

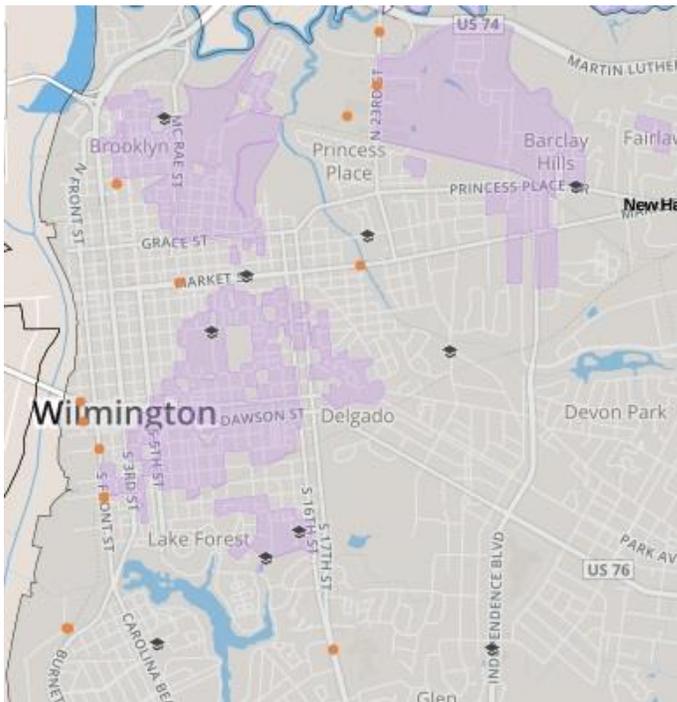


A coastal county in southeastern North Carolina, New Hanover County is one of the twenty wealthiest counties in the state. The county’s population of 202,667 is 79.1% white, 14.8% African American, and 5.3% Latino.<sup>1</sup> New Hanover is home to Wilmington, North Carolina’s eighth-largest city.

New Hanover County Schools (NHCS) serves a student population of 26,087 that is 61% white, 20% African American, and 12% Latino. Fewer than half of the district’s students (48.7%) are eligible for Free and Reduced Lunch (FRL).<sup>2</sup> Last school year, 63.4% of students in the district passed all their End-of-Grade (EOG) exams, the 20<sup>th</sup> highest EOG proficiency rate among the state’s 115 school districts.

## Student Reassignment and School Segregation

Significant demographic and achievement disparities persist across NHCS’s 42 schools, often to the detriment of students in Wilmington area schools. Between 2006 and 2010, the New Hanover Board of Education adopted a student assignment model that emphasizes proximity and “neighborhood schools” that has exacerbated these disparities. The Board’s reassignment decisions, which were prompted by capacity concerns and the construction of new schools in rural parts of the county, signaled an end to the district’s effort to maintain racial and socio-economic diversity in its schools in the face of significant residential segregation.



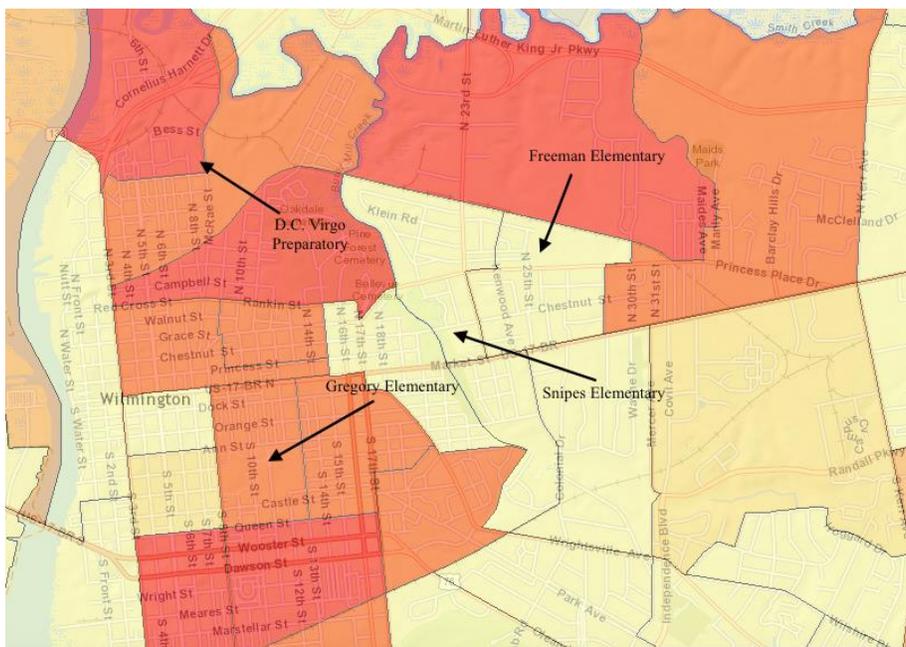
**Figure 1:** Purple clusters represent areas in which 75% or more of residents were non-white as of the 2010 U.S. Census. The high concentration of these clusters in Wilmington reflects residential segregation in New Hanover County that falls largely along an urban/rural divide. Such significant residential segregation underscores the tension between a focus on “neighborhood schools” and any effort to bring meaningful integration to a school district.

