

Desegregation at Risk

Threat and Reaffirmation in Charlotte

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In the 1970s, as most of the nation's school systems continued to ignore racial segregation or only made token changes, the Charlotte-Mecklenburg schools, after the Supreme Court *Swann v. Charlotte-Mecklenburg* decision, embarked on an effort to achieve real integration. Charlotte became the first school district in the nation to implement a mandatory student reassignment plan across a metropolitan region. From the mid-1970s through the mid-1980s, Charlotte was lauded as the "city that made desegregation work."¹

In the mid-1980s, a confluence of local and national trends—rapid demographic transition, dissatisfaction with particulars of the busing plan, and a growing concern with educational quality—triggered a movement to alter the status quo. In 1991, the school board ushered in a new era with its selection of Dr. John A. Murphy as superintendent. Murphy, a controversial, corporate-style educational leader, resolved to upgrade the quality of education in the district by phasing out mandatory busing and phasing in a new plan that would rely primarily on magnet schools and busing that was either "voluntary" or shared evenly among all parents. The new superintendent's skepticism about desegregation ignited a major community debate.

During the 1990s, desegregation in Charlotte hung in the balance. During those years, the number of racially unbalanced schools has increased as has the degree of racial imbalance. However, in a 1995 school board election that many viewed as a referendum on integrated schools, Charlotte voters reaffirmed their commitment to desegregation. Integration advocates won a strong majority on the board, a telling example of community support for integrated schools.

The Evolution of *Swann* and the Era of Mandatory Busing

In 1960, the Charlotte and Mecklenburg County school systems were consolidated into a single district composed of the urban core and the surrounding suburbs (CMS). This fortuitous consolidation meant that desegregation would not be threatened by white flight from the city. Nor was the district constrained by the *Milliken* decision, which made it difficult for courts to compel students to be bused between separate city and suburban districts.

The symbolic beginning of school desegregation in Charlotte was September 1957, when fifteen-year-old Dorothy Counts became the first African American student to break the color barrier at Harding High School. Counts's pioneering effort marked the beginning of a decade of token integration, in which desegregation proceeded incrementally as the district retained its essentially segregated character. Following the Counts case, the district fashioned a "freedom of choice" plan that allowed black students to transfer to all-white schools. But the plan was not effective; by 1964, only 21 of Charlotte's 109 schools contained students of both races. Of these, fifteen had less than a dozen blacks.

The *Swann* case sought to eradicate the segregated system. The case began in January 1965, when a local civil rights lawyer, Julius Chambers, filed suit. In April 1969, federal District Judge James B. McMillan ruled that the board's freedom-of-choice plan had not fulfilled its "affirmative duty" to desegregate the system, and ordered the board to submit a "positive plan...for effective desegregation" by 15 May 1969. The Supreme Court affirmed McMillan's order on 20 April 1971,² which was implemented later that year.

By the summer of 1974, the judge and school board had devised a mutually acceptable scheme for mandatory busing. The plan used four strategies. First, the district was divided into geographic zones that would maximize the available pool of students of each race. Second, at the elementary level, the district used a complex system of "pairings" or "two-way busing" to achieve desegregation. As part of the elementary pairings, inner-city minority students from an urban residential zone would typically be bused to the suburbs for kindergarten through third grade to attend school in a white suburban neighborhood. White children in grades four, five, and six from that

school would be bused to the central city to attend school in the minority students' neighborhood. Pair by pair, the district managed to ensure that the majority of its elementary schools fell within within 15 percentage points of the racial composition of the district as a whole—40 percent black, 60 percent white.

But in some cases, the minority student population was too large to be fully accommodated by the local "paired" 4-6 grade school, while youngsters in the suburban white neighborhood were not plentiful enough to fill the local K-3 school to capacity. To correct these imbalances, a third strategy was devised. As part of "satellite assignments" or "one-way busing," inner-city minority students were bused to the outlying suburbs for their entire elementary school career, thereby relieving overcrowding in their neighborhoods while filling up under-used schools in affluent white suburbs. Finally, the plan created five magnet or "optional" schools to attract a diverse mix of students from across the district. A year after the Student Assignment Plan went into effect—11 July 1975—Judge McMillan noted his satisfaction with the district's efforts in his final order, entitled "Swann Song." Although Judge McMillan subsequently issued some minor orders, his "Swann Song" ruling of 1975 removed the case from the active docket and marked the end of the era of extensive court intervention.

The CMS system's 109 schools include 76 elementary schools, 22 middle schools, 11 senior high schools, and 9 special programs. In the fall of 1974, all schools in the district—except Hidden Valley Elementary, which was excluded from the court order—opened with a student body between 17 and 45 percent black.³ By 1977, enrollment in 6 schools was above 52 percent, but the school board revised the plan in 1978 to bring the racial proportions in these schools closer to the district average. This technique of annual revisions, used to improve racial balance in schools with large black populations, would continue into the following decade. From 1980 to 1986, the school board adopted minor changes every year to relieve overcrowding and to equalize student ratios. During this period, no more than five schools had a population with more than 52 percent black students.⁴

Meanwhile, the community improved levels of residential integration. The "index of dissimilarity," or the fraction of residents who would have to be reassigned to achieve perfect integration, can be used to measure the degree of residential integration in metropolitan areas. (A score of one indicates total segregation, while zero denotes perfect

integration.) In 1970, Charlotte's dissimilarity index was 0.69; by 1990, the index fell to 0.61.⁵ In terms of student enrollment, white flight, and enrollment decline, instability during the 1970s was followed by racial stability and modest enrollment growth during the 1990s. Overall enrollment began rising substantially in 1980; in the early 1990s, the percentage of blacks in the district stabilized and is expected to decline. In other words, the district was experiencing a growth in the proportion of white students that was projected to increase.

The Late 1980s: A Fraying Consensus

During the mid-1970s to the mid-1980s, integration in Charlotte was viewed as "the proudest achievement of the century," with a consensus that integration played an important role in improving educational quality, fairness, and race relations in the district as a whole.⁷ Through the early 1980s, then, the prevalent view was that busing and desegregation went hand-in-hand with academic achievement, equity, even economic prosperity.

