Looking to the Future

Legal and Policy Options for Racially Integrated Education in the South and the Nation

April 2, 2009
George Watts Hill Alumni Center
Chapel Hill, North Carolina

Conveners
The Center for Civil Rights at the UNC School of Law
The Civil Rights Project/Proyecto Derechos Civiles at UCLA
The Education Policy and Evaluation Center at the University of Georgia

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“The last half-century has witnessed great strides toward racial equality, but we have not yet realized the promise of Brown.”

About the Conference

When federal courts began vigorously enforcing the Brown v. Board of Education decision in the late 1960s, Southern public schools became the most integrated in the country and held that distinction for more than thirty years. Recently, schools in the South, and throughout the United States, have experienced rapid resegregation, disproportionately excluding the growing population of African American and Latino students from equal educational opportunities and access to social capital.

This conference focuses on the future of public education in the wake of the United States Supreme Court’s 2007 decision in Parents Involved in Community Schools v. Seattle School District No. 1 (PICS). The PICS decision is widely known for placing limits on what school districts can do to voluntarily pursue racially integrated schools. But the PICS decision also is important for what it left in place. In PICS, a majority of justices affirmed that school districts have a compelling interest in operating racially integrated public schools. Even though PICS limits how schools districts may pursue voluntary integration, the decision, nonetheless, protects their fundamental right to craft creative integration plans for their local schools.

Today our nation stands at a crossroads. We can do nothing and allow a half century of legal and social victories for our nation’s children to be reversed; or we can apply our knowledge to address the resegregation crisis. This conference will heighten scholarly understanding of the PICS decision and promote discussion about immediate and long-term policy options available to school districts across the nation for whom racial integration remains a priority.

When: Thursday, April 2, 2009
8:00 a.m. – 5:30 p.m.

Where: George Watts Hill Alumni Center
Chapel Hill, North Carolina

Who Should Attend: Scholars, researchers and students in the fields of education, public policy and the law; attorneys; legal and policy advocates; community leaders; journalists and political commentators; and members of the public interested in integrated education.
8:00–9:00 a.m. Registration/Breakfast

9:00–9:15 a.m. Welcome/Purposes
Julius L. Chambers, University of North Carolina at Chapel Hill

9:15–10:30 a.m. PANEL ONE: Making the Case for Racially Integrated Education
Viable Desegregation Strategies: The Case of Connecticut
Robert Bifulco, Jr., Syracuse University
Casey Cobb, University of Connecticut and Courtney Bell, Educational Testing Service

Integrated Education and Mathematics Outcomes
Roslyn Arlin Mickelson and Martha Bottia, University of North Carolina at Charlotte

School Racial Composition and Young Children’s Cognitive Development: Isolating Family, Neighborhood, and School Influences
Douglas Ready and Megan Silander, Columbia University

The Struggle for an Integrated Future: Coming to Terms with Courts’ Anti-Majoritarian Limits and Shifting the Zone of Judicial Mediation
Kevin Welner, University of Colorado at Boulder

Discussant: Andrew Grant-Thomas, Ohio State University
Moderator: TBA

10:30 a.m. BREAK

10:40 a.m.– Noon PANEL TWO: Finding Viable Legal Strategies for Racial Equity Post-PICS

Optional Equality: How the Supreme Court Rendered Equality Optional and a Proposed Response
Kimberly Jenkins Robinson, Emory University

Examining the Effect of PICS on School District Responses to Desegregation Cases
Danielle Holley-Walker, University of South Carolina

Pursuing Educational Opportunities for Latino Students
Kristi Bowman, Michigan State University

Discussants:
Maree Sneed, Hogan and Hartson
Dennis Parker, American Civil Liberties Union

Moderator: William Tobin, Duke University

Noon BREAK

12:15–1:15 p.m. LUNCH

Introduction of Luncheon Keynote Speaker
John Brittain, Lawyers’ Committee for Civil Rights Under Law

Luncheon Keynote Address
Dean John Charles (“Jack”) Boger, University of North Carolina at Chapel Hill

(CONTINUED ON NEXT PAGE)
1:20 – 2:25 p.m. PANEL THREE: Evaluating Socioeconomic Based Student Assignment Plans

The Effects of Socioeconomic School Integration Policies on Racial School Desegregation
Sean Reardon and Lori Rhodes, Stanford University

