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Desegregation to Re-Segregation in the “Air Capitol of the World”: The Case of Wichita USD 259

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We have desegregated, but we have not completed an integration program.

—Dr. Dean Stucky, Deputy Superintendent,
USD 259 Wichita Public Schools, August, 1977

In his conclusion to the seminal work *Dismantling Desegregation*,¹ in 1996 Gary Orfield, co-founder of UCLA’s Civil Rights Project, warns citizens and educators alike the U.S. is undoing and undermining *Brown v. Board* consistently: on the national and local levels, through legislation, U.S. Supreme Court decisions, and even district-level actions.² That we “ignore at great cost” the fact that:

There is nothing in the experience of the United States since *Plessy v. Ferguson* to suggest that racially separate schools will ever be equal so long as the rest of society is profoundly unequal. Choosing resegregation means choosing greater inequality and risking the future of our multiracial society.³

It is now 2019 and re-segregation of public schools, particularly in urban and metropolitan centers, is in full swing and shows little sign of reversing. What follows is in part a story of how one Midwestern city was forced “voluntarily” to desegregate and how that plan ultimately transformed into another tool to re-segregate. At the same time, the story of desegregation and re-segregation in a midwestern metropolis’ urban school district compels and instructs on just how a district’s attempts to avoid federal oversight and control ultimately undermined its own stated goals.

But first, a description of this midwestern locale. Wichita is the largest city in the state of Kansas, partly because of industrialization and its focus on aerospace engineering, partly because of the geographical quirk that divides Kansas City between two states. Wichita boasts a population of 390,000 people in the city itself, 640,000 within the entire metropolitan area.⁴ These numbers place Wichita a little behind Colorado Springs, Colorado, but ahead of Des Moines, Iowa in terms of population size.⁵ Wichita shares much in common with many mid-size

metropolitan areas across the country; it has struggled to continue to grow in the face of de-industrialization and has dealt with suburbanization and threats of urban decay, particularly in the city's central core. However, like many cities across the U.S., Wichita holds tightly to an identity, in this case as the historic center of military, commercial, and private aircraft manufacturing. While not as dominant as in years past, Wichita is still a significant player in aerospace engineering, design, and manufacturing. In fact, it is the self-proclaimed "Air Capital of the World."

The Wichita School District (WPS), designated as Unified School District (USD) 259 by the state of Kansas, is the largest in the state, with about 50,000 students.⁶ While not as large as districts in major metropolitan areas, WPS still works with a large and diverse body of children, comparable to the Boston or Atlanta public school districts.⁷ Because districts like Wichita are not as large as New York, Chicago, or Los Angeles they figure prominently neither in news media reports nor scholarship, yet such mid-sized districts as Wichita are nevertheless indicative of the educational experience of millions of American children and well worthy of study, analysis and discussion. The story of Wichita Public Schools and their handling of de-segregation and re-segregation serves as a valuable exemplar of a national equity dilemma.

I begin not with the formation of the school district, but with an historical moment of crisis. In 1971, Kansas' Wichita Public School District entered into a semi-voluntary de-segregation agreement with the then-U.S. Department of Housing, Education, and Welfare's (HEW) Office for Civil Rights (OCR).⁸ Hoping to avoid censure by federal authorities, the district was one of the nation's relatively few to create and maintain a long-term busing plan to transport white and Black students across neighborhood boundaries to ensure a racially diverse student body within and across city elementary, middle, and high schools. This locally infamous busing plan was rooted in continual pressure both from Wichita's African-American community and HEW to provide equal and open access for underserved students.

