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UCLA CIVIL RIGHTS PROJECT ASSESSES SCHOOL SEGREGATION 70 YEARS AFTER *BROWN*

Los Angeles–*Brown v. Board of Education* was a turning point in American law and race relations. In a country where segregated education was the law in seventeen states with completely separate and unequal schools, *Brown* found that segregation was “inherently unequal” and violated the Constitution. A new report published today by the UCLA Civil Rights Project, [*The Unfinished Battle for Integration in a Multiracial America – from Brown to Now*](#), discusses the present realities of school segregation and the patterns of change over 70 years. The high point of integration for Black students occurred in the 1980s, but there has been steady resegregation since the Rehnquist Supreme Court changed desegregation policy with the *Dowell* decision in 1991. The turning point toward greater segregation came after the Court decided desegregation requirements could only be temporary, and control should be turned back to the institutions that discriminated before *Brown*.

Seventy years later we are continuing to dismantle the school integration that came with the civil rights movement. Since its founding 28 years ago, the Civil Rights Project has closely followed the back-and-forth struggle over school integration. This report shows that when *Brown* was decided, and the 1964 Civil Rights Act took hold, four in five U.S. students were white, but that percentage is now just 45%. Schools presently are about a sixth Black, and immigration has spurred the growth of Latinos from 5% to 28% of all U.S. students, while Asians are now the fastest growing racial group.

The Supreme Court also recognized the desegregation rights of Latino students in 1973 but there was little enforcement. Latinos, who had often been in diverse schools, became as segregated as Blacks by the 1980s.

The data in the report show that major gains for Blacks occurred in all Southern states after the Civil Rights Act was enforced. At its high point in the 1980s, 43% of Black Southern students attended majority white schools, up from 0% when *Brown* was decided in 1954. Now the percentage is down to 16%. Segregation today is highest in our nation’s big cities where Black

and Latino students attend schools with an average of more than 80% nonwhite classmates. Major sectors of suburbia are changing fast and have serious segregation. Rural areas are less segregated.

Over the last 30 years the proportion of schools that were intensely segregated (with zero to 10% whites) has nearly tripled, rising from 7.4% to 20%. These schools are now doubly segregated by race and poverty with an average of 78% poor students.

Co-Author Gary Orfield commented, "We desegregated our schools when a serious effort was made and there were major benefits for all students. However, there has been no significant effort to support integration for nearly 50 years, and we are betting our educational and social future on inaction, which has never produced equal opportunity."

A large body of research shows that such schools typically lack key resources and have much weaker outcomes for students. White and Asian students attend middle class schools at much higher proportions. Moreover, the data show that as the numbers of white students in the nation's schools decline, they are less isolated from nonwhite students than in the past. As their numbers grow, nonwhite students are, however, substantially more isolated from whites as immigration has changed the racial profile of the society.

School choice policies have contributed to the resegregation of the nation's schools. Both magnet and charter schools could be used to desegregate but are now substantially segregated, charter schools more intensely so. The Civil Rights Project will be publishing a report this month comparing magnet and charter school segregation.

Co-author Ryan Pflieger concluded, "We are witnessing a multi-decade retreat from school integration, which undermines the potential of our public education system to reduce prejudice, tackle social inequality, and thus shore up the foundations of democracy."

[*The Unfinished Battle for Integration in a Multiracial America – from Brown to Now*](#) is available at the Civil Rights Project [website](#).

[About the UCLA Civil Rights Project/Proyecto Derechos Civiles:](#)

The Civil Rights Project/*Proyecto Derechos Civiles* is co-directed by UCLA Research Professors Gary Orfield and Patricia Gándara. Founded in 1996 at Harvard University, CRP's mission is to create a new generation of research in social science and law on the critical issues of civil rights and equal opportunity for racial and ethnic groups in the U.S. CRP is a trusted source of segregation statistics, has commissioned more than [400 studies](#), published more than 25 books and issued numerous reports monitoring the success of American schools in equalizing opportunity. The U.S. Supreme Court, in its 2003 [Grutter v. Bollinger](#) decision upholding affirmative action, and in Justice Breyer's dissent (joined by three other Justices) to its 2007 [Parents Involved](#) decision, cited the Civil Rights Project's research. In June 2023 Justice Sotomayor cited CRP's research in her dissent to the court's decision banning affirmative action in *SFFA v Harvard College*.