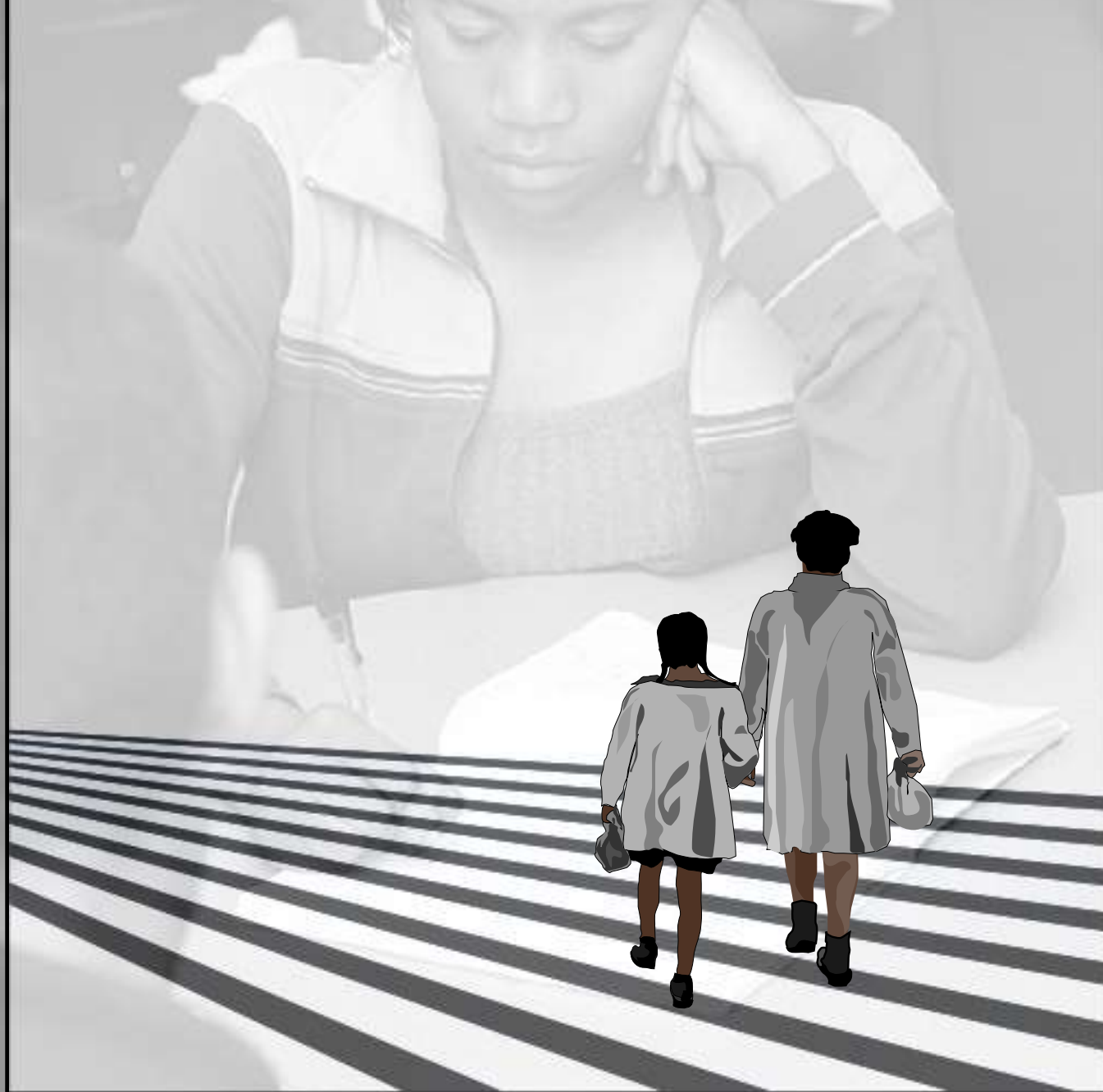


Separate and Unequal 50 Years After *Brown*: California's Racial "Opportunity Gap"



UCLA/**IDEA**

INSTITUTE FOR DEMOCRACY, EDUCATION, AND ACCESS

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UCLA/IDEA¹

May 6, 2004

Executive Summary

This month, we commemorate the 50th anniversary of the Supreme Court's promise in *Brown v. Board of Education*: a public school system "available to all on equal terms." However, findings from a recent Louis Harris survey of California teachers, together with other evidence presented in this report, make clear that California schools remain both very separate and very unequal.

UCLA's Institute for Democracy, Education and Access (IDEA) was asked by the William and Flora Hewlett Foundation to conduct additional analyses of the Harris survey data and other state data. The goal of these further analyses was to provide a better understanding of the relationship among racial segregation, unequal conditions, and students' educational chances in California's schools. This report demonstrates that Californians have permitted many schools to become both racially isolated and extraordinarily deficient in the most basic educational conditions and opportunities. The result is a state system that has not made good on the promise of *Brown*. For example:

- Californians confine huge numbers of students to racially isolated schools, and California's schools segregate Latino and African American students more than nearly every other state. Even as the percentage of white students shrinks in the State, most white students remain in schools where Whites are the majority. In 2003-2004, more than 63% of white students attend majority-white schools. In contrast, the typical Latino student attends a school where 81% of the students are not White, and the typical African American student attends a 78% non-white school.
- Many California schools serving large numbers of low-income students of color lack fundamental "opportunities to learn" (shortages of qualified teachers, unstable teaching staff, inadequate instructional materials, and overcrowded facilities in disrepair) that undermine student achievement. Such schools are far less likely than schools serving majority-white students to have qualified teachers, adequate facilities, and appropriate learning materials. The worst school conditions and fewest educational opportunities converge in the State's racially isolated schools in ways that have created a shocking racial "opportunity gap" that severely disadvantages the State's African American and Latino students. Forty-two percent of predominantly non-white schools have several serious opportunity problems, compared to only 7% of majority-white schools. Thus, students attending schools where 90% or more of their schoolmates are non-white are 6 times as likely to experience serious opportunity problems than are students in schools with majority-white populations.

