concluded that the generally lower academic profiles of groups of minority children are attributable to unequal educational opportunities. Emphasis was placed on what occurred *within* schools. Judge John Minor Wisdom (*Cunningham v. Jefferson County Board of Education*, 1966) ordered what some authorities considered the most important doctrinal changes since *Brown* by declaring Negroes “collectively harmed” by segregated schools (Read, 1975). This ruling shifted *de jure* desegregation rulings, designed to assure Black children their constitutional rights to attend neighborhood schools, to quite another level. *Brown* drew upon discredited social science and set the stage for *de facto* school desegregation based on the assumed right of Black children to equal educational *outcomes*. The Court assumed that appropriate racial balance, implemented through mandated dismantling of neighborhood schools, would narrow if not eliminate the Black-White achievement gap. In *Hobsen v. Hansen* (1971), Judge J. Skelly Wright concluded “[r]acially and socially homogeneous schools damage the minds and spirits of all children in lower tracks for reduced education based on (inappropriate) tests, thus implementing the self fulfilling prophecy inherent in such misjudgments ... all have contributed to the increase in crime, particularly in juvenile crime. The scholastic achievement of the disadvantaged child, Negro and White, is strongly related to the racial and socio-economic composition of the student body...” In *Swann v. Charlotte-Mecklenburg* (1971), Judge McMillan declared that segregation explained the lower achievement of blacks. The shift toward mandated

¹¹ The defense not only dealt with social scientists’ apprehension over testifying that busing might not be beneficial; they were refused opportunities to question NAACP experts (Carmichael, P.A. as cited in Carter, J.D. 1973, p. 28.

¹² For more recent documentation of punishments social scientists have experienced and continue to experience for objectifying desegregatory effects, see Mitchell, J. V. (1970), Pollock (2001), and Scott (2002).

educational *outcomes* became more pronounced following *Milliken v. Bradley* (1974), which rendered lower academic performance of African-American students central to segregatory redress offenses. In that decision, experts on both sides testified that desegregation would enhance Black achievement (Wolf, 1977a, p. 101).

Confusion in the Courts

As busing progressed judges grew distrustful of social scientists, whose leaders seemed incapable of presenting objective data (Wilkinson, 1979; Scott, 1981b). Despite “expert” predictions of desegregation benefits, schools reported district-wide unchanging or even declining test scores. In *Hart v. Community School Board* (1974), the federal district court judge remarked “... much of the current research replies to precise policy-based questions with the ambiguity of Delphic Oracle ...” Judge W. E. Doyle (1977) fired still another a warning shot over the bow of academia and concluded that “...school desegregation rulings are not based on social science evidence but on fundamental precepts, moral, positive law and reason.” Judge John Minor Wisdom (1975) did a turn-about, virtually declared a shunning of social science, and stated that social science “appears to have had no effect on the most recent desegregated decisions of the 1970s” and that social scientists played no role in *Brown* and subsequent court rulings. Desegregation, declared Judge Wisdom, is a matter of law not social science or sociology.¹³

An Issue Beyond Control of the General Accounting Office

Inconsistent judicial rulings puzzled and angered school personnel, parents, and the general public. Responding to Congressional concerns the General Accounting Office (GAO), which serves as the primary check on accountability in government, initiated an investigation into the effects of desegregation on learning of minority children. David Zylks, a member of the GAO’s civil rights audit group, denied that the proposed study was triggered by a recent United States Civil Rights

¹³ Within legal circles, doubts concerning the desegregation-achievement thesis declined still further. In 1985 the American Bar Association awarded its Silver Gavel to Raymond Wolters, whose book *The Burden of Brown-Thirty Years of School Desegregation* contends not only that many Blacks opposed busing but that desegregation rulings based on “expert” opinion have created loss of creditability concerning the judicial process. Notwithstanding ABA’s praise, Wolters was faulted for being racist (Williams, 1985).

Commission (USSCR) report. He nonetheless acknowledged that some Commission members charged that the USCCR report was intentionally biased to support mandated busing. Zylks stressed that the GAO is insulated from political coercion and considers the subject of school desegregation inadequately covered and that GAO “can make a contribution by shedding light on the subject” (Eisner, 1976). Endel Kaseoru of the GAO’s audit unit telephoned Scott to obtain empirical data (Personal Correspondence, Kaseoru to Scott, December 3, 1976). Several years later the GAO inquiry was halted, and Scott wrote to Kaseoru. In response, Joseph J. Englin, Jr., Assistant GAO Director, acknowledged that the agency had attempted to “alleviate the controversy surrounding school desegregation”, but concluded it could not make an effective contribution to the school desegregation issue. (Personal Correspondence, Englin to Scott, October 4, 1979) ¹⁴

Following jettisoning of the GAO audit, courts continued to issue rulings which further undermined confidence in the law. A Grand Rapids, Michigan judge ruled in favor of various school desegregation remedies which, in nearby Kalamazoo, another judge declared unconstitutional; the Sixth Circuit Court of Appeals affirmed both judgments (*Oliver v. Kalamazoo Board of Education*). Separately and in 1982, that same Sixth Circuit Court of Appeals overturned the decision of a district court judge who ruled that desegregation only marginally enhanced black learning profiles and declared that desegregation does much more and “raises the level of black achievements” (Sixth Circuit Court of Appeals, 687 F 2nd 814). In 1984 and while results of the 1982 NIE study

¹⁴ In a roundabout manner, the GAO *did* reach preliminary conclusions prior to formally announcing the aborted attempt at examining desegregation achievement effects. At the request of Congressman Carl D. Perkins, Chairman of the Subcommittee on Elementary and Vocational Education, Committee on Education and Labor, House of Representatives, the Comptroller General of the United States commented “...Some studies indicate that SES explains more variance in achievement levels than quality of education afforded.” This suggests that, had the GAO formally completed its announced study, results would very probably have indicated that forced busing was an unproductive approach to enhancing learning profiles of African-American students. Further, the GAO study submitted its conclusion to Congressman Perkins’ subcommittee in the form of a paper entitled, “Better criteria needed for awarding grants for school desegregation.” This statement cites “serious questions” about the adequacy of program management. Grants were awarded to ineligible school districts, federal agencies failed to question inconsistencies between panelist comments and numerical scores, and there was a breakdown between schools funded and supported desegregation activities (Comptroller General of the United States, 1977).

were being disseminated, a Virginia district court heard conflicting expert testimony, elected not to “balance the experts,” and made no findings concerning desegregatory achievement outcomes. (*Riddick v. School Board*, 1984)

