

***Can Our Schools Capture the Educational Gains of Diversity?***  
**North Carolina School Segregation, Alternatives and Possible Gains**



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## Table of Contents

Executive Summary .....	4
Introduction.....	7
Why School Desegregation Matters .....	9
Post- <i>Brown</i> History of School Desegregation in North Carolina.....	10
Initial Policies.....	10
Comprehensive School Desegregation.....	11
Resegregation of North Carolina Schools .....	13
Current Context of School Desegregation in North Carolina .....	17
Demographic Changes .....	18
Sociopolitical Context .....	19
School Choice.....	20
Housing and Residential Segregation.....	23
Data and Methods .....	23
Results.....	25
North Carolina Public School Enrollment.....	25
Segregated Schools of Color .....	26
Black and Hispanic Students in Segregated Schools of Color .....	27
White Students in Segregated White Schools .....	29
Exposure to Students of Different Races .....	29
Double Segregation by Race and Poverty .....	30
Segregation by Locale .....	31
Enrollment and Segregation by School Type .....	32
Enrollment and Segregation by Grade Level .....	34
Summary .....	36
Recommendations.....	37
District Efforts.....	39
State Efforts.....	42
Federal Efforts.....	43
Appendix A: Data Sources.....	45

## List of Tables

Table 1 – Total NC Public School Enrollment .....	25
Table 2 – Share of Segregated Schools of Color in North Carolina .....	26
Table 3 – Share of Students Attending Segregated Schools of Color Who Received FRL .....	27
Table 4 – Share of Segregated White Schools in North Carolina.....	29
Table 5 – Share of White Students Attending Segregated White Schools .....	29
Table 6 – Share of Segregated Schools of Color by Locale, 2021 .....	32
Table 7 – Share of Segregated White Schools by Locale, 2021 .....	32
Table 8 – Enrollment by Race and FRL Status in Traditional Public Schools, Charter Schools, and Magnet Schools, 2021 .....	33
Table 9 – Share of Traditional Public Schools, Charter Schools, and Magnet Schools That Were Segregated Schools of Color, 2021 .....	34
Table 10 – Share of Traditional Public Schools, Charter Schools, and Magnet Schools That Were Segregated White Schools, 2021 .....	34
Table 11 – Enrollment by Race and FRL Status in Elementary, Middle, and High Schools, 2021.....	35
Table 12 – Share of Elementary, Middle, and High Schools That Were Segregated Schools of Color, 2021 .....	35
Table 13 – Share of Elementary, Middle, and High Schools That Were Segregated White Schools, 2021 .....	36

## List of Figures

Figure 1 – NC Public School Enrollment by Race .....	26
Figure 2 – Share of Black Students Attending Segregated Schools of Color.....	28
Figure 3 – Share of Hispanic Students Attending Segregated Schools of Color.....	28
Figure 4 – Racial Composition of School Attended by the Typical Student of Each Race, 2021.....	30
Figure 5 – Exposure to FRL Students by Race and Isolation of FRL Students, 2021.....	31

## Executive Summary

May 17, 2024 marks the 70<sup>th</sup> anniversary of *Brown v. Board of Education*, the landmark Supreme Court decision that ruled segregated schools were “inherently unequal.” At the time, North Carolina was one of 17 states that enforced de jure segregation, that is, segregation by law. The state of North Carolina and the school districts within the state have played prominent roles in our nation’s history of school desegregation. The current context is different from the context during the time in which *Brown* was decided 70 years ago. North Carolina’s public school enrollment is increasingly multiracial, and the expansion of school choice means that a growing share of students attends charters and private schools, both of which tend to be more segregated than traditional public schools. The nation, including North Carolina, is in a period of extreme racial and political polarization.

As the nation marks this important anniversary, it is essential to assess where North Carolina schools are now in terms of school desegregation, as segregated schools are systematically linked to unequal educational opportunities and outcomes, while desegregated schools are associated with numerous short-term, long-term, academic, and nonacademic outcomes for individuals and society. Therefore, in this report, we analyzed school enrollment and desegregation trends at the state level from 1989 to 2021. We measured desegregation using concentration and exposure/isolation. Key findings from our analysis include:

1. From 1989 to 2021, North Carolina’s public school enrollment increased by over 41% and became increasingly diverse. In 2021, the state’s public school enrollment was 45% White, 25% Black, 20% Hispanic, 5% Multiracial, 4% Asian, and 1% American Indian.
2. Despite an increasingly diverse student body, patterns of segregation intensified as students of all racial groups were disproportionately enrolled in schools with same-race peers.
  - In 2021, the typical White student attended a school where 58.9% of the students were White, even though White students only comprised 45% of the total state enrollment.
  - The typical Black student attended a school where 41.2% of the students were Black, even though Black students accounted for 25% of the state’s enrollment.
  - The typical Hispanic student attended a school where 28.7% of the students were Hispanic, even though Hispanic students accounted for only 20% of the state’s public school enrollment.
3. In 2021, Black students had the least exposure to White students; the typical Black student attended a school with 28.3% White schoolmates. The typical Hispanic student attended a school with 36.1% White schoolmates, the second lowest exposure to White students of any demographic group.
4. Despite accounting for less than half of the state’s enrollment in 2021, 68.6% of White students attended majority White schools.
5. In the past three decades, the share of intensely segregated schools of color (schools that enroll 90-100% students of color) increased such that in 2021, 13.5% of the state’s public schools were intensely segregated schools of color.
6. In 2021, 1 in 4 Black students and almost 1 in 5 Hispanic students across the state attended an intensely segregated school of color.

7. In 2021, within intensely segregated schools of color, 82.6% of the students were recipients of free or reduced-price lunch, indicating a double segregation of students by race and poverty.
8. The typical Black and Hispanic students attended a school with disproportionately large shares of low-income students (61.3% and 55.3%, respectively) while the typical White and Asian students attended a school with disproportionately small shares of low-income students (38.0% and 29.4%, respectively).
9. Compared to charters and magnets, traditional public schools had the smallest share of intensely segregated and hypersegregated schools of color (10.5% and 0.5%, respectively) and charters had the largest share of hypersegregated schools of color (6.0%). Hypersegregated schools of color enroll 99-100% students of color.
10. In 2021, majority schools of color and intensely segregated schools of color were found in all areas of the state, but cities had the largest shares of majority schools of color (81.7%), intensely segregated schools of color (30.6%), and hypersegregated schools of color (2.3%), while rural areas had the largest share of intensely segregated White schools (4.0%).
11. When comparing different grade levels, in 2021, elementary schools had the largest share of both intensely segregated schools of color (15.9%) and intensely segregated White schools (2.6%).

Local, state, and federal efforts could aid in facilitating desegregation. Encouraging efforts to support desegregation and integration are underway in several North Carolina districts, including the following:

- Cumberland County Schools and Winston Salem/Forsyth County Schools were awarded approximately \$1.5 million in federal funding from the Fostering Diverse Schools Demonstration Grant to support their plans to foster diversity and equity across their schools.
- From 2021 to 2023, Wake County Public School System received more than \$42.5 million in federal funding through the Magnet Schools Assistance Program (MSAP), a federal grant program that aims to support districts in using magnet schools to further desegregation efforts.
- In the 2024-2025 school year, Durham Public Schools will implement its Growing Together student assignment plan, which prioritizes diversity in the redrawing of school attendance boundaries and expands access and equity through controlled-choice admissions.

To further support desegregation in North Carolina, we make the following recommendations for school districts, the state, and the federal government:

- Districts around the state should design voluntary school desegregation policies that are likely to be most effective in their local context. These policies could include implementing controlled-choice plans or multi-factor student attendance policies that include diversity goals, redrawing attendance boundary lines with diversity as a priority, developing magnet schools, pairing elementary schools, and consolidating multiple school districts within the same county.

- North Carolina Department of Public Instruction (NC DPI) should offer incentives to districts and schools to desegregate through grant programming, as well as offer support to LEAs engaging in desegregation efforts.
- The state legislature should strengthen its charter school regulation by holding charter schools accountable for diverse student enrollment practices and require that charter schools offer transportation and free or reduced-price lunch to qualifying students.
- The state legislature should also strengthen the statutory language for the statewide voucher program to include civil rights protections for all students in private schools that accept vouchers, as well as require the same levels of transparency and accountability for those private schools accepting public funds.
- The federal government should increase funding for MSAP and the Fostering Diverse Schools Demonstration Grant Program to allow for more awardees.

# Can Our Schools Capture the Educational Gains of Diversity?

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### Introduction

May 17, 2024 marks the 70<sup>th</sup> anniversary of *Brown v. Board of Education*, the landmark Supreme Court decision that ruled segregated schools were “inherently unequal.” At the time, North Carolina was one of 17 states that enforced de jure segregation, that is, segregation by law. Nationwide, although little progress was made to desegregate schools in the decade following *Brown*, schools became increasingly more desegregated through the late 1980s. However, over the last three and a half decades, resegregation has taken hold in many schools across the nation, including in North Carolina.<sup>1</sup>

The state of North Carolina and the school districts within the state have played prominent roles in our nation’s history of school desegregation. Following *Brown*, like many other southern states, North Carolina delayed integration; however, the state’s tactics for doing so were slightly more subtle than other states that engaged in massive resistance. Once integration efforts were underway, various districts across the state played important roles in the nation’s integration efforts. In 1971, Charlotte-Mecklenburg was thrust onto the national stage in the Supreme Court decision that determined that busing could be used as a tool to facilitate integration. In 2000, Wake County Public School System became the first metropolitan school district in the nation to shift from a race-based student assignment plan to a socioeconomic and achievement-based plan. Districts across the state embraced magnet schools as a way to facilitate integration. However, as the Civil Rights Project’s report a decade ago documented, at different times and through different mechanisms, progress toward desegregation unraveled in many districts across the state.<sup>2</sup>

Today, the nation’s public school enrollment is multiracial; however, individual schools often do not reflect this multiracial enrollment. During the 2021-2022 school year, the United States public school enrollment was 45% White, 28% Hispanic, 15% Black, 5% Asian, 5% two or more races, and 1% American Indian.<sup>3</sup> Despite having a diverse and multiracial student body, schools throughout the United States, including in North Carolina, are segregated. Across the nation, students are isolated in schools with peers who share their same racial background. Approximately 60% of Black and Latino students attend schools that enroll at least 75% students

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<sup>1</sup> Frankenberg, E., Ee, J., Ayscue, J. B., & Orfield, G. (2019). *Harming our common future: America's segregated schools 65 years after Brown*. The Civil Rights Project/Proyecto Derechos Civiles; U.S. Department of Education. (2023). *The state of school diversity in the United States*. Author. <https://www2.ed.gov/rschstat/eval/resources/diversity.pdf>; U.S. Government Accountability Office. (2022). *Student population has significantly diversified, but many schools remain divided along racial, ethnic, and economic lines* (Report to the Chairman, Committee on Education and Labor, House of Representatives GAO-22-104737). U.S. Government Accountability Office.

<sup>2</sup> Ayscue, J. B., & Woodward, B. with Kucsera, J., & Siegel-Hawley, G. (2014 May). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derechos Civiles.

<sup>3</sup> National Center for Education Statistics. (2023). Racial/ethnic enrollment in public schools. *Condition of Education*. U.S. Department of Education, Institute of Education Sciences.



of color; nearly half (46%) of White students attend schools that enroll at least 75% White students.<sup>4</sup> Schools also tend to be segregated by socioeconomic status, resulting in a double segregation in which low-income students of color tend to attend schools that enroll disproportionately large shares of other low-income students of color.<sup>5</sup>

Our current context is different from the context during the time in which *Brown* was decided 70 years ago. The nation’s public school enrollment is increasingly multiracial. Yet, many students are not enrolled in traditional public schools, as school choice is expanding in the form of charters and private school vouchers, both of which tend to be more segregated than traditional public schools.<sup>6</sup> The nation is in a period of extreme racial and political polarization.<sup>7</sup> Local school districts across the nation have been restricting the ways in which educators can teach about race, and books that teach about our nation’s history with race and other currently contentious topics have been banned.<sup>8</sup> School board meetings have become grounds for protests and heated debates.<sup>9</sup> Our nation’s highest Court recently ended race-conscious admissions in higher education.<sup>10</sup>

As the nation marks this important anniversary in the midst of extreme racial and political polarization, it is essential to assess where North Carolina schools are now in terms of school desegregation, as segregated schools are systematically linked to unequal educational opportunities and outcomes, while integrated schools are associated with numerous short-term, long-term, academic, and nonacademic outcomes for individuals and society. Therefore, in this report, we begin with an overview of the research on why school integration matters. To provide an understanding of how we reached the point where we are today, we provide a description of the history of school desegregation in North Carolina as well as current mechanisms that facilitate and constrain desegregation efforts. Then, we provide an empirical analysis of school desegregation trends in North Carolina. We conclude with recommendations for supporting school desegregation efforts across the state.

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<sup>4</sup> U.S. Department of Education. (2023). *The state of school diversity in the United States*. Author.

<https://www2.ed.gov/rschstat/eval/resources/diversity.pdf>

<sup>5</sup> Frankenberg, E., Ee, J., Ayscue, J. B., & Orfield, G. (2019). *Harming our common future: America's segregated schools 65 years after Brown*. The Civil Rights Project/Proyecto Derechos Civiles

<sup>6</sup> Cobb, C. (in press). Policy matters: School choice and segregation. In J. B. Ayscue (Ed.), *Reimagining school integration: Possibilities for the future*. Information Age Publishing.

<sup>7</sup> Abramowitz, A., & McCoy, J. (2019). United States: Racial resentment, negative partisanship, and polarization in Trump’s America. *The ANNALS of the American Academy of Political and Social Science*, 681, 137–156; Boxell, L., Gentzkow, M., & Shapiro, J. M. (2020). Cross-country trends in affective polarization. *NBER Working Paper Series*. National Bureau of Economic Research; Iyengar, S., Lelkes, Y., Levendusky, M., Malhotra, N., & Westwood, S. J. (2019). The origins and consequences of affective polarization in the United States. *Annual Review of Political Science* 22(1), 129–146.

<sup>8</sup> Pollock, M., Rogers, J., Kwako, A., Matschiner, A., Kendall, R., Bingener, C., Reece, E., Kennedy, B., & Howard, J. (2022). *The conflict campaign: Exploring local experiences of the campaign to Ban “Critical Race Theory” in public k–12 education in the U.S., 2020–2021*. UCLA’s Institute for Democracy, Education, and Access.

<sup>9</sup> Ibid.

<sup>10</sup> *Students for Fair Admissions v. President and Fellows of Harvard College*, 600 U.S. 181 (2023).

## Why School Desegregation Matters

Research consistently finds that desegregation, particularly when well structured, is related to numerous short-term, long-term, academic, and nonacademic benefits for individual students as well as communities. On the other hand, segregation is associated with unequal educational opportunities and outcomes.<sup>11</sup>

Desegregated schools are associated with positive academic outcomes for students of color, including higher levels of academic achievement, higher graduation rates, and lower dropout rates.<sup>12</sup> Alongside academic benefits, integrated schools are also linked to positive interpersonal outcomes, such as reduction in prejudice and stereotypes and enhanced friendships among students from different racial groups.<sup>13</sup> Students who attend integrated schools have improved communication and critical thinking skills as well as enhanced cultural competency.<sup>14</sup> In the long term, students who attended desegregated schools are more likely to live and work in integrated environments later in their lives and they tend to have higher status and better paying jobs, better health outcomes, and decreased likelihood of being incarcerated.<sup>15</sup> Alongside the benefits that accrue to individuals, integration is also beneficial for society as it leads to greater social cohesion in our pluralistic, democratic society.<sup>16</sup>

Conversely, segregated schools where large shares of students of color and low-income students are enrolled tend to have less experienced and less qualified teachers, higher levels of

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<sup>11</sup> Linn, R., & Welner, K. (2007). *Race-conscious policies for assigning students to schools: Social science research and the Supreme Court cases*. National Academy of Education; Mickelson, R. A., & Nkomo, M. (2012). Integrated schooling, life course outcomes, and social cohesion in multiethnic democratic societies. *Review of Research in Education*, 36(1), 197–238. <https://doi.org/10.3102/0091732X11422667>

<sup>12</sup> Balfanz, R., & Legters, N. E. (2004). Locating the dropout crisis: Which high schools produce the nation's dropouts? In G. Orfield (Ed.), *Dropouts in America: Confronting the graduation crisis* (pp. 57-84). Harvard Education Press; Mickelson, R. A., Bottia, M. C., & Lambert, R. (2013). Effects of school racial composition on K-12 mathematics outcomes: A metaregression analysis. *Review of Educational Research*, 83, 121-158; Mickelson, R. A., Bottia, M. C., & Larimore, S. (2020). A metaregression analysis of the effects of school racial and ethnic composition on k-12 reading, language arts, and English outcomes. *Sociology of Race and Ethnicity*; Swanson, C. B. (2004). Sketching a portrait of public high school graduation: Who graduates? Who doesn't? In G. Orfield (Ed.), *Dropouts in America: Confronting the graduation rate crisis* (pp. 13-40). Harvard Education Press.

