EQUAL ACCESS AND EQUAL OPPORTUNITY: CLOSING THE SEGREGATION GAP

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EQUAL ACCESS AND EQUAL OPPORTUNITY: CLOSING THE SEGREGATION GAP

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Abstract

America has a long history of unequal educational opportunities for African American students which continue to pervade the U.S. educational system. And while Brown vs. Board of Education afforded equal access it did not guarantee equal opportunity. Federal legislation charges educators and schools to close the achievement gap between minority and White students but fails to address the social inequalities met outside of the classroom and/or equalize disparate school funding practice which have widened the “achievement gap” by disproportionately impacting underfunded low-income schools ill equipped to meet the rigorous educational standards set by NCLB. Meanwhile, dismal U.S. performance on comparative international tests suggests a need for alternative approaches to educating U.S. students. However, the U.S. remains seemingly reluctant to adopting international benchmarks of top performing countries such as Finland, and Canada, which afford teachers more autonomy and students equal educational opportunities. This research paper includes correlates of inequity and the policies high-achieving countries such as Finland and Canada have enacted in mitigating their impact.
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Chapter One: Introduction

In 1895, a 30-year-old Black shoemaker named Homer Plessy boarded a “Whites Only” train car in an act of civil disobedience and was arrested and convicted of violating Louisiana racial segregation laws (Bridgewater, 2012). He challenged the constitutionality of segregation laws on the grounds that they violated his fourteenth amendment right to equal protection under the law (Bridgewater, 2012). Ratified on July 9, 1868, and just three short years after the 13th amendment abolished slavery, the 14th amendment contained four key principles. The first granted state and federal citizenship for all persons regardless of race both born and naturalized in the United States. Second, it forbade states to abridge the “privileges and immunities” (U.S. Const. amend. XIV) of citizens. Thirdly, it disallowed for any person to be deprived of life, liberty, or property without “due process of law” (U.S. Const. amend. XIV). Lastly, it guaranteed all citizens “equal protection of the laws” (U.S. Const. amend. XIV). Despite these protections, however, the U.S. Supreme Court ruled in favor of segregation by espousing the doctrine which mandated “separate but equal” facilities for both Whites and Blacks (Bridgewater, 2012). The sole dissenting voice came from Justice Harlan who, as cited by McKenna (1984) wrote:

In the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. "Our constitution is colorblind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The arbitrary separation of citizens on the basis of race, while they are on a public highway, is a badge of servitude wholly inconsistent with the civil freedom and the equality before the law established by the Constitution. It cannot be justified upon any legal grounds. (p.385)

In 1951 the class action suit Brown versus the Board of Education of Topeka, Kansas, was brought before the Supreme Court (Brown v. Board of Education of Topeka, Kansas, 2009). The case consisted of 200 plaintiffs from the school districts of Clarendon County, South Carolina,
Prince Edwards County, Virginia, Washington, D.C., Dover, Delaware, and Topeka, Kansas (Brown v. Board of Education of Topeka, Kansas, 2009). NAACP lawyers advised Black parents in these counties to enroll their children in White segregated public schools in an act of civil disobedience (Brown v. Board of Education of Topeka, Kansas, 2009). As expected the families were refused enrollment and the class action suit was filed. On May 17, 1954, nearly sixty years after the principle of “separate but equal” had been established; nine Supreme Court justices unanimously conceded "separate educational facilities are inherently unequal" (Brown v. Board of Education of Topeka, Kansas, 2009). It was ruled that racial segregation was indeed a violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution (Brown v. Board of Education of Topeka, Kansas, 2009). Ten years later in 1964, the Civil Rights Act outlawed racial segregation in schools, public places, employment and also outlawed other forms of discrimination (Williams, 2004). Other key legislation included the Elementary and Secondary Education Act (ESEA) of 1965, that, among other things, emphasized equal access and opportunity while setting high educational standards and the Education for All Handicapped Children Act (EAHCA) in 1975, which required public schools receiving federal monies to make available equal access to education for children with mental and physical disabilities, develop educational plans with parent input to resemble as closely as possible the educational experience of their non-disabled peers, and to provide the least restrictive environment (Elementary & Secondary Education Act, 1965).

