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ABSTRACT

PEOPLE WHO CARE: COUNTER-STORIES OF UNITARY STATUS IN ROCKFORD, ILLINOIS

by

Craig A. Saddler

Critical Race Theory challenges us to analyze a number of issues such as racial, gender, and class privileges within both formal and informal structures and processes of schooling. In addition, CRT reveals its direct implications for identifying and analyzing traditional notions of the objectivity of law and administrative regulation as it applies to education and schooling. Therefore, CRT in education can be defined as a framework or set of basic perspectives, methods, and pedagogy that seeks to identify, analyze and transform those structural, cultural, and interpersonal aspects of education that maintain the subordination of people of color and hopes to foster ways to engage in critical race analysis and positive change with regard to racial justice in the schools. One of the alleged benefits from Brown v. Board of Education of Topeka, Kansas was to ensure that Black children would have equal access to the resources of their White counterparts. For the purposes of this study, CRT will be used in an attempt to take a critical look at the impact of achieving unitary status has had on the Rockford Public Schools

This study investigates the impact of unitary status on the Rockford Public Schools, focusing specifically on changes that have taken the federal court's order releasing the school district from its earlier desegregation order. The major questions to be explored in this study include:

- A. What systemic changes have occurred within the Rockford School District as a result of being granted unitary status?
- B. What stories/experiences are Rockford residents telling about race, desegregation, and schooling?

Although unitary status has been acquired, it is clear that much work remains to be done to heal this disjointed community. Revisiting this subject can be a powerfully important step in not only healing the wounds inflicted from this

journey, but also provides valuable reflection of root causes for the internal conflict within the district. This process provides a platform for illuminating the deep issues that must be confronted to achieve a more equitable school system. In addition, this case study in many ways reflects a larger societal issue of providing equal educational opportunities for all students. The results have the potential to provide revealing insights for other urban school districts making the transition from supervised desegregation to unitary status.

PEOPLE WHO CARE: COUNTER-STORIES OF UNITARY STATUS IN
ROCKFORD, ILLINOIS

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DEDICATION

I dedicate this dissertation to my family for serving as continued support through my doctoral journey. Without your love and support this would not have been possible. To my parents, Wilbert and Gloria Saddler, thank you for instilling the love of education within me. Thank you for never giving up on me and teaching me to dream. We did it! To my wife, Marsha Saddler, thank you for your unwavering love and support. Thank you for your unselfish sacrifices that made this journey possible. Thank you for being my life partner. I look forward to our many adventures ahead together! To my 3 children, Craig “CJ” Saddler II, Shemaiah Saddler, and Omari Saddler, thank you for serving as strong motivation to see this through to the end. I have no doubt that each of you will surpass any accomplishment I achieve.

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CHAPTER ONE

INTRODUCTION

Context of the Problem

The term anniversary is used to define a commemorative celebration of a specific date or event. Over sixty years following the landmark Brown v. Board of Education (1954) case many scholars would argue that the current state of affairs in education does not provide much to celebrate. Thurgood Marshall raised numerous issues in this pivotal case that have yet to be resolved. The failure of legal sanctions to achieve a more equitable public school system is still glaringly apparent. In fact, not only has Brown and its progeny not achieved their promises, litigation over the past fifteen years may signal an erosion of the hoped for gains as school districts achieve unitary status, releasing them from court-ordered desegregation mandates. An examination of this phenomenon is warranted as we strive to achieve greater equity for all students in public schools.

The central question addressed by the Supreme Court in the Brown cases was whether or not segregation of children in public schools solely on the basis of race deprives minority children of equal educational opportunities even when all else is equal (Brown v. Board of Education, 1954; Brown v. Board of Education, 1955). The court ruled that not only was such racial segregation harmful, but also to separate Black children from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The Court asserted that the need for African American children to see themselves in a positive reaffirming way was just as important as curriculum, facilities, and other resources.

The question the justices wrestled with represents a long-standing quest for educational equality for Blacks. Howe (1997), within a liberal framework, asserted that the problem underlying this issue surrounds a lack of political

understanding of what equality of educational opportunity requires. In support of this claim, Coleman (1968) observed that the concept of equality of educational opportunity has a variety of interpretations. As a result, empirical data can be interpreted in multiple ways, which can lead to numerous meanings with varied implications for educational policy. This phenomenon presents problems for courts in weighing conflicting ideas with respect to what it means to treat people equally.

In 1955, the Supreme Court determined that segregation should be ended as soon as possible, but the Court also recognized that it would be difficult for communities to deal with the change and that there were many institutional, political, and social circumstances to be worked out. The Court struggled with how to phrase the order to desegregate schools and what kind of time frames should be attached to implementing the order. The NAACP advocated for schools to be desegregated "forthwith," which implies a quick timetable. However, Justice Warren adopted the advice of Justice Frankfurter and chose other language. After hearing further arguments on implementation, the court declared in Brown II (1955) that schools must be desegregated with all deliberate speed. Delivering the unanimous majority opinion, Justice Warren stated:

Full implementation of these constitutional principles may require solution of varied local school problems. School authorities have the primary responsibility for elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles. (p. 300)

Whereas the intention of this decree was to bring about expedient change, the meaning of "all deliberate speed" remained open to interpretation, leading some school districts to delay initiating desegregation. Only through intensive oversight by federal courts did school systems move hesitantly toward

dismantling practices and structures that denied African American students equal educational opportunities.

Ogletree (2004) believes that Brown did nothing to address the social inequality that predominantly harms African Americans. However, Ogletree is careful to position Thurgood Marshall, the plaintiff's attorney during the Brown cases, as a genuine hero. Within this context, Ogletree avers that the vast amount of attention both Marshall and the Brown rulings received may have persuaded civil-rights advocates to place too much emphasis on the courts, which are often unresponsive or ineffective. He further suggests that to improve educational opportunities for poor Blacks, it would be better to place energies into, say, charter schools and after-school programs and lists promising examples. In Ogletree's view, Brown's unfulfilled promise reflects not so much the Court's limited authority as it does the nation's limited commitment to racial justice. He points to a series of Supreme Court decisions, starting in the late 1970s, that sharply confined the scope of affirmative-action programs and that amounted to a process of undoing Brown.

This argument has been, and continues to be pressed even further by Bell (2004). In his view, Brown is a disappointment and a grotesque failure due to interest convergence. Bell contests that America makes progress toward racial equality only when such progress is in the interest of Whites. For him, Brown is a clear illustration of this phenomenon. To justify this claim, he illustrates that during the Brown cases, the Court knew that invalidating segregation would help the nation in its competition with Communist nations and undermine subversive elements at home. Evidence supports this claim. For example, the Department of Justice, in its brief before the Court, quoted Secretary of State Dean Acheson, who maintained that racial discrimination gave unfriendly governments the most effective kind of ammunition for their propaganda warfare and remained a source of constant embarrassment to this government in the day-to-day conduct of its foreign relations (Dudziak, 2000). All in all, interest

convergence motivated only the abolition of de jure segregation; Bell (2004) contends that the nation had little interest to further pursue racial justice.