<sup>13</sup> Allport, G. W. (1954). *The nature of prejudice*. Addison Wesley; Pettigrew, T., & Tropp, L. (2006). A meta-analytic test of intergroup contact theory. *Journal of Personality and Social Psychology*, 90(5), 751-783; Tropp, L. R., & Prenovost, M. A. (2008). The role of intergroup contact in predicting children's interethnic attitudes: Evidence from meta-analytic and field studies. In S. R. Levy & M. Killen (Eds.), *Intergroup attitudes and relations in childhood through adulthood* (pp. 236-248). Oxford University Press.

<sup>14</sup> Anstreicher, G., Fletcher, J., & Thompson, O. (2022). *The long run impacts of court-ordered desegregation*. NBER Working Paper No. 29926. National Bureau of Economic Research. DOI: 10.3386/w29926; Johnson, R. C. (2011). Long-run impacts of school desegregation and school quality on adult attainments. *NBER Working Paper Series*. National Bureau of Economic Research; Johnson, R. C. (2019). *Children of the dream: Why school integration works*. Basic Books; Siegel-Hawley, G. (2012). *How non-minority students also benefit from racially diverse schools*. The National Coalition on School Diversity; Wang, G., Schwartz, G. L., Kim, M. H., White, J. S., Glymour, M. M., Reardon, S., ... Hamad, R. (2022). School racial segregation and the health of Black children. *Pediatrics*, 149(5), 24–33. <https://doi.org/10.1542/peds.2021-055952>

<sup>15</sup> Braddock, J. H., & McPartland, J. M. (1989). Social-psychological processes that perpetuate racial segregation: The relationship between school and employment desegregation. *Journal of Black Studies*, 19, 267-289.

<sup>16</sup> Mickelson, R. A., & Nkomo, M. (2012). Integrated schooling, life course outcomes, and social cohesion in multiethnic democratic societies. *Review of Research in Education*, 36(1), 197–238. <https://doi.org/10.3102/0091732X11422667>

teacher turnover, and higher levels of student mobility.<sup>17</sup> They also tend to have less advanced curricular offerings as well as inferior resources and facilities.<sup>18</sup> In terms of academic outcomes, students of color who attend segregated schools have lower levels of academic achievement than their peers who attend integrated schools.<sup>19</sup> Given the documented benefits associated with integration and the harms associated with segregation, it is essential to understand the level of segregation or desegregation that currently exists in North Carolina's schools as well as how the state's schools arrived at this point.

## **Post-Brown History of School Desegregation in North Carolina**

### **Initial Policies**

By the time of the passage of *Brown*, court orders to desegregate were not novel for North Carolina, with mandates issued in 1951 to desegregate professional and graduate schools in its esteemed public university system, the University of North Carolina. However, as desegregation expanded to K-12 schools, any presumption that North Carolina would support a more progressive adoption of school integration quickly faded. Rather, in stark contrast to the overt opposition of many southern states in response to the *Brown* decision, North Carolina adopted furtive means to resist substantive school desegregation. Regarded as the “North Carolina way,”<sup>20</sup> in the years shortly after *Brown*, North Carolina politicians took action on local and state levels to impede integration efforts, effectively stymieing the process altogether.

The Pupil Assignment Act was the first of such strategies. Its enactment in 1955 allowed the state to transition primary control over student enrollment, transfers, and transportation to the local school governance. The act also convoluted the appeal process for school boards' resolutions, thus impeding the protective procedures for petitioning against boards' decisions.<sup>21</sup> In 1956, only one year after the passage of the Pupil Assignment Act, North Carolina passed another piece of legislation titled the Pearsall Plan, which further allowed local governance to thwart comprehensive desegregation through various means. In particular, it required African

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<sup>17</sup> Clotfelter, C. T., Ladd, H. F., & Vigdor, J. L. (2005). Who teaches whom? Race and the distribution of novice teachers. *Economics of Education Review*, 24, 377-392. <https://doi.org/10.1016/j.econedurev.2004.06.008>; Clotfelter, C. T., Ladd, H. F., & Vigdor, J. L. (2010). Teacher mobility, school segregation, and pay-based policies to level the playing field. *Education, Finance, and Policy*, 6, 399-438. [https://doi.org/10.1162/EDFP\\_a\\_00040](https://doi.org/10.1162/EDFP_a_00040); Jackson, K. (2009). Student demographics, teacher sorting, and teacher quality: Evidence from the end of school desegregation. *Journal of Labor Economics*, 27, 213-256. <https://doi.org/10.1086/599334>; Rumberger, R. (2003). The causes and consequences of student mobility. *The Journal of Negro Education*, 72(1), 6-21. <https://doi.org/10.2307/3211287>

<sup>18</sup> Yun, J. T., & Moreno, J. F. (2006). College access, K-12 concentrated disadvantage, and the next 25 years of education research. *Educational Researcher*, 35(1), 12-19. <https://doi.org/10.3102/0013189X035001012>

<sup>19</sup> Balfanz, R., & Legters, N. E. (2004). Locating the dropout crisis: Which high schools produce the nation's dropouts? In G. Orfield (Ed.), *Dropouts in America: Confronting the graduation crisis* (pp. 57-84). Harvard Education Press; Mickelson, R. A., Bottia, M. C., & Lambert, R. (2013). Effects of school racial composition on K-12 mathematics outcomes: A metaregression analysis. *Review of Educational Research*, 83, 121-158; Mickelson, R. A., Bottia, M. C., & Larimore, S. (2020). A metaregression analysis of the effects of school racial and ethnic composition on k-12 reading, language arts, and English outcomes. *Sociology of Race and Ethnicity*; Swanson, C. B. (2004). Sketching a portrait of public high school graduation: Who graduates? Who doesn't? In G. Orfield (Ed.), *Dropouts in America: Confronting the graduation rate crisis* (pp. 13-40). Harvard Education Press.

<sup>20</sup> Campbell, K. E. (2006). *Pupil Assignment Act | NCPedia*. [www.ncpedia.org/pupil-assignment-act](http://www.ncpedia.org/pupil-assignment-act)

<sup>21</sup> Ibid.

American parents to apply for desegregated schools through local school boards despite their potentially open resistance to integration. The Act also allowed school boards to vote to close schools if it was deemed that too much integration was occurring. Another central tenet of the Pearsall Plan was its provision of state tuition aid to White families to facilitate their access to privatized schooling options, if attending a segregated public school was unfeasible.<sup>22</sup>

Notably, both the Pupil Assignment Act and the Pearsall Plan became effective ways to feign compliance with the federal mandate to integrate public schools while shifting culpability onto local municipalities and parents to satisfy the process. Despite these tactics to defy integration mandates, North Carolina was one of the first states to begin the process of desegregation and only one of four southern states to have some desegregated schools by 1957.<sup>23</sup>

### **Comprehensive School Desegregation**

The 1960s and 1970s ushered in a new era of school desegregation. As part of the federal executive branch's undertaking to enforce *Brown*, the passage of Title VI of the 1964 Civil Rights Act prevented programs that were receiving federal financial assistance from discriminating on the basis of race, color, and national origin.<sup>24</sup> Insufficient compliance with the Act resulted in the disqualification of these programs from receiving federal funds, which included local school districts.<sup>25</sup> The implementation of Title VI through federal offices (i.e., the Department of Health, Education, and Welfare) had important implications for desegregation, particularly through the creation of desegregation standards that required voluntary desegregation plans for districts that were not already under desegregation orders.<sup>26</sup> Furthermore, given the South's reliance on public assistance for low-income families, the potential loss of federal aid through noncompliance was influential enough to spur action to desegregate public schools.<sup>27</sup> In North Carolina, compliance with Title VI and the subsequent desegregation requirements led every school system in the state to submit a desegregation plan or a statement asserting that desegregation had already taken place.<sup>28</sup>

By 1968, 43 of North Carolina's 100 counties were participating in school desegregation to varying degrees, with almost a quarter of the population of African American students attending a desegregated school.<sup>29</sup> However, this progress toward desegregation did not come without reactionary consequences. The ratification of the 1964 Civil Rights Act and ensuing demands from the Department of Health, Education, and Welfare proved consequential for White conservatives in the state and the nascent development of White private schools known as freedom schools.<sup>30</sup> Regarded as a form of "segregation academies," freedom schools expanded at

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<sup>22</sup> Hawkins, K., & McDowell, C. (2008). *Desegregation and integration of Greensboro's public schools, 1954-1974*. Retrieved from <https://gateway.uncg.edu/crg/essaygreensboroschools>

<sup>23</sup> Wadlington, F. (2004). Assigned places. *Tar Heel Junior Journal Historian*, 43(2).

<sup>24</sup> Civil Rights Act of 1964, Pub.L. 88-352, 78 Stat. 241 (1964).

<sup>25</sup> Ibid.

<sup>26</sup> Douglas, D. M. (2012). *Reading, writing, and race: The desegregation of the Charlotte schools*. UNC Press Books.

<sup>27</sup> Ayscue, J. B., Siegel-Hawley, G., Kucsera, J., & Woodward, B. (2018). School segregation and resegregation in Charlotte and Raleigh, 1989-2010. *Educational Policy*, 32(1), 3-54.

<sup>28</sup> Douglas, 114.

<sup>29</sup> School mixing total in 43 NC counties, *News and Observer*, August 8, 1968.

<sup>30</sup> Myers, C. (2004). White freedom schools: The white academy movement in eastern North Carolina, 1954-1973. *The North Carolina Historical Review*, 81(4), 393-425.

a considerable rate across the South, ushering in a private school movement to preserve school-level segregation.<sup>31</sup>

In public schooling, the unwillingness of some school districts to heed desegregation mandates without state intervention was called into question as seen in the ruling of *Godwin v. Johnston County Board of Education* in 1969.<sup>32</sup> The class action lawsuit was filed against Johnston County Board of Education, the North Carolina State Board of Education, and the North Carolina State Superintendent of Public Instruction (Dr. Charles F. Carroll) on the grounds of racial discrimination. *Godwin v. Johnston County Board of Education* interrogated the state's obligation to be an active rather than a passive governing body in ensuring the termination of school segregation. As evidenced by the verdict, "whether or not the State Board or State Superintendent ha[d] actively discriminated," they were held responsible for the "burden to actively seek the desegregation of the public schools in North Carolina."<sup>33</sup> The court's decision effectively undermined the previous legislature by ensuring realistic state efforts to enforce desegregation.

It is important to note that some factors unique to North Carolina facilitated integration during this time, principally the broad adoption of city and county district mergers across the state. In particular, the North Carolina State Legislature created a favorable context for mergers through state support and incentives.<sup>34</sup> Although endorsement of consolidation was rooted primarily in educational advancement and efficiency in governance,<sup>35</sup> creating city-county districts was also beneficial to the success of desegregation plans. The consolidation of the city of Charlotte and Mecklenburg County districts in 1960 to become Charlotte-Mecklenburg Schools was the first of such mergers. The formation of Wake County Schools came a decade and a half later in 1975, and Guilford County Schools was created in 1993. Given the larger geographic area that one merged district usually encompassed, notably in sizable municipalities, county-wide school districts often proved to be more diverse and counteracted White families' resistance to integration by attending proximate public schools.<sup>36</sup>

Despite the utility of city-county districts in promoting desegregation, Charlotte-Mecklenburg Schools garnered national attention in 1971 for the Supreme Court verdict in *Swann v. Charlotte-Mecklenburg Board of Education*. The Court's decision stood against North Carolina's Pearsall Plan, noting that school districts could not utilize seemingly race-neutral attendance zones to assign students to schools, as patterns of neighborhood segregation served to reinstitute school segregation.<sup>37</sup> Alternatively, desegregation was to be furthered by all necessary means, which included busing as a reasonable tool to aid the process.<sup>38</sup> The *Swann* case was

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<sup>31</sup> Ibid.

<sup>32</sup> *Godwin v. Johnston County Board of Education*, 301 F. Supp. 1339 (E.D.N.C. 1969)

<sup>33</sup> Ibid.

<sup>34</sup> Orfield, G. (2001). Metropolitan school desegregation: Impacts on metropolitan society. In j. a. powell, G. Kearney, & V. Kay (Eds.), *In pursuit of a dream deferred: Linking housing and education policy* (pp. 132 - 133). Peter Lang.

<sup>35</sup> Smith, S. S. (2004). *Boom for whom? Education, desegregation, and development in Charlotte*. State University of New York Press.

<sup>36</sup> Douglas, 77.

<sup>37</sup> *Swann v. Charlotte-Mecklenburg Board of Education*, 402 U.S. 1 (1971).

<sup>38</sup> Ibid.

cited nationwide, attenuating the use of residential segregation to uphold school segregation and allowing busing to be employed as a principal mechanism to desegregate public schools. Regardless of the impact that came with such a seminal Court decision, Court rulings that started in other states, such as the *Milliken v. Bradley* (1974) decision in Detroit, restricted how desegregation through busing could occur by resolving that school districts were not required to bus students across district lines.<sup>39</sup> Thus, areas of White residential segregation could maintain largely segregated school districts based on existing district lines.

By the 1970s, much of the South had largely achieved comprehensive school-level desegregation as a byproduct of many years of hallmark legislation, prominent court cases, and civil rights advocacy.<sup>40</sup> By the 1980s, North Carolina was an eminent exemplar of school desegregation, with less than 5% of African American students in highly segregated schools.<sup>41</sup> Regardless of the notable advancement of school desegregation in North Carolina, inequalities between schools persisted based on communities' location, urbanicity, and wealth. These inequities were brought forth in the 1994 case *Leandro v. the State of North Carolina*, which determined that students held the constitutional right to "receive a sound basic education."<sup>42</sup> Thus, regardless of the funding or lack thereof available to each locality, the state was obligated to ameliorate these funding inequities to uphold this right. Despite subsequent investments and implemented reforms, the verdict in *Leandro II* (2004) maintained that North Carolina failed to provide all students with adequate provisions to attain a constitutionally sound education. Notwithstanding the court's findings and state efforts in the decades following, school desegregation remains absent from policies and practices around what comprises a "sound basic education" and the effects of rurality that impact access to constitutive elements of this type of education.

## Resegregation of North Carolina Schools

As evidenced by the increasing reisolation of students in segregated schools,<sup>43</sup> the resegregation of North Carolina's school districts was well underway by the turn of the 21st century.<sup>44</sup> In addition to the loss of federal support, several other factors also fueled resegregation. Over time, the federal government and courts began withdrawing their backing and legal mechanisms for desegregation. In particular, by the early 1990s, many school districts were absolved from court-ordered desegregation.<sup>45</sup> These releases from court orders were made possible after the two Supreme Court decisions, *Board of Education of Oklahoma v. Dowell* (1991) and *Freeman v. Pitts* (1992). The first allowed school districts that had complied in good

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<sup>39</sup> *Milliken v. Bradley*, 418 U.S. 717 (1974).