- California’s racial “opportunity gap” exists statewide, although it is far more severe in some parts of the State than others. In every region, racially isolated non-white schools are several times more likely than majority-white schools to experience a high incidence of serious opportunity problems. The contrast in the Bay Area is particularly striking: racially isolated non-white schools are nearly 8 times as likely (39% to 5%) as majority-white schools to experience a high incidence of opportunity problems. However, Los Angeles County schools experience far and away the most problems. Sixty percent (60%) of racially isolated schools in Los Angeles County experience a high incidence of serious opportunity problems.
- California’s “opportunity gap” has profound consequences for students’ educational and life chances. It should come as no surprise that achievement suffers when students have underqualified teachers, receive fewer days of instruction due to overcrowding, or do not have timely access to textbooks and other basic learning materials.
 - The State’s increased emphasis on teaching all students to rigorous academic standards and evaluating schools with standards-based tests, requires sophisticated teaching, materials required to learn standards, as well as safe, uncrowded school buildings.
 - Unequal conditions and opportunities relate to unequal achievement test scores. Schools with fewer opportunity problems have higher average Academic Performance Index (API) scores than schools with more problems. The average API score for schools with 0 or 1 problem is 742 while the average API score for schools with 4 problems is 604. This gap in API scores holds true for racially isolated non-white schools as well. When such schools experienced 0 or 1 opportunity problem, their average API score is 663; when they have four problems, their average API score is 593.
 - For students, the stakes are very high. Increasingly, students’ ability to graduate, compete for college, find a decent job, etc., all hinge on whether students master the State’s standards and perform well on standards-based tests.

These findings reveal that California schools fail the 50-year old promise of *Brown*; the States’ schools do not even pass the century old requirement of *Plessy v. Ferguson*. One hundred and eight years ago, in 1896, the U.S. Supreme Court ruled in *Plessy v. Ferguson* that legally enforced segregation did not violate the U.S. Constitution, as long as separate facilities for Blacks were equal to those for Whites. Fifty years later, in 1946, the California courts outlawed segregated “Mexican schools” in *Mendez v. Westminster*. Eight years later, in 1954, the U.S. Supreme Court overturned the *Plessy* decision, ruling in *Brown v. Board of Education* that segregated schools are “inherently unequal” and, as such, violate the 14th amendment. It also ruled that educational opportunity is a “right which must be made available to all on equal terms.”

Why is California failing to provide a fair, high quality education to all its students fifty years after *Brown*? What can be done?

- The blame for California’s current opportunity gap can be lodged in the past 50 years of State policy, including Proposition 13. Proposition 13 eliminated property taxes as the main, stable source of educational funding and began a steady decline in the State’s educational infrastructure. However, Proposition 13 doesn’t bear all of the blame. The strong relationship between race and income has meant that most of California’s low-income neighborhoods are Latino and African American, and most middle and upper-income neighborhoods are white. School district and school attendance boundaries keep the children in these different neighborhoods in different schools. Those in more affluent communities have used their considerable political power to keep their schools afloat, while less advantaged neighborhoods have been left behind. Perhaps because Californians live such separate lives, few ever see the conditions of schools across the racial divide.
- Making matters worse, California’s Public School Accountability Act (PSAA) and the Federal No Child Left Behind Act (NCLB) blind us to the racial opportunity gap. Both reforms have strong test-based accountability systems that are meant to provide incentives that will improve educational outcomes. However, neither attempts to ensure that all students have access to the knowledge and skills that the tests cover. Their narrow focus on outcomes, while important, tends to make the gap in opportunities invisible or, to the extent they are seen, unimportant. As such, neither the PSAA nor NCLB reform has brought quality or fairness to California’s schools.
- Efforts to improve schooling and to narrow opportunity gaps among racial groups require that Californians respond to children now and fix the system to prevent such disasters in the future. Both responses are necessary.
- California is just waking up to the State’s “opportunity gap.” From the Governor’s office to the grassroots, we detect the birth of a movement for fundamental educational reform. However, it will take concerted action, leadership, and energy throughout California to reclaim *Brown*’s vision of education for all on “equal terms.”

¹ This report was prepared by IDEA researchers Jeannie Oakes, John Rogers, David Silver, Eileen Horng, and Joanna Goode.

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Separate and Unequal 50 Years After *Brown*: California's Racial "Opportunity gap"

UCLA/IDEA

May 6, 2004

When researchers visited an urban California middle school selected for a study of schools with shortages of qualified teachers, they were unprepared for what they found.² As expected, many of the 2025 eleven-to-fourteen-year-olds were being taught by untrained teachers. But the severity of the problem was staggering: only 43 percent of the schools' teachers held state certification, and many others taught outside their subject areas. Some knew very little about education. One teacher assigned to a "sheltered" class said that she initially thought the class "was for foster care students from homeless shelters," not knowing that "sheltered" is a specialized approach for teaching English learners. Long-term substitutes filled many positions; and the school's day-to-day substitutes often simply let the students play or watch movies.

Not only were students taught by teachers lacking subject matter or pedagogical training, they also lacked books, equipment, and materials they needed to learn. They did all their studying at school, since there weren't enough books to take home. Science classrooms had no running water, lab tables, or equipment. Math classes provided no calculators (even though the state standards require them), and, in one class, students spent several minutes tediously drawing their own graph paper. In some English classes, students couldn't look up misspelled words, definitions, or conduct research, because there were no dictionaries, thesauruses, or reference materials. Many social studies classes had no globes and the atlases were falling apart. In one class, students could use a map, but only because their uncertified teacher's supervisor "felt sorry" and gave her one.

The students were crowded into a trash-littered building designed to hold 20% fewer students. Their teachers "roved" between classrooms, and some classes took place in spaces never intended to be classrooms. One science class was too cramped for hands-on experiments—even if supplies were available. The heaters in some rooms got so hot that they burned students who touched them, but desks were placed right next to them in the overcrowded classrooms. All 2025 students ate lunch at once in an outside space with seats for about 500. Students said they often feel unsafe during the chaotic lunch period, and that rarely is there enough time to get through the lunch line. The water fountains were dirty; many didn't work at all.

The young adolescents attending this school were 42% African American; 57% Latino; 32% still learning English; and 77% from families whose incomes qualified for subsidized lunches.

New analyses of data from the 2004 Louis Harris Survey and other state data make clear that these middle school students are not alone in their misfortune. They also make clear, however, that not all California students face such terrible school conditions. In what follows, we provide new analyses of the data from the 2004 Harris survey and

place our findings in the context of other data and research showing that California schools are both very segregated and very unequal.

California schools are separate.

Californians confine huge numbers of students to racially isolated schools.

1,806,283 California students (29% of all the students in the State attend racially isolated non-white schools, schools where 90-100% of the students are African American, American Indian, Latino, Filipino, and/or Asian.¹ (Unless otherwise noted, all figures are for 2003-2004.) Although that may not be surprising, given California's large percentage of non-white students, it is striking that white students in the State still attend predominantly white schools. As a consequence, non-white students have far less contact with their white peers than would be expected, given the overall racial composition of the State's public school students.

