

THE CITY THAT (DIDN'T) MAKE IT WORK: AN ANALYSIS OF STATE-
SPONSORED RESEGREGATION IN CHARLOTTE-MECKLENBURG SCHOOLS

by

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Abstract

A 1984 editorial published in the *Charlotte Observer* proclaimed that Charlotte's "proudest achievement is its fully integrated school system...one of the nation's finest, recognized throughout the United States for quality innovation, and most of all, for overcoming the most difficult challenge American public education has ever faced" (Mickelson, Smith, & Hawn Nelson, 2015a, p. 2). However, the Charlotte-Mecklenburg School system (CMS) has become largely resegregated; in 2015, more than half of the students of color in Charlotte-Mecklenburg attended hypersegregated schools (Helms, 2015). This thesis aims to examine the resegregation of public education in Charlotte, and focuses on understanding the social, political, and economic causes of resegregation. Using Bonilla-Silva's (2001) theory of "new racism" as a frame of analysis and reviews of existing literature, this thesis examines the ways that decisions made by elected officials and government bodies work to uphold existing systems of racial inequity and guarantee disadvantages for students of color in the American public education system by directly or indirectly isolating students of color into segregated schools. As a result of these decisions at the local, state, and national level, Charlotte's public schools have transitioned from a national example of desegregation and racial balance to a highly segregated, inequitable school system.

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Introduction

A 1984 editorial published in the *Charlotte Observer* proclaimed that Charlotte's "proudest achievement is its fully integrated school system...one of the nation's finest, recognized throughout the United States for quality innovation, and most of all, for overcoming the most difficult challenge American public education has ever faced" (Mickelson, Smith, & Hawn Nelson, 2015a, p. 2). However, just sixty years after Dorothy Counts, an African American student, first desegregated Harding High School in Charlotte in 1957, the Charlotte-Mecklenburg School system (CMS) has become largely segregated again. According to 2015 enrollment data, more than half of the students of color in Charlotte-Mecklenburg attended schools where greater than 90% of their classmates were students of color, and 61% of White students in CMS attended majority-white schools (Helms, 2015).

The emphasis on the desegregation of public schools in Charlotte-Mecklenburg in the late 1960s and early 1970s, as well as the desegregation of other large urban districts, played a significant role in creating North Carolina's reputation of being a more progressive southern state. While the state of North Carolina began to revert to a more conservative political alignment in the 1980s, the city of Charlotte has continued to pride itself on its' social progressiveness (Jarvie, 2016). Charlotte considers itself to be a "New South" city, a term which once referred to the continual economic reinvention after the Civil War in the South, but now encompasses an idea of social progressiveness and positive race relations (Graham, 2016; Schindler, 2017). However, Graham (2016) argues, "You often don't have to scratch too hard on the surface of the New South to find the Old South right below it." In September of 2016, Charlotte's race relations became a topic of national conversation after

the police killed Keith Lamont Scott and the city erupted into protests over police brutality and institutional racism. Charlotte's history is replete with racism, including slavery, painful and divisive protests over school desegregation, and police violence, all continuing to impact racial tensions and violence in Charlotte and shattering the illusion of Charlotte as a progressive New South city. The racially-discriminatory resegregation of Charlotte-Mecklenburg Schools simply serves as another reminder of the existence of racism, division, and the Old South underneath Charlotte's progressive exterior. "Although Uptown's gleaming skyscrapers and chain restaurants seem to suggest a city that is both without, and untethered from, history, the Queen City was built on slavery and its racial politics remain fraught" (Graham, 2016).

The resegregation of Charlotte-Mecklenburg Schools is one of the numerous ways that a legacy of institutional racism has been maintained in Mecklenburg County, and the similar trends of resegregation across the nation reflect the continuation of institutional racism across the United States. For the purpose of this thesis, institutional racism is defined as "the racial outcomes that result from the normal operations of American institutions" (Bonilla-Silva, 2001, p. 26). Furthermore, Kwame Ture and Charles Hamilton frame institutional racism as reliant on "the active and pervasive operation of anti-black attitudes and practices," influencing both the operation of American institutions and reinforcing the discriminatory racial attitudes of White Americans (Carmichael & Hamilton, 1967, p. 5). It is important to note that while this thesis focuses on the ways that institutional racism has been maintained in American public education through the resegregation of schools, institutional racism and the powers that uphold it impact all aspects of public life in the United States, creating an interconnected network of racism and discrimination. Bonilla-Silva (2001) details

a number of pervasive discriminatory practices in public institutions, ranging from political barriers such as gerrymandering to police violence in the criminal justice system, residential segregation to labor market discrimination. In a 2014 interview following the police killing of Michael Brown in Ferguson, Missouri, law professor John A. Powell emphasized the connections between racism in schools and a national system of white supremacy that devalues Black life, stating:

We have, in the country, a history of not just the police, but the state, the law enforcement agencies, disrespecting black life. And it's disrespected in hundreds of ways. And then the police are just one expression of that. And again, we can measure that now. It's not simply a question of asking. And it's not the same as saying, "Is the country racist?" or even, "Are the police racist?" We live in a system in which black life is devalued. And it's reflected in our schools. (Keisch & Scott, 2015, p. 1).

Throughout the reading of this thesis, it is critical to keep in mind these connections between the practices and policies that have resegregated Charlotte-Mecklenburg Schools with the policies that uphold institutional racism and systems of white supremacy in other areas of society, creating "racialized social systems" surrounding the development of children (Bonilla-Silva, 2001, p. 90).

Significance

In the *Brown v. Board of Education* Supreme Court decision in 1954, the Supreme Court justices unanimously agreed that "In the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal" (*Brown v. Board of Education*, 1954). Still today, research has shown that the resegregation of students of color in has significant negative consequences for the resources and

opportunities available to students in schools with disproportionately high populations of students of color, particularly when resegregation includes increased exposure to high-poverty schools. Lower-income students of color are more likely to have fewer financial or cultural resources in their homes and neighborhoods compared to White, middle-class students, thus reducing the social capital and resources that parents can employ to provide benefits to their children's schools (Orfield, 2005; Reardon, 2016; Southworth, 2010). According to author Jonathan Kozol (1991), inner-city minority schools face "savage inequalities" in providing resources and opportunities to students:

[They] lack decent buildings, are overcrowded, have outdated equipment – if they have equipment at all – do not have enough textbooks for their students, lack library resources, are technologically behind, and pay their teaching and administrative staff less, which produces, despite exceptions, a low level of moral (Bonilla-Silva, 2001, p. 97).

Similar inequalities in educational opportunities and resources exist in schools that are made up of disproportionate numbers of students of color, even after controlling for poverty rates in schools (Borman & Dowling, 2010; Caldas & Bankston, 1998; Diette, 2010; Hanushek, Kain, & Rivkin, 2008; Harris, 2006; Mickelson et al., 2015a; Orfield, 2005; Reardon, 2016; Southworth, 2010). As Southworth (2010) argues, "racial composition reflects educational opportunities provided to students," and that as schools resegregate, institutional racism increases inequalities between schools made up of predominantly students of color and schools with predominantly White students (p. 6). Majority-minority schools also face difficulty in hiring and retaining qualified teachers; schools with larger proportions of

students of color often have fewer experienced teachers, fewer licensed teachers, and fewer teachers with advanced degrees (Orfield, 2005; Reardon, 2016; Southworth, 2010, p. 15).

As resegregated schools limit equitable access to resources, including advanced courses or qualified teachers, students of color experience an extreme disadvantage when it comes to closing the achievement gap. School segregation has been found to significantly impact student educational outcomes and increase, and contributes to the persistent achievement gap between Black students and their White classmates (Bohrnstedt, Kitmitto, Ogut, Sherman, & Chan, 2015; Caldas & Bankston, 1998; Coleman et al., 1966; Harris, 2006; Mickelson, 2005; Mickelson et al., 2015a; Reardon, 2016; Southworth, 2010).

Students who attend segregated schools are often more likely to have lower test scores than if they had attended integrated schools (Mickelson, 2005). In a study on North Carolina students' end-of-grade scores, Southworth (2010) found that the lowest scores on the 4th, 6th, and 8th grade tests were consistently found in high-poverty, racially imbalanced minority schools (p. 19). Conversely, students who attended desegregated schools and learned in diverse classrooms were more likely to show improvement in math, reading, and science, as well as earning higher test scores in middle and high school (Mickelson, 2005; Mickelson et al., 2015a). According to Borman and Dowling (2010), "It is clear that racially segregated schools compromised African American students' opportunity to achieve educational outcomes equal to those of their peers at majority-white schools" (p. 1241). In addition to the positive impact on K-12 test scores and academic achievement, desegregation has also been proven to increase a student's chances of enrolling in and graduating from college (Mickelson et al., 2015a). The positive benefits of desegregation have been shown to impact all students, regardless of race, ethnicity, or socioeconomic background, although

Mickelson et al. (2015a) argues that it is the “most disadvantaged youth [who] receive the greatest academic benefits from diverse schooling” (p. 12).

On top of exacerbating inequality in school characteristics and resources, as well as increasing and/or maintaining the significant achievement gap between students of color and White students, racially segregated schools continue to have notable effects on students’ social and emotional development. Segregation can increase intergroup prejudice, decrease intergroup understanding, and perpetuate racial fears and stereotypes (Mickelson et al., 2015a; Pettigrew & Tropp, 2006). This effect of school segregation extends beyond schools to local communities and broader conceptions of civil society; as students’ abilities to interact in diverse settings decreases and prejudice grows, Reardon (2016) argues that the “collective functioning of...democratic society” becomes threatened (p. 51). Attending desegregated schools provides greater opportunities for individuals to understand the ways that race impacts their lives, as well as the lives of others, and allows for more critical thinking in larger society (Mickelson et al., 2015a). In the case of Charlotte-Mecklenburg Schools, a study of CMS graduates found that students who attended racially diverse high schools in the 1990s were particularly competent at building positive intergroup relationships, more so than students who attended resegregated high schools (Hawn Nelson, 2010).

Since the *Brown v. Board of Education* decision in 1954, it has become increasingly clear that school resegregation negatively impacts all students, especially students of color. As a result, it is increasingly important to understand the political, economic, and social decisions and actions that built a school system that perpetuates such inequality. Furthermore, segregation and inequality in schools works to maintain and exacerbate

inequality for future generations of people of color, and continues to uphold systems of discrimination, white privilege, and white supremacy, years after the end of legalized segregation and racism in the Jim Crow era.