<sup>1</sup> U.S. Census Bureau, 2010 Census.

<sup>2</sup> North Carolina Dep’t of Public Instruction, 2014-15 Free & Reduced Meals Application Data.

In the mid-1990’s, community leaders filed a Title VI complaint<sup>3</sup> with the U.S. Department of Education’s Office of Civil Rights (OCR), alleging that NHCS’s then-existing student assignment model reinforced residential segregation and had a discriminatory impact on African American students.<sup>4</sup> In response to that complaint, OCR ordered NHCS to develop a student assignment plan that ensured all schools in the district had student populations between 15% and 50% African American. Although the OCR order expired in 1997, the district continued to emphasize student diversity in its assignment plan for a number of years. In 2004, then-Superintendent Dr. John Morris powerfully stated that the district’s continued push for diverse schools was driven by a “moral responsibility” to avoid resegregation, as “our students will not live and work in a segregated world and shouldn’t attend segregated schools.”<sup>5</sup>

Throughout the early and mid-2000’s, that moral responsibility was questioned by suburban parents who sought a return to “neighborhood schools.” The tension between promoting proximity and prioritizing school diversity was presented in stark terms during the 2010 Board election; as Republican candidate Derrick Hickey urged during a candidate forum: “If you believe in neighborhood schools and parental choice, vote Republican for school board. If you believe in trying to achieve social justice in the schools, vote Democratic.”<sup>6</sup>



**Figure 2:** This map shows the percentage of African American residents in Census block groups throughout Wilmington and overlays the four magnet schools discussed below. Red block groups represent 80% to 100% African American communities, while orange block groups are 60% to 80% African American. (Map generated via <https://ejsscreen.epa.gov/mapper/>)

<sup>3</sup> Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. 42 U.S.C §§ 2000d - 2000d-7.

<sup>4</sup> Wilmington Star News, “Racial disparity on end-of-year tests grows in New Hanover,” May 5, 2013, <http://www.starnewsonline.com/news/20130505/racial-disparity-on-end-of-year-tests-grows-in-new-hanover>.

<sup>5</sup> Wilmington Star News, “Redrawing school zones,” Jan. 24, 2004, <http://www.starnewsonline.com/news/20040124/redrawing-school-zones>.

<sup>6</sup> Yuna Shin, Huffington Post, “Resegregating Schools in Wake County and New Hanover County,” Jan. 21, 2011, [http://www.huffingtonpost.com/yuna-shin/resegregating-schools-in-no\\_b\\_811977.html](http://www.huffingtonpost.com/yuna-shin/resegregating-schools-in-no_b_811977.html).

As part of its move to a so-called “neighborhood schools” assignment model, the NHCS school board expanded the district’s magnet programs in Wilmington. In 2006, the Board converted Freeman Elementary and Snipes Elementary to magnet schools, with a portion of the seats reserved for students in the surrounding attendance area.<sup>7</sup> When both new magnet programs opened, the percentage of white students at Freeman and Snipes dropped from 30% to 11% and 28% to 10%, respectively.<sup>8</sup> Further reassignment in 2008 reduced the attendance areas of both Freeman and Snipes, raising the number of choice seats at these schools available to students from across the district.<sup>9</sup> However, many of these choice seats went—and remain—unfilled, leaving Freeman and Snipes both hyper-segregated and under-enrolled.<sup>10</sup> In early 2010, the Board reassigned middle school students, leading to the eventual closure of D.C. Virgo Middle, one of two predominantly African American middle schools in Wilmington. The Board reopened D.C. Virgo as the district’s fourth magnet school in 2012.