<sup>40</sup> Kluger, R. (1976). *Simple justice*. Yale University Press.

<sup>41</sup> Orfield, G. (1983). *Public school desegregation in the United States, 1968-1980* (pp. 10-11). Joint Center for Political Studies.

<sup>42</sup> *Leandro v. State*, 44 S. E. 2d 249 (N.C. 1997).

<sup>43</sup> Nordstrom, C. (2022). *Still stymied: Why integration has not transformed North Carolina's schools*. North Carolina Justice Center: Education and Law Project. <https://www.ncjustice.org/wp-content/uploads/2022/12/REPORT-Still-Stymied-Kris-2-FINAL-1.pdf>

<sup>44</sup> Mickelson, R. A., Ayscue, J. B., Bottia, M. C., & Wilson, J. J. (2022). The past, present, and future of *Brown's* mandate: A view from North Carolina. *American Behavioral Scientist*, 66(6), 770–803.

<sup>45</sup> Reardon, S. F., Grewal, E. T., Kalogrides, D., & Greenberg, E. (2012). Brown fades: The end of court-ordered school desegregation and the resegregation of American public schools. *Journal of Policy Analysis and Management*, 31(4), 876-904. <https://doi.org/10.1002/pam.21649>

faith for a reasonable period of time and that had eliminated vestiges of segregation “to the extent possible” to be released from their desegregation orders. The second allowed districts to be released from court orders in an incremental fashion even if they had not achieved full desegregation, resulting in districts that were less desegregated being allowed to end their efforts.<sup>46</sup> Without court oversight, many districts resumed the use of school assignment by neighborhoods, which once again reflected residential patterns of racial and socioeconomic segregation.<sup>47</sup> Consequently, on average, schools across the nation that have been released from court-ordered desegregation have lost 60% of their gains in desegregation.<sup>48</sup>

### ***School Assignment***

In a similar vein, the formal laws placed on school assignment to uphold desegregation changed with federal and state educational policies over time. *Capacchione v. Charlotte-Mecklenburg Schools* (1997) was the first of such shifts. William Capacchione brought forth the case with his claim that his daughter was denied admittance to a magnet school because of her race.<sup>49</sup> Given the use of race-based student assignment as part of efforts to uphold the mandated desegregation orders, the district took an unexpected stance in the case by lobbying to remain under its existing court order to continue its desegregation efforts.<sup>50</sup> In the opinion of the school board members, the district had yet to establish an integrated school system (i.e., achieve unitary status).<sup>51</sup> In 1999, despite the arguments made by Charlotte-Mecklenburg Schools, the judge ruled that not only had the district achieved unitary status but also that it would no longer be able to use race as a factor in student assignment. The decision prompted opposition, with an appeal filed against the court’s finding in *Belk v. Charlotte-Mecklenburg Schools* (2001).<sup>52</sup> The motion attempted to reinstitute the *Swann* case, declaring that Charlotte-Mecklenburg had not officially reached unitary status. The motion was not granted, upholding the court’s previous decision in the *Capacchione* case.

The *Capacchione* verdict along with other similar decisions during this time (e.g., *Eisenberg v. Montgomery County Public Schools*, 1999)<sup>53</sup> nevertheless prompted districts to pivot, contending with new approaches to student assignment plans. One year later, Wake County was the first metropolitan school district to implement a student assignment strategy that used socioeconomic status and academic achievement as markers for assignment instead of

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<sup>46</sup> Orfield, G., & Eaton, S. E. (1996). *Dismantling desegregation: The quiet reversal of Brown v. Board of Education*. The New Press.

<sup>47</sup> Rothstein, R. (2017). *The color of law: A forgotten history of how our government segregated America*. Liveright Publishing Corporation.

<sup>48</sup> Johnson, R., & King, D. (2018). ‘Race was a motivating factor:’ Re-segregated schools in the American states. *Journal of International and Comparative Social Policy*, 35, 75-95.

<sup>49</sup> *Capacchione et al. v. Charlotte-Mecklenburg Board of Education*, 57 F. Supp. 2d 228 (W.D.N.C. 1999)

<sup>50</sup> Mickelson, R. A., Smith, S. S., & Southworth, S. (2009). Resegregation, achievement, and the chimera of choice in post-unitary Charlotte-Mecklenburg Schools. In C. E. Smrekar & E. B. Goldring (Eds.), *From the courtroom to the classroom: The shifting landscape of school desegregation*. Harvard Education Press.

<sup>51</sup> *Ibid*, 133-134.

<sup>52</sup> *Belk v. Charlotte-Mecklenburg Bd. of Educ.*, 269 F.3d 305, 316 (4th Cir. 2001).

<sup>53</sup> *Eisenberg v. Montgomery County Public Schools*, 197 F.3d 123 (4th Cir. 1999)

race.<sup>54</sup> Contrary to the notion that the strategy was a move away from achieving desegregation goals, it proved to be one of the few viable means to feasibly achieve some level of racial desegregation in the face of legal opposition. Despite Wake County's implementation of the economic-based assignment policy, the district's schools' racial desegregation has waned.<sup>55</sup> Nevertheless, the district remained more racially desegregated compared to similar metropolitan areas, at least partly because of their assignment strategy. Wake County's intentional strategies to ensure desegregation were undermined by changes in school board power, with newly elected board members openly opposing diversity policies.<sup>56</sup> This power shift led the district to forgo their assignment policy based on socioeconomic status and achievement in 2011 to prioritize students attending schools in their neighborhood.<sup>57</sup> The decision fueled sizable public animus, effectively mobilizing community members and creating interest groups to preserve the district's long-standing dedication to desegregation.<sup>58</sup> While efforts were made by subsequent school boards to address aspects of segregation (i.e., concentrations of low-performing, low-income students), it was not until 2019 that there was a more renewed commitment by the board to institute a voluntary desegregation plan.<sup>59</sup>

On the national level, the string of decisions made by the federal courts moved toward color-blindness in student assignment policies, culminating in *Parents Involved in Community Schools v. Seattle School District No. 1* (2007). This decision held that an individual student's race could not be the deciding factor in assigning them to school, leading to the dissolution of race-based strategies for voluntary desegregation.

### ***Magnet Schools***

The establishment of federally funded magnets in North Carolina in the late 1960s and 1970s was intended to cultivate desegregation in schools, providing another option for school districts to offer families in lieu of compulsory reassignment or busing.<sup>60</sup> The institution of magnet programs proved another way to encourage families to voluntarily desegregate through alternative courses and schooling methods,<sup>61</sup> in contrast with North Carolina's charter and

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<sup>54</sup> Williams, S. M., & Houck, E. A. (2013). The life and death of desegregation policy in Wake County Public School System and Charlotte-Mecklenburg Schools. *Education and Urban Society*, 45(5), 571-588. <https://doi.org/10.1177/0013124513486290>

<sup>55</sup> Siegel-Hawley, G. (2011). Is class working? Socioeconomic student assignment plans in Wake County, North Carolina, and Cambridge, Massachusetts. In E. Frankenberg & E. DeBray (Eds.), *Integrating schools in a changing society: New policies and legal options for a multiracial generation* (p. 215). The University of North Carolina Press.

<sup>56</sup> Diem, S., Frankenberg, E., & Cleary, C. (2015). Factors that influence school board policy making: The political context of student diversity in urban-suburban districts. *Educational Administration Quarterly*, 51(5), 712-752. <https://doi.org/10.1177/0013161X15589367>

<sup>57</sup> Parcel, T. L., & Taylor, A. J. (2015). *The end of consensus: Diversity, neighborhoods, and the politics of public school assignments*. The University of North Carolina Press. <https://doi.org/10.5149/northcarolina/9781469622545.001.0001>

<sup>58</sup> Diem, Frankenberg, & Cleary, 742.

<sup>59</sup> Ayscue, J. B., Barriga, D., & Uzzell, E. M. (2023). Resegregation will not happen on our watch: The political and social context surrounding voluntary integration in Wake County Public School System. *Education Policy Analysis Archives*, 31. <https://doi.org/10.14507/epaa.31.7464>

<sup>60</sup> Goldring, E., & Smrekar, C. (2000). Magnet schools and the pursuit of racial balance. *Education and Urban Society*, 33(1), 17-35. <https://doi.org/10.1177/0013124500331003>

<sup>61</sup> Ibi, 17.



voucher history of the preservation of segregation.<sup>62</sup> The creation and expansion of magnet programs were and continue to be fueled by long-standing federal investment in the Magnet Schools Assistance Program (MSAP), which provides competitive grants to start magnet programs in districts with desegregation plans (i.e., court-ordered or approved voluntary).<sup>63</sup> Consequently, there was a swift uptake of the magnet school movement, with over 1.2 million students across the nation being enrolled in magnet schools by the early 1990s.<sup>64</sup>

The increased number of magnet schools was similarly noted in North Carolina, where prominent districts such as Charlotte-Mecklenburg and Wake County found some success in the deliberate creation of magnet schools for desegregation purposes.<sup>65</sup> Charlotte-Mecklenburg even moved away from mandatory busing in the early 1990s in favor of expanding specialized magnet programs in select locations.<sup>66</sup>

Paramount to the advancement of desegregation efforts through magnet programs was that court oversight ensured that magnet schools upheld civil rights provisions to satisfy desegregation requirements. Accordingly, magnet programs engaged in intentional outreach and recruitment of students from different racial backgrounds, reserving enrollment spots or offering transportation if necessary.<sup>67</sup> However, in various districts, the release of schools from desegregation plans led to the eventual dissipation of these policies and practices. Although magnet schools in North Carolina continue to be less segregated when compared to traditional public schools,<sup>68</sup> the loss of their civil rights goals facilitated the resegregation of some magnet programs.<sup>69</sup>

### ***Charter Schools***

The formation of charter schools increased through North Carolina's adoption of the Charter School Act of 1996, which authorized the creation of up to 100 charter schools in the state.<sup>70</sup> In conjunction with limitations placed on the number of charter schools each district was allowed to institute, the legislation also required that charter schools' racial and ethnic distribution "reasonably reflect" the composition of the school district.<sup>71</sup> Despite these specifications, by 1998, 22 of the 60 charter schools in North Carolina were found to be out of compliance with the mandated composition requirement, many of which were in predominantly

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<sup>62</sup> Suits, S. (2023). The segregationist origins and legacy of today's private school vouchers. In Welner, K., Orfield, G., & Huerta, L. A. (Eds.). *The school voucher illusion: Exposing the pretense of equity*. Teachers College Press.

<sup>63</sup> U.S. Department of Education, Magnet School Assistance Program. Available at <http://www2.ed.gov/programs/magnet/index.html>.

<sup>64</sup> Public School Forum of North Carolina. (2022). *North Carolina education policy primer 2022*. <https://www.ncforum.org/2022/primer22/>

<sup>65</sup> Ayscue, J. B., Siegel-Hawley, G., Kucsera, J., & Woodward, B. (2018). School segregation and resegregation in Charlotte and Raleigh, 1989-2010. *Educational Policy*, 32(1), 3-54. <https://doi.org/10.1177/0895904815625287>

<sup>66</sup> Ibid, 15.

<sup>67</sup> Ayscue, J. B., & Woodward, B. (2014). *Segregation again: North Carolina's transition from leading desegregation then to accepting segregation now*. Civil Rights Project/Proyecto Derechos Civiles.

<sup>68</sup> Ayscue, J. B., Siegel-Hawley, G., Kucsera, J., & Woodward, B. (2016). School segregation and resegregation in Charlotte and Raleigh, 1989-2010. *Educational Policy*, 32(1), 1-52. <https://doi.org/10.1177/0895904815625287>

<sup>69</sup> Ayscue & Woodward, 5.

<sup>70</sup> The Charter School Act, State Abbreviation Code Abbreviation G.S. 115C.14a § 115C-218 (1996).

<sup>71</sup> Ibid.

Black communities.<sup>72</sup> In the following decades, these provisions were steadily altered through court cases, federal incentives to expand charter schools, and alterations made in the North Carolina legislature. The 1998 lawsuit filed by the nonprofit group North Carolina Foundation for Individual Rights led to the first of such changes. The lawsuit, which was formulated against charter school diversity requirements, drove the state to forgo its charter school rule on racial diversity.<sup>73</sup> In 2013, the state's demand for diversity and reflective demographics in charter schools was further weakened. Rather than having to demonstrate that racial and ethnic makeup reasonably reflected that of the school districts as was initially prescribed in 1996, school districts were only responsible for "making efforts" to "reasonably reflect" these demographics.<sup>74</sup> The urgency to expand charter schools was later spurred through the federal initiative Race to the Top, which compelled states to raise their previous charter caps to retain funding qualifications for the program. In response, North Carolina passed Senate Bill 8 in 2011, lifting its previous 100-school ceiling on forming charter programs.<sup>75</sup>

These shifting federal and state policies led charter schools to become widely used and increasingly unregulated, particularly when compared to magnet programs. In their initial establishment, charter schools in North Carolina were comprised predominantly of Black students. Over time, the racial composition of charter schools has changed for several reasons, including exclusionary sorting practices, the undermining of diversity requirements, and the lack of legislative preconditions for services such as transportation and meals for low-income students.<sup>76</sup> Charter schools in the state currently serve White students at disproportionate rates, with very few students coming from low socioeconomic families.<sup>77</sup> These enrollment patterns reflect that charter schools are now more segregated than traditional public schools in North Carolina.<sup>78</sup>

### **Current Context of School Desegregation in North Carolina**

Consistent with North Carolina's storied history of school desegregation, the current status of school desegregation is mixed. While state-level policies are prioritizing unfettered choice over equity, some local districts are enacting policies and practices attempting to desegregate schools, while others' policies more closely align with the state legislature's priorities. *Brown's* vision of desegregated schools is most likely to be fulfilled when a combination of federal, state, and local policies are in alignment in their facilitation of desegregation. However, factors such as the legal context and demographic shifts can converge

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<sup>72</sup> Dent, D. (1998, December 23). *Diversity rules threaten North Carolina charter schools that aid Blacks*. The New York Times. <https://www.nytimes.com/1998/12/23/us/diversity-rules-threaten-north-carolina-charter-schools-that-aid-blacks.html>

<sup>73</sup> Siegel-Hawley, G., & Frankenberg, E. (2010). Does law influence charter school diversity-An analysis of federal and state legislation. *Mich. J. Race & L.*, 16, 357.

<sup>74</sup> NC § 115C-238.29F

<sup>75</sup> Senate Bill 8 § S.L. 2011-164

<sup>76</sup> Mickelson et al., 782.

<sup>77</sup> Ladd, H., Clotfelter, C., & Holbein, J. B. (2015). *The growing segmentation of the charter school sector in North Carolina*. CALDER. <https://doi.org/10.3386/w21078>; North Carolina Department of Public Instruction. (2018). *Report to the North Carolina General Assembly: Charter schools annual report*. Retrieved from <https://www.dpi.nc.gov/documents/americanindianed/reports/charter-schools-annual-report-01262018/download>

<sup>78</sup> Ayscue, J. B., Siegel-Hawley, G., Kucsera, J., & Woodward, B. (2016). School segregation and resegregation in Charlotte and Raleigh, 1989-2010. *Educational Policy*, 32(1), 1-52. <https://doi.org/10.1177/0895904815625287>

with policy levers and equity-based practices to promote movement toward desegregated schools.

In what they call “the era of color-blind jurisprudence and school choice,” Clotfelter and colleagues<sup>79</sup> quantified the changes to school segregation between 1998-2016 using standard measures of racial imbalance. With the goal of determining how the dynamics of school segregation shifted as the judicial climate shifted, they found that charters, private schools, and deconsolidated school districts were institutional drivers of segregation during this time period.<sup>80</sup> Because the Republican-dominated state legislature continues to support these mechanisms, it is important to understand how they are currently facilitating or constraining desegregation in North Carolina.