The Coleman Report: Unexpected Findings

As courts wrestled with issues involving desegregatory remedies, the USDE funded the famous Coleman Report (Coleman, 1966). Designed to statistically document large differences in educational resources of White and Black schools and hence the need for desegregation, the Report astonished educational and legal communities by failing to discern resource disparities associated with ethnicity. Student achievement, Coleman concluded, was more dependent on family than on race or schooling issues.¹⁵ Were this true, basic assumptions underlying *Brown* and dozens of other desegregation cases required reappraisal. The USDE and other governmental agencies challenged, disparaged, or sought to suppress Coleman’s report (Cohen & Weiss, 1977; Glass, 1976). Surprised at efforts by influential informational and educational media channels to conceal or obfuscate findings of the Coleman Report, Senator Daniel Mohnihan (1969) remarked “... even modest public awareness of busing failures came about under the influence of persons and institutions at best peripheral to the world of American education.” Troubled by mounting public doubt of compensatory benefits which focused on schools and suggested that African-American children are more likely to benefit from parental involvement and programs dealing with such biological factors as prenatal risk factors than from busing, the U.S. Department of Health, Education and Welfare (USDHEW) published a 346-page report (Ornstein, 1975). That report detailed what researchers might do if they received federal funding. The core ideas were simple: ignore explanatory reasons for the racial achievement gap; simply assume injustice prevails if ethnic academic achievement levels are not ethnically uniform.

Coleman’s pivotal findings questioned some of the most basic

¹⁵ Mayeske and Beaton (1975) completed a USDE funded and four-volume study of the influence of student social background and school characteristics. Consistent with Coleman’s findings, they concluded that when home background factors were controlled, race and ethnicity explained only a tiny fraction of the achievement variance.

premises of *Brown*: if neither inter-school ethnic composition nor level of resources significantly affected Black learning trends, then most of the Black-White achievement gap had to be explained by influences *outside* the school. After his findings came under fire, Coleman (1968) reversed himself and declared that Black achievement rose in schools attended by a majority of whites (Young and Bress, 1975b). Challenged on this by Dyer (1968), Coleman (1978) eventually shifted positions and acknowledged that desegregation had not produced gains. Further, Coleman expressed regret that he once argued in Court(s) that desegregation would produce academic achievement. Busing-related desegregatory achievement gains, he declared, are “fiction” and social science results are weapons that will be used by whichever side they favor (Cohen & Weiss, 1977).^{16, 17}

Research: Are There any “Experts”?

Despite unresolved controversies provoked by the Coleman Report, courts continued to rely on desegregation as a central remedial option for segregatory offenses. The USCCR, NIE and the USDHEW funded publications which presumably demonstrated dramatic desegregation-linked achievement gains (Holden, 1974; USCCR, 1967; USCCR, 1972; USCCR, 1974; Weinberg, 1977).¹⁸ Those studies invariably concluded

¹⁶ Mickelson (2001, p. 219) draws upon outdated statistics and claims that Coleman concluded that Blacks derive educational benefits from attending desegregated schools.

¹⁷ Separately and in late 2001, and as an indirect endorsement of the original Coleman Report which emphasized the cardinal role of factors outside the home to learning, some civil rights activists launched a concerted effort to close the achievement gap between Black and Hispanic students and their White peers. The new emphasis, wholly consistent with the Coleman Report, focused not on desegregation but on broad environmental forces outside the school, primarily parents (Associated Press (2001) *Waterloo Courier*, August 22, A2). Ironically, in the early 1970s and although Federal and State funding had already been budgeted, Scott was dismissed as Director of Home Start, one of two national programs funded by the U.S. Department of Education, which focused on helping poor minority and majority parents more effectively teach their own children (Scott, 1968-1975). Why the firing? Scott had testified that minority children learn more effectively if busing were deemphasized and central focus placed on facilitating parental skills.

¹⁸ Political tensions within the USCCR intensified as Reagan appointees questioned busing benefits. Orfield (1985), a venerable supporter of desegregation, resigned from the five member USCCR panel charged with supervising the Commission's prepared desegregation study and expressed concern that his colleagues, Professors Christine Rossell and Douglas Longshore “no longer guide the project.” (Personal Correspondence to C. Pendleton, USCCR Chairman, October 25, 1985). Orfield was also troubled about roles assigned to David Armor and Michael Ross, whose research “questioned the educational value of desegregation” and also expressed concern about Max Green who, in Orfield's words, has presented a “continual problem” and “is

that busing raised Black achievement profiles. By the late 1970s, however, some scholars reported ambiguous desegregation achievement outcomes (Bradley & Bradley, 1977; Scott, 1977; St. John, 1975). From these studies a stable theme emerged: the more rigorous the studies, the less persuasive the evidence of academic gains.

Over time, a gap widened between alleged desegregatory benefits and the actual impact of busing on students, families and school districts. Public confidence in courts and social science progressively eroded; both Black and White opposition to busing increased (Armor, 1973; Kirp, Yudof, & Levin, 1992; United States Subcommittee on Civil and Constitutional Rights, Supplemental Views, 1982; Young and Bress, 1975a; Wolf, 1977b).¹⁹ Doubters of busing benefits extended to the upper judiciary levels. On January 21, 1980, the Supreme Court returned a Dallas school desegregation case to a lower federal court. Three justices – William Rehnquist, Potter Stewart, and Lewis Powell – cited evidence that busing caused white-flight, resegregated schools, hurt the quality of education, and declared, “the case presents a long needed opportunity to reexamine the considerations relevant to framing a remedy in a desegregation suit” (USCCR Update, 1980). Ironically, as the three Justices made those tempering statements, Ernest Boyer, Commissioner in the Office of Education appeared before the House of Representatives Committee on Appropriations and identified school desegregation as a budget priority (Department of Labor and Health, Education and Wel-

strongly committed to the Reagan Administration’s Civil Rights policies.” Subsequently Clarence Pendelton wrote to Orfield, expressed concern regarding “serious charges about an important Commission study” and asked Orfield to directly discuss with the Commissioners questions he had raised in the press; Orfield declined (Personal Correspondence, December 3, 1985). Three years later and in 1988, political winds within the USCCR shifted. Over objections of the USCCR administration, a slight majority of the Commission, supported by media giants such as Gannett Corporation, launched a campaign opposing “the high proportion of white males” serving as Chairs of the 50 USCCR State Advisory Commissions: most of the Chairs favored Reagan mandates and opposed busing. Debates over desegregatory educational issues persist and Goldstein (2002) considers the USCCR reduced to irrelevance because of “political squabbles” embedded in contradictory claims based on social science; USCCR Chairman Mary Frances Berry, who vigorously espoused forced busing over several decades, recently lost her court challenge seeking to refuse President Bush’s anti-busing appointee to the eight member Commission (Commissioner Kirsanow 2002).