Today, 28 of 42 NHCS schools (66%) are racially imbalanced.<sup>11</sup> Table 1 shows that the district’s four magnet schools are now racially isolated, high-poverty schools that are under-enrolled. African American students account for anywhere from 77.9% to 86% of the population at these schools. The most drastic change in demographics has taken place at Gregory Elementary, where white students were the predominant racial group in 2005-06 (48.6%) and now represent just 5.2% of the student population.

School	Capacity	2005-06				2015-16			
		Students	White	African American	Latino	Students	White	African American	Latino
Gregory Elementary	694	570	48.6%	48%	1.9%	387	5.4%	86%	5.2%
Freeman Elementary	437	383	30.6%	57.4%	9.9%	349	8.8%	84%	4.4%
Snipes Elementary	599	424	28.3%	63.7%	6.1%	448	7.8%	81.3%	7.8%
D.C. Virgo Preparatory Academy	525	365	31.2%	67.1%	0.8%	181	10.5%	77.9%	9.4%
NHCS	--	24,112	64.2%	29.7%	4.2%	26,087	61.6%	20.6%	12.1%

<sup>7</sup> Wilmington Star News, “New school plan met with dismay,” June 21, 2006, <http://www.starnewsonline.com/news/20060621/new-school-plan-met-with-dismay>.

<sup>8</sup> North Carolina Dep’t of Public Instruction, 2007-08 Grade, Race, Sex Student Accounting Data.

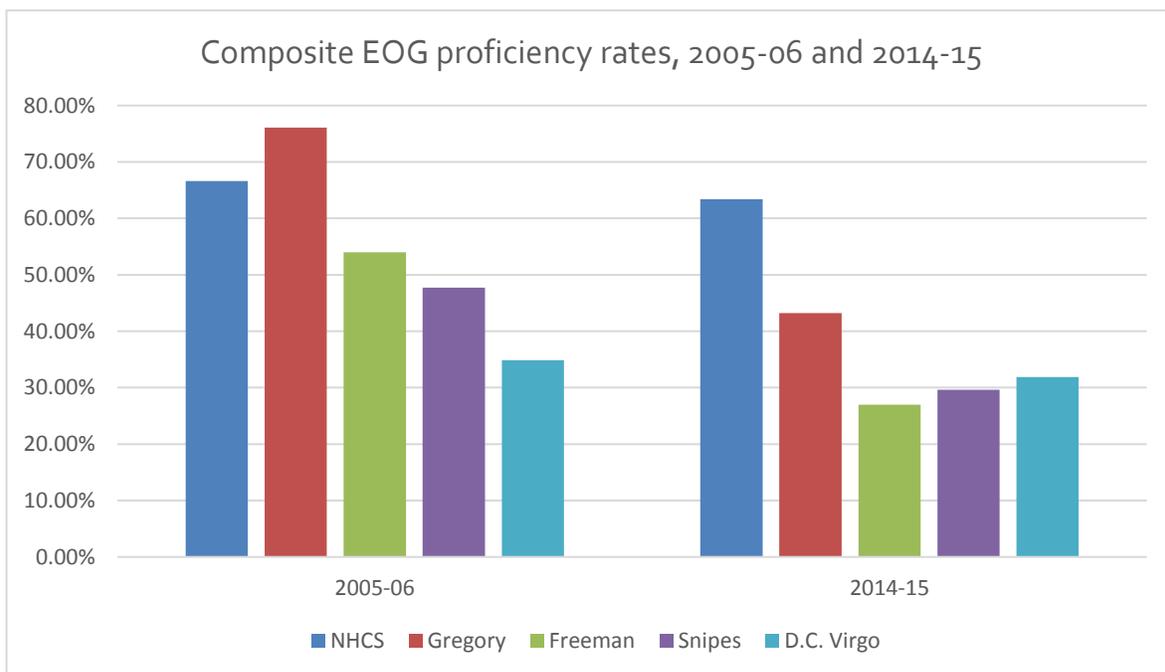
<sup>9</sup> Wilmington Star News, “New Hanover school board approves redistricting plan,” Nov. 20, 2008, <http://www.starnewsonline.com/news/20081120/new-hanover-school-board-approves-redistricting-plan>.

