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The Relationship between Policy Design, Context, and Implementation in Integration Plans

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Abstract: The decision handed down by the U.S. Supreme Court in *Parents Involved in Community Schools v. Seattle School District No. 1* (2007) has forced school districts to begin thinking of new ways to integrate their schools without relying on race as the single factor in their assignment plans. While some school districts already have begun to implement race-neutral student assignments, others are just beginning the process and are looking to plans that have been able to maintain diversity despite the new limitations being placed on them. In an effort to understand factors critical in shaping racial and socioeconomic diversity in school districts given the new requisite limitations, this study examined the relationship between the design, context, and implementation of three different integration plans that rely on voluntary choice and socioeconomic status (SES). The findings suggest that geographic and political contexts matter in the shaping and adoption of integration plans based on voluntary choice and SES. Suggestions are offered to help maintain integration given the local sociopolitical context of the school districts.

Keywords: case studies; desegregation plans; educational policy; racial integration; school choice; segregation; social class integration

La relación entre el diseño de políticas, el contexto y la aplicación de los planes de integración

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Resumen: La decisión dictada por la Corte Suprema de EE.UU. en el caso de "Padres Involucrados en Escuelas Comunitarias contra el Distrito Escolar de Seattle No. 1 (2007)" ha obligado a los distritos escolares a pensar en nuevas formas de integrar sus escuelas sin depender de la raza como factor en su los planes de integración. Mientras que algunos distritos escolares ya han comenzado a implementar planes "racialmente neutrales" para incorporar estudiantes, otros apenas están empezando el proceso y está buscando estrategias capaces de mantener la diversidad a pesar de las nuevas limitaciones que se les imponen. En un esfuerzo por comprender los factores críticos en la formación de la diversidad racial y socioeconómica en los distritos escolares, dadas las limitaciones necesarias nuevas, este estudio examinó la relación entre el diseño, el contexto y la aplicación de tres planes de integración diferentes que dependen de la elección voluntaria y el estatus socioeconómico (SES). Los hallazgos sugieren que la materia contextos geográficos y políticos en la elaboración y adopción de planes de integración basado en la elección voluntaria y SES. Se ofrecen sugerencias para ayudar a mantener la integración, dado el contexto socio-político local, de los distritos escolares.
Palabras clave: estudios de caso, planes de lucha contra la segregación, política educativa, la integración racial, la elección de la escuela, segregación, integración de clases sociales.

A relação entre o contexto político, concepção e implementação de planos de integração
Resumo: A decisão proferida pela Suprema Corte dos EUA no caso "Pais envolvidos em escolas comunitárias contra a Escola Distrital de Seattle No. 1 (2007)" tem forçado os distritos escolares a pensar em novas formas de integrar as escolas, sem depender de raça como um fator em seus planos de integração. Enquanto alguns distritos escolares já começaram a implementar planos de "racialmente neutros" para incluir os alunos, outros distritos estão apenas começando o processo e estão buscando estratégias que sejam capazes de manter a diversidade, apesar das novas restrições. Em um esforço para entender os fatores críticos na formação da diversidade racial e socioeconômica em distritos escolares, dadas as novas limitações, este estudo examinou a relação entre contexto, concepção e aplicação de três diferentes planos de integração que dependem da seleção voluntária, status socioeconômico (SES sigla em Inglês). As descobertas sugerem que os contextos geográficos e políticos são relevantes para o desenvolvimento e a adoção de planos de integração baseados em escolha voluntária e SES. São oferecidas sugestões para ajudar a manter a integração tendo em conta as sócio-políticas distritos escolares locais.
Palavras-chave: estudos de caso, e os planos para combater a segregação, a política de educação, a desagregação, a escolha da escola, a segregação, integração de classes sociais.

Introduction

On June 28, 2007 the U.S. Supreme Court handed down its first major decision on school desegregation in 12 years in *Parents Involved in Community Schools v. Seattle School District No. 1* (2007), ruled together with *Meredith v. Jefferson County Board of Education* (2007). The two school districts involved in the case, Seattle Public Schools and Jefferson County Public Schools (JCPS), had implemented student assignment policies that were voluntary in nature and aimed to eliminate segregation and improve equity of opportunity for minority students (Britt, 2008). The Court found that the districts' efforts to increase racial diversity in their schools violated the rights of nonminority students. In both cases, district leaders were trying to achieve racial balance in schools that were attractive to parents academically and thus oversubscribed (Pitre, 2009).

In *Parents Involved* (2007), the Supreme Court significantly narrowed the options school district officials have to create and maintain racially diverse school enrollments (Wells & Frankenberg, 2007). The decision left school districts with the choice of developing alternative desegregation plans or abandoning their efforts to maintain racially integrated schools. The Court found it unconstitutional to take the race of individual students into account in desegregation plans, which represented a reversal of the rulings of the Civil Rights Era that stated race must be taken into consideration to the extent necessary to end racial separation (*Alexander v. Holmes County Board of Education*, 1969; *Brown v Board of Education*, 1954; *Brown v. Board of Education II*, 1955; *Green v. County School Board of New Kent County*, 1968; *Keyes v. Denver School District No. 1*, 1973; Orfield & Lee, 2007; *Swann v. Charlotte-Mecklenburg Board of Education*, 1971).

The *Parents Involved* (2007) ruling resulted in a major setback for racial integration efforts because it reflected the Supreme Court's desire to change its role in school districts' policies on school desegregation from *mandating* public schools to racially integrate (*Brown*, 1954) to considering whether districts should be allowed to *voluntarily* racially integrate their schools (*Parents Involved*, 2007). School districts may continue to promote racial diversity and avoid racial isolation in their schools using race-conscious measures, so long as they are nonindividualized and do not demand strict scrutiny[1] (*Parents Involved*, 2007). In what has become the most noted and crucial component of the ruling, Justice Anthony Kennedy suggested in a separate opinion that a school district could constitutionally adopt a policy that considers an individual student's race during the school assignment process if all other nonindividualized and race-neutral alternatives have been proven ineffective (Welner & Spindler, 2009). Although Justice Kennedy left room for school districts to include race as one of many factors in student assignment policies, many school districts are moving away from race-conscious strategies (Kahlenberg, 2007). In recent years, and even preceding the *Parents Involved* (2007) ruling, districts have implemented more structured and regulated school desegregation policies intended to provide parents with added choice options (Wells & Frankenberg, 2007), while still keeping the promise of *Brown* (1954) alive. Among these types of desegregation policies, one gaining in popularity in recent years is the socioeconomic status-based (SES) integration plan. Currently, more than 80 school districts across the United States are using socioeconomic status as an integrative factor in their student assignment plans (Kahlenberg, 2011).

Purpose of the Study

In the post–*Parents Involved* (2007) era, school districts' desegregation plans have moved toward a new model of nonmandatory student assignment plans. Most of these voluntary plans have at their core two distinct features: socioeconomic status (SES) and voluntary choice. SES-based integration plans use SES in place of race to assign students to schools to achieve socioeconomic (and indirectly racial) integration. Most of these race-neutral plans allow parents the ability to choose where to send their children to school based on specific district requirements with the goal of creating or maintaining socioeconomic balance within its schools.

To explore integration plans based on voluntary choice and SES, the purpose of this cross-

[1] Strict scrutiny is a standard of judicial review based on the Equal Protection Clause of the Fourteenth Amendment. Strict scrutiny is used in federal courts to determine whether certain types of government policies are constitutional. The U.S. Supreme Court has applied strict scrutiny to laws or policies that impact a right explicitly protected by the U.S. Constitution. Retrieved from: http://legal-dictionary.thefreedictionary.com/Strict+Scrutiny

case qualitative study is to examine the interaction between policy design, context, and implementation of these plans, and how they may produce particular outcomes. Specifically, this study seeks to determine how school districts use socioeconomic factors to design and implement an integration plan based on voluntary choice and SES. Further, this study examines whether these factors have any bearing on the way such integration plans are employed and ultimately, whether these policies meet their stated goals of socioeconomic and racial diversity (in terms of building-level statistics). Particular attention is given to how the local sociopolitical and geographic contexts in which these plans are designed are associated with socioeconomic and racial diversity outcomes. For the purposes of this study, the local sociopolitical context refers to the interaction of social and political factors in the design and implementation of each integration plan ("Sociopolitical," 2009); geographic context refers to the physical location of the school districts.

The findings of the study contribute to the larger policy discourse on integration plans based on voluntary choice and SES, highlighting the significance of how such plans are designed and implemented as well as the impact of local sociopolitical and geographic contexts on achieving and maintaining different levels of socioeconomic and racial diversity in school districts. As no two school districts look alike, one type of integration plan based on voluntary choice and SES may be successful in one school district but fall short of achieving its intended socioeconomic and racial diversity goals in another school district. However, if school district leaders are more cognizant of how integration plans based on voluntary choice and SES are being designed and implemented in similarly situated contexts, they may be able to learn from the successes and challenges of these plans as they design and implement plans of their own.

Can Integration Plans based on Voluntary Choice and SES Work to Racially Diversify Schools?

Social science research suggests that racially isolated and segregated schools create more noticeable harms for students of color. Racially segregated schools tend to be high-poverty schools with limited resources, which can make a dramatic difference in the educational opportunities low-income students of color have access to (powell & High, 2007). However, when students of color attend desegregated schools, they are more likely to show, on average, higher levels of academic achievement and educational and occupational aspirations (Ma & Kurleander, 2005; Wells & Crain, 1994). Students also benefit from the more integrated informal social networks present in racially diverse schools, which can assist them in learning how to navigate the education system and gain access to and attend competitive colleges or even attain higher level jobs (Holme, 2002; Lin, 2001; Putnam, 2000).

School desegregation plans were initially instituted as a means to provide equality for all children regardless of their race (*Brown*, 1954). As desegregation policies evolved and the use of race to integrate schools was seen as less necessary by the courts, a different type of integration plan emerged: using SES in place of race to achieve racial integration. SES-based integration plans are considered to be a less contentious means to racially diversify schools in that they are not subject to strict scrutiny by the courts in the same way as race-based integration plans (Kahlenberg, 2007; Reardon, Yun, & Kurleander, 2006).

Integration plans based on SES are designed to integrate students by economic status, as opposed to race, using proxies such as eligibility for free or reduced-price lunch, parental education, neighborhood poverty rate, and so on. The goal of these integration plans is to create student enrollments in each school that are socioeconomically representative of the district as a whole, in terms of the socioeconomic factors identified (Kahlenberg, 2007; Reardon et al., 2006). Integration

plans based on SES are more likely to be effective in school districts such as in Seattle Public Schools, where the majority of White affluent students live in northern Seattle and the majority of high-poverty, high-minority schools are located in the south, allowing for a more fluid transfer of students from one part of the city to the other (McNeal, 2009). However, a broad range of school districts have moved toward SES-based integration plans, in large part due to the legal and political context of school desegregation (Reardon et al., 2006).