Over sixty years after Brown, many school districts remain under court-mandated desegregation orders. In recent years, however, a number of courts have released jurisdiction, ruling that some school districts have achieved unitary status. Unitary is the term courts use to describe a school system that has made the transition from a segregated or racially dual system to a desegregated or unitary system (Board of Education v. Dowell, 1991; Orfield, 1996). This study examined an urban school district in the mid-west that was under court-ordered desegregation and then granted unitary status in 2001 (Rockford Board of Education v. People Who Care, 2001).

Purpose of the Study

The purpose of this study was to investigate the impact the achievement of unitary status has had on the Rockford Public Schools, focusing specifically on changes that have taken place since the federal court's order releasing the school district from its earlier desegregation order. Given its emphasis as a valuable tool for making sense of persistent racial inequalities while challenging hegemonic notions of egalitarianism, Critical Race Theory will be used as the primary lens of analysis.

Guiding Questions

There are two major questions that will to be explored in this study:

1. What are the perceptions of Rockford residents about the district's desegregation efforts?
2. How has the Rockford School District changed as a result of being granted unitary status?

Methodology

Case study methodology was used in this study because one of the most effective ways to better understand a community is to talk to the people who live in the community. By studying the documentation available, making direct

observations of the Rockford School District, and interviewing stakeholders, including families served by the Rockford schools, I gained a deeper insight into the ongoing desegregation efforts.

Case studies use multiple sources of evidence including documentation, archival records, interviews, direct observations, participant-observation, and physical artifacts to provide greater depth to the investigation (Yin, 1989). They tend to maintain the integrity of the "whole with its myriad of interrelationships" (Sommer & Sommer, 1991). Case studies also give the investigator the opportunity to apply a multi-method approach to a topic.

This particular case study will be informed theoretically by Critical Race Theory (CRT). Given its emphasis on placing the stories that people of color tell of their experiences at the center of analysis, CRT is an especially useful tool for examining formal expressions of power that we typically associate with oppression and inequality through the narratives of the disenfranchised—a perspective that frequently goes unheard or ignored. In the following account, Delgado and Stefancic (1991) describe the purpose and goal of racially-specific narrative intervention in the context of legal studies:

Legal story telling is a means by which representatives of new communities may introduce their views into the dialogue about the way society should be governed. Stories are in many ways more powerful than litigation or brief writing and may be precursors to law reform. They offer insights into the particulars of lives lived at the margins of society, margins that are rapidly collapsing toward a disappearing center. This is not just true of our times. In Biblical history, story tellers for oppressed groups told tales of hope and struggle – for example, that of the promised land – to inspire and comfort the community during difficult times. Reality could be better – and perhaps will be. Other storytellers have directed their attention to the oppressors, reminding them of the day when they would be called to account. Stories thus perform multiple

functions, allowing us to uncover a more layered reality than is immediately apparent: a refracted one that the legal system must confront. (p. 321)

Case studies are not without their limitations because many of them take place after the fact. Thus, they depend on people's memories, which can be faulty. Case studies are also difficult to repeat and their generalizations to a larger audience are limited (Sommer & Sommer, 1991; Yin, 1989).

Assumptions

1. Problematic interpretations of school laws and policies perpetuate the marginalization of African Americans.
2. Race has a definitive affect on the experiences of African American students in public schools.
3. African American students were/are marginalized in schools because of their race, and socioeconomic class in both segregated and desegregated schools.

Delimitations

1. This study did not attempt to provide a detailed analysis of all laws and/or policies that impact the Rockford Public Schools.
2. This study focused on the narratives of a small number of participants who agreed to be interviewed.
3. This study was affected by teaching/administrative experiences of the researcher.
4. This study did not attempt to provide a comparison between African American students and all other ethnic and/or racial groups.

Significance of the Study

The intent of CRT discourse is to produce new knowledge, offer new insights, provide alternative ways of thinking, and create new paradigms that result in critical dialogue. The telling of one's story, by African Americans, is a way of redefining self in the diaspora while simultaneously serving as a means

of resisting false expectations based on a racist mythology. African Americans must tell their own stories in order to define themselves in their own terms and to exercise control over their own life stories (Ladson-Billings, 1999).

The greatest strength of oral narratives is in the penetration of the subjective reality of the individual; it allows the subjects to speak for themselves (Ladson-Billings, 1999). The oppressed group status African Americans experience as a whole causes them to see the world differently from those who are not African American. The telling of their lived experiences gives them the authority to say in public what has been said many times privately around the kitchen table (Ladson-Billings, 1995).

The act of speaking for one's self is in and of itself an *act* of resistance and insubordination. Examination of the lives of African Americans provides an opportunity to explore the dialectical relationship between the self and society (Ladson-Billings, 1995).

Drawing on the work of McLaren (1995), this study sought to focus exclusively on the experiences of the African American community that is served by the Rockford Public Schools. This focus expands the discourse on how African Americans have navigated through a school and legal system that marginalizes them because of their race. This project focused on the experiences of influential African Americans within the Rockford community poised to call attention to blatant inequities present within the schools, as well as the perceptions others have regarding the experiences of these individuals.

McLaren (1995) illustrated the importance of narratives when he stated, "narratives give our lives meaning; we need to understand what those narratives are and how they have come to exert such influence on us" (p. 89). Narratives give us hope, inspiration, and framework for insight. They provide the discursive vehicles for transforming the burden of knowing to the act of telling. Translating an experience into a story is perhaps the most fundamental act to human understanding (McLaren, 1995). It is through the telling of their stories or

“breaking silence” that the African Americans interviewed for this study were able to name their own realities, pay tribute to their lived experiences, and empower themselves by giving new meaning to their own individual experiences (Ladson-Billings, 1995).

As an emancipatory narrative, this project allowed me the opportunity to add my voice to those of the individuals interviewed, thereby giving legitimacy and adding to my own understanding of my own lived experiences. I share the sentiments of Delgado and Stefancic (2001) when they state:

The hope is that well told stories describing the reality of Black and Brown lives can help readers bridge the gap between their world and those of others. Engaging stories can help us understand what life is like for others, and invite the reader into a new and unfamiliar world. (p. 41)

Although unitary status has been acquired, much work remains to be done to heal this disjointed community. Revisiting this subject can be a powerfully important step in not only healing the wounds inflicted from this journey, but can also provide valuable reflection of root causes for the internal conflict within the district. This process then provides a platform for illuminating the deep issues that must be confronted to achieve a more equitable school system. In addition, this case study in many ways reflects a larger societal issue of providing equal educational opportunities for all students. The results have the potential to provide revealing insights for other urban school districts making the transition from supervised desegregation to unitary status.