## Demographic Changes

North Carolina has, and continues to, undergo significant demographic shifts that directly impact the resegregation of schools.<sup>81</sup> The state population is growing rapidly, driven by net migration. In 2020, 8% of the state’s population consisted of foreign-born migrants, and residential patterns show concentrations of this population in the state’s two largest urban cores.<sup>82</sup> The rapid population growth in urban and suburban school districts is necessitating the redrawing of attendance zone boundaries.<sup>83</sup> These demographic shifts could be instrumental in facilitating the desegregation of schools if education and community leaders take advantage of the diversifying student population, and if the growing population of students of color results in a shift from conservative to progressive politics at the state level.<sup>84</sup> The Hispanic student population continues to increase sharply, while the White and Black student populations steadily decrease.<sup>85</sup>

Gentrification is a notable residential trend that will have an effect on school segregation in North Carolina and across the nation. Both Charlotte and Raleigh, the most populous urban

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<sup>79</sup> Clotfelter, C. T., Hemelt, S. W., Ladd, H. F., & Turaeva, M. R. (2023). School segregation in the era of color-blind jurisprudence and school choice. *Urban Affairs Review*, 59(2), 406-446.

<sup>80</sup>Ibid.

<sup>81</sup> Clotfelter, C. T., Hemelt, S. W., Ladd, H. F., & Turaeva, M. R. (2023). School segregation in the era of color-blind jurisprudence and school choice. *Urban Affairs Review*, 59(2), 406-446; Mickelson, R. A. (2015). The cumulative disadvantages of first- and second-generation segregation for middle school achievement. *American Educational Research Journal*, 52(4), 657-692. <https://doi.org/10.3102/0002831215587933>

<sup>82</sup> North Carolina Office of State Budget and Management. (2022). North Carolina’s foreign-born population growing more diverse. <https://www.osbm.nc.gov/blog/2022/07/05/north-carolinas-foreign-born-population-growing-more-diverse#:~:text=Changing%20Trends%20in%20Country%20of%20Origin&text=While%20the%20largest%20number%20of.44%25%20and%2024%25%20respectively.>

<sup>83</sup> Fusarelli, L. D., & Petersen, G. J. (2014). The politics of district-level decision making. In J. C. Lindle (Ed.), *Political contexts of educational leadership* (pp. 61-77). Routledge.

<sup>84</sup>Mickelson, R. A., Ayscue, J. B., Bottia, M. C., & Wilson, J. J. (2022). The past, present, and future of Brown’s mandate: A view from North Carolina. *American Behavioral Scientist*, 66(6), 770–803. <https://doi.org.prox.lib.ncsu.edu/10.1177/00027642211033296>

<sup>85</sup> U.S. Department of Education: Office for Civil Rights. (2020). Civil Rights Data Collection: North Carolina School Survey. <https://civilrightsdata.ed.gov/data>

centers in the state, show evidence of gentrification.<sup>86</sup> Research suggests that when there are school choice options outside of district schools, newcomers moving into gentrified areas are less likely to send their children to neighborhood schools when compared to long-time residents.<sup>87</sup> This trend leads to increased isolation of students of color in their neighborhood schools. As communities' demographics change, leadership at the state and local level will be instrumental in facilitating school desegregation through decisions and nondecisions on the policies and practices described below.

## **Sociopolitical Context**

Since 2010, North Carolina politics have garnered national attention as the state has been in some ways a microcosm of the country's political battles. Considered a purple state in presidential elections, North Carolina has been called a progressive beacon of the South, although as reflected in the state's school desegregation history, this perceived "progressive" history is called into question. The Red Wave of 2010 ushered in a Republican takeover of state legislatures in North Carolina and across the country, and with it, the redrawing of congressional district lines to maintain seats. However, the state Supreme Court and solidly blue urban centers have pushed back on attempts to gerrymander the state. Indeed, voting patterns reflect the rural parts of the state moving more toward the political right, while urban centers are moving more toward the political left.<sup>88</sup> In this political context of a rural/urban divide, district consolidation policies, arguably one of the most effective approaches to desegregating schools so far, are being contested.

Although North Carolina joined most of the Southeast in consolidating city and county school districts between the 1960s and the 1990s, resulting in less racial segregation of schools, 11 North Carolina counties have not yet consolidated, and the schools in those districts are some of the most segregated in the state.<sup>89</sup> Moreover, since the Republican Party took control of the state legislature in 2010, there has been growing interest and movement toward secession of consolidated city-county districts.<sup>90</sup> The balkanization of the already consolidated districts poses one of the most pressing threats to the desegregation of schools that has been achieved in North Carolina since *Brown*.<sup>91</sup>

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<sup>86</sup> Maciag, M. (2015). Gentrification in America Report. *Governing*.

<https://www.governing.com/archive/gentrification-in-cities-governing-report.html>

<sup>87</sup> Candipan, J. (2020). Choosing schools in changing places: Examining school enrollment in gentrifying neighborhoods. *Sociology of Education*, 93(3), 215-237.

<sup>88</sup> Cooper, C. A., & Knotts, H. G. (2022). Reliably purple: The 2020 presidential election in North Carolina. *Presidential Swing States*, 79-96.

<sup>89</sup> Nordstrom, K. (2022). *Still stymied: Why integration has not transformed North Carolina's schools*. North Carolina Justice Center: Education and Law Project. <https://www.ncjustice.org/wp-content/uploads/2022/12/REPORT-Still-Stymied-Kris-2-FINAL-1.pdf>

<sup>90</sup> Johnson, R., & King, D. (2018). 'Race was a motivating factor:' Re-segregated schools in the American states. *Journal of International and Comparative Social Policy*, 35, 75-95.

<sup>91</sup> Clotfelter, C. T., Hemelt, S. W., Ladd, H. F., & Turaeva, M. R. (2023). School segregation in the era of color-blind jurisprudence and school choice. *Urban Affairs Review*, 59(2), 406-446.

## School Choice

### *Charters*

The number of charter schools in North Carolina doubled between 2010 and 2020 and in 2023, 137,500 students in North Carolina were enrolled in charter schools, 9% of the state’s public school enrollment.<sup>92</sup> On average, at the city, county, and school district level, increased charter school enrollment in the United States has increased racial segregation.<sup>93</sup> In North Carolina, charter schools tend to be more segregated than their traditional public school counterparts.<sup>94</sup> Charters in North Carolina have not only increased racial isolation between Black and White students, but have also widened the achievement gap between the two groups precisely because of the negative impacts on Black students in racially isolated schools.<sup>95</sup>

Charters schools are under the same civil rights protections as traditional public schools,<sup>96</sup> and they are held accountable through the same assessments and systems as traditional public schools. In North Carolina, three charter schools have been closed since 1997 due to Exceptional Children noncompliance.<sup>97</sup> Over the past decade, North Carolina has attempted to address diversity in charter schools. The statutory language regarding admissions for charter schools requires that the student population “reasonably reflect[s] the racial and ethnic composition of the general population residing within the local school administrative unit” in which the school is located.<sup>98</sup> However, policy instruments to achieve this goal have not been in place. There is evidence<sup>99</sup> that charter school leaders are not complying with this statute, and there are no documented cases of charters being revoked or not renewed thus far due to noncompliance with this statute.<sup>100</sup> In 2015, the state legislature passed HB 334, which authorized the voluntary use of a weighted lottery system that took diversity into account in

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<sup>92</sup> Baquero, A. 2021 charter schools annual report. Office of Charter Schools: North Carolina Department of Public Instruction. [https://www.ednc.org/wp-content/uploads/2022/05/2205\\_EICS-4\\_2021-Annual-Report-PPT\\_3215564engkavgqk0wv5rqdd0vtdo4.pdf](https://www.ednc.org/wp-content/uploads/2022/05/2205_EICS-4_2021-Annual-Report-PPT_3215564engkavgqk0wv5rqdd0vtdo4.pdf);

McClellan, H. V. (June 8, 2023). Academic performance of charters and traditional schools is similar, DPI report says. *EdNC*. <https://www.ednc.org/academic-performance-of-charters-and-traditional-school-s-is-similar-dpi-report-says/#:~:text=Who%20attends%20charter%20schools%3F,This%20demand%20continued%20into%202022.%E2%80%9D>

<sup>93</sup> Monarrez, T., Kisida, B., & Chingos, M. (2019). *Charter school effects on school segregation*.

Urban Institute. <https://www.urban.org/research/publication/charter-school-effects-school-segregation>

<sup>94</sup> Ayscue, J. B., Siegel-Hawley, G., Kucsera, J., & Woodward, B. (2018). School segregation and resegregation in Charlotte and Raleigh, 1989-2010. *Educational Policy*, 32(1), 3-54. Nordstrom, C. (2022). *Still stymied: Why integration has not transformed North Carolina’s schools*. North Carolina Justice Center: Education and Law Project. <https://www.ncjustice.org/wp-content/uploads/2022/12/REPORT-Still-Stymied-Kris-2-FINAL-1.pdf>

<sup>95</sup> Bifulco, R., & Ladd, H. F. (2007). School choice, racial segregation, and test-score gaps: Evidence from North Carolina’s charter school program. *Journal of Policy Analysis and Management*, 26(1), 31–56. <https://doi-org.prox.lib.ncsu.edu/10.1002/pam.20226>

<sup>96</sup> §115C-238.29F(5)

<sup>97</sup> North Carolina Department of Public Instruction. (2022). Closed charter schools 1999-2022. Retrieved on February 8, 2024 from <https://www.dpi.nc.gov/closed-charter-schools-1999-2022-complete-listpdf/open>

<sup>98</sup> §115C-238.29F(5)

<sup>99</sup> Eckes, S. E., & Trotter, A. E. (2007). Are charter schools using recruitment strategies to increase student body diversity? *Education and Urban Society*, 40(1), 62-90.

<sup>100</sup> North Carolina Department of Public Instruction. (2022). *Closed charter schools 1999-2022*. Retrieved on February 8, 2024 from <https://www.dpi.nc.gov/closed-charter-schools-1999-2022-complete-listpdf/open>

admissions.<sup>101</sup> This attempt was met with limited success as only four charter schools in the state implemented the system by the 2018 school year.<sup>102</sup>

## ***Vouchers***

In North Carolina, in 2014, state-funded school vouchers were made available to eligible low-income families as a means to give traditionally underserved populations choices beyond their assigned schools. Specifically, the scholarships can be used by families to pay for tuition in eligible private schools. While the voucher program may be viewed by some as a move toward equity, the grant program diverts funding away from public schools, where the vast majority of low-income students of color are enrolled, to private schools. Additionally, in 2023, the legislature authorized increased spending on the grant program and made eligibility for the vouchers universal, effectively changing the original intent of the program. There is robust evidence that the diversion of public funds away from public schools and unrestricted choice facilitated through universal voucher plans increase advantage for those who are already advantaged.<sup>103</sup>

Perhaps the most salient factor, in terms of vouchers' history and ability to increase access and equity, is that when a student leaves a public school to attend a private school that does not receive federal funding, federal civil rights protections do not follow them.<sup>104</sup> However, state voucher statutes can provide nondiscrimination provisions. North Carolina's voucher statute includes explicit nondiscrimination provisions for children on the basis of race, color and national origin.<sup>105</sup> The statute does not require the provision of services to multilingual learners, allow students to opt out of religious activities, or address admission standards.<sup>106</sup>

As for children with disabilities, it is important to note that North Carolina has two voucher options with different provisions. The Opportunity Scholarship program does not require that private schools receiving the voucher money offer IEP/504 services to students.<sup>107</sup> The Personal Education Student Accounts for Children with Disabilities (PESA or ESA+) program<sup>108</sup> provides funds specifically for children with disabilities to enroll in a "direct payment" private school that guarantees disability services, or get reimbursed for tuition and disability services in private schools that are not "direct payment" schools. Private schools can

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<sup>101</sup> NC § 334 3a (2015)

<sup>102</sup> Ayscue, J., Nelson, A. H., Mickelson, R. A., Giersch, J., & Bottia, M. C. (2018). *Charters as a driver of resegregation*. The Civil Rights Project/Proyecto Derechos Civiles.

<sup>103</sup> Orfield, G., & Frankenberg, E. (2013) *Educational delusions?: Why choice can deepen inequality and how to make schools fair*, University of California Press. Welner, K., Orfield, G., & Huerta, L. A. (Eds.). (2023). *The school voucher illusion: Exposing the pretense of equity*. Teachers College Press.

<sup>104</sup> Welner, K. G., & Green, P. C. (2018). *Private school vouchers: Legal challenges and civil rights protections*. Ed Working Paper presented on Capitol Hill on March 5, 2018 "Bringing civil rights research to bear on vouchers programs: Are the promises realized?" The Civil Rights Project/Proyecto Derechos Civiles.

<https://www.civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/private-school-vouchers-legal-challenges-and-civil-rights-protections/?searchterm=vouchers>

<sup>105</sup> N.C. G.S.A. 115C562.5(c)

<sup>106</sup> Eckes, S. E., Mead, J., & Ulm, J. (2016). Dollars to discriminate: The (un)intended consequences of school vouchers. *Peabody Journal of Education*, 91(4), 537-558.

<sup>107</sup> § 115C-562.5.

<sup>108</sup> § 115C-590

consent or not consent to being a part of this program. Therefore, some private schools that receive voucher funds are not required to offer disability services. This means that private schools that accept publicly funded vouchers in North Carolina are only required to guarantee some, not all, of the civil rights protections that traditional public and charter schools are required to guarantee.

It is important to note that voucher programs in North Carolina have been one of the explicit strategies used by White families to avoid desegregated schools.<sup>109</sup> As of 2023, 16 states, including the District of Columbia, have similar state-funded school voucher programs.<sup>110</sup> While available data on publicly funded voucher programs do not provide a definitive answer regarding whether these programs contribute to the further segregation of schools, there is evidence that private schools contribute to segregation patterns in local school markets.<sup>111</sup> Although we do not yet have data on the (de)segregating effects of the universality of the North Carolina voucher program, if voucher enrollment trends mirror charter enrollment trends, the effect of the program will be an increase in segregated schools.

### ***Magnets***

In North Carolina, magnet schools are the only school choice option that tends to be less segregated than its public school counterparts.<sup>112</sup> Because magnets were originally created to facilitate voluntary desegregation, they stand in contrast with North Carolina's charter and voucher history of the preservation of segregation.<sup>113</sup> One important caveat is that magnet schools have the ability to be hubs of racial and socioeconomic integration, but only with intentionality in admissions. Magnet schools that use competitive, exclusionary admissions requirements often do not have the same desegregated effects as magnet schools with inclusive enrollment practices.<sup>114</sup> In addition, whole-school magnets are more likely to be desegregated than magnet programs within traditional public schools.<sup>115</sup>

A total of 226 of the 2,769 schools in North Carolina currently identify as having magnet programs. Wake County Schools has been awarded more than \$52 million in MSAP funding

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<sup>109</sup> Suitts, S. (2023). The segregationist origins and legacy of today's private school vouchers. In Welner, K., Orfield, G., & Huerta, L. A. (Eds.). *The school voucher illusion: Exposing the pretense of equity*. Teachers College Press.

<sup>110</sup> Education Commission of the States. *50 state comparison: Vouchers*, retrieved February 5, 2024 from <http://www.ecs.org/50-state-comparison-vouchers/>

<sup>111</sup> Reardon, S. F., & Yun, J. T. (2002). *Private school enrollments and segregation*. Harvard Civil Rights Project. Ee, J., Orfield, G., Teitell, J. (2018). *Private schools in American education: A small sector still lagging in diversity*. (EdWorkingPaper). The Civil Rights Project. Retrieved from: <https://escholarship.org/uc/item/6213b2n5>

<sup>112</sup> Ayscue, J. B., Siegel-Hawley, G., Kucsera, J., & Woodward, B. (2016). School segregation and resegregation in Charlotte and Raleigh, 1989-2010. *Educational Policy*, 32(1), 1-52. <https://doi.org/10.1177/0895904815625287>

<sup>113</sup> Suitts, S. (2023). The segregationist origins and legacy of today's private school vouchers. In Welner, K., Orfield, G., & Huerta, L. A. (Eds.). *The school voucher illusion: Exposing the pretense of equity*. Teachers College Press.