Research indicates that SES-based integration plans are becoming increasingly attractive to school districts for several reasons. First, there is a strong overlap between SES and race, which can facilitate racial diversity in schools (Chaplin, 2002; Kahlenberg, 2001) without violating court rulings (*Parents Involved*, 2007). Second, SES-based integration can help school districts raise student achievement by breaking up concentrations of poverty in schools with lower academic achievement by creating schools with more mixed-income student populations (Kahlenberg, 2007). Although SES may be a close proxy to race, using SES to integrate schools does not guarantee racial integration (Reardon et al., 2006). Indeed, many argue that the only way to achieve racial integration is to implement race-conscious policies (Braddock et al., 1984; Ma & Kurleander, 2005; Orfield, 2001; powell, 2005; powell & High, 2007; Wells & Crain, 1994; Wells & Crain, 1997). Given the extent to which racial housing segregation still exists in the United States, it is unlikely that race-neutral student assignment policies like income-integration policies will be able to significantly reduce racial segregation within schools (Reardon et al., 2006). Some SES-based integration plans have shown little effect on socioeconomic or racial integration, whereas others have successfully fostered socioeconomic or racial integration efforts. Whether or not a SES-based integration policy can be effective can depend on a number of factors including: (a) the strength of association between race and income; (b) the policies defining socioeconomic integration; (c) the relationship between racial and income residential segregation in a school district; (d) the factors determining the school assignment; and (e) the effect of the SES-based integration policy on families' decisions as to where to enroll their child, which includes within the neighborhood school district, outside of the neighborhood school district, or in private or public schools (Reardon et al., 2006).

The evidence for race-based and SES-based integration plans is compelling. In a perfect world, the best plans would accomplish both socioeconomic and racial diversity at the same time. Yet, achieving socioeconomic or racial diversity through current choice-based mechanisms is difficult and not clearly understood, in part because in school choice policies, as the research shows, design matters (Fiske, 2002; Reardon et al., 2006).

While school desegregation plans have long included parental choice options, today, new models of nonmandatory student assignment give parents more options for their children's education, typically allowing parents to send their children to schools outside of their neighborhoods. A key empirical question at the heart of many school choice programs is how they will affect integration and the mechanisms by which students are placed into schools and classrooms (Gill, 2005). Gill states that school choice policies implemented in a system with highly stratified residential patterns, private school choice and residential mobility can work either to increase or reduce integration. A school choice policy may work to increase integration by (a) breaking the connection between residence and school assignment, which in turn can decrease patterns of housing stratification because parents are allowed to select schools independently of neighborhoods; (b) allowing lower income families access to schools otherwise available only to families who can afford to purchase a home in the suburbs or pay for private schools; and (c) promoting smaller schools that are less likely to segregate students by academic tracks (Gill, 2005).

Conversely, school choice policies can work to reduce integration within schools. Critics see choice plans as a type of sorting machine (Moore & Davenport, 1989) that only works to create and

maintain privilege (Metz, 1986), and believe that an increase in choice will lead to an increase in isolation of the most disadvantaged students in the worst schools, whose parents may lack the necessary information and/or resources to make the best choices for their children. Any school choice policy requires a high demand for schools and programs to choose. Choice plans may result in only some families (those of higher incomes) being able to choose which schools their children will attend (Frankenberg & Siegel-Hawley, 2008; Holme, 2002). Additionally, free transportation in public schools long has been considered necessary to ensure that every child is able to attend a school of choice regardless of SES, race, language differences, or family circumstances (Wells, 1996). When students are not provided with free transportation, choice plans can lead to further stratification.

Since the *Parents Involved* (2007) decision, policymakers and researchers have debated the types of integration plans school districts can still use to promote diversity and avoid racial isolation within schools. Consequently, it is critical to examine how the designs of integration plans based on voluntary choice and SES may or may not result in addressing socioeconomic and racial segregation.

Conceptual Framework: Implementation of Integration Plans

"Education policy implementation must be conceptualized as a social practice that takes place upon a social terrain" (Dumas & Anyon, 2006, p. 151). Wells (1995) notes in her research on the long-term versus short-term effects of school desegregation that researchers must be cognizant that school desegregation means different things in different settings. More attention needs to focus on the implementation processes of these policies and how they vary across settings.

In order to analyze and conceptualize the relationship between the design, context, and implementation of integration plans based on voluntary choice and SES, this study drew from the education policy implementation literature (Honig, 2006; McLaughlin, 2006; Odden, 1991). The education policy implementation literature provides a framework to understanding under what conditions a specific education policy can be implemented and succeed in achieving its desired goals. The education policy implementation literature allows one to delve deep inside the "black box" of policy implementation and context, exploring how implementation outcomes are influenced by policies, people, and places (Honig, 2006; McLaughlin, 2006). People design and implement a policy, responding to demands made by the district, school board, and local community. Places are where the policy ultimately unfolds, shaping the implementation outcomes by institutional patterns as well as current day politics (Honig, 2006). Thus, the education policy implementation literature focuses our attention on how these factors interact to produce socioeconomic and racial diversity outcomes that may or may not be consistent with the designers' goals.

The education policy implementation literature also provides a structure to examine how design matters in terms of the effectiveness of integration plans based on voluntary choice and SES in specific contexts. Present-day policy designs are extremely complex, given the diversity of tools used to address policies simultaneously in public educational systems. Policy implementers have to manage an unparalleled assortment of strategies and underlying assumptions about how to improve school performance in ways that can drastically impede the implementation process (Hatch, 2002; Honig, 2006). Moreover, how policy implementers use these tools in their interpretation of said policies may differ from the intent of the policy's creators, which can delay the implementation process (Yanow, 1993). Indeed, in order to understand education policy implementation, it is crucial to examine the contexts within which it is "done."

Policy design and implementation also matter in terms of outcomes. Different actors (e.g., policy framers, implementers, families) may have different and conflicting goals, which can affect the

way choices are made within the policy context (Loeb & McEwan, 2006), particularly when it comes to families choosing where to send their children to school. In the case of school choice policies, if the goals of the school district are similar to those of individual families, the policy should produce desirable outcomes for all parties involved. Parents will choose schools that are consistent with the goals of the district's policies and vice versa. However, if the goals of the parents and the school district are not aligned and not represented in the design of the policy, the outcomes are more likely to be conflicting (Loeb & McEwan, 2006), which can result in a large number of schools out of compliance with the districts' integration plans.

The education policy implementation literature used in this study helped not only to frame the research questions but also to conduct the data analysis. Before this analysis is described in detail, I will discuss the methodology and research design of the study.

Methodology & Research Design

Since the purpose of this study is to explore the relationship between the design, context, and implementation of integration plans based on voluntary choice and SES, qualitative case study research was employed. Case studies can provide comprehensive understanding of the circumstances and meaning for the people involved. In case studies, the researcher is more interested in learning about the process as opposed to the outcomes, context rather than specific variables, and discovery rather than corroboration (Merriam, 1998). Process is defined as being able to describe the context and population of the study, the extent to which the program or policy under investigation is implemented, and discovering how specific characteristics of the program or policy as well as context characteristics may have interacted to produce certain outcomes (Majchrzak, 1984; Merriam, 1998). Case studies are often used as a method in policy research as they help researchers identify factors and behaviors that initially may not have been expected to be related to the social problem under investigation (Majchrzak, 1984).

Qualitative case study methodology, therefore, was particularly appropriate for my study, which sought to discover how the design and implementation processes of three specific integration plans based on voluntary choice and SES came to fruition, how the local sociopolitical and geographic contexts influenced the way in which the plans were designed and implemented, and how these processes worked together to produce dissimilar outcomes in the school districts. The method I used for selecting particular case sites is described in detail below.

Site selection

Three integration plans based on voluntary choice and SES served as case studies in this study: (a) Omaha Public Schools (OPS) Student Assignment Plan, (b) Jefferson County Public School (JCPS) Student Assignment Plan, and (c) Berkeley Unified School District (BUSD) Student Assignment Plan. A sample of school districts with different social contexts was necessary in this study so that cross-case analyses could provide analytical conclusions about the relationship of context to the outcomes of these integration plans that could allow us to draw some more general conclusions about the impact of context on socioeconomic integration efforts (Wells, Hirshberg, Lipton, & Oakes, 1995). Because the three districts also used different socioeconomic factors to assign students to schools I was also able to assess how plans with different design features met their goals of achieving racial and socioeconomic diversity.

*Omaha***.** The OPS Assignment Plan is a zone-based plan transitioning to a citywide plan that uses free or reduced-price lunch as a socioeconomic indicator to help assign students in every grade level as a means to integrate district schools. Approximately 65% of OPS students receive free or reduced-

price lunch is an indicator used in many SES-based integration plans that is often thought of as a crude binary in trying to achieve racial integration because a student is classified as either eligible for free or reduced-price lunch or not (Harwell & LeBeau, 2010). I felt it was crucial to examine a plan that used free or reduced-price lunch in order to test this assertion.

I also found OPS to be an interesting school district to study because it embodies a particularly challenging context as a city with a rapidly declining White, middle-class population surrounded by a number of expanding suburban school districts. Among the 48,000 students enrolled in OPS, about 40% are White, 31.4% Black, 25% Hispanic, 2.2% Asian or Pacific Islander, and 1.5% American Indian or Native American (Nebraska Department of Education, 2010; OPS, 2008, 2009a). OPS is a mid-sized urban core district that does not incorporate the surrounding suburbs. Moreover, in a post–*Parents Involved* (2007) world, it is crucial to examine desegregation plans that have not been using race to assign students to schools, since a growing number of school districts are looking at SES-based integration plans as a way to create and maintain racially diverse school enrollments (Kahlenberg, 2011). Given that OPS has had a integration plan based on voluntary choice and SES in place for nearly a decade, I felt it was necessary to examine whether the plan has been able to establish and maintain diverse learning environments throughout the district.

Jefferson County. I chose the second integration plan based on voluntary choice and SES, the JCPS Student Assignment Plan, in large part because of the plan's design and features as well as the context in which it is situated. The JCPS Student Assignment Plan is based on geography (where the student lives) and requires elementary schools to have 15–50% of their students coming from geographic Area A, an area in which schools have a higher than average percentage of minority students (all non-White students) and fall below the district average for median income per household member and educational attainment (JCPS, 2008b). Jefferson County is an interesting and starkly different place than OPS and BUSD because of its county-wide configuration that incorporates both cities and suburbs and thus captures most potential White flight. The district enrolls approximately 98,000 students, representing the 28th largest school district in the country. Of these students, 56.6% are White, 36% Black, and 7.5% other. Approximately 57% of JCPS students are receiving free or reduced-price meals (JCPS, 2009). Additionally, JCPS was one of the two districts involved in the *Parents Involved* (2007) ruling. Prior to the *Parents Involved* decision, JCPS used race in its student assignment process, requiring all schools to have a student population of no less than 15% and no more than 50% Black students. Examining how the new JCPS countywide, geography-based plan may or may not be working to socioeconomically and racially integrate its schools post–*Parents Involved* piqued my interest; school districts may have to think of integration more in regional terms given the major demographic shifts occurring in suburban school districts.