HEW's involvement and ultimate threat to Kansas USD 259 stems from the tense relationship between the school board and the African-American community. An important Wichita leader during the 1950s through the early '70s, Chester Lewis, president of the Wichita Chapter of the NAACP, reminded district leadership of their years-long failure to integrate students and hire more Black teachers.⁹ Frustrated with the school board's habit of avoiding these concerns, in 1966 Lewis sent a formal complaint to the U.S. Department of Housing, Education, and Welfare (HEW) outlining, among other complaints, "racial

discriminatory gerrymandering.”¹⁰ Until this time Black and white students were separated largely by neighborhood boundaries drawn along racially segregated lines (see Figure A for visualization of neighborhood segregation). Wichita’s inequitable educational reality came to a head in the 1960s when three all-Black elementary schools—L’Ouverture, Ingalls, and Mueller—grew in student population beyond their respective buildings’ capacity.¹¹ The USD 259 school board and then-superintendent Lawrence Shepoiser acted to ease the three Black schools’ overcrowding by allocating one million dollars to build portable classrooms as school additions rather than bus Black children to neighboring white schools with smaller student populations. The African-American community was vocally opposed to this decision, but the school board ignored their complaints.¹² Believing he had exhausted his options, Lewis turned to the federal government and HEW’s Office for Civil Rights. The OCR accepted Lewis’s 1966 complaint and sent a team to investigate the district in 1967. What followed was roughly a four-year period of investigation and failed integration plans that ultimately culminated in Wichita’s 1971 busing plan.

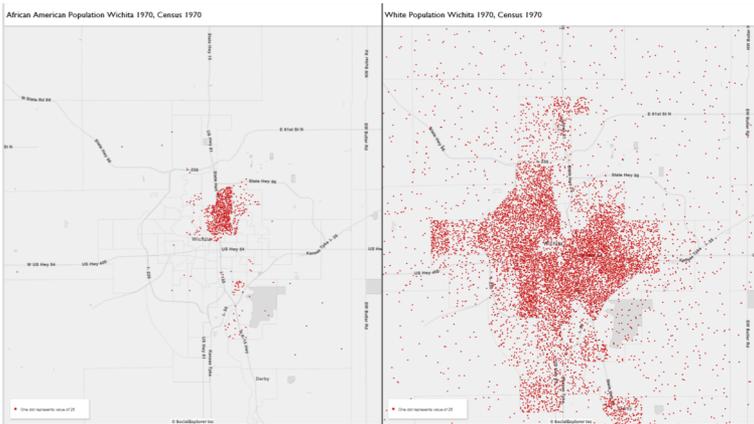


Figure A. *Wichita Population, White and Black.* (each red dot represents 25 people) Maps created by the author using Social Explorer (socialexplorer.com) and U.S. Population Census Data.

After attempting to make small changes to earlier desegregation plans, the USD 259 school board came under enough pressure and fear of reprisal from HEW to issue a more robust integration and busing plan. Nevertheless reprisal came: the Office for Civil Rights took the district to court in June 1970 just as integration plans put forward by Wichita between 1966 and 1970 failed to meet federal standards.¹³ On

March 1, 1971, the judge rendered his decision: USD 259 was found to be in violation of the *Civil Rights Act of 1964* and was given until May 31st to file a response.¹⁴ Then faced with the very real threat of losing federal funding, Wichita's new superintendent Alvin Morris (who replaced Shepoiser) and the school board acted swiftly to implement a desegregation plan that would satisfy the HEW OCR. In April 1971, district leaders announced they would bus Black children from L'Ouverture, Ingalls, and Mueller elementary schools to predominantly white schools. Additionally, Dunbar, Little, and Fairmount, also all-Black elementary schools, would be closed and students sent to neighboring white schools. Thereafter, the portion of Wichita holding the greatest concentration of African Americans (what was then northeast and is now considered north-central) gained the label "the Assigned Attendance Area," or the "AAA."¹⁵ Consequently, beginning in 1971 and continuing through the present day, school-aged children living in the AAA choose which school they wish to attend from a list of select nearby USD 259 schools. The portable classrooms were removed from all-Black schools, and the USD 259 board pledged to ensure "peripheral schools" (existing schools plus those that would be built within city limits) would not become majority Black.¹⁶ Their agreement with the HEW OCR dictated the district ensure no school reached "single-race" status, the threshold of which was set at 60% of a school's student body. Any school with more than 60% of its student body belonging to any single race thereafter would be considered in violation.¹⁷