Few white students (3%) attend a school where the non-white population exceeds 90%. In contrast, 11% of California's Latinos attend schools where the majority of students are white. (47% of California's students are Latino.) The typical Latino student in California attends a school where 81% of the students are non-white. Finally, although only 8% of California's students are African American, 38% attend schools that are 90% or more non-white. The typical African American California student attends a school where 78% of his or her schoolmates are non-white. These patterns led the Harvard Civil Rights study to identify California one of the most segregated states for both Latinos and African Americans.³

Although Whites are a minority in every region of the State except the northernmost counties, Whites in every region are concentrated in schools with majority-white populations. The segregation rate for Whites is highest in the Bay Area, where, although Whites constitute 28% of the student population, 65% attend majority-white schools. Only in Los Angeles do the majority of white students attend schools where their schoolmates are mostly non-White. Most Latino and African American students attend racially isolated schools in every region of the State except the far North. The highest rates of non-white racial isolation exist in Los Angeles County, where 58% of African Americans and 67% of Latinos attend racially isolated schools. Roughly a third of Latino students attend such schools in the Bay Area, the Central and Valley Regions, and in Southern California Counties other than Los Angeles. African American segregation rates vary a bit more with a higher proportion of African Americans attending racially isolated schools in the Bay Area (35%) than in the Central/Valley region (20%) and in Southern California Counties (22%).

We provide more detail about racial isolation in California schools in the appendix to this report.

¹To ease the flow of the text, we use "non-white" throughout when referring to all four groups collectively.

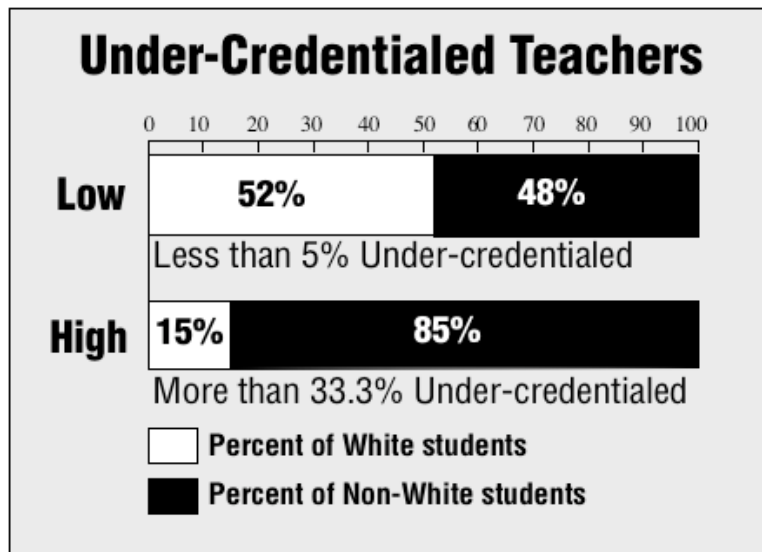
California schools are unequal.

Californians deprive students in the State's racially isolated non-white schools of the most basic educational conditions and opportunities.

Students in California's racially isolated non-white schools often lack the bare essentials required to learn the State's mandated curriculum and to perform well on the State's assessments. As the Harris 2004 report reveals, schools serving primarily students of color suffer from high proportions of underqualified teachers, unstable faculties, inadequate learning materials, and overcrowded and poorly maintained facilities. These basic deficiencies are shocking on their face. They also point to the failure of the State to provide all students with the tools to access the information and skills that the State deems important.

Qualified Teachers

California's rigorous curriculum standards demand that students be taught by well-trained teachers who understand the content and know effective strategies for making it accessible. Yet, in 2002-2003, 12% of California's teaching force lacked a full teaching credential. These underprepared teachers are concentrated in racially isolated, non-white schools. Such schools have an average of 20% underprepared teachers on staff, while low-minority schools have an average of only 4%.⁴ Many schools across the State have even higher rates of uncredentialed teachers—in 450 California schools more than 1/3 of the teachers lack a full credential. An average of 85% of the students in these schools are non-white.



Stable Faculties

Quality instruction requires a professional climate that enables teachers to focus attention on their students and develop new skills through ongoing professional development. Schools with high teacher turnover rates lack such an environment. Each year, significant resources are required to recruit, hire, and train new teachers—resources better focused on instruction and student learning. In particular, conventional professional development proves inadequate when a fifth or more of the teachers at a school lack even basic training.⁵

Instructional Materials

California’s curriculum standards require students to use basic tools to access and manipulate information. Yet, as the Harris report makes clear, more than a third of California teachers report that they do not have enough textbooks for students to take home to do homework, and large percentages of teachers lack the specialized materials to teach particular subject matter—science equipment, mathematics tools, maps, globes, and so forth. The shortages of instructional materials is unequally distributed, with racially isolated non-white schools impacted most. The Harris report notes, for example, that teachers in the 20% of California schools with the highest percentages of African American, Latino, and American Indian students are 77% more likely to report that their students do not have textbooks to take home compared to the teachers in schools with the lowest percentage of underrepresented minorities (35% versus 20%, respectively).⁶

School Facilities

Quality facilities provide students with a functional, clean, and safe environment to learn the curriculum. In contrast, overcrowded and poorly maintained facilities make it difficult to sustain a focus on learning and erode valuable instructional time. California’s most overcrowded schools enroll 150 percent of their capacity. They follow what the State calls a “Concept 6” calendar. This schedule cuts seventeen days from the school year in order to squeeze in three revolving tracks of students. The Concept 6 Calendar is used by 8% of racially isolated non-white schools in the State, but by no majority-white schools. Further, the Harris survey reveals that teachers in schools serving the most African American, Latino, and Native American students schools are almost twice as likely as those in schools with the fewest students from these groups to report that their schools’ facilities are “poor” or “only fair,” or that they had seen evidence of cockroaches, rats, or mice at school.⁷

“Opportunity Indicators” reveal an “Opportunity Gap.”

Problems converge in racially isolated, non-white schools in way that create a shocking “opportunity gap” that disadvantages the state’s most vulnerable students.