<sup>114</sup> George, J., & Darling-Hammond, L. (2021). *Advancing integration and equity through magnet schools*. Learning Policy Institute.

<sup>115</sup> *Ibid.*

over the past 10 years.<sup>116</sup> Magnet schools in North Carolina that are supported by federal MSAP funding include free transportation, free or reduced-price lunch, and goals for “reducing minority group isolation,” or goals to desegregate. However, federal funding through MSAP is currently the only grant funding available to magnet schools; the state of North Carolina currently does not offer any targeted grants for magnets and does not allow interdistrict transfers to magnet schools, which could promote desegregation.<sup>117</sup>

## Housing and Residential Segregation

Recent reports<sup>118</sup> on the connection between residential segregation and school segregation in the United States confirm that school attendance zone boundaries can facilitate the segregation or the desegregation of schools. Residential neighborhoods are often characterized by racial segregation, and in urban areas, many school attendance zone boundaries are legacies of redlining maps, explicitly racist policies that intentionally segregated neighborhoods.<sup>119</sup> However, local population shifts that impact school enrollment often require that school boards review their attendance zone boundaries. The redrawing of the boundaries presents school boards with weighty decisions about whether they will sustain or dismantle economic and racial segregation in their communities through school enrollment. Urban centers in North Carolina that are experiencing gentrification have unique opportunities to facilitate the desegregation of schools as new resources pour into neighborhoods that have been characterized by concentrated poverty. Although the process of desegregating traditionally underserved schools in gentrifying locales is complex and requires political support and intentionality,<sup>120</sup> it is important that local governments and school boards are aware of the unprecedented opportunity to desegregate their schools that shifting neighborhood demographics present.

## Data and Methods

In this report, we build on the 2014 report on segregation in North Carolina’s public schools<sup>121</sup> to understand how school enrollment and segregation patterns have changed. To do so, we calculated demographic percentages and two measures of school segregation using school-level data from the 2021-2022 school year (the most recent year available at the time of analysis). We appended data from the prior report to understand what, if any, changes took place

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<sup>116</sup> U.S. Department of Education: Office of Elementary and Secondary Education. (2024). Magnet School Assistance Program awards. <https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/school-choice-improvement-programs/magnet-school-assistance-program-msap/awards/>

<sup>117</sup> Ibid.

<sup>118</sup> Monarrez, T., & Chien, C. (2021, September). *Dividing lines: Racially unequal school boundaries in US public school systems*. Urban Institute.

Castro, A., Siegel-Hawley, G., Bridges, K., & Williams, S. E. (2023). Drawn into policy: A systematic review of school rezoning rationales, processes, and outcomes. *Review of Educational Research*, 0(0).

<sup>119</sup> Rothstein, R. (2017). *The color of law. A forgotten history of how our government segregated America*. Norton.

<sup>120</sup> Mordechay, K., Mickey-Pabello, D., & Ayscue, J. B. (2023). *Gentrification and schools: Challenges, opportunities and policy options*. The Civil Rights Project/Proyecto Derechos Civiles.

<sup>121</sup> Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derecho Civiles.



in the intervening 10 years. The following section provides an overview of the data and methods used in this report.

Student enrollment data for the 2021-2022 school year was obtained from the National Center for Education Statistics' Common Core of Data (CCD).<sup>122</sup> These data included information about student racial and ethnic identities, free or reduced-price lunch (FRL) status, as well as school and district characteristics. Data from the same sources were used to calculate certain statistics not reported in the previous report. For a more detailed discussion about the data and cleaning process, see Appendix A.

No single measure of segregation encapsulates the nuances of segregation within a given area.<sup>123</sup> Therefore, we relied on two measures that evaluate different dimensions of segregation. The exposure index measures the average level of potential "interaction" the typical student from one group has with another student within a given area.<sup>124</sup> The same measure is known as the isolation index when measuring the average student's interaction with members of their own group. An example may help clarify how to interpret exposure/isolation indices. A statewide Black-White exposure index of 45%, for example, would signify that the typical Black student in the state attends a school where 45% of the student body is White, on average. In this report, we use percentages instead of proportions as is sometimes found in other scholarship on segregation.

The concentration index identifies schools by their shares of students of color and White students.<sup>125</sup> In this report, schools were categorized as majority schools of color (50% or more students of color), intensely segregated schools of color (90% or more students of color), or hypersegregated schools of color (99% or more students of color). Although the changing demographics of North Carolina make majority schools of color increasingly common, schools with large shares of students of color, particularly intensely segregated and hypersegregated schools of color, have historically had more limited educational opportunities than schools with more diverse enrollments. To understand the degree to which majority White schools still exist in a state where students of color constitute the majority, concentration categories were also calculated for White students.

The many terms for different racial and ethnic groups require an explanation for the nomenclature chosen for this report. As a general practice, we relied on the terms for racial and ethnic groups used by CCD. Group names were shortened to one- or two-word terms in order to make tables and figures more readable. These decisions were made to assist the reader by using well-known terms commonly found in other demographic data reporting. We acknowledge that these terms are imperfect and broad to the point of flattening out the diversity of the many cultures within each of these groups.

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<sup>122</sup> National Center for Education Statistics, Common Core of Data (CCD). (2021a). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education. National Center for Education Statistics, Common Core of Data (CCD). (2021b). *Public Elementary/Secondary School Universe Survey Geographic Data (EDGE)* (Version 1a) [dataset]. U.S. Department of Education.

<sup>123</sup> Massey, D. S., & Denton, N. A. (1988). The dimensions of residential segregation. *Social Forces*, 67(2), 281–315.

<sup>124</sup> Massey & Denton, 1988.

<sup>125</sup> As also used in Ayscue et al., 2014.

The descriptive results of this analysis provide only a snapshot of patterns of enrollment and segregation in North Carolina public schools. While they are incapable of showing any potential causes of these trends, these results do reveal the degree to which students in the state attend segregated schools and how these patterns compare with previous years.

## Results

### North Carolina Public School Enrollment

Public school enrollment in North Carolina grew substantially in the past three decades (Table 1). With student enrollment at 1,074,120 in 1989, the state experienced a 41.3% increase in public school enrollment to its 2021 enrollment of 1,517,300.

Table 1 – *Total NC Public School Enrollment*

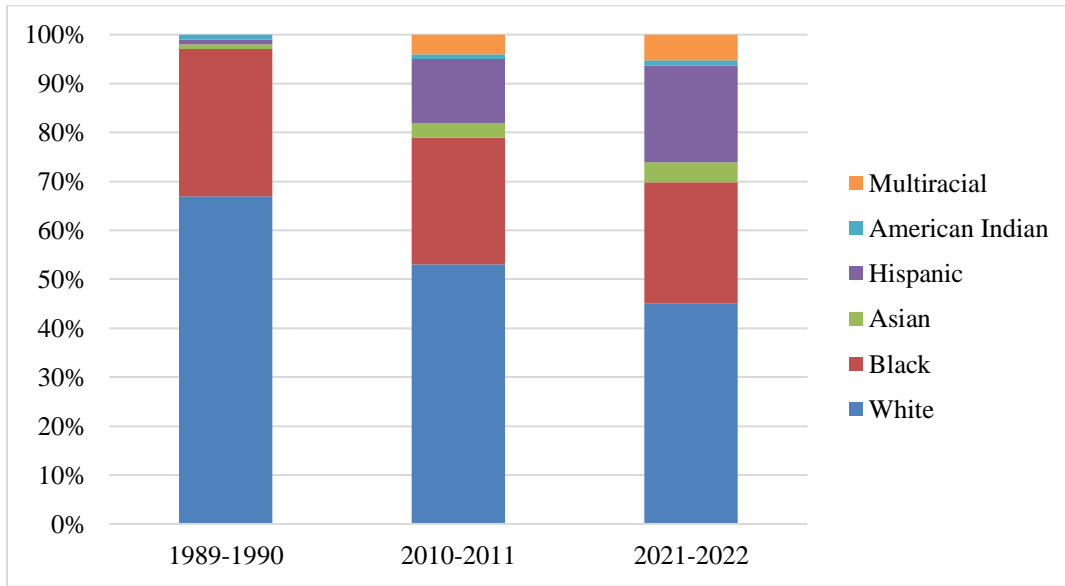
Year	Enrollment
1989-1990	1,074,120
1999-2000	1,266,500
2010-2011	1,478,941
2021-2022	1,517,300

*Note.* Data from before 2021-2022 taken from Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina's transition from leading desegregation then to accepting segregation now.* The Civil Rights Project/Proyecto Derecho Civiles.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education

Alongside the rise in enrollment, notable shifts occurred in the racial composition of students attending public schools (Figure 1). In 2021, the White share of enrollment was below 50%, having decreased from 67.0% in 1989 to 45.0% in 2021. Thus, as of 2021, the majority of North Carolina's public school students were students of color. Although the change in majority enrollment was a considerable shift, the Black share of enrollment steadily decreased from 30.0% in 1989 to 25.0% in 2021. This decrease, however, was slight in the past decade, only decreasing by one percentage point from 2010 to 2021. During this same period, the Hispanic share of enrollment increased from 1% in 1989 to 20% in 2021. Thus, in 2021, Hispanic students' enrollment in public schools was almost as large as Black students' enrollment (20% and 25%, respectively). Asian and multiracial shares of enrollment also increased, yet their total share of enrollment continued to remain small at 4% and 5%, respectively. Overall, the enrollment trends seen between 1989-1990 and 2010-2011 continued through 2021-2022.

Figure 1 – NC Public School Enrollment by Race



Note. Data from before 2021-2022 taken from Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derecho Civiles. To be consistent with prior reports, Asian students includes students identifying as Native Hawaiian or Pacific Islander.

Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe (Version 1a)* [dataset]. U.S. Department of Education.

### Segregated Schools of Color

Schools that enroll majority students of color increased such that, in 2021, more than half of all North Carolina’s public schools were majority students of color (Table 2). This number steadily increased, doubling since 1989 when only 23.8% of schools were majority schools of color. The increase in schools that are majority students of color does not indicate segregation or cause for concern as students of color account for more than 50% of North Carolina’s public school enrollment; therefore, it is appropriate, and even desired, that they would constitute the majority in individual schools.

Table 2 – Share of Segregated Schools of Color in North Carolina

Year	Total Schools	Majority Schools of Color	Intensely Segregated Schools of Color	Hypersegregated Schools of Color
1989-1990	1,905	23.8%	3.5%	0.7%
1999-2000	2,077	34.0%	6.1%	1.1%
2010-2011	2,457	43.0%	10.2%	0.9%
2021-2022	2,600	54.0%	13.5%	0.9%

Note. Data from before 2021-2022 taken from Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derecho Civiles.

Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe (Version 1a)* [dataset]. U.S. Department of Education.

The percentage of both intensely segregated schools of color and hypersegregated schools of color also increased since 1989. For reference, the enrollment in intensely segregated schools of color is 90-100% students of color. Hypersegregated schools of color are comprised of 99-100% students of color. In 2021, intensely segregated schools of color made up 13.5% of the state’s public schools, a substantial increase from 1989, when only 3.5% of public schools were intensely segregated schools of color. Similarly, the share of hypersegregated schools of color also increased slightly overall, from 0.7% in 1989 to 0.9% in 2021. Over the three decades covered in this study, looking decade by decade, the percentage of hypersegregated schools of color first increased, then decreased slightly, then remained relatively stable such that in 2021, less than 1% of North Carolina public schools were hypersegregated. Overall, in 2021, 184,923 North Carolina public school students attended an intensely segregated school of color and 10,526 students attended a hypersegregated school of color.

Students of color experienced double segregation by race and poverty (Table 3). One way to examine double segregation is by analyzing the percentage of students who received free or reduced-price lunch (FRL) in segregated schools of color. Double segregation by race and poverty intensified such that as of 2021, 82.6% of students in intensely segregated schools of color were FRL recipients. This figure is a 7.9 percentage point increase from 1999, when 74.7% of students in intensely segregated schools of color were FRL recipients. Low-income students—that is, those who receive FRL—continued to comprise a substantial portion of hypersegregated schools, although there was a decrease in this percentage in the past decade. In 2021, 74.4% of students in hypersegregated schools of color received FRL.

Table 3 – *Share of Students Attending Segregated Schools of Color Who Received FRL*

Year	Majority Schools of Color	Intensely Segregated Schools of Color	Hypersegregated Schools of Color
1999-2000	58.9%	74.7%	71.3%
2010-2011	64.5%	81.5%	78.5%
2021-2022	61.0%	82.6%	74.4%

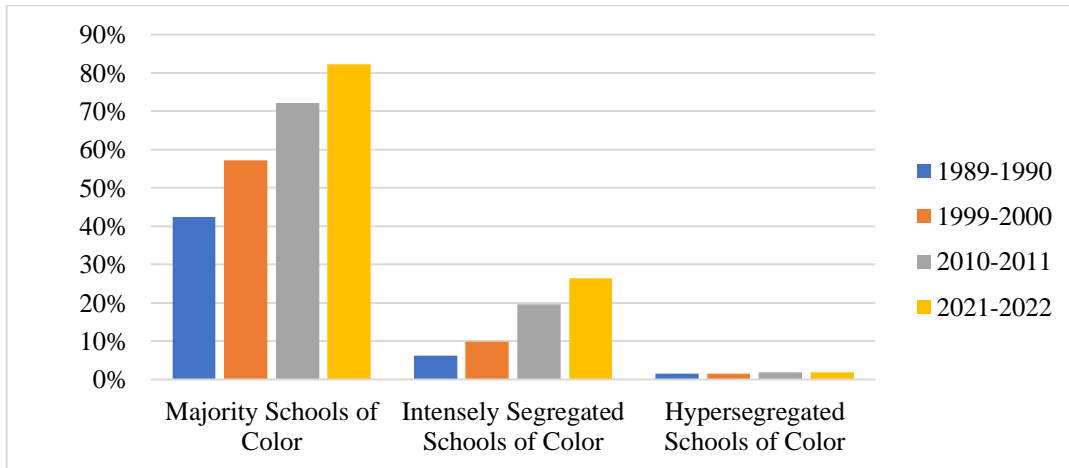
*Note.* Data from before 2021-2022 taken from Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now.* The Civil Rights Project/Proyecto Derecho Civiles.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

### **Black and Hispanic Students in Segregated Schools of Color**

The share of Black students in segregated schools of color increased since 1989 (Figure 2). In 2021, one in four Black students attended an intensely segregated school of color, which was up from one in five in 2010. Compared to intensely segregated schools, in 2021, a smaller share of Black students attended hypersegregated schools of color, which remained stable from 2010 to 2021 at about 1.9%.

Figure 2 – Share of Black Students Attending Segregated Schools of Color

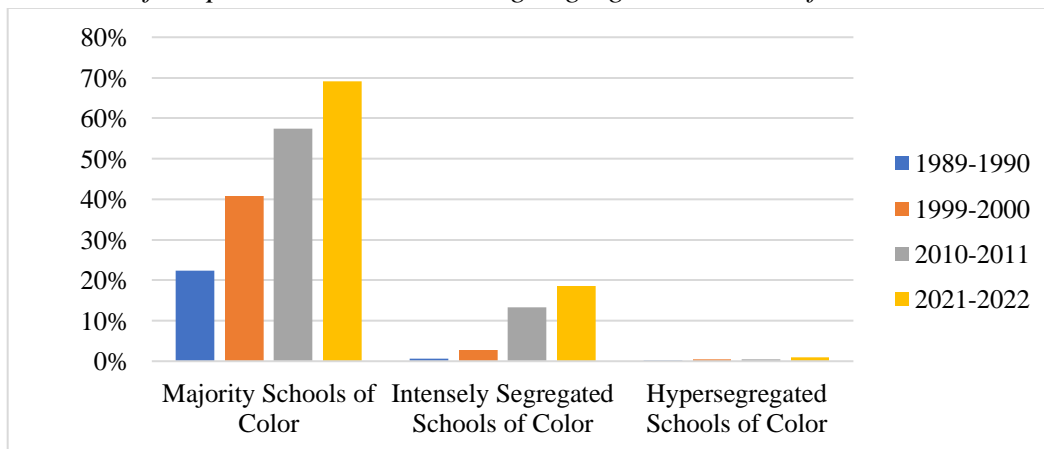


Note. Data from before 2021-2022 taken from Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina's transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derecho Civiles.

Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe (Version 1a)* [dataset]. U.S. Department of Education.

The share of Hispanic students in segregated schools of color also increased (Figure 3). Approximately three decades ago, less than 1% of Hispanic students attended intensely segregated schools of color. As of 2021, roughly one in five Hispanic students attended intensely segregated schools of color. In the past decade, the share of Hispanic students in hypersegregated schools of color also increased, doubling from 0.4% in 2010 to 0.9% in 2021.

Figure 3 – Share of Hispanic Students Attending Segregated Schools of Color



Note. Data from before 2021-2022 taken from Ayscue, J. B., Woodward, B., Kucsera, J., & Siegel-Hawley, G. (2014). *Segregation again: North Carolina's transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derecho Civiles.

Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe (Version 1a)* [dataset]. U.S. Department of Education.

Comparatively, in 2021, a greater percentage of Black students attended intensely segregated schools of color than Hispanic students. Moreover, whereas the share of Black

students in hypersegregated schools held steady over the last 11 years, the share of Hispanic students who attended hypersegregated schools more than doubled although it remained small.

### White Students in Segregated White Schools

Over the past three decades, there was a substantial decrease in the share of segregated White schools (Table 4). In 1989, 21.6% of schools in North Carolina were intensely segregated White schools. In 2021, that figure decreased to 1.9%. Since 2010, the state’s public schools have also seen a shift, with less than half of North Carolina’s public schools being majority White (46.2% in 2021) and no public schools being hypersegregated White schools.

Table 4 – *Share of Segregated White Schools in North Carolina*

Year	Total	Majority White Schools	Intensely Segregated White Schools	Hypersegregated White Schools
1989-1990	1,905	75.9%	21.6%	5.6%
1999-2000	2,077	65.5%	16.0%	1.8%
2010-2011	2,457	57.1%	8.6%	2.7%
2021-2022	2,600	46.2%	1.9%	0.0%

Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

Even though less than half of public schools were majority White in 2021, the majority of White students (68.6%) still attended schools that were majority White (Table 5). This percentage declined since 2010, when 78.5% of White students attended segregated White schools. The share of White students who attended intensely segregated White schools also decreased to only 1.7% in 2021.

Table 5 – *Share of White Students Attending Segregated White Schools*

Year	Majority White Schools	Intensely Segregated White Schools	Hypersegregated White Schools
1989-1990	89.5%	27.2%	5.3%
1999-2000	84.7%	20.7%	0.9%
2010-2011	78.5%	7.6%	0.0%
2021-2022	68.6%	1.7%	0.0%

Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

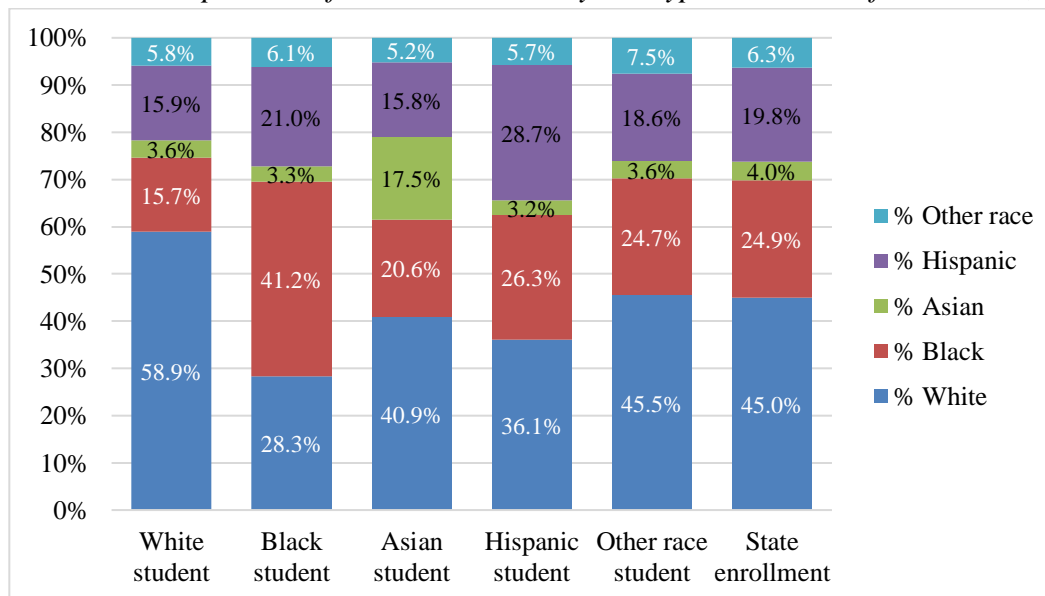
### Exposure to Students of Different Races

Figure 4 shows the racial composition of schools attended by a typical student of each racial group. In North Carolina, across all racial groups, students were disproportionately enrolled in schools with same-race peers. Notably, there was an increase in Asian students and Hispanic students enrolled in schools with same-race peers when compared to a decade ago.<sup>126</sup>

<sup>126</sup> Ayscue, J. B., & Woodward, B. with Kucsera, J., & Siegel-Hawley, G. (2014 May). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derechos Civiles, 39.

Moreover, there was an overall increase in the exposure that students of all races had to a Hispanic peer, which is likely related to the growth in Hispanic students' enrollment in North Carolina public schools.

Figure 4 – *Racial Composition of School Attended by the Typical Student of Each Race, 2021*



*Note.* Other race students include Multiracial and American Indian students. Asian students include Native Hawaiian and Pacific Islander students. Existing research on exposure and isolation indices show that these measures can be distorted by small counts of student groups. As such, the exposure and isolation rates of both Asian and Other race students should be interpreted with caution.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

In 2021, the typical White student attended a school where 58.9% of the students were White, even though White students only comprised 45% of the total state enrollment. This percentage declined over the past three decades, with a typical White student attending a school that was 74.6% White in 1989.<sup>127</sup> In 2021, the typical Black student attended a school that was 41.2% Black even though the state's public school enrollment was only 24.9% Black. The typical Hispanic student attended a school that was 28.7% Hispanic even though Hispanic students accounted for only 19.8% of the state's public school enrollment.

In 2021, Black students had the least exposure to White students, with an exposure rate of 28.3%, indicating the typical Black student attended a school with 28.3% White schoolmates. This steady decline in White student representation in the typical Black student's school occurred over the past few decades.

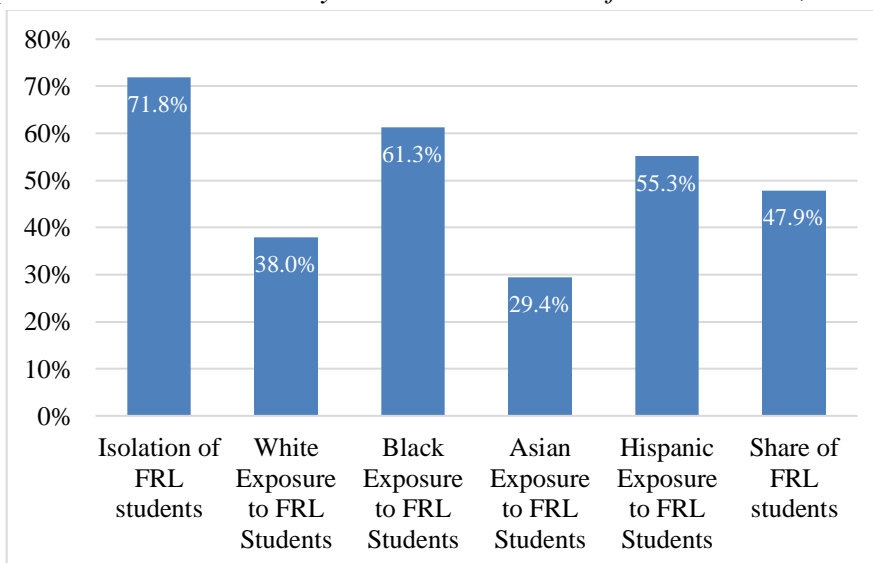
### Double Segregation by Race and Poverty

Alongside exposure rates to other racial groups, it is essential to consider the share of low-income students to which a student of each racial group is generally exposed (Figure 5). In

<sup>127</sup> Ibid, 37.

2021, the typical Black and Hispanic students attended a school with disproportionately large shares of low-income students (61.3% and 55.3%, respectively). Conversely, the typical White and Asian students attended a school with disproportionately small shares of low-income students (38.0% and 29.4%, respectively). Overall, low-income students were isolated with disproportionately large shares of low-income students; the typical low-income student attended a school with 71.8% peers who were low income.

Figure 5 – *Exposure to FRL Students by Race and Isolation of FRL Students, 2021*



*Note.* Asian students include Native Hawaiian and Pacific Islander students. Existing research on exposure and isolation indices show that these measures can be distorted by small counts of student groups. As such, the exposure and isolation rates of Asian students should be interpreted with caution.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

## Segregation by Locale

North Carolina has historically been considered a rural state, having one of the highest rural populations in the country.<sup>128</sup> However, this pattern has slowly changed with a rapidly growing urban population. In recent years, two out of three North Carolina residents have been living in urban areas.<sup>129</sup> The combination of rurality and urbanicity makes North Carolina a unique landscape where patterns of segregation differ based on the locale. The term “urban” includes both areas with large populations (e.g., Charlotte and Raleigh) and areas with smaller populations of fewer than 10,000 people.<sup>130</sup> In this report, municipalities are delineated by population density according to the following categories: rural, town, suburb, and city.

In 2021, majority schools of color and intensely segregated schools of color were found in all areas of the state (i.e., rural, town, suburb, and city; Table 6). However, the extent to which

<sup>128</sup> Cline, M. (2023, January 9). *Making sense of the new “urban area” definitions*. Making sense of the new “urban area” Definitions. <https://www.osbm.nc.gov/blog/2023/01/09/making-sense-new-urban-area-definitions>

<sup>129</sup> Ibid.

<sup>130</sup> Ibid.



these types of segregated schools were present in these areas differed. In 2021, North Carolina’s cities had the largest shares of majority schools of color, intensely segregated schools of color, and hypersegregated schools of color, such that 81.7% of city schools were majority schools of color, 30.6% of city schools were intensely segregated schools of color, and 2.3% were hypersegregated schools of color. Towns had the second largest share of all three types of segregated schools. Rural areas had the smallest share of majority schools of color (39.3%), while suburban areas had the smallest share of intensely segregated schools of color (3.8%) and hypersegregated schools of color (0%).

Table 6 – *Share of Segregated Schools of Color by Locale, 2021*

Locale <sup>a</sup>	Majority Schools of Color	Intensely Segregated Schools of Color	Hypersegregated Schools of Color
Rural	39.3%	6.8%	0.5%
Town	58.9%	11.4%	0.6%
Suburb	41.8%	3.8%	0.0%
City	81.7%	30.6%	2.3%

<sup>a</sup>Locale determined by National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education. Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

The shares of segregated White schools also varied in each of the four locales (Table 7). While all areas had schools that were majority White, in 2021, rural and suburban areas had the largest shares of majority White schools (60.8% and 58.4% respectively). Rural areas also had the largest share of intensely segregated White schools (4.0%), while cities had no intensely segregated White schools. None of the four locales had hypersegregated White schools.

Table 7 – *Share of Segregated White Schools by Locale, 2021*

Locale <sup>a</sup>	Majority White Schools	Intensely Segregated White Schools	Hypersegregated White Schools
Rural	60.8%	4.0%	0.0%
Town	41.8%	0.6%	0.0%
Suburb	58.4%	0.8%	0.0%
City	18.3%	0.0%	0.0%

<sup>a</sup>Locale determined by National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education. Source. National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

## Enrollment and Segregation by School Type

The enrollment patterns in different types of schools (i.e., traditional public, magnet, and charter schools) differ based on students’ race and socioeconomic status (Table 8). In 2021, when compared to North Carolina’s total enrollment, charter schools enrolled disproportionately large shares of Black and White students (26.2% and 50.1%, respectively). Enrollment at charter schools also reflected a disproportionately small share of Hispanic students (12.6%) and students who received FRL (19.2%). During this time, when measured against the state enrollment, magnet schools were comprised of a disproportionately large share of Black students (37.8%)

and Hispanic students (25.9%). The racial composition of magnet schools also reflected a disproportionately small share of White students (26.6%) compared to North Carolina’s enrollment. However, the share of students who received FRL enrolled in magnet schools nearly matched the state enrollment (47.7%).

Table 8 – *Enrollment by Race and FRL Status in Traditional Public Schools, Charter Schools, and Magnet Schools, 2021*

Subgroup	TPS	Charter	Magnet	NC
White	46.9%	50.1%	26.6%	45.0%
Black	23.0%	26.2%	37.8%	24.9%
Asian	3.8%	4.0%	5.4%	4.0%
Hispanic	19.8%	12.6%	25.9%	19.9%
American Indian	1.2%	0.8%	0.3%	1.1%
Other Race	1.2%	0.8%	0.3%	6.3%
FRL	51.0%	19.2%	47.7%	47.9%
Total Enrollment	1,224,586	130,948	161,766	1,517,300

*Note.* Magnet includes whole-school magnet programs and strand magnet programs housed within a larger school. Other race students include Multiracial and American Indian students. Asian students include Native Hawaiian and Pacific Islander students.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

It is important to note that magnet programs are often strands within a larger school; that is, only a few classes per grade level are part of the magnet program and the rest of the classes remain part of the larger school. Due to data limitations, our data includes the enrollment of the entire school, not just the magnet strand within the school. Often, magnet programs are intentionally created in schools with disproportionately large shares of students of color and low-income students in an effort to desegregate the school. Therefore, it is possible that the enrollment in North Carolina’s magnet programs is more representative of the state; however, the data we are analyzing represents the entire school, which we found had disproportionately large shares of Black and Hispanic students.

In terms of segregation levels in different types of schools, in 2021, magnet schools had the largest share of intensely segregated schools of color (32.3%; Table 9). Again, it is possible that the magnet programs within schools are less segregated; however, at the school level, schools with magnet programs had the largest share of intensely segregated schools of color. Charter schools, on the other hand, had the largest share of hypersegregated schools of color (6.0%). Although more than half of North Carolina’s students were students of color, less than half of charter schools were majority schools of color (47.5%). Traditional public schools had the smallest share of intensely segregated schools of color (10.6%) and hypersegregated schools of color (0.5%) when compared to the other two school types.

Table 9 – *Share of Traditional Public Schools, Charter Schools, and Magnet Schools That Were Segregated Schools of Color, 2021*

School Type	Total Schools	Majority Schools of Color	Intensely Segregated Schools of Color	Hypersegregated Schools of Color
TPS	2,171	51.3%	10.5%	0.5%
Charter	200	47.5%	23.5%	6.0%
Magnet	229	85.2%	32.3%	0.9%

*Note.* Magnet includes whole-school magnet programs and strand magnet programs housed within a larger school. *Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

Turning to segregated White schools (Table 10), we found that in 2021, charter schools had the largest share of majority White schools (52.5%). However, traditional public schools had the largest share of intensely segregated White schools (2.1%) when compared to the other school types in this analysis. When compared to traditional public schools and charter schools, magnet schools had the smallest percentage of majority White schools (14.9%) and intensely segregated White schools (0.4%).