¹⁹ Significant Black opposition to desegregation is no longer contested (Polling the Country, 1977; Raspberry, 1998; Scott, 2000a; Vitullo-Martin, 1998; Yoo & George, 1998; Scott, 2002).

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fare Appropriations, 1980).

Busing and Politics: The Reagan Era

School busing played a prominent role in President Reagan's election and some newly appointed Federal officials openly doubted alleged benefits of forced busing. Incoming USDE officials established a new research priority: clarifying the extent to which desegregation enabled Blacks to more effectively learn. As one small step in that direction, Scott (1983a) was awarded a USDE grant designed to appraise desegregation-achievement effects.²⁰ Focusing on microanalysis, or examination of the patterning of details which comprised specific investigations, Scott was unable to identify a single study which documented viable evidence of significant longitudinal African-American achievement gains attributable to desegregation.

Congress Intervenes

Approximately a quarter century after the *Brown* decision, during the waning days of the Carter administration, and responding to mounting public disenchantment with desegregation and evidence of surveys conducted by the Carnegie Commission which linked busing and increased racial hostility, intimidation, and violence (Weiss, 1977; Young & Bress, 1975a; Scott, 1977), Congress held several hearings which weighed in on the desegregation-achievement premise.

Busing issues held center stage in hearings of the United States Subcommittee on the Constitution of the Committee on the Judiciary, from December 1977 to March 1978, which involved refunding of the USSCR. The USSCR had funded studies which consistently reported achievement gains accruing from desegregation, results which were disseminated to the general public. At those hearings, Meyer Weinberg and Robert Crain testified that Black students' academic achievement rose significantly under desegregatory conditions.²¹ Conversely, and relying

²⁰ Commenting on Scott's final report, a USDE Management Analyst remarked "...The question you raise as to whether the hypothesis, i.e., the authenticity of the busing-higher school achievement can be clearly answered is a valid one. If not that, what form of genuine education help can be offered to America's most vulnerable youth?" (Personal Correspondence, P. A. Allen, 1983, February 25.)

²¹ Testimonies of Crain, Hawley, and Weinberg impacted on numerous Court rulings. The three researchers periodically coordinated efforts with like-minded academics and governmental officials including Mary Berry, long time member of the USSCR, an ardent advocate of forced

on microanalysis, Scott demonstrated major flaws of studies funded by the USCCR, NIE, and USDE. Some senators expressed particular interest in USCCR-supported research which claimed significant achievement benefits from desegregation in 10 major school districts (*New York Times*, 1973; Heckinger, 1974).²² Commenting on that study, Scott summarized his direct contacts with all 10 superintendents (Personal Communication, August 29 and September 24, 1974); not one had affirmed USCCR claims. Typical was the response of Tampa Florida's superintendent, Raymond Shelton (Personal Correspondence, September 24, 1974): "There are no such statistics. I can't imagine the U.S. Commission making such a statement." D. P. Whitmer, Superintendent of Pontiac, Michigan schools replied that he is "at a loss to know where the U.S. Commission on Civil Rights got information that leads to this conclusion." (Personal Correspondence, September 5, 1974).

Early in the Reagan era, a second Congressional hearing (Subcommittee on Separation of Powers of the Committee on the Judiciary, United States Senate, 1981) focused more directly on court-ordered school busing. Hawley, Weinberg, Crain, Scott and others testified on desegregation-achievement effects. Considerable discussion centered on the seven year project underwritten by the USCCR and the NIE, conducted by Willis Hawley and other educators at Vanderbilt University

busing, and currently Director of the USCCR. With such networking and after coordinating their efforts, Crain, Hawley, and Weinberg garnered numerous Federal grants from the NIE, Office of Civil Rights and the Ford Foundation (Weinberg, 1968, 1977, 1983; Hawley, et al 1981a, 1981b, 1983). Predictably, the three have reported academic gains linked to desegregation; other researchers, typically working without Federal or philanthropic funding were unable to document such gains (Bradley & Bradley, 1977; Chandler, 1977; Cook, 1984a; Rivkin, 2000; Scott, 1977; Scott 1983b).

²² The questionable study funded by the USCCR had taken a circuitous route which included wide media coverage and eventually a statement in the 1974 Yearbook of the World Book Encyclopedia (Heckinger, 1974) which declared that desegregation had produced higher educational achievement in ten cities. During the 1970s, Scott requested raw data from the USCCR. W. T. White, Assistant to the USCCR Staff Director for Congressional and Public Affairs, responded that "educational gains...are long term results that most communities realize (Personal Correspondence, October 17, 1979) and advised Scott to write to Dr. Willis Hawley at the Institute for Policy Sciences and Public Affairs, Duke University. Scott's letter to Hawley drew a response from Ronald D. Henderson (Personal Correspondence, November 9, 1979), Team Leader of the Desegregation Studies of the NIE, who suggested that Scott contact Robert Crain of the Center for Social Organization of Schools.

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(1979, 1980, 1981a, 1981b, 1983).²³ In those hearings, Scott noted that federal guidelines specified that the purpose of the program was designed “to improve potential benefits of desegregation.” Clearly, that phrasing effectively eliminated from grant consideration any open-ended proposals which permitted an aspiring applicant to consider as one option the strengthening of neighborhood schools, or that school desegregation was unhelpful or counterproductive. Scott also summarized his contacts with school officials responsible for research in three school districts from which Hawley and his team had drawn data: Charlotte, Nashville-Davidson County, and Louisville. Not one director was able to provide evidence of long term achievement gains associated with desegregation.²⁴

In the early 1980’s, a House of Representatives’ subcommittee held a series of hearings on desegregation issues (United States Subcommittee on Civil Rights and Constitution Rights of the Committee on the Judiciary, together with Supplemental Views, House of Representatives, 1982); only two social scientists were invited, Weinberg and Crain: both had extensive histories of publishing dubious busing benefits.²⁵ Citing Weinberg’s testimony, the House Subcommittee concluded that “...as measured by standardized scholastic achievement tests, the evidence is compelling that in almost all cases black students have done significantly better in desegregated schools...”(p. 10). Further, the Subcommittee approvingly cited Crain’s statement that “across the Nation Black test scores have been rising markedly and faster than white scores in the past years...”