While ensuring equal access for all was doggedly pursued, ensuring equal educational opportunities for all was not. Years after Brown and the torrent of civil rights legislation which followed, exclusionary policies and practices continue to segregate U.S. schools and U.S. society on lines of race and socioeconomics—two things that should have no bearing on the educational
opportunities of children living in the U.S.—or elsewhere. Sadly, race and social class continue to impact the educational opportunities, thus life opportunities, of low-income and minority students who, as Homer Plessy, have yet to enjoy equal protection.

**Statement of the Problem**

The U.S. public school system yields different results for minority and low-income students as evidenced by lower graduation rates, less effective teachers, and under-resourced and overcrowded schools. Nearly sixty years after desegregation, race and socioeconomic status continue to represent obstacles to academic success. What can U.S. public schools do to ensure equal access to a high-quality education for all students regardless of social class? How have top performing countries provided equal access to high-quality education? What is the relationship between unintentional segregation and inequity in U.S. public schools?

**Definition of Terms**

**Equity** (as defined by the OECD, 2009): realized when “students from different backgrounds having equal chances of performing well”

**Organization for Economic Cooperation and Development (OECD):** an intergovernmental organization of 34 member countries which coordinates the Program for International Student Assessment

**Program for International Student Assessment (PISA):** an international assessment that measures the performance of 15-year-olds in reading literacy, mathematics literacy, and science literacy. The assessment is administered to students in participating countries (OECD countries and non-OECD countries) every three years, with each year assessing one of the three subject areas (reading, mathematics, science) in depth.
Student resiliency (as defined by the OECD, 2009): the capacity of students with low socio-economic status and achievement results in the lowest performance range to move into the highest ranges

Delimitations of Research

Research was conducted between the time span of six months using resources from the University of Platteville Wisconsin school library, online journals obtained through EBSCOhost, JSTOR, and Sage Journals. Included in this research paper are member countries of the Program for International Student Assessment (PISA), with special focus on Finland and Canada. The nature of this seminar paper came to take the form of an historical essay as inferences are based on the analysis of historic evidence.
Chapter Two: Review of Related Literature

EQUITY IN EDUCATION

Finland has one of the most educated citizenries in the world and tops the rankings across all subject areas in international assessments among OECD member nations while Canada is the highest performing English speaking country in the world (Sahlberg, 2012). These nations and other top performing countries all provide equity in education (OECD, 2012). Students in these countries are afforded equal educational opportunities which are impacted far less by race, gender, or family background as seen in the United States while inclusive practices ensure that even the lowest performing students acquire a basic minimum level of skills (OECD, 2012).

One measure of educational equity is the difference between test scores of the highest and lowest performing students. Among OECD countries, Canada has one of the smallest differences between its top and bottom performing students while the U.S. has among the largest difference (Levin, 2011).

Considering the Canadian education system, Levin (2011) insists equity in education alone is not enough to mitigate the effects social inequality has on minority and low-income student achievement and advises nations who are serious about improving educational outcomes to address and remedy existing social disparities.

CONTEMPORARY SCHOOL REFORM

U.S. educational reform such as the No Child Left Behind Act and Race To The Top which are based on strict accountability assessment systems may find their roots in two reports commissioned by the U.S. government which pushed for higher school and teacher accountability for student performance without regard to the impact race and socioeconomic status play on educational outcomes. A short description of both documents follow.
THE COLEMAN REPORT

In a 1966 government funded report, sociologist James Coleman contended that attempts to evenly distribute resources among school districts were wasteful as there was little correlation between school funding and student achievement. He and his supporters believed the best way to foster academic excellence was to hold teachers and schools accountable for student performance. The report embodied and emboldened conservative ethos despite widespread rejection and disavowal by conclusive research that contradicted his “findings”.

A NATION AT RISK

In 1983, “A Nation at Risk” declared that America no longer held an “unchallenged preeminence” over its competitors in fields of commerce and innovation; U.S. student test scores were dropping precipitously in important subject areas such as math, reading, and science, and teachers were not prepared to teach. It warned "Our Nation is at risk . . . . The educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people . . . . If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war”. It cautioned that America would not be able to effectively compete against higher achieving countries in an increasingly global economy, thus linking the nation’s economic problems with an ineffective educational system. Framed as such, teachers and schools became the Reagan administration’s scapegoat for the tanking economy –a national security risk requiring prompt governmental intervention.