In the middle and late 1980s, however, the prointegration consensus began to fray. New sources of tension and instability undermined support for the status quo. Although not all the sources of discontent were directly related to the busing plan, they helped foster a willingness among school board and business community leaders to overhaul the school system and mandatory assignment. The Reagan administration had launched broad-based attacks on the use of busing for racial integration; the resurgence of antibusing sentiment in Charlotte mirrored the prevailing national political mood. The issues that helped undermine support for the busing plan can be divided into three broad categories: demographic change and instability, educational quality, and equity.

Demographic Change and Instability

As noted, Charlotte-Mecklenburg schools experienced a period of white enrollment decline, declining enrollment, and instability during the 1970s, followed by one of racial stability and growth during the 1980s. Since the late 1980s, growth has been primarily due to an influx of white, middle-class families settling in the southern and eastern fringes of the county. Consequently, the pattern of districtwide racial change—which became increasingly black in the 1970s and

then stabilized in the 1980s—has changed again. The 1990s is a period of dramatic expansion, with total enrollment in the schools projected to increase more than 25 percent by the end of the decade.

During the 1970s and 1980s, Charlotte's Chamber of Commerce spearheaded an aggressive drive to attract new businesses to the county and cement Charlotte's position as a leading center of distribution, financial, legal, and other services. In 1988, in large part because of the success of Charlotte's efforts, businesses seeking to relocate chose North Carolina more frequently than any other U.S. state.⁸ A huge number of affluent white newcomers from the north and midwest began to settle in the southern and eastern fringes of the county. One-fourth of all Mecklenburg residents moved into the county in the last five years.⁹ Many of these northerners moved from areas that had had no experience with racial integration.

Approximately 50 percent of all black students live within the central city section of the school district; white students are dispersed throughout the suburban areas.¹⁰ School leaders expect demographic growth will be highest in the southeastern and northern edges of the county. These high-growth areas have the smallest concentrations of black residents.

In the late 1980s, these emerging demographic trends began to undermine the consensus in favor of the mandatory assignment plan in two respects. The rapid—and racially bifurcated—demographic shifts in Mecklenburg County vastly complicated the task of maintaining racial balance in the school system. As Frye Guillard observed, "a rigid, immutable formula—devoid of annual tinkering—was a contradiction in terms in a city of rapid growth and demographic change." The 1992 report of an outside expert concurred that "instability has been the hallmark of the assignment process."¹¹ The plan was forced to rely on continuous adjustments to remain functional and, therefore, could not offer parents a very wide scope of choice with respect to school assignments. In early 1988, the recently hired superintendent, Peter Relic, held a series of community forums on the proposed changes to the assignment plan. The forums were monopolized by recently relocated parents who used the opportunity to express their opposition to the pupil assignment plan and to busing in general. This constant adjustment and resulting frequent school reassignments became an important source of community discord.

Second, white newcomers typically raised in segregated white communities placed little if any importance on integrated education. They were thus unwilling to make any sacrifices (real or perceived) to preserve desegregation in Charlotte.¹² Although it is difficult to find evidence directly corroborating this assumption, it was universally held among those interviewed, many of whom offered a wealth of personal and political anecdotes to illustrate the claim.

A 1994 sociological study of Charlotte found that middle-class (usually white) newcomers to Charlotte placed a negative value on integrated education, as they linked it with inferior educational quality.¹³ Stopping to deliver a brief campaign speech in Charlotte in October 1984, President Ronald Reagan decried busing as a practice “that takes innocent children out of the neighborhood school and makes them pawns in a social experiment that nobody wants. . . . And [that] we’ve found out. . . failed.”¹⁴

Although Reagan’s comment was met with a stony silence, the view he espoused gained credibility and momentum as the decade progressed. In the 1986 school board election, a right-wing Christian fundamentalist made neighborhood schools the centerpiece of his platform and won a seat on the nine-member board. In 1988, four pro-busing incumbents were defeated. Of the four new board members, two expressed their willingness to explore alternatives to mandatory busing; one explicitly declared her opposition. Although opponents of busing failed to gain a majority on the board in the 1990 election, by the early 1990s the antibusing point of view had gained a visible foothold in the ranks of the school board leadership.¹⁵

Educational Quality

A second source of tension during the 1980s was the growing perception that the schools were not providing what was referred to as “quality” education. The district’s first attempt to address disappointing academic performance was in June 1978, when the superintendent, Jay Robinson, received the results of new state competency tests, which measured minimum competency skills to be acquired at the elementary level. The results indicated that fully 80 percent of black students and 40 percent of white students in the eleventh grade failed either the math or reading components. Robinson’s response was to enforce more stringent attendance and disciplinary policies.¹⁶

Between 1978 and 1985, Robinson’s policy appeared to be effective, as scores on the California Achievement Test—especially black students’ scores—began to rise dramatically.¹⁷ Yet it is unclear whether these apparent gains represented real educational improvement. The test used in this case, the CAT, was not renormed until 1986.¹⁸ Generally speaking, test scores are likely to rise in proportion to the age of the norms being used, both because of improving achievement nationwide and teacher familiarity with the tests. Nevertheless, whether the alleged gains were real or illusory, the perception that education was improving and that the interracial achievement gap was narrowing fostered a sense of pride and optimism among district residents for the first half of the 1980s.

By the middle of the decade, however, this perception began to change. Several local observers suggested that the loss of public confidence in the schools began to accelerate after Robinson resigned in 1986.¹⁹ On the basis of empirical data alone, the cause for this dramatic fall in public confidence is difficult to ascertain. But dissatisfied newcomers played a key role in convincing the community as a whole that the educational system was in dire straits. This perception of widespread educational failure matched a nationwide perception of national failure that had been inspired by the biting, largely rhetorical, *A Nation At Risk*, released with fanfare in 1983.²⁰

In November 1987, the Chamber of Commerce formed a Task Force on Education and Jobs at the behest of several top executives of relocated business firms. Complaining about the poor quality of the local labor force, the relocated business elite urged the Chamber to help dismantle the race- and class-desegregated educational system, which they believed to be impeding educational success by lowering educational standards.