Although noting Norman Miller’s reference to methodological weaknesses of desegregation studies, the Subcommittee concluded that

²³ Contributors to the project, as headed by Hawley, included R. Mahard, W. Weinberg, N. Chachkin, Lawyers Committee for Civil Rights under Law, S. Robinson of the National Educational Association, P. Roos, Director of Education Litigation, Mexican American Legal Defense Fund, and Mary Berry whose advocacy for desegregation and affirmative action led, in 2002, to bitter infighting in the USCCR (Goldstein, 2002).

²⁴ Findings of Hawley and colleagues were reported before and after the hearings. Chester Finn (1981), Professor of Education and Public Policy at Vanderbilt, questioned Hawley’s conclusions and cited evidence of negative educational outcomes from school desegregation in Nashville-Davidson County.

²⁵ The Committee heard only one side of desegregatory-achievement issues, as presented by Crain and Weinberg.

“the overwhelming consensus among researchers is that test scores of minority students in desegregated schools usually increase, particularly when certain factors are present – desegregation beginning in the first grade and involving a significant percentage of middle class students” (p.12). Further, the three minority Republican Congressmen on the Subcommittee contributed a “Supplemental View” which, while not directly referring to research involving desegregatory academic effects, alleged that busing introduces “...resultant academic deterioration which can only be heightened by high teacher turnover and diminished financial resolve.”

The Reagan Administration and NIE Policy Shifts

Reagan’s election had revealed public shifts against busing. Concerned about those shifts, officials in some Federal agencies feared that desegregatory programs were imperiled. Responding to that perceived danger the USCCR (1981) released a monograph (*With all Deliberate Speed; 1954-1980*) which commented on decisions by the Department of Justice (DOJ) in four pending cases. The Commission’s monograph stated that “DOJ’s postures appear to reflect a change on policy which cannot help but be of deep concern to those who believe that, as the Supreme Court found in *Brown v. Board of Education*, segregated facilities are inherently unequal.”

Despite resistance of USCCR officials, the incoming NIE administration pressed ahead with questions concerning desegregatory effects. President Reagan designated the National Council on Educational Research (NCER) to review NIE’s 1981-82 grant and contract awards (Schneider, 1990).²⁶ The NCER concluded that NIE typically had funded researchers whose predispositions essentially precluded objectivity concerning some of the nation’s most complex social and educational issues. NIE officials replied that the agency had historically given little attention to the desegregatory impact of school desegregation, which was considered a legal and not educational issue (Henderson, von

²⁶ Responding to the political nature of desegregation issues, Reagan dismissed USCCR Chairman Arthur Flemming and Commissioner Horn, and replaced them with Clarence Pendelton and Mary Louise Smith (USCCR Update, 1981).

Euler & Schneider, 1981; Schnieder, 1990).²⁷

Some USDE Reagan appointees sought information from researchers not involved in Federal desegregation research during Democratic administrations, and Scott's focus on microanalysis caught their attention. Applying microanalysis as one empirical vehicle, USDE positioned desegregation into a somewhat different frame: Did forced busing or *de facto* desegregation authentically promote long-term African-American academic achievement? If so, how can desegregatory practices be further improved, but if not, how then can more viable educational remedies be formulated and implemented?

Origins of the NIE Inquiry

Following several telephone calls with USDE officials, Scott conferred in Washington with Robert Sweet, Associate Director of the USDE in March 1982. Later, the discussion group was enlarged to include Thomas Ascik, Research Associate and Associate NIE Director, and Jeffrey Schneider, Team Leader of the NIE Desegregation team.²⁸ Initial discussion focused on the quality of existing research and the potential value of microanalysis in assessing empirically strong studies which, collectively, might yield an objective assessment of desegregatory achievement effects. Subsequently Schneider and Scott met in Washington from May 16 to 21, 1982 and again May 29 to June 6, 1982. During those discussions, procedures for implementing the project were outlined and Scott was designated Academic Advisor to the Desegregation Team. His charge was to assist other panelists in employing microanalysis, maintaining focus on empirical facts, and reducing ideological bias.

The NIE Panel: Initial Steps

Schneider and Scott's first major task involved selection of a panel of social scientists who had comprehensively examined desegregatory-

²⁷ In 1968, the USDE governing body of what later became the NIE, financed an extensive assessment of desegregatory achievement effects by Meyer Weinberg. NIE also funded Weinberg's subsequent investigations (1977, 1983) which claimed large desegregatory achievement benefits. Further, Weinberg (1983) notes that Oscar Uribe and Mary von Euler served as his NIE program (project) officers.

²⁸ As initial papers were formulated, Schneider was reassigned to the U.S. Defense Department; however, he agreed to remain with NIE through project completion. During the final steps of the undertaking, Oscar Uribe was named Acting Leader of the Desegregation Team.

achievement outcomes. To assure theoretical diversity and avoid possible allegations of politicalization, panelists were chosen whose research reported positive, negative, and neutral desegregatory-achievement outcomes. Selectees were Robert Crain and Paul Wortman (Positive); David Armor and Norman Miller (Negative), and Herbert Walberg and Walter Stephen (Neutral). Additionally, Thomas Cook served as methodologist and primary statistical analyst; he and Scott were to encourage panel members to focus on facts as reported in empirically strong studies and to facilitate synthesis of panel conclusions.

Following a series of telephone calls, the panel assembled in Washington on July 30, 1982, and agreed to study achievement outcomes in two academic domains: reading (verbal) and math. Initial concern centered on identification of the most empirically rigorous studies, and 27 “negative” criteria were established. An experiment containing any one of these markers was eliminated from consideration for inclusion in the “core” set of studies. However, and over objections by Schneider and Scott, most panelists insisted on the option of adding or deleting studies from the agreed upon “core” (Cook, 1984a; Ingram, 1990). Individual panelists subsequently included experiments which other panelists considered profoundly flawed.²⁹

Effect Size: The Central Desegregatory Criterion

Panelists agreed to rely primarily on effect size (ES) as the measure of influence on learning as exerted by the variable under investigation, school desegregation. The well-known Wechsler IQ tests, for example, are normed on the basis of an average of 100 and a standard deviation of 15. An effect size of .1 on the Wechsler would, therefore, reflect an increase of 1.5 IQ points for American students in general (10% of 15 IQ points). The issue becomes somewhat more complex when dealing with

²⁹ Cordray (1990) considered the NIE study compromised because panelists analyzed different subtests of core studies, and differed in both how they calculated ES and how they used different control groups as the basis of their comparisons (pp 109-110). Mickelson (2001) cites Cook's (1984a) statement that “in retrospect, the decision to restrict the selection criteria to a common set rather than let panelists select their own, and the failure to assess each of Crain's studies according to the Panel's criterion, may have unnecessarily restricted both the sample of students and the heterogeneity in assumptions on which the theory behind the use of multiple panelists depends (Mickelson 2001, p. 244). However Cook also noted that “... calls were heard to add to other studies” and “it is not difficult to see why the decision was made to restrict the meta analysis to “better studies.” (p. 39).

