

Desegregation / Equity / Integration in Minnesota

(bold = court actions; *bold italics* = legislative actions)

1964 – The St. Paul Public Schools Board adopted a desegregation policy for the St. Paul Public Schools that included privately financed voluntary busing of African-American students to formerly all-white schools.

1967 – The Minneapolis Public Schools Board adopted guidelines to eliminate de facto segregation. The plan included voluntary busing of students.

1970 – The Minnesota State Board of Education issues guidelines calling for a ceiling of 30% minority student enrollment in Minnesota public schools. Districts not meeting this standard were required to submit a desegregation plan to the Department of Education or have state aid withheld.

1971 – The School Board of the Minneapolis Public Schools (MPS) decided, 6 to 1, to adopt a general commitment to racial desegregation and its first mandatory desegregation stipe: the pairing of Field and Hale Elementary Schools on the south side of the city.

August 1971 - Booker v. Special School District 1, a class-action lawsuit, was filed in U.S. District Court against the Minneapolis school district alleging denial of equal education to all students. (Booker v. Special School District No. 1, 351 F Supp. 799 (1972))

1972 – May 24. In the *Booker* case, the U.S. District Court found that MPS were illegally segregated. The decision stated that MPS had violated the Equal Protection Clause of the 14th Amendment and concluded that such segregation resulted from the following:

- The construction, size, and location of Bethune School
- The addition of seven new classrooms to Field Elementary School in 1964
- The 1967 construction of an addition to Washburn High School
- The location of portable classrooms
- Decisions over school size
- The 1968 change in boundaries between Washburn and Southwest High Schools
- The policy of allowing special transfers of students
- The creation of optional attendance zones along the perimeters of racial minority neighborhoods
- The practice of assigning and transferring teachers and administrators

The District Court found that MPS had intentionally segregated the schools, had intended the segregation of not only students, but teachers and administrators; had several policies that promoted segregation including building facilities in strategic sizes and locations. MPS was ordered to “take affirmative action to disestablish school segregation and eliminate the effects of its prior unlawful activities” by implementing its own plan for desegregation/integration, limiting the maximum percent of any school’s minority population to 35%; increasing faculty integration, not allowing any student transfers that increase the segregated nature of either school, submitting any plans for new schools or additions to old schools to the court for prior approval, submitting any changes to the Desegregation/Integration Plan to the court for prior approval, and to submitting semi-annual reports to the court.

- 1973 – The Minnesota State Board of Education adopted the “15% rule,” which prohibited schools from having minority enrollments more than 15 percentage points above the district average.
- 1975 – May. The U.S. District Court modified its ruling in the *Booker* case to allow Minneapolis schools to have up to 42% students of color and up to 35% of any single minority group (Memo order, *Booker v. Special School District No. 1*, (D. Minn. May 7, 1975)).**
- 1978 – MPS filed a motion to terminate the litigation which the court denied on the ground that it had not yet fully implemented its desegregation/integration plan. Court also rejected a request from MPS to increase the allowable maximum minority enrollment in each school to 50% and to eliminate the single minority ceiling requirement. The Court increased the maximum total minority enrollment of each school to 46% and a single minority’s maximum percentage to 39%. MPS appealed, but the 8th Circuit Court of Appeals held that the district court had not abused its discretion in denying the motion to terminate the case. MPS appealed to the U.S. Supreme Court, but the Court refused to review the case.**
- 1981 – The U.S. District Court modified its ruling in the *Booker* case again to allow Minneapolis schools to have up to 50% students of color.
- 1983 – The fourth motion to terminate the *Booker* case was granted by Judge Earl Larson (6/8/83). The plaintiffs decided not to seek a rehearing or appeal. The U.S. District Court vacated the order from the *Booker* case.**

The Minnesota Department of Education assumed responsibility for monitoring the Minneapolis, St. Paul, and Duluth school districts’ desegregation efforts.

- 1984 – The Legislature authorized Minneapolis, St. Paul, and Duluth school districts to levy a property tax to implement their integration plans. (*Laws of Minnesota 1984, chapter 463, art 6, sec. 6*)**

1985 – The St. Paul School district opened six magnet schools, with priority given first to attendance area students and second to achieving racial balance.

1987 – The Legislature provided funding through appropriated integration grants to the Minneapolis, St. Paul, and Duluth school districts to supplement the local property tax levy to assist with their integration efforts. (Laws of Minnesota 1987, chapter 398, art 6, sec. 19, subd. 12)

1992 – Nine metro elementary schools identified as segregated.

1994 – The State Board of Education approved a voluntary, Twin Cities metro-wide school desegregation plan, which involved creating special magnet schools in Minneapolis (FAIR School) and St. Paul suburbs (Harambee). **The Legislature authorized capital funding to establish these schools.**

1995 – June. The Minneapolis School Board voted to change the 22-year old desegregation plan in favor of “neighborhood schools.” The new plan would eliminate all busing except for students who choose “magnet” schools.

Connecticut Supreme Court upheld the legality of the segregated Hartford public school system. The state of Missouri and the Kansas City school board ended court-ordered state funding for busing. Federal court ruled in favor of Denver to end desegregation busing.