Frame of Analysis

The end of the Jim Crow era is typically seen as the end of legal, explicit racism within American public institutions, such as politics, schools, or employment, and most White Americans believe that the actions taken and policies put forward by branches of the government are race-neutral and treat all individuals equally. However, Bonilla-Silva (2001) argues that the demise of Jim Crow did end racial discrimination and inequality within American public institutions, but that institutional racism in the U.S. has transformed into a new racial structure since the Civil Rights era. Throughout this thesis, I use Bonilla-Silva's concept this new racial structure, referred to as "new racism," as a frame of analysis to study the causes and persistence of resegregation in Charlotte-Mecklenburg Schools (2001, p. 90). After the end of explicit, legal institutional racism, Bonilla-Silva argues that a culture of racism continues to persist within American public life and institutions, where it has since transformed into the new racial structure where institutional racism is perpetuated through more insidious and veiled methods, disguised by colorblind or race-neutral policies, in addition to explicit personal, and institutional racism. These are policies which claim to treat all individuals equally, regardless of race, yet ignore historic and modern racial context of discrimination and inequality. Race-neutral policies often obscure discriminatory intent and are rarely race-neutral in practice, resulting in further institutional marginalization of people of color when policies are "refracted through historical institutions, current rules, and societal norms" (Flynn, Holmberg, Warren, & Wong, 2016, p. 6).

Bonilla-Silva (2001) argues that within the structure of new racism, racial inequality is now upheld through “covert racial discourse...the avoidance of racial terminology and the ever-growing claim by Whites that they experience ‘reverse racism’... and the invisibility of most mechanisms to reproduce racial inequality” (Bonilla-Silva, 2001, p. 90). Many of the decisions which led to the resegregation of Charlotte-Mecklenburg Schools were argued to be made in the best interest of all students, including students of color, or were framed as non-racial issues. In some cases, claims of reverse racism were even entertained by White individuals involved in the Charlotte-Mecklenburg case. Not only did the policies and legal precedent in Charlotte-Mecklenburg change significantly from the busing years, but the narrative around segregation and race in schools transformed as well, often hiding the true nature of racial discrimination throughout the district and making discrimination more difficult to prove.

Bonilla-Silva (2001) also directly points out the importance of the Court’s transformation from the years of *Brown v. Board of Education* to the more recent *Oklahoma City v. Dowell* and *Freeman v. Pitts* decisions, which removed responsibility for school resegregation from the district as long as 1) it was not a result of state action, and 2) school districts could prove a “good faith” commitment to ending segregation (Chemerinsky, 2003; Dorosin & Largess, 2015; Reardon & Yun, 2005, p. 68). These cases also placed the “burden of proof” on the plaintiffs, continuing to exacerbate the problem discussed above of the difficulty of proving new racism (Bonilla-Silva, 2001, p. 119). As a result, Bonilla-Silva argues that the Supreme Court itself plays a role in “covering up the far-reaching effects of racism” (2001, p. 119). Chemerinsky (2003) takes this indictment of the courts one step further, arguing that “Every branch and level of government is responsible for the failure to

desegregate American public education... The courts are indispensable to effective desegregation, and over the last thirty years the courts, especially the Supreme Court, have failed” (p. 1600). The involvement of the Supreme Court in maintaining racial inequality through school resegregation harkens back to the government’s role in maintaining white supremacy throughout the Jim Crow era, aligning with Bonilla-Silva’s characterization of new racism as rearticulating some of the racial practices of the Jim Crow era (2001, p. 90).

New racism was conceptualized by Bonilla-Silva (2001) to describe actions taken by leaders, governments, and individuals to perpetuate a system of white racial domination and to “keep blacks in their (new) place” (p. 90). Furthermore, Bonilla-Silva (2001) perceives this framework of new racism as a racial ideology ingrained in various institutions, as well as individuals, that works to support and structure “racialized social systems” (p. 90). The concept of racialized social systems aims to illustrate the ways that institutional racism is organized throughout all aspects of American society, including education. I utilize this frame of analysis throughout this paper to make the case that the causes of resegregation within Charlotte-Mecklenburg Schools are a facet of the system of new structure of institutional racism, and have worked to uphold racial inequalities within CMS (and individual schools), thus promoting and creating a covert, implicit racialized social system of segregation and stratification in Charlotte’s public schools.

Purpose and Outline of Thesis

The purpose of this Honors thesis is to examine the resegregation of public education in Charlotte, North Carolina, and to understand the political, economic, and social causes of resegregation in Charlotte-Mecklenburg Schools. Through reviews of existing literature, this thesis makes the case that resegregation in Charlotte-Mecklenburg is a result of many

decisions made by government bodies and elected officials, and therefore should be regarded as state-sponsored segregation, even if school resegregation on the basis of race is not an official or formal process within Charlotte-Mecklenburg Schools. In this thesis I examine the ways in which race-neutral decisions work to uphold a system of racial inequity and guarantee disadvantages for students of color in the American public education system. As a result of these decisions at the local, state, and national level, Charlotte's public schools have transitioned from a national example of desegregation and racial balance to a highly segregated, inequitable school system.

First, this thesis examines the history of desegregation in Charlotte-Mecklenburg Schools in order to frame the context and significance of the district's resegregation. The significance of studying the resegregation of Charlotte-Mecklenburg Schools comes not only from the significant academic and social effects of resegregated schools on students' educational achievement or emotional development, which is not applicable only to Charlotte schools. Charlotte-Mecklenburg Schools requires particular attention in academic and policy discussions regarding resegregation due to its rich and complex history surrounding desegregation and busing in the late 1960s and early 1970s. In order to fully comprehend the consequences of recent resegregation and the political and social processes that have restored segregation to the CMS system, it is important to first reflect on the historic decisions and actions of elected officials, community leaders, teachers, and parents who valued integration and a quality education for all students in Charlotte.

This thesis then moves to a discussion of resegregation trends across the United States, particularly the South, and Mecklenburg County. While Charlotte-Mecklenburg has a unique history of school segregation, cities and school districts across the nation have also

faced widespread resegregation of schools over the past thirty years. Reviewing the extent of resegregation across the nation helps to frame the narrative of Charlotte-Mecklenburg Schools as part of a national epidemic of new racism and new racial social structures in American public education. This section is followed by a case study of West Charlotte High School to demonstrate both extremes of school composition (desegregation and resegregation) within Charlotte-Mecklenburg Schools over the past forty years, as well as to provide qualitative data and personal accounts to illustrate the personal impacts of desegregation and the subsequent resegregation on students.

Lastly, this thesis reviews the social, economic, and political causes of resegregation in Charlotte-Mecklenburg Schools by examining decisions made by the school district, Charlotte's corporate class, the courts, and individuals within Mecklenburg County. This section also discusses the ways that Charlotte-Mecklenburg's transformation from a racially balanced school district to a hypersegregated district with rampant inequality and discrimination towards students of color was framed by a lack of commitment to desegregation across the broader political and social sphere. Each of the actions taken by various actors within the narrative of the resegregation of Charlotte-Mecklenburg Schools aligned with Bonilla-Silva's characterization of new racism, particularly when focusing on the "invisibility of most mechanisms to reproduce racial inequality" (2001, p. 90). The resegregation of Charlotte-Mecklenburg Schools has worked to uphold the new racial social structure of Bonilla-Silva's theory of new racism, and has both maintained and increased inequality in educational quality and academic attainment for students of color throughout the district.

Desegregation of Charlotte-Mecklenburg Schools

The first steps towards desegregation of Charlotte-Mecklenburg Schools took place in 1957, when Dorothy Counts, Gus Roberts, Girvaud Roberts, and Delores Maxine Huntley integrated four junior high schools and high schools across the district, at great personal risk (Gaillard, 2006). While the city of Charlotte was quick to integrate public accommodations at the insistence of the corporate class, the city was much slower and more hesitant to fully integrate public schools (Smith, 2015). Therefore, in 1964, seven years after the first steps towards integration were taken in Charlotte-Mecklenburg Schools, only twenty-one of the 109 schools in the district could boast any desegregation, and only 822 of the 20,000 Black students across the county were in school with White students. This number was also inflated by the 374 Black students who attended Bethune Elementary School with eleven White students, meaning just over 2% of Black students attended school with White students in 1964 (Gaillard, 2006, p. 25-26).

It was in this context in 1965 that Julius Chambers, a young Black lawyer, filed a lawsuit against the Charlotte-Mecklenburg School system on behalf of 80 sets of Black parents, including Vera and Darius Swann. The Swann's were two Presbyterian missionaries who spent several years raising their son, James, in India, and returned to the Jim Crow south to find that James would not be able to attend their neighborhood school. In a letter to the Charlotte-Mecklenburg board of education, Darius Swann stated that "James has never known the meaning of racial segregation. We have been happy to watch him grow and develop with an unaffected openness to people of all races and backgrounds, and we feel it is our duty as parents to ensure that this healthy development continues," (Gaillard, 2006, p. 26). Within their lawsuit, the Swanns challenged the enduring duality and segregation of

public schools in Charlotte, as well as the policy which discouraged freedom-of-choice transfers into integrated schools, but permitted transfers out. Initially U.S. Federal Judge J. Braxton Craven argued that there was no requirement in the Constitution to act purposely to increase racial mixing, and ruled in favor of Charlotte-Mecklenburg Schools (Gaillard, 2006). Nevertheless, the *Swann v. Charlotte-Mecklenburg Board of Education* suit, and the court involvement that continued for 34 years after, changed the educational, political, and economic makeup of Charlotte for years to come.

In 1968, the *Green v. New Kent County* Supreme Court decision changed the legal landscape surrounding school desegregation, as the Supreme Court declared that the New Kent County schools had an “affirmative obligation to eliminate the historic patterns of segregation ‘root and branch’” (Gaillard, 2006, p. 37). In 1969, Julius Chambers reopened the *Swann v. Charlotte-Mecklenburg case*. He argued that the new desegregation plan adopted by the CMS system in 1965, which assigned most students to neighborhood schools but also funded an extensive building program to end the segregation of ten all-Black schools. The CMS plan also attempted to remedy one of the Swann’s greatest complaints with the school system, which was that students were allowed to opt out of integrated schools, but were not allowed to transfer into integrated schools. However, Chambers still argued that this plan did not follow the Supreme Court directive to “eliminate the historic patterns of segregation ‘root and branch,’” as the emphasis on neighborhood school policies did little to remedy the history of residential segregation in Charlotte, and therefore ensured that schools remained largely segregated (Gaillard, 2006).

James McMillan, a Federal Judge who filled the seat vacated by Judge Craven on the U.S. District Court for the Western District of North Carolina, ruled in the 1969 re-opening

of *Swann* that schools in Mecklenburg County were not fully desegregated. The chief reason he cited for his decision was the impact of residential segregation on school segregation:

“Approximately 14,000 of the 24,000 Negro students still attend schools that are all Black, or very nearly all Black, and most of the 24,000 have no White teachers ...

The system of assigning pupils by ‘neighborhoods,’ with ‘freedom of choice’ for both pupils and faculty, superimposed on an urban population pattern where Negro residents have become concentrated almost entirely in one quadrant of a city of 270,000, is racially discriminatory” (Gaillard, 2006, p. 42-43).

