SUBJECT: Draft Policy Statement on Promoting Diversity, Equity, and Integration in New York State

SUMMARY

Issue for Discussion

Continued Board input on a draft policy statement on Promoting Diversity, Equity, and Integration in New York State.

Reason(s) for Consideration

Despite a decade of progress and many instances of excellence, New York's educational system today faces two critical problems that demand urgent attention:

• First, we face a great divide in educational opportunity and achievement along lines of race, ethnicity, sexual orientation, gender identity, special learning needs, family income, home zip code, language barriers, and citizenship status.
Second, New York – and the nation – are not keeping pace with growing demands for still more knowledge and skill in the face of increasing competition in a changing global economy.

Closing the achievement gaps must begin with the fundamental belief that all learners can reach higher standards. It requires that we set high expectations and employ powerful strategies that build on the success of many University of the State of New York (USNY) institutions that are working to close these gaps.¹

The push toward socioeconomic and racial integration is perhaps the most important challenge facing American public schools. Segregation impedes the ability of children to prepare for an increasingly diverse workforce; to function tolerantly and enthusiastically in a globalized society; to lead, follow, and communicate with a wide variety of consumers, colleagues, and friends. The democratic principles of this nation are impossible to reach without universal access to a diverse, high-quality, and engaging education.²

The mechanics of educational segregation operate both as structural barriers around access and resources and as internal functions of racism embedded in school policy and practice. These mechanisms have implications for achievement and opportunity, and perpetuate disparities among students based on race, ethnicity, sexual

¹ http://www.oms.nysed.gov/plan05/plan05.htm
A Call to Action

The Board of Regents looks forward to working with districts across the State to support their integration efforts. The New York State Education Department (NYSED) respects the value of integration and has supported such efforts most notably through the Socioeconomic Integration Pilot Program (SIPP) grants. High-quality early childhood education is the only intervention that has shown a higher return on investment than socioeconomic and racial integration.

Several districts in New York State already have made efforts to integrate their schools. For example, the White Plains School District has been implementing a controlled choice enrollment policy for nearly 30 years. The District’s emphasis on school diversity, parent choice, and magnet school themes resulted in an integrated student body. The Rochester City School District has made recent efforts to grow its Urban-Suburban Interdistrict Transfer program through a NYSED SIPP grant to work with suburban districts. Other districts are using new strategies, such as Freeport School District, which provides two-way bilingual programs in all of its elementary schools to integrate schools.

In New York City, several Community Schools Districts (CSDs) are developing plans that are designed to create schools that feature academic as well as socioeconomic diversity. Furthermore, some of these districts, such as CSD1 on the lower East Side; CSD3 on the Upper West Side, Morningside Heights and Harlem; and CSD15 in Brooklyn, have worked with NYC DOE as well as local elected officials to ensure that the diversity created at schools under each new plan will come with resource-rich supports such as guidance and social workers as well as academic supports [need citation].

These are just a few examples of integration efforts already underway in New York State. Because the Board of Regents recognizes that there is no “one right way” or single approach to effective integration, the Board encourages all districts and schools to adopt existing or develop new integration strategies that fit the needs of their students and communities.

To support these efforts, the Board of Regents will continue to incorporate integration strategies into its Boys and Young Men of Color initiative and shall seek State funding to support research-based efforts by school districts to integrate their schools. Working together, we can ensure that New York State becomes an integrated school system that provides high-quality learning opportunities and culturally responsive school environments for all students.

**Supporting Background Information**
Shifting demographics in the US population, and particularly in New York, are bringing this issue into sharper focus. Currently, five states are considered to have a “minority-majority,” where the White, non-Hispanic population represents less than 50% of the population. New York is among eight more states that are trending in this direction, with White non-Hispanics representing less than 60% of the population. As of 2016, students in New York State public schools were one percent American Indian, two percent multiracial, nine percent Asian or other Pacific Islander, 18 percent Black, 26 percent Latino, and 45 percent White. Additionally, eight percent of the State’s students are English Language Learners representing approximately 200 different native languages other than English [need citation], 17 percent are students with disabilities, and 52 percent are eligible for free or reduced-price lunch. The current poverty threshold is defined as $24,858 for a family of four. Note that some students may fall into two or more of these categories [need state data on students that fall into multiples categories].