<sup>10</sup> See North Carolina Dep’t of Public Instruction, 2015-16 Grade, Race, Sex Student Accounting Data.

<sup>11</sup> A school is defined here as “racially imbalanced” or “racially identifiable” any time one or more of its racial groups falls more than +/- fifteen percentage points away from the school district’s overall student racial demographic, and “hyper-segregated” if a racial minority in the district constitutes 80% or more of the school population.

All four magnet schools also qualify for school-wide free meals through the Healthy, Hunger-Free Kids Act’s Community Eligibility Provision (CEP). Schools that qualify for the CEP have at least 40% “identified students;” generally children whose families receive SNAP or TANF assistance. All four magnet schools serve a percentage of identified students well beyond the CEP’s 40% threshold: Gregory 78%; Freeman 93%; Snipes 93%; Virgo 82%.<sup>12</sup>

Student achievement has declined at NHCS’s magnets schools as they have become more segregated. Figure 3 shows that composite EOG proficiency rates have sharply declined at three of the district’s four magnet schools since NHCS began to de-emphasize student diversity in 2006. In that time, Gregory Elementary students have gone from outperforming their peers across the district to falling 20 percentage points below the district-wide composite EOG proficiency rate. At both Freeman and Snipes Elementary, declining proficiency rates have left fewer than 30% of students passing their EOG tests.



**Figure 3:** A comparison of EOG proficiency rates in NHCS before and after the school board adopted a so-called “neighborhood schools” assignment model. Although proficiency rates are not directly comparable between years because of changes in the standardized tests, a comparison to the district-wide proficiency rate reveals that achievement has sharply declined in NHCS’s magnet schools since 2005-06.

<sup>12</sup> Food Research & Action Center, Eligibility for Community Eligibility Provision, <http://frac.org/CommunityEligibilityDatabase/>.

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## Spanish Immersion Program

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Since 2010, NHCS has operated a Spanish Immersion Program at Forest Hills Elementary (east of downtown Wilmington). Initially, the Spanish Immersion Program was open only to students districted for Forest Hills. In 2012-13, because of lack of interest among students and parents at Forest Hills, the program was opened to out-of-district students. Since that time, the Spanish Immersion Program has grown and attracted students from across the school district. In late 2015, NHCS officials reported that while 62% of Forest Hills third-graders were proficient in reading, in the school's two Spanish Immersion classes, reading proficiency was at 86% and 94%.<sup>13</sup>

Although the Spanish Immersion Program has attracted students to Forest Hills, community advocates have raised significant concerns regarding racial disparities resulting from the program's admission practices. In the 2015-2016 school year, 144 out of 197 students (73%) in the program were white, while overall enrollment at Forest Hills was only 46% white. Conversely, students of color comprised only 26% of those enrolled in the program, which was less than half of their representation in the school (54%).

Parents brought these concerns to the school board in early 2016, citing the lack of any formal outreach or enrollment policy for the Immersion Program. At all times the Immersion Program was at Forest Hills, admissions to the program was controlled by and at the discretion of the school principal. When parents challenged the administration about this deficiency and the district's failure to coordinate enrollment in the program with enrollment in kindergarten, they were told that the school relied on "word of mouth" recruitment and enrollment on a "first come, first served" basis. Requests and offers to volunteer for direct outreach to Latino and African American neighborhoods were rejected because of alleged concerns for "parent safety." Low-income families who lived outside the Forest Hills attendance area faced an additional hurdle to enrollment, as the district did not provide transportation for students in the Immersion Program outside the school's attendance zone.