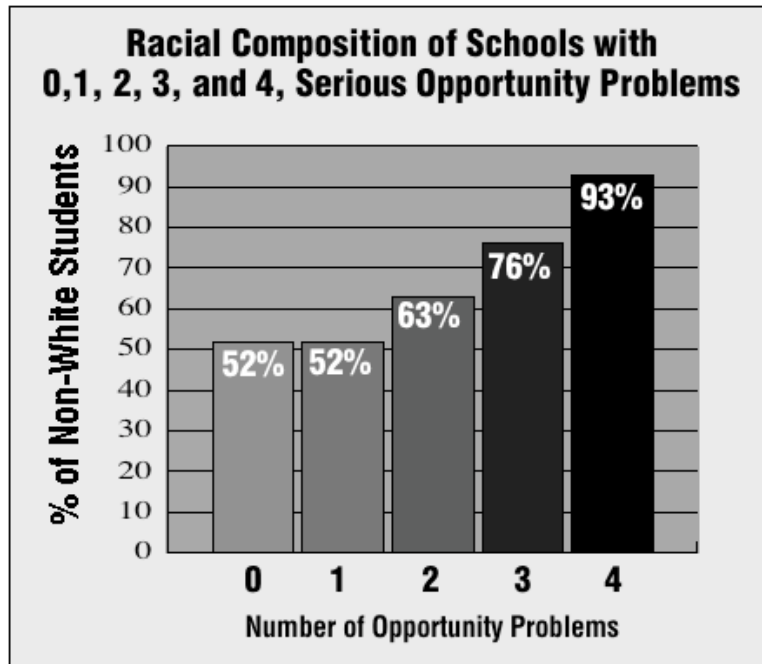
Notably, the inequalities in students' access to quality teachers, stable teaching staffs, essential instructional materials, and adequate and safe facilities converge. Schools with problems in one area tend to have problems in the others. For example, schools with a shortage of fully credentialed teachers are three times more likely to have a serious teacher turnover problem (43% to 13%) than schools with well-trained staffs. Such schools are also three times more likely to have teaching positions either unfilled for a long time or filled by substitutes (43% vs. 12%). Many of these schools find it difficult to attract and retain high quality teacher because their facilities are poor and they lack high quality instructional materials. Like the urban California middle school we described at the outset of this report, these schools are also California's most racially isolated non-white schools.

To explore the convergence of these four problems and their effects, we identified a set of critical opportunity indicators and then looked to the Harris survey results and California's data bases to determine the incidence of these problems in particular schools.

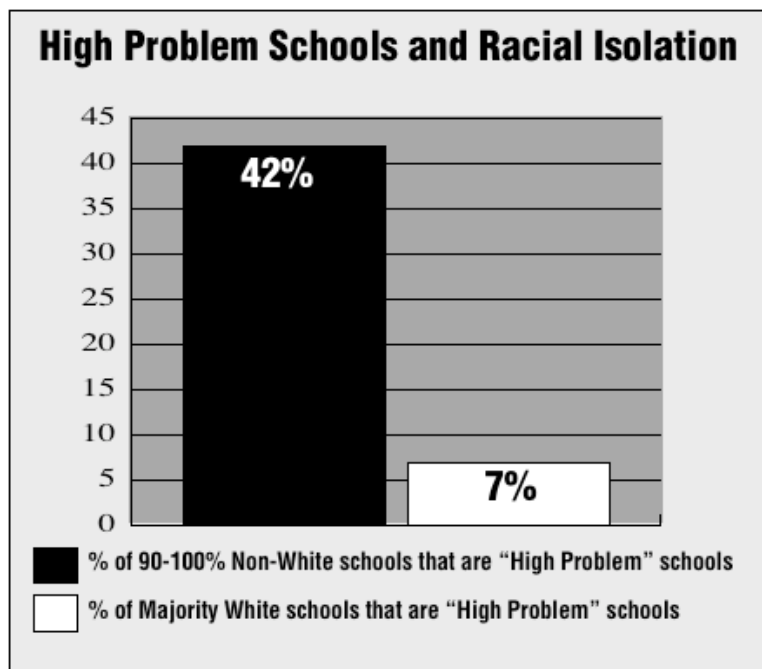
Indicators of Critical Opportunity Problems

- 1) Quality Teaching: More than 20% of a school's teachers lack a full credential;
- 2) Stable Staff: Teachers report that turnover is a problem, positions can't be filled, or school has difficulty finding substitutes;
- 3) Essential Instructional Materials: Teachers report a lack of textbooks and materials in their classroom, insufficient textbooks for students to take home, or lack of access to fully useable computer;
- 4) Adequate and Safe Facilities: The state identifies a school as critically overcrowded, or teachers rate their facility as poor or only fair, or report evidence of cockroaches, rats, or mice.

Our findings point to a clear relationship between the racial composition of California schools and the number of problems they experience. Schools that experience more problems, on average, enroll a higher percentage of students of color. The figure below shows that as the percentage of non-white students in a school increases, so too does the number of serious opportunity problems a school experiences. Students of color are dramatically overrepresented in schools with all 4 problems; they constitute, on average, 93% of the students at such schools.



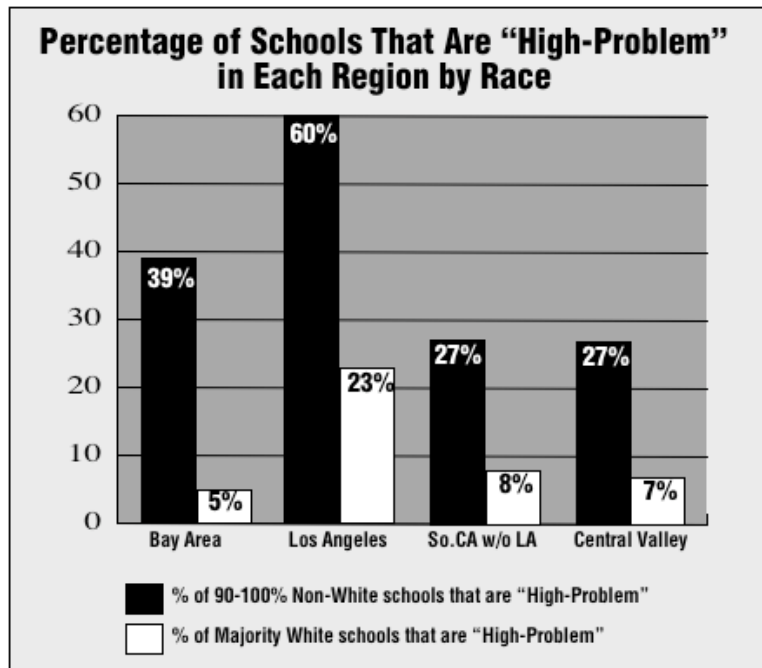
The figure below demonstrates that racially isolated non-white schools are 6 times as likely as majority-white schools to experience a high incidence (3-4) of fundamental opportunity problems.