(group) national ethnic differences: Armor noted that the Black standard deviation is about .7 that of whites. Therefore, a .1 ES increment (it is recognized that IQ is generally considered less malleable than achievement) would raise the average black IQ from about 85 to 86. Even if an ES of .1 were obtained and be statistically significant, few knowledgeable observers would conclude that a change of this magnitude produces practical benefits.³⁰ Initially 157 studies, considered most influential in the professional literature were examined. Only 18 experiments, increased to 19 and reduced to 17 by some panelists, met the relatively crude requirements for inclusion into the “core.”³¹

Panelists registered sharp disagreements with respect to both procedures and findings. Consensus could not be reached concerning ES values. Crain and Walberg opted not to rely on the pooled mean ES; the remaining four panelists provided ES estimates which differed in the number and cases for which ES were secured and examined.

Stability of Panelists' Perceptions of Desegregation Effects

Despite an initial design which called for standardizing empirical analyses, panelists followed independent courses and the NIE experience did not change opinions regarding desegregatory achievement effects³² (Cook, 1984a; Ingram, 1990).

Consistent with their pre-panel perspectives, the two “Positive” panelists, Crain and Wortman, concluded that desegregation yielded positive achievement gains. Thus Crain (1983, 1984) cited Glass' re-

³⁰ During NIE panel discussions, Miller provided an ES example within the domain of achievement: the ES he found “translated into the rather trivial increase” of about eight points on the typical SAT college entrance test which has a mean of 500 and a standard deviation of 100. Moreover, his calculation doesn't control for the greater restriction observed in black variance.

³¹ Wachter and Straf (1990) considered the sharp reduction in number of studies which satisfied even modest empirical standards, 157 to 19, a reflection of overall poor quality of desegregatory research. Further, the panel agreed, as Wortman (1984) noted “...all individual studies have serious flaws...”

³² In examining the issue of attitudinal flexibility of NIE panelists, Cooper (1990, p. 87) compared perceptual changes of NIE participants and of graduate students who examined the final NIE summaries. Graduate students showed greater flexibility and their perceptions of positive desegregatory effects dropped “precipitously” after reading NIE reviews (p.18). Conversely, views of NIE panelists were less malleable. In explaining the greater inflexibility of NIE panelists, Cooper noted that they began their task with considerable earlier knowledge. This, he averred, “lessens the possibility of change in basic beliefs” because cognitive schemas are well established and resistive to integration of contradictory new information (p.87).

search (1977), considered all relevant literature superior to data used in the core investigations, and averred that the studies he included, and which the panel rejected, were “better than the average panel’s selections.”³³ Therefore he reviewed outcomes from the 93 studies which he and Mahard (1982) had previously analyzed, focused on 20 studies, concluded that desegregation promotes higher African-American achievement outcomes, and pursued that the argument (Crain, 1984). Other panelists discarded all but one of the 20 studies Crain emphasized: they questioned whether desegregation studies are equally rigorous, and doubted Crain’s assumptions of random busing effects.

Acknowledging serious flaws in all NIE case studies, Wortman (1984), estimated a two month gain for desegregated students, but acknowledged no effect for either duration of desegregation or cumulative desegregatory effects. Of the other three panelists who provided ES estimates on the core studies (Armor, Miller, Stephen), Wortman provided by far the largest ES in both reading and math; his collective ES estimate for reading was .28, whereas estimates of the other three panelists were .06, .15, and .16. For math Wortman offered an ES of .23, compared to .00, .01 and .06 of the other three panelists (Miller, 1984). In a subsequent paper Wortman & Bryant (1985), reported that “the NIE Core Studies had an overall ES of .25 standard deviation.”

Views of Armor and Miller, the “negatives” also remained unchanged. Working with data from the NIE core studies, Armor (1984) estimated the average reading ES at .06, and .01 for math, considered neither statistically significant, and concluded there was no consistent evidence of desegregatory-achievement benefits. He speculated that some of the reported modest gains were either spurious or attributable to creative educational programming. Miller (1984) reported his findings separately and also collaborated with Carlson in the NIE Report (Miller & Carlson, 1984). They concluded that racial balance is probably not a direct casual factor in production of the small positive effects that the panel observed. Nonetheless, they asserted that school desegregation should be encouraged if it does not enhance Black learning because

³³ Ingram (1990) noted that Crain’s inclusion of studies beyond the NIE “core” studies markedly influenced the data he reported.

it may increase intergroup acceptance; this, of course, was not an issue the panel was asked to examine.

Attitudes of the “neutrals” also reflected attitudinal stability with slight movement toward the “negative.” Stephen (1984) reported an estimated .15 ES for reading and .00 for math and observed that Black reading achievement declined in all four “core” studies involving mandated desegregation. He considered the small ES, unreliable because of such variables as limited sample size, unreliability of measures, questionable quality of achievement measure, and attrition. Desegregatory impacts on achievement, Stephen wrote, may be caused by conditions unrelated to racial balance such as student motivation and quality of instruction. Concurring with Stephen, Walberg (1984) compared desegregatory effects to meta analysis for other educational programs designed to improve academic performance and reported that school desegregation lacks promise in the size and consistencies of learning effects. His primary conclusion: reforms other than desegregation are more effective in enhancing black achievement.

Cook (1984a), the methodologist, remarked that the modest ES, secured through analyses of the “core” studies lacked practical significance; the ES, were small and central data were based on about 17 studies whose generalizability is “unknown”. He also noted wide interrater ES variability, even though panelists drew data from the same sources, as well as problems accruing from an unknown distribution of means for school districts whose populations were unknown. With these reservations, Cook listed eight conclusions:

- (1) “Desegregation did not cause any decrease in black achievement,
- (2) “On the average, desegregation did not cause an increase in achievement in mathematics,
- (3) “Desegregation increased mean reading levels. The gain reliably differed from zero and was estimated to be between two and six weeks across the studies examined. Only one panelist (Stephen, 1984) computed the reading effect per 8-month school year. His estimate is between five and six weeks of gain per year. But since none of the studies involved more than three years of post-

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desegregation research, it is not possible to compute the mean gain over a child's total school career in desegregated classrooms,