Organization of Dissertation

The study is organized into 5 chapters: an introduction, review of desegregation litigation and selected research, methodology, presentation and analysis of the narratives, and the implications. Chapter 1 contains an introduction, statement of purpose, research questions, methodology, assumptions, delimitations, and the significance of the study. Chapter 2 is a

review of the literature related to the study. The literature presents a historical overview of the cultural and legal landscape of school desegregation following the Brown decisions and a review of the legal battles in Rockford that surround school desegregation as well as a discussion surrounding the theoretical framework of Critical Race Theory – the theory that forms the analytical basis of the study. Chapter 3 details the research methodology used to guide the study. This chapter contains a discussion of the rationale for the chosen methodology. Chapter 4 presents demographic descriptions of the Rockford community and the Rockford School District as well as the stories and/or narratives of the participants of this study. Chapter 4 will also provide an analysis of the provided narratives using the following themes from critical race theory:

1. Permanence of racism,
2. Critique of Liberalism,
3. Whiteness as property, and
4. Interest Convergence.

These CRT themes were used to analyze and critique the practices of the Rockford Public Schools.

Chapter 5 provides a discussion of the stories and results of the research questions. Within this discussion, Paulo Freire's Pedagogy of the Oppressed will be explored to analyze the actions of the participants within their search for equitable educational opportunities. Revisiting the impact of bussing as a tool to provide equitable educational opportunities, recommendations for further research and presenting practical suggestions on how to create and sustain practices aimed at providing equitable educational opportunities for all students are presented.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

This literature review includes three areas: (1) a description of the cultural and legal landscape in the United States surrounding desegregation efforts since reconstruction, (2) a review of the legal battles in Rockford that surround school desegregation, and informs the theoretical frameworks that form the basis of the study, and (3) an introduction to Critical Race Theory (CRT) – the investigative lens that will inform this study.

Cultural Landscape of School Desegregation

According to Orfield and Eaton (1996), during the period of reconstruction, segregation existed in a new form in the United States after the Southern states were defeated in the Civil War and slavery was abolished. Black codes were enacted in the South that restricted the rights of the newly freed slaves. These “codes” were a series of statutes passed by the ex-Confederate states between 1865 and 1866 that dealt with the status of the newly freed slaves. They varied greatly from state to state as to their harshness and restrictiveness. Although the codes granted certain basic civil rights to blacks such as the right to marry, to own personal property, and to sue in court, they also provided for the segregation of public facilities and placed severe restrictions on the freedman's status as a free laborer, their right to own real estate, and their right to testify in court. Although some Northern states had black codes before the Civil War, this did not prevent many northerners from interpreting the codes as an attempt by the South to re-enslave blacks. The Freedmen's Bureau prevented enforcement of the codes, which were later repealed by the radical Republican state governments. The Black codes were abolished during Reconstruction, but after Reconstruction white dominance was thoroughly reestablished in the South, partly by the terrorism of the Ku Klux Klan and other groups.

Anderson (1988) avers that African Americans were prevented from voting through strategies that included the poll tax, unfair literacy tests, and by

intimidation. They were denied any equal share in community life. Toward the end of the 19th century segregation laws known as Jim Crow laws were enacted to continue to maintain white supremacy. Medley (1994) forwards that Blacks were forced to attend separate schools and colleges, to occupy special sections in railway cars and buses, and to use separate public facilities; they were forbidden to sit with whites in most public places. These laws were upheld in Plessy v. Ferguson (1896), in which the Supreme Court ruled that the so-called separate but equal accommodations did not violate the U.S. Constitution.

In this case, a 30-year-old colored shoemaker named Homer Plessy was jailed for sitting in the "White" car of the East Louisiana Railroad. Plessy was only one-eighths black and seven-eighths white, but under Louisiana law, he was considered black and therefore required to sit in the "Colored" car. Plessy went to court and argued, in Homer Adolph Plessy v. The State of Louisiana (1896), that the Separate Car Act violated the Thirteenth and Fourteenth Amendments to the Constitution. The judge at the trial was John Howard Ferguson, a lawyer from Massachusetts who had previously declared the Separate Car Act "unconstitutional on trains that traveled through several states" (Medley, 1994 p. 114). In Plessy's case, however, he decided that the state could choose to regulate railroad companies that operated only within Louisiana. He found Plessy guilty of refusing to leave the white car (Knappman, 1994). Plessy appealed to the Supreme Court of Louisiana, which upheld Ferguson's decision. In 1896, the Supreme Court of the United States heard Plessy's case and found him guilty once again. Speaking for a seven-person majority, Justice Henry Brown wrote:

"That [the Separate Car Act] does not conflict with the Thirteenth Amendment, which abolished slavery...is too clear for argument...A statute which implies merely a legal distinction between the white and colored races -- a distinction which is founded in the color of the two races, and which must always exist so long as white men are

distinguished from the other race by color -- has no tendency to destroy the legal equality of the two races...The object of the Fourteenth Amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either." (Zeigler, 1958 p. 50-51)

The lone dissenter, Justice John Harlan, showed incredible foresight when he wrote:

"Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law...In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case...The present decision, it may well be apprehended, will not only stimulate aggressions, more or less brutal and irritating, upon the admitted rights of colored citizens, but will encourage the belief that it is possible, by means of state enactments, to defeat the beneficent purposes which the people of the United States had in view when they adopted the recent amendments of the Constitution." (Zeigler, 1958 p. 61)

Over time, the words of Justice Harlan rang true. The Plessy decision set the precedent that "separate" facilities for blacks and whites were constitutional as long as they were "equal." The "separate but equal" doctrine was quickly extended to cover many areas of public life, such as restaurants, theaters, restrooms, and public schools.

The period 1900 to 1920 resulted in continued efforts to fully segregate all public transportation, education facilities, hospitals, and other public entities (Medley, 1994; Watkins, 2001; Anderson, 1988). The surge of resistance across the nation began to rise just before World War II and was given momentum by the activities of civil-rights organizations. African Americans, enjoying a

somewhat improved economic status, were more assertive of their rights in the 1930s (Anderson, 1988; Orfield & Eaton, 1996). General opinion may have been influenced by the inconsistency of a nation urging war for democracy overseas while at the same time tolerating discrimination at home.

In 1948, President Harry Truman issued an order calling for an end to segregation in the armed forces. The Supreme Court had also begun to move away from the earlier opinions and toward a principle of racial equality. The court struck down state enforcement of restrictive agreements as well as racial hurdles leading to unequal treatment in schools and in interstate transportation. In these rulings, however, the court still ruled only on whether facilities provided for blacks and whites were equal, and not on whether the separation of the races itself was unconstitutional.