Berkeley. The third integration plan I chose for my analysis was the BUSD Student Assignment Plan. BUSD was one of the first districts in the nation to voluntarily integrate its schools in 1968 (BUSD, 2004). The district is located in a relatively affluent community with a long history of embracing its racial diversity. BUSD serves approximately 9,000 students in its district: White students comprise 30.5% of the student population, followed by 25.8% Black, 16.6% Hispanic, 7.1% Asian, 0.6% Filipino, 0.3% Pacific Islander, 0.3% American Indian, and 18.7% multiethnic or no response. Almost 40% of the students in BUSD are receiving a free or reduced-price meal (California Department of Education, 2009).

The current plan, adopted in 2004, uses SES profiles of neighborhoods to integrate schools as well as parental education and race (BUSD, 2004). The plan focuses on the elementary level, dividing the district's 11 elementary schools among three attendance zones. The entire district is divided into 445 planning areas, each between four and eight city blocks in size. Each planning area is assigned a diversity composite category of 1–3 based upon three factors: (a) percentage of

students of color; (b) level of parental income; and (c) level of parental education within each planning area. Each diversity factor is weighed equally in the calculation of the diversity composite category number. Students are then assigned to schools based on six priority categories: (a) students currently attending the school and residing in the school's attendance zone, (b) students currently attending the school and residing outside the school's attendance zone, (c) students with siblings currently attending the school, (d) students not currently attending the school but residing within the school's attendance zone, (e) students not currently attending the school but residing outside the school's attendance zone, and (f) students seeking interdistrict transfers. Students are assigned to a particular school based upon their preferences and the diversity category number assigned to the planning area in which the student resides (BUSD, 2004).

The BUSD Student Assignment Plan represents a more multifaceted approach toward achieving integration within the district's schools and is therefore unique in design. The plan has withstood a number of legal battles in which the courts ruled that the integration plan was not discriminatory and did not show any partiality to a student on the basis of race (*American Civil Rights Foundation v. Berkeley Unified School District*, 2007, 2009; *Avila v. Berkeley Unified School District*, 2004). The plan is also relatively new and has yet to be fully evaluated in terms of success, making it even more attractive and vital to study.

Data Collection Methods

In order to understand the events leading up to the three aforementioned integration plans, I conducted a historical analysis of school desegregation in the Omaha, Jefferson County, and Berkeley metropolitan areas. Archival records and documents relevant to the emergence of the plans were collected and analyzed in order to gain a better understanding of the relationship between design, implementation, and context of each plan (Heck, 2004). These documents included court cases, newspaper articles, agendas and minutes from the local school board meetings as well as student assignment committee meetings, policy proposals outlining the design of the plans, and reports and evaluations of the school desegregation plans. I also collected documents from the districts that included student demographic data as well as data from the U.S. Census so that I could ascertain any trends in socioeconomic and racial integration in the districts as well as the cities prior to and after the implementation of the integration plans. By collecting, reading, and analyzing differing accounts of each of the integration plans, I gained a deeper understanding of the macro-level contexts, both social and economic, in which these plans were developed and how these may have affected individual interpretations of the plans (Placier, 1998).

Another important source of case study information is interviewing, probably the most common form of data collection in qualitative studies (Merriam, 1998). The main goal of interviewing is to obtain specific information from a person who cannot be directly observed (Patton, 1990). Interviews were an important component of my study because by talking to people involved in the design and implementation of the integration plans, I was able to gain a better understanding of how key decisions were made during the design and implementation processes (Honig, 2006). A total of 21 interviews were conducted with individuals directly involved in the design and implementation of the plans: eight interviews in Omaha, seven interviews in Jefferson County, and six interviews in Berkeley. A common interview protocol was used that allowed me to learn more about the evolution of the plans, including whether the interviewees believed the districts were experiencing more or less socioeconomic and racial diversity since implementation. The key individuals interviewed included a superintendent, former superintendent, assistant superintendents, school board members, general counsel to the districts, district administrators, district staff, community members, and consultants brought in to help design the plans.

All of the interviews conducted were semistructured and in-depth. During all of the interviews extensive notes were taken and each session was tape-recorded. After each site visit, I coded and transcribed the interviews, focusing specifically on the design and implementation processes of each integration plan based on voluntary choice and SES as well as the role of the sociopolitical and geographic context on design and implementation.

Data Analysis

Using these data, I constructed within-case narratives for OPS, JCPS, and BUSD to decipher the events taking place in each context, as well as how the design and implementation of each plan interacted to produce socioeconomic and racial diversity outcomes. The within-case analyses formed the basis of the cross-case analyses, which sought to compare and contrast the differences between each of the student assignment plans (Eisenhardt, 1989). The analysis of the qualitative data was iterative, and thus included a reflexive process that was inductive and open-ended (Lincoln & Guba, 1986; Patton, 1990).

Situating the Context: Exploring Integration Plans in Divergent Settings

The design and structure of integration plans based on voluntary choice and SES can make a considerable difference when it comes to achieving racial and socioeconomic diversity (Reardon et al., 2006). The history of the plans analyzed in this study, the people involved in the design and implementation processes, and the structures of the plans are complex and vary significantly. Therefore, in order to determine whether the current design and structures of integration plans based on voluntary choice and SES are associated with socioeconomic and racial diversity outcomes, we must recognize (a) how the plans were initially created given the history of school desegregation in the specific school districts, (b) how the plans evolved over time as demographics shifted, and (c) how effective the plans are in maintaining their diversity goals.

Omaha, Nebraska: A City and School District at the Mercy of White Out-Migration

History of the OPS Student Assignment Plan. As is the case in many desegregation plans, the desegregation of OPS emerged out of the city's long battle with housing segregation (Larsen & Cotrell, 1997). The housing segregation that existed throughout the city of Omaha led to a number of highly segregated schools within OPS. In the decades after the *Brown* decision, the school district exacerbated this segregation by racially gerrymandering attendance zones and student transfer policies that allowed White students to flee diverse schools (*U.S. & Nellie Mae Webb et al. v. School District of Omaha*, 1975).

OPS operated under a federal court order to desegregate its schools for 9 years, beginning in the 1975–1976 school year and ending in 1984. The 1975 federal court order requiring the desegregation of public schools in Omaha was the result of a lawsuit, *U.S. & Nellie Mae Webb et al. v. School District of Omaha* (1975). In *Webb* (1975), the court concluded that segregation in the School District of Omaha was intentionally created and maintained by the district. The court required that the district be integrated, guidelines be established for achieving integration, and the district be under the supervision of the court throughout this process.

During the 1975-1976 school year, the School District of Omaha enrolled approximately 58,000 students, 76% of whom were White, 21% African American, 2% Hispanic, and 1% Asian or Native American (OPS, 1999, 2008). Displeased with the court's decision to desegregate schools, the White population that heavily populated the Omaha district at the time of the *Webb* (1975) decision fled the district in large numbers. From the 1975–1976 school year to the 1985–1986 school year,

OPS lost approximately 16,000 White students, making it difficult for the district to achieve the kind of racial integration it initially set out to accomplish (OPS, 2008).

A Changing Metropolitan Context: White Flight and Enrollment Losses. OPS operated under a federal court order to desegregate its schools until 1984. When the 1984–1985 school year began, the U.S. District Court ruled that OPS had attained unitary status through its desegregation plan and was therefore no longer subject to court supervision (OPS, 1999). During this same period, OPS and the city of Omaha were experiencing demographic changes attributed in large part to the ongoing flight of the White middle class from the city. Families left the city and migrated west to new housing and office developments in the suburbs (Burbach, 2005). As in most metropolitan areas across the country, the suburban schools neighboring OPS grew in large numbers due to the "push" of desegregation and the "pull" of newer suburban developments. An Omaha interviewee recalled the tumultuous time:

> I was teaching when desegregation came into effect. …So, we were a large district and the very first year we went through, when the district ruled they needed to be integrated, you began to see a mass exodus so that I want to say we dropped to about 38,000 students (in 1977). …So, they began the lawsuit. The exodus began. The school district at that time, once it was ruled that they were to integrate, they then appealed that decision. So, it was a longer process. …There was a mass exodus and the suburbs, bedroom community grew overnight. I'm not saying that everyone who moved there moved there because they didn't want their children to go to school with other children who didn't look like theirs but a large—I'll just say it—well, I personally believe a large portion did do that. They were afraid to put their children on a bus. They were afraid their children would go to another part of the city and there still exists people to this day that will not drive in certain parts of Omaha, which is a sad commentary…But we did, we lost a lot of students in those days and there was a lot of fear of the unknown. There was comfort in being homogenous.

Another Omaha district-level employee described the mass exodus of White families from OPS during the years following mandatory desegregation:

> To be perfectly frank, as soon as the district put into place their required busing plan there was an immediate change in the White population and this area experienced extreme White flight. The Millard Public Schools, which is a school district that's within the city, it's a suburban district, grew from a 3,000 person district to about 22,000 kids.

While White flight played a major role in the western migration of Omaha families, so too, did an interdistrict choice policy passed by the Nebraska State Legislature in 1989 that allowed students to transfer between school districts. This interdistrict choice policy, referred to as option enrollment, was initially created to allow students in rural schools to have the opportunity to go to larger schools where more resources existed. However, according to an analysis conducted by the city's newspaper, the *Omaha World-Herald*, White families were opting out of OPS through the option enrollment policy. From 1999–2005, as a result of the policy, the number of transfers out of OPS nearly tripled from 744 to 2,100 students annually (Saunders & Goodsell, 2005). Most of the students transferring out of the district were White and not eligible for free or reduced-price lunch. These students were

choosing to attend schools in the neighboring districts of Millard, Ralston, and Westside Community Schools (Saunders & Goodsell, 2005).