In order to avoid the impact of residential segregation on school demographics and student achievement, McMillan endorsed busing and racial balance quotas as remedies to racial segregation, becoming the first U.S. District Court Judge to explicitly affirm these practices. The Charlotte-Mecklenburg school board appealed McMillan’s decision to the United States Court of Appeals for the Fourth Circuit, which asked McMillan to hold additional hearings on school segregation and apply a “test of reasonableness” (Gaillard, 2006, p. 63). McMillan soon ruled that his decision had been reasonable, and required that the busing and quota plans he had ordered be reinstated when schools opened in September. As a result, the case was appealed up to the Supreme Court, where Chief Justice Warren Burger agreed to hear the *Swann v. Charlotte-Mecklenburg Board of Education* case in October of 1970, allowing busing to begin in September in accordance with Judge McMillan’s District Court ruling (Gaillard, 2006).

The *Swann v. Charlotte-Mecklenburg* Supreme Court case began after a tumultuous first month of integration at schools across the district. Schools were delayed in opening by nine days as district officials struggled to finalize routes for 191 additional buses (for a grand

total of 525 buses in CMS), and there were six bomb threats at Charlotte-Mecklenburg schools on the first day of classes alone. Despite the turmoil across the district, court proceedings on *Swann* began as usual in October of 1970, the beginning of a case which all Supreme Court justices recognized as a landmark case nearly as momentous as *Brown v. Board of Education of Topeka*. There was also a heightened awareness of the national repercussions of the decision - if the court upheld busing, racial balance standards, or the idea that housing patterns were in any way influenced by the state, state-sponsored segregation and integration order would no longer be relegated only to the South (Gaillard, 2006). Ultimately, McMillan's orders were upheld in a unanimous decision by the Supreme Court, which also stated that busing, racial balance quotas, "pairing and grouping of noncontiguous school zones," and other remedial techniques were constitutionally permissible and within the court's power (Gaillard, 2006, p. 75-76). Lastly, and perhaps most important in terms of the future resegregation of Charlotte-Mecklenburg Schools, the Supreme Court justices stated that "Neither school authorities nor district courts are constitutionally required to make year-by-year adjustments of the racial composition of student bodies once the affirmative duty to desegregate has been accomplished," although school authorities were not barred from instituting rigid racial balance (Gaillard, 2006, p. 76).

With no further channels of legal dissent, the school board and CMS stakeholders moved toward finding a plan to end segregation in schools. The already difficult problem was further complicated when Judge McMillan turned down the 1971 school board proposal which required White students to be bused out of their neighborhoods for only one year while Black students would be bused for five, and primarily bused White students from working-class neighborhoods while more affluent neighborhoods were rarely bused outside

of their primarily white schools and neighborhoods (Gaillard, 2006). Opponents of busing tried to fight McMillan's plan, claiming that he was exceeding his constitutional limits by including economic integration in the plan. In 1975, McMillan was finally satisfied with a joint proposal by the school board and the Citizens Advisory Group which paired elementary schools in predominantly white and predominantly Black neighborhoods, with students being bused for three years each, and fashioning large contiguous attendance zones for junior and senior high schools. Ten years after the first *Swann* suit was filed, McMillan closed the case against Charlotte-Mecklenburg Schools (Gaillard, 2006; Mickelson et al., 2015a). For years, students and parents in CMS lived in apparent harmony, with racial balance and improved educational outcomes, drawn together by pride in their community as the "city that made it [school desegregation] work" (Smith, 2015, p. 20). However, as the section that follows will demonstrate, the integration and harmony of the early years of busing quickly gave way to a system of hypersegregated schools and growing inequality.

Resegregation Trends

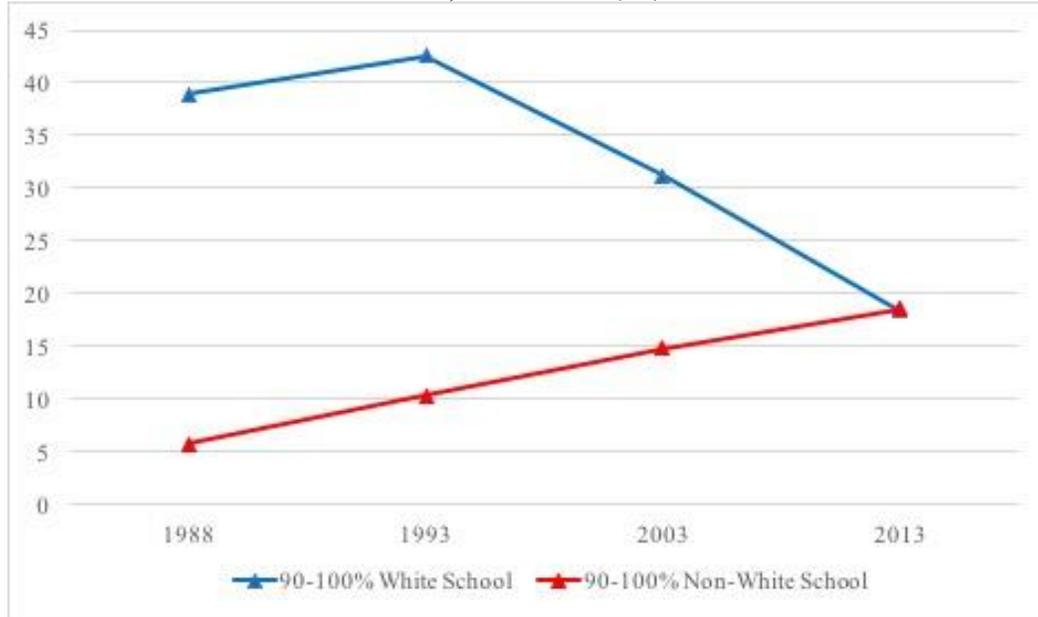
The era of racial balance in schools that followed the close of the Charlotte case was short-lived. As a result of court cases and lawsuits, transfers of political power, economic growth, and demographic change, Charlotte soon began to see a transformation in the community's attitude and commitment towards integration (Gaillard, 2006). By 2015, nearly twenty percent of schools in the Charlotte-Mecklenburg system can be considered "hypersegregated," with more than half of the Black and Hispanic students in CMS attending schools where at least 90% of the student population are students of color, while 61% of White students in CMS attend the thirty-nine majority-white schools in the district (Hawn

Nelson, Mickelson, & Smith, 2015, p. 2; Helms, 2015). School districts across the nation, particularly in the West and the South, have faced comparable trends of widespread resegregation since the 1980s.

Resegregation Trends Across the United States

Orfield, Ee, Frankenberg, and Siegel-Hawley (2016) argue that since 1988, the year with the highest level of Black-white desegregation across the U.S., students of color across the nation have experienced a period of “continuously increasing segregation” (p. 3). By 2013, the number of hypersegregated “nonwhite” schools across the nation is nearly equivalent to the number of hypersegregated schools in Charlotte-Mecklenburg Schools, with 18.6% of all public schools across the United States have a student population that consists of at least 90% students of color (p. 3). Orfield et al. (2016) also notes that the number of hypersegregated schools with predominantly white student populations, and less than 10% students of color, has decreased from 38.9% to 18.4%, allowing white students to perceive an increase in integration while students of color are becomingly increasingly isolated in majority-minority schools. Figure 1 illustrates this increase in hypersegregated schools with large populations of students of color since 1988, while the number of hypersegregated white schools has decreased since 1993.

Figure 1: Percentage of 90-100% white schools and 90-100% “non-white” schools in the U.S., 1988-2013 (%)



Source: Orfield et al., 2016; U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), Public Elementary/Secondary School Universe Survey Data.

A 2014 report by the Civil Rights Project exemplified the national resegregation trend with the analogy of a representative class of thirty students. The typical White student would be in a classroom with twenty-two other White students, two Blacks, four Latinos, one Asian, and one “other” (Orfield, Frankenberg, Ee, & Kuscera, 2014, p. 12). When taken in conjunction with the findings of Orfield et al. (2016), this data illustrates the phenomenon of within-school segregation, where students of color are placed in segregated academic “tracks” within desegregated schools. Tracking often works to limit access to “gifted and talented” programs for students of color, while disproportionately pushing students of color to remedial tracks, or even special education (Darling-Hammond, 2004, p. 223). Therefore, while the number of extremely white schools have been decreasing since 1993, White students are still in classrooms where a majority of their classmates are also White. On the other hand, the typical Black or Latino student across the United States would have eight White classmates, and at least twenty Black and/or Latino classmates (Orfield et al., 2014).

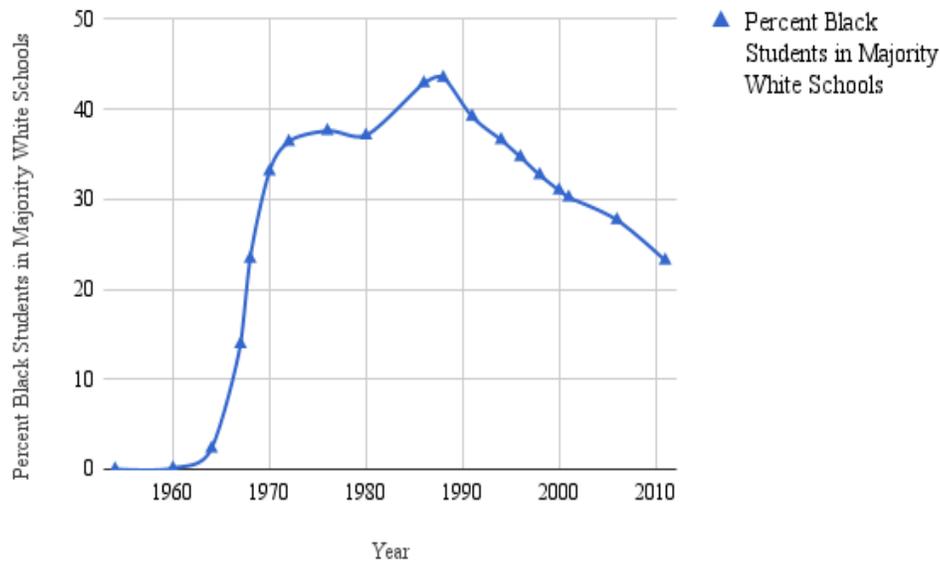
Resegregation also varies between urban and suburban schools; in the suburbs, many Black and Latino students attend schools that are more than 70% “nonwhite,” but in central cities most Black and Latino students attend schools with populations that are nearly 90% “nonwhite” (Orfield et al., 2014, p. 14).