In early 2016, several African American and Latino parents whose children had been waitlisted for the Spanish Immersion Program since 2013 contacted the Center for Civil Rights for help in addressing the disparate impacts of the program's admission practices. Center lawyers engaged the school board attorney, highlighting the fact that the district's subjective outreach and enrollment policies had a discriminatory impact on African American and Latino students, thereby depriving them of equal educational opportunities. The Center also emphasized that ostensibly "neutral" policies that have racially disproportionate impacts—even in the absence of overt racial animus—are no less discriminatory or harmful to those disadvantaged by such policies. The Center and the parents it represented proposed several remedial measures to address the segregation in the program, including targeted outreach to African American and Latino families to encourage their application to the program; admission through a weighted lottery (based on the demographics of neighborhoods or

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<sup>13</sup> Wilmington Star News, "Forest Hills, Gregory parents split over immersion program changes," Nov. 30, 2015, <http://www.starnewsonline.com/news/20151130/forest-hills-gregory-parents-split-over-immersion-program-changes>.

attendance areas) to ensure racial, ethnic and socio-economic diversity; coordination with other program enrollment and services; provision of all information and communication about the program in Spanish; and recruitment and assignment of diverse faculty and staff, including native Spanish speakers.

As a result of these advocacy efforts, the district agreed to admit the Center's clients to the Spanish Immersion Program and confirmed that it will implement a new lottery admission policy for the program. This admission policy will give priority to students currently enrolled in the program, those who were on the program waitlist, the incoming Gregory kindergarten class, and children of NHCS employees who qualify under the district's employee benefit policy. At the same time, NHCS implemented significant additional changes to the Spanish Immersion Program. At the start of the 2016-17 school year, the Immersion Program will be moved from Forest Hills and become the new magnet focus at Gregory Elementary (now the International School at Gregory). With the move, district-wide transportation will be provided to Immersion Program students and the program will expand from K-5 to K-8.

The Spanish Immersion Program's new formal admission policy and the move to Gregory, a predominantly non-white school, offer NHCS a significant opportunity to increase diversity in the program. The district has begun to act on this opportunity, publishing notices about the program to Pre-K and Smart Start participants (who are predominantly non-white); creating a website with bilingual information about the program, and sharing that information at two Magnet Program Fairs; and conducting outreach in predominantly non-white neighborhoods and to all families already attending Gregory. Given these measures, the Spanish Immersion program should see increased diversity, with the applicant pool for 2016-17 Spanish Immersion class reported at 28% African American, 21% Latino, 1% Asian, 10% multi-race and 40% white.

Additionally, the expansion and diversity of the Spanish Immersion Program creates an opportunity for NHCS to realize the integrative promise that magnet schools were designed to deliver but which to this point the district has not achieved. Meaningful and effective diversity in schools, and particularly in magnet programs in racially segregated neighborhoods, requires substantial and ongoing commitment from the school board and the administration, and sustained support and engagement with parents, students, teachers, and the community.

## Conclusions and Recommendations:

In the past decade, New Hanover County Schools has moved toward a student assignment model that emphasizes “neighborhood schools” instead of promoting racial and socio-economic diversity. This deliberate action by the school board—which reinforces patterns of residential racial and economic segregation—adversely impacts all students, but has particularly harmed students and educational opportunities in the Wilmington area, most notably at NHCS’s four magnet schools. Although magnet programs are generally established to attract diverse student bodies, NHCS’s magnet schools have failed to attract white, suburban students to the Wilmington area, leaving these schools hyper-segregated and under-enrolled. The challenges currently facing NHCS’s low-performing magnet schools are consistent with educational research and the U.S. Department of Education’s own recognition that “where schools lack a diverse student body or are racially isolated (i.e., are composed overwhelmingly of students of one race), they may fail to provide the full panoply of benefits that K-12 schools can offer.”<sup>14</sup>

Starting in the 2016-17 school year, NHCS’s Spanish Immersion Program will be housed at Gregory Elementary, one of the district’s four racially isolated magnet schools. The school board’s choice to move the Spanish Immersion Program to Gregory presents the district with an opportunity to bring more diversity to at least one of Wilmington’s four magnet schools. The academic success of the Spanish Immersion Program at Forest Hills, increased outreach to African American and Latino neighborhoods, and the provision of district-wide transportation to Gregory increase the likelihood of sustained interest in the program from diverse families across the district.