The loss of large portions of the White population and the increase of segregation in the Omaha metropolitan area, particularly by income (Holme, Diem, & Mansfield, 2009), has made it difficult for OPS to maintain racial integration throughout all of its schools. According to an interviewee, as OPS was changing demographically and option enrollment was growing in popularity among White, middle-class families in the metropolitan area, the need for a new student assignment plan in the district was paramount. During this time, the Supreme Court began releasing school districts from their mandatory desegregation plans even if integration had not been achieved in all of the areas outlined in the *Green* (1968) decision[2]. OPS administrators began to see the writing on the wall in terms of the legality of its race-based plan and knew they were going to have to devise a new plan that maintained racial integration without using race as a factor (*Board of Education of Oklahoma City v. Dowell*, 1991; *Freeman v. Pitts*, 1992; *Missouri v. Jenkins*, 1995). A former OPS employee described the beginnings of a new OPS student assignment plan that would move the district away from using race as a factor in assigning students:

> The question was always with the language we had in Judge Schott's opinion, could we make a change without intentionally discriminating because we were worried that a likely consequence of any change would be a decrease in the integrative nature of the schools. Courts started to answer that question. There was a decision out of Norfolk, Virginia, and two or three other ones (Court of Appeals and District Court cases that indicated that a school district that was previously under court and was out from under a court order couldn't make changes in the desegregation plan that had those effects as long as you could demonstrate that your intent was not to achieve that result). So, those were sitting there and then you had the decision that came down from the 1st Circuit in the Boston case that really started to send ripples even going further essentially saying look, if what you're really trying to do is to continue to integrate your schools on the basis of the race of the kids in those schools, you've got legal problems.

The district staff also felt that the undue burden placed on African Americans during the initial desegregation days still existed and needed to be modified in order to achieve a more equitable solution in terms of assigning students to schools. An OPS administrator reflected on the initial days of desegregation in the district:

> We set up a deseg plan basically to sell a community that okay, we're going to say to the African American community you're going to move four times and the White community, the Asian community would only move twice. So, I was aware of why we did that. I was aware of why we set up ninth-grade centers basically to have a Caucasian population to stay at home from seventh and eighth grade and then only

[2] The *Green v. County School Board of New Kent County* (1968) case challenged "freedom of choice" plans that had been implemented by school districts throughout the South. The "freedom of choice" plans gave students the option of transferring from a black to a white school. These plans placed the burden of integration on blacks, who were reluctant to transfer in the face of intimidation. The Supreme Court ruled that schools must dismantle segregated dual systems "root and branch" and that desegregation must be achieved with respect to facilities, staff, faculty, extracurricular activities, and transportation. These factors, known as "green factors," were used as a guide in creating desegregation plans.

> have them move one time at the ninth-grade level. So being aware at all of that and how do we now develop a plan that's truly fair and has equity to it…and so what we were looking for was really the community was looking for a balance and there was not a balance in terms of students moving. That was one of the reasons that we started looking at a change; a balance, a change in demographics was tremendous.

The OPS Student Assignment Plan was first initiated by the OPS School Board in 1996 as a request to the superintendent and his staff to conduct a study on desegregation in Omaha and submit recommendations for a new plan. For two years, a Desegregation Task Force reviewed issues such as how the previous plan functioned, the demographic composition of the district, enrollment trends, housing patterns, transportation, and how other school districts across the country in similar situations to OPS were working to maintain or create diversity in their schools (OPS, 1999). On February 23, 1999, a new student assignment plan was approved by the school board. However, the school board, "the people who ultimately implement policy" and "mediate implementation in a wide variety of ways" (Honig, 2006, p. 16), stipulated that Omaha voters must approve a bond issue that would assist in renovating all OPS schools before the new student assignment plan could be implemented. On May 11, 1999, Omaha voters narrowly passed the largest bond issue in the history of Nebraska, a $254 million bond for school construction in OPS (Goodsell, Matczak, & O'Connor, 1999), and the new OPS Student Assignment Plan was implemented in the 1999–2000 school year. A total of 24 schools were renovated or expanded, three were newly built, and additional magnet programs were established (Goodsell & O'Connor, 1999). The bond was also instrumental in ending 23 years of busing in the district (Goodsell et al., 1999).

The goal of the zone-controlled choice plan was to integrate schools to reflect the socioeconomic diversity of the district. OPS used free and reduced-price lunch as the SES indicator to integrate its schools at the elementary, middle, and high school levels. The racial and economic fragmentation of the school district led to the decision of dividing the district into four zones; each zone represented a portion of the school district running east to west (OPS, 2007). Minority and low-income groups tend to live in the eastern portions of each zone, whereas nonminorities and more affluent groups are more likely to reside in the western ends of each zone, according to an interviewee. Each zone consists of what OPS defines as cooperative parts; students are given the option of attending their home attendance-area school or to choose a school in their attendance zone. Should more students apply to a school than there is capacity, students are assigned to a school through a lottery system (OPS, 1999, 2007). Students may also apply to either of the two magnet elementary schools located in each attendance zone; one of the six middle school magnets designated in their residing area; and any of the three magnet high schools within the entire district (OPS, 1999, 2007). All students are assigned to a magnet school via a lottery selection process in order to ensure equitable opportunity among all those that apply (OPS, 2008b).

The OPS Student Assignment Plan Today. After operating relatively the same for over 10 years with minor revisions made periodically to meet the needs of the community, the design of the OPS Student Assignment Plan significantly changed at the beginning of the 2010-2011 school year. The plan was modified to be in line with the guidelines set forth by LB 641, a bill passed by the Nebraska Legislature in 2007 which created a new regional interdistrict socioeconomic desegregation plan that requires 11 school districts across two counties (Douglas and Sarpy) in the Omaha metropolitan area to form a Learning Community (Change Provisions, 2007). The Learning Community was formed to address barriers to achievement, both academic and social, and assist districts like OPS, who has a large student population classified as being in poverty. The Learning Community has adopted a diversity goal that every school in the 11 districts that comprise the Learning Community should

reflect the average socioeconomic diversity of the Learning Community as a whole. In the 2010–2011 school year, an average of 38% of students in these 11 districts were eligible for free or reduced-price lunch, the SES indicator used to achieve integration in the Learning Community (OPS, 2009b). As a result of the Learning Community legislation, OPS is transitioning to a citywide plan and all OPS schools are now open to all students across the district. Priority is given to students who apply to a school where a sibling is already in attendance or where the socioeconomic diversity of the school will be improved by the student's attendance (OPS, 2009b).

Is OPS Maintaining its Diversity Goals? While OPS is currently implementing a new student assignment system as part of the Learning Community, the data provided in this study was gathered from the 2009-2010 school year, which represented how well OPS was meeting the guidelines outlined in its previous student assignment plan. The district average of students participating in the federal free and reduced-price lunch program, the integrative benchmark for the district's student assignment plan, increased from 50% to 65% over the last decade. Only 24 of the 62 elementary schools (39%), 3 of the 11 middle schools (27%), and 3 of the 7 high schools (43%) met the district's integrative benchmark of 65% of students of low SES. Table 1 provides the percentage of students at the elementary, middle, and high school levels enrolled in OPS in the 2009–2010 school year by SES and race. The number of schools in and out of compliance with the OPS Student Assignment Plan as well as the percentage of students receiving free or reduced-price lunch suggests that it was more challenging for the district to achieve integration at the elementary level than the other levels. Table 1 also documents the strong association between the percentage of students receiving free or reduced-price lunch and the percentage of racial/ethnic minority students.

Table 1
Percentage Enrollment by Socioeconomic Status (SES) and Race/ethnicity in Omaha Public Schools, 2009–2010 School Year

Level	Low SES	Racial/ethnic minority students
Elementary school		
Highest percentage	98.1	94.3
Lowest percentage	7.6	17.7
Average	70.3	61.9
Middle school		
Highest percentage	86.7	82.3
Lowest percentage	23.9	31.6
Average	70.0	62.7
High school		
Highest percentage	83.5	81.4
Lowest percentage	43.1	40.7
Average	66.5	60.9

Note. Low SES determined by qualification for free or reduced-price lunch. Source: Omaha Public Schools, 2009a.

Even though there are more schools out of compliance than in compliance with the OPS Student Assignment Plan at every grade level, there was still a sentiment expressed by administrators across the district that the plan promoted integration. An OPS administrator indicated that this was evident in the amount of choices made by parents throughout the district. Among the many choices available to parents in OPS, the district is finding that many parents are opting to send their children to magnet schools. Through the many years of the Student Assignment Plan, the district has learned, as an interviewee said, "that parents are willing to make choices to magnet schools. Magnet schools

are our most successful story. That we are integrating our schools based on those innovative programs." While only 3 elementary, 2 middle, and 1 magnet high school are in compliance with the plan, parents are indeed making choices to send their children to magnet schools as they are many of the highest populated schools in the district (OPS, 2009a).

While parents are taking advantage of the many choices offered in the Student Assignment Plan, it is important to recognize who is making these choices and how this affects the district's ability to achieve its diversity goals. An interviewee stated,

> Parents who are, families that are families of color and families of poverty, are more likely to make choices [to schools outside of their neighborhoods] than middle-class parents. What we've seen particularly at the elementary level is greater movement east to west than west to east. But we do get movement west to east. We have also learned that parents want to make choices but not extreme choice in terms of distance. So, what we've seen is that the parents who are making choices particularly in high poverty are very interested in these choices that are in the middle of the district.

The types of parents making choices in OPS contradicts the findings of many studies of school choice, which suggests that choice plans may result in only some families (those of higher incomes and/or more knowledge about school choice) being involved in the process of choosing which schools their children will attend (Frankenberg & Siegel-Hawley, 2008; Holme, 2002). While parents of differing SES backgrounds are participating in school choice throughout the district and magnet schools are socioeconomic and racially diverse, OPS is at a crossroads in terms of its ability to create racial and socioeconomic integration within schools. The growing concentration of poverty in OPS; the inability of landlocked Omaha to expand and grow, thus reducing the resources available to the community; and an option enrollment law that allows students to transfer to other school districts (predominately White and middle-class students) all suggest that the sociopolitical and geographic contexts have created limitations for the implementation and success of the OPS Student Assignment Plan. The new Learning Community could be the answer to achieving integration across both urban and suburban school districts in the greater Omaha metropolitan area. On the other hand, unless there is a will and desire by all of the school districts involved in the regional plan to meet the 38% integrative benchmark across all schools, OPS will continue to struggle to achieve its diversity goals.

A New Era of Integration in Jefferson County, Kentucky

History of the JCPS Student Assignment Plan. Whereas OPS is an urban school district that has been unable to keep its White and middle-class families from moving into neighboring suburban districts, JCPS is a countywide district that, in part due to its size and in part due to court orders, has been able to maintain its diverse minority and socioeconomic population through its student assignment system. At the time of the *Brown* (1954) decision, the Louisville metropolitan area contained two school district systems: a city district (Louisville) and a suburban district (Jefferson County). Two years after the *Brown* decision, both school districts implemented plans that attempted to end de jure segregation. While the Louisville and Jefferson County plans technically ended de jure segregation in the districts, the persistent residential segregation that existed in both the city and county resulted in racially segregated schools in both school districts by the late 1960s (Cunningham & Husk, 1979).