Roslyn Michelson and Carol Ray found that two factors contributed to the Chamber’s decision in the late 1980s to investigate the quality of education: the formation of the Task Force on Education and Jobs and the Chamber’s realization that something must be done to appease irate newcomers.²¹

Real or not, the system’s educational failure was all but taken for granted by the time Superintendent John Murphy was appointed in 1991. In its brochure describing the new assignment plan, the district summarily condemned the quality of education with the blunt assertion that: “the overall state of education in Charlotte-Mecklenburg is

not good. Measures of student outcomes are reflected by relatively low national test scores, too few students participating in advanced courses, and an unacceptably large gap in achievement between black and white students.”²²

In principle, however—unless one accepts the extreme view that the presence of low-income and minority students in a given educational setting would preclude effective educational reform—overhauling the educational system and overhauling the busing plan were two different issues. Joe Martin, school board member and prominent businessman in the county, said that he personally favored the option of “maintain[ing] the busing plan but simply mak[ing] the schools better.” Yet, Martin said that

the argument that carried the day though was that we had passed the time when we could [maintain the busing plan because] we had lost so much confidence that you had to do something different just to restore confidence. . . . In the mid-1980s we had failed to recognize that educational quality was the issue and not integration. Had we done things then to improve the schools, we would never have gotten to the point of needing magnet schools or anything else. We got stuck, deafened by our civic pride, and didn't do what we needed to do to make the schools better.²³

Humbled by the widening consensus that the schools were failing in their educational mission, the business elite was eager to extend a political olive branch to the disaffected newcomers. Relaxing the mandatory busing plan—the primary focus of resentment—seemed the logical choice.

Fairness

The third set of factors that undermined the integration consensus in the 1980s centered around the plan's perceived inequity or lack of “fairness.” The most frequently cited of these inequities was the disproportionate burden placed on the youngest black children. Both of the two methods of mandatory assignment, school pairings and satellites, illustrate this inequity. In “two-way busing” or school pairings, kindergarten through third grade were typically located in black communities, while grades four through six were almost invariably situated in white areas. The fact that only black children were bused in the earliest grades was perceived as an unjust feature of the pairing strategy.

Meanwhile, the use of satellite zoning or “one-way busing” placed the burden of busing almost exclusively on black students. The report

of an outside expert, Michael Stolee, noted that “most, if not virtually all, of the satellite zones which have been created for the purpose of school desegregation are located in black residential areas,” so that “any given black child is much more likely than any given white child to be assigned to a school outside of his residential area.”²⁴ In 1991, a total of 2,562 African American elementary schoolchildren or roughly 15 percent of all black elementary students were bused to schools away from neighborhood schools for their entire K-6 career. In contrast, only 293 white students—or roughly one percent of all white elementary students—were bused away from home for all six elementary grades.

In addition to the disproportionate burden it placed on black students, the plan also failed to promote the stabilization of integrated neighborhoods. According to Louise Woods, a member of the Committee of 25 (the school board desegregation advisory committee), as communities became integrated, they were rarely supported in a timely fashion with a neighborhood school. Instead, old busing patterns were usually maintained, so that the community's children were bused elsewhere as part of pairings or to satellites. Meanwhile, Woods said, black children from remote satellite zones often continued to be bused into integrated communities. All of these practices, Woods said, tended to discourage families from living in integrated neighborhoods and created cases in which naturally integrated “schools were becoming racially imbalanced by virtue of busing.”²⁵

A 1992 phone survey of Mecklenburg County residents conducted by KPC Research in Charlotte for the district staff suggests that by the early 1990s, dissatisfaction with the current plan had reached a critical mass within the white community. Out of 416 survey respondents, 63 percent said that the present busing plan should not continue. The district failed to provide separate statistics for white and black respondents, and only 93 black people were questioned. Fifty-five percent of survey respondents went even further, saying that busing to integrate schools is “not an effective procedure.” The district also reported that 86 percent of survey participants wanted more choice in selecting the schools their children would attend, and 65 percent indicated their willingness to send their children to magnet schools.²⁶

A poll conducted by KPC Research for the *Charlotte Observer* in September 1993 (with 425 randomly selected respondents) yielded somewhat different results, perhaps due to the different phrasing of

questions. When asked to characterize their “feelings about busing for integration,” 53 percent described themselves as somewhat or very much opposed, while 38 percent were somewhat or very much in favor (the remaining nine percent answered “don’t know.”) Fifty-eight percent of white respondents, 42 percent of black respondents, and 48 percent of all parents were somewhat/very much opposed.²⁷

The New Superintendent: John A. Murphy

By the spring of 1991, the confluence of destabilizing forces helped foster a mood of crisis within the school board. Joe Martin, then chair of the school board’s superintendent search committee, described the sense of urgency that led to the school board’s ultimate selection of Murphy as the superintendent: “What we were facing was a loss of civic confidence in public schools, and we felt we needed to do something rather drastic to restore that confidence.... [Murphy] is not into consensus, not into team. He is into results. And he is flat out going to get his results, so he was much higher risk than the other three [candidates for the position]....”²⁸

Murphy, who took office on the first of July, began his tenure by infusing an air of grand drama into his new educational reform agenda. Just one month after his appointment, he staged a back-to-school rally in the Charlotte Coliseum, attended by approximately ten thousand school employees and elected officials, and painted a dire picture of the district’s educational performance. Emphasizing poor student performance and the interracial achievement gap, he resolved to make educational improvement the district’s number one priority. In December 1991, Murphy convened a high-profile “World Class Schools Panel” composed of ten educational experts whose recommendations were subsequently collected in a fourteen-point document. In his first year, Murphy unveiled his educational reform package: bureaucratic restructuring, curriculum reform, a phasing in of new criterion-referenced tests, and performance accountability measures.

During his first year, Murphy began to develop a new, primarily voluntary desegregation plan to phase out the mandatory assignment plan. The decision to implement a magnet plan, Murphy claimed, had not been a foregone conclusion when he was hired. He recalled that Board members had originally expressed an interest in

magnet schools and were “under a great deal of pressure from some elements in the community to return to neighborhood schools.” Nevertheless, Murphy emphasized that it was the perceived poor instructional quality—not the desegregation plan *per se*—that Board members cited as their primary concern. He said that at town meetings he had held after his arrival the most frequent complaint was dissatisfaction with dislocations caused by busing and that those complaints convinced him that parents wanted to see an end to busing.²⁹ Woods, the League of Women Voters Member, however, disputed Murphy’s account. At all three town meetings she attended, Woods said, parents expressed concerns mainly about discipline, instructional quality, and equity of resources. Complaints about the busing plan *per se*, she said, were few and far between.³⁰ (The district, unfortunately, made neither transcripts nor tape recordings of the meetings.)³¹

Martin said that although the desire to appease white resistance “was a factor” in Murphy’s hiring, the motivation was: “not that cynical. If nobody had been complaining, we wouldn’t have done anything... the whole community, black and white, was getting tense over the attack on busing. And so... it was necessary to do something, to say ‘we’re going to get over that so we can do something we should have been doing in the first place, which is improve the schools.’”³²

Whatever the initial intentions of the school board, it is clear that soon after Murphy’s arrival, the business community viewed magnet schools as the key to rallying the community behind the educational reform agenda.