The imposition of this quantitative threshold proved most controversial for Wichita's white population, since the 1971 plan called for busing white students to previously all-Black schools L'Ouverture, Ingalls, and Mueller. As a first step toward compliance, USD 259 offered white families the opportunity voluntarily to send their children to schools in predominantly Black neighborhoods. After accounting for voluntary transfers of white students into AAA schools and Black students out of them, if the balance of any school remained above the threshold, then a district lottery based on birthdates would choose white students to attend an AAA school for at least one school year.¹⁸ While the busing plan placed the larger burden on Black students and their families to desegregate the district as typical for forced busing plans, it ultimately required between 1,000 and 2,000 white students to attend schools outside their neighborhoods. Although for different reasons, neither the African-American nor the white community were particularly enamored with the plan; groups opposing the plan immediately (albeit unsuccessfully) filed suit against the USD 259 school board.¹⁹

Despite all objections the plan stuck, as it proved USD 259 was enacting school desegregation in earnest not only by sending Black

students to white schools, but by busing white students to Black schools. A few years after the plan was implemented, Wichita public schools were not only released from their 1971 non-compliance status, but earned national praise for being one of 10 school districts nationwide designated “completely desegregated.”²⁰ While Wichita seemed to be succeeding in its efforts to integrate schools, it is important to consider the Wichita busing plan moved a relatively small percentage of USD 259’s student body. Although around 5,000, mostly Black students were bussed to schools outside their neighborhoods, this number only accounts for about 8% of USD 259’s total student body during busing’s first year (the ’71–’72 school year).²¹ Again, as has since been proven many times over in other cities, the burden of desegregation falls more heavily on Black families, since 43% of Black students were bussed to schools outside their own neighborhoods.²²

One of the most consequential oversights built into Wichita’s integration plan emerged because the plan only accounted for the district’s white and Black students and ignored all other racial and ethnic groups, particularly Latinos. From the 1970s to the present day, USD 259’s student population grew increasingly diverse yet racial boundaries remained concentrated largely in the same neighborhoods, so administrators continuously fought a losing battle to maintain racially balanced, compliant schools. In 1971, the district was 82% white and 15% Black. Making up the districts remaining 3% were Asian, Hispanic, and American Indian students.²³ In 2018, USD 259 reports their district as roughly 35% Hispanic/Latino/a, 33% white, 19% Black, 7% multi-racial, and 5% Asian.²⁴

The 1971 busing plan became the basis for continued desegregation efforts as well as the birth of the magnet program piloted in the late ’70s that exploded in the ’90s and early 2000s. Presented as options for students to learn through different teaching styles or curricular emphases, district leaders hoped white families in Wichita could be persuaded to send their children beyond their immediate neighborhoods, which would, in theory, help integrate the USD 259 student body. Most magnet schools created over the program’s 30-plus years were elementary schools, along with a few middle schools and one high school. A few magnets were “pure” by design, meaning they did not have a specific attendance area or tie to a neighborhood, so any student in the city could apply to attend; Northeast Magnet High is one such “pure magnet.” Most, however, were designed as neighborhood magnets, as they took all students within attendance boundaries and accepted applications from interested parties for any openings left after serving the neighborhood’s needs.

Functionally, today's magnet program is subject to a type of lottery in which parents sign up for specific schools to which they want to send their children. Yet drawing the lottery does not guarantee a spot at a certain school. Principals from individual schools inform the district of the "seats" they have available, thereafter the district runs a lottery randomizing the names of the request pool.²⁵ Complicating the formula are policy exceptions, in which children of staff members or siblings of current students who attend a magnet are given priority status. This economy of exceptions combined with a few "tricks" parents have learned to sway school match-up allows for a certain gamification of the magnet lottery system in which parents in the know can improve their chances for getting the school they want.²⁶ Thus, 24 magnet schools across the district, 19 of which are elementary or K–8, champion both choice and equality for Wichita USD 259, allowing families to send children to neighborhood schools or to greener pastures. Ostensibly, this system supports racial integration among the student body as no single person of any race or ethnicity is completely locked into a school. Coupling the magnet program with busing gave Wichita USD 259 all the window dressing of an inclusive, open district. In reality, white parents in the district tend to send their children to white neighborhood schools or to predominantly white magnet schools.