- (4) "The *median* gains were almost always greater than zero but were lower than the means and did not reliably differ from zero. The *modal* gains were even less than the median gains and varied around zero,
- (5) "The differences between the means, medians, and modes result because the distribution of reading effects appears to be skewed, with a disproportionate number of school districts seeming to obtain atypically high gains,
- (6) "Studies with the largest reading gains can be tentatively characterized along a number of methodological and substantive dimensions, including: small sample sizes, the study of two or more years of desegregation, desegregated children who outperformed their segregated counterparts even before desegregation began, and desegregation that occurred earlier in time, involved younger students, was voluntary, had larger percentages of whites per school, and was associated with enrichment programs,
- (7) "None of the above factors can be isolated, singly or in combination, as causes of any of the atypically large achievement gains in reading that were obtained in some school districts,
- (8) "The panel examined only 19 studies of desegregation, with most panelists rejecting at least two of them on methodological grounds. When the results for each study (or each comparison) are plotted for reading or mathematics, the distributions are based on so few observations that I could not accept the assumption that the obtained distributions closely approximate what the underlying population distributions are. Because of the small samples and apparently non-normal distributions, little confidence should be placed in any of the mean results presented earlier. I have little confidence that we know much about how desegregation affects reading on the average and, across the few studies examined, I find

the variability in effect sizes more striking and less well understood than any measure of central tendency.”^{34, 35}

Microanalysis of ES Profiles

Sharing Cook's concern about variability, Scott (1983b) examined ES profiles. For the four panelists who employed ES estimates and as summarized by Miller and Carlson (1984) there were 11 positive and eight negative ratings concerning reading whereas in math there were eight positive, eight negative and three unscored or 0. Mean ES_s were reading +.156 and math +.053. In a separate paper Miller (1984) cited his earlier coauthorship with Carlson (Cook, 1984a) and reported ES_s of the Anderson study, reading and math, at .73 and .69 respectively; for the Zdep investigation, the reported ES_s were .67 for reading and -.16 for math. Stephen's ES_s (Cook, 1984a) constituted 23 positive and 10 negative ES estimates in reading with 14 ES_s .10 or less. Further, Miller (1984) summarized ES_s of the four panelists who employed the ES metric, and noted wide inter-rater differences.

Virtually all reports concerning the NIE investigation fail to note a critical finding: high mean estimates on the Anderson (1966) and Zdep (1971) studies skewed overall NIE results. Without those two studies, the mean ES_s would have been negative in the critically important reading domain. On the Anderson investigation, Miller and Carlson (1984) reported mean ES estimates of +.75 and +.49 in reading and math respectively whereas for the Zdep study comparable figures were +.63 and -.16. For the Anderson study (1984) Wortman's mean ES estimates (Wortman & Bryant, 1985) were: +.63 and +.59 in reading and math respectively; comparable ES estimates concerning the Zdep investigation were +.34 and -.15. Stephen's reading and math estimates for the Anderson study were .42 and .24 respectively; his comparable figures

³⁴ Mirroring Cook's concerns, Press (1990) noted there were "...no standard errors for average ES for the meta analysis, nor were there any determination of standard errors. Therefore we cannot know whether these were statistically significant at the usual significance levels" (p. 72). Citing Cook's (1984a) statement that "little confidence should be placed in any of the mean results presented", Press commented, "I couldn't agree more. But this really means that we have learned very little from the meta analysis about whether school desegregation has affected the academic achievement of Black children."

³⁵ For some studies more than one ES was obtained when analysis was by grade level and scores in more than one grade were assessed.

concerning the Zdep experiment were $+ .66$ and $- .15$.

Both the Anderson and Zdep investigations, which so significantly tilted overall NIE findings, contained fundamental flaws. They involved voluntary and not forced busing, and fifth and sixth grade desegregated students in the Anderson study achieved less than their segregated counterparts (Weinberg, 1977). Moreover, of the 1500 students Anderson originally tested, participants were not randomly selected and data were drawn from only 150 students (75 pairs). Mean IQs of desegregated and segregated students were 97.9 and 98.6 respectively; these scores are substantially above national means for urban black. There were other problems in the Anderson investigation. All teachers in the desegregated schools were white. Moreover, Weinstein and Geisel (1963) reported that parents of participating desegregated black students were more socially involved and active in social issues than were parents of segregated students. As for Zdep's investigation, results were drawn from a second grade group readiness test administered in the fall and spring of the first year of desegregation and employed a small N (12) in the desegregated group; further, the report fails to state where the study was done.

Reporting Results

On December 17, 1982, the panelists gathered in Washington for an NIE sponsored public discussion of findings. Media reports (Mirga, 1983) indicated that plans for the panel were formulated following the election of President Reagan, partly because some "officials" were "upset" by findings of the seven year study headed by Hawley et.al. (1981, 1983) sponsored by the (pre-Reagan) NIE, and which had reported pre-publication findings of segregatory benefits with respect to race relations and learning. (Mirga, 1983).³⁶ During the public forum, Hawley defended his studies and Manuel Justiz, newly designated NIE director, vowed continued priority of objective studies into sensitive educational issues.

Despite differences within the panel and ignoring raw data considerations, major news outlets discussed general agreement that desegregation enabled Blacks to make slight reading gains amounting to

³⁶ Hawley's investigation, cited in the 1981 USSC hearings, generated wide support for both busing and anti-Reagan sentiment. (Associated Press, 1981; Caldwell, 1981; Kihss, 1981).

“somewhat less than a month to about two months” following one year’s attendance at desegregated schools, with smaller math gains. In fact, panelists disagreed as to whether authentic reading gains were observed in the “core” studies, and doubted that any math gains occurred (Ascik, 1984; Ingram, 1990). Virtually no media reports identified one key finding: Armor (1984) and Stephen (1984) observed that not a single mandatory desegregation program yielded achievement benefits. Unmentioned was Scott’s reply, as panel moderator, to several (pre-Reagan) government officials who expressed concern that panel results might restrict desegregatory initiatives. In reply to those officials, Scott averred that if mandated school busing is nonhelpful or even harmful, perhaps it should be discontinued. He further suggested the feasibility of implementing viable multicultural schooling reforms which, by emphasizing coordination of home and school as well as biological considerations, might provide genuine schooling benefits to poor and minority students.