Stolee’s Plan: The Theory

The principal architect of the new magnet plan was Dr. Michael Stolee, Professor of Administrative Leadership at the University of Wisconsin at Milwaukee, an expert in producing “technical blueprints” for desegregation policymakers. By early 1992, the broad contours of the “Stolee Plan” had begun to take shape. Stolee recommended that the plan “be gradually changed from a mandatory plan with little voluntarism to a voluntary plan with few mandatory facets.”³³ In other words, the magnet plan would gradually sever the mandatory busing linkages between inner-city neighborhoods and suburban neighborhoods, which had been “paired” to maintain racial balance.

The district proposed three strategies for maintaining integration. The new plan resolved to make the establishment of "stand-alone schools for neighborhoods and areas which are naturally racially balanced" its first priority. No particular stand-alone schools were specified in the first year of the plan, however, nor did the plan specify precisely *which* areas were to be considered "naturally racially balanced."

The second declared strategy of the new assignment plan was to develop "midpoint schools" as a more equitable strategy for student assignment. The concept of the midpoint school was straightforward: schools would be built equidistant from black and white residential areas, so that black and white students drawn from both areas would share equally the burden of bus rides.

The third, and most controversial, voluntary desegregation strategy was the creation of magnet schools. The goal of each magnet school was to attract enough black and white students to approximate the 60 percent white/40 percent black racial balance of the district as a whole. In its application for federal grant money submitted 25 February 1993, the district specified that magnets would be used only in areas that could not be desegregated through other means.³⁴

This official characterization of magnets as a "strategy of last resort," however, appeared to contradict Murphy's own long-term goals for magnets, as he had stated elsewhere. In a March 1993 article in *Phi Delta Kappan*, Murphy was reported to have said that his "long-term plan" was "to create 113 magnet schools"—in other words, to transform nearly every school in the district into a magnet school.³⁵ Thus, in the first year of the new plan, the true function of magnet schools was subject to conflicting interpretations. The official version was that magnet schools would take a backseat to stand-alone and midpoint schools; yet Murphy's statements elsewhere seemed to belie this peripheral role, implying that "magnetization" would one day encompass every school.

The five-year plan, tagged "Student Assignment Plan: A New Generation of Excellence," was divided into three "phases" lasting from one to two academic years. For each phase, the plan specified in theory which schools were to be de-paired, converted into "midpoints," or transformed into magnets.³⁶

In addition to the intrinsic benefit of greater parental choice, the district cited three advantages of the proposed magnet plan: enhanced elementary school "continuity," fewer separations of siblings within

different schools, and increased parental involvement.³⁷ The district also asserted that the plan would be "more equitable" than the previous mandatory assignment plan in three respects. First, it would bring about "a reduction in the distance students are bused to assigned schools." Second, it would lead to "an increase in the number of black students who attend schools closer to home." Third, it would "increase the number of schools that are racially integrated, both in the percent of students attending and in the extent to which they are involved in high educational outcomes and activities."³⁸ To convince critics of good faith of his attempt to maintain desegregated schools, Murphy informed the *Charlotte Observer* that "if requests for admission to magnet schools did not result in integrated schools... he would use mandatory busing to achieve racial balance."³⁹

Prior to the school board's vote on the five-year plan, several prominent black leaders objected to its immediate implementation on the grounds that they felt it would "continue to bus black students farther and more frequently than white students." Murphy countered their objection with the assertion that the plan would instead "give black students more opportunity to attend neighborhood schools."⁴⁰ In March 1992, the Board of Education unanimously adopted the magnet plan and agreed to begin phasing it in during the 1992 school year.

The same month, the school board appointed the Committee of 25, a group of parents, community leaders, and interested citizens. The watchdog group was instructed to evaluate the efficacy of the new plan in two respects: its impact on busing and desegregation trends (with particular emphasis on the promotion of integrated neighborhoods), and its effects on the equity of resource distribution.⁴¹

Dwindling Oversight: The Rise and Demise of the Committee of 25

In October 1993, the school board asked the Committee of 25 to conduct research on each of its tasks and to report its findings to the board. On 19 July 1994, the Committee of 25 presented its two summary reports to the school board. The Committee reports argued that the new desegregation plan—contrary to its stated goals—had fostered an increase in racial imbalance and inequities between schools. "There was a non-reception of the reports," Annelle Houk, an active League of Women Voters member who attended many of the Committee meetings, said of the school board's response: "They

had a very tightly controlled meeting where only two people from the Committee of 25 were permitted to speak at all... and only three questions [from each Board member] were permitted after the presentation... It was a non-communication was what it was. It got the thing out of the way of the board."⁴²

Two months later, on 16 September 1994, the school board voted 4-3 (with the chairman, William Rikard, abstaining) to disband the Committee of 25. The sudden dissolution seemed to come as a shock to the community at large, evidenced by a flurry of startled and critical letters to the editor in the *Charlotte Observer* the following week. But it came as no surprise to the members of the Committee of 25.

The Committee of 25 had not been the only independent community group systematically evaluating the new plan. The League of Women Voters (LWV) also devoted considerable time to analyzing the effects of the plan and issued its own series of reports in February 1994, which were as rigorous and data-intensive as the two issued by the Committee of 25. Citizens for Integrated Education (CIE), the Black Political Caucus, PTA committees, school-based coalitions, and other community interest groups also issued occasional reports assessing desegregation trends and promoting the cause of integrated neighborhood schools. Nevertheless, during its two-year existence, the Committee of 25 was the largest, most prominent and well-connected community oversight group in Charlotte-Mecklenburg, whose express function was the evaluation and analysis of the magnet plan.

Susan Burgess, a board member who opposed the Committee's dissolution, commented after the vote, "They're our insurance policy that we're not going to create a dual school system of haves and have-nots with magnets. If our magnet program cannot stand the scrutiny of a watchdog group, then we should all be concerned."⁴³

Evaluating Charlotte's Plan

The degree of specialized knowledge required to grasp fully the technicalities of any desegregation plan is beyond the reach of all but its most intimate practitioners. Charlotte's current plan in its transitional form—a "hybrid" form containing magnet, "midpoint," "paired," satellites, and neighborhood school elements—is daunting in its complexity. A systematic analysis of the remedy, encompassing

all schools, is beyond the scope of this chapter. Therefore, its goal is to examine the available summary data and secondary sources in order to address two questions.