Sept. 19. The NAACP filed a lawsuit (*Minneapolis Branch of the NAACP, et al. v. State of Minnesota, et al.*, File No. MC 95-014800) claiming that because MPS have disproportionate enrollments of poor and minority students, generating “negative effects that depress educational achievement,” MPS students as a whole are being denied their right to receive “an adequate education in Minneapolis public schools as required by the Minnesota State Constitution.” The complaint linked school enrollments to housing, alleging the defendant has “adopted policies and practices that result in housing segregated by race and socioeconomic status in the metropolitan area, resulting in segregation.” They also objected to excessive spending on suburban infrastructure and to “transportation policies that enable “white flight’ to suburbs, and failing “to require ... suburban communities to promote the development of low and moderate income housing.” NOTE: This case was removed from the state court under the All Writs Act by the district court to protect the integrity of the federal consent decree entered in *Hollman v. Ciscneros*, Civ. No. 4-92-712 (D. Minn. Filed Apr. 21, 1995) a housing lawsuit against the Met Council).

House Republican Task Force on Student Achievement and Integration held seven hearings and published their findings in *Bridging Gaps & Breaking Barriers: A Minnesota Model for Student Achievement and Integration*.

1996 - The Tri-District Community School Joint Powers Board (St. Paul, Roseville, No St. Paul/Maplewood/Oakdale) opened the Harambee Elementary School in Maplewood. The West Metro Integration Project opened the downtown magnet school.

1997 – The Legislature created the Integration Revenue program, which expanded integration funding and established eligibility criteria for qualifying school districts across the state. (Laws of Minnesota First Special Session 1997, chapter 4, art 2, sec. 18)

1999 – The Minnesota Department of Education approved rules specifying eligibility for integration revenue and program requirements. Districts with a proportion of protected students at least 20% different from an adjoining districts proportion of protected students are eligible for integration revenue.

2000 – The State of Minnesota and the NAACP settled the 1995 lawsuit with the creation of a four-year voluntary program (*The Choice is Yours*) that included voluntary busing of low-income Minneapolis students to suburban schools.

East Metro Integration District (EMID, formerly Tri-District) obtained property in Woodbury to build the Crosswinds Middle School.

2002 – Minnesota receives a 5-year federal grant through the Voluntary Public School Choice (VPSC) program to expand *The Choice is Yours* program.

2005 – 80 qualifying school districts received approximately \$79 million (including \$54.4 M in state aid and \$24.5 M in matching local property tax levies) for integration efforts

April 2005 – Legislative Audit Commission directed the Office of the Legislative Auditor (OLA) to evaluate the program

June 2005 – The legal settlement from the NAACP lawsuit expired.

Nov 2005 – OLA Report published with the following Major Findings and Key Recommendations: (p. ix)

Major Findings:

- The purpose of the Integration Revenue is not clear.
- School districts vary widely in how they use integration revenue. While many of their expenditures are reasonable, some are questionable.
- Neither the state nor school districts have adequately assessed the results of the Integration Revenue program.

- Over the last five years, racial concentration has increased in some of the school districts that participate in the Integration Revenue program.
- The Minnesota Department of Education has not provided consistent or required oversight of the program, although it has made some improvements in the past year.
- The Integration Revenue funding formula has some unintended and potentially negative consequences.

Key Recommendations:

- The Legislature should clarify the purpose of the Integration Revenue program.
- The Legislature should authorize the Minnesota Department of Education to establish criteria against which school districts must evaluate their integration plans, and withhold integration revenue from those districts that fail to meet those evaluation requirements.
- The Minnesota Department of Education should use its statutory authority to establish criteria for allowable Integration Revenue expenditures and fulfill its responsibilities for overseeing the Integration Revenue program.
- The Legislature should require districts that want to voluntarily participate in the Integration Revenue program to obtain approval from the Minnesota Department of Education.
- The Legislature should give the Minnesota Department of Education authority to approve the integration budgets of Minneapolis, St. Paul, and Duluth school districts.
- The Legislature should consider revising the Integration Revenue funding formula.

2007 – U.S. Supreme Court decision in *Meredith v. Jefferson County School Board* curtails districts’ use of race as a factor in assigning students to schools.

2008 – Metro area elementary schools identified as segregated = 108.

2009 – May. Aspen Associates prepare the *Minnesota Voluntary Public School Choice: Multi-year Evaluation Summary* for the Minnesota Department of Education. The implications for policy and practice drawn from the evaluation were: (pp. vii-viii)

- Outreach: For all eligible families, word-of-mouth and direct contact through parents’ social networks continue to be more influential in the school choice decisions made by low-income families than traditional media campaigns. To reach the most parents, however,

outreach should continue to access parents' social networks and utilize the major media (e.g. newspapers, television, radio).

- Outreach: Despite ongoing outreach efforts targeting other ethnic groups, the suburban choice program continues to attract primarily African American students and families living on the north and near-north side of Minneapolis. The availability of academics continues to be important to all parents. As the suburban choice program strengthens its language support programs, this option may become more appealing to other ethnic groups.
- Support for School Choice: Free transportation and academic support continue to be viewed as important features in parents' decision to choose a particular school.
- Staff Development: Suburban choice schools need to continue providing staff development to increase teacher capacity to work effectively with language-diverse students.
- Academic Support: Suburban choice schools need to examine why secondary students transferring in under *The Choice is Yours* program do not feel they are receiving all the help they need to do well in school when their parents feel that they are.
- Academic Achievement: After four years of analyzing student achievement data, the findings are mixed as to the effects of the program on student performance. As more and more students remain in the program it will be possible to examine the achievement of cohorts over time.

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