Significant Litigation

Plessy v. Ferguson ushered in an era of increased discrimination towards blacks. The decision's "separate but equal" doctrine provided justification for segregation in public facilities across the country, including schools. The doctrine stood almost unchallenged for nearly fifty years, until a series of decisions questioning the constitutionality of segregation in institutions of higher learning.

One of the early segregation cases was Sweatt v. Painter. Herman Sweatt was an African American who wanted to attend the University of Texas Law School (Sweatt v. Painter, 1950). The law school denied him admission solely because of his race. Texas had set up another law school for blacks, but Sweatt argued that the black school was not equal to the white school. Indeed, it wasn't; it was not as large and, because it was newer, it did not have as good a reputation. Sweatt took his case to the Supreme Court. In 1950, the Court ruled in favor of Sweatt and forced the University of Texas Law School to admit him.

A slightly different segregation case was McLaurin v. Oklahoma State Regents for Higher Education, (1950). Oklahoma State University admitted G.W. McLaurin, a black citizen of the state, because the black state colleges did not

have comparable programs. The university, however, forced McLaurin to sit in isolated seats in the classrooms, library, and cafeteria. McLaurin argued that this policy was unconstitutional, and the Supreme Court agreed in a unanimous decision.

These two decisions had a substantial impact on later segregation cases. Speaking for a unanimous Court in Sweatt v. Painter (1950, p. 634), Chief Justice Vinson wrote:

"With such a substantial and significant segment of society excluded, we cannot conclude that the education offered [Mr. Sweatt] is substantially equal to that which he would receive if admitted to the University of Texas Law School."

Chief Justice Vinson's statement fueled the efforts of individuals who were opposed to the segregation policy. They saw in it an opening wedge that might lead to the final and complete overthrow of all educational segregation in the South. Judge Vinson's position sparked their argument that it would be utterly impossible for any Negro college or university, no matter how adequately equipped or financed, to provide 'equal' opportunities to the Negro student.

This later proved to be the case in Supreme Court decisions, including Brown v. Board of Education. Sweatt and McLaurin contributed to the Brown decision by providing an early precedent saying that "separate but equal" was not necessarily true in education. They also provided a different interpretation of the Fourteenth Amendment to the Constitution than the one used in Plessy v. Ferguson, which served as the precedent until these decisions. In Plessy, the Court ruled that the Fourteenth Amendment did not require "social comingling of the races;" in McLaurin, it ruled that isolating McLaurin from the rest of the student body because of race denied him equal protection of the law and therefore violated the Fourteenth Amendment. Sweatt took into account both tangible and intangible inequalities between the white and black law schools; Plessy did not consider the intangible factors. By providing a newer

interpretation of the Fourteenth Amendment than that of Plessy, Sweatt v. Painter and McLaurin v. Oklahoma State Regents for Higher Education paved the way for later Supreme Court decisions on desegregation of public schools.

In 1954, the Supreme Court took a historic step: In Brown v. Board of Education of Topeka (1954) the court set aside a Kansas statute permitting cities of more than 15,000 to maintain separate schools for blacks and whites and ruled instead that all segregation in public schools is “inherently unequal” and that all blacks barred from attending public schools with white pupils are denied equal protection of the law as guaranteed by the Fourteenth Amendment. The policy was extended to state-supported colleges and universities in 1956. Meanwhile, in 1955 the court implemented its 1954 opinion by declaring that the federal district courts would have jurisdiction over lawsuits to enforce the desegregation decision and asked that desegregation proceed with all deliberate speed.

Orfield (2001) notes that at the time of the 1954 decision, laws in 17 southern and border states (Delaware, Maryland, Virginia, West Virginia, Georgia, North Carolina, South Carolina, Florida, Tennessee, Kentucky, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, and Missouri) and the District of Columbia required that elementary schools be segregated. Four other states (Arizona, Kansas, New Mexico, and Wyoming) had laws permitting segregated schools, but Wyoming had never practiced the option, and the problem was not important in the other three. Although discrimination existed in the other states, it was not authorized by law.

With the Brown decision, the struggle over race in the United States became centered on the desegregation of public schools. By the end of 1957, nine of the 17 states and the District of Columbia had begun integration of their school systems (Orfield, 2001). Another five states had some integrated schools by 1961. The states mostly fell back on stopgap measures or on pupil-placement laws, which assigned students to schools presumably on nonracial grounds. Mandatory integration led to much violence. One of the most notable instances

was the defiance in 1957 of federal orders by Governor Orval Faubus of Arkansas, who called out the Arkansas National Guard to avoid integration in Little Rock. President Eisenhower responded by sending federal troops to put in force the court order for integration.

In 1958 Virginia closed nine schools in four counties rather than integrate them, but Virginia and federal courts ruled these moves illegal. In 1960 desegregation began in Louisiana; whites were initially successful in boycotting the integrated New Orleans public schools. The effectiveness of this action later yielded diminishing effectiveness. In 1961 two black students registered at the University of Georgia but were suspended because of disorder stemming from students; these two students later returned to the university under a federal judge's order.

In 1962 and 1963 violence erupted in Mississippi, precipitating a serious crisis in federal-state relations. Against the opposition of Governor. Ross R. Barnett, James H. Meredith, a black who was supported by federal court orders, registered at the University of Mississippi in 1962. A mob assembled and attacked several hundred federal marshals assigned to protect Meredith. Two persons were killed. The next day federal troops occupied Oxford and restored order. Meredith became the first African American to attend a Mississippi public school with white students in accord with the 1954 court decision.

In 1963, South Carolina's Clemson College became the first integrated public school in that state. Governor George C. Wallace of Alabama stood in a doorway at the University of Alabama in a failed symbolic attempt to block two black students from enrolling in 1963. Attempts to combat segregation were also attempted in northern states. After a suit brought by black parents in 1960, the school system of New Rochelle, N.Y., was ordered by a federal judge to be desegregated in 1961. Similar suits followed in other cities.

An attempt to deal with the growing demands of blacks for equal rights came in 1964 when President Lyndon Baines Johnson requested and received the

most comprehensive civil-rights act to date. The 1964 Civil Rights Act specifically prohibited discrimination in voting, education, and the use of public facilities. For the first time since the Supreme Court ruled on segregation in public schools in 1954, the federal government had a means of enforcing desegregation; Title VI of the act barred the use of federal funds for segregated programs and schools. In 1964 only two southern states (Tennessee and Texas) had more than 2% of their black students enrolled in integrated schools. Because of Title VI, about 6% of the black students in the South were attending integrated schools by the next year. The momentum of this act along with continuing pressure from civil rights leaders, such as Martin Luther King, led to the passage of the 1963 Voting Rights Act.

By 1967, 22% of the black students in the 17 southern and border states were in integrated schools. However, the continuing separation of blacks and whites in most areas was emphasized in the Kerner Report (1968) when the National Advisory Commission on Civil Disorders (the Kerner Commission) issued a report that stated that, “our nation is moving toward two societies, one black, one white - separate and unequal” (p.01).