While some findings were unfounded and exaggerated what is true is that the United States has lost its advantage in regards to the percentage of citizens holding a post-secondary degree as tertiary education expands among industrialized countries (OECD, 2011).
Commenting on Race to the Top Darling-Hammond (2011) states:

Rather than establishing a conceptual idea for dramatically improving the knowledge, skills, and equitable distribution of teachers, as high-achieving nations have done, Race to the Top encourages states to expand alternative routes to certification and to reduce coursework for prospective teachers, and it fails to make the critical investments needed to prepare and distribute excellent teachers and school leaders. (p. 18)

CORRELATES OF INEQUITY

More than ever economic mobility is a function of education as seen in the higher returns to education. However, as the returns to education increase so does the earning gap between the more and less educated. At the same time public financing of education has decreased resulting in fewer low-income children going to college which has increased income inequalities between white students and low-income and minority students. In the U.S., economic returns to education are greater than in other countries which may explain the stronger intergenerational income persistence. What follows are the related social problems and unintentional educational policies which contribute to inequity in U.S. schools

SCHOOL FUNDING DISPARITIES

U.S. schools receive much of their funding through local wealth which has generated gross imbalances between rich and poor communities as seen in the condition of school facilities, curriculum, equipment for instruction (e.g., computers), teacher proficiency and qualifications, classroom size, and more (Riley & Coleman, 2011). Such disparities do not exist in other developed countries which typically fund public schools based on the number of students they serve Riley & Coleman. As Robert Slavin (1994) explains “…for every guilder allocated to a middle-class Dutch child, 1.25 guilders are allocated for a lower-class child and 1.9 guilders for a
minority child, exactly the opposite of the situation in the U.S….” (p 99). Clearly, putting resources behind those most in need is a feature of an equitable society.

Part of the problem is how funding is calculated. Inequitable funding distribution practices, such as distributing teachers rather than dollars between districts, create more conspicuous resource gaps between poor and wealthy school districts as more experienced and higher paid teachers opt to work for schools in more wealthy districts (Goodwin). Wilson (2011) suggests teachers leave low-performing schools due to unpredictable teaching conditions, inadequate preparation for working in challenging environments, and less than adequate career outlooks. As a result, inexperienced and unqualified teachers and school staff become concentrated in low-performing schools. Wealthy districts are more attractive to work in for several reasons including higher wages. For instance, as reported by Rosa (2010), Baltimore school teachers working in a low-income school district were paid approximately twenty-thousand dollars less than teachers working at a wealthy Baltimore school district ($37,000 annually compared to $57,000 annually). PISA findings suggest a correlation between teacher salary and higher-than-average student performance (OECD 2010). This is significant as it highlights the relationship between the investment in teachers and more equitable outcomes for students - allowing for the United States to remain a viable competitor on the global stage.

Moreover, inequitable resource allocation practices are costly to U.S. tax payers. It is reported that the United States loses over seven billion dollars annually as a result of teacher turnover while billions more are expended as teachers, principals and superintendents bounce from one school to another in attempts to secure improved working conditions (Wilson).

In turn, educational opportunities for low-income and children of color are negatively impacted as a succession of substitute teachers try to help them meet rigorous educational standards the
poorly equipped schools are unable to reach (Wilson). Ironically, it is the neediest children who receive the least help.

More equitable funding practices, as seen in the Edmonton school system of Alberta Canada, for instance, include weighted student funding in which schools are given money based on the number and needs of students being served. School systems which receive weighted student funding generally have greater discretion as principals must make staffing changes based on his or her school’s needs rather than being directed to hire a given number.

Some U.S. cities have moved to weighted student funding formulas including Boston, Baltimore, Denver, Rochester, N.Y., and New York City. Administers in these cities find this funding strategy more equitable as it serves the unique student needs of individual schools while increasing transparency and fairness in district finances. Some also believe this funding strategy engenders a process by which budget cuts can be negotiated around a particular school's needs, rather than coming from central office directive. (Samuels, C.A., 2011).

