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# Socioeconomic Student Assignment Plans

## Opportunities for Low-Income Families and Racial Diversity in K–12 Public Schools

BY CAROL ASHLEY

Perhaps intentionally or perhaps not, the current educational emphasis on charter schools often obfuscates issues of race and class. While charters may offer additional choices to parents, the success of some standout charter schools and networks should not stand for the proposition that charters are the answer to the education equity challenge. The very real issues of postdesegregation resegregation and inequitable funding loom over the quality of education available to the vast majority of African American, Latino, and low-income students in urban and now many suburban school districts. Socioeconomic student assignment plans offer another choice and opportunities for students to attend high-quality public schools with racially and economically diverse student populations.

For the last 19 years I have worked with community groups to advocate better educational opportunities for African American and Latino students and when necessary to bring litigation on their behalf. Here I share my experiences and resulting belief that choice student assignment plans incorporating socioeconomic and achievement factors are important tools for antipoverty and education advocates seeking to advance educational opportunities for African American, Latino, and low-income students.

### Purpose and Mechanics

Socioeconomic student assignment plans consider the income levels of student families as part of the process of enrolling students in public schools.

Already in use in many school districts throughout the country, the plans offer students residing in low-income neighborhoods with low-performing schools the possibility of attending better-performing schools outside their neighborhoods.

**LOTTERY.** In contrast to neighborhood mandatory school assignments for students, socioeconomic plans are based in a choice methodology. Through an application process, parents and guardians rank their school selections. Either through application questions that describe student household income or the highest attain-

ment of education within the household, compilation of publicly available census tract data, or use of students' free and reduced lunch status as a proxy, school districts weight or assign plus factors to students. In addition to considering low-income status, districts typically offer an option for families to elect a sibling's school or a school within walking distance from a student's home. Through specialized algorithms and computerized lottery systems, lists of first, second, and third choices are typically generated for families. Most families accept one of their three

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lottery choices but are permitted to sign up for wait-lists at other schools as well.

**FLEXIBILITY.** The socioeconomic student assignment methodology is flexible. Plans may function districtwide, at one school level (elementary, middle, or high), or for selective, magnet, or theme schools. The rationales to establish plans also vary, from school districts' efforts to maintain diversity after the conclusion of a desegregation consent decree to helping control for growth that would otherwise force the district to reassign students due to overcrowding.

**CLASS-SIZE STABILIZATION.** The determination of the number of available classrooms is one of the first orders of business for implementation of socioeconomic student assignment plans. On its face a simple process, counting the classrooms requires attention to detail and transparency. It may involve local school personnel setting standards for an acceptable classroom, such as the basic square footage and minimal facility condition, followed by school district operations or facility directors conducting building walk-throughs to confirm the actual number of available classrooms in each school.

Alternatively, school districts engage architectural firms to conduct comprehensive educational-facility reviews or audits to determine the baseline of available classrooms. These studies are premised on educational equity and hold that schools within a district are comparable or meet a minimum standard for facilities (classrooms, libraries, computer

rooms, multiple-purpose space, and technology). When audit results indicate inequity—e.g., some but not all elementary schools have separate computer lab and multipurpose rooms—recommendations are put forward to convert unused classrooms or other building spaces to create needed facilities.

After the number of classrooms is established, the next step is to review the anticipated student population by grade level. Again, multiple options are available for this analysis. The traditional live-birth analysis uses local data to project the number of school-age children, that is, the number of births from 2009 is used to estimate the number of 5-year-old kindergarten enrollees for the 2014 school year. When districts experience dramatic population shifts or other extenuating circumstances, demography studies relying upon geographic information systems will produce more accurate results.

To maintain program integrity and reduce mandatory transfers for students, seats are reserved for special education and bilingual students. This may result in fewer available classrooms for the socioeconomic plan lotteries but increases stability for students who are enrolled in special services and who often are mandatorily reassigned from year to year when programs are relocated to accommodate increased student enrollment in neighborhood schools.