Socioeconomic School Integration: Preliminary Lessons from More than 60 Districts
Richard Kahlenberg, The Century Foundation

Is Class Working: An Update on Socioeconomic Integration from Wake County, North Carolina and Cambridge, Massachusetts
Genevieve Siegel-Hawley, University of California at Los Angeles

To Turn Back Would be a Huge Mistake: Race, Class and Student Assignment in Wake County Public Schools
Sheneka Williams and Eric Houck, University of Georgia

Discussant: Douglas Lee Lauen, University of North Carolina at Chapel Hill
Moderator: Bill McNeele, North Carolina Association of School Administrators

2:25 p.m. BREAK

2:35 – 3:40 p.m. PANEL FOUR: Building Political Will for Integrated Schools Post-PICS

Still Swimming Against the Resegregation Tide? A Suburban Southern School District in the Aftermath of PICS
Stephen Samuel Smith, Winthrop University

The Applicability of the Omaha Learning Community Agreement to Other Contexts
Jennifer Jellison Holme, Sarah Diem and Katherine Cumings Mansfield, University of Texas at Austin

School Choice as a Civil Right: The Political History of a Claim and Its Implications for Racially Integrated Education
Janelle Scott, University of California at Berkeley

The Double Consciousness of Adult Graduates of Southern Schools: The Meaning of Lives Lived from Massive Resistance to Desegregation and Back Again
Amy Stuart Wells, Jacquelyn Duran and Terrenda White, Columbia University

Discussant: Larry Parker, University of Illinois at Urbana-Champaign
Moderator: Susan Eaton, Harvard University

3:40 p.m. BREAK

3:50 – 5:30 p.m. PANEL FIVE: Achieving Racial Equity through Strategic Public Policies

Altering Grade Configurations in Virginia Schools: Reducing School Segregation Without Explicitly Considering Race
William Glenn, Virginia Polytechnic Institute and State University

Federal Legislation to Promote Metropolitan Approaches to Educational and Housing Opportunity in the South
Elizabeth DeBray-Pelot, University of Georgia
Erica Frankenberg, University of California at Los Angeles

Rethinking Magnet School Policies and Practices: A Response to Declining Diversity & Judicial Constraints
Claire Smrekar and Ellen Goldring, Vanderbilt University

Racially Integrated Education and the Role of the Federal Government
Chinh Q. Le, Seton Hall University

Discussants: Anurima Bhargava, NAACP Legal Defense and Educational Fund, Inc.
Philip Tegeler, Poverty & Race Research Action Council

Moderator: Charles Daye, University of North Carolina at Chapel Hill
Robert Bifulco, Jr. is an Associate Professor of Public Administration at Syracuse University’s Maxwell School of Citizenship and Public Affairs. Previously, Dr. Bifulco was a faculty member at the University of Connecticut and a post-doc at Duke University’s Sanford Institute of Public Policy. His research focuses on measuring school performance, whole-school reform, educational resource disparities, charter schools, the effects of school choice on racial segregation, and the effects of racial segregation on long-term student outcomes. Bifulco is a graduate of Syracuse, Rice, and Bucknell universities.

John Charles Boger is Dean and the Wade Edwards Distinguished Professor of Law at the University of North Carolina at Chapel Hill School of Law. He formerly was Deputy Director of the UNC Center for Civil Rights. Dean Boger, a former assistant counsel with the NAACP Legal Defense & Educational Fund, Inc., has represented parties and amici in various school resource/finance cases in Connecticut and North Carolina. Dean Boger is a graduate of Duke University, Yale Divinity School and the University of North Carolina at Chapel Hill School of Law.

Kristi L. Bowman is an Associate Professor of Law at Michigan State University College of Law. With academic interests in education law and policy and constitutional law, Professor Bowman has published numerous articles examining issues including teaching evolution in public schools, students’ free speech rights, public schools’ role during disaster relief, and school desegregation. Bowman is a graduate of Drake and Duke universities.

John Britain is Chief Counsel and Deputy Director of the Lawyers’ Committee for Civil Rights Under Law. He also is the former dean of the Thurgood Marshall School of Law at Texas Southern University. A civil rights attorney renowned for winning school desegregation decrees in Mississippi and crafting the Sheff v. O’Neill lawsuit in Connecticut, Britain has written widely as a scholar on civil rights issues, served as national President of the National Lawyers’ Guild and underwrote human rights investigations in Haiti, Northern Ireland, Nicaragua, Cuba, Puerto Rico and Mexico. Britain earned his B.A. and J.D degrees from Howard University.