Advocates for integration received a setback in 1970 when President Nixon announced that the desegregation of schools would be left to the courts and that his administration would de-emphasize strong desegregation procedures (Orfield, 2001). By this time however, statistical data suggests that institutional policies regarding integration at some educational institutions had begun to shift. Black college students were enrolling in previously white colleges at a greater rate. In 1964, 51% of black students had been in predominantly black colleges, but by 1971 only 34% were. At the secondary and primary levels, the South had begun to move ahead of the North, despite a system of tax-exempt, segregated private schools that had been developing in the South since the early 1960s. By the fall of 1972, 44% of the black students in the South were in

predominantly white schools, while only 30% were in predominantly white schools in the North.

The early 1970s were characterized by the controversial issue of busing as a tool to promote integration. The Supreme Court continued, in the early 1970s, to back busing plans. By 1974, however, a more conservative court had moderated its position, allowing in Miliken v. Bradley (1974) the predominantly white Detroit suburbs to be excluded from a desegregation plan. By the mid-1970s, however, only about 12% of black students in the United States remained in completely segregated schools; the number of students still in such schools remains very low. Nonetheless, in the late 1990s about one third of all black students were in schools that were 90% nonwhite. Moreover, studies showed that from the mid-1980s through the 1990s American classrooms in grades K to 12 had become increasingly segregated, a trend linked to court decisions limiting and reversing desegregation as well as to a decline in federal support for desegregation and to enduring de facto segregation in housing.

Judicial Supervision

Since the Brown decisions, the debate over court-ordered desegregation, which has raged across this country, is one of the most rancorous and controversy-filled in our nation's history, dividing communities and stirring latent passions about race and the role of the federal government. In 1968, the Supreme Court vented its frustration with the inaction of school systems. The Court declared, "the time for mere 'deliberate speed' has run its course. ...the obligation of school districts once segregated by law was to come forward with a plan that 'promises realistically to work, and promises to realistically work now.'" (Green v. County School Board of New Kent County, Virginia, 1968). In effect, the Supreme Court told school districts they no longer could delay taking steps toward full integration of students by race.

The sweeping federal mandate to achieve racial integration was a daunting task. To ensure that school districts made adequate progress toward

this goal, courts assumed supervision over districts' efforts to comply by entering desegregation decrees and requiring desegregation plans.

The Supreme Court, however, recognized that judicial supervision over school districts' desegregation efforts was not intended to last forever. In Board of Education of Oklahoma City Public Schools v. Dowell (1991), the Court explained:

From the very first, federal supervision of local school systems was intended as a temporary measure to remedy past discrimination. Local control over the education of children allows citizens to participate in decision-making, and allows innovation so that school programs can fit local needs. . . .Dissolving a desegregation decree after the local authorities have operated in compliance with it for a reasonable period of time properly recognizes that "necessary concern for the important values of local control of public school systems dictates that a federal court's regulatory control of such systems not extend beyond the time required to remedy the effects of past intentional discrimination."

In Dowell (1991) the Supreme Court held that a declaration of unitary status is only appropriate after a hearing at which the defendant school district bears the burden of proving that it has:

1. complied with the desegregation order for a reasonable period of time;
2. eliminated all vestiges of past discrimination to the extent practicable; and
3. demonstrated its good faith commitment to the constitutional rights that were the predicate for judicial intervention.

In Freeman v. Pitts (1992), the Court also authorized lower courts to exercise their discretion to withdraw supervision from some general areas of school district operations, even if unitary status has not been achieved in every

area of school district operations. In order to achieve partial unitary status, a school district must show that:

1. the vestiges of past discrimination in that area have been eliminated to the extent practicable;
2. there has been full and satisfactory compliance with the decree in those aspects of the system where supervision is to be withdrawn;
3. retention of judicial control is not necessary or practicable to achieve compliance with the decree in other facets of the system; and
4. it has demonstrated, to the public and to the parents and students of the once disfavored race, its good faith commitment to the whole of the court's decree and to those provisions of the law and the constitution that were the predicate for judicial intervention in the first instance.

Dowell met the unitary standards under the adoption of the Finger Plan. This plan outlined that kindergarteners would be assigned to neighborhood schools unless their parents opted otherwise; children in grades 1-4 would attend formerly all white schools, and thus black children would be bused to those schools; children in grade five would attend formerly all black schools, and thus white children would be bused to those schools; students in the upper grades would be bused to various areas in order to maintain integrated schools; and in integrated neighborhoods there would be stand-alone schools for all grades. After complying with the desegregation decree for five years, the Board made a motion to close the case. The Court concluded that the Finger Plan worked and that substantial compliance with the constitutional requirements had been achieved. It was held that the school board, under the oversight of the Court, operated the Plan properly. The Court did not foresee that the termination of its jurisdiction would result in the dismantlement of the Plan or any affirmative action by the defendant to undermine the unitary system so slowly and painfully

accomplished over the 16 years during which the cause had been pending before the Court.

In the Freeman case, the Court reiterated the importance of local control. “As we have long observed, local autonomy of school districts is a vital national tradition. Returning schools to the control of local authorities at the earliest practicable date is essential to restore their true accountability in our governmental system” (1992). The Court instructed lower courts considering whether to dissolve a desegregation decree to examine whether the school board had complied in good faith with the desegregation decree since it was entered, and whether the vestiges of past discrimination had been eliminated to the extent practicable. When such vestiges are eliminated, to the extent practicable, a declaration that the district has achieved unitary status is appropriate.

Overall, these decisions require school districts to achieve at least two broad goals before a court is likely to find that unitary status has been achieved. The first requires the school district to prove that it has complied in good faith with the desegregation decree. In fact, the Freeman discussion illuminates that good faith may exist even if the district is unable to satisfy every component of the decree.

Secondly, school districts must show that the vestiges of past discrimination have been eliminated, to the extent practicable. The Supreme Court has identified distinct markers of a racially segregated school system, beyond just the racial composition of the student body. In Board of Education v. Dowell (1991), the Court quoting Green v. New Kent County School Board (1968), stated that a court assessing whether a school district has eliminated the vestiges of de jure segregation to the extent practicable must look at “not only student assignments, but to every facet of school operations (i.e., faculty, staff, transportation, extracurricular activities, student assignments and facilities).” Therefore, the starting point for determining unitary status requires examining the district’s progress in each of these areas.