With the number of classrooms, student population estimates, and seats placed aside for bilingual or special-needs students in place, district class size is selected. Selection of class size is based on several factors—contractual terms with teachers, educational pedagogical concerns such as providing for smaller class sizes at primary grades, or responses to low achievement test results at certain grades. Setting a districtwide class size limits or prevents overcrowding and answers the underutilization and overutilization questions that plague many districts and often lead to divisive school closures.

Populations ebb and flow for a host of reasons, leaving empty seats in formerly densely populated neighborhoods and schools and too few seats in formerly sparsely populated ones. By allowing school choice, parents, students, and educators are not left with arbitrary lines to keep students behind. Students may naturally flow to available seats through the choice process, reducing burdens of overcrowded classrooms for teachers and mandatory student reassignments.

Even after using an initial districtwide class size to enroll schools under choice, the process allows for changes in class size. With any sudden influx of students,

class size is increased at each grade level by one student, then two, and so on at each school. This permits distribution of students among multiple schools and prevents overcrowding in neighborhood schools. For example, if a school district sets class size at 30 students during the lottery phase, it may subsequently raise it to 31 to spread out the increase in student enrollment rather than placing burdens on any one particular school. If the influx of students persists throughout the school year, the district may again raise the class size from 31 to 32.

#### **GRANDFATHERING AND MOBILITY.**

Grandfathering avoids difficulties caused by wholesale implementation of a choice-based student assignment plan. Students already enrolled in a school maintain their school assignments and only students new to the school district are enrolled through choice one year at a time by grade level, that is, kindergarten in 2014–15, kindergarten in 2015–16, and so on, until schools are fully enrolled by choice.

Whether or not families move, students are usually permitted to stay at their choice school once they are enrolled. For districts with high mobility rates that may drag down achievement levels, this is an added advantage.

**TRANSPORTATION.** For elementary students attending schools more than 1.5 to 2 miles away from their homes or travelling through hazardous conditions (major thoroughfares, train rails, or other qualifying conditions), free transportation is usually required under state laws. Although more students may require transportation under a choice system, these costs should not serve as a deterrent and are outweighed by educational benefits. Moreover, in some cases transportation costs are defrayed

through federal or state funding associated with magnet and theme schools.

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## **Choice is a fundamental precept of a socioeconomic student assignment plan, empowering and engaging parents, guardians, and students in the educational process.**

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### **The Importance of Choice Rather than Mandatory Student Assignment**

With traditional neighborhood school assignment policies, neighborhoods are often arbitrarily drawn or defined within a political process pitting the proverbial haves against the have-nots. Depending on the community, this may involve lines drawn to preserve affluent white communities and isolate communities of color or low-income neighborhoods. Choice is a fundamental precept of a socioeconomic student assignment plan, empowering and engaging parents, guardians, and students in the educational process. Parents are positioned to choose the best environment for their students. The reasons behind parents' choices are diverse—principal's approach to education, quality or experience of teachers, achievement test results, theme, location, disciplinary statistics and climate, or other more intangible factors. Through choice, parents and students are more invested and have a more significant stake in the schools they select.

The process of choice is a revealing one. When schools are consistently underselected during the choice, districts must examine and address the reasons. Choice may lead to changes in leadership, theme, or instruction at specific schools that would not otherwise occur when families have no say in where children attend school. For families without the means to move homes from one neigh-

borhood to another, socioeconomic plans provide the capacity to achieve the same result—better educational opportunities.

### **Benefits**

Two critical components of a socioeconomic student assignment process are information and transparency. Either through a centralized family information center, online portals, information distributed through each school, or a combination of strategies, parents are encouraged to review school information—ranging from results on statewide achievement tests to discipline and climate profiles—to assist in selecting the right choices for their families.