Additionally, schools that are highly segregated by race also experience high levels of poverty, meaning that over 70% of students at the school qualified for free or reduced lunch (FRL). On the other hand, only 4% of schools that are over 90% White and Asian have more than 80% of students living in poverty. The Civil Rights Project argues that this “double segregation” is representative of the overlapping nature of poverty and racial concentration (Orfield et al., 2014, p. 15). The correlation between high populations of students of color and high concentrations of poverty is important to note due to the continued phenomenon of “racial economic inequality” faced by people of color, yet another facet of new racism (Bonilla-Silva, 2001, p. 111). Bonilla-Silva (2001) points out that not only do African Americans earn significantly less income when compared to Whites, but they also face occupational segmentation, discrimination within the labor market and hiring practices, and considerable wealth inequality. Not only is this racial economic inequality founded upon similar covert, institutional practices of new racism, but it works to justify and maintain new racial social structures in schools. With this understanding of the institutional connection between racial and economic inequality, as well as the recent trend of increasing double segregation throughout the United States, Judge McMillan’s insistence that the Charlotte school desegregation plan in 1975 include busing across racial and economic boundaries requires additional commendation (Gaillard, 2006).

Overall, it is clear that resegregation has increased in school districts across the United States, primarily on the basis of race but has also included school segregation according to socioeconomic status, a measurement which often works to further isolate low-income students of color. This resegregation is taking place in every region across the United States, and is actually happening at the highest rates in the West (Frankenberg, Siegel-Hawley, Ee, & Orfield, 2017; Orfield et al., 2014). However, the South still requires particular attention to resegregation taking place across the region, primarily due to the region's high-profile history of resisting desegregation.

Resegregation Trends Across the South

Most states in the South faced court-ordered desegregation policies in the 1960s and 1970s, yet have still seen significant deterioration of school integration efforts in recent years, leading to high rates of school resegregation (Chemmerinsky, 2003; Frankenberg et al., 2017). At the height of integration efforts in the South, 44% of Black students attended majority-white schools. By 2011, that number had decreased to just 23%, which is even lower than the number of Black students attending majority-white schools in 1968 (Orfield et al., 2014). While Orfield et al. (2014) points out that Black students are still ten times more likely to attend majority-white schools than they were at the time of the passage of the Civil Rights Act of 1964, Figure 2 shows that schools have been resegregating since the 1990s, and if the pattern continues, schools will continue to resegregate, exacerbating educational inequality and further discriminating against students of color in public schools across the South.

Figure 2: Percentage of Black Students in Majority White Schools in South, 1954-2011

Source: Orfield et al., 2014; U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), Public Elementary/Secondary School Universe Survey Data. Data prior to 1991 obtained from the analysis of the Office of Civil Rights data in Orfield, G. (1983). *Public School Desegregation in the United States, 1968-1980*. Washington, DC: Joint Center for Political Studies.

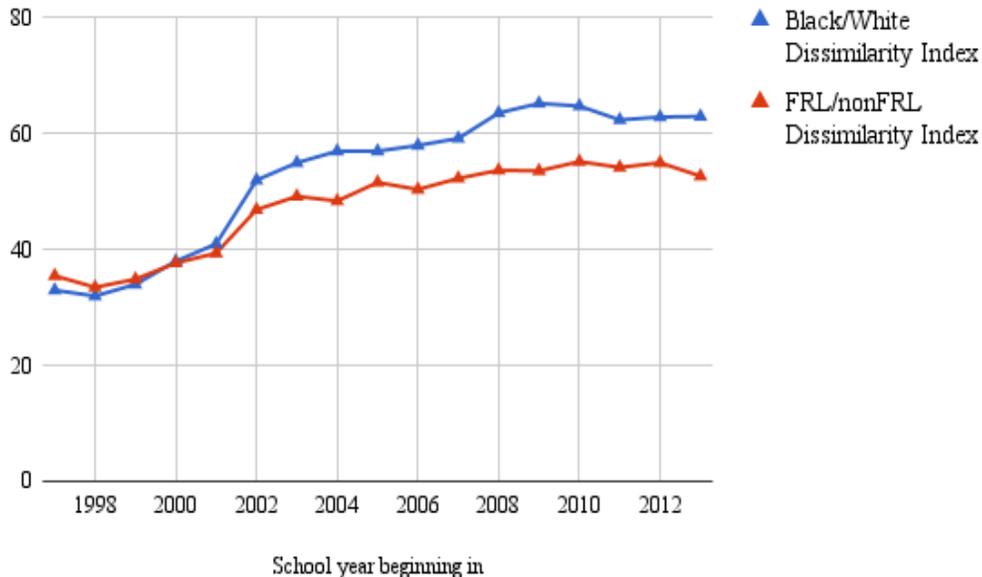
Southern school resegregation has also become more complicated as a result of recent demographic changes throughout the region, including the high rate of Latino immigration. In 2014, there were more southern Latinos than Blacks in the region, which has brought new issues of equity and integration into the light in a region which has historically focused on Black-white relations and integration (Orfield et al., 2014). School resegregation in Charlotte-Mecklenburg Schools has experienced analogous trends of resegregation since the 1980s, not only as a result of similar demographic changes to those experienced by the Southern region, but also as a result of deliberate race-neutral (yet inherently racialized) decisions made by politicians, district administrators, the courts, and individuals within CMS.

Resegregation Trends in Charlotte-Mecklenburg Schools

Resegregation in Charlotte-Mecklenburg Schools follows the trends taking place in urban, suburban, and rural school districts across the nation (Clotfelter, Ladd, & Vigdor,

2015; Frankenberg et al., 2017; Orfield et al., 2014). Racial and socioeconomic segregation increased significantly in 2002, and has since continued to rise (Smith, 2015). This trend is best represented through the use of a dissimilarity index, which measures the proportion of students who would have to change schools in order for every school to achieve a racial composition that equals that of the entire school system.¹ The separation of Black and White students in Charlotte-Mecklenburg has nearly doubled since the 1997-1998 school year to levels of severe resegregation, and segregation of students on free or reduced lunch has increased by nearly twenty points over the same period, as represented in Figure 3.

Figure 3: Elementary school racial and socioeconomic resegregation in CMS, 1997-2013



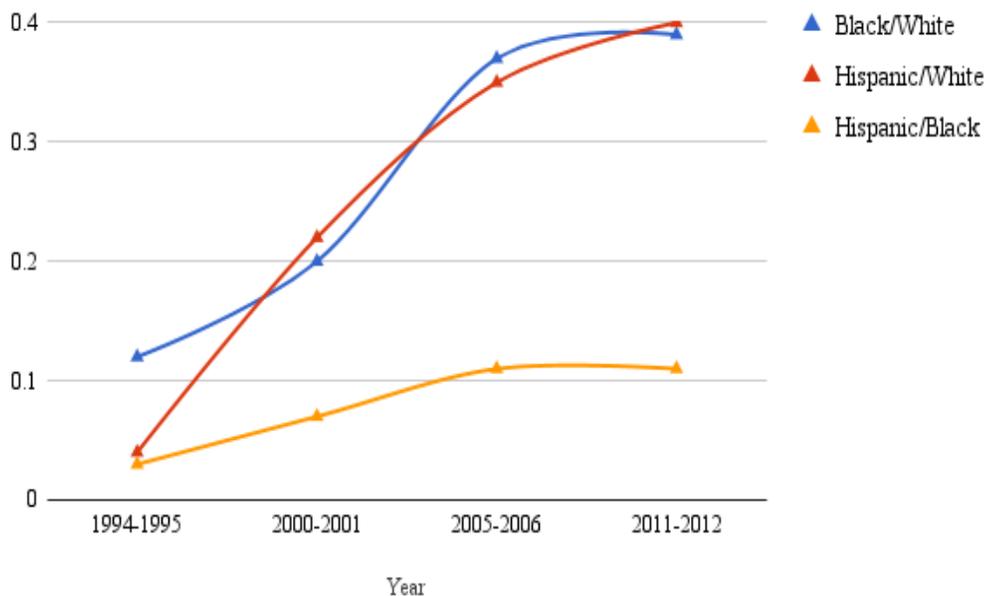
Source: Smith, 2015, p. 28-29; Charlotte-Mecklenburg Schools.

Another method of data analysis which has been used to exemplify resegregation within Charlotte-Mecklenburg Schools is an index of imbalance, which measures the degree to which the racial composition of public schools in CMS fail to mirror the demographic

¹ When using a dissimilarity index, scores between 0 and 100 represent the level of racial balance within a district. According to Brown University's American Communities project, "A value of 60 (or above) is considered very high...[v]alues of 40 or 50 are usually considered a moderate level of segregation, and values of 30 or below are considered to be fairly low" (Brown University American Communities Project, 2010).

makeup of Mecklenburg County as a whole. For example, the imbalance index for CMS was .20 in 2000-2001, suggesting that interracial contact in schools is 20% less than it should be if all schools in Mecklenburg County were perfectly balanced by race (Clotfelter et al., 2015, p. 72-73). Figure 4 displays the imbalance indices for Black/White, Hispanic/White, and Black/Hispanic student populations.

Figure 4: Imbalance Index 1994-2012, Charlotte-Mecklenburg Schools

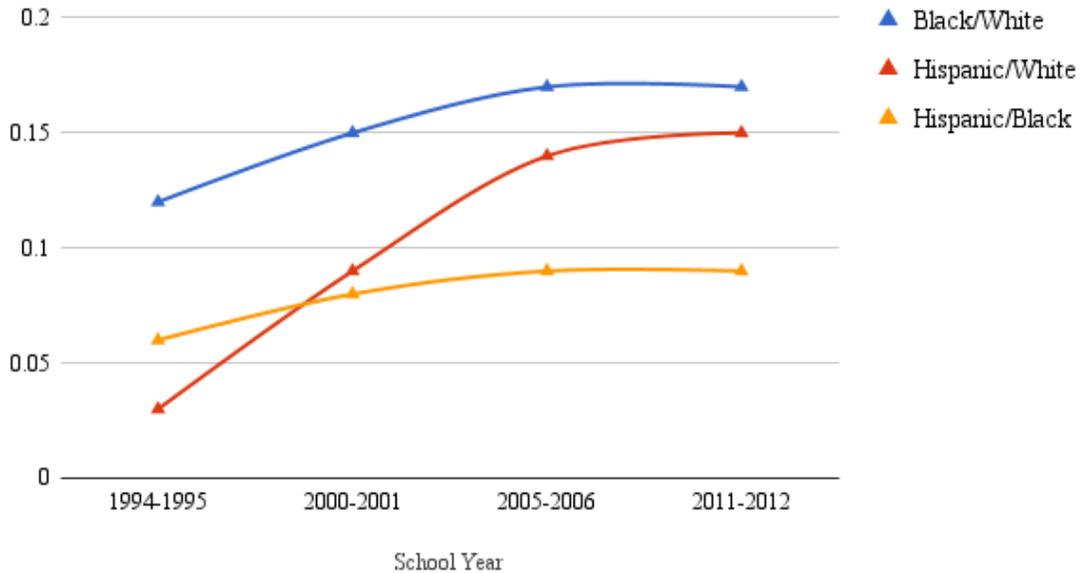


Source: Clotfelter et al., 2015, p. 75; National Center for Education Statistics, Common Core of Data, 1994-1995, 2000-2001, 2005-2006, and 2010-2011; NC Department of Public Instruction, 2011-2012; authors' calculations (Clotfelter et al., 2015).