Table 10 – *Share of Traditional Public Schools, Charter Schools, and Magnet Schools That Were Segregated White Schools, 2021*

School Type	Total Schools	Majority White Schools	Intensely Segregated White Schools	Hypersegregated White Schools
TPS	2,171	48.9%	2.1%	0.0%
Charter	200	52.5%	1.5%	0.0%
Magnet	229	14.8%	0.4%	0.0%

*Note.* Magnet includes whole-school magnet programs and strand magnet programs housed within a larger school. *Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

## Enrollment and Segregation by Grade Level

Patterns of enrollment based on race and FRL status revealed marginal differences across grade levels (Table 11). In 2021, high schools had slightly larger shares of White students (46.7%) and smaller shares of other racial groups when compared to middle schools (43.8%) and elementary schools (43.5%). This finding is consistent with the information referenced in Table 1. Considering that the White share of student enrollment has declined over the past three decades, this decrease is more likely to show up in the early grades. High schools also had a smaller share of students who received FRL (39.9%) when compared to elementary schools (55.5%) and middle schools (50.8%). The reduction in the percentage of students who received FRL as grade levels increased is reflected in literature that has found that high school students were less likely to receive FRL even when they qualify for this service.<sup>131</sup>

<sup>131</sup>Fox, M. K., Gearan, E., Cabili, C., Dotter, D., Niland, K., Washburn, L., Paxton, N., Olsho, L., LeClair, L., & Tran, V. (2019, April). *School nutrition and meal cost study, final report volume 4: Student participation, satisfaction, plate waste, and dietary intakes*. Mathematica. <https://www.mathematica.org/download-media?MediaItemId={D18BB0E6-B16F-4988-A15B-EFADE21A280E}>

Table 11 – Enrollment by Race and FRL Status in Elementary, Middle, and High Schools, 2021

Subgroup	Elementary	Middle	High	Other	NC
White	43.5%	43.8%	46.7%	51.2%	45.0%
Black	25.0%	25.3%	24.3%	25.3%	24.9%
Asian	4.3%	4.0%	3.7%	3.1%	4.0%
Hispanic	20.4%	20.9%	19.6%	13.7%	19.9%
American Indian	1.2%	1.0%	1.1%	0.6%	1.1%
Other Race	6.8%	6.0%	5.6%	6.7%	6.3%
FRL	55.5%	50.8%	39.9%	22.5%	47.9%
Total enrollment	678,458	305,167	432,761	100,914	1,517,300

*Note.* Other school is defined as any “regular” school that spans grade levels that are traditionally housed in elementary, middle, or high schools. This category includes, for example, 6-12 or K-8 schools. Other race students include Multiracial and American Indian students. Asian students include Native Hawaiian and Pacific Islander students.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

With regard to segregated schools of color (Table 12), in 2021, 15.9% of elementary schools were intensely segregated schools of color, making it the largest share of intensely segregated schools of color of all grade levels. Elementary schools also had the second largest share of hypersegregated schools of color (0.9%). This is likely due to elementary schools being smaller and therefore having smaller catchment areas that were likely residentially segregated. In Table 12, “Other” schools reflect any schools that span grade levels typically contained in elementary, middle, or high schools. For example, Other schools would include a school with grades 6-12 or a school with Kindergarten-grade 8. In the analysis, when compared to the grade-level categories of schools, Other schools had the largest share of hypersegregated schools of color (3.7%, or five schools). It is notable that these five schools consisted of four charter schools and one magnet school. Their enrollment ranged from 325 to 1,654, and one offered virtual education options.

Table 12 – Share of Elementary, Middle, and High Schools That Were Segregated Schools of Color, 2021

School Level	Majority Schools of Color	Intensely Segregated Schools of Color	Hypersegregated Schools of Color
Elementary	54.9%	15.9%	0.9%
Middle	56.1%	10.2%	0.6%
High	51.3%	9.7%	0.4%
Other	45.5%	11.9%	3.7%

*Note.* Other school is defined as any “regular” school that spans grade levels that are traditionally housed in elementary, middle, or high schools. This category includes, for example, 6-12 or K-8 schools.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

As demonstrated in Table 13, in 2021, the distribution of segregated White schools across grade levels showed that schools classified as Other had the largest share of majority White schools (54.5%). However, elementary schools had the largest share of intensely segregated White schools (2.6%) when compared to other grade levels. No category of schools had any hypersegregated White schools.

Table 13 – *Share of Elementary, Middle, and High Schools That Were Segregated White Schools, 2021*

School Level	Majority White Schools	Intensely Segregated White Schools	Hypersegregated White Schools
Elementary	45.2%	2.6%	0.0%
Middle	44.1%	0.8%	0.0%
High	48.9%	1.0%	0.0%
Other	54.5%	1.5%	0.0%

*Note.* Other school is defined as any “regular” school that spans grade levels that are traditionally housed in elementary, middle, or high schools. This category includes, for example, 6-12 or K-8 schools.

*Source.* National Center for Education Statistics, Common Core of Data (CCD). (2021). *Public Elementary/Secondary School Universe* (Version 1a) [dataset]. U.S. Department of Education.

## Summary

North Carolina’s public school enrollment has changed substantially over the past three decades. North Carolina’s enrollment has not only grown by over 40% to 1,517,300 students in 2021, but the racial composition of this enrollment has become increasingly diverse. Notably, in 2021, White students accounted for less than half of the public school population (45.0%), a 22 percentage point decline from three decades earlier. Students of color, therefore, comprised a majority of public school enrollment in 2021. Within this shift in racial composition, the Hispanic share of enrollment increased and in 2021, encompassed 20% of North Carolina’s public school enrollment. Consequently, in 2021, Hispanic students’ enrollment in public schools was almost as large as Black students, who comprised 25.0% of public school enrollment.

Regardless of the changes in enrollment, patterns of segregation still persist. Overall, students of all racial groups were disproportionately enrolled in schools with same-race peers. Despite the fact that in 2021, less than half of public schools were majority White and the share of White student enrollment had steadily decreased to 45.0%, 68.6% of White students still attended majority White schools. Over the past three decades, there was also a stable increase in intensely segregated schools of color. In 2021, 13.5% of the state’s public schools were intensely segregated schools of color. In 2021, the share of Black students in intensely segregated schools increased such that one in four Black students attended an intensely segregated school of color. A similar trend was seen among Hispanic students such that in 2021, almost one in five Hispanic students attended intensely segregated schools of color.

Within intensely segregated schools of color, 82.6% of the students were FRL recipients in 2021, which was a 7.9 percentage point increase from two decades prior. The typical Black and Hispanic students also attended a school with disproportionately large shares of low-income students (61.3% and 55.3%, respectively). In comparison, the typical White and Asian students attended a school with disproportionately small shares of low-income students (38.0% and 29.4%, respectively). Thus, there is a concerning increase in double segregation by race and income experienced by students of color.

We also analyzed segregation among different types of schools, locales, and grade levels. Compared to charters and magnets, traditional public schools had the smallest share of intensely

segregated and hypersegregated schools of color (10.5% and 0.5%, respectively) and charters had the largest share of hypersegregated schools (6.0%). In 2021, majority schools of color and intensely segregated schools of color were found in all areas of the state, but cities had the largest shares of majority schools of color (81.7%), intensely segregated schools of color (30.6%), and hypersegregated schools of color (2.3%), while rural areas had the largest share of intensely segregated White schools (4.0%). Our comparison of different grade levels showed that in 2021, elementary schools had the largest share of both intensely segregated schools of color (15.9%) and intensely segregated White schools (2.6%).

## Recommendations

After the *Brown* decision in 1954, significant movement toward school desegregation did not happen until the Civil Rights Act of 1964 and the Elementary and Secondary Education Act of 1965 were passed and school desegregation orders were issued. Until the federal government aligned policy with legal decisions, giving them the tools to withhold federal funding from noncompliant school districts, segregation persisted. In order to obtain much-needed federal aid, many districts in the South created desegregation policies, which, in addition to desegregation orders, served to desegregate the majority of school districts in states like North Carolina. Conversely, since the courts subsequently began ruling against race-based practices to desegregate schools and the federal government began revoking desegregation orders, measures of segregation have been increasing. History testifies that without intentional policies at the federal, state, and local levels, school segregation will continue to persist.

Encouragingly, at the time this report was being written, the Supreme Court declined to hear a challenge to a socioeconomic-based admissions plan at one of the highest achieving high schools in the country, Thomas Jefferson High School in Fairfax, Virginia. The plan was created so that the student body would more accurately reflect the demographics of the community and the racial and socioeconomic diversity in enrollment would increase. So far, the plan has made progress toward those goals.<sup>132</sup> The Court's decision to decline to hear the case is significant in that it signals to schools and districts across the country that student enrollment policies that take students' socioeconomic backgrounds into account in enrollment are unlikely to be dismantled by legal decisions, at least in the near future. In addition, Thomas Jefferson High School's commitment to both rigorous academics and a diverse student population is an important example for the rest of the country of the connection between high-quality and desegregated learning environments.

Specifically in North Carolina, encouraging efforts are underway in several districts. These efforts demonstrate the same commitment to high quality and integrated learning environments for all students.

In its first round of funding, the federal Fostering Diverse Schools Demonstration Grant awarded two districts in North Carolina approximately \$1.5 million in funds to support their integration efforts. Cumberland County Schools was awarded \$499,995 over 2 years for its plan to design, implement, and evaluate a pilot of an equity-based multitiered system of support

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<sup>132</sup> Fairfax County Public Schools. (2023). Thomas Jefferson High School for Science and Technology school profile. [https://schoolprofiles.fcps.edu/schlprfl/f?p=108:13::NO::P0\\_CURRENT\\_SCHOOL\\_ID,P0\\_EDSL:300,0](https://schoolprofiles.fcps.edu/schlprfl/f?p=108:13::NO::P0_CURRENT_SCHOOL_ID,P0_EDSL:300,0)

(MTSS) program, specific to the schools in the most economically disadvantaged attendance areas in the district.<sup>133</sup> The district’s proposal explains its plan to scale the pilot up across the district in the form of an “Equity Framework focused on equity-based MTSS, restorative practices, targeted professional development, and community engagement.”<sup>134</sup> In another district, Winston Salem/Forsyth County Schools was awarded \$943,688 over 2 years for its plan to analyze historical and current enrollment and attendance trends to create a student assignment policy with the aim to increase socioeconomic diversity across the district’s schools.<sup>135</sup>

From 2021 to 2023, Wake County Public School System received more than \$42.5 million<sup>136</sup> in federal funding through the Magnet Schools Assistance Program (MSAP) toward three separate magnet programs:

- 2021: Project Nexus - \$14.1 million over 5 years
- 2022: Project Synergy - \$13.5 million over 5 years
- 2023: Project Elevate - \$14.8 million over 5 years

Project Elevate will establish five whole-school magnet programs that include both STEM and creative arts programming: East Wake Magnet High School, Wendell Magnet Elementary and Middle Schools, and Zebulon Magnet Elementary and Middle Schools.<sup>137</sup>

In addition to pursuing federal funding to support magnet efforts, school district leaders are also entering partnerships with other districts across the country seeking to integrate their schools. Winston-Salem/Forsyth County Schools, Wake County Public School System, Central Park School for Children in Durham, and Charlotte Housing Authority have all been a part of The Bridges Collaborative, a group of practitioners from school districts, charter schools, and housing organizations across the nation that are supported by The Century Foundation in integrating schools.<sup>138</sup> Leaders in this group collaborate in developing strategies and share best practices in the work of school integration.

In addition to its plan that received the federal Fostering Diverse Schools Demonstration Grant award, Winston-Salem/Forsyth County Schools is focusing on magnet schools as a driver of school integration. The Bridges Collaborative highlighted the district’s work on Wiley Magnet School, a district-wide STEAM magnet, in which two-thirds of the student population is from the geographic attendance zone in which the school is located, and one-third of the student

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<sup>133</sup> US Department of Education. (2023). *Fostering Diverse Schools Demonstration Grants Program awards*. Office of Elementary and Secondary Education. <https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/school-choice-improvement-programs/fostering-diverse-schools-program-fdsp/awards/>

<sup>134</sup> Ibid.

<sup>135</sup> Ibid.

<sup>136</sup> US Department of Education. (2023). Magnet Schools Assistance Program awards. Office of Elementary and Secondary Education. <https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/school-choice-improvement-programs/magnet-school-assistance-program-msap/awards/>

<sup>137</sup> Wake County Public Schools System. (2023). *Office of Magnet Programs selected for \$14.8 million federal grant*. School programs. <https://www.wcpss.net/site/default.aspx?PageType=3&DomainID=17&ModuleInstanceID=7209&ViewID=6446EE88-D30C-497E-9316-3F8874B3E108&RenderLoc=0&FlexDataID=298287&PageID=26&Comments=true>

<sup>138</sup> The Century Foundation. (2024). The Bridges Collaborative. <https://tcf.org/bridges-collaborative/>

population comes from applications from across the district.<sup>139</sup> Wiley’s student population is one-third Black students, one-third Hispanic students, and one-third White students, and does not have tracked classrooms, reflecting a commitment to a desegregated learning environment.<sup>140</sup>

In Wake County, the district’s involvement in the Collaborative led to integration progress at Moore Square Magnet Middle School. Moore Square is an AIG-themed (academically or intellectually gifted) magnet, but around 50% of the student population is not identified as AIG and classes are not tracked by ability.<sup>141</sup> The school’s intentional student assignment plan “ensures that gentrification and segregation do not also create homogenous schools” by admitting students from a variety of neighborhoods in Raleigh.<sup>142</sup>

Moreover, in Durham and Charlotte, the participation of Central Park School for Children and Charlotte Housing Authority in the collaborative is encouraging. These projects represent efforts from nontraditional public schools and public services outside of the education system to support school desegregation.

## **District Efforts**

Although the initiatives described above are impactful and encouraging, North Carolina has much work to do toward desegregation. Districts around the state can look to the integration work already happening to provide examples and opportunities for collaboration on their own desegregation efforts. Districts should research, design, and implement voluntary school desegregation policies that have student assignment plans which prioritize desegregation. This practice is particularly important for elementary schools, which our results demonstrate tend to be more segregated than middle and high schools. Many districts in urban and suburban communities have policy windows opening as population shifts require the redrawing of attendance boundary lines. While there is no one-size-fits-all approach to integration plans, evidence reflects that controlled-choice, multifactor student assignment policies that include diversity goals are most effective in desegregating schools within districts.<sup>143</sup>

Durham Public Schools is an example of a district in North Carolina that has adopted these recommendations. Durham Public Schools will implement its Growing Together<sup>144</sup> student assignment plan in the 2024-2025 school year. Pushed by shifting residential patterns and uneven enrollments in elementary schools across the district, the Durham County school board and district leaders took the opportunity to prioritize diversity in their redrawing of student attendance boundaries. In addition, they invested in specialized programming, adding magnet, dual language immersion, and year-round calendar options to each attendance zone. Finally, the

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<sup>139</sup> Elsayed, S. (2022). *Bridges Collaborative member spotlights: Approaches to integration in North Carolina*. The Century Foundation. [https://tcf.org/content/commentary/bridges-collaborative-member-spotlights -approaches-to-integration-in-north-carolina/](https://tcf.org/content/commentary/bridges-collaborative-member-spotlights--approaches-to-integration-in-north-carolina/)

<sup>140</sup> Ibid.

<sup>141</sup> Ibid.

<sup>142</sup> Ibid.

<sup>143</sup> Orfield, G., & Frankenberg, E. (2013). *Educational delusions? Why choice can deepen inequality and how to make schools fair*. University of California Press

<sup>144</sup> Durham Public Schools. (n.d.) *Elementary student assignment plan*. Retrieved on February 22, 2024, from <https://welcome.dpsnc.net/>



district revised its student enrollment policy to prioritize access to specialized programming through a controlled-choice admissions plan.