Subsequently, in Freeman v. Pitts (1992), the Court recognized that a federal district court could exercise its discretion to address not only the elements identified in Green but also to “inquire whether other elements ought to be identified, and to determine whether minority students were being disadvantaged in ways that required the formulation of new and further remedies to insure full compliance with the court’s decree.” For example, the Court recognized that the quality of education could be considered as one element. In Missouri v. Jenkins (1995), the most recent Supreme Court decision dealing with unitary status issues, the Court addressed the quality of education element. The Court considered the use of standardized test scores as an indication of educational quality. The Court, however, held that it would be improper for a court to deny partial unitary status simply because the students within the district scored below the national norms on standardized tests. Consequently, the Supreme Court ruled that the equalization remedies stemming from Milliken II (1977) should be limited in time and extent, and that school districts need not show any actual correction of the education harms of segregation. Ultimately, the Court defined rapid restoration of local control as the primary goal in desegregation cases.

Rockford Public Schools

Long before Brown v. Board of Education (1954), Rockford was a divided city. Over time, the Rock River, which runs north-south through the city, has served as a racial dividing line. The vast majority of Latino and African-American children have traditionally resided on the older, southwest side of the river while the majority of white children have and continue to live on the developing northeast side of the river. This led to the schools on the eastern side of the city being maintained as white enclaves through the one-way busing of minority students from the few residentially-integrated areas over to the west.

Twelve years following the Brown II decree, the school district appointed a citizens' committee to address the poor academic performance of the minority

populated schools in the southwest region of Rockford. One of the many recommendations stemming from this committee was for the district to take certain steps toward racial integration, but the district refused. Simultaneously, momentum for change continued to grow due to pressure from civil rights groups and authorities pressuring the school district to mount some movement toward integration. The voters within the community responded to this effort in 1970 by electing a conservative, anti-busing board of education.

Later that same year, a group of pro-integration citizens and organizations galvanized their efforts and formed a committee to combat this tactic. This group responded by initiating a desegregation lawsuit against the district. As a result in 1972, the State of Illinois notified the district that it was in violation of state desegregation guidelines. In response to the State's notice and the citizen's lawsuit, the district took two steps:

- It initiated busing of minority students to White schools.
- It began a voluntary plan allowing White students to attend alternative programs within minority schools.

In 1981, the state action fell victim to a ruling of the Illinois Supreme Court that the State Board of Education did not have the statutory authority to issue desegregation regulations. Promises by the district to continue desegregation efforts led to the voluntary dismissal of the citizens' action. Shortly after this move, the district reneged on their promises, resulting in scaled back desegregation efforts. This resulted in the district experiencing a renewed pattern of system-wide segregation throughout the 1980s. In 1989, the district adopted an extensive reorganization plan, which would result in the district saving \$7.3 million. The district proposed to close 10 school buildings, 7 serving primarily minority students on the west side of the city. In response to this proposal, a new citizens' group called, "People Who Care," was formed. The group filed a desegregation action against the Rockford Public School District.

This strategy pressured the district to respond quickly by agreeing to reopen four west-side schools and to increase funding for minority schools.

During the next several years, the parties negotiated agreements, but again, the school board failed to honor important terms of the agreement. This resulted in the case going to trial in 1993. In November 1993, the appointed magistrate issued his ruling, finding that the Rockford Public Schools had violated the Federal Constitution's 14th Amendment and recommended a permanent injunction against the Rockford Public Schools (Rockford Board of Education v. People Who Care, 2001). This position was reaffirmed in 1994 (Rockford Board of Education v. People Who Care, 2001). This resulted in the school district being placed under a Comprehensive Remedial Order (CRO) to restore the victims of discriminatory conduct to the position they would have occupied in the absence of such conduct and also to eliminate all vestiges of the intentional discrimination against minority school children.

Over the next five years, the School Board responded with continued objections and extended litigation over the CRO and its impact on the Rockford Public Schools. These objections ranged from labeling the efforts of the CRO as "social engineering" to outright hostility and defiance of the financial impact of implementing the CRO. However, the School Board instituted numerous changes supported with a substantial tax increase on the local citizens. Some of the actions included achieving racial balance across schools, special programs, and special schools.

After several years of litigation, the court awarded the Rockford school district unitary status, which suggests that the school system had successfully removed all the patterns of segregation that existed in the following areas: quality of education, student assignment, extracurricular activities, transportation, facilities and resources, instructional staff, and administrative staff (Welner, 2001). From the community's perspective, the district's acquisition

of unitary status may have seemed to be a sign of progress, however a closer look may suggest otherwise.

Research and Literature

A growing concern exists that unitary status rulings may undermine previous gains under desegregation orders. A study from Harvard University's Civil Rights Project found that only four of 35 school districts granted unitary status since the 1991 experienced gains in their desegregation efforts after their court-ordered desegregation plan ended (Orfield & Lee, 2004). The majority of districts saw more than a 10 percent decrease in the percent of white students in class with a black student; for a number of the districts the decline was 15 percent or more. As districts across the country reach unitary status and court desegregation orders are no longer in force, a system of resegregation may be emerging.

Harvard education professor and co-director of Harvard's Civil Rights Project, Gary Orfield, has conducted extensive research that includes analysis of Census data, school and government statistics, and a myriad of sociological survey data conducted on the issue of race relations. Orfield (2001) reports that we are at the end of a court-ordered desegregation era, which began in 1954 with Brown v. the Board and the result is resegregation along color lines.

Orfield identifies resegregation as a nationwide phenomenon and blames the reversal on government policy and conservative federal judges who have consistently undone court decrees that required integration and prohibited segregation. Orfield argues that peak integration occurred in the late 1980s as a result of a court system that, through the Brown decision, found the 104-year-old Plessy v. Ferguson ruling unconstitutional. Plessy allowed "separate but equal" schools but led to mandated apartheid in Southern states, where minorities were separate but certainly not equal. As conservative judges were appointed to lifetime federal judgeships under Presidents Nixon, Reagan and Bush, Orfield

points out how schools have become as racially segregated as they were nearly thirty years ago and the trend shows no signs of narrowing.

The effects of resegregation also appear in the mid-west. Illinois is not a state that has been highlighted for rapidly returning to the segregation of the pre-civil rights era. There was never much desegregation in Illinois, a state which has consistently ranked among the very most segregated states for both black and Latino students. While Illinois may have avoided the embarrassment of forced busing and armed national guards ushering black students into previously all-white schools, the reality remains that Illinois had not put forth much effort towards desegregating in the first place. Orfield believes that while courts ordered blacks to be integrated during the civil rights era, Latinos were not a significant part of the equation because their numbers were not as large at the time. As a result, Latinos have never been integrated well into American mainstream culture.

According to Orfield (2004), the numbers are dramatic. Only 10 percent of Chicago's students are white. In the Chicago suburbs, only small percentages are non-white. And, Latinos in the suburbs are highly segregated. Outside of Chicago, rural areas are mostly white, while non-whites tend to live in the urban inner cities where the majority mostly attend a particular school. For example, Springfield Southeast High School has about double the number of black students than either Lanphier or Springfield high schools. Among the states, only Michigan has more non-white students in more highly concentrated non-white schools than Illinois. And the rest of the nation seems to be following suit, according to Orfield's report. Orfield claims that more than 70 percent of black students are now in predominantly minority schools, as well as 75.6 percent of Latinos. Orfield posits that Southern schools are more integrated today than Midwestern and Northern schools, but are quickly reversing that integration.