For comparison, Figure 5 provides the imbalance indices for the same demographic groups as Figure 4, but using the average data for the state of North Carolina. Since 2005, Charlotte-Mecklenburg Schools has shown a higher rate of racial imbalance in public schools than any of the other largest counties in North Carolina (Wake, Guilford, Cumberland, and Forsyth), and has consistently had a higher rate of racial imbalance than the North Carolina state average. In Charlotte-Mecklenburg, Black/White imbalance and Hispanic/White

imbalance is more than double the average rate of imbalance found in public schools across N.C (Clotfelter et al., 2015).

Figure 5: Imbalance Index 1994-2012, State of North Carolina



Source: Clotfelter et al., 2015, p. 75; National Center for Education Statistics, Common Core of Data, 1994-1995, 2000-2001, 2005-2006, and 2010-2011; NC Department of Public Instruction, 2011-2012; authors' calculations (Clotfelter et al., 2015).

As shown here, resegregation has increased throughout the Charlotte-Mecklenburg district, as well as other cities and regions across the United States over the past few decades, but few schools have been a more representative example of both the potential success of desegregation and the intense pain of resegregation in Charlotte than West Charlotte High School (WCHS). The following section provides a brief qualitative case study of the transformation of West Charlotte High School throughout both desegregation and resegregation in Charlotte-Mecklenburg Schools, illustrating the school-level institutional shift as a result of the new racial structure of school resegregation and the personal impacts of desegregation and resegregation on students.

Desegregation and Resegregation Trends: A Case Study of West Charlotte High School

Throughout the desegregation era of Charlotte-Mecklenburg Schools, West Charlotte High School was seen as a national model of the success of desegregation in CMS. “Boys and girls...black and white...went to school together, learned together, played together, fought together, cried together, and out of it all evolved a spirit of togetherness unknown in this community before,” argued Mertye Rice, a veteran teacher at WCHS (Grundy, 2015, p. 40). While not all schools were as successful in their desegregation efforts as West Charlotte, WCHS became a flagship school for the CMS system, and was seen as representative of the school district by others across the nation. As the school resegregated and academic achievement plummeted, the school’s former reputation was even more significant as it exemplified the considerable transformation of the school district. By 2005, West Charlotte High School was the lowest performing high school in CMS, and had a higher percentage of low-income and Black students than any other high schools in the district (Mickelson, Smith, Southworth, & Trull, 2015b, p. 53). By examining West Charlotte High School, which was simultaneously one of the most successful cases of desegregation and one of the most devastating example of resegregation throughout Charlotte-Mecklenburg Schools, readers will gain a stronger understanding of the extensive changes that took place as CMS resegregated, as well as the scope of the individual impacts of desegregation and resegregation on students of color throughout Charlotte.

Desegregation of West Charlotte High School

West Charlotte High School opened in 1938 as a school for Black students, and quickly became the “pride of the Black community in Charlotte” (Rab, 2014). Students consistently participated in and won statewide competitions in athletics and academics, and

the families and neighborhoods surrounding the school pulled together to ensure that students had access to the resources and opportunities they needed for a quality education (Grundy, 1998; Rab, 2014). In 1974, however, West Charlotte came into the spotlight in a new way as it became a pivotal aspect of Judge McMillan's desegregation plan, mandated during *Swann v. Charlotte-Mecklenburg*.

In an early version of the Charlotte-Mecklenburg board of education's busing plan, conservative leaders argued to transfer black students out of WCHS instead of bringing White students in, which threatened the school with severe under-enrollment, as well as a substantial loss of teachers and resources. At the same time, less affluent Charlotteans were outraged when they realized that upper-class White students were hardly bused outside of their neighborhoods, and that it was African American students and lower-income White students who were responsible for much of the integration of the district. As a result, Federal Judge James McMillan and members of the moderate Citizens Advisory Group argued that busing to West Charlotte High School should include students from the nearby Myers Park neighborhood, a wealthy and predominantly white neighborhood, which was also home to several of the conservative, anti-busing school board members. In the mind of Judge McMillan and many members of the Charlotte community viewed the busing of wealthy White students to West Charlotte High School as the "litmus test of good faith" (Gaillard, 2006, p. 118). Despite the anti-busing sentiment that McMillan was trying to enforce economic integration along with racial integration, leaving conservatives to argue that he was over-extending his constitutional limits, the desegregation plan which bused students from the Myers Park neighborhood to West Charlotte High School was passed on July 9th, 1974.

A year later, Judge McMillan closed the Charlotte school case, a decade after it had been opened by Julius Chambers and the Swann family (Gaillard, 2006).

As West Charlotte High School began the difficult and frequently contentious task of desegregating, teachers and community members fought to ensure that the history and tradition of the school was maintained, and that all students, regardless of race, could connect to the significance of WCHS within the surrounding community. Before desegregation, students looked at West Charlotte as being “one big family,” a tight-knit community where everyone knew everyone (and everyone’s parents) personally (Grundy, 1998). As White students started to integrate WCHS, the students and administrators found themselves struggling to overcome self-segregation in social activities, such as increasing the number of White students on the cheerleading team and the number of African American students in upper-level courses. The debate coach spoke of her experience in attempting to desegregate the primarily white debate team by reaching out to respected Black English teachers with upper level students, stating that “I know that it can work, but I also know that if you don’t go out there and do it yourself, it is not going to happen” (Grundy, 2015, p. 44).

While many aspects of school culture remained unchanged throughout desegregation at WCHS, students who had attended the school before 1975 recognized significant improvements to the quality of the school’s facilities and resources. Since its foundation, West Charlotte faced significant resource deficiencies, a trend which has historically and currently plagued majority-minority schools. Students of color and low-income students are more likely to attend schools with fewer resources, including less adequate facilities and less access to high quality teachers, than schools made up of primarily White and middle-class students (Orfield & Lee, 2005). After students from the wealthy Myers Park neighborhood

were bused to West Charlotte, the historically Black school “got a facelift: six new mobile classrooms, a new paved parking lot for student cars, two new tennis courts, and a thoroughly refurbished interior” (Grundy, 2015, p. 41).

Despite all the complications that accompanied the integration of a prominent historically Black high school, West Charlotte emerged as a national example of integration, as it embodied “a multiracial determination to move beyond the inequalities of segregation, and to educate Black and White students for life in an increasingly prosperous city” (Grundy, 2017, p. 2). Many students reported that their time at WCHS was the most integrated experience of their life, bringing together students from different racial and socioeconomic backgrounds (Grundy, 2015). When violence over school desegregation increased in Boston, West Charlotte High School students wrote letters of encouragement to students in Boston Public Schools, stating: “I hope you people will have the patience and determination to make a go of the situation you are in. We, here in Charlotte, have faith in you and care about what is happening to you” (Gaillard, 2006, p. 132). These letters, printed in the *Boston Globe*, quickly led to a student exchange between Charlotte and Boston, as well as a new national reputation for Charlotte as “The City That Made It Work” (Gaillard, 2006). Meanwhile, Black and White students worked side by side in student organizations and cheered together at Friday night football games, building relationships that defied racial divisions. Lastly, the school soon had the strongest parental support in the Charlotte-Mecklenburg system, a highly qualified teaching staff, and was reporting high levels of academic achievement for students. In 1987, West Charlotte seniors won \$420,000 worth of college scholarships, and faced a dropout rate of only 4% (Gaillard, 2006). Ultimately, many believed that students received a higher quality of education through the integration of West Charlotte High School, and

pointed to West Charlotte as an example of the positive benefits of desegregation across Charlotte-Mecklenburg Schools.

Resegregation of West Charlotte High School

The significance of West Charlotte High School as a case study of segregation in Charlotte includes not only its positive history with integration, but also its recent transformation since Charlotte-Mecklenburg Schools were declared to have fully desegregated within the orders of the 1971 *Swann* decision, thus removing the legal requirement for desegregation. With the implementation of the Family Choice Plan in 2002 West Charlotte High School quickly began to revert to an all-Black school, reflecting the demographic makeup of the surrounding neighborhood. By the end of the 2003-2004 school year, West Charlotte had the lowest White enrollment in the county at 2%, the highest participation in FRL at 61.9%, and less than 5% of students in Gifted and Talented classes, the second lowest in the district (Mickelson, et al., 2015b, p. 54). By 2010-2011, the number of White students at WCHS had decreased to just 1.8%, and the number of students who were eligible for free or reduced lunch increased to 83% (Charlotte-Mecklenburg Schools, 2011; Mickelson et al., 2015b). In comparison, Myers Park High School, which is largely populated by the upper-class White students who had previously been bused to West Charlotte High School, became known as one of the nation's top high school, with only 42% of the school's population made up of students of color, and just over a third of students receiving free or reduced lunch (Mickelson et al., 2015b).

In 2005, North Carolina Superior Court Judge Howard Manning reported that the “at-risk,” low-income children at West Charlotte High School, as well as the rest of CMS’s “bottom 8 high schools,” were facing a form of “academic genocide” (Mickelson et al.,

2015b, p. 53). Students at WCHS were more likely to have unqualified teachers, as classrooms were largely staffed by lateral entry and alternative certification instructors, especially those from Teach for America. Resource quality and facility preservation began to decline, as students had to share outdated and overused textbooks within a dilapidated school environment (Grundy, 1998; Mickelson et al., 2015b). As a result, students' academic performance at West Charlotte High School began to falter. SAT scores were approximately 200 points below the CMS average, and only 2% of students enrolled in AP or IB courses throughout their high school experience. Average end-of-course scores hovered between 33% for Algebra I and 55.8% for English I, approximately thirty to forty percent lower than the Charlotte-Mecklenburg average (Mickelson et al., 2015b).

The transformation of West Charlotte High School has had tangible and emotional impacts on the student population and the surrounding community. Despite numerous well-intentioned and expensive reform attempts, including tutoring, credit recovery programs, and Project LIFT, a high-cost public/private partnership which aims to provide educational and social services to students and families in the WCHS feeder zone, students are still facing the same academic genocide that Judge Manning observed in 2005 (Mickelson et al., 2015b; Rab, 2014). Despite attending a school which was once nationally known for its success with integration and community support, WCHS students now face nearly insurmountable odds, leading one student to state: "Nobody in the community believes in us. Like, the whole city. Nobody thinks we're as great as we really are" (Rab, 2014).

The case of West Charlotte High Schools reveals both sides of Charlotte-Mecklenburg's history of school desegregation and resegregation, as well as the impact that segregation has on the surrounding community. According to civil rights attorney James

Ferguson, the resegregation of West Charlotte “tells you what can happen when you assume that we continue along a path of progress, but we don’t act to make sure that we stay there” (Grundy, 2017, p. 182). However, the resegregation of West Charlotte High School and other schools throughout the county were not only a result of passivity, but of actions and decisions made by those who held political, economic, and social power throughout Mecklenburg County. In this next section, we look at the steps that Charlotte-Mecklenburg Schools took, as well as broader political and social causes, which have worked to create the resegregation seen throughout the district today.