First, what have been the trends in desegregation in Charlotte since the magnet plan was installed? Second, how fairly has the magnet plan distributed costs and benefits among black and white patrons?

Desegregation Trends

Like nearly all older Southern desegregation plans, Charlotte's plan only desegregates black students. For the purposes of this report, the Court's designation of "white" encompasses not only caucasians, but also all minorities other than African Americans. The percentage of "other" minorities was nearly 5 percent in the fall of 1994, two-thirds of whom were Asian. (The situation of "other" students will not be addressed here.)

Has the new plan been an effective desegregation strategy? The answer is yes and no. The district's most impressive achievement is the maintaining of integration in magnet schools. With few exceptions, schools that were converted into magnet schools became and remained racially balanced after 1991. When one surveys desegregation patterns in the district as a whole, however, a very different pattern emerges. The number of racially imbalanced schools has been growing steadily since 1991. Moreover, the *degree* of racial imbalance in most of these schools has also increased. The district's projections consistently underestimate the degree of racial imbalance in both black-imbalanced and white-imbalanced schools, frequently by wide margins.

The term "racially imbalanced" requires some clarification. The proportion of black students in the district was stable at 40 percent. If the school system were perfectly racially balanced given that racial proportion, each school would contain 40 percent black students and 60 percent white students. However, neither the district court nor the Supreme Court required perfect racial balance. Mathematical ratios were to be used only as a "starting point" in developing a desegregation order. Specifically, any elementary school whose percentage of black enrollment was no more than fifteen percentage points above the proportion of black elementary students districtwide and any secondary school with no more than 50 percent black students were in compliance with the court order.⁴⁴ Even after the district court stopped intervening in the plan, these guidelines were maintained.

In keeping with the court's guidelines, all elementary schools above 55 percent black, and all majority-black middle and high schools, will be considered "black-imbalanced." For our purposes, it is also useful to look at schools that have unusually high concentrations of white students. Consequently, "white-imbalanced" will be used to mean less than 25 percent black at the elementary level, and less than 30 percent black at the secondary level. Although the Court never defined "white-imbalanced" schools as being out of compliance, this category has been widely used in Charlotte.⁴⁵

Desegregation in Magnet Schools

The basic premise of magnet schools is that they can generate enough voluntary applicants of all races to attract an integrated student body. In 1992, the district received nearly 13,000 applications (50 percent from white and 46 percent from black families) for 3,995 spots in magnet schools—more than three applications for every magnet seat. Twelve new elementary magnets, six new middle school magnets, and three new high school magnets were opened in 1993.

The data suggest that magnet schools have been successful in attracting diverse student populations and improving their own racial balance. There were several exceptions to this rule: one new magnet school at each level had insufficient white enrollment in 1994, and one middle school had too few black students.

Another important measure of magnet school desegregation is within-school desegregation. As is shown in our studies of Prince George's County and Montgomery County, when only a fraction of students in any given school are enrolled in a magnet program—or when different groups of students are enrolled in different magnet programs—individual magnet programs may be out of balance even though the school as a whole is balanced. The district has repeatedly stated its intention to avoid this situation in its magnet schools.

In two of the three Academically Gifted magnets, black enrollment in magnet programs was more than 25 percentage points lower than their representation in the school as a whole. The situation in the International Baccalaureate magnets, a special program that awards high school degrees recognized all over the world, is less uniform. In two of the four International Baccalaureate schools, black enrollment nearly matches black enrollment in the school as a whole. In the remaining two programs, however, African American students

are dramatically underrepresented. Because the district did not provide the necessary data, there was no way to evaluate whether the degree of within-school segregation that occurred in 1993 decreased the following year.

General Desegregation Trends

Overall, segregation is on the rise in Charlotte. The number of racially imbalanced schools rose in the early 1990s, and these schools have tended to become more racially imbalanced over time. The first community group to identify this trend was the LWV. On the basis of their detailed analysis of school-level enrollment data from the fall of 1991 to 1993, the LWV concluded that "the system appears to be continuing to drift toward blacker and whiter schools. Across the three-year period, with few exceptions, the whitest schools got whiter and the blackest schools got blacker whether they were elementary, middle, or high schools."⁴⁶ The district countered the LWV's study by citing its own study, which revealed that "the percent of black students currently enrolled in predominantly black elementary schools decreased from [32] percent to [31] percent [between 1991 and 1993]—a clear reversal of the earlier trend. Those are the facts."⁴⁷ The LWV was considering overall racial balance, but the response from the district was dealing with predominantly black schools. Both of these measures tell only part of the story.

Neither the LWV's method of analysis nor the district's technique will be used in this chapter, for different reasons. On the one hand, the "clear reversal" alleged by the district is not borne out by more recent data. In the fall of 1994, the percentage of black elementary students enrolled in predominantly black schools held steady at 31 percent.⁴⁸ Moreover, the district's single indicator method does not take into account the *degree* of racial isolation in majority-black schools over time. The LWV's method, in contrast, charts racial balance trends in every school in the system, which raises important issues that go beyond the scope of this study. In the analysis that follows, racial trends are evaluated only in schools which have been either black-imbalanced schools or white-imbalanced (as defined earlier) since 1991.

The data indicate a clear increase in both the number of imbalanced black schools and the percentage of black students attending such schools, at all three educational levels. The number of imbalanced white schools also rose markedly at both the elementary and middle

schools, although it declined in the high schools. The district's projected enrollment figures for 1994 underestimated both the number of imbalanced black schools, and the percentage of black students attending them, often by wide margins. District projections also underestimated the number of imbalanced white schools at the elementary and middle school levels.

Detailed, school-by-school study of desegregation trends in racially imbalanced schools reveals several important trends. First, every school but one that was black imbalanced in 1991 remained so in 1994, unless it was converted to a magnet school. This trend held at all three educational levels. Second, at the elementary level, every black-imbalanced school but one increased its black percentage over the three-year period, often by a dramatic margin. Finally, the number of elementary schools that became imbalanced grew by more than half from 1991-1994. The growth of white elementary schools was nearly as pronounced. Forty percent more schools were imbalanced in 1994, and two-thirds of the original group increased their proportional white enrollment. The number of additional schools that became imbalanced by 1994 was more than 40 percent the size of the original group.