Underlying socioeconomic plan mechanics are several components that increase the overall quality of school districts. Class-size stabilization accompanied by consideration of school populations requiring particular programmatic needs, a certain degree of interschool competitiveness, and an overarching level of planning school theme selection and school placement are required for a successful socioeconomic student assignment plan.

### **Community Reaction**

The correlation between low income and race is significant.<sup>1</sup> As a result, choice socioeconomic plans offer greater opportunities for racial diversity in K-12 public education. Yet some communities of color have legitimate concerns about choice plans. Of course, students of

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<sup>1</sup> Margaret C. Simms et al., *Urban Institute, Racial and Ethnic Disparities Among Low-Income Families* (Aug. 2009).

different races sitting next to one another in the schoolhouse is not educationally magical. Students of color sitting next to white students or white students sitting next to students of color do not miraculously learn more. Nonetheless, schools in predominately white communities are historically and currently better resourced.<sup>2</sup> The charter school movement has not altered that fact of American life.

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### Choice does not require that parents choose schools outside their neighborhood or reject charter school options.

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Of course, many families in communities of color would prefer to stay in their neighborhoods and not bus or transport their children to access better educational opportunities. Decades of mixed results from underfunded desegregation efforts contribute to some skepticism toward choice socioeconomic plans. Despite these valid concerns, studies demonstrate that students of color who attend racially diverse schools achieve higher life outcomes, both in educational attainment and income levels, than those who attend racially segregated schools.<sup>3</sup> While some charter school and network successes hold promise, charters do not have the established track record of racially diverse schools.

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2 [Schott Foundation for Public Education, \*Lost Opportunity: A 50 State Report on the Opportunity to Learn in America\* \(n.d.\); Bruce J. Biddle & David C. Berliner, \*A Research Synthesis: Unequal School Funding in the United States\*, EDUCATIONAL LEADERSHIP, May 2002, at 48.](#)

3 JAMES S. COLEMAN ET AL., U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, *EQUALITY OF EDUCATIONAL OPPORTUNITY* (1966); Roslyn Arlin Mickelson, [The Academic Consequences of Desegregation and Segregation: Evidence from the Charlotte-Mecklenburg Schools](#) (Aug. 15, 2002); Jomills Henry Braddock II & James M. McPartland, *The Social and Academic Consequences of School Desegregation*, 4 EQUITY AND CHOICE 63 (1988); Amy Stuart Wells & Robert L. Crain, *Perpetuation Theory and the Long-Term Effects of School Desegregation*, 64 REVIEW OF EDUCATIONAL RESEARCH 531 (1994).

But choice does not require that parents choose schools outside their neighborhood or reject charter school options. Parents are free to elect the neighborhood preference during the choice process if travelling outside their neighborhoods is the wrong choice for their children.

In a different vein, some community members express frustration that affluent parents learn to maneuver the system, using the wait-list process and ranking choices in a manner that benefits their children, who already had access to quality educational opportunities. Yet the architects of choice envisioned and planned to provide all students with opportunities outside their neighborhood schools, thereby increasing the support for adoption and retention of choice student assignment plans. To deal with the concern that middle- and upper-class white parents further increase their educational access to the best schools and to level the playing field, activists and involved parents from neighborhoods of color disseminate wait-list and ranking tips to parents in their communities.

### Diversity and Inclusion Staff Development

School systems using choice systems should pay close attention to issues of income and racial diversity and work proactively to create welcoming and respectful environments to increase positive results for all involved in the choice process. Exactly what kind of diversity training is optimal is a complicated question. In prior years, most education equity advocates and experts would support training focused on cultural competency and inclusion, where schools honor, respect, and value diversity in theory and practice and “where teaching and learning are made relevant and meaningful to students of various

cultures.”<sup>4</sup> Recent implicit-bias research, however, may indicate that some kinds of diversity training are counterproductive.