Julius L. Chambers is Executive Director of the Center for Civil Rights and Clinical Professor of Law at the University of North Carolina at Chapel Hill School of Law. He co-founded the nation’s first integrated civil rights law firm, winning seminal victories before the United States Supreme Court, including in the fields of school desegregation, employment discrimination, prisoners’ rights and voting rights. In 1984, Chambers was named Director-Counsel of the NAACP Legal Defense & Educational Fund, Inc. He also served as Chancellor of North Carolina Central University. Chambers is a graduate of North Carolina Central University, University of North Carolina School of Law, University of Michigan, and Columbia University Law School.

Charles E. Daye is Deputy Director of the Center for Civil Rights and Henry Brandt Professor of Law at the University of North Carolina School of Law where he teaches torts, housing and community development law, as well as administrative process and advocacy. He is the senior editor of a course book, Housing and Community Development. The first African American to serve as law clerk for the Sixth Circuit Court of Appeals, Daye has served as Dean of the North Carolina Central University School of Law and President of the Law School Admissions Council. He is a graduate of North Carolina Central University and Columbia Law School.

Elizabeth DeBray-Pelot is an Associate Professor in the Department of Lifelong Education Administration and Policy in the College of Education, and the Associate Director for Policy at the Georgia Education Policy and Evaluation Center at the University of Georgia. DeBray-Pelot served as a research assistant with the Consortium for Policy Research in Education and as a research associate with the Civil Rights Project at Harvard University. Her interests include the implementation and effects of federal and state elementary and secondary school policies and the politics of education. She has authored articles on desegregation of high schools, school choice, organizational responses of high schools to accountability policies, and compensatory education. She received her doctorate from the Harvard Graduate School of Education.

Erica Frankenberg is the Research and Policy Director for the Initiative on School Integration at the Civil Rights Project/Proyecto Derechos Civiles at UCLA. She recently received her doctorate in educational policy at the Harvard University Graduate School of Education. Her research interests focus on racial desegregation and inequality in K-12 schools and the connections between school segregation and other metropolitan policies. She received her A.B. sum laude, from Dartmouth College and received high honors for her thesis in education policy. She also received a M.Ed. in Administration, Planning, and Social Policy from Harvard and was a post-doctoral fellow at Michigan State University.

William J. Glenn is an Assistant Professor of Educational Leadership and Policy Studies in the School of Education at Virginia Polytechnic Institute and State University, National Capital Region. His research focuses on quantitative analyses of the legal, economic and political variables related to schools and students, including school finance litigation and desegregation and achievement gaps related to race, poverty and gender. Dr. Glenn previously litigated at Mayer Brown (formerly Mayer, Brown, & Platt) and taught elementary school in the Pasadena, California Unified School District. Glenn is a graduate of the Rossier School of Education at the University of Southern California, and Berkeley School of Law at the University of California.

Danielle Holley-Walker teaches Civil Procedure I and II, Race and the Law, Administrative Law, and Federal Practice at the University of South Carolina School of Law. Professor Holley-Walker has published numerous articles on issues of civil rights and education, including recent articles on the No Child Left Behind Act, charter school policy, desegregation plans, and affirmative action in higher education. Her ongoing research agenda focuses on issues of educational equity and the governance of public schools. Before joining the University of South Carolina faculty, Professor Holley-Walker taught at Hofstra University School of Law. Prior to beginning her teaching career, Professor Holley-Walker practiced civil litigation at Fulbright & Jaworski, LLP in Houston, Texas. She also clerked for Judge Carl E. Stewart of the United States Court of Appeals for the Fifth Circuit. Professor Holley-Walker is a graduate of Yale University and Harvard Law School.

Jennifer Jillison Holme is an Assistant Professor of Educational Policy and Planning in the Department of Educational Administration at the University of Texas at Austin. Dr. Holme researches the politics and implementation of educational policy, with a particular emphasis on the relationship between school reform, equity, and diversity in schools. Holme currently leads an investigation of regional solutions to educational inequality, with a focus on the Omaha Learning Community reform and studies the implementation of high school exit testing in high-poverty high schools. Holme is a graduate of the University of California, Los Angeles and Harvard Graduate School of Education.