In sum, more than a half-century after the Supreme Court found that segregated schools are "inherently unequal," there remains mounting evidence

that the Court was right. Numerous research studies suggest that desegregated schools offer concrete advantages for students of each racial group.

Unfortunately, this data is met with the stark reality that shows that U.S. schools are becoming more segregated in all regions for both African American and Latino students. To illustrate this phenomenon in its proper context, this chapter provided a description of the cultural and legal landscape in the United States surrounding desegregation efforts since reconstruction, as well as a review of the legal battles in Rockford that not only surrounds school desegregation, but also informs the theoretical frameworks of Critical Race Theory, which will inform the basis of this study.

Critical Race Theory

Critical Race Theory (CRT) is defined as a theory that posits racism as endemic to American life and expresses skepticism toward dominant legal claims of neutrality, objectivity, color blindness, and meritocracy (Matsuda, Lawrence, Delgado, Crenshaw, 1993). In addition, CRT insists on recognition of the experiential knowledge of people of color and adopts a stance that presumes racism has contributed to manifestations that disadvantage along racial lines including imprisonment and education (Matsuda, Lawrence, Delgado, Crenshaw, 1993).

It is my belief that within K-12 education (and other segments of society) the topic of race is frequently categorized as taboo. To this end, Parker and Stovall (2004) avers, “This ideology of colorblindness and ‘racial progress’ has also been reflective of an overarching trend in K-12 education for teachers and administrators to ignore race and racism in their schools, by assuming that if attention is not paid to racial implications of problems related to low minority student achievement, school restructuring, or African American teacher disengagement with White staff, then these issues will simply disappear (pp 170-171).”

Origins of Critical Race Theory

Critical Race Theory (CRT) originated from the need to invoke race-based critique of the critical legal studies (CLS) movement of the early 1980s (Lynn, Yosso, Solórzano, & Parker, 2002). The 1981 student boycott at Harvard Law School and the consequent organizing of an alternative course as the origin of the collective discourse today known as CRT. It was during this period of time Derrick Bell, Harvard's first African-American law professor, left Harvard due to the failure of the institution to grant tenure to a woman of color. Today, in public forums, Bell speaks openly of the strategic choices he made during this time based on his convictions to diversify Harvard's campus. This, in addition to Harvard choosing not to replace him with another black scholar developed into the beginnings of a collective identity amongst minority scholars that soon carried over into study groups, conferences, and a proliferation of political and legal scholarship. In 1995, Temple University Press endorsed the considerable growth of CRT scholarship in publishing the reader, *Critical Race Theory: The Cutting Edge*, edited by Richard Delgado, containing 50 articles from leading theorists including Derrick Bell. That same year also brought the publication of *Critical Race Theory: The Key Writings That Formed the Movement*. Since that time, a host of CRT scholars have contributed substantive scholarship to investigating questions of racial inequality in education and in society.

The studies in this area have been developed mainly through the legal and educational scholarship of a host of scholars including (but not limited to) Derrick Bell, Richard Delgado, Kimberlie Crenshaw, Laurence Parker, Mari Matsuda, Daniel Solórzano, Gloria Ladson Billings and William Tate. These individuals have led the way in exploring the use of CRT as a methodological tool through which we can gain a greater epistemological and ontological understanding of how race and racism affect the lives of the racially disenfranchised (Parker & Lynn, 2002).

CRT originated in previous discipline-based critiques in relation to the history, philosophy, politics and social construction and reality of race and

discrimination. It is important to note that although there is not a “standard” set of principles or methodologies to which all CRT scholars ascribe to, nevertheless it remains unified through the common interest of exploring the vicious legacy of white supremacy.

Within this theory, CRT theorists have identified several themes that amplify this definition. Delgado (1995) asserts that CRT calls attention to the reality that racism is a normal daily fact of life in society and the dogmatic assumptions of racism are so deeply ingrained in the political and legal structures as to be almost unrecognizable. The strategy of those who fight for social justice is to unveil racism in all of its variations. A second theme challenges the experience of White European Americans as the normative standard; whereby CRT grounds its conceptual framework in the distinctive contextual experiences of people of color and racial oppression through the use of literary narratives and story-telling to challenge the existing social construction of race. Delgado (as cited by Tate, 1996) argues that the stories of persons of color come from a different frame of reference, and therefore give them a voice that is different from the dominant culture and deserves to be heard. Critical race theorists believe that in order to appreciate their perspective, the voice of a particular contributor must be understood. A third theme attacks liberalism and the natural belief in the law to create an equitable, just society. CRT advocates have pointed to the frustrating legal pace of meaningful reform that has attempted to eliminate blatant hateful expressions of racism, and has gone as far to suggest that liberal legal practices supports this lethargic pace Delgado (1995). An additional theme points towards interest convergence. Bell (2004) contests that America makes progress toward racial equality only when such progress is in the interest of Whites. For him, Brown is a clear illustration of this phenomenon. To justify this claim he illustrates that during the Brown cases, the Court knew that invalidating segregation would help the nation in its

competition with Communist nations and undermine subversive elements at home.

A fifth theme focuses on the intersection between race and property. The intersection of race and property relates to education in explicit and implicit ways. The intersection of race and property creates an analytic tool through which we can understand social (and, consequently, school) inequity. Ladson-Billings & Tate proposed that Whiteness as a form of privilege and possession has become the ultimate form of property. Since the United States is based on property rights rather than human rights then "whiteness" become valuable property: rights of disposition, rights to use and enjoyment, reputation and status property and the absolute right to exclude. Theorizing about race from a critical perspective connects to daily realities and struggles about race and other areas of discrimination (Parker, 1998).

Derrick Bell (1995) and Mary Dudziak (2000) have argued that the Brown decision was largely a reflection of America's need to show a more democratic cover to Europe. Given the fact that Brown was not the first desegregation case to appear before the courts, timing was the major motive for the Supreme Court's decision. At a time when the United States wanted to expand its global interests with the support of European nations, the Brown decision demonstrated its supposed dedication to equity and equality of all U.S. citizens. There is great debate about the actual gains produced by the Brown decision; however, the number of African American children in integrated school settings has significantly increased and has remained relatively constant in southern states (Orfield and Lee, 2004). In northern states, unfortunately, limited gains have been made and those gains have at times been reversed due to the remand of desegregation initiatives (Frankenberg, Lee and Orfield, 2003).

CHAPTER THREE

METHODOLOGY

Positionality Statement

I was raised in South Florida by parents stemming from a Caribbean background. My parents migrated from Jamaica to England, which is where I was born. Once I was born, my parents began making plans to migrate once again to South Florida in pursuit of providing the American dream for me. I was raised in Miami, Florida in a community with deep ties to hard-working Caribbean, middle class work ethic.