Moreover, 15% of racially isolated non-white schools experience 4 problems and another 27% experience 3 problems. In contrast, no majority-white schools experienced 4 problems and only 7 % experienced 3 problems.

Regional patterns

The “opportunity gap” between predominantly non-white and majority-white schools prevails across California.⁸ Racially isolated non-white schools in the Bay Area are almost 8 times as likely as majority-white schools (39% to 5%) to experience a high incidence (3-4) of opportunity problems. In the Central and Valley regions and in the Southern California Counties outside of Los Angeles, schools serving students of color are more than 3 times as likely as majority-white schools to experience high levels of problems. Problems are most severe in Los Angeles County. 60% of Los Angeles County’s racially isolated non-white schools experience high levels of opportunity problems. Further, 28% of these Los Angeles County schools experience all four fundamental opportunity problems. Two-thirds of the schools reporting 4 problems are in LA County.



California’s racial “opportunity gap” has profound consequences.

The State’s increased emphasis on standards and standards-based tests for all students, rather than on basic skills, requires sophisticated teaching and sufficient standards-based materials.

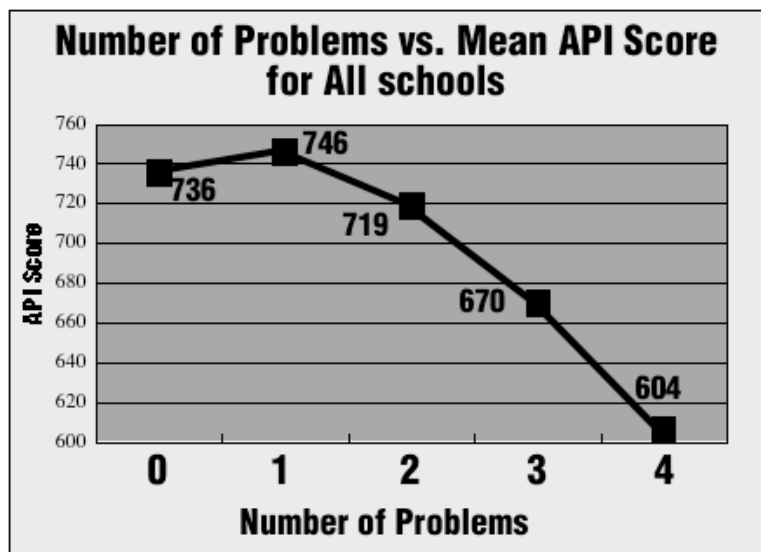
How important is it that students have qualified teachers, appropriate instructional materials, and adequate school facilities? A substantial part of the answer to this question

lies in California’s content standards, the accountability tests linked to these standards, and the soon-to-be-implemented requirement making the high school diploma contingent upon students passing a standards-based exit exam. For students, the stakes attached to meeting standards are very high in terms of schooling outcomes and life chances. Those chances are jeopardized when students do not have the educational resources and conditions necessary to give them a reasonable opportunity to learn the content and skills identified in the State’s standards. An examination of these standards and tests makes clear that these opportunities include, at the very least, qualified teachers (as defined by the state’s teaching credentials)⁹ sufficient standards-aligned instructional materials, and safe, uncrowded facilities. Without these basic tools, students face unreasonable barriers to learning what the State expects of them.

Notably, the presence of teachers, books, and decent school buildings do not *guarantee* high quality schools or high student achievement. Students’ right to such educational basics should *never* hinge on whether or not there is “proof” that a particular basic translates directly into increased scores on standardized achievement tests. All students deserve being taught by a qualified teacher, attending a school with a stable faculty, having a book (or other appropriate materials) to take home to do homework, and going to school in a safe, well-maintained, and uncrowded building as part of their rightful education.

Opportunity problems relate to API scores.

Nevertheless, as the figure below illustrates, we do find a strong relationship between the presence or absence of severe opportunity problems and schools’ scores on California’s Academic Performance Index (API). Schools with a low incidence of serious problems score, on average, approximately 70 points higher than schools with three problems and 135 points higher than schools with four problems.



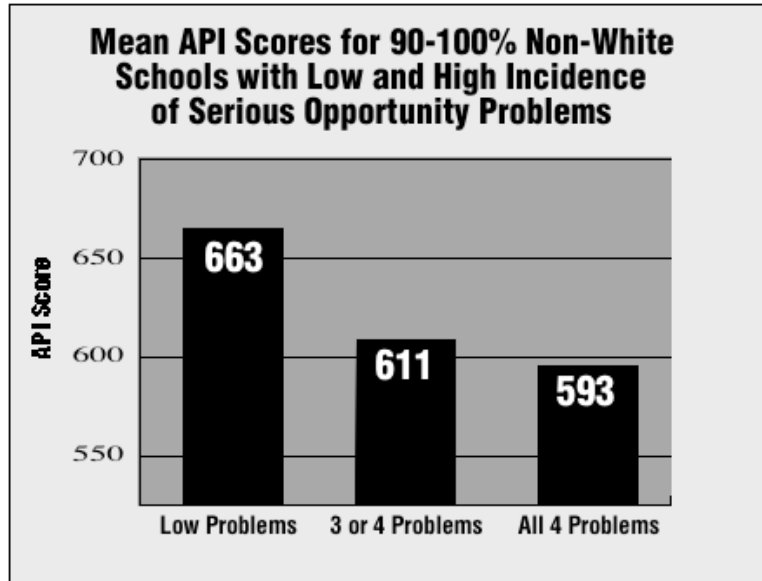
To get a sense of the magnitude of these differences, it is useful to consider the basis on which the State determines whether a school is making reasonable progress each year toward the goal of 800 on the API that has been set for all California schools. Each school is expected to increase its score each year by five percent of the difference between its current score and 800. So, for example, a school with an API score of 600 would be expected to increase its score by 5% of 200 points or 10 points in the following year.

Looking at the figure above, we can see that the difference between schools with three problems and those with a low incidence of serious problems (0-1) represents, roughly, seven years of successful improvement. Schools with four problems would require improvement equivalent to 14 years of successful achievement gains. These figures would hold *assuming* that schools with severe opportunity shortages were capable of sustaining improvement at rates imposed by the State's improvement targets.