Even so, the Spanish Immersion Program and reliance on similar measures cannot resolve the unequal access to educational resources that is afforded by NHCS’s current student assignment model. The continued segregation of NHCS’s magnet schools underscores the limitations of leaving school diversity wholly dependent upon parental choice. The under-utilization of these magnet schools—despite overcapacity facilities elsewhere in the district—further demonstrates the challenges faced by a district after its school board abandons a commitment to diversity.

Superintendent Dr. Tim Markley has indicated that NHCS will begin planning this year for its next round of redistricting, as the district builds new schools to accommodate a growing student population.<sup>15</sup> Student reassignment that prioritizes diversity would address the resegregation caused by the district’s shift to so-called “neighborhood schools” and help alleviate the adverse educational outcomes that follow when students are racially and socio-economically isolated. Educational

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<sup>14</sup> U.S. Dep’t of Education, Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools, *available at* <http://www2.ed.gov/print/about/offices/list/ocr/docs/guidance-ese-201111.html>.

<sup>15</sup> Wilmington Star News, “Markley memo: school placement hurts black, low-income students,” Aug. 11, 2016, <http://www.starnewsonline.com/news/20160811/markley-memo-school-placement-hurts-black-low-income-students>.

research is clear that students are resources to each other, and that diverse student bodies have better access to quality educational resources, including teachers, facilities and curriculum, than do predominantly non-white and low-income schools.<sup>16</sup> Given the persistent and continuing legacy of neighborhood exclusion and the educational impacts of replicating that exclusion in schools, it is critical that school leaders, parents, and advocates prioritize educational equity and diversity. In NHCS, Superintendent Dr. Markley recently opened the discussion of reassignment and diversity in a confidential memo to the school board that was later publically released.<sup>17</sup> After detailing the adverse impacts that racial and socio-economic segregation was having on NHCS's African American students and noting that "there are very few African-American students in our high-performing schools . . . our high-poverty schools tend to be our worst performers," Dr. Markley concluded "[t]he long-term solution is to redraw the [attendance] lines to help balance the schools on socio-economic levels."<sup>18</sup>

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<sup>16</sup> See U.S. Dep't of Education, Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary School.

<sup>17</sup> Wilmington Star News, *supra* note 15.

<sup>18</sup> *Id.*

## About the Inclusion Project

This report represents a new phase of our ongoing *Inclusion Project*, which coordinates public data, empirical research, and community-based advocacy to document, analyze, and begin to address the continuing impacts of the legacy of residential segregation and racial exclusion.

Civil rights advocates have long recognized that housing segregation creates inequality in living conditions related to housing, like clean drinking water, the type and condition of homes, and exposure to pollution. Residential segregation also undermines equal access to education, public resources, and employment, and frustrates democracy at every level. Despite this understanding, most advocates address these issues piecemeal. Schools may desegregate for a time, but as segregated housing patterns persist they tend to resegregate. A community may successfully fight off one polluter but lack the political power to prevent the next. Few victories remain won.

One impediment to integration is an individualistic legal framework where civil rights are perceived as individual rights and racial discrimination as a personal experience. The opposite is true. Housing segregation operates at a neighborhood level. When a neighborhood is overwhelmingly one race, all of the residents face impacts of that segregation, regardless of their own race or circumstances. Individuals face other forms of racial discrimination individually, for example in employment or access to higher education, but even that kind of discrimination is reinforced by segregated communities.

This project uses North Carolina as a case study of impacts tied to super-majority non-white neighborhoods called excluded communities. The term “excluded” is applied broadly to refer to any community excluded socially, politically, or economically from opportunities available to other residents. These studies hypothesize that super-majority non-white neighborhoods will face greater than average impacts of housing segregation suggestive of community exclusion based on race.

Our goal is to provide communities, advocates, funders, and policy makers with an understanding of the shared causes of the overlapping challenges facing excluded communities, provide them with data on the seriousness of the issues, and to suggest where additional data is needed. The first phase of the project was a statewide analysis resulting in the publication of the *State of Exclusion* report. The results were startling, especially with respect to educational disparities and environmental justice issues. The second phase continued our empirical data analysis at a more local level, focusing on the impacts of exclusion on individual counties. Now *The Inclusion Project* moves to a new level, highlighting specific examples of the combination of data and research with direct community-based advocacy designed to dismantle structural inequities and begin to promote equity and inclusion.