FAMILY BACKGROUND AND RESOURCES

Family background, which includes structure, socioeconomic status, parental relationship quality, parent-school involvement, and parental school aspirations, significantly influences educational outcomes of children (Weiser, D. A., Riggio, H. R.). The academic performance of parents is positively correlated with the academic achievement of their children (Lee & Orfield, 2005). White students often have more educated parents than their minority and/or low-income peers and, as such, regularly benefit from households more conducive to educational success, e.g., parental expectations, parental beliefs, parental involvement in children's education (Gamoran, 2001).
There is a stronger relationship between student success and parents’ income in the United States than in other countries (Goodwin, 2011). In fact, 17% of the variance in student achievement is attributed to socioeconomic status in the United States—compared to a 9% variance found in Japan and Canada (OECD, 2011). Only 11% of children from the bottom fifth earn a college degree while 80% of the top fifth earn one (Haskins & Kemple, 2009). Being poor and/or a minority proves to be a challenge to all students regardless of their country of origin; however, in the United States these children endure additional obstacles as they are often relegated to attend inadequately funded schools (Riley & Coleman). Early educational intervention has shown to mitigate the effects of low-income and/or minority status which is a common feature of top performing countries such as Finland and Canada. OECD countries also registered big increases in inequality after the 1980s—especially Sweden, the United Kingdom and the United States.

**EARLY EDUCATIONAL INTERVENTION**

The graduation rate of Black students stands at 62% compared to the 81% rate of White students (Talbert, M., 2011). Head Start and preschool enrollment of African American males between the ages of three to five has shown to have a positive effect on high school graduation rates as does funding for Head Start (Bowens, P.M. & Morote, E., 2009). In contrast, countries such as Finland provide early interventions including free lunches, welfare services, and early support to those in need (Sahlberg, P., 2012). Social justice and the coordination between schools and other public sectors have been attributed to the country’s success (Sahlberg).

**HIGH-STAKES TESTING**

While standardized testing has been a regular practice in U.S. schools since the early twentieth century, spurred by modern educational accountability systems, their use has become the cornerstone of contemporary educational reform (Kornhaber and Orfield 2001). The No Child
Left Behind Act of 2001 mandates the administration of high-stakes testing in mathematics, science, and reading/language arts and places failing schools and districts in danger of losing their federal funding (U.S. Department of Education 2002). Researchers consider high-stakes testing as having resulted in “the standardization of teaching” (30), depriving teachers of their authority and influence in the classroom and reducing the level of skill needed to be a teacher (Wayne, 2011). In efforts to avoid sanctions associated with NCLB, “teaching to the test” has become a routine practice in many classrooms in the U.S., essentially narrowing the curriculum as teachers tailor their instruction to replicate the tests (Wayne). For example, in a nationwide survey 71% of the districts reported having cut at least one subject in order to increase time spent on reading and math in response to NCLB mandated high-stakes testing (Renter, D. S., Scott, C., Kober, N., Chudowsky, N., Joftus, S. & Zabala, D., 2006). As a result non-tested activities such as long-term projects or creative group work may be avoided.

It is in this way that the high-stakes standardized tests espoused by NCLB have come to shape U.S. curricula—tests widely regarded to emphasize lower-level skills rather than the higher-order skills emphasized by assessments of high-performing countries such as Finland and Canada. This may partially explain why U.S. students rank 31st of 40 participating OECD countries in 2009 in mathematics and 29th in science, a far cry from the 1989 goal of President George H.W. Bush to rank first in math and science by the year 2000 (Darling-Hammond, L., 2011).

How a student performs on high-stakes tests may impact his or her current and future learning opportunities as research has demonstrated that teachers routinely generalize their students' test scores to motivational and affective traits (i.e., lower test scores were equated with lower
These students presented with lower expectancies for success, lowered academic self-concept, and experienced more test anxiety.

Rana and Mahmood (2010) identified test anxiety as a responsible factor for student underachievement and low performance. Low performing students with elevated levels of test anxiety subjected to highly evaluative assessment environments (e.g., high stakes testing) are less motivated to perform (Hancock, 2001). The American Evaluation Association (2002) asserts, “High stakes testing leads to under-serving or mis-serving all students, especially the most needy and vulnerable, thereby violating the principle of ‘do no harm.’” Test anxiety develops in students during their elementary school years when formal testing begins. African American students historically report higher levels of test anxiety than their White counterparts (Hembree, R., 1988) as they may experience additional variables identified by Salend (2012) such as stereotype threat, past poor test performance, lack of motivation, and ineffective instruction.