Richard D. Kahlenberg is a Senior Fellow at The Century Foundation, where he writes about education, equal opportunity, and civil rights. Previously, Kahlenberg was a Fellow at the Center for National Policy, a Visiting Associate Professor of Constitutional Law at George Washington University, and a Legislative Assistant to Senator Charles S. Robb (D-VA). Kahlenberg is a graduate of Harvard University and Harvard University Law School.
Chinh Q. Le is a Practitioner in Residence with the Center for Social Justice at Seton Hall University School of Law. His current work involves litigation, advocacy, and research on urban revitalization issues, with a focus on housing and education. Between 2001 and 2006, Le was Assistant Counsel at the NAACP Legal Defense & Educational Fund, Inc., where he litigated civil rights cases related to school desegregation, educational equity, higher education affirmative action, and voting rights. Immediately prior to joining the clinical faculty of Seton Hall, he was a litigation attorney at Jenner & Block LLP. Le is a graduate of the University of Virginia School of Law.

Roslyn Arlin Mickelson is a Professor of Sociology and Public Policy at the University of North Carolina at Charlotte. Mickelson has published widely on the political economy of schooling and school reform and has investigated school reform in the Charlotte-Mecklenburg Schools since 1988. Currently, Mickelson is writing a book synthesizing social and behavioral science research on the effects of school and classroom composition on educational outcomes. Previously, Mickelson taught social studies in a southern California urban high school. Mickelson is a graduate of the University of California, Los Angeles.

Douglas D. Ready is an Assistant Professor at Teachers College, Columbia University. His research examines the influence of policies and practices on educational equity and access. In particular, this work focuses on race, ethnic and social class disparities in young children’s cognitive development. Representative publications have appeared in Educational Evaluation and Policy Analysis, American Journal of Education, Sociology of Education, Teachers College Record, Elementary School Journal, Journal of Education for Students Placed at Risk and the Brookings Institution’s Papers on Education Policy. Ready is a graduate of Michigan, Virginia, and Rochester universities.

Sean Reardon is an Associate Professor of Education and Sociology at Stanford University. Professor Reardon’s research focuses broadly on educational policy and inequality. His primary research examines the relative contribution of family, school, and neighborhood environments to racial/ethnic and socioeconomic achievement disparities. His current research includes studying achievement gap patterns and trends and investigating the impact of socioeconomic integration plans and court-ordered desegregation plans on segregation and achievement gaps. He also studies high stakes exit exams in California. Reardon is a graduate of Harvard University Graduate School of Education.

Kimberly Jenkins Robinson is a Professor of Education Law and Policy and Civil Procedure at Emory University School of Law. She has garnered extensive litigation experience from her work for the Office of the General Counsel of the U.S. Department of Education and Hogan & Hartson, L.L.P. in Washington, D.C. Robinson’s legal practice focused on litigation and policy issues regarding race, sex, national origin and disability discrimination in public schools and universities as well as education finance. Previously, she clerked for the Honorable James R. Browning of the United States Court of Appeals for the Ninth Circuit. Robinson is a graduate of the University of Virginia and Harvard Law School.

Janelle Scott is an Assistant Professor in the Graduate School of Education and the Department of African American Studies at the University of California at Berkeley. Scott’s academic pursuits center on the racial politics of public education, the politics of school choice, and the role of private sector actors and elites in shaping urban public education policies. Her current research examines the relationship between philanthropy and school choice policy in urban communities. She formerly taught elementary school in the Oakland, California school district. Scott is a graduate of the University of California at Berkeley and the University of California at Los Angeles.

Genevieve Siegel-Hawley is a doctoral student in Urban Planning at the University of California, Los Angeles’ Graduate School of Education and Information Studies. Her research examines the impact of segregation and resegregation in American schools and explores viable policy options for a truly integrated society. Siegel-Hawley was a research assistant at the U.S. Department of Education’s Office for Civil Rights where she developed data on court-ordered school systems and analyzed data from thirty years of survey collection in the Elementary & Secondary School Civil Rights Compliance Report. She is a graduate of the University of Virginia, Johns Hopkins and Harvard universities.