Causes of Resegregation

The resegregation of Charlotte-Mecklenburg Schools did not occur in a vacuum, but was the result of years of conscious actions and policies which either directly or indirectly impacted the ability to maintain racial balance in schools and provide all students with a quality education. Beginning soon after Judge McMillan closed the *Swann* case in 1975, attitudes towards desegregation and racial equality began to change throughout Mecklenburg County, leading to the significant transformation of the district to a segregated system which maintained the new structure of institutional racism and inequality in schools for students of color throughout the county. This transformation in institutional commitment, which set the stage for Bonilla-Silva’s (2001) new structure of racism to take hold of the school system, is exemplified through the revision of the Charlotte-Mecklenburg Schools vision statement in 2006. Throughout stages of resegregation beginning in the early 1980s, the school system itself remained committed to working towards integration as best they could, evident through a vision statement which had proudly included the objective of being “the premier urban,

integrated school system in the nation” (Smith, 2015, p. 29). By 2006, however, the statement was edited to express that the district “provides all students the best education available anywhere, preparing every child to lead a rich and productive life” (Smith, 2015, p. 29). The conscious decision to exclude institutional commitment to desegregation from the CMS vision statement is representative of the sociopolitical transformation of Charlotte-Mecklenburg from the days of busing in the 1970s to the highly segregated school system that causes a deep divide throughout the county today. Without a strong commitment to racially equitable and desegregated public education, the structure of new racism has infiltrated CMS policies and culture, using policies of institutional racism to uphold racial inequality and providing students of color with a lower quality educational experience. The first step in this institutional transformation and resegregation of Charlotte-Mecklenburg Schools began with suburban turmoil and the prioritization of corporate interests and development over desegregation efforts.

I. Turmoil begins in Charlotte – Development, expansion, and local politics

Turmoil began to grow in Charlotte soon after the end of the *Swann* case, shaking the foundation of racial balance the stakeholders across Mecklenburg County had worked so hard to build. In 1988, when more than 4,000 students were reassigned in order to accommodate the building of two new schools, discontent flourished in the suburbs of South and East Charlotte. Hundreds of students throughout the district had been assigned bus rides that took more than an hour each way, and the constant shuffling of students increased the strain of busing on parents and families of all races (Gaillard, 2006).

One of the reasons for the building frustration in the Charlotte suburbs regarding busing policies was the frequent demographic shift that the city was going through. On one

hand, the introduction of busing in CMS identified the intra-district migration of White families to more white, suburban neighborhoods, a kind of white flight which increased the national trend of suburbanization within Mecklenburg County (Lord & Catau, 1977). Lord and Catau (1977) used an attraction index, or “in-out ratio,” to measure the number of white households with a child transferring to a school compared to the number transferring out of the same school in order to determine patterns of intradistrict migration within Charlotte-Mecklenburg (p. 788-789). Overall, the ratio of White students moving into the primarily Black center of the city fell by about 10 points from 1971-1973, creating a net loss of white households, while the ratio of White students transferring into the suburban and rural areas of the city increased by nearly 30 points (Lord & Catau, 1977, p. 791). The effects of white flight were significantly enhanced by the rapid expansion of Charlotte into a national headquarters for the banking industry, which brought a significant population shift of newcomers from outside the South. For the most part, these individuals and families were accustomed to segregated, suburban school systems, and lacked the same sense of pride in overcoming segregation that had driven many of the more established Charlotte residents from the 1960s and 1970s (Smith, 2015). The influx of White families looking for whiter suburbs to live in also contributed to the difficulties that plagued busing throughout the district, leading a columnist from the *Charlotte Observer* to note that, “If some of the city’s explosive suburban growth could be shifted around to the north and the west, it would be much easier to deal with school [racial] imbalances” (Smith, 2015, p. 21).

The changing interests of Charlotte’s corporate class also impacted the local commitment to desegregation efforts throughout the 1980s. During the desegregation era of *Swann* and busing in Charlotte, business and corporate leaders often supported the interests

of the Black community in order to create a mutually beneficial relationship. In return, Black political leaders would mobilize local voters in support of economic development platforms and issues, and would work to elect pro-growth political candidates (Smith, 2004). As a result, Charlotte gained a reputation as a progressive New South city, and local politics reflected the alliance, including the election of Harvey Gantt as mayor in 1983 and 1985, the first Black man to be elected mayor of a large, predominantly white Southern city (Hawn Nelson et al., 2015). However, whenever desegregation and development interests came into conflict with one another, the interests of the business community typically won out. Hawn Nelson et al. (2015) explained this using Bell's interest convergence theory. Essentially, Bell (1980) argues that Blacks' interests, especially when it comes to issues of racial justice, are only accommodated when they coincide with the priorities of White policymakers. When Charlotte's corporate class could use the support of the Black community to advance their business interests, they would politically throw them a bone. By the 1980s, however, the corporate class no longer found the partnership with Black voters necessary, and largely abandoned their previous devotion to issues of desegregation and racial justice, changing the political climate of Charlotte for years to come (Hawn Nelson et al., 2015; Smith, 2015).

An interesting example of the ways that development interests worked to hamper desegregation efforts was the building of the I-485 outerbelt in Charlotte. Throughout the debate over the placement of the outerbelt route, the Chamber of Commerce and most major builders and developers in Charlotte favored the more southern of the two options, despite the fact that it would lengthen school bus routes connecting predominantly white suburban neighborhoods with predominantly Black neighborhoods (Hawn Nelson et al., 2015; Smith, 2004; Smith, 2015). The decision was ultimately made due to the influence of Johnny Harris,

a local landowner who had used his fund-raising activities for the 1984 campaign of the Republican Governor James Martin in order to secure an appointment to the state's Board of Transportation. Harris owned 2,000 acres of land in the Ballantyne community, and the proximity to the I-485 outerbelt highly increased the land's value for development. Harris used his political capital as a member of the Board of Transportation to secure Charlotte's city council approval for the southern route, and donated 110 acres of his own land in Ballantyne to the project (Smith, 2004; Smith, 2015). While Harris used his connections and political power to support his own economic interests, the decision over the route location also impacted individuals' decisions of where to live, developers' decisions of where to build, and CMS's decisions about where to build schools. Each of these seemingly innocuous and race-neutral choices that resulted from the I-485 outerbelt decision created measurable impacts on Charlotte-Mecklenburg pupil assignment decisions, further separating the local community, and made it increasingly difficult to pursue desegregation efforts in the late 1980s (Hawn Nelson et al., 2015; Mickelson et al., 2015a; Smith, 2004; Smith, 2015).

The use of interstate highway location to enforce and increase residential racial segregation is not an issue only in Mecklenburg County or North Carolina, but has dated back to the Jim Crow era of *de jure* segregation. In the 1930s, the Federal Housing Administration's manual set a precedent to promote mortgages and loans in areas where highways would separate African American families from Whites, stating that "[n]atural or artificially established barriers will prove effective in protecting a neighborhood and the locations within it from adverse influences...includ[ing] prevention of the infiltration of...lower class occupancy, and inharmonious racial groups" (Rothstein, 2017, p. 65). Furthermore, once residential segregation had been reinforced by zoning laws and highway

systems, further development of interstate highways was used for “slum clearance,” effectively destroying urban Black communities (Rothstein, 2017, p. 127). Across the nation, including in Mecklenburg County, federal and state funds were being used for decades to build interstate highways that explicitly or covertly divided communities along racial lines and increased the social and economic disenfranchisement of African Americans. As it did in Charlotte, the emphasis on urban renewal and corporate interests worked only to protect corporate interests, discriminate against communities of color, and added fuel to the growing discontent over busing in white, suburban neighborhoods.

The turning tide of public opinion throughout the white Charlotte community soon began to impact Charlotte city and county politics. In 1987, Democratic Mayor Harvey Gantt was upset by Republican Sue Myrick, and in 1988, Jan Richards was elected to the Charlotte-Mecklenburg Board of Education, the first anti-busing candidate elected in eighteen years (Gaillard, 2006). At a public hearing on the reassignment of 4,000 students in 1988, Richards made her anti-busing stance clear, stating “I’m not a racist. I’m a realist... Why is it important to have Black-White ratios at schools? Busing may have been appropriate sixteen years ago, but times in this community have changed” (Gaillard, 2006, p. 150). Despite the slow incorporation of other anti-busing candidates over the years, the Charlotte-Mecklenburg Board of Education continued to promote desegregation efforts until 2003, after CMS had suffered several legal blows to the desegregation agenda. The 2007 school board election was the first time since 1968 that no people of color were on the ballot for Board of Education, signaling the end of a long transformation from the progressiveness of the desegregation era in Charlotte-Mecklenburg (Smith, 2015).

The prioritization of economic and development needs over desegregation efforts is a significant example of Bonilla-Silva's assertion that new racism includes institutions and mechanisms that are largely invisible in order to uphold inequality and discriminatory racial social structures (2001). On the surface, decisions such as the placement of the I-485 outerbelt, or the location sites of new schools to handle migration into the district are invisible and race-neutral; these decisions are not often largely publicized, they are relatively mundane policy decisions, and they are not explicitly racist in the prioritization of white interests. However, as detailed in the preceding paragraphs, these decisions and more were 1) fueled by white suburban frustrations with Charlotte-Mecklenburg's busing system, and 2) worked to undermine progress made towards desegregation through the collective, extensive busing efforts of the 1970s. Therefore, local politics played a role in the resegregation of Charlotte-Mecklenburg Schools and increasing inequality for students of color by quietly and surreptitiously taking steps which prioritized the interests of White citizens, predominantly the white corporate class and new White residents. However, since these actions were driven by white racial frustrations and took steps towards increasing resegregation in CMS, these invisible and "race-neutral" policies increased the foundation of Bonilla-Silva's new racial social structure in Charlotte-Mecklenburg Schools.

The transformation of local politics throughout Mecklenburg County reflected the lack of commitment to desegregation and civil rights within North Carolina politics. One of the best examples of this opposition to desegregation was Senator Jesse Helms, a Republican who was elected to the U.S. Senate in 1972 and served until 2003. Since his days as a reporter and news broadcaster, Helms supported "new conservatism," a form of conservatism that depended on "racial anxiety, hostility to the cultural elite, anticommunism, and rejection

of big government” (Thrift, 2008, p. 888). Furthermore, Helms undoubtedly opposed school segregation, but felt that the explicit racist defense of segregation, such as that of Alabama’s Governor George Wallace, would ultimately fail (Thrift, 2008). Instead, Senator Helms frequently painted desegregation as a communist plot or focused on the involvement of the federal government in desegregation as a form of “big government” and meddling into citizens’ lives. In 1955, nearly twenty years before he was elected to public office, Helms wrote a commentary on North Carolina’s response to the *Brown* decisions titled “There Is Another Way,” arguing that a private school system would allow the state to maintain segregation. “The only choice is between integrated public schools and free-choice private schools,” he stated (Thrift, 2014, p. 25). Despite his fervent denial that he harbored any racist attitudes, his media and political careers led to racially divisive campaigns in North Carolina politics, instigated the lack of political commitment to desegregation across the state of North Carolina, and fueled ideological opposition to school desegregation in Charlotte (Batchelor, 2015; Gaillard, 2006; Roscigno & Tomaskovic-Devey, 1994; Thrift, 2008; Thrift, 2014).