It was not until 1974, through an order by the U.S. Court of Appeals for the Sixth District, were the school systems in Louisville and Jefferson County required to desegregate (McNeal, 2009). The Court also directed the Louisville and Jefferson County school systems to merge into one system in order to alleviate the segregation that existed in both districts (Kentucky Commission on Human Rights, 1983; Kurleander & Yun, 2001; *Newburg Area Council v. Board of Education of Jefferson County*, 1974; "Timeline," 2005; U.S. Commission on Civil Rights, 1977).

The new countywide school desegregation plan in Jefferson County was implemented in the 1975–1976 school year. The plan established clusters of schools that were either predominately White or Black; students were bused within these clusters in order to achieve a more balanced racial mix of students in schools. Racial guidelines were also established in the desegregation plan. Students who lived in school attendance areas in which they were a minority were not bused away from that school. Thus, the plan provided an incentive for both Black and White families to make residential changes that might lead to housing desegregation (Cunningham & Husk, 1979). In elementary schools, student populations had to be between 12% and 40% Black, and in secondary schools, between 12.5% and 35% Black (Cunningham & Husk, 1979; *Parents Involved*, 2007). Students were bused according to the first initial of their last names and their grade level; the busing plan was referred to as the alphabet plan due to this method of assignment. Under the desegregation plan, Black students were bused up to 10 of their 12 years in school, whereas White students were only bused 2 of their 12 years in school (Cunningham & Husk, 1979; "Timeline," 2005; also noted by an interviewee).

The merger of the Louisville and Jefferson County school districts led to a rapid increase in enrollment in Louisville's parochial schools as well as White flight to districts in counties surrounding the city (Cummings & Price, 1997; Wines, 1980). The new countywide desegregation plan also resulted in levels of violence similar to those that characterized by other civil rights battles. When desegregation was implemented in the Louisville metropolitan area in 1975, angry mobs protested, vandalization was pervasive, and tear gas was used to break up rallies (Wines, 1980). Most of the violence and unrest against desegregation occurred in White working-class neighborhoods (Cummings & Price, 1997). To control the demonstrations that were said to have reached near-riot levels, the governor called in additional state troopers as well as the Kentucky National Guard (Cunningham & Rusk, 1979).

Despite the violent protests against desegregation, busing continued throughout the county. Moreover, Kentucky showed one of the largest declines in segregation during the 1970s-busing era, partly because of the implementation of the countywide desegregation plan in Jefferson County (Orfield & Eaton, 1996). The merger of the Louisville and Jefferson County school systems has been considered one of the keys to the district's eventual ability to keep its schools integrated, according to an interviewee. A JCPS employee recalled the violence that broke out as a result of desegregation and how the community has been able to move forward and embrace diversity:

> We've been very fortunate that we have been able to move past the rocky time of 1975 when city-county school systems merged and we were ordered to bus students by the federal court. We had riots here and there are still many, many people in this community that remember that time. And since that time we've come a long way…I think the real back story in all of this is really how far our community has come in its acceptance of the notion that we would have a diversity that would mean that kids would go to school other than their school closest to their home.

A Changing Metropolitan Context: Whites Flee the City but not the District. Unlike OPS and the greater Omaha metropolitan area, the demographics of Jefferson County and JCPS have not changed as significantly since school desegregation was enforced after *Brown*. In 1970, Whites comprised 86% of the population compared to 75% today, while the Black and Hispanic populations have been steadily rising (Social Explorer, 2010). The 399 square mile urban-suburban community of Jefferson County is home to predominately White (75.4%) and Black (20%) residents. Only 3% of the county's population is Hispanic (Social Explorer, 2010).

Residential segregation also continues to persist in the Louisville metropolitan area. With the exception of Blacks, all other racial or ethnic groups in the Louisville metropolitan area live in neighborhoods that are predominately White. Blacks tend to live in neighborhoods that are more integrated, with more of a balance between White and Black residents (Social Science Data Analysis Network, 2000; U.S. Census, 2000).

Segregation remains pervasive in the suburbs as well. From 1970–1980, the Black population in Jefferson County more than doubled. However, although more Blacks have moved out of the city and into the suburbs in recent years, they are typically concentrated in majority Black suburbs. From 1980–1990, the Black population continued to grow in Jefferson County, increasing by 31%, as the White population effectively remained the same. During this same period, the wealthier suburbs in Jefferson County saw an increase in the number of White households, while more working-class suburbs saw a rise in the number of Black households (Cummings & Price, 1997).

Revising the Plan to Maintain Diversity. Since its inception, the JCPS Student Assignment Plan has gone through many revisions to reflect the shifting demographics in the community. By the mid-1980s several JCPS schools had fallen out of compliance with the mandatory racial percentages of the plan (*Parents Involved*, 2007). In 1984, the JCPS desegregation plan was revised. The plan was referred to as the "4-4-84" plan, as it was implemented on April 4, 1984, and was revised to include zones and satellite areas for middle and high school students so that the majority of students were allowed to go to schools in their residential area, according to an interviewee. Adjustments were also made to the racial guidelines established by the court in 1975 to reflect the shifting demographics in the community. Elementary schools now had to be between 23% and 43% Black, middle schools between 22% and 42% Black, and high schools between 16% and 36% Black ("Timeline," 2005). Magnet schools were added to two high schools, and the alphabet busing system was adjusted, leading to an estimated annual reassignment of 8,500 Black and 8,000 White students (*Parents Involved*, 2007). A JCPS district-level employee described the reasoning behind the newly developed plan:

> When we started this 4-4-84 plan, up until that time the school district was losing about a 1% market share per year for like 5, 6 years in a row. By market share I mean any kid between the ages of 5 and 18. If they go to one of their competitors—parochial school, private school—we've lost them. Well, we were losing at the start of desegregation, we had the University of Louisville do a projection for us and we were at let's say 85,000 kids Grades K–12. And they had projected that we would be down to 60,000 by the early 1990s, by like 1995.

Fortunately, JCPS did not lose as many students as projected by the University of Louisville. By 1988 the district had achieved substantial progress in its desegregation plan. For the first time since the plan's initial inception, all of the schools in JCPS had achieved racial balance (Cummings & Price, 1997). However, gaps still persisted between Blacks and Whites in a number of areas: (a)

Whites were more likely to be placed in Advanced Placement courses; (b) Blacks were experiencing higher levels of discipline; (c) Black teachers, coaches, and administrators were placed in inner-city and vocational schools; and (d) Blacks were being bused to inner-city, White, working-class schools rather than suburban schools (Cummings & Price, 1997; Kentucky Commission on Human Rights, 1988; National Interreligious Commission on Civil Rights, 1988).

While the district was making progress with its desegregation plan, the school board felt that it was not in students' best educational interest to be assigned to two or more schools during their elementary school years. The board conducted a yearlong review of its desegregation plan, which included consulting with parents and members of the community as well as holding public forums to receive input from the community at large. Once the review was completed, in 1992 the board adopted a new desegregation plan called Project Renaissance that emphasized choice (*Parents Involved*, 2007). The plan offered parents managed school choice and replaced much of the busing throughout the district. Students could now apply to schools or programs of their choice and be assigned to the schools or programs subject to building capacity, racial guidelines, and sometimes admissions criteria (JCPS, 2008a).

The district's racial guidelines were revised once again: Elementary schools now had a guideline of 12–50% Black students, middle schools 16–46% Black students, and high schools 12–42% Black students. The boundaries of the racial guidelines were set at 15% above and 15% below the general student population percentages in the county at each respective grade level. The revised plan drew new geographical student assignment zones in order to meet these racial guidelines, and the district was allowed to reassign students if schools failed to meet the guidelines (*Parents Involved*, 2007). For elementary schools, the plan drew an initial neighborhood line around each elementary school, followed by a second line around groups of elementary schools; these groups were referred to as clusters. Students were initially assigned to their neighborhood school but could transfer to another school if the transferring student was Black and transferred from a predominately Black school to a predominately White school or, conversely, if the student was White and transferred from a predominately White school to a predominately Black school (*Parents Involved*, 2007).

For middle school students, the plan required students to be assigned to their neighborhood school unless the student applied for and was accepted into a magnet school. High school students were allowed to apply to and attend any high school in the district so long as the racial guidelines in the schools were met (*Parents Involved*, 2007). In 1996, the district modified the Project Renaissance plan and required all schools to meet racial guidelines of 15–50% Black students. The revised plan also expanded transfer opportunities for elementary and middle school students only if the transfer requests would allow schools to remain within the 15–50% racial guidelines (JCPS, 2008a; "Timeline," 2005).

It was not until 2000 that substantial changes were made to the plan. Plaintiffs[3] from a previously excused case (*Hampton v. Jefferson County Board of* Education, 1999) came back to court, moving to dissolve the JCPS desegregation decree based on the use of racial quotas that denied African American students an equal opportunity to attend the Central High School Magnet Career Academy (*Hampton v. Jefferson County Board of Education*, 2000). The plaintiffs' motion to suspend the

[3] In 1998, unhappy with the limitations placed on the enrollment of African Americans at Central High School Magnet Career Academy, six African American parents sued JCPS, requesting the racial guidelines be thrown out (*Hampton v. Jefferson County Board of Education*, 1999). The plaintiffs claimed that limiting the number of African Americans who could be admitted to the school under the managed-choice system was an unconstitutional infringement on their children's rights (*Hampton v. Jefferson County Board of Education*, 1999; JCPS, 2008a). The Court ruled that the school board established the racial guidelines as an ongoing effort to comply with the continuing desegregation decree.

JCPS desegregation decree was carried out, ending 25 years of the court-ordered desegregation decree. In spite of the disbandment of the JCPS school desegregation decree, the school board showed their commitment to diversity by voluntarily continuing to implement its race-conscious student assignment plan, applying the 15-50% racial guidelines, but modifying the plan to reflect the court's ruling regarding magnet school assignment, which stated that no student could be denied admission to a magnet school on the basis of race (*Parents Involved*, 2007).

In what was the beginning of the eventual companion case to *Parents Involved* (2007), *Meredith* (2007), in 2002 David McFarland filed a complaint in the U.S. District Court, Western District of Kentucky, claiming that his two sons were denied enrollment into a traditional JCPS magnet school because they were White. Three additional plaintiffs joined the *McFarland* lawsuit in 2003, including Crystal Meredith. In 2004, Judge Heyburn ruled that JCPS could still use its student assignment plan at all schools, but could no longer separate applicants by race and gender before they are chosen for enrollment at traditional magnet schools (*McFarland v. Jefferson County Public Schools*, 2004; "Timeline," 2005). Meredith filed an appeal and in 2005, the U.S. Court of Appeals for the Sixth Circuit affirmed Judge Heyburn's previous ruling (*McFarland v. Jefferson County Public Schools*, 2005). Meredith then filed a petition for writ certiorari in the U.S. Supreme Court. The Court agreed to hear the case and on June 28, 2007 ruled in favor of the plaintiffs, stating school districts cannot use race as a sole factor in assigning or denying students placement in schools (*Meredith*, 2007; *Parents Involved*, 2007).