Is the Increase in Segregation Caused by Demography?

The district's attack on the LWV's report claimed increased segregation was actually the result of housing changes for which they have no responsibility. This claim was elaborated later the same year in a CMS document entitled "Demographic Changes in the Charlotte-Mecklenburg Community."⁴⁹ This line of argument has been used repeatedly by the district and therefore will be examined in detail.

In its report, the district uses 1980 and 1990 census data to make a claim that segregation was produced by neighborhood change.⁵⁰ In each of the census tracts studied, the percentage of black residents was either steady or rising in 1980 and fertility rate of black residents was higher. A rise in total black population over the decade was reinforced by a modest decline in white population. Thus, the district concluded that "the increase in the percentage of black students attending predominantly black schools is mostly a result of black population growth in attendance areas that are already either integrated or predominantly black."⁵¹

On the basis of one census tract analysis, the district made parallel claims about white suburban growth. There, the white growth far surpassed black growth. On the basis of these two studies, the district concluded that "demographic changes are contributing to the reduction in integration in many CMS schools."⁵²

There are several important flaws in the district's argument. First, as the report itself concedes, the "census data do not allow for direct comparisons to be made between the years in question."⁵³ The use of 1980 and 1990 census data to analyze racial balance between 1986 and 1991 is a poor match. There are various other methodological problems. In some heavily white residential areas, an increase in black population might be expected to increase integration in CMS schools by facilitating the creation of a "stand alone" school serving an integrated neighborhood. Clearly, a much more sophisticated analysis of school-level racial balance and demographic changes is needed to establish an unambiguous linkage between residential trends and school desegregation.

Even more important than the empirical weakness of the district's claim is the reasoning behind it. The district has argued that "there is no evidence that CMS policies or practices are responsible for the increase in the percentage of black students attending predominantly black schools... [this trend] is mostly a result of black population growth in attendance areas that are already either integrated or predominantly black."⁵⁴ Yet the Supreme Court's ruling in *Swann*, as well as Charlotte's experience of the last two decades, undermines the legitimacy of this view. In a district with extensive busing and magnet schools, one would not expect racial trends in majority-black schools to be strongly linked with demographic trends in their immediate proximity. Indeed, a basic purpose of a good desegregation plan is to break this linkage and avoid the rapid expansion of ghetto schools as segregated housing expands. There is evidence, in fact, that widespread school segregation increases housing segregation, suggesting that segregation in schools might be contributing to housing segregation, not vice versa.

The general picture of desegregation trends that emerges from these analyses provides grounds for concern. Magnets, for the most part, have been successfully integrated, although there is significant within-school segregation in some programs. By one narrow measure, the percentage of black elementary students in majority-black

schools, there has been a recent leveling off. However, using the standards established by the Court, the percentage of black students in black-imbalanced schools has risen not only at the elementary level, but also at all three levels. The overall trend is toward an increasing number of racially imbalanced schools. There are also increasing levels of segregation throughout the system. This pattern holds for both black-imbalanced and white-imbalanced schools (with the exception of white-imbalanced high schools). The district's projected enrollment figures for 1994 typically overestimated the degree of racial balance in both black- and white-imbalanced schools at all three levels, frequently by wide margins.

In a report released in December 1994, the LWV claimed that the district's decision to build a new high school and elementary school in the mostly white southeast edge of the county boded ill for desegregation in the county. The two schools, they predicted, would be white imbalanced and would further exacerbate the resegregation trend.⁵⁵ If continued, the long-term implication of these trends is that over the next decade, the system as a whole will become less integrated, with more schools diverging from the racial balance guidelines and schools at either end of the continuum becoming easily identifiable as "black" or "white." If the outer suburbs and parts of the city develop such racially identifiable schools, it is likely that aspects of the dual school system will be re-created and that residential integration will be destabilized.

Equity

In its original blueprint for change, "Student Assignment Plan: A New Generation of Excellence," the district concluded that the long-term goal was "to be more equitable than the current pupil assignment system."⁵⁶ Using a wide range of criteria, the plan has not succeeded in meeting this goal. Both the number of students bused and the average number of bus miles an average pupil rides to school have increased since 1991, although trends in mandatory busing overall, and for black and white students, are unknown.

Fairness in Busing

In its grant application to the U.S. Department of Education's Magnet Schools Assistance Program, the district stressed its intention to reduce "forced busing" in Charlotte-Mecklenburg, as well as the

total miles students are bused to assigned schools:⁵⁷ "Given that a key desired outcome [of the magnet plan] is the reduction of school pairings and a reduction of mandatory busing, the number of paired schools and the numbers of students who are mandatorily bused (including the length of the bus ride) will be compared from year to year. Data from *transportation records* will be used to supplement this analysis."⁵⁸

Many local education activists shared the view that de-pairing of elementary schools had led to an increase in mandatory busing for black students, without a comparable increase for white students. The de-pairing of these schools under the magnet plan reportedly created a situation in which white students would remain in a suburban neighborhood school for their entire elementary schooling, while black inner-city students would be bused to the outlying suburbs as satellites all six years.⁵⁹

To determine the accuracy of this view, detailed data on the degree of busing under mandatory assignment, and under the current magnet plan, would be required. We requested data on the total miles and/or number of students bused at each educational level since 1991, but the district said that transportation data were not broken down by race, or by "voluntary" and "mandatory,"⁶⁰ even though this was the original intention of their federal grant. For that reason the picture is incomplete. But the North Carolina State Department of Public Instruction does provide data that gives a rough synopsis of recent transportation trends. From 1988 to 1991, the extent of busing seemed to be decreasing slightly or leveling off, as measured by the percentage of students bused and average number of miles an average student is bused to school. In 1991 and 1992, however, this trend was reversed in both respects. The percentage of students bused increased slightly, and the average miles bused per student rose substantially, during the first two years of the new plan.⁶¹

Reflecting the view of many people interviewed, the LWV report also contended that under the magnet plan, "most white children are bused only voluntarily while many, if not most, black children are bused involuntarily."⁶² Since available transportation data are not broken down by race, there is no way to assess the validity of this claim. However, another set of closely related data may be used as an approximate measure. As described earlier, the term "satellite" in CMS refers to one-way mandatory busing.