Last but not least, the transition of public opinion on busing and desegregation was representative of the broader national feeling about diversity in education policy. Throughout the 1960s and 1970s, while the Supreme Court was focused on ensuring the end of segregation in southern school districts, federal education policies were focused on bringing equity-based reforms to America’s classrooms, through laws including the Elementary and Secondary Education Act of 1965, the Education for All Handicapped Children Act, and Title IX of the Education Amendments Act of 1972 (Hawn Nelson et al., 2015). However, education reforms after the 1980s began to prioritize economic development and market reforms over the needs of marginalized students, especially after Reagan’s pernicious

education report, *A Nation at Risk*. Published in 1983, the report spreads the belief that public schools are failing their students in their ability to compete in an international economy, and recommended market-based approaches which emphasize high-stakes testing, school choice, and potentially harmful standards and measures of accountability. These recommendations led to high-profile national policies such as the No Child Left Behind Act, the Every Student Succeeds Act, and the Obama administration's Race to the Top Initiative, all of which prioritize market-based reforms and place little-to-no emphasis on diversity in the classroom, despite proven benefits of integration on students' academic achievement (Borman & Dowling, 2010; Caldas & Bankston, 1998; Hanushek, Kain, & Rivkin, 2008; Harris, 2006; Mickelson et al., 2015a; Southworth, 2010).

The changing social and economic landscape of Charlotte, in conjunction with a growing conservative backlash in education policy across the nation, built the foundation for eroding the extensive desegregation efforts that CMS had implemented over the last two decades. In order to appease the dissatisfaction and frustration growing over busing throughout the Mecklenburg County suburbs in the late 1980s, Charlotte-Mecklenburg Schools worked to find a solution that would both pacify White parents and fit the original *Swann* desegregation guidelines. The result was John Murphy's magnet school plan.

II. Murphy's Magnet Method

John Murphy was selected as superintendent of Charlotte-Mecklenburg Schools in 1991 due to his reputation as a change agent and a "dynamic leader" in Prince George's County (Gaillard, 2006, p. 152). His primary act as superintendent was to shake up desegregation efforts throughout CMS and implement a plan to create new and innovative magnet school programs in one-third of the schools in CMS. Each school used a lottery

system to decide attendance, but ensured that 40% of seats were set aside for Black students. Murphy focused on building the magnet programs within inner-city schools, which he recognized would need to provide remarkable educational opportunities if White parents were going to voluntarily send their children to their programs, thereby upholding desegregation efforts within Charlotte-Mecklenburg (Gaillard, 2006).

While Murphy's magnet school program met the desegregation guidelines set for Charlotte-Mecklenburg in the *Swann* decision, it was still one of the first institutional decisions made by the Charlotte-Mecklenburg school system that increased the overall level of racial imbalance in local schools. The magnet system fostered a "multi-tiered system," often taking the most talented and involved students and parents from the schools they would have attended during the previous busing plans (Gaillard, 2006, p. 154). The new magnet schools also had better libraries and resources than other schools in CMS did, in order to make sure that they were attractive programs to parents throughout the county. Lastly, as Murphy chose to locate the magnets in predominantly Black neighborhoods, many Black students were involuntarily displaced from nearby schools when White students chose to voluntarily enroll in the program. Black students were subjected to longer bus rides and no longer had the opportunity to attend their neighborhood schools for any portion of their education, a rule which had been an important part of Judge McMillan's final *Swann* regulations in 1975 (Gaillard, 2006).

The magnet school program played a significant role in the resegregation of West Charlotte High School, which is discussed previously in this paper as a highly-recognized example of the extremes of both desegregation and resegregation of Charlotte-Mecklenburg Schools. In 1974, West Charlotte began offering the Open Program, the only public school

choice option for students in CMS before Murphy's 1992 plan. The Open Program had been created in order to reconcile affluent White families whose children were bused from affluent southeastern neighborhoods to their mandatory assignment at West Charlotte, similarly to the way Murphy ensured extra resources in the magnet schools to attract White families.

However, the 1992 magnet school plan led to the creation of an IB program at Myers Park High School, and an IB program and science and math magnets at Harding High School.

These two programs and their more convenient locations siphoned motivated Black and White students away from West Charlotte High School. By the time the magnet plan was fully implemented in the 1995 school year, the percentage of Black students at West Charlotte High School had jumped eight points to 54% of the enrollment (Mickelson et al., 2015b). While Murphy's plan was meant to uphold the district's commitment to desegregation using racial quotas in the lottery, it immediately began to increase racial inequities within the school system, and sped the resegregation of Charlotte-Mecklenburg Schools throughout the 1990s. The magnet school program serves as yet another example of the ways that new racism is upheld by invisible mechanisms that reproduce racial inequality; despite the fact that Murphy intended for the magnet plan to maintain desegregation efforts across the district, the choice provision allowed families to make individual, personal decisions that had broader consequences on the resegregation of Charlotte-Mecklenburg Schools. It also directly led to an escalation of the assault on desegregation efforts in CMS by laying the foundation for the *Capacchione v. Charlotte-Mecklenburg Schools* lawsuit.

III. A Changing Legal Landscape: *Capacchione v. Charlotte-Mecklenburg Schools* and the Reopening of *Swann*

In 1997, only two years after the full implementation of Murphy's magnet program, CMS parent William Capacchione sued the Charlotte-Mecklenburg School system over the use of racial quotas in the magnet school lotteries. His daughter, who was part Hispanic and White, had been denied admission to a magnet school program, and Capacchione claimed that her rejection was a result of the policy reserving 40% of seats in magnet programs for Black students (Gaillard, 2006). As more parents and community members got involved in the suit, the case soon became a campaign to declare the Charlotte-Mecklenburg Schools were "unitary," thus ending the deliberate use of race in any school decisions, including pupil assignment, school siting, or attendance zones (Gaillard, 2006, p. 169). According to the U.S. Supreme Court in the *Green v. New Kent County* decision, unitary status should/can be awarded to school districts once they have eliminated racial inequalities in pupil assignment plans, faculty and staff, physical facilities, transportation, and extracurricular activities (Gaillard, 2006, p. 172). If the Charlotte-Mecklenburg School system was determined to be unitary, as Capacchione and his supporters sought, then CMS would not be able to continue its' commitment to desegregation through busing, magnet schools, or school site placement. Despite the fact that Charlotte-Mecklenburg schools had begun to slowly resegregate through development decisions and the magnet school plan, the NAACP and Julius Chambers' law firm still viewed Capacchione's suit as an assault on the district's commitment to desegregation. The NAACP and Chambers intervened to protect the original *Swann* desegregation orders, resulting in the reopening of the *Swann* case in federal courts in 1999 (Mickelson et al., 2015a).

Throughout the suit, the Board of Education fought vigorously to remain under the original *Swann* ruling, arguing that the district had not yet fully complied with the original order to eliminate racially identifiable schools, and therefore could not be considered unitary (Gaillard, 2006). Unfortunately, the odds were stacked against those interested in civil rights and the CMS Board of Education, primarily as a result of the significant transformation of the school desegregation legal landscape since the *Swann v. Charlotte-Mecklenburg* decision in 1971. Beginning with *Milliken v. Bradley (Milliken I)* in 1974, just three years after the *Swann* ruling, federal courts began to reverse the regulations and rulings that had been used to promote desegregation in the South. In conjunction with later decisions in *Board of Education of Oklahoma City v. Dowell* and *Freeman v. Pitts*, the *Milliken I* decision upheld the use of new racism in residential segregation, and denied the effect that segregated communities have on school resegregation (Frankenberg & Siegel-Hawley, 2013). This became particularly poignant during the *Oklahoma City v. Dowell* and *Freeman v. Pitts* decisions, during which the Supreme Court clarified that districts would not be held accountable for school resegregation caused by “voluntary demographic changes in their communities” (Dorosin & Largess, 2015, p. 159). *Oklahoma City v. Dowell* and *Freeman v. Pitts* were also influential in transforming the desegregation legal landscape by emphasizing the need to prove that districts had a “good faith” commitment to ending school segregation, rather than any measurement or proof of desegregation (Reardon & Yun, 2005, p. 68). By focusing on good faith compliance, the Supreme Court let go of years of precedent in enforcing racial equity in schools, allowing school districts to return to policies that are race-neutral on the surface, yet increase and reinforce segregation of and discrimination against students of color.

The re-opening of the *Swann* case in 1999 as a result of Capacchione's suit also faced significant hurdle due to the fact that the case was assigned to U.S. District Judge Robert Potter, a Reagan appointee and fervent opponent of busing during the 1960s and 1970s (Mickelson et al., 2015a). Potter was suggested for appointment by North Carolina Senator Jesse Helms, as Potter had supported Helms' campaign in 1978 (Smith, 2004). Judge Potter relied heavily on the precedent set in *Oklahoma City v. Dowell* and *Freeman v. Pitts* to prove that Charlotte-Mecklenburg Schools had no responsibility to fix school resegregation caused by the recent demographic shifts in Charlotte, nor residential segregation that was never resolved from the Jim Crow era, and that therefore, Charlotte-Mecklenburg had "eliminated vestiges of its segregated system 'to the extent practicable'" (Dorosin & Largess, 2015, p. 159). *Oklahoma City v. Dowell* and *Freeman v. Pitts* also placed the "burden of proof" of plaintiffs, exacerbating one of the primary issues of new racism in modern society: the increased difficulty of proving the existence and proliferation of new institutional racism (Bonilla-Silva, 2001, p. 119).

Potter definitely declared that Charlotte-Mecklenburg Schools were unitary and "probably had been for years," ruling that CMS must stop "assigning children to schools or allocating educational opportunities and benefits through race-based lotteries, preferences, set-asides, or other means that *deny students an equal footing based on race*" (Gaillard, 2006, p. 178). Potter even accused CMS school officials of "standing in the schoolhouse door and turning away students from its magnet programs based on race," a bizarre and shocking reference to the infamous segregationist Governor George Wallace (Gaillard, 2006, p. 178). Potter's accusations embraced a claim of "reverse racism," arguing that the use of race in school assignment decisions denied students an "equal footing based on race" (Gaillard,

2006, p. 178). By flipping the script of discrimination to imply that desegregation efforts harmed White students, Potter clearly demonstrated the tenet of Bonilla-Silva's new racism which focuses on "the avoidance of racial terminology and the ever growing claim by whites that they experience 'reverse racism'" (Bonilla-Silva, 2001, p. 90).