Assigning JCPS Students Post–Parents Involved. After the *Parents Involved* (2007) ruling was handed down, JCPS moved quickly to begin the process of developing a revised student assignment plan. After engaging in a year-long process to develop a new plan, the district decided to implement a geographic plan based on multiple criteria, which included the percentage of minority students in the elementary residential area, the educational attainment of adults 25 and over in the elementary residential area, and the median household income per household member in the elementary residential area. These factors were chosen in large part because the research consistently shows that there is a strong association between these factors and students' academic achievement (JCPS, 2008a). Additionally, since JCPS has a high number of students receiving free and reduced-price lunch, district officials knew that relying solely on this SES indicator would be ineffective as schools would quickly become socioeconomically segregated.

Under the new JCPS Student Assignment Plan, the district is organized into two geographic areas, Geographic Area A and Geographic Area B, requiring elementary schools to have between 15% and 50% of their students coming from Geographic Area A. Geographic Area A includes neighborhoods where the percentage of minority students is above 48%, the average household income is below $40,000, and the average educational attainment falls below the district average (JCPS, 2009). Geographic Area B consists of schools with a lower than average percentage of minorities and higher than average levels in educational attainment and median income per household member. The race of an individual student is not used in the new JCPS Student Assignment Plan (JCPS, 2008a, 2008b).

Along with the new geographic areas, new elements of the JCPS Student Assignment Plan are as follows: (a) expansion of the definition of minority from only Black students to all non-White students (the district had been using the categories "Black" and "other" previously), (b) reconfiguration of the district's 89 elementary schools into six geographic contiguous clusters (groups of schools that exchange students to ensure each school has a diverse student population) to create an assignment plan based on where students live rather than on their individual race, (c) addition of magnet programs in 22 elementary schools, and (d) allowing students enrolled in Grades 1–4 for the 2008–2009 school year to remain grandfathered in their elementary assignments unless there is a change of home address (JCPS, 2008a, 2008b).

The new plan offers families more choice among schools due to the larger size of the clusters. Each of the six elementary clusters has 12–15 schools. The previous plan had 10 clusters of 5–10 schools each, according to an interviewee. Students are allowed to apply to up to four schools in their respective cluster, two schools in Geographic Area A and two schools in Geographic Area B. Students also can apply to a magnet school or a magnet or optional program. Students are assigned to schools via a lottery system, and all schools must have an enrollment of no less than 15% and no more than 50% of its students from Geographic Area A (JCPS, 2008a, 2008b).

Does Geographic Mapping Work to Maintain Diversity Goals? Even though JCPS is only in its second year of implementing its Student Assignment Plan, it is still important to look at how many schools are in compliance with the new diversity guidelines to see how the district is progressing toward its diversity goals. In the 2009-2010 school year, which was the first year of the new JCPS Student Assignment Plan, 43 of the 90 elementary schools (48%) were meeting the diversity guidelines that require schools to have 15–50% of their population coming from Geographic Area A. Diversity guidelines were only applied to first grade in the 2009-2010 school year. According to a JCPS district-level employee,

> We only applied the diversity guideline to first grade as other grades were allowed to "grandfather" or choose to move to a new school. This year [2010-2011] we will monitor Grades 1 and 2. The middle and high school boundary changes will start during 2011–2012 with their new magnet programs starting next year. They will also be grandfathered. We are anticipating that it will be 3–5 years before we will have full implementation and achieved our diversity goal in all the schools.

If middle and high schools were counted under the diversity goals during the first year, they would have been at 76% (19 of 25 schools) and 67% (14 of 21 schools), respectively.

Table 2 compares the diversity enrollment in JCPS for the 2008–2009 school year, when the percentage of Black students was used as the diversity guideline, to 2009–2010, when the percentage of students in schools from Geographic Area A was used as the diversity guideline. Because JCPS only monitored the first grade during the first year of the new Student Assignment Plan and allowed students in Grades 2–5 the ability to be grandfathered into the schools they attended the year prior to the new plan, it is important to look at the diversity enrollment in elementary grade levels separately. Interestingly, when comparing the measurement of diversity from the 2008–2009 school year to the 2009–2010 school year at the elementary school level, the diversity average is nearly the same. While diversity guidelines were not required for middle and high schools I provide diversity figures for these levels as well for comparison purposes.

Table 2
Percentage Enrollment by Ethnicity, 2008–2009 School Year, and by Geographic Area, 2009–2010 School Year, in Jefferson County Public Schools

Level	2008–2009 Black students	2009–2010 Geographic Area A students		
		Kindergarten	Grade 1	Grades 2–5
Elementary school				
Highest percentage	63.7	95.1	100.0	93.3
Lowest percentage	14.9	4.2	3.4	3.8
Average	36.6	33.4	34.0	34.8
Middle school				
Highest percentage	55.7		99.5 [a]	
Lowest percentage	21.9		0.2 [a]	
Average	37.5		31.7 [a]	
High school				
Highest percentage	64.1		90.7 [a]	
Lowest percentage	16.1		7.4 [a]	
Average	37.0		32.7 [a]	

Note. Source: Jefferson County Public Schools, 2010.
[a] If diversity guidelines were applied.

While the *Parents Involved* (2007) ruling forced JCPS to create a new Student Assignment Plan that does not rely on race to achieve integration, the district has remained steadfast in its belief and desire to maintain integrated schools as well as to enhance the quality of each school. The plan's potential success may in large part be determined by the district's unique county-wide configuration. By examining school districts' student assignment plans from across the country that are using socioeconomic indicators to achieve racial integration, along with the assistance of school desegregation experts and community input, JCPS district leaders have been able to meet the challenge placed on them by the Supreme Court and devise a new plan they believe can withstand the test of time and provide for even more integration throughout the district. Despite growing opposition from parents, which has already resulted in potential lawsuits against the legality of the plan as well as possible legislation that would allow students to attend neighborhood schools, the district continues to stand behind its plan and the benefits it can provide to the entire community (JCPS, 2008b; Kenning, 2010). However, as the demographics continue to change in Jefferson County and it becomes harder to accommodate parent choices, the district may not be able to retain its more affluent families. A JCPS employee worried about the future of the new Student Assignment Plan and its potential unintended effects:

> I think that this is going to be one of the issues, this is going to be an ongoing problem for us and I think one of the issues that we are going to continually have to look at is the market share issue. It's almost like we've got a catalyst for the perfect storm. The less we use choice and the more we assign, then the more affluent parents are going to leave the public schools and go private and that's going to leave me with even more A Area schools and fewer students and fewer B Area students to exchange with. In order to hold the market share, I've got to have B Area parents more of what it is they want and their choices than I have to safeguard against equity and access and overcrowding. So, I think this will be for us a very tough and delicate balancing act to continue with a multiple criteria plan when in fact the demographics of the county, in particularly with the public school enrollment is changing with free

> and reduced lunch and poverty going up within our district. And with that usually comes higher percent of minorities and less educational attainment.

Keeping the Dream of *Brown* Alive in Berkeley, California

Compared to the midsized urban OPS district and the large countywide JCPS district, BUSD is a much smaller school district located in a unique liberal enclave across the bay from San Francisco. Berkeley is a small community with a strong historical political commitment to diversity and integration. The city and the school district are particularly interesting and important to study given the continued success of its Student Assignment Plan, in spite of the persistent stratification in its residential areas.

History of the BUSD Student Assignment Plan. Unlike OPS, JCPS, and many other school districts across the country that were required by state and federal courts to desegregate their school systems, BUSD voluntarily chose to integrate its schools in order to alleviate the pervasive housing segregation throughout the city. While the voluntary desegregation of BUSD was a great triumph for the city, the process of designing and implementing the plan was fraught with challenges along the way. In fact, the Berkeley school board did not vote to begin desegregating its schools until 1964, focusing initially on middle schools (Freudenthal, 1964).

In 1966, BUSD introduced a voluntary elementary school desegregation plan and a large citizens committee was created to examine the potential of a mandatory desegregation plan. In 1968, the committee brought the board a proposal that included at its core a two-way busing component in which Black children were bused to the hills (where the population is predominately White) for kindergarten through third grade and White children were bused to the flats (where the population is predominately Black) during Grades 4–6 (Sullivan & Stewart, 1969; Wollenberg, 2008). The plan also included the creation of the four attendance zones, which ran diagonally through the city from the hills to the flats with the goal of achieving a racial balance in the elementary schools of 50% White, 41% Black, and 9% other (Chavez & Frankenberg, 2009).

Revising the Plan to Meet the Needs of the Community and Maintain Integration. The busing program implemented in the initial BUSD desegregation days remained a policy of the district through the 1990s before it was considerably modified (Wollenberg, 2008). At that time, the district began to recognize through the concerns of many parents that something needed to be done to increase the quality of certain schools in the district in order for parents to be willing to choose to send their children to schools outside of their neighborhoods (Herscher, 1993; Olszewski, 1994; Wicinas, 2009b). White students were leaving the district after the third grade, the year when they would have to be bused, and many upper middle-class White parents were complaining about security issues in the elementary schools in the city's primarily poor neighborhoods (Holtz, 1989).

As BUSD was trying to grapple with the declining White population in its schools, the idea of implementing a choice-based student assignment system began percolating through the district. The school board decided to divide the district was into three elementary zones—North, Central, and Southeast—incorporating the hills and the flats in each zone. Berkeley was mapped into 445 planning areas, each four to eight city blocks in size in order to determine residential patterns in the zones by race and ethnicity. The plan sought to maintain a racial balance at each school that was representative of each geographic zone, give or take 5 percentage points (Wicinas, 2009b). The plan also allowed families to choose among three elementary schools within their zone, ranking their preferences but fully aware that the district would make the final decision as to where students would be assigned through a controlled-choice lottery system prioritizing siblings and the ethnicity of individual students (Olszewski, 1995; Wicinas, 2009b). The new Student Assignment Plan was implemented in the 1995–1996 school year (Wicinas, 2009b).

The new BUSD Student Assignment Plan was only in place for one year when California voters passed a landmark policy, Proposition 209, amending the California Constitution and requiring that state and local government entities "shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education or public contracting" (*American Civil Rights Foundation v. Berkeley Unified School District*, 2009). Proposition 209 began to have an enormous effect on the state of California; lawsuits appeared against several school districts using race-based integration plans, resulting in the termination of such plans. Foreseeing a lawsuit against the BUSD Student Assignment Plan and its use of race to balance its schools, then Superintendent Jack McLaughlin began thinking about how a new plan could be developed that would hold up in a court of law. Superintendent McLaughlin felt that under the current plan the district could lose a potential lawsuit, which would result in the loss of control over the integration of Berkeley schools (Wicinas, 2009a).