The watershed moment for busing, magnet schools, and integration came in 2008, with the U. S. Supreme Court's decision in *Parents Involved in Community Schools v Seattle School District No. 1* (2007) which ruled school districts cannot integrate schools explicitly along race-based criteria.²⁷ Seattle employed a system very similar to Wichita's in that they set a racial line at 40% white or 60% "non-white" for every district high school. While students were free to apply to attend any high school, a few factors determined whether they would be allowed to attend a certain school—one of those factors being race. Parents Involved in Community Schools sued the district, the case went through district court, then the Ninth Circuit Court of Appeals, then the U.S. Supreme Court, which found the district's plan unconstitutional under the Equal Protection Clause of the Fourteenth Amendment. This is the case that delivered the infamous statement from Chief Justice John Roberts: "The way to stop discrimination on the basis of race is to stop discriminating on the basis of race."²⁸ The Court's ruling was heard loudly across the U.S. and marked a resounding blow to affirmative action initiatives as urban school districts with integration plans in effect had quickly to revise to comply with the ruling. District officials and the Wichita school board were no different, as they saw themselves in violation once again, but for different reasons. While in 1971 it can be argued USD 259 was

not paying close enough attention to the racial divides in its schools, by 2008 the district arguably had become too observant. In order to continue to fly under the federal government’s radar, or at least to avoid lawsuits from those opposed to desegregative busing, changes had to be made.

In 2008, Wichita Public Schools ended its desegregation busing program and the magnet schools became united in a district-wide system for school choice and racial integration. The district still collected and reported demographic data reflecting race and ethnicity of each school’s student body, but no longer used that information to achieve any sort of racial balance in the schools. Instead district officials lauded the power of choice as the driving mechanism in racially equalizing schools. When asked about the magnet program as a desegregation tool, Superintendent John Allison positively purrs:

We’ve got more choice available than maybe any other school district in the country, families are making decisions about, “do I want my child at the neighborhood school? Do I want them to be in a district magnet?” Our parents are making those selections.²⁹

Choice became the magic word in Wichita, however, looking at school enrollment after ten years of USD 259’s forefronting the magnet program reveals mixed results.

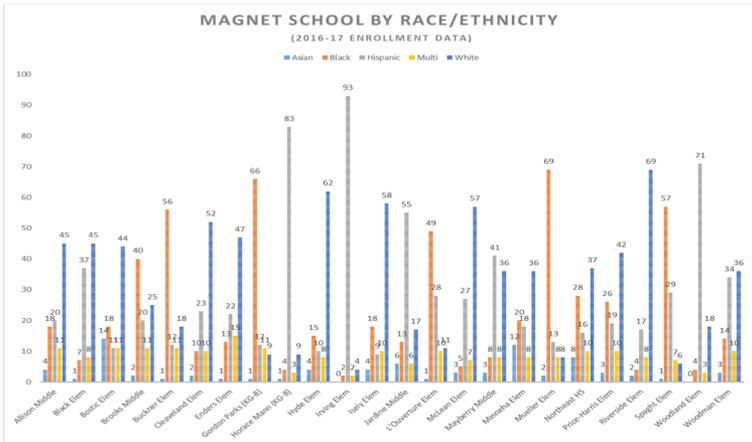


Figure B. Chart created by author, public data from Kansas Department of Education district-level data.

Recall, the original agreement with HEW's Office for Civil Rights dictated the district would ensure no school would have over 60% of its student body made up of any single race. While the district continually struggled to avoid that line, today roughly a quarter of Wichita's 85 schools would be classified as single race; over a third of the district's magnet schools qualify as single race and another fourth are approaching this designation (see Figure B). To add insult to injury, schools with the largest percentage of either Hispanic/Latino or African American students also tend academically to be the lowest performing schools and most in need of facility improvements and modernizations: once again separate but not equal.