Tracking is a function of high-stakes tests as students are labeled according to their test grade. Minority students typically score lower than their peers increasing their odds of being placed in special education classes. Labeled students are placed on the “low track” and are permitted specific classes which are typically taught “at the lowest level.” Rather than challenging these students, the curriculum often becomes a course on how to ‘pass the test’. Labeled, tracked, and unchallenged, these minority students fall behind, increasing the achievement gap placed between White students and minorities.

Tracking negatively impacts mislabeled/misplaced students and inflates inequity as it limits the
control they have over the direction their education takes them. Alegre and Ferrer (2010) suggest delaying early tracking and instead defer to upper secondary education while supporting inclusive schooling. They also recommend more opportunities for students to change tracks and/or classrooms and to provide high curricular standards to mitigate effects of early tracking. This is important as research indicates self-efficacy is a strong predictor of student achievement and raises academic success expectancy (Alegre, M., & Ferrer, G., 2010).

SUMMARY

Contemporary U.S. school policies charge educators and schools with raising student competency scores and narrowing the achievement gap between minorities and Whites. This is troubling as low-income school districts, which have higher minority and low-income student populations, are expected to perform as well as wealthier school districts despite gross funding disparities and the deleterious effects of minority status and poverty have on academic achievement. Widespread public belief that ‘throwing money at the problem’ is wasteful simply denotes a misinformed society. High-stakes testing encourages the use of tracking systems which push underperforming students into special education classes so as to avoid federal sanctions associated with poor school ratings. As a result, Black and minority students are disproportionately labeled with learning disabilities and/or emotional problems and are underserved.

The U.S. has come a long way in terms of racial equality, though current educational policy negatively impacts educational opportunities for students of color and minority status. Minorities in most nations generally do not perform as well as the majority but inequitable funding practices including school districts generating additional funds through local wealth compound this tendency of minority underachievement.
Chapter Three: Conclusion and Recommendations

The U.S. pursuit of educational excellence is good-intentioned though misguided. If any lessons are gleaned from high-performing countries it would be the understanding excellence in education is often a function of educational equity. Equitable social conditions along with equitable education are credited with the high performance of countries such as Canada and Finland. While the U.S. may never become as equitable as its rhetoric it can begin with some basic educational policy changes.

CHANGES IN HOW SCHOOLS ARE FUNDED

The amount of school funding districts receive should be based on need as socioeconomic status should not determine educational outcomes. To ensure equity and quality in all U.S. education systems, funding policies should afford quality early childhood education and care for low-income and minority families as well as using strategies to include weighted funding formula to account for the increased instructional costs of disadvantaged students. Of course this would necessitate increased local autonomy with how resources are allocated to ensure that disadvantaged students and schools are afforded the same educational opportunities as their more advantaged peers.

SUPPORT A MORE INCLUSIVE EDUCATION

The U.S. can become more equitable by embracing a more inclusive education strategy that does not push struggling students into lower tracks of learning but rather one that keeps them interested and challenged in a class of their peers. A comprehensive curriculum and curricular assessments which emphasize higher-order thinking skills such as those being utilized in higher achieving countries will increase the performance of U.S. students in international assessments.
and prepare them for the 21st century job market. Furthermore, high-stakes testing systems which have resulted in the narrowing of the curriculum must be abolished.

**BROADER PUBLIC SUPPORT FOR TEACHERS**

Teachers deserve broader public support. The profession needs to be a more respected profession in which teachers are trusted and afforded more autonomy. This can be achieved partly by requiring higher levels of teacher professionalism and credentialing (with pay to match). With equitable school funding practices teachers and students will be afforded the tools they need to succeed. As lawyers are understood to be experts in law, doctors in medicine, teachers should be considered experts in learning.

Equitable education systems are common in equitable societies. In such societies excellence in education is realized not through choice and competition but through equity and shared responsibility. The United States can learn from high-performing countries while using American ingenuity to address and correct the unintentional inequities which have contributed to the segregation of opportunity for poor and minority students in its educational system.
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U.S. Constitution, Amendment 14


