



School choice and the promise of *Brown v. Board of Education II*

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Sixty years ago, the Supreme Court ruled in *Brown v. Board of Education II* that schools must integrate “with all deliberate speed.” Just one year after the landmark 1954 *Brown v. Board of Education* case declared “separate but equal” unconstitutional, *Brown II* pushed the implementation of desegregation policies to the local level, uprooting the status quo of American schooling since the Civil War. In the opinion of the Court, Chief Justice Earl Warren affirmed:

Full implementation of these constitutional principles may require solution of varied local school problems. School authorities have the primary responsibility for elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles.

Progress toward meeting the goals of *Brown* has lagged, in part, due to the fact that schooling is determined by residential boundaries. Significant geographic sorting makes achieving *Brown*’s goals more of a challenge.

At a recent forum hosted at the Cato Institute titled “Race, Housing, and Education,” one of us joined Cato’s Neal McCluskey, along with Richard Rothstein, research associate at the Economic Policy Institute, and Bartley Danielsen, associate professor at North Carolina State University, to moderate a conversation on the nexus of housing, race, and education. Rothstein outlined how the often overlooked history of housing policies in the United States promoted both *de jure* and *de facto* segregation and argued that a proactive federal role is the only way to right the wrongs of the past.

Danielsen had a different take. As he put it, politicians draw district lines, and people “vote with their feet” if they can afford to do so. Over time, this arguably leaves the poorest Americans with the worst schools, as wealthier families move into more expensive neighborhoods with higher quality schools.

According to Danielsen, though, it doesn't have to be this way. At the forum, he discussed the findings from one of his recent research papers, which examined residential relocation of 662 families whose child attended a charter school in Wake County, North Carolina. Although families are not required to live near the charter school their children attend, Danielsen found that parents preferred living near the school anyway. In fact, they were almost twice as likely to relocate closer to the charter school as would have been the case if they had no interest in the school. The study suggests that charter schools have the power to bring people into communities that desperately need quality educational options and job opportunities. Good schools can help integrate not only our education system, but also our communities, in ways that today's courts fall short. Regardless of whether school integration or improving education is our main focus, Danielsen's work shows that charters have the potential to do both.

As school choice policies expand across the country and parents continue to demand quality educational options for their children, how to achieve the goals of *Brown v. Board II* — and to what degree the federal government should be involved in the process — remain relevant questions. As we reflect on *Brown v. Board II*'s legacy at our own AEI event on November 3 (which will also feature Bartley Danielsen), these are the types of questions we'll wrestle with.

The *Brown v. Board II* court decision is present in the school policies we enact, in the way we task schools and systems with producing academic outcomes, and in our overall efforts to help communities flourish. Expanding opportunity and improving educational outcomes are absolutely the main goals. But advocates should not forget that the case for school choice goes far beyond the brick and mortar of a charter school.