A Changing Metropolitan Context but Stratification Continues. While demographics have shifted in Berkeley, the patterns of residential stratification persist. Whites and Asians have become more residentially integrated since the initial desegregation days, and Blacks and Latinos are still segregated and separated from these groups. The hills, northeast Berkeley, continue to have higher concentrations of White, wealthier families, while higher concentrations of low-income families and people of color are located in the flats, the southeastern portion of Berkeley (Chavez & Frankenberg, 2009). A BUSD district-level employee talked about the geographic racial divides in the city:

> People talk about the East-West divide in Berkeley because of the hills and the flats and that's true. But there's also a strong North-South divide. There's the Northsiders and the Southsiders. The people that live North of campus (University of California), Willard, that's like a foreign land to them because we're so parochial in Berkeley. It's really like two miles away. They don't relate to it, they're like, why do I want to go here? The campus is a really big geographical thing for this city in that way. It really does divide the city North-South as well.

The residential segregation results in continual fragmentation between cultural groups in the community. According to a Berkeleyan,

> In Berkeley, there's always a will to make little pockets of exception to integration. Parents are always just trying to make pockets of eliteness that they can draw their kids into it. That's been the battle forever because there are…Berkeley is so stratified. It contains extreme elites as well as socioeconomically really low parents that are poorly educated but still want their kids to be educated.

A BUSD district-level employee who grew up in Berkeley described demographic shifts the city has experienced during the last 30 years:

> It's a very, very diverse community socioeconomically, socially, language wise, racially, ethnicity…I think it's probably instructive how they've changed over what, this is 2009-2010, so how they've changed over the last 30 years really. I mean, I think I remember my dad saying when I was a little kid the African American population, the Black people are leaving Berkeley. Middle-class Black people are

> leaving Berkeley. And that's really true. So, I mean I think we have fewer African American people in Berkeley in general, and this is anecdotal… It has become more White…I think it's also become a lot more racially mixed…I think if you look at the African American population, we don't have a middle-class Black community in Berkeley anymore.

The Development of the Current BUSD Student Assignment Plan. Berkeley leaders have a long tradition of engaging the community as much as possible in its efforts to maintain and increase diversity throughout its schools. Being aware of this long-established Berkeley culture, then Superintendent Jack McLaughlin convened a large Citizens Advisory Committee on Diversity to study school integration in a legal climate very different from the *Brown* era. The large committee proved to be ineffective and never came together to suggest an alternative to the current assignment plan. In the meantime, the school board voted to continue implementing the same race-based plan for the 2000–2001 school year but required that two student assignment plan proposals be developed and brought to the board in November 2000. The board stipulated that one of the plans must include multiple factors, including race, to integrate the Berkeley schools; the other plan should use multiple factors while excluding race as a factor (Wicinas, 2009a).

In order to meet the charge posed by the board, Superintendent McLaughlin moved forward in establishing a new citizen's committee that would be much smaller in size and consisted of members either appointed or invited to participate. The Student Assignment Advisory Committee (SAAC) was comprised of appointed parent representatives from each school as well as principals and administrators. They developed a new student assignment system that would be based upon a map of the city and assigned a diversity composite category of 1, 2, or 3 to addresses in the city based on socioeconomic factors.

By 2001 the SAAC was now under the direction of the new superintendent, Michele Lawrence, and was charged with creating a new plan that did not use race as a factor for the 2003–2004 student assignment process (BUSD, 2002). While household income and parental education were the primary socioeconomic indicators to be used in the assignment of students, the SAAC wanted to explore additional socioeconomic indicators that factored into the strong residential stratification of Berkeley (Wicinas, 2009a). The committee visualized a plan that consisted of three or four socioeconomic indicators but evaluated formulas that included up to seven factors (Wicinas, 2009a; also noted by an interviewee).

At the end of 2002, the SAAC presented its proposal to the school board, a plan that consisted of two socioeconomic factors, income and parent education (BUSD, 2002). The board accepted the proposal but did not decide to implement it. Rather, the board decided to proceed with the old race-conscious plan in its current format for the following spring student assignment process (Wicinas, 2009a).

In August 2003, the Pacific Legal Foundation filed suit against BUSD claiming that in trying to balance its elementary schools by race, BUSD's student assignment policy was in violation of Proposition 209, which stated that local and government entities cannot discriminate against or grant preferential treatment to individuals or groups on the basis of race, color, sex, ethnicity, or national origin in public education, public employment, or public contracting (*Avila v. Berkeley Unified School District*, 2004). As the *Avila* case proceeded, on January 21, 2004, the final version of the BUSD Student Assignment Plan was submitted to the school board. In the revised plan, parental choice was still utilized, elementary schools remained divided into the same three zones, and students still had priority to attend a school that a sibling already attended.. However, instead of placing children into elementary schools by race, the new plan used demographic characteristics of

the planning areas where the students lived (Artz, 2004). In April 2004, the court ruled in favor of BUSD and the *Avila* lawsuit was dismissed.

In the 2004-2005 school year BUSD implemented the new Student Assignment Plan based on parent education level, parent income level, and race or ethnicity. The plan utilizes controlled choice, providing parents managed-choice options that simultaneously help the district achieve its goals of integrated schools. The plan also provides priority to siblings and continues to use the three elementary school attendance zones in order to integrate schools. Parents submit a "parent preference form" to the district, ranking their first, second, and third choice of schools within their attendance zone; magnet schools are included within these three choices (BUSD, 2004). As in the old BUSD Student Assignment Plan, the current plan continues to use geographic divisions to help identify residential patterns, which includes 445 planning areas, each four to eight city blocks wide (BUSD, 2004). However, in the current plan, composite diversity categories (1, 2, and 3) are assigned to planning areas based on parent income level, parent education level, and race or ethnicity. Each of the categories is weighted evenly in order determine the final category for each planning area. Planning areas designated as a Category 1 have a higher percentage of students of color and lower education and income levels, whereas Category 3 planning areas tend to have a lower percentage of non-White students and higher education and income levels. Category 2 planning areas fall somewhere in between (BUSD, 2004; also noted by an interviewee).

The goal of BUSD's Student Assignment Plan, ultimately, is to achieve socioeconomic and racial diversity reflective of the diversity within each elementary attendance zone in Categories 1, 2, and 3, within the range of 10 percentage points. The plan acknowledges the distribution differences of diversity categories in each attendance zone, which results in different diversity categories at each individual school (BUSD, 2004). For example, in the Northwest Zone, based on Census data, Berkeley has about 60% of its students in Category 1, 20% in Category 2, and 20% in Category 3. Therefore, the district wants to ensure that all of the Northwest Zone's elementary schools, whether it is Rosa Parks, Jefferson, or Thousand Oaks, have an enrollment of roughly 60% Category 1 students, 20% Category 2 students, and 20% Category 3 students. The same methodology applies to the Central and Southeast Zones (BUSD, 2009; also noted by an interviewee). The plan is implemented proportionally by zone, not the entire city. However, the goal of the plan is to eventually have the categories spread evenly throughout the district, according to an interviewee.

In the fall of 2006, BUSD once again faced a legal battle with the Pacific Legal Foundation over its Student Assignment Plan. In April 2007, challenges to the Student Assignment Plan were dismissed, with the judge upholding the district's use of race as one of several factors considered in its assignment plan (Bhattacharjee, 2007). The ruling was appealed, and the California Court of Appeals unanimously upheld the earlier ruling, stating that since BUSD assigned students based on neighborhood demographics, not an individual student's race, the district was not in violation of Proposition 209's prohibition on the use of race in public education (*American Civil Rights Foundation v. Berkeley Unified School District*, 2009). BUSD's Student Assignment Plan has been challenged in the courts three times over five years and each time has been upheld.

Realizing Integration in BUSD. Table 3 shows the percentage of students in each diversity composite category across the elementary attendance zones and the actual diversity composite category average of elementary schools within their corresponding zone for the 2009-2010 school year. In every BUSD elementary attendance zone, the actual diversity composite categories for the elementary schools are within plus or minus 10 percentage points of the zone's diversity composite average, which means the district is successfully meeting its stated diversity goals. All of the elementary schools, the only level in which the Student Assignment Plan is applied, are in compliance with the plan. There is some variance between the diversity composite categories for the

zones and the average diversity composite categories for the elementary schools. In the Northwest Zone, this variance is greatest in Category 1, with about -7% points. The same can be said in the Central Zone in Category 1, with an approximate variance of -5.8%. The Southeast Zone has less variance across all three categories, with the highest variance in Category 3, with 3.18% points over the zone's average.

Table 3
Percentage Diversity Composite Categories of Berkeley Unified School District Elementary Attendance Zones, 2009–2010 School Year

Zone	Category 1	Category 2	Category 3
Northwest	60.4	21.7	17.9
Elementary school avg.	53.1	24.4	22.6
Central	53.1	28.6	18.2
Elementary school avg.	47.3	29.0	23.8
Southeast	66.7	23.1	10.2
Elementary school avg.	63.8	22.9	13.4

Note. Source: Berkeley Unified School District, 2009.

Since BUSD voluntarily integrated its schools in 1968, the district and the city have been able to sustain high levels of diversity due in large part to the value the community places on diversity. Berkeleyans have been part of the process to maintain integration throughout its schools every step of the way. A BUSD district-level employee expressed this trend, stating,

> Well, Berkeley has been very entrenched in what they believe. Having been one of the first school districts to voluntarily integrate its schools, they take that very seriously. There were people there that said let them sue us, we will fight, we will take this fight wherever it takes and will raise all of the money we can get.

Exploring Cross-Case Themes

After analyzing the data collected in this study, a number of conclusions became evident as to the relationship between the design, implementation, and context in integration plans based on voluntary choice and SES. As is the case in all of the integration plans based on voluntary choice and SES analyzed in this study, people, policies, and places (Honig, 2006) all played fundamental roles in how the three distinct plans were shaped and adopted. The history of school desegregation, the battles between individuals to establish and maintain integration in schools through judicial rulings, the enduring effects of White flight, and the changing nature of the cities and school districts all represent particular contextual forces that have come together to form the present-day student assignment policies. The findings illustrate the power and limits of the design of each plan and how context interacts with design and implementation to produce particular outcomes.