Non-white students achieve more in schools with no or few serious problems

To explore the relationship among the racial composition of schools, the presence of serious problems, and schools performance, we compared the API scores of two groups of schools. The first group includes racially isolated non-white schools that experience no or only one problem (High-Percentage Non-white: Low Problems). The second group includes racially isolated non-white schools that experience three or four serious problems (High-Percentage Non-white: High Problems).

The figure below makes clear that students at racially isolated non-white schools do better on the API when they have few serious opportunity problems. Here, too, we can compare the differences in terms of the State's expectations for achievement gains. The 60 points difference between the schools with a high and low incidence of serious problems represents roughly five years of meeting the state's target for improvement in such schools. That is, schools whose student bodies are 90-100% non-white and with 3-4 serious problems can be considered at least five years behind schools with the same student population but with no or only one serious problem, in terms of prospects for meeting the State's goal of 800 on the API. Notably, the mean API score for the 36 schools that are 90-100% non-white and have all four problems in the four problem set is 592. Such schools can be considered roughly seven years behind. That is, of course, if schools with large percentages of unqualified teachers, insufficient instructional materials, and crowded buildings in disrepair could reach that goal under any circumstances.



Brown's Promise Broken.

California schools fail the 50-year old promise of Brown; they do not even pass the century old requirement of Plessy v. Ferguson.

In 1896, the Supreme Court ruled in *Plessy v. Ferguson*, that Homer Plessy's rights under the Fourteenth Amendment of the Constitution were not violated when a Louisiana railroad insisted that he move to a car designated for "colored" passengers. The court reasoned that legally enforced segregation did not violate the Constitution, as long as the separate facilities for Blacks were equal to those for Whites. For almost 60 years, the *Plessy* decision was used to justify laws requiring that black and white students attend "separate-but-equal" schools.

In 1945, Gonzalo Méndez sued the Westminster, California School District for preventing his children from attending a nearby school for white students. Méndez's resolve paid off with a 1946 ruling that separate facilities undermine the role of public schools in promoting "social equality." With supporting testimony from a variety of civil rights organizations—the NAACP, the American Jewish Congress, the Japanese American Citizens League, and the ACLU—the Appeals Court upheld the decision. In 1948, Governor Earl Warren signed an executive order outlawing school segregation in California.

Six years later, in *Brown v. Board of Education*, the U.S. Supreme Court heard Oliver Brown's argument that his daughter should not have to walk one mile through a railroad switchyard to get to her black elementary school, even though an elementary school was only seven blocks away. Agreeing, the justices struck down the 60-year-old *Plessy* decision. Earl Warren, as Chief Justice, wrote for the unanimous court:

In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

And

. . . in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.

Surely, the students at the urban California middle school described at the outset of this report do not experience education “made available on equal terms.” Their separate facilities are decidedly unequal. Their educational circumstances seem to question the “separate but equal” standard in *Plessy* as much as they question the promise of *Brown*. These students, like millions of low-income students of color across California, are consigned to public schools that are *both* separate and unequal.

Why this staggering racial “opportunity gap” today?

The blame for California’s current opportunity gap can be lodged in the past 50 years of state policy, a history that is far too lengthy and complex to repeat here. Surely, one pivotal moment was the taxpayers’ revolt of 1978, that, through Proposition 13, eliminated property taxes as the main, stable source of educational funding and began a steady decline in the state’s educational infrastructure. Proposition 13 and its aftermath may bear most of the blame for the overall problems in California schools—the shortages of qualified teachers, too few dollars to keep schools in good repair or construct new facilities and provide adequate materials at a pace that matches the state’s population growth. However, Proposition 13 can’t bear all—or even most—of the blame for the racial gap between the schools that our data reveal.

Since the 1950s, Californians have created profoundly segregated neighborhoods. Cookie-cutter suburbs with houses of nearly identical prices have brought residents of similar incomes. The strong relationship between race and income has meant that most of California’s low-income neighborhoods are Latino and African American, and that most middle and upper-income neighborhoods are white. For the most part, school district and school attendance boundaries keep the children in these different neighborhoods in different schools. Those in more affluent communities have used their considerable political power to keep their schools afloat. Regional differences in residential and labor markets affect these patterns across the State. Notably, however, the overall declines in school spending have meant that the conditions and opportunities even in California’s advantaged schools have not kept pace with those in other states.

That some middle class Blacks and Latinos can afford to live in mostly white, middle class communities and that their children attend mostly white schools has allowed many to conclude that that racial discrimination, and segregated, unequal schools are things of the past. For example, in a recent USA Today poll, 63% of whites said that

educational opportunities are the same for white and minority students.⁸ Perhaps because Californians live such separate lives, few ever see the conditions of schools across the racial divide. Few have anything but an abstract sense of how interconnected all Californians are or how the quality of our lives now and in the future depend on the quality of education that all young people receive.

The findings presented in this report make clear that it is not enough to talk about an “achievement gap.” California has a larger constellation of problems, and “achievement gap” describes only one symptom. If we are looking to address the root cause of the achievement gap, we must look to California’s deep “opportunity gap” that has been ignored in the current approaches to school reform. In fact, California’s Public School Accountability Act (PSAA) and the Federal No Child Left Behind Act (NCLB) blind us to the racial opportunity gap. Both reforms have strong test-based accountability that is meant to provide incentives to improve educational outcomes. However, neither attempts to ensure that all students have access to the knowledge and skills that the tests cover. Their narrow focus on outcomes, while important, tends to make the gap in opportunities invisible or, to the extent they are seen, unimportant. As such, neither the PSAA, nor the NCLB has brought quality or fairness to California’s schools.

What can be done to close the racial “opportunity gap”?

Californians are used to crises. Think about earthquakes, floods, and fires. When considering these natural disasters, there are two related, but nevertheless distinct “responses.” First, save lives and limit damage. Californians respond decently to fellow Californians in the midst of a conflagration or when clean shelter and emergency services are urgently needed. And when a freeway bridge goes down, the engineers are out the next day figuring out not only what went wrong, but also how to get it rebuilt soon. And, the State finds the money to do it.

At the same time that Californians are providing immediate relief in such crises, they also search for long-range policy and social solutions. Crises prompt analyses, policy debates, controversies, and recriminations: Do insurers serve their clients well? Should people be allowed to build in obvious flood or fire zones? Are public safety regulations and their enforcement sound? Can the public infrastructure deal with the inevitable next crisis or cope better with the current one? And, of course, over the long term, where’s the money going to come from?

Both responses are necessary, and the priorities are obviously correct. The search for better policy solutions does not get in the way of putting out a fire, mounting a rescue, or sharing resources across jurisdictions.