Stephen Samuel Smith is a Professor of Political Science at Winthrop University. He served as an expert witness for the NAACP’s Legal Defense and Educational Fund, Inc. in the reopened Swann litigation. Smith is the author of Boom for Whom? Education, Desegregation, and Development in Charlotte (SUNY Press, 2004) and many articles and chapters dealing with the politics of education and with problems in the social capital literature. Smith is a graduate of Stanford University.

Claire Smrekar is an Associate Professor of Public Policy and Education at Vanderbilt University. Her research focuses upon the political economy of schooling and school reform, with special reference to the intersection of desegregation plans and choice policy on families, schools, and neighborhoods. Professor Smrekar is the author of three books, most recently: From the Classroom to the Classroom: The Shifting Landscape of School Desegregation, with Ellen Gilding (in press), Cambridge, MA: Harvard Education Press. Smrekar is a graduate of Stanford University.

Amy Stuart Wells is a Professor of Sociology and Education at Teachers College, Columbia University. Her research focuses upon the political economy of education and education policy, with special reference to the intersection of desegregation plans and choice policy on families, schools, and neighborhoods. Professor Wells is the author of three books, most recently: From the Classroom to the Classroom: The Shifting Landscape of School Desegregation, with Ellen Gilding (in press), Cambridge, MA: Harvard Education Press. Smrekar is a graduate of Stanford University.

Kevin G. Welner is Director of the Education and the Public Interest Center (EPIC) and an Associate Professor at the University of Colorado at Boulder. He is a recipient of the AERA’s Early Career and Palmer O. Johnson Awards, the Rockefeller Foundation’s Bellagio Residency, and the NAEEd/Spencer Post-Doctoral Fellowship. His research interests and publications focus on education policy and finance and education law. Welner is a graduate of the University of California at Santa Barbara and the School of Law at the University of California at Los Angeles.

Sheneka M. Williams is an Assistant Professor in the Department of Lifelong Education, Administration, and Policy in the College of Education at the University of Georgia. She teaches Educational Policy Analysis and School and Community Relations. She also is a policy research fellow at Georgia’s Education Policy and Evaluation Center. Her research interests include student assignment policies, school governance, and school and community relations. Dr. Williams is a graduate of the Department of Leadership, Policy, and Organizations at Peabody College, Vanderbilt University.
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April 2, 2009

Registration

You May Register:

with a credit or debit card
VISA and MasterCard Only
Please visit: http://law.unc.edu/centers/civilrights/conferences

General Information

Conference Location

Looking to the Future: Legal and Policy Options for Racially Integrated Education in the South and the Nation will be held at the George Watts Hill Alumni Center, located on the UNC-Chapel Hill campus. The Alumni Center is located on Stadium Drive.

Parking

Parking is available in the Rams Head Parking Deck on Ridge Road at a rate of $1.25 per hour. The Alumni Center is located approximately 20 miles from Raleigh/Durham International Airport. Directions will accompany the electronic registration confirmation.

Registration Fee

$50 General Registration
$85 NC CLE Registration*
$50 Out of State CLE Registration*
$10 Student Registration
*Credit hours to be determined

The registration fee includes continental breakfast, lunch and conference materials.

Registration Deadline: Friday, March 20, 2009

Cancellations

Cancellations will be honored if received on or before March 20, 2009. No refunds will be given for cancellations made after this date. Confirmed participants who do not attend the program are responsible for the entire fee.

Questions

If you have any questions, contact the UNC Center for Civil Rights at (919) 843-3921 or civilrights@unc.edu.

Accommodations

The following hotels are located in Chapel Hill, within a few miles of the George Watts Hill Alumni Center. Reservations should be made directly with the hotel.

Holiday Inn Express*
6119 Farrington Rd.
(919) 489-7555 or (800) 465-4329
Reservation Code: UCR

Hampton Inn*
6121 Farrington Rd.
(919) 403-8700 or (800) 426-7866
Reservation Code: UCR

Courtyard Marriott*
100 Marriott Way
(919) 322-0700 or (800) 888-8421
Reservation Code: LAWLAW A or LAWLAW B

Best Western University Inn
Highway 54 East-Raleigh Rd.
(919) 932-3000 or (800) 528-1234

The Carolina Inn
211 Pittsboro St.
(919) 933-2001

Days Inn
1312 N. Fordham Blvd.
(919) 929-3090 or (800) 329-7466

*Reduced Conference Rates