Under the new magnet plan, the distribution of satellite assignments or "one-way busing" has increased or maintained the degree of inequity. In both years, black children continue to represent a highly disproportionate share of satellite assignments. While the number of black children in satellite assignments increased by 1,303 during the three-year period, the number of white satellite children increased by only 115. Although white students composed a larger fraction of all satellite students in 1994 than in 1991, this statistic is misleading because there are 50 percent more white than black elementary students in the district as a whole.

Thus, each black elementary student's likelihood of being bused increased by 5.1 percentage points, while each white student's chances increased only by 0.3 percentage points. There was a modest rise in the number of both black and white students assigned to midpoints. Although midpoint assignments for 1994 affected more white students in absolute numbers, the likelihood of participation was higher for blacks than for whites.

The key distinction between satellites and midpoints is that satellites involve "one-way busing" while midpoints involve "shared busing." In other words, a satellite (usually black) will be bused to a given school each year of attendance, while the students who reside in the community (usually white) can attend the same local school. A midpoint school, in contrast, is located equidistant from a predominantly black and a predominantly white area, so that *both* the white and black student populations are bused every year but for shorter distances.

Equity in Magnet "Shadow Zone" Assignments

When schools were de-paired, it was almost invariably the inner-city halves of the pairings that were converted into magnets. Admission to magnet schools is conducted by application. When a school is converted to a magnet, students living in the vicinity and/or students who formerly attended the school must submit an application for admission. Those students who do not apply or are not admitted to the nearby magnet are assigned to a different school, often as part of satellites. The Stolee Plan specified that in each magnet school, up to 75 percent of the total seats available to each race would be reserved for those who live in the neighborhood "shadow zone" of the school—"first the safe walk zone, then the former attendance area."⁶³

Many of those interviewed contended that in practice, a disproportionate share of black students were displaced from their neighborhood school (that is, assigned elsewhere) when it was converted into a magnet. The Committee of 25 Pupil Assignment Report states:

Once a school is depaired... we know that a number of children are displaced by the magnetization of their neighborhood school (that is, they are in the former attendance area of their nearby school but are re-assigned elsewhere). It appears, however, that displaced magnet satellite children [residing in the inner city]—who thus far are overwhelmingly black—are typically bused for up to 13 years while white children are more likely to attend the depaired predominantly white neighborhood school [in the suburbs]....⁶⁴

To substantiate this assertion, the Assignment Report documented that a total of 1,156 black children (excluding two satellites) were displaced from magnetized schools, in contrast to only 19 whites.

In its response to the Pupil Assignment Report, the district conceded that "when schools are magnetized, black students are more likely to be displaced than white students," but defended this phenomenon on several grounds. First, "given that the schools that were furthest out of compliance with integration guidelines were magnetized as a means of integration, and that these schools were located in primarily black communities, it is inevitable that some black students would not be able to attend the magnetized schools." The district's response also points out that magnets located in white suburban communities are likely to displace fewer students than in central city black areas because they tend to be less densely populated, average school capacity is larger, and 60 percent of seats are reserved for white students (compared to the 40 percent reserved for African Americans).⁶⁵

In its review of the Pupil Assignment Report, the district specified that a total of 3,335 seats in central city K-12 magnet schools were reserved for black students residing in magnet shadow zones.⁶⁶ If it could be shown that 75 percent of the spaces reserved for African Americans in each central city magnet were actually being filled by students residing in the shadow zone, it would be reasonable to conclude that the district has "minimized" the displacement of black students. So far, however, the district has not provided any school-level data on "shadow zone" enrollment.

In a letter to the district, Louise Woods, former Committee of 25 member, pointed out the importance of this omission:

Stability and fairness for children around magnet schools needs to be addressed by the REALITY of the number of children who attend the magnet from the surrounding area, not the general rules which may not relate to the population of students around the school. For example, students who live near [Academically Gifted] schools are automatically eliminated from 4-6 placements if they do not qualify. Our information, such as the large numbers of additional satellite children... suggests, in fact, that in many magnets, few children from surrounding areas attend even if there are no qualifications for admission... particularly in areas where the population is transient, lottery selection may not be, as other systems have found, the best way to reach these students.⁶⁷

Stand-Alone Schools and Integrated Neighborhoods

According to the district's pupil assignment blueprint for action, the first strategy to be used to desegregate the district is "establishing stand-alone schools for neighborhood and areas which are naturally racially balanced."⁶⁷ Both the LWV and the Committee of 25 have claimed that the magnet plan had not only failed to encourage, but had actually hindered racial stability in integrated neighborhoods. As of 1994, all magnets were located in areas already racially imbalanced.

Second, the Pupil Assignment Report argued that magnet schools have drawn away substantial numbers of students from integrated areas. The Pupil Assignment Report evaluated this phenomenon at the kindergarten, elementary, and middle school levels. In all three cases, it was found that the schools most affected by loss to magnets were in naturally integrated areas.⁶⁸

Although described by the district as a "last resort" strategy, magnets had in fact superseded the establishment of stand-alone schools in integrated neighborhoods as the priority desegregation method. This concern was voiced by all three community groups involved in monitoring the plan—the LWV, the Committee of 25, and the CIE. As of fall 1994, only one elementary school, Idlewild, could be considered a "stand-alone school in an integrated neighborhood," serving only the population of the adjacent area.

Estimates of the number of neighborhood schools that their racial mix could be "stand-alone" schools varied widely between the district and other sources, and even between different documents produced by the district. Much of the confusion stemmed from the fact that "naturally integrated neighborhood" was never clearly defined by the district, nor was it clear precisely *which* schools were considered

to be candidates for "stand-alone schools"—a situation noted in the Committee's Pupil Assignment Report. Documents produced by the CIE and Committee suggest that the relevant criterion should be a population of between 25 percent and 55 percent black (mirroring the school system's in-compliance guidelines), and that areas undergoing rapid demographic transition should be given preference.