The disturbing Harris survey data, along with other analyses, show that California must apply these same priorities to its schools. Efforts to improve schooling and to narrow opportunity gaps between racial groups require that Californians respond to children without delay and fix the “system” to avoid devastation in the future. Both responses are necessary. The State must respond to the current needs of children, to their

rights, and to their fair treatment. Children cannot wait for qualified teachers, adequate learning materials, and safe, healthful, uncrowded learning environments. These necessities cannot be deferred. Too soon, students are no longer children, and their childhood losses become indelible.

California is waking up to its “opportunity gap.”

From the Governor’s office to the grassroots, we detect the beginnings of a movement for fundamental reform.

Fortunately, the Governor acknowledges the problems. Although we have yet to see any concrete proposals, his concern is clear. Beginning in his campaign speeches, Arnold Schwarzenegger voiced his distress about the conditions of schools:

“[T]he facts speak for themselves. Our schools are falling apart, our students don’t have the textbooks they deserve, and according to the U.S. Department of Education, 75 percent of our fourth and eighth graders are not proficient in reading and writing.”⁹

“California does not have enough highly qualified teachers, and that shortage will worsen as the student population increases—particularly in low-income school districts and in demanding specialties like math, science, and special education.”¹⁰

“More than one million California school children attend an overcrowded school or a school needing modernization”; “Nearly 1,000 of our school sites are now considered ‘critically overcrowded,’ and as of July 2000, 22 percent of California’s public school students were attending schools operating year-round to accommodate their student enrollment.”¹¹

Where schools “have no toilets there that are flushing, paint is peeling off”; “[i]f you call this equality in education, I think it is outrageous.”¹²

The Legislature is concerned as well. Last year, it established the Quality Education Commission (QEC), to be composed of 13 citizens, educators, and experts. Together, their task is to specify the fundamental components of a high quality school in California and estimate the cost of providing those elements to every child in the state. Rather than thinking about equal funding, the QEC is to determine how the cost of high quality schooling may differ, based on the particular challenges a student or a community may face. The QEC is to begin its work in Summer 2004, and is expected to make recommendations to the Governor and the Legislature in a year.

Currently, Senator John Vasconcellos has introduced a bill in the Legislature-- SB 1419—that seeks to close the “opportunity gap” by establishing opportunity for teaching and learning (OTL) index. The index would establish standards for a “floor” of basic

resources and conditions—conditions that all schools must provide to ensure students can access the standards-based curriculum. Each school’s resources and conditions would be monitored and its “score” on the OTL index would be published each year alongside the state’s Academic Performance Index.

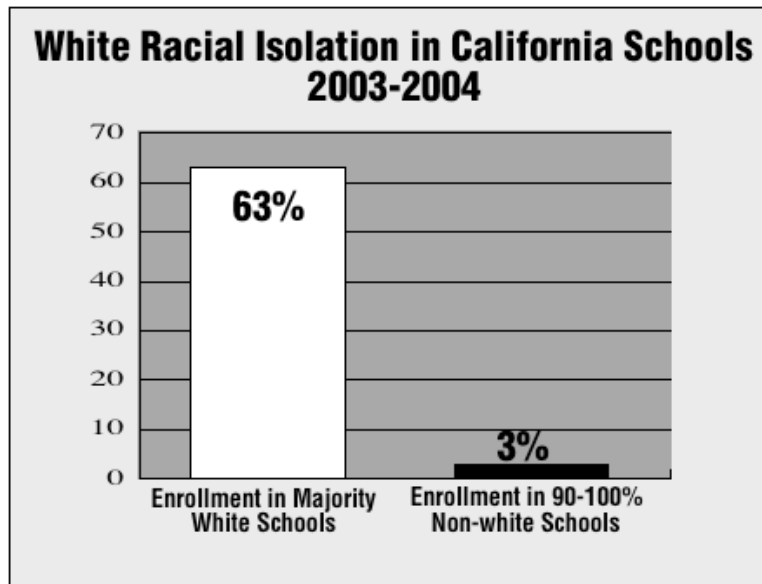
Teachers are also eager to see things changed and are committed to equality. The Harris survey shows that teachers overwhelmingly support a new proposal to improve public schools by setting budgets based on individual student needs and giving local schools both authority and accountability, not only for student achievement but also for the opportunities the school provides for teaching and learning.

Finally, and perhaps most promising of all, grassroots activists, including community members, teachers, parents, and young people, have joined forces around the state to press for educational justice, including guarantees of basic learning resources and opportunities. They include California ACORN, the Community Coalition of South Los Angeles, the Coalition for Educational Justice, Californians for Justice, PICO, Youth Organizing Communities, and many, many more. Fifty years after *Brown*, their engagement in holding the Governor, the Legislature, and local school officials and educators accountable for decent schools or all students is likely the State’s best hope of realizing *Brown*’s promise of education “provided to all on equal terms.”

Appendix Racial Isolation in California Schools

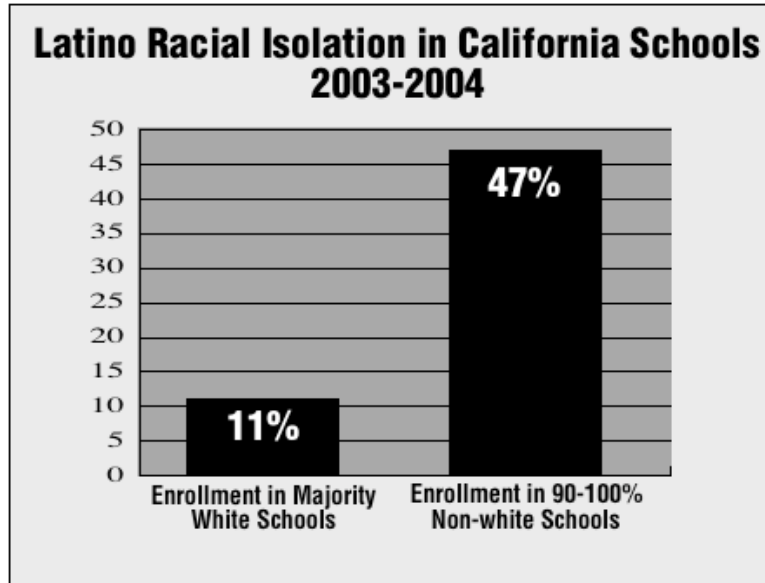
White Racial Isolation

Although whites comprise slightly less than a third of the students in California public schools, the great majority of them—63%--attend schools where whites are the majority. The average White student attends a school where 57% of his or her schoolmates are White. Very, very few White students (only 3 percent) attend a school where the non-white population exceeds 90 percent.