One of the major findings from implicit-bias research is that members of racial groups have in-group preferences toward one another, perhaps more so than members of racial groups have biases against other racial groups.<sup>5</sup> Although the in-group preference theory is not inconsistent with racial groups also harboring hate or discriminating against other racial groups, it may shed some light on the persistence of disparate impact experienced by persons of color and structural racism and racialization.<sup>6</sup>

Implicit-bias research indicates that diversity training may perversely result in increased negative attitudes among racial groups. Of course this finding is no surprise to advocates of racial equity. As the saying goes, it’s often darkest before the dawn. Traditional diversity training frequently results in an opening of wounds followed, we hope, by increased understanding and appreciation among racial groups. The nuanced preliminary finding in implicit-bias research indicates that the desired increased understanding and appreciation

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4 [Mary Beth Klotz, \*Culturally Competent Schools: Guidelines for Secondary School Principals\*](#), PRINCIPAL LEADERSHIP, March 2006, at 11.

5 See Laurie A. Rudman et al., “Unlearning” Automatic Biases: The Malleability of Implicit Prejudice and Stereotypes, 81 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY 856 (2001).

6 Structural Racism is defined as a system in which public policies, institutional practices, cultural representations, and other norms work in various, often reinforcing ways to perpetuate racial group inequity ([Aspen Institute Roundtable on Community Change, Glossary for Understanding the Dismantling Structural Racism/Promoting Racial Equity Analysis](#) (n.d.)). John A. Powell presents a contemporary understanding of race and racial dynamic through the lens of what he coins “racialization,” “the set of practices, cultural norms, and institutional arrangements” that reflect, produce, and maintain racialized outcomes and meanings” ([John A. Powell, \*Poverty and Race Through a Belongingness Lens\*](#), POLICY MATTERS, April 2012, at 3, 12 (quoting [John A. Powell, \*Post-Racialism or Targeted Universalism?\*](#), 86 DENVER UNIVERSITY LAW REVIEW 785 (2009)); see [John A. Powell, \*Understanding Structural Racialization\*](#), 47 CLEARINGHOUSE REVIEW 146, 147–49 (Sept.–Oct. 2013).

may not materialize after diversity training and, in fact, may not improve negative opinions among racial groups.<sup>7</sup>

Above all, districts implementing choice plans that result in more racially diverse schools should reject the color-blindness approach. The “I don’t see the color of my students” mantra by some teachers and administrators is offensive and damaging to students. Believing and espousing that all students are equal is critical, but denying students’ cultural heritage and background causes negative and painful psychological impact for students of color.<sup>8</sup>

For school districts implementing choice plans resulting in more racial and economic diversity, the message from the latest research is not to abandon staff development around diversity and inclusion but to take extreme care in its planning and execution and in posttraining monitoring of staff and students.

### Historical Context and Legality

Dr. Charles Willie and student assignment planner Michael Alves promoted, in a 1996 book, controlled-choice plans to effect student assignment goals of desegregation decrees.<sup>9</sup> Based on legal standards from desegregation cases, these plans frequently used lotteries or other procedures to enroll schools within 10 percent or 15 percent of the minority student population. For example, if a school district’s African American student population was 30 percent in a district, the goal was to enroll African American students at each school within a range of 20 percent to 40 percent for a 10 percent goal or 15 percent to 45 percent enrollment for a 15 percent goal. Popular with education experts, school administrators, and community

7 Rudman et al., *supra* note 5.

8 See Victoria C. Plaut et al., *Is Multiculturalism or Color Blindness Better for Minorities?*, 20 *PSYCHOLOGICAL SCIENCE* 444 (2009).

9 CHARLES V. WILLIE & MICHAEL J. ALVES, *CONTROLLED CHOICE: A NEW APPROACH TO SCHOOL DESEGREGATED EDUCATION AND SCHOOL IMPROVEMENT* (1996).

## The plans offer students residing in low-income neighborhoods with low-performing schools the possibility of attending better-performing schools outside their neighborhoods.

members, controlled-choice plans continued in voluntary and court-ordered circumstances through the 2000s.