Judge Potter officially closed the *Swann* case in Charlotte, and ended the court's involvement in Charlotte's school desegregation efforts. While the Board of Education and defendants of *Swann* attempted to appeal the case, the U.S. Supreme Court refused to even hear the case, and corporate and political leaders throughout Mecklenburg County pushed the Board of Education to simply "move on" (Smith, 2015, p. 26). After decades of legal and institutional commitment to desegregation in Charlotte-Mecklenburg Schools, policies that were used to deliberately end race-based inequalities in the school system were banned, and the school district had to turn to race-neutral policies to solve the problems of inequity caused by decades of institutional racism. This led to the primary cause of resegregation in Charlotte-Mecklenburg, the Family Choice Plan.

IV. The Family Choice Plan

After Judge Potter declared Charlotte-Mecklenburg Schools unitary, thus banning the use of race in school assignment policies, the Charlotte-Mecklenburg Board of Education adopted the Family Choice Plan in 2001. This plan was a complex system of magnet schools (with colorblind lottery policies) and geographically determined attendance areas. All students were assigned to a home school near their residence, where they were guaranteed attendance, but were also given the opportunity to apply to attend any other school in the Charlotte-Mecklenburg system. If any school was unable to accommodate all applicants,

students who were assigned to attend as their home school received preference in placement (Smith, 2015).

The Family Choice Plan and the return to race-neutral student assignment policies affected school resegregation in two major ways. First, it exacerbated the effects of existing residential segregation on students' academic experiences. Despite the fact that students were provided equal opportunity to apply to any schools in the Charlotte-Mecklenburg School system, the likelihood that students would be placed at their first-choice school differed by race and income. Schools in higher income, white neighborhoods were typically newer and had more qualified teachers, while schools in predominantly Black or low-income neighborhoods were often older, more dilapidated, and had fewer experienced teachers (Godwin, Leland, Baxter, & Southworth, 2006). In fact, the implementation of the Family Choice Plan also heightened the disparities in school quality between schools in predominantly Black neighborhoods and those in predominantly white neighborhoods. As schools experienced an increase in Black student enrollment to match the racial composition of the local neighborhood, the proportion of qualified teachers in the school decreased (Jackson, 2009). As school quality and teacher quality decreased in schools in predominantly Black neighborhoods, White students were far more likely than Blacks to name their assigned neighborhood school as their first choice, and Black students were likely to list predominantly white, newer schools as their first choice. Therefore, more families requested assignment to predominantly white schools than the schools could accommodate, and students of color were disproportionately denied access to attending their top choices of schools (Godwin et al., 2006). According to Godwin et al. (2006), this meant that the "housing price[s] a family could afford [and the neighborhood they lived in] strongly

influenced the educational outcomes of students... [which has] never been a formula of success for African Americans or Latinos” (p. 994-995).

The end of busing in Charlotte-Mecklenburg and the introduction of the race-neutral Family Choice Plan also caused a shift in residential relocation patterns and preferences for White families. Liebowitz and Page (2015) proved that, while White families always showed a preference for moving to whiter neighborhoods, families considering a move to a lower-performing school zone were more likely to select a zone with a greater proportion of White residents after the declaration of CMS’ unitary status. They provided two primary rationales for this phenomenon. One argues that there are two categories of movers: those who prioritize school quality (and chose better performing school zones at the same rate before and after unitary status), and those who prioritize racially-isolate residential and educational settings for their families. After Potter’s ruling in the re-opened *Swann* case, the second type of mover had more opportunities to exercise their racially-biased preferences and chose to move to primarily white zones, even if it meant attending a lower-performing school (Liebowitz & Page, 2015).

The other rationale argues that White families who are moving have broadly similar preferences for neighborhoods and schools that are both whiter and academically stronger. However, more affluent families tend to be the only ones who have access to these preferred neighborhoods. Lower-income White families didn’t have the means to buy into the preferred neighborhoods, but selected to move to neighborhoods that fulfilled their preference for being racially homogeneous (Liebowitz & Page, 2015). While the number of families who actually moved within the Charlotte-Mecklenburg district was minimal, these trends prove that the Family Choice Plan enabled White families to select schools nearer

their residence that were more racially homogeneous, rather than utilizing the public choice option or their residential mobility to attend higher performing schools (Liebowitz & Page, 2015).

The United States has a long history of residential segregation, largely maintained through segregative Jim Crow policies such as racial zoning, discriminatory home finance programs, and restrictive housing covenants (Highsmith & Erickson, 2015). In 1935, the *Underwriting Manual* for the Federal Housing Administration (which was used for property appraisals and loan decisions) stated that “If a neighborhood is to retain stability it is necessary that properties shall continue to be occupied by the same social and racial classes. A change in social or racial occupancy generally leads to instability and a reduction in values” (Rothstein, 2017, p. 65). The influence of new racism and race-neutral policies like the Family Choice Plan in Charlotte continued to segregate neighborhoods and families long after the end of the *de jure* residential segregation of the 1930s. One study of the relationship between schooling and racial residential segregation found that school district boundaries play the biggest role in shaping the residential outcomes of White children, and segregating White students from students of color (Owens, 2017). According to Owens (2017), “as long as neighborhoods are demarcated by school district boundaries limiting enrollment options, parents will take these boundaries into account when making residential choices, which may contribute to segregation between White and minority children” (p. 77). Therefore, the retreat to race-neutral school assignment policies within Charlotte-Mecklenburg worked in many ways to increase opportunities and choices for self-segregation, which over time may have contributed to the rising segregation in Charlotte-Mecklenburg Schools (Liebowitz & Page, 2015, p. 117). Despite the fact that the Family Choice Plan makes no mention of race, it has

significantly increased inequality and discrimination in multiple aspects of the lives of students of color, including schools and neighborhoods. The Family Choice Plan is the perfect example of a policy upholding new racism; it is covert and invisible in its avoidance of racial terminology and concepts, yet it reproduces racial inequality and even leads to the rearticulation of Jim Crow era racial practices (Bonilla-Silva, 2001, p. 90).

The Family Choice Plan was the most significant step in a long series of actions taken towards resegregating Charlotte-Mecklenburg Schools, it is more than likely not the final step. Charlotte's demographic makeup and economic development are consistently evolving, and will continue to impact the future of Charlotte-Mecklenburg Schools. Similarly, CMS has taken recent actions to boost educational achievement within resegregated schools, including Project LIFT, a partnership with private organizations and foundations throughout the Charlotte area to raise millions of dollars for the lowest-performing schools in the district, all of which are racially hypersegregated (Mickelson et al., 2015a). If the district is able to improve educational outcomes without desegregating schools, that may set the precedent for increased segregation for years to come. For better or for worse, Charlotte's story of segregation is not finished yet. As exhibited throughout this section, there were numerous forces at work which not only reduced community support for desegregation, but took actions that either directly or indirectly led to the resegregation of Charlotte-Mecklenburg Schools. Underlying each of these factors is a lack of institutional commitment to racial equity and desegregation at the federal, state, and local level, which has removed policies and court-ordered desegregation mandates, and allowed parents, teachers, and community leaders to take supposedly "colorblind" actions and policies, which primarily favored White students over students of color.

Conclusion

In 2002, when former President George W. Bush signed the No Child Left Behind Act into law at Hamilton High School in Ohio, he stated that “There’s no greater challenge than to make sure that every child...every single child, regardless of where they live, how they’re raised, the income level of their family, every child receive a first-class education in America” (The White House, Office of the Press Secretary, 2002). However, this sentiment has not been adequately reflected through national education policies, Supreme Court decisions, school assignment policies in Charlotte-Mecklenburg, or the Charlotte community’s commitment (or lack thereof) to desegregation and equity in CMS. Ultimately, the bulk of the responsibility for the resegregation of Charlotte-Mecklenburg Schools should fall on government representatives, including the courts and the Charlotte-Mecklenburg Board of Education for failing to adequately uphold the historic commitment to desegregation in CMS, and prioritizing economic development and market-based reforms over diversity in schools. Even when following the stringent rules requiring proof of the states’ “smoking gun” in discrimination cases, set by the *Oklahoma City v. Dowell* and *Freeman v. Pitts* decisions, the causes of resegregation in Charlotte-Mecklenburg clearly point to the influence of state decisions in creating the possibility of resegregation, as well as abandoning the necessary institutional commitment to desegregation (Bonilla-Silva, 2001, p. 119). Charlotte-Mecklenburg Schools have largely resegregated as a result of decisions and actions, both race-conscious and race-neutral, made by government organizations and representatives, and therefore require legal action to ensure the desegregation of schools and a quality education for students of color.

Furthermore, school resegregation has a measurable negative impact on student achievement and students' emotional and social development. Resegregation has been shown to lower the quality of education provided to students of color, particularly low-income students of color, leading to a significant impact on students' test-scores, educational achievement, and their likelihood of attending and graduating from college (Bohrnstedt et al., 2015; Caldas & Bankston, 1998; Coleman et al., 1966; Harris, 2006; Mickelson, 2005; Mickelson et al., 2015a; Reardon, 2016; Southworth, 2010). Attending segregated schools has been shown to increase intergroup prejudice and perpetuate racial fears and stereotypes, while attending desegregated schools has been shown to provide students with greater opportunities to understand the ways race impacts their lives and expand their critical thinking skills (Mickelson et al., 2015a; Pettigrew & Tropp, 2006). While the negative academic and social effects of segregation are shown to impact all students, regardless of race, ethnicity, or socioeconomic background, students of color and low-income students are most harmed by school resegregation.

In order to ensure a bright future for students of color, school districts, elected officials, and the courts must work together to pursue the integration of schools and the end of discrimination against students of color in education. However, as Coleman et al. argued as early as 1966, "There is more to integration than merely putting Black students and Whites in the same building, and there may be more important consequences of integration than its effect on achievement" (p. 29). The future of students of color, as well as the future of American democracy depends not only on the desegregation of schools, but the conscious and meaningful integration of students, as well as the end of the new structure of racism in schools. However, over the past thirty years Charlotte-Mecklenburg Schools have strayed

dangerously far from a future of desegregation and meaningful integration, and is getting farther every day. The appalling lack of commitment to issues of racial equity and desegregation throughout Mecklenburg County, as well as the broader nation, has created a system of state-sponsored inequality and segregation in Charlotte-Mecklenburg Schools. Students of color in Charlotte-Mecklenburg deserve a high-quality education, and school integration is one method of ending new racism in schools and starting to create an equal playing ground for students. The Charlotte community, as well as the federal government, must take necessary steps to renew its' commitment to desegregation of schools quickly, in order to end this persistent inequity and discrimination, and as soon as possible. As civil rights attorney James Ferguson stated in 2016, "The time may ultimately come when you don't have to wake up every day and say 'Oh my God, what do I have to do to maintain a desegregated society?' But we're not there yet" (Grundy, 2017, p. 182).

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