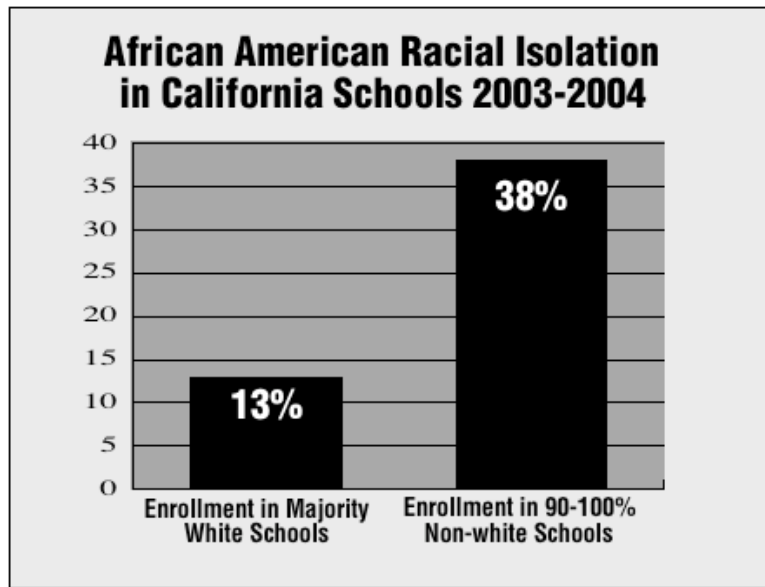
Latino Racial Isolation

In 2003-2004, 46% of California's students are Latino. In contrast to Whites, only 11% of California's Latino students in 2003-2004 attend schools where the majority of students are white. And, 47% of California's Latino students in 2003-2004 attend schools that are 90% or greater non-white, the third highest percentage in the nation. The typical Latino student in California attends a school in 2003-2004 where 81% of the students are non-white. In 2004, the Harvard Civil Rights Project judged California, Texas and New York to be the most segregated states for Latinos.¹³



African American Racial Isolation

In 2003-2004, 8% of California's students are African American. Yet, more than a third (38%) of these students attend schools that are 90% or greater non-white. Only 13% of California's African American students in 2003-2004 attend schools where the majority of students are white. The typical African American California student in 2003-2004 attends a school where 78% of his or her schoolmates are non-white. The Harvard Civil Rights study named California one of the most segregated states for African Americans.¹⁴



Racial Isolation Across California

Although Whites are a minority in every region of the state except the northernmost counties, Whites in every region are concentrated in schools with majority-white populations. The segregation rate for Whites is highest in the Bay Area. Although Whites constitute only 28% of the Bay Area student population, 65% of them attend majority-white schools. Only in Los Angeles do the majority of white students attend schools where their schoolmates are mostly non-White.

| Regions | Percent White Students | White Students in Majority White Schools |
|---------------------|-------------------------------|---|
| Northern California | 72% | 93% |
| Bay Area | 28% | 65% |
| Los Angeles | 20% | 43% |
| Southern California | 39% | 63% |
| Central/Valley | 38% | 55% |

Large numbers of Latino and African American students attend racially isolated non-white schools in every geographic area of the state except the far Northern region. The highest rates of racial isolation exist in Los Angeles County. 56% of African Americans and 67% of Latinos in Los Angeles County attend racially isolated non-white schools. Roughly a third of Latino students attend such schools in the Bay Area, the Central and Valley Region, and in Southern California Counties other than Los Angeles. African American segregation rates vary a bit more across region with a higher proportion of African Americans attending racially isolated schools in the Bay Area (35%) than in the Central/Valley region (20%) and in Southern California Counties (22%).

| Regions | Percent Non-White Students | Percent Schools 90-100% Non-white | African American in 90-100% School | Latinos in 90-100% School |
|---------------------|-----------------------------------|--|---|----------------------------------|
| Northern California | 29% | 0.37% | 0.2% | 0.7% |
| Bay Area | 63% | 22.30% | 35% | 35% |
| Los Angeles | 80% | 49.63% | 56% | 67% |
| Southern California | 62% | 19.89% | 22% | 36% |
| Central/Valley | 64% | 19.05% | 20% | 32% |

¹This report was prepared by IDEA researchers Jeannie Oakes, John Rogers, David Silver, and Joanna Goode

² Diane Friedlaender and Steven Frankel, "School Equity Study," Oakland: Social Policy Research Associates, 2004.

³Gary Orfield and Chungmei Lee, *Brown at 50: King's Dream or Plessy's Nightmare?* Cambridge, MA: Harvard Civil Rights Project, 2004.

⁴*The Status of the Teaching Profession 2003: Research Findings and Policy Recommendations*, The Center for the Future of Teaching and Learning, 2003. Available at http://www.cftl.org/publications_latest.php

⁵*The Status of the Teaching Profession 2003: Research Findings and Policy Recommendations*, The Center for the Future of Teaching and Learning, 2003. Available at http://www.cftl.org/publications_latest.php

⁶Louis Harris with the Peter Harris Research Group, *Report on the Status of Public School Education in California 2004*. Available at www.ucla-idea.org.

⁷ Harris, 2004.

⁸ The one exception to this pattern is the Northern region of California. Only 3 of 818 schools in this region are racially isolated non-white schools.

⁹ We consider the percentage of teachers at a school with full credential to be a school-level indicator of teaching quality, rather than a definition of it. That is, we see a full credential as necessary, if not sufficient for teaching quality.

¹⁰Greg Toppo, "Poll finds split on educational equality," *USA Today*, April 27, 2004.

¹¹Press Release, Schwarzenegger Convenes Education Summit (September 10, 2003). Available at http://www.schwarzenegger.com/en/news/uptotheminute/news_upto_en_edsumm.asp?sec=news&subsec=uptotheminute

¹²Governor Schwarzenegger, *Meeting the Needs of California's Students* (2003) at p.5.

¹³Governor Arnold Schwarzenegger, *Meeting the Needs of California's Students* (2003) at p.11.

¹⁴Governor Arnold Schwarzenegger, *Gubernatorial Recall Debate transcript* (September 24, 2003).

Available at

<http://www.sfgate.com/cgi-bin/article.cgi?f=/news/archive/2003/09/24/state0042EDT0234.DTL>

¹⁵Orfield and Lee, 2004.

¹⁶Orfield and Lee, 2004.