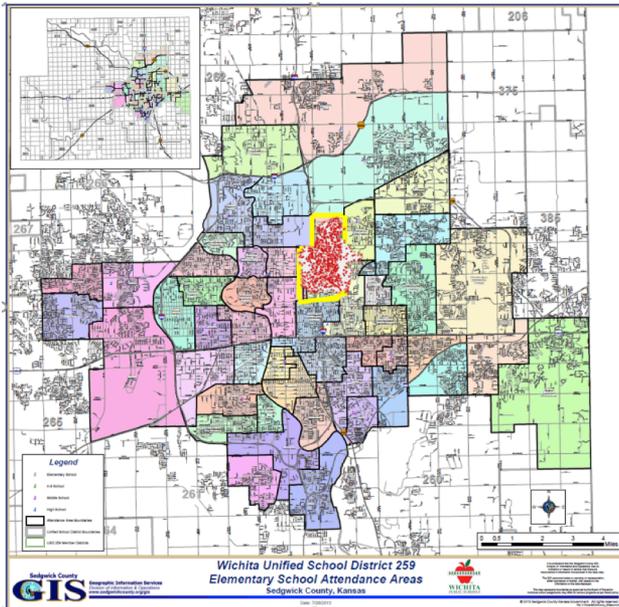


Figure C. “AAA” Attendance Zone, Wichita Public Schools USD 259. Underlying map obtained from USD 259. Highlighted AAA boundaries and dots created by author with U.S. Population Census data employed in Social Explorer (socialexplorer.com). Each dot represents 25 Black people living within the AAA boundary.

But Superintendent Allison, the school board, and various district leaders took direct measures to address poor conditions and academic performance by applying for a grant from the U.S. Department of Education, and, in 2013, received \$12 million in the form of a Project Discover grant. As a three-year grant, Project Discover aided USD 259 in acquiring computer equipment, engineering labs, iPads, new paint, lighting, and new entryways for Brooks Middle School, Jardine Middle

School, Buckner Elementary, L'Ouverture Elementary, and Spaght Elementary, all magnet schools in “economically disadvantaged areas of Wichita.”³⁰ The grant also paid a recruiter to encourage enrollment in magnets. Two magnets are located within the AAA; these measures and resources have so far not changed the dominant racial patterns of the five buildings or improved students’ academic performance.

Switching from what whites in Wichita and elsewhere tend to call “forced busing” to an emphasis on busing students to magnet schools on a voluntary basis, Wichita turned away from an increasingly unpopular measure, rebranding their offerings into a system that, on paper, seems to reflect the ideal of school choice while also embracing diversity, equity, and inclusion. However, Wichita has become another example of a modern paradox in desegregation as the district is more diverse than ever, yet its individual schools are becoming starkly more segregated. For example, in 2007—the last year of busing for integration—688 Black students living in an assigned attendance area attended schools outside their neighborhoods. In 2016, only 138 did.³¹

Adding a layer of complication to Wichita’s desegregation and integration plan, the student body is now more Hispanic/Latino overall than district leaders ever expected; in fact, there are more Latino students than any other group in Wichita schools. The district still maintains the AAA and buses those Black students to assorted elementary and middle schools, however, no such area or plan exists for the Latino community, the bulk of whom live just ten minutes west of the AAA. Because desegregation historically has been about correcting ills caused by the separation of Black and white students, schools that became *de facto* Latino did not raise the same kind of attention that district leaders eventually paid to all-white or all-Black schools. Today, there are more Latino kids going to schools in Wichita than any other racial or ethnic group, yet they, too, seem concentrated within a handful of elementary, middle, and high schools.

Wichita’s current school desegregation situation comes from actions that have landed USD 259’s response somewhere between past malicious planning and relatively current unintended consequences. Regardless of blame, Wichita is clearly re-segregating its schools, just like too many large school districts across the country. In the USD 259, busing went from being an integrative tool (at least in theory) to a segregative one when Court rulings changed the focus from racial equalization to school choice. While the founding of magnet schools sprang from desegregation measures, magnets currently add to the district’s march toward a segregated set of predominantly white, Black, or Latino/Hispanic schools. Again, this re-segregation is accomplished under the auspices of voluntary magnetization and done, as it were, under the radar of state and federal authorities.