Not all children in the State are able to take advantage of this rich diversity. More than 60 years after Brown v. Board of Education, New York is the most segregated state in the country. In 2010, over half of Black and Latino students in the State attended schools with less than ten percent White enrollment, and the typical Asian student in the State attended schools in which a little over 30 percent of their peers were White. In that same year, the average White student attended schools in which close to 80 percent of his or her classmates were White. Further, in 2010, the average White student attended

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7 Id. p 41.
a school in which 30 percent of his or her classmates were low-income, while the average Black and Latino student attended a school where 70 percent of his or her classmates were low-income.\footnote{Id. p vii.}

[Families with school age children have struggled to participate in the economic recovery that followed the Great Recession. Statewide, the number of homeless schoolchildren increased by 30\% between the 2010-11 and 2014-15 academic years\footnote{id:113690}. Outside of New York City this number increased by 50\% during that period to record levels\footnote{id:114537}. Within New York City, the number of homeless students has ballooned to more than 114,000, or roughly one in 10\footnote{id:115115}.]

There is an intersection between homelessness and other subgroups. Approximately 40\% of homeless youth self-identify as LGBTQ\footnote{id:115628}. Moreover, LGBTQ homeless youth tend to be disproportionately of color\footnote{id:117715}.

Struggling families with school age children do not necessarily reside exclusively in urban centers, nor are they necessarily people of color. Currently, 11\% of all New York’s students attend schools in rural areas\footnote{id:118235}. Of the five lowest income counties in New York, only one (Bronx County) is within an urban center. The remaining four counties (Wyoming, St. Lawrence, Allegany and Franklin) are located in the rural North Country and Western New York. According to the 2010 Census, each of five counties had per capita income ranging from $17,575 (Bronx) to $20,605 (Wyoming). Further, the ethnic makeup of the Bronx most closely resembles that of New York State as a whole, with
45.8% white, 43.3% black or African American, 4.2% Asian, 3.0% American Indian, 0.4% Pacific Islander, and 3.3% of two or more races; 54.6% of the population was of Hispanic or Latino origin. The other four counties have white populations ranging from 84.03% (Franklin) to 97.03% (Allegheny), with blacks / African Americans comprising 0.72% (Allegheny) to 6.63% (Franklin), and Latinos or Hispanics of any race representing 3% or less in these counties. Franklin County has the highest Native American population of these five counties at 6.20%.

But demographics alone do not tell the whole story in laying out the challenge that lies before us. There are extreme inequities across the state with regard to school-based resources. They include, but are not limited to, disparities in access to the following: arts programs, highly qualified and/or experienced teachers, rigorous / college preparatory and/or CTE coursework, post-secondary advisement including college and career opportunities; social-emotional supports and culturally responsive pedagogy.

For example, in New York City and other large city districts, only about half of schools offer Physics. Offerings of Algebra and Calculus are even more abysmal with only 47% of New York City schools offering Algebra and 41% offering Calculus; within large city districts only 33% of schools offer algebra and 37% of schools offer calculus. About a fifth of high needs rural school do not offer Calculus. About half of New York City schools do not offer Advanced Foreign Language or Music. About a third of schools in high need rural districts do not offer International Baccalaureate or Advanced Placement courses. The same is true for about one fifth of New York City and other Large City District schools.
Supports for students with special needs are also lacking. In New York City, more than 375 schools have 25 or more homeless students on their rolls yet have no social worker\(^7\). Moreover, only 18.4% of school buildings in New York City are considered to be fully accessible to individuals with physical disabilities\(^8\).

Some supporters of equity are parents of color who assert that, given adequate resources, their children do not necessarily have to be educated alongside white children to succeed academically. A striking example of this is an open letter addressed New York City Mayor Bill DeBlasio from a group called Parenting While Black. They write (emphasis added): “[W]e want an education policy that focuses on addressing the barriers to equitable education that create racially disparate outcomes […] Schools should have the resources to provide a quality education to students at all levels […] [W]ork with school administrators to ensure they have the necessary support to align their budgets with improving school outcomes in a way that acknowledges and is responsive to the cultural academic needs of Black children […] Every student in New York City should be able to attend a good school within walking distance.”\(^{xii}\)

A rich body of research, including a number of high-quality studies, shows that – other factors being equal – schools that are racially, economically, and academically segregated produce lower educational achievement and attainment for children. Children in segregated schools are more likely to be children of color and low-income students than those attending schools with less segregation, which in turn limits lifetime opportunities for students.\(^9\) The same body of research shows that increased