In 2017, in an effort to reverse the resegregation that was occurring in many schools across the district, Charlotte-Mecklenburg Schools adopted a new student assignment plan aimed at breaking up high concentrations of poverty within the district.<sup>145</sup> While several aspects of the plan did not come to fruition due to pushback from a group of families,<sup>146</sup> one school pairing merged two elementary schools, Billingsville Elementary, a school that was serving a hypersegregated community of Black students from low-income households, and Cotswold Elementary, a school that was serving a large majority of White students from affluent households.<sup>147</sup> The schools already shared a boundary, meaning that commutes would not change much for families, a factor that has historically decreased community support for desegregation plans. The pairing combined the student populations and then divided them between the schools based on grade-level: K-2 students attend Billingsville and 3-5 students attend Cotswold. While enrollment in both schools decreased after the pairing, the decrease was not from any one demographic group, and the racial makeup of the schools sustained the diversity that the policy sought to achieve.<sup>148</sup> Because the schools merged just before the COVID-19 pandemic, there is not yet sufficient longitudinal data on the impact that the pairing may have on academic achievement. District, school, and parent leaders point to diverse classrooms and social-emotional growth in every student subgroup as encouraging data points.<sup>149</sup> Additionally, it is notable that the district maintained the pairing when it reviewed its student assignment policy in 2023, a signal to the community that the pairing is having perceived success.

For all districts that may or may not be in a place to redraw attendance boundaries, magnet programming can be an effective option to desegregate schools.<sup>150</sup> Whole-school magnet programs tend to be more desegregated than strand programs in which only a few classrooms per grade level are part of the magnet program.<sup>151</sup> Therefore, districts should prioritize whole-school magnet programs. Because North Carolina's multilingual population is growing rapidly, two-way dual language immersion (TWI) programs are an ideal option for districts that have multilingual populations and are seeking to create integrated learning environments. It is important that equity concerns are taken into consideration when creating and implementing TWI programs to address segregation. Black students are on average, more segregated than Hispanic students, and are traditionally underrepresented in these programs.<sup>152</sup> Therefore,

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<sup>145</sup> Ayscue, J., Nelson, A. H., Mickelson, R. A., Giersch, J., & Bottia, M. C. (2018). *Charters as a driver of resegregation*. Civil Rights Project/Proyecto Derechos Civiles, UCLA.

<sup>146</sup> Ibid.

<sup>147</sup> Helms, A.D. (2020, February 3). *Pairing schools was CMS' big diversity move. How's it working?* WFAE Charlotte. National Public Radio. <https://www.wfae.org/education/2020-02-03/pairing-schools-was-cms-big-diversity-move-hows-it-working>

<sup>148</sup> Ibid.

<sup>149</sup> Ibid.

<sup>150</sup> Ayscue, J. B., & Siegel-Hawley, G. (2019). Magnets and school turnarounds: Revisiting policies for promoting equitable, diverse schools. *Education Policy Analysis Archives*, 27(72), 1-37.

<sup>151</sup> Frankenberg, E., & Siegel-Hawley, G. (2008). The forgotten choice? Rethinking magnet schools in a changing landscape. The Civil Rights Project/Proyecto Derechos Civiles.

<sup>152</sup> Ayscue, J. B., & Cadilla, V. (2023). *Integration and immersion: The potential of two-way dual language immersion programs to foster integration*. (Integration and Equity 2.0: New and Reinvigorated Approaches to

districts must be intentional about providing equitable information about and access to this programming to all members of diverse communities. In addition, in order to create truly integrated learning environments, the needs of native speakers of the partner language (often Spanish) must be intentionally centered by teachers and administrators to ensure that native English speakers are not the only students benefiting from the programming.<sup>153</sup>

In communities across the state that are experiencing gentrification and suburbanization, collaboration between school districts, housing officials, and other municipal agencies is important for promoting diverse, affordable housing.<sup>154</sup> If communities are able to sustain diversity through these efforts, then carefully crafted controlled-choice plans can be effective in attracting families from diverse socioeconomic and racial backgrounds to remain in the district schools. Cities with high levels of gentrification in other parts of the country that have been effectively using controlled-choice strategies have shown some success in sustaining diverse student populations.<sup>155</sup>

Strategies for desegregating rural districts in North Carolina may or may not be different from districts in urban and suburban locales. Rural districts have their own unique strengths and challenges in terms of school desegregation. A recent report found that rural districts in North Carolina are among the most diverse in the nation; however, the report also found that one in five students in rural locales in North Carolina lives in poverty and receives \$1,000 less per pupil spending than the national average.<sup>156</sup> Additionally, because North Carolina is ranked second in the nation in terms of number of students in rural locales and the state's rural students score lower than their nonrural counterparts on national measures of academic achievement,<sup>157</sup> desegregation policies are an important component of equity-based support for rural schools and districts.

One recommendation for rural counties that continue to maintain high levels of school segregation is to consolidate school districts within the same county. In Davidson County, Davidson County Schools' enrollment is nearly 80% White students, while the enrollment in Lexington City Schools and Thomasville City Schools is nearly 80% Black and Hispanic students.<sup>158</sup> Similarly, in Halifax County, Roanoke Rapid Schools' enrollment is nearly 60% White students, while Weldon City Schools enroll nearly 95% Black students and Halifax County Schools enroll nearly 85% Black students.<sup>159</sup> Merging these separate school districts into

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School Integration). American Institutes for Research. <https://www.air.org/integration-and-equity-2-0-essays/designing-learning-pathways-promote-pre-k12-integration#immersion>

<sup>153</sup> Ibid.

<sup>154</sup> Mordechay, K., Mickey-Pabello, D., & Ayscue, J. B. (2023). *Gentrification and schools: Challenges, opportunities and policy options*. The Civil Rights Project/Proyecto Derechos Civiles, UCLA.

<sup>155</sup> Margolis, J., Dench, D., & Hashim, S. (2022). Economic and racial integration through school choice in New York City. *Educational Evaluation and Policy Analysis*, 45(1), 182-190. doi: 01623737221107928; Diem, S., Holme, J. J., Edwards, W., Haynes, M., & Epstein, E. (2019). Diversity for whom? Gentrification, demographic change, and the politics of school integration. *Educational Policy*, 33(1), 16-43.

<sup>156</sup> Showalter, D., Hartman, S. L., Johnson, J., & Klein, B. (2019). Why rural matters 2018-2019: The time is now. A report of the rural school and community trust. *Rural School and Community Trust*.

<sup>157</sup> Ibid.

<sup>158</sup> Nordstrom, C. (2022). *Still stymied: Why integration has not transformed North Carolina's schools*. North Carolina Justice Center: Education and Law Project.

<sup>159</sup> Ibid.

countywide districts would combine the student populations so that they are no longer segregated based on residential patterns.

While consolidating rural districts that have district boundaries that perpetuate school segregation is important for desegregating the schools, it is vital to elevate the needs and concerns of the historically underserved communities in the counties. Because rural schools are often the hub of the community, consolidating school districts can create a sense of loss for rural communities, and power imbalances can arise between the groups that are merging.<sup>160</sup> In addition, district consolidations can result in much longer commute times for rural students. Careful planning and intentionality are essential in these county mergers so that a consolidation policy does not exacerbate existing inequities or create new ones.

## State Efforts

While districts can do much to work toward school desegregation, some desegregation policies can materialize only at the state level. So far, state-level policies have supported the largely unregulated growth of charter schools, which have segregating effects. Charter schools can become a barrier to districts when implementing desegregation plans when they serve as an outlet for self-segregation. Because charter schools have the potential to be desegregated and even integrated learning environments, as the charter school authorizer, the state government should hold charter schools accountable for having diverse student enrollments. The state government should also require that charter schools offer free transportation to all students and free and reduced-price lunch to all students who qualify. Furthermore, the state should be intentional in approving new charter schools, specifically taking location into account in how a new charter school may affect enrollment patterns for local districts.

In April 2023, the North Carolina House of Representatives passed its first reading of Bill 729, proposed by Representative Cecil Brockman.<sup>161</sup> House Bill 729 mandates that school report cards include proportionality measures of segregation that compare the racial composition of the school's student population to the racial composition of the county in which the school operates. Each school would receive a designation based on this proportionality score. In addition, the bill mandates that "measures of equality of access" be included on school report cards, showing measures of access to "school resources associated with high educational achievement" for student subgroups. Lastly, school report cards would include schools' measures to achieve desegregation and equity in access to resources associated with high educational achievement. If signed into law, this bill would allow stakeholders in the education system to make more informed decisions with regard to school desegregation.

In conjunction with the above recommendations, the state should offer incentives to LEAs through a technical assistance grant program that requires planning and implementation of equitable student assignment policies.<sup>162</sup> The grants could include transportation and

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<sup>160</sup> Williams, S. M. (2013). Micropolitics and rural school consolidation: The quest for equal educational opportunity in Webster Parish. *Peabody Journal of Education*, 88(1), 127-138.

<sup>161</sup> NC HOUSE BILL DRH40271-NG-87

<sup>162</sup> The National Coalition on School Diversity. (May 2020). *Model state school integration policies. Policy brief 11*. [https://www.school-diversity.org/wp-content/uploads/NCSDPB11\\_Final.pdf](https://www.school-diversity.org/wp-content/uploads/NCSDPB11_Final.pdf)

infrastructure monies. North Carolina Department of Public Instruction can offer guidance and support for districts attempting to desegregate their schools and cultivate collaborative partnerships among districts, similar to The Bridges Collaborative. Additionally, the state should put political and financial pressure on the remaining city and county school districts that have not merged and show high levels of segregation.

In September 2023, the state legislature passed the expansion of the Opportunity Scholars voucher program, increasing funding for the program from \$176.5 million to \$520.5 million by 2032-2033. This expansion makes any student in North Carolina eligible for the voucher program, regardless of their family's income. The potential challenges that this expansion presents for school desegregation efforts in North Carolina have already been outlined in an earlier section of this report (see "Current Context of School Desegregation in North Carolina"). However, state policies could address these challenges to desegregation more intentionally.

The current voucher legislation does not require the same levels of transparency and accountability for private schools receiving vouchers compared to traditional public schools. Private schools receiving vouchers do not have to report demographic enrollment to the North Carolina Department of Public Instruction, nor do they have to report student-level achievement data. While it is possible to speculate on the effect that voucher programs may have on school segregation based on historical examples of public assistance for private education (see above in "Post-Brown History of School Desegregation in North Carolina"), this lack of transparency makes it difficult to truly know how the current voucher system contributes to school segregation.

Changes in the voucher legislation could be helpful. First, the statutory language for the voucher program needs to be revised to include nondiscriminatory provisions for multilingual learners and in admissions practices. In addition, the state should publish school report cards on the private schools enrolling students through the publicly-funded voucher program. This practice would mean that these participating private schools would need to share their enrollment demographics and that they would participate in state testing so that families have access to this information, just as they do for public schools, and can make informed decisions.

## **Federal Efforts**

The federal government has the opportunity to build on its efforts to promote school desegregation by increasing funding for the Magnet Schools Assistance Program (MSAP) and the Fostering Diverse Schools Demonstration Grant Program. For MSAP, the Department of Education should ensure that there is alignment between the program application requirements and the characteristics of magnet schools that have been effective in creating integrated learning environments, such as the provision of free transportation and inclusive enrollment practices.<sup>163</sup> Because whole-school magnet programs tend to be more desegregated than strand programs, MSAP should also continue to prioritize funding for whole-school magnets. Given the

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<sup>163</sup> The National Coalition on School Diversity. (January 2021). *School integration priorities for a Biden/Harris administration. Policy brief 12*. [https://www.school-diversity.org/wp-content/uploads/NCSDPB12\\_Final.pdf](https://www.school-diversity.org/wp-content/uploads/NCSDPB12_Final.pdf)

difficulties we described about analyzing the enrollment of strand programs,<sup>164</sup> it would be beneficial for the federal government to collect data on magnet programs, both strand and whole-school programs, and make this data publicly available so that more accurate analysis and monitoring of desegregation in all types of magnets programs would be possible.

Additional funding to support desegregation should be provided through the passage of legislation, such as the Strength in Diversity Act. This act, which has been passed in the United States House of Representatives but not in the United States Senate, would establish a new federal grant program that would provide competitive funding to districts to develop, implement, or evaluate desegregation efforts.

Through its Charter Schools Program, the United States Department of Education should increase accountability for charter schools to encourage diverse-by-design charters and strengthen civil rights assurances.<sup>165</sup> Additionally, the Department of Education can increase accessibility to and funding for Equity Assistance Centers, encouraging more school districts to request support in desegregating their schools.<sup>166</sup> Finally, the existing collaboration at the federal level among the departments of Housing and Urban Development, Education, and Transportation<sup>167</sup> should actively seek to partner with communities seeking to integrate their school systems and offer those communities expert technical assistance and funding to support their efforts.

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<sup>164</sup> Frankenberg, E., & Siegel-Hawley, G. (2008). The forgotten choice? Rethinking magnet schools in a changing landscape. The Civil Rights Project/Proyecto Derechos Civiles.

<sup>165</sup> Potter, H., & Nunberg, M. (2019). *How can the federal government support integration in charter schools?* The Century Foundation. [https://production-tcf.imgix.net/app/uploads/2019/04/26153205/Potter\\_Fedgov\\_FinalPDF1.pdf](https://production-tcf.imgix.net/app/uploads/2019/04/26153205/Potter_Fedgov_FinalPDF1.pdf).

<sup>166</sup> US Department of Education. (2023). *Training and advisory services – Equity Assistance Centers*. Office of Elementary and Secondary Education. <https://oese.ed.gov/offices/office-of-formula-grants/program-and-grantee-support-services/training-and-advisory-services-equity-assistance-centers/>

<sup>167</sup> Castro, J., King, J. B., & Foxx, A. B. (2016, June 3). *Joint letter on diverse schools and communities*. U.S. Department of Housing and Urban Development. [https://www.prrac.org/pdf/Joint\\_Letter\\_on\\_Diverse\\_Schools\\_and\\_Communities\\_AFFH.pdf](https://www.prrac.org/pdf/Joint_Letter_on_Diverse_Schools_and_Communities_AFFH.pdf)

## Appendix A: Data Sources

A clear understanding of this report’s results requires an understanding of the data that was used and decisions that were made during data cleaning. The data obtained from CCD was school-level data and does not provide information on individual students. Restrictions on data reporting prevent the disclosure of information about a student’s race or ethnicity *and* their FRL status. Additionally, these data do not contain information on multilingual learners (MLs), who make up an increasing share of students in North Carolina.

There were no changes to racial or ethnic categories between 2010-2011 and 2021-2022; however, significant changes took place prior to 2010-2011, including the introduction of multiracial students and Native Hawaiian and Other Pacific Islander students. To address these differences in categories and facilitate between-year comparisons, we used the same grouping conventions used in the 2014 report on school segregation in North Carolina.<sup>168</sup> Native Hawaiian and Other Pacific Islander students were grouped with Asian and Pacific Islander students. Multiracial students, as well as American Indian students, were combined to create the Other Race student category. We acknowledge that these groupings, like the others we have chosen to use, are problematic and may differ from how some individuals within these groups choose to identify themselves.

Our analysis included only schools identified by CCD as “regular schools” that do not focus on the specialized instructional needs of certain student groups. Therefore, special education schools, career and technical schools, and alternative education programs were excluded from our analysis. Regular schools with no students or that were missing enrollment data were also excluded from our analytical dataset. All forms of virtual schools (e.g., exclusively virtual schools or schools with partial virtual instruction) were included in this analysis.

Magnet programs are specialized curricular programs that can be instituted for the entire school or for a subset of students within a school (strand magnet programs). Because the data from CCD does not differentiate between whole-school and strand magnet programs, we recommend caution when interpreting results related to magnet schools.

Charter school status is at times misreported in datasets and requires validation from other sources when possible. School-level data from the North Carolina Department of Public Instruction was used to validate the status of charter schools in the CCD data.

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<sup>168</sup> Ayscue, J. B., & Woodward, B. with Kucsera, J., & Siegel-Hawley, G. (2014 May). *Segregation again: North Carolina’s transition from leading desegregation then to accepting segregation now*. The Civil Rights Project/Proyecto Derechos Civiles.