Publication Plans Change

NIE administrators had set an April 1983 publication date for a monograph, co-edited by Cook and Scott, which summarized panel findings. However after the December forum Scott’s calls and letters to NIE officials went unanswered. On February 19, 1983, Ascik telephoned Scott and urged an accelerated completion of the first and concluding monograph chapters. Scott replied that he had been unable to communicate with key NIE people and Ascik urged him to contact Uribe and Sharon Horn, a contract manager. Calls to these individuals went unanswered. Scott finally reached Uribe on September 18, 1983 who reported that he had been informed by “higher ups” that (1) Scott no longer is an NIE consultant and his fee for working with NIE “...no longer exists. It has been reprogrammed for the NIE Director’s reserve.” (2) he (Uribe) would be terminated by NIE on October 1, 1983 (3) PAVAC, a committee charged with determining publication policies, elected not to publish the monograph and will instead put it on microfiche in incomplete form, and (4) plans to frame panel findings into a forum helpful to the courts in framing viable desegregation remedies have been scrapped.

On September 28, 1983, Scott received an announcement, part of a

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nationwide mass mailing, informing educators that NIE has commenced a (new) set of papers which seeks to clarify the relationship between effective schools and desegregation (Lindsay, 1983). Separately, the NIE released a paper co-authored by Schneider and Uribe (1983) which was later briefly reviewed by Cordray (1990), and which summarized the NIE project. In 1984, the NIE (1984) released a 224-page monograph (Cook, 1984a), which summarized conclusions of seven panelists: Scott was unmentioned. Approximately a year later, Ascik (1984) authored a paper concerning the NIE investigation. In all these papers and reports, Scott was unmentioned.

Puzzled by evolvment of the NIE study, Scott contacted Schneider by telephone on October 23, 2001. Asked about the 1983 paper which Schneider reportedly had co-authored with Uribe, (Cordray, 1990) Schneider replied that he had never seen such a paper, that he left the NIE in December 1982, that Uribe is deceased, and the NIE no longer exists, having been incorporated into the Office of Research Evaluation and Innovation.³⁷

Events Following the NIE Study

Following completion of the NIE investigation, designed to determine “once and for all” whether school desegregation enhanced African-American learning, a number of researchers reported that the NIE study had produced evidence of African-American academic gains attributable to school desegregation (Ascik, 1984; Hendrie, 1999; Mickelson, 2001; Migra, 1983; Schneider & Uribe, 1983; Wortman, 1984; Wortman & Bryant, 1985). Other academians declared that Black Americans derive significant learning gains from forced busing (Dawkins & Braddock, 1994; Haushek, 2001; Hawley & Smylie, 1988; Ipka, 1993; Mickelson, 2001; Sociology of Education Business Meeting:

³⁷ Verdugo, Uribe and Schneider (1996) reported results of KEYS (Keys to Excellence in Your School), a multi-year project which examined the underlying organizational conditions of teaching and learning. Here they mention a forthcoming KEYS publication which argues that school desegregation efforts have failed to improve educational status of Black students, and that a more logical approach would be to focus on improving those neighborhood schools attended by Black students. The Keys report notes that Hawley was a member of the KEYS Advisory Board; Verdugo was senior policy analyst in the Human and Civil Rights at the NEA (National Education Association); Uribe was NEA program manager in the National Center for Innovation; Schneider served as senior policy analyst in the NEA National Center for Innovation. Schneider is currently a senior policy analyst for educational policy and practices.

Race and Ethnicity, 2002; Wells & Crain, 1994; Wells, 2002; Willie, 1984; Yun, 2002).

Continuing Claims of Busing Benefits:

Anatomy of an Influential Article

Writing in the *American Educational Research Journal (AERJ)*, Mickelson (2001) advances four central claims: (1) “there is unambiguous evidence that desegregation enhances students’ long term outcomes such as educational and occupational attainment...” (2) “...Tracking (or segregation of students on the basis of ability) can undermine the potential gains of desegregation efforts by resegregating students...” (3) “...The Coleman Report (1996) found that academic outcomes were better for Blacks who attended desegregated schools than for those who attended segregated schools...” (4) “...Thomas Cook in summarizing the meta analysis of the 19 best studies in the 1983-94 NIE inquiry, concluded that desegregation “increased reading levels...” After these claims, Mickelson puzzlingly declares that “...despite significant narrowing in the last quarter century, (that) the Black White achievement gap noted at the time of *Brown* continues...”³⁸

After reading Mickelson’s article, Scott wrote to the *AERJ*’s editor, and asked about the feasibility of preparing a short response to Mickelson’s claims. Subsequently, Scott submitted a paper which produced rather surprising anonymous “blind” reviews. The first of the four *AERJ* reviewers simply checked off the items, provided no commentary, and recommended rejection. Another reviewer cited the absence of citations from Gary Orfield’s text *Must We Bus* (1978), a text which provides no valid evidence of busing related Black achievement gains. Reviewer #3 commented that the paper “...comes across as terribly one sided. It politicizes and even demonizes the left but fails to consider politics of the right...” The final reviewer concludes that the article reflects a “particular ax to grind.”

Researchers within academia, and most particularly those interested in acquiring tenure and promotion, realize that the Scott’s experiences

³⁸ Mickelson’s sources cite three studies which affirm long term (academic) desegregatory effects: Armor, (1995); Broddick & McPortland, (1998); and Wells & Crain, (1994). However, microanalytic readings of those citations fail to yield evidence of longitudinal academic benefits linked to school desegregation.

responding to Mickelson's article simply reflect prevailing bias in academia designed to jettison any research which deviates from political correctness.^{39, 40} Scant wonder that research in major American universities is now marked by "positively breathtaking" evidence of political allegiance which supercedes objectivity in sensitive academic domains ("One Faculty Indivisible," 2002).

Quo Vadis, American Education?

Revisiting the history of school desegregation reveals the difficulty in formulating accurate perspectives concerning outcomes of interventions designed to facilitate student learning. Indeed there is every reason to believe that serious policymakers cannot rely on social science to ascertain what does and does not work in schools.⁴¹ In evaluating current educational research, Mayer refers to an "assault on science" which mirrors an historical conflict of "right" and "wrong," a conflict the biologist might describe as limbic stem opposed to cerebral cortex processes.^{42, 43, 44}

³⁹ In December 1999 *Education Week* featured a series of articles on desegregation which "freed millions of Black children from an inferior education" (Hendrie, 1999). Included was a glowing tribute to Kenneth Clark as having "secured the role of social science" in collating expert opinion into Footnote Eleven of the *Brown* decision. Reference is also made to USCCR funded reports which "documented several encouraging, even promising findings" concerning desegregation or forced busing: this specific reference is to the very study (Hawley, et al. 1981, 1983) included in the 1981 United States Senate Subcommittee testimony, which had fueled the 1982-83 NIE inquiry. Seeking to set the record straight, Scott submitted a letter to the editor which was initially accepted as an article to be featured in *Education Week* and for which Scott was to receive an honorarium for \$200 (Personal Communication, M. S. Reeves Commentary Editor, July 15, 1999). Subsequently, and without further explanation, Reeves informed Scott that the article would not be published and the honorarium was reduced to \$100 (Personal Communication, December 16, 1999).