The Design of SES-Based Integration Plans Must Be Carefully Tailored to the Context

One of the main goals of this study was to show how the design and context of integration plans based on voluntary choice and SES can interact to produce particular outcomes. Indeed, policies develop in "nested contexts" (Malen, 2006, p. 89) and cannot be fully realized without examining the design and context in which they are situated (Honig, 2006). Rowen & Miskel (1999)

argue that, "institutions and their broader environments 'generate rules, regulations, norms and definitions of the situation' that affect how actors think and behave" (p. 359, as cited in Malen, 2006, p. 89). Throughout the analysis it has become clear that the design of these plans does in fact depend heavily on the context in which they are located.

For example, in a context like Omaha, the controlled-choice plan based on geography that has been successful in Berkeley will not work because the context is so limiting. OPS simply does not have enough White students left in its district, and poverty levels have become so overwhelming that district leaders have had to abandon this effort and have begun to allow students the ability to choose from any schools in the district, not just schools within the attendance zones (OPS, 2009b). OPS has no other option but to rely on choice to provide the little SES integration that is possible in the district.

Conversely, in districts like BUSD and JCPS, policies that allow families to choose from any school within the district and do not include any type of geographic zoning and managed choice would be harmful to the districts' integrative efforts because popular schools would become quickly oversubscribed, potentially causing the loss of political support amongst families who did not get their first choice. Geographic zoning distributes demand and helps to regulate choice so that White or middle- to upper middle-class parents demand more than one school in the district. As a result of this "regulated demand," as it currently stands, BUSD's managed choice system has resulted in approximately 70% of parents getting their first choice, followed by about 50% of parents getting their second choice. If BUSD were to do away with their geographic zoning plan and move to an deregulated choice driven plan, the end result could see all of the affluent parents demanding to be placed in the same school. Since the district would not be able to accommodate all of these parents with their first choice, support of the plan could be undermined and some parents might even choose to send their children to schools outside of BUSD.

In JCPS, a deregulated choice-based plan would have much of the same effect as it would in BUSD. In fact, the 2009-2010 JCPS Student Assignment Plan established fewer geographic clusters but more choices *within* these clusters in order to avoid the possibility of one school being overselected and therefore fewer parents would be assigned to their first choice schools. However, offering more within-cluster choice carries with it some of the same risks as district-wide choice would theoretically carry; the increase in choice options in JCPS may result in certain schools being overselected and the inability for the district to meet as many first choices as desired. This not only could result in diminished political support for the plan, but it could also disadvantage students whose parents are not as savvy about the choice process. A high level of choice can result in an increase in isolation of the most disadvantaged students, as parents who have access to more information about how to make the best choices for their children will be most likely to choose which schools their children attend (Frankenberg & Siegel-Hawley, 2008; Holme, 2002). While this was not the case in OPS as more families of color and poverty were utilizing their choice options and choosing to send their children to schools outside of their neighborhoods, it is important to note that the impact of school choice policies greatly depends on who takes advantage of school choice, the types of choice options available to students, and parental knowledge about school choice (Cullen, Jacob, & Levitt, 2005; Holme & Wells, 2008). If all of these factors are not attended to in the new JCPS Student Assignment Plan, where more choice is provided, the district could be at risk of having less diverse schools.

Looking at the structure of these plans shows that geographic zoning works best in larger contexts like JCPS, where there is a substantial White population as well as political support. Geographic zoning also can work in a district like BUSD, where there has always been a deep commitment to integrated schools throughout the community. School districts interested in

implementing geographic zoning integration plans must be aware of their sociopolitical and geographic contexts, as these plans may not be as successful without the buy-in from the community and local policymaking bodies.

Individual-choice SES-based plans like the one in OPS that only rely on free or reduced-price lunch as its integrative benchmark are basically the only option in urban districts with small White populations. Choice-based plans serve as the best solution to achieving integration when no other options are available. However, the drawback to these plans is that they create a single-choice market, and people may be disenchanted with the plans and choose to move outside of the district when they fail to get their preferred choice. Unfortunately, OPS and many other urban districts just do not have other alternatives to pursue. In these types of contexts regional policies hold the best hope for sustaining integration.

Multiple Measures, Including Race, Increase the Possibility for Successful Integration

The next cross-case finding of this study demonstrates why the design of student assignment plans must incorporate multiple measures, including race, to increase the possibility for successful integration. Along with the potential pitfalls of offering too much choice in student assignment plans, given the changing demographics within school districts, the socioeconomic measures incorporated into these plans can undermine the plans as well. Dumas & Anyon (2006) note in their research just how much race and SES matter in education policy implementation. Indeed, in each of the plans examined in this study, "decisions at each step of the implementation process were informed by race and class" (Dumas & Anyon, 2006, p. 164), which forced the plans to be reassessed at different points in time, disrupting the implementation process.

OPS is the perfect example of a school district that is beginning to feel the effects of its changing demographics on its student assignment plan. OPS uses the free and reduced-price lunch indicator as its integrative benchmark in its plan. Since OPS implemented its previous plan over 10 years ago, the percentage of students receiving free lunch in the district has increased from 50% to 65%, making the ability to sustain integration within all of its schools very challenging and thus making it necessary to move to a new method of student assignment (OPS, 2009a; 2009b). The number of students receiving free or reduced-price lunch has increased over time in BUSD and JCPS as well, yet their schools have remained relatively diverse. This begs the question whether these districts' plans may be more successful in the long run in handling changing demographics since they utilize multiple SES factors, neither of which include free or reduced-price lunch.

Recent research has looked at the use of free or reduced-price lunch as a measure of SES by examining the National School Lunch Program and concluded that eligibility for free or reduced-price lunch is in fact a weak measure of SES (Harwell & LeBeau, 2010). Harwell and LeBeau argue that the characteristics of the free or reduced-priced lunch variable are flawed as the indicator is not strictly based on federal poverty guidelines, which are problematic in and of themselves given that poverty guidelines have not been updated to include changing consumption patterns since they were implemented in the 1960s (Hauser, 1994). Second, the number of students classified as being eligible for free or reduced-price lunch is not reliable. Studies looking at the verification of students eligible for free or reduced-price meals suggests that up to 20% of students can be misclassified, which in turn effects research using this measure of SES. Moreover, the reliability of free or reduced-price lunch as a SES indicator can come into question since it is a dichotomous measure (eligible, not eligible), whereas a measure of household income levels would be a better measure of SES (Harwell & LeBeau, 2010).

While only one of the student assignment plans analyzed in this study uses eligibility for free or reduced-price lunch as its integrative benchmark, its inability to maintain the same levels of

integration since the plan's inception works to support Harwell & LeBeau's (2010) claims regarding the problems associated with using this socioeconomic indicator. Furthermore, using eligibility for free or reduced-price lunch will not work in contexts where levels of poverty are high if other socioeconomic indicators are not used to supplement how integration is measured. The OPS case suggests that a plan based on a single and flawed indicator will not effectively promote diversity goals. In fact, when JCPS was designing their new Student Assignment Plan, given the high percentage of students receiving free or reduced-price lunch in the district the designers of the plan knew they could not implement a pure SES-based plan as they do not have enough students to make the exchange, according to an interviewee. As school districts across the country see the number of children eligible for free or reduced-price lunch increase, this indicator will not be able to serve as a sustainable benchmark of integration. If school districts wish to maintain levels of diversity throughout their schools, they should implement plans that use multiple, nondichotomous socioeconomic factors such as household income or educational attainment, as well as race, in their student assignment plans.

Discussion & Implications for Future Research

The diversity that results in the classroom from integration plans has been proven to lead to higher academic achievement levels among minority students, higher college and occupational aspirations among minority students, access to integrated social networks, positive interactions with students of different races and ethnicities, and an increased likelihood of living and working in integrated environments upon reaching adulthood (Braddock, Crain, & McPartland, 1984; Braddock & Dawkins, 1993; Kahlenberg, 2001; Kurleander & Yun, 2001; Patchen, 1982; Schofield, 1989, 1995, 2001; Stephen & Stephen, 2001; Wells & Crain, 1994). Certainly, integration plans based on voluntary choice and SES alone cannot serve as the only solution to the inequities prevalent in communities across the country. However, they can function as a mechanism that helps to improve the quality of life for students who live in neighborhoods lacking social inclusiveness.

Hopefully the lessons from this study will encourage district leaders to be more mindful of the types of integration plans that may work best to socioeconomically and racially integrate their schools, given the sociopolitical and geographic contexts. Additionally, this study can help researchers and policymakers to think of integration plans based on voluntary choice and SES in a more holistic manner, examining these plans from the moment they are conceived all the way through their implementation, paying constant attention to the role of context. People, places, and policies matter in the success of policy initiatives. Until we continually take into consideration all three factors in the design and implementation of integration plans based on voluntary choice and SES, providing equitable educational opportunities for all students may be harder to achieve.

Future research should examine integration plans based on voluntary choice and SES longitudinally before they are determined to be equity minded school reforms. Plans like the JCPS Student Assignment Plan that are phasing in new methods of achieving racial and socioeconomic diversity will take time before they are fully implemented. Thus, we need to examine how school districts adjust to new methods of assigning students over time to achieve their intended diversity goals once the plans are fully implemented. Moreover, if plans could be studied from their initial design phase through their eventual implementation, we could learn more about how and why decisions were made throughout this process and how they can affect outcomes.

Another suggestion for future research would be to examine whether integration plans based on voluntary choice and SES can be replicated in similarly situated contexts. Specifically, it is important to understand if plans that use the same socioeconomic indicators yield the same results

given the sociopolitical and geographic contexts. While some school districts may look the same demographically and geographically, they may not be able to obtain the same levels of diversity as their political contexts might vary. Therefore, we need to learn more about the impact of politics on these plans, including how the composition of the school board can affect the design and longevity of plans, how decisions are made, who is making these decisions, and why. Answering such questions could determine how much context matters in the design of these plans.

More research also needs to be focused on regional approaches to integration and whether these can work to balance racial and socioeconomic diversity throughout urban and suburban school districts. Specifically, if White upper- and middle-class families have opted out of sending their children to school districts in the cities where they live through interdistrict policies or open enrollment transfer programs, how can regional approaches work to bring these families back into the city?

Finally, more research needs to be conducted that analyzes the impact of increasing the number of magnet schools and programs in school districts on integration plans based on voluntary choice and SES. Magnet schools and programs that were originally designed as a result of initial desegregation plans were often successful in creating diverse schools in large part because the design of the programs, including specific features that attracted students of all racial and ethnic backgrounds (Blank, Levine, & Steel, 1996; Frankenberg & Siegel-Hawley, 2008). School districts are adding more magnet schools and programs as a way to maintain racial and socioeconomic diversity and even to attract White students whose families might have fled to other districts. Thus, it is important to determine if these programs can help to sustain diversity or if too many magnet schools or programs results in too many choices for parents. As previously stated, too many choices can result in an overselection of certain schools and a decreased likelihood of providing parents with their preferred choice of schools.

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