Endnotes

- 1 Gary Orfield and Susan E. Eaton, eds., *Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education* (New York, NY: The New Press, 1996).
- 2 Ibid.
- 3 Ibid., 361.
- 4 Metro area is defined as the central city and suburban areas combined. U.S. Census Bureau, *QuickFacts* (Washington, DC: U.S. Department of Commerce, 2018). <https://www.census.gov/quickfacts/fact/table/wichitacitykansas/PST045217>
- 5 Ibid.
- 6 USD 259 Wichita Public Schools, *2018–2019 District Snapshot* (Wichita, KS: Wichita Public Schools, 2019). <https://www.usd259.org/domain/954>
- 7 National Center for Education Statistics (NCES), *The Nation's Report Card* s(Washington, DC: U.S. Department of Education, n.d.). <https://www.nationsreportcard.gov/>
- 8 Sondra Van Meter, *Our Common School Heritage: A History of the Wichita Public Schools* (Wichita, KS: Board of Education Unified School District 259, 1977), 362; U.S. Department of Housing, Education, and Welfare, *Memorandum of Agreement, USD 259 Integration Plan Office of Civil Rights, U.S. Department of Health, Education, and Welfare* (Wichita, KS: Board of Education USD 259 and Office of Civil Rights, April 22, 1971), Integration Collection, McCormick School Archives, Wichita Public Schools USD 259, Wichita, KS.
- 9 Van Meter, *Our Common School Heritage*, 321–326; Gretchen Cassel Eick, *Dissent in Wichita: The Civil Rights Movement in the Midwest, 1954–72* (Chicago, IL: University of Illinois Press, 2001), 166–167.
- 10 Van Meter, *Our Common School Heritage*, 324.
- 11 Ibid., 318.
- 12 Ibid., 326.
- 13 Eick, *Dissent in Wichita*, 177.
- 14 Ibid.
- 15 U.S. Department of Housing, Education, and Welfare, *Memorandum of Agreement*. See Figure C.
- 16 Ibid.

- ¹⁷ Ibid.
- ¹⁸ At least in theory—in reality, the district had a very difficult time avoiding the 60% mark.
- ¹⁹ Van Meter, *Our Common School Heritage*, 324; Eick, *Dissent in Wichita*, 180.
- ²⁰ Van Meter, *Our Common School Heritage*, 368.
- ²¹ Suzanne Perez Tobias, “Wichita School District Considers Contract with Feds to End 40-Year-Old Busing Agreement,” *The Wichita Eagle*, (November 3, 2012). <https://www-1.kansas.com/news/article1102188.html>
- ²² “Enrollment Factors for Minority Groups, Racial Composition of USD 259 [Internal memo]” (Wichita, KS: Wichita Public Schools, 1995), Integration Collection, McCormick School Archives, Wichita Public Schools USD 259, Wichita, KS.
- ²³ Ibid.
- ²⁴ Wichita Public Schools, *2018–2019 District Snapshot*.
- ²⁵ Wichita Public Schools, *A Few Questions and Answers on Magnet Schools* (Wichita, KS: Wichita Public Schools Magnet Programs, n.d.). <https://www.usd259.org/Page/16098>
- ²⁶ More data/research needed for corroboration of this largely anecdotal phenomenon, which is the focus of a related but separate study.
- ²⁷ *Parents Involved in Community Schools v. Seattle School District No. 1 et al.*, 551 US 701 (2007).
- ²⁸ Ibid.
- ²⁹ Suzanne Perez Tobias, “Nearly 25 Percent of Wichita Schools Considered Single Race, Numbers Show,” *The Wichita Eagle* (Jan. 23, 2016). <https://www.kansas.com/news/local/education/article56307490.html>
- ³⁰ Suzanne Perez Tobias, “Wichita School District Gets \$12 Million Grant for Five Magnet Schools,” *The Wichita Eagle* (September 30, 2013). <https://www-1.kansas.com/news/article1124372.html>; Tobias, “Nearly 25 Percent of Wichita Schools Considered Single Race.”
- ³¹ Tobias, “Nearly 25 Percent of Wichita Schools Considered Single Race.”