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socioeconomic and racial integration results in the following benefits among students of color and economically disadvantaged students, again, without negatively affecting results for other students:

- Leads to higher academic outcomes for students of color and economically disadvantaged students without compromising outcomes for other students;
- Closes the achievement gap between students of different racial and ethnic backgrounds;
- Fosters critical thinking skills and the ability to communicate and work with people of all backgrounds;
- Reduces racial and ethnic prejudice while increasing cross-cultural trust and relationships;
- Decreases the likelihood of teenage pregnancy and interaction with the juvenile justice system; and
- Increases the likelihood of college-going and success in college.\(^\text{10}\)

There is a gap between the research demonstrating the benefits of integration and the reality of segregation in New York State. A recent study by the UCLA Civil Rights Project concludes that New York State has the most racially and economically segregated schools in the country,\(^\text{11}\) and is home to some of the most segregated school districts nationwide.\(^\text{12}\) In many schools in the State, segregation is increasing; with the proportion of New York State schools considered intensely segregated doubling between 1989 and 2010.\(^\text{13}\)


Historically, the Board of Regents has promoted integration efforts, including ones championed by Dr. Kenneth Clark, who was the first black member of the Board when he was elected in 1966.\textsuperscript{14} Dr. Clark was a life-long integration advocate, whose famous research on children’s reactions to black and white dolls in Clarendon County, South Carolina played a pivotal role in the 1954 Supreme Court decision in \textit{Brown v. Board of Education}.

\textbf{Proposed Definition of Equity}

The New York State Board of Regents unequivocally believes that every child deserves and must have equitable access to high quality learning opportunities. There can be no educational excellence without educational equity. Equity means every student will experience academic success without regard to differences in age, citizenship status, disability, ethnicity, gender, national origin race, native language, religion, sexual orientation, or socio-economic status. The varied learning needs of students are met in an environment where all students are valued, respected, and see themselves in culturally responsive-sustaining curriculum and instructional materials.

\textbf{Statement in Support of Promoting Diversity, Equity, and Integration in New York State}

To respond to these findings and address the needs of our diverse community, the Board of Regents commits to promoting increased equity and integration within New York State’s public schools and embracing the State’s racial, ethnic, socioeconomic, linguistic, and ability diversity as an important educational asset.

The mission of the Board of Regents is to raise the knowledge, skill, and opportunity of all the children and adults in New York State. Goals recently articulated by the Board of Regents as part of the My Brother’s Keeper Initiative\textsuperscript{15} include ensuring that all students:

1. Enter school ready to learn;
2. Read at grade level by third grade;
3. Graduate from high school ready for college and careers;
4. Complete postsecondary education or training;
5. Successfully enter the workforce; and

Promoting socioeconomic and racial integration is a powerful mechanism for achieving these goals. Based on careful consideration of substantial, well-validated, and longstanding social, scientific, and experiential evidence, the Board of Regents finds that integrated schools:

1. Enrich the educational experience of students;
2. Promote higher academic and many other favorable outcomes for all students;
3. Close the achievement gap for students of different socioeconomic and racial backgrounds;
4. Foster critical thinking skills and the ability to communicate and work with people of all backgrounds;
5. Advance postsecondary success and lifetime opportunities for all students; and
6. Graduate students prepared to succeed in an increasingly pluralistic society in which the more perspectives that can be brought to bear, the more problems people are capable of solving.\textsuperscript{16}

To achieve equity and integration, the Board of Regents is committed to the development and support of educational programs that promote the values of racial, ethnic, socioeconomic, linguistic, and ability diversity. The Board of Regents encourages

\textsuperscript{15} New York State, My Brother’s Keeper Initiative, http://www.nysed.gov/mbk/schools/my-brothers-keeper.
\textsuperscript{16} New York State, My Brother’s Keeper Initiative, http://www.nysed.gov/mbk/schools/my-brothers-keeper.
districts and schools, to the greatest extent possible, to adopt integration plans that result
in schools that reflect a diverse mix of students – of different races and ethnicities,
abilities, home languages, and socioeconomic status – to ensure that schools, programs,
and services reflect – thus obtain the full educational, instructional, and developmental
benefit of – the diversity of the district and/or surrounding districts. Such strategies may
include, but are not limited to:

- Developing flexible integration and diversity targets and enrollment systems to
  ensure that each school generally reflects the demographic diversity of the
district and/or surrounding districts;
- Implementing classroom placement strategies to ensure that each classroom
  is diverse and that students receive the full educational and other benefits of
diversity;
- Applying an equity index algorithm, publishing data regularly to monitor whether
  integration goals are being met, and adjusting goals, policies, and practices in
light of the evidence of how well they are succeeding and how they can be
improved. The index identifies tracking, resource allocation, desegregation of
suspensions/expulsions by age, gender, race, ethnicity, and home language;
- Creating partnerships or regional districts or consolidating with nearby districts
to address socioeconomic and racial isolation across districts;
- Re-drawing school zones, strategically selecting new school sites, and creating
un-zoned schools with weighted enrollment (e.g., enrollment preferences or
weighted lottery) to increase integration;
- Providing transportation and other logistical support to ensure that segregated
housing patterns do not prevent students from attending integrated schools;
- Investing in professional development to support instructional practices that
reflect the tenets of culturally sensitive instruction and disciplinary practices;
and/or
- Developing employment practices that promote a culturally and ethnically
diverse workforce.
For students to receive the full educational and other benefits of diversity, equity, and integration, not only should students attend integrated and/or diverse schools wherever possible, but integration, diversity and equitable practices should be woven into the fabric of each district’s and school’s culture. As such, to the greatest extent possible, districts and schools should consider integration, diversity and equity when making decisions about staff recruitment and training, pedagogy and curriculum, parental involvement efforts, and extracurricular activities. Specific strategies may include, but are not limited to:

- Soliciting community and parental feedback through accessible means and in multiple languages, and providing transparency in the development, implementation, and evaluation of integration strategies;
- Developing programs that attract a diverse student body and meet the unique needs of students within each school;
- Encouraging targeted staff recruitment efforts so that school staff reflect the diversity of New York State and that all students receive the educational and other benefits of that diversity;
- Distributing resources within and across schools and programs according to students’ needs; and
- Providing professional development focused on culturally and linguistically responsive instruction and strategies to support integrated learning environments within each school.

**Desired Outcomes**

- Identify the opportunity-to-learn disparities many students face that appear to be based on race, ethnicity, sexual orientation, gender identity, special learning needs, family income, home zip code, language barriers, and citizenship status.
- **All** parents and families receive timely and complete information regarding children’s rights and opportunities to learn as prescribed by state law and regulations.
• Identify the social, political, policy, and legal obstacles the NYS Board of Regents must confront to address these disparities and ensure all students have equitable opportunities to prepare for college, careers, and civic engagement.

• Utilize published and ongoing research studies to present research-based policies and best practices regarding socioeconomic and racial integration.

• Recommend to the Board of Regents how it can best prioritize socioeconomic and racial integration and create a vision for school districts and individual schools and encourage both schools and school districts to work together to create inter-school and inter-district solutions.

• Recommend to the Board of Regents and to elected officials at all governmental levels policies, legislation, and budgetary priorities to engage educational institutions as well as other city and state agencies in promoting diversity, equity, and integration.

**Proposed Handling**

This draft policy statement is being submitted to the P-12 Education Committee for consideration and discussion at the XXXX meeting of the Board of Regents.

**Procedural History**

At the April 2017 Board of Regents Meeting, the Department presented two “high concept ideas” regarding the promotion of socioeconomic and racial integration through its ESSA Consolidated State Plan. On May 9, 2017, the Board of Regents published its draft ESSA Consolidated State Plan for public comment. After an extensive, 18-month long public engagement process, the Department, with Board approval, submitted New York State’s ESSA plan to the USDE for review on September 17, 2018. On January 17, 2018, the USDE approved the State’s plan that included provisions implementing those high concept ideas.

At the June 2017 Board of Regents meeting, the Department presented a draft policy statement on Promoting Diversity: Integration in New York State. Also at that
meeting, a Research Work Group was appointed to oversee the work of the Board and the Department to promote greater diversity and equity within New York State’s schools and districts. At subsequent meetings of the Work Group, the policy statement has been revisited and refined.

**Related Regents Items**

Promoting Diversity: Integration in New York State, April 2017 Presentation to Board of Regents:


Draft Policy Statement on Promoting Diversity: Integration in New York State, June 2017 Discussion Item:


**Recommendation**

It is recommended that this be a continued discussion at the September Board of Regents meeting.

**Timetable for Implementation**

Next steps will be determined at the September Board of Regents meeting.

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i https://www.census.gov/quickfacts/
ii https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html
vii https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1150&context=njlp