The district, however, stated that for a school to "stand alone," serving an integrated neighborhood, African Americans must account for between 25 and 45 percent of the student population. Moreover, the district specified three additional criteria: "must *not* be moving quickly toward predominately one race or the other; must *not* require changing the boundaries of a large number of other schools to create the new boundary; and must be stable in school-age population—no growth or decline." The district included a list of nine elementary schools that could "stand alone" if their satellites were removed, and indicated that three would "stand alone" by 1995-96. The district also indicated that the remaining six could "stand alone" the following year, once their satellites were assigned to an "Education Village."⁶⁹ In contrast to the district, the Committee of 25's Pupil Assignment Report observed:

From our best projections, it appears that there are at least 24 elementary schools and ten middle schools presently located in naturally integrated areas which could have a racially balanced attendance area without satellites. They could have continuity from elementary, through middle, to high school. It should also be possible to create integrated community schools in at least six other elementary schools.⁶⁸

These conflicting accounts seem to indicate that the district has clearly established neither the definition of "naturally integrated neighborhoods" nor the criteria necessary for the establishment of "stand-alone" schools. The advantage of stand-alone schools is not only that fewer students are bused, but also that the integrated neighborhood reinforces the school experience and gives recognition to the accomplishment of an integrated neighborhood.

Summing up the Evidence: Theory Versus Practice

Desegregation in Charlotte, by nearly all measures, has declined modestly under the magnet plan. Although racial balance in most magnets has improved, segregation within some magnet *programs* is substantial. The percentage of black elementary students in predominantly black

schools has recently leveled off, but the use of the “in-compliance” standards established by the Court yields a very different picture. The number of imbalanced schools has increased at all three levels, as has the degree of racial imbalance *within* imbalanced schools.

The district’s projected enrollment figures for 1994 underestimated the degree of racial imbalance in all imbalanced schools that actually occurred that year. Upon examination, the district’s claim that any increase in school-level racial imbalance can be attributed to adverse demographics is not convincing.

In several important respects, the magnet plan appears to have worsened the inequity that had existed under mandatory assignment. In both relative and absolute terms, many more black elementary students are enrolled in satellite assignments, compared to a very small increase of white children in these schools. The district’s oversight and monitoring committee reported that mandatory busing has increased under the magnet plan, mostly at the expense of black students. Data to examine these issues fully was not made available. The concept of naturally integrated neighborhood schools has not been developed. The fact that the establishment of magnets in integrated areas was apparently not considered, and that the very definition of the term remained in doubt after three years, implies that it was a low priority in the district, belying its supposedly high priority in the plan.

Looking ahead, what are the prospects for maintaining a desegregated school system? The factors working in desegregation’s favor are considerable. Most important, Charlotte’s merger into a countywide system gives it a unique practical advantage. Its favorable demographics, including a stable white enrollment, and the county’s long history of substantial community support for integration cannot be underestimated.

In the summer of 1994, school board member Arthur Griffin attempted to generate support for a low-income housing initiative that would encourage the formation of integrated neighborhoods, particularly in high-growth suburban areas on the fringes of the county. Subsidized housing initiatives, especially “scattered site” projects, had been tried with considerable success in Charlotte during the early 1980s.⁷¹

On the other hand, the forces that might undermine the maintenance of desegregation seemed at least as formidable. Demographic changes are rapidly undermining school desegregation by concen-

trating black and white residents in different regions of the county. In a political sense, they are “erasing” historical memory because the business elite, traditionally a key locus of decision-making power, will be increasingly dominated by white newcomers who have not experienced desegregated schools and place little, if any, value on integrated education. The future of desegregation would be determined by school board elections and the selection of school superintendents.

The magnet plan seemed to be undermining support for desegregation by fostering a perceived opposition between desegregation and educational improvement. It appears that in Murphy’s own ideology, court-ordered busing was single-minded in its focus on achieving racial balance and necessarily ignored the goal of educational quality. In an op-ed piece in *The Washington Post*, Murphy expressed his viewpoint that

the sole focus of court-ordered busing is numbers that look good—the right number of students of each race in a school. . . . The numbers that count are test scores, measures of the gap between black and white students, enrollments in higher-level classes and college, suspensions, expulsions and dropouts. Progress . . . is more difficult to measure than simply loading students on buses and achieving the right racial proportions.⁷²

The implication is that desegregation and educational improvement are on opposite sides of an ideological continuum, one concerned solely with “statistics of color,” the other concerned with education, the “true purpose of integration.”

In an op-ed response, Annelle Houk criticized the implication of Murphy’s argument:

What John Murphy wrote . . . may foreshadow where he is leading Charlotte-Mecklenburg . . . Busing is about moving students from separation to an equitable integrated education. If African American students do not learn effectively where they are bused, the failure is not in the buses. Murphy knows that the flaws of integrated education are not in busing itself. Otherwise, why would he recite a litany of discriminations that—even in Charlotte-Mecklenburg—accompany busing and stunt the learning of African American students? . . . These abuses seriously flaw the implementation of busing. However, they are injustices of administration that cry out for correction rather than justify abandoning busing. . . . excellence in education and equity in integration are not mutually exclusive. Both are essential. Charlotte-Mecklenburg must never choose between them.⁸¹

Integration Reaffirmed

Charlotte in the 1995 Election

The election in November 1995 for the Charlotte-Mecklenburg school system marked a clear rejection of Superintendent Murphy's decision to accept increased segregation under a magnet school plan. The leading candidate, who won by a large margin, for the three districtwide seats was board member Susan Burgess, a forceful advocate of desegregation. In its editorial on the election results, the Charlotte Observer pointed to her "vigorous advocacy for parent voices and integrated schools." Second place went to an African American incumbent, Arthur Griffin, Jr., who was also a critic of Dr. Murphy. The election system was also changed to include six members elected from voting districts within the county for the first time. Only one of the seats went to a strong supporter of neighborhood schools. One of the newly elected members was Louise Woods, who had been a leader of the LWV's critical study of local moves toward resegregation. The Charlotte Observer also highlighted incumbent John Tate's massive win against "what looked like a strong challenge from neighborhood schools advocate Will Webb."⁷⁴

Superintendent John Murphy, the most active critic of desegregation policies among the educational leaders in the cities we studied, seemed to be riding the wave of the future in supporting the efforts of some Charlotte business leaders to end the county's desegregation policy. The day after the new school board was sworn in, he announced his resignation. In spite of an active search, including widely publicized discussions with Kansas City school officials, he ended up without a new superintendency and worked for a housing developer.⁷⁵ Much like a former metropolitan Louisville, Kentucky, superintendent, Murphy discovered that the widely discussed disenchantment with integrated education is a gross oversimplification and that advocating seemingly popular resegregation strategies can polarize a community. In Charlotte, the consequence was a reaffirmation of support for integrated schools in the district with the nation's first big city busing plan.