With the U.S. Supreme Court ruling in *Parents Involved in Community Schools v. Seattle School District No. 1* (*Seattle PICS*), a significant debate emerged on the continued legality of using controlled-choice remedies when race was used as a tiebreaker in student-assignment lotteries.<sup>10</sup> Could a school district implement a controlled-choice plan that included race, even among other factors such as socioeconomic status, when it had not been found guilty of intentional discrimination?

Concluding that *Seattle PICS* did not preclude race-conscious remedies, the U.S. Department of Education and Department of Justice in 2011 issued joint guidance on the subject:<sup>11</sup>

- The Supreme Court has held that school districts may with candor consider the impact that a given approach might have on students of different races.
- School districts should look to race-neutral approaches first. However, school administrators will be required to use race-neutral approaches only if they are workable. School administrators employ expressly racial criteria but do not make decisions on the basis of an individual student’s race. (E.g., school districts may draw attendance zones based on the racial composition of particular neighborhoods, as well

as other race-neutral factors (i.e., average parental education level, household income, etc.). All students within those zones would be treated the same regardless of race.)

- Race-specific remedies are appropriate only when narrowly tailored to a compelling interest: (1) Use of race must closely fit the goals of achieving diversity or avoiding racial isolation. (2) Administrators must be careful not to include race any more than necessary. (3) Race is considered only after determining that a race-neutral approach is unworkable.

With *Seattle PICS* permitting the use of race-conscious remedies, a student assignment plan based on socioeconomic factors is clearly legally permissible and well within the recommended guidance of the Education Department and the Justice Department.

### Current Socioeconomic Plans

Implementation of choice plans with socioeconomic components may not rise to the norm yet, but socioeconomic choice plans are in use across the country to varying degrees and for varying purposes.

**CHICAGO, ILLINOIS.** After its desegregation consent decree was lifted by a federal judge in 2009, the Chicago Public Schools introduced socioeconomic factors for enrollment in elite magnet schools and open-enrollment elementary schools and selective-enrollment high schools:

We look at five socio-economic characteristics for each census tract: (1) median family income, (2) percentage of single-family homes, (3) percentage of homes where English is not the first

10 *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007) (*Seattle PICS*).

11 [U.S. Department of Justice & U.S. Department of Education, Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools](#) (Jan. 3, 2012).

language, (4) percentage of homes occupied by the homeowner, and (5) level of adult education attainment. We also look at a sixth characteristic, the achievement scores from attendance area schools in each census tract.

Based on the results of each of these six areas, each census tract is given a specific score; these scores are ranked and divided into four groups—or “tiers”—each consisting of approximately the same number of school-age children. This is how we establish the four tiers. Consequently, every Chicago address falls into one of the four tiers, based on the characteristics mentioned above.<sup>12</sup>

While this process is far from perfect, the use of socioeconomic indicators in assigning students to schools increases opportunities for African American, Latino, English language learners, and low-income students to attend Chicago’s best public schools.

**WAKE COUNTY, NORTH CAROLINA.** Faced with a remarkable student population growth and a political battle between conservative and progressive board members and community members, Wake County business leaders were instrumental in 2012 in the eventual adoption of an assignment methodology that considers student achievement levels and whether students’ neighborhood schools are overcrowded. The program has been implemented at the elementary and high school level.<sup>13</sup>

The Wake County plan demonstrates a different approach of focusing more on achievement levels than on socioeconomic status. The intended result, however, is the same—students typically

with less access are afforded better access to better-performing schools.

These current uses of choice plans demonstrate the versatility and utility of the plans. Antipoverty and education advocates should explore the possibilities for their communities.

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<sup>12</sup> [Chicago Public Schools Office of Access and Enrollment, What Is a Tier?](#) (Sept. 30, 2013).

<sup>13</sup> See [Wake County Public School System, Magnet Selection Priorities](#) (n.d.).

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