⁴⁰ As school budgets tighten and academicians debate desegregatory effects, courts continue to issue inconsistent rulings in such school districts as Duvall County Florida, St. Lucie County Florida, Charlotte-Mecklenburg, East Baton Rouge, Louisiana, South Bend, Indiana, Seattle, Washington, Cherry Hill Township, New Jersey, Chicago, Rock Hill, South Carolina, Fayette County, Kentucky, Yonkers, New York, Kansas City, Missouri, and Buffalo, New York.

⁴¹ During the early stages of the desegregation-achievement controversy, University of London's Professor Philip Vernon (1969) expressed bewilderment over reluctance of American researchers to deal objectively with socially sensitive issues. More recently and representative of a broad cadre of increasingly skeptical researchers, Joseph Masling (2002, p. 7) remarked, "When American psychologists have data that conflict with their theories, they retain the theories and discard the data...not immediately apparent is the potential cost of such an attitude."

⁴² Reexamination of the NIE investigation lends credibility to Green's (1971) early warning of academic bias. If social scientists are to authentically serve the public, there is ample reason to

Mayer's central thesis is that contemporary social scientists are reluctant to objectively deal with topics which must be better comprehended if the nation's vulnerable children are to receive an education that prepares them to become productive and happy adults. Unfortunately, it continues to be personally and professionally dangerous for an academic researcher to venture into the choppy waters of race research and report unvarnished facts: "there be dragons." (Scott, 2002) Thus is created a climate which literally forces capable researchers to choose between running high risks by candidly examining sensitive but critically important issues or to accept and promulgate conventionality and, in the words of Banks, former president of the American Educational Research Association (AERA), to "commit to democratic ideas" which, operationally translated, means simply submit to purely environmentalist conventionality.

In a very real sense, it can be argued that minority children have paid a high price for the moralization of psychological issues. Consider the remarks of Reed Lyons (1997) before a panel of the National Institute of Child Health and Human Development (NICHD). Lyons, who directs NICHD research, testified that "failure to learn to read adequately is much more likely among poor children, among non-white children, and among non-native speakers of English." Commenting on that testimony, Strauss (2001) observed that of 59 studies on reading funded by the NICHD at the time of Lyons' testimony, "... None are on the role that race, ethnicity and socio-economic stratification play in denying children access to literacy..."^{45, 46, 47} Given the central message of

deny services to existing power structures which restrict research perspectives and thus retard the growth of authentic knowledge.

⁴³ Current literature reveals that inflammatory charges of "racism" and disregard for poor and minority children continues to inhibit research (Banks, 1998; Lopez, 2001; Oakes, 1985; Oakes & Wells, 1998). Scheurich (2002) Addressing this issue, Pollock, (2001) has described the difficulty educators encounter in candidly discussing racial issues.

⁴⁴ Ideological bias among contemporary academia, many of whom are far removed from classroom reality, may partially explain what Anderson and Herr (1999) have described as a widening theoretical gap between researchers and educational practitioners.

⁴⁵ Future research may validate Frum's (1999) conclusion that such fundamental institutions as schools, courts, and government not infrequently harm society. Consequently, says Frum, Americans suffer a sufficiently enormous loss of faith as to be revolutionary. Certain emerging megatrends will seemingly change education as we know it. Over 850,000 children are now home-schooled (*Waterloo Courier*, 2001) and often – despite resistance by the educational communities – public support for school vouchers steadily increases (McGurn, 2002a, 2002b).

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the NIE study and the Supreme Court Decision *Brown vs. Board of Education* (1954) that preceded it, facts remain obscured and distorted by political considerations. Despite evidence, (Mayeske and Beaton, 1975) that schools alone account for no more than 12% of all that students learn, myths persist that schools alone can close social class and ethnic achievement gaps. Nowhere is the desire for quality education stronger than in African-American communities. A 2003 poll by the nonprofit organization Public Agenda found the 82% of African-American parents favored efforts to promote quality education; only 8% wanted an educational focus on diversity and integration (Henninger, 2003). Nonetheless, the NAACP and other civil rights organizations ignore ecological and biological factors and promote reforms which focus on what schools alone can do. In early 2003 the Children's Defense Fund issued a "Call for Action," asserting that the persistent failure of schools to provide equality of opportunity for all students is having a devastating

Further, the recent state takeover of Philadelphia schools – fiercely opposed by teachers, blue-collar workers, minority leaders, the school board, city council, and parents and community groups – may be a harbinger of what lies ahead unless social scientists reverse what Posner (2001) has deplored as public intellectuals' proclivity to approach political and social change "with impatience and unrealism." Posner's concerns about "intellectuals' proclivity" is mirrored in the 2002 decision of European and American doctors to update the 2500-year old Hippocratic Oath. Christopher Davidson, Secretary General of the European Education of Internal Medicine, noted that the new code urges doctors to maintain a level of professional competencies, to keep up with scientific advances and to avoid conflict of interest (Reaney, 2002).

³⁶ From the time of *Brown* to the present, educational reforms have been, and are, enthusiastically promoted by some scholars, who while urging large school innovations, acknowledge the absence of supportive empirical evidence. Since the early 1990's, educators have enthusiastically promoted inclusion; as with mandated busing, there is no evidence of demonstrable benefits accruing from inclusion. Indeed, there is evidence that most students, irrespective of race, prefer courses where they can succeed (Bandura, 1986; Coleman & Webber, 2002; Shepard, 2000, p. 11; Yonezawa, Wells & Serna, 2002).

³⁷ Given an historical context, responses of American researchers to sensitive issues are comprehensible. Toynbee (1972) and Kennedy (1987) illustrate the dynamics of the rise and fall of institutions. In her book, *The March of Folly* (1984), the late Barbara Tuchman describes the ultimate consequences when leaders of a movement or institutions stubbornly cling to erring policies. The current crisis within the Catholic Church illustrates Tuchman's central thesis: it was easier to transfer priests than to address a painful problem. Contemporary social scientists face a similar conflict: it is easier to deny the failure of simplistic reforms such as forced busing than to search for more profound reasons for the persisting racial achievement gap. Unfortunately, some of the nation's most influential scholars continue to moralize sensitive topics and thus dampen open discussion. Further, if academics fail to create internal reform and restore a greater measure of open-minded and responsible scholarship to academia, reform may come externally: from parents, disillusioned legislators, and the courts.

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