

**TOOLS FOR EDUCATORS**

# Race Equity for Students

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## Data on Education Inequities by Race

Education inequities based on race, color and national origin are evident in U.S. schools every day. Here are just a few examples:



**FUNDING**

School districts serving the most students of color receive roughly \$1,800 less per student in state and local funding than those serving the fewest students of color.<sup>1</sup>



**TEACHERS**

Nationally, schools serving the most Black and Latinx students are 1.5 times more likely to employ teachers who are newest to the profession (who are on average less effective than their more experienced colleagues) as compared to schools serving the fewest of these students.<sup>2</sup> In a recent study of New York City schools, schools with a majority of students who were Black, Latinx, Black or Latinx, or non-White had a higher percentage of uncertified teachers.<sup>3</sup>

Teachers of color represent 18 percent of educators, and Black males represent just 2 percent, while approximately half of public elementary and secondary school students are children of color. One Black teacher before third grade increases by 13 percent the chances a Black child will enroll in college.<sup>4</sup>



### COURSE OFFERINGS

Nationally, Black students comprised 16 percent of high school enrollment, but just 8 percent of calculus enrollment—often because their schools do not offer calculus. About 5,000 high schools had more than 75 percent Black and Latinx enrollment, and the schools offered advanced math and science at lower rates than other high schools. The largest disparity was for calculus, which half of all high schools offered, but only 38 percent of the highly segregated high schools did.<sup>5</sup>

Almost one in five Black high school students attend a high school that does not offer Advanced Placement (AP) courses, a higher proportion than any other racial group.<sup>6</sup>



### DISCIPLINE

Data in a 2018 Government Accountability Office report show that “Black students accounted for 15.5 percent of all public school students, but represented about 39 percent of students suspended from school—an overrepresentation of about 23 percentage points.”<sup>7</sup>



### SCHOOL ARRESTS

The most recent data collected by the U.S. Department of Education show that Black students represented 15 percent of the total student enrollment, and 31 percent of students who were referred to law enforcement or arrested. American Indian, Alaska Native, Native Hawaiian or other Pacific Islander students represented 1.4 percent of student enrollment, but 3 percent of referrals to law enforcement.<sup>8</sup>

## Law on Discrimination in Education Based on Race, Color, and National Origin

Title VI of the Civil Rights Act of 1964<sup>9</sup> (together with Title VI regulations<sup>10</sup>) prohibits any state, district, public school or other school receiving federal funds from acting in an intentionally discriminatory manner towards—or implementing facially-neutral policies that have an unjustified disparate impact on—students based on race, color or national origin. Disparate impact is unjustified when it either is not educationally necessary or there are comparably effective alternatives that can achieve the same goals with less adverse effect.<sup>11</sup>

### Administration of School Discipline

The following may be examples of discriminatory administration of school discipline:

- Two students with similar disciplinary histories—one Latino, one White—get in a fight. The Latino student is given a three-day suspension or sent to an alternative school, while the White student gets a two-day suspension.

- A school has a policy that students arriving more than five minutes late five times are sent to all-day, in-school suspension. Most Asian American students travel a longer distance to the school, often relying on public transit. As a result, Asian American students are disproportionately disciplined under the policy.
- A school policy allows teachers to administer consequences for “willful defiance,” but does not clearly define the term. Black girls commonly receive consequences under the policy for the same behaviors for which other students commonly receive only verbal reprimands.

## Distribution of School Resources

Schools and school districts must provide students with equitable access to educational resources, including well-maintained buildings; comparable facilities such as gyms, auditoriums, and science laboratories; qualified and experienced teachers and administrators; classroom materials such as text books, graphing calculators, and reading materials; and access to technology.

Equitable distribution of resources may require greater resources for higher-need schools.

The following may be examples of discriminatory administration of school resources:

- Schools attended by a higher percentage of students of color have older buildings, don’t have functional heat and/or air conditioning, and rely on portable classrooms, compared to other schools in the district with fewer students of color.
- Teachers working in the schools with the highest percentage of students of color are paid less on average than teachers within the same district with the lowest percentage of students of color.
- Schools with a higher percentage of students of color do not offer as many AP classes, or gifted and talented programs. Similarly, in schools offering these programs, students of color are highly underrepresented in these programs or classes.

## Questions to Consider

### 1. *Intentional Discrimination*

How are students of different races at your school punished for similar infractions? Are students encouraged to enroll in AP classes or other challenging courses, regardless of race? (For both questions, look at the data.)

### 2. *Disparate Impact*

Are rules that appear neutral in their language more likely to impact students of a particular race? For example, does your school’s dress code contain facially neutral rules more likely to

impact students of a particular race? Are there policies that are vaguely worded and enforced against students of color more frequently? How are decisions made about how to distribute resources to schools in your district? (Again, look at the data.)

### 3. *Educator Training/Role*

Are educators in the school made aware of the unique challenges/trauma that many students of color experience, and the role of implicit bias in schools? Does the school have a working group to examine and help reduce racial inequities in the school? What strategies has the district utilized to recruit educators of color? What else can school leaders do to support students of color?

## Additional Resources

U.S. Department of Education, *Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline*, January 2014.<sup>12</sup> While Secretary of Education Betsy DeVos rescinded this guidance in December 2018, it still provides important information.

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<sup>1</sup> <https://edtrust.org/the-equity-line/students-color-face-steep-school-funding-gaps/>

<sup>2</sup> <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf>

<sup>3</sup> <https://nyappleseed.org/wp-content/uploads/FINAL-Appleseed-New-York-City-Elementary-Schools.pdf>

<sup>4</sup> <https://www.usnews.com/news/education-news/articles/2018-11-23/black-teachers-improve-outcomes-for-black-students>

<sup>5</sup> [http://blogs.edweek.org/edweek/curriculum/2018/04/persistent\\_disparities\\_in\\_stem\\_coursetaking\\_crdc.html](http://blogs.edweek.org/edweek/curriculum/2018/04/persistent_disparities_in_stem_coursetaking_crdc.html)

<sup>6</sup> <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf>

<sup>7</sup> <https://www.gao.gov/assets/700/690828.pdf>

<sup>8</sup> <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>

<sup>9</sup> 42 U.S.C. §§ 2000d *et seq.* <https://www.law.cornell.edu/uscode/text/42/chapter-21/subchapter-V>

<sup>10</sup> 28 C.F.R. Sec. 42.101 *et seq.* <https://www.law.cornell.edu/cfr/text/28/part-42/subpart-C>

<sup>11</sup> <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf>

<sup>12</sup> <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>