Throughout my childhood, my parents reaffirmed their belief in education as the key to accessing the American dream. Combined with their strong belief in education was their belief in the law of the land. My parents viewed courts of law as a shining example of what made this country great. Disputes between parties can be resolved in an arena of blind justice with equal access and application for all. Early in life I also adopted these beliefs.

As I grew into a young man, the belief in the law as an absolute resolution to conflict would get challenged from time to time. News stories would air demonstrating example after example of people who turned to the courts for help when they believed they were mistreated. The results of these accounts were mixed. At that time, I reconciled this in my mind as examples of anomalies rather than consistent failures of the legal system to liberate the disenfranchised.

At the time of entering my doctorate program, there was much discussion surrounding the 50 year anniversary of Brown v. Board and its continued impact on the field of education. At this time, many scholars were critically examining the impact of the Brown decisions on contemporary schooling. As a young educator serving majority minority populations, I found the discussion taking place to be fascinating. As I read through various research articles that weighed the pros and cons of desegregation efforts, epistemological and ontological shifts were taking place within me. As the complexities of the Brown decision were

explored, my ability to reconcile by absolute belief in the law as a blind, equal opportunity vehicle to liberation was shaken at its core. It is the exploration of this ideal which led me towards this study.

Qualitative Research Methodology

Educational research worldwide has played a major role in influencing and informing educational practice. To this end, researchers have long debated the relative value of qualitative and quantitative inquiry within the field of education (Mertens, 1998; Patton, 1990). Logical positivism, or quantitative research, uses experimental methods designed to measure variables to test hypothetical generalizations (Mertens, 1998). Phenomenological inquiry, or qualitative research, uses a naturalistic approach that seeks to understand phenomena in context-specific settings. To further illuminate this definition, Denzin and Lincoln (2003) posit:

Qualitative research is a situated activity that locates the observer in the world. It consists of a set of interpretive, material practices that make the world visible. These practices transform the world. They turn the world into a series of representations, including field notes, interviews, conversations, photographs, recordings, and memos to the self. ... [it] involves an interpretive, naturalistic approach to the world. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or to interpret, phenomena in terms of meanings people bring them. (pp. 4-5)

Quantitative and qualitative methods each represent a fundamentally different inquiry paradigm. Thus, the researcher's actions are based on the underlying assumptions of each paradigm. Where quantitative researchers seek causal determination, prediction, and generalization of findings, qualitative researchers seek instead illumination, understanding, and extrapolation to similar situations (Mertens, 1998; Denzin & Lincoln, 2003). Consequently, qualitative analysis results in a different type of knowledge than does

quantitative inquiry. It is important to note that although each possesses distinctively unique research methods, it is not necessary to pit these two paradigms against one another in a competing stance. Eisner (1991) points out that all knowledge, including that gained through quantitative research, is referenced in qualities, and that there are many ways to represent our understanding of the world:

There is a kind of continuum that moves from the fictional that is "true"—the novel for example—to the highly controlled and quantitatively described scientific experiment. Work at either end of this continuum has the capacity to inform significantly. Qualitative research and evaluation are located toward the fictive end of the continuum without being fictional in the narrow sense of the term. (pp. 30-31)

Patton (1990) advocates a "paradigm of choices" that seeks "methodological appropriateness as the primary criterion for judging methodological quality (p. 39)." This will allow for a "situational responsiveness" that strict adherence to one paradigm or another will not. Furthermore, some researchers believe that qualitative and quantitative research can be effectively combined in the same research project (Mertens, 1998; Strauss & Corbin, 1990; Patton, 1990).

Several issues must be considered when making the decision to adopt a qualitative research methodology. Denzin and Lincoln (2003) and Strauss and Corbin (1990) claim that qualitative methods can be used to better understand any phenomenon about which little is yet known. They can also be used to gain new perspectives on things about which much is already known, or to gain more in-depth information that may be difficult to convey quantitatively. Thus, qualitative methods are appropriate in situations where one needs to first identify the variables that might later be tested quantitatively, or where the researcher has determined that quantitative measures cannot adequately describe or interpret a situation. Research problems tend to be framed as open-

ended questions that will support discovery of new information. To this end, case studies have become one of the most common ways to do qualitative research.

In case study research, theory development is one essential part of the design phase. Yin (1989) defines theory as an understanding (or theory) of what is being studied. As a theoretical framework, CRT provides a way to expand our examination of race that moves beyond cultural deficit models (Valencia, 1997). When this theory is combined with case study methodology, a powerful research tool emerges capable of exposing and deconstructing discriminatory practices in multiple forms. Case study research calls for researches to systematically investigate a problem within a real-life context and answer questions of “How” and “Why” instead of simply “What?”

Case study research excels at bringing us to an understanding of a complex issue or object and can extend experience or add strength to what is already known through previous research. Case studies emphasize detailed contextual analysis of a limited number of events or conditions and their relationships. Researchers have used the case study research method for many years across a variety of disciplines. Social scientists, in particular, have made wide use of this qualitative research method to examine contemporary real-life situations and provide the basis for the application of ideas and extension of methods. Yin (1984) defines the case study research method as an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used (p. 23).

Case studies use multiple sources of evidence including documentation, archival records, interviews, direct observations, participant-observation, and physical artifacts to provide greater depth to the investigation (Yin, 1989). They tend to maintain the integrity of the whole with its myriad of interrelationships

(Sommer & Sommer, 1991). Case studies also give the investigator the opportunity to apply a multi-method approach to a topic.

Case studies, like all research, have limitations. For one, many case studies take place after the fact. Thus, they depend on people's memories, which can be faulty. Case studies are also difficult to repeat and their generalizations to a larger audience are limited (Sommer & Sommer, 1991; Yin, 1989). In addition, critics of the case study method believe that the study of a small number of cases can offer no grounds for establishing reliability or generalizability of findings. Others feel that the intense exposure to study of the case biases the findings. Some dismiss case study research as useful only as an exploratory tool. Yet, researchers continue to use the case study research method with success in carefully planned and crafted studies of real-life situations, issues, and problems. In addition, it can be argued that reflection after an event provides deeper understanding, particularly from a CRT perspective. This can result in a way to make meaning of a situation. Reports on case studies from many disciplines are widely available in the literature.

In this case, several scholars (Welner, 2001) have studied the Rockford School District in an attempt to identify discriminatory trends within the district in hopes of providing insight into this disturbing, long-standing trend. It is with this same intention I am embarking on this dissertation. Within the discourse of critical theory, I plan to use Critical Race Theory as my primary investigative lens to conduct a case study of the Rockford Public School District.

Critical Race Theory in Research

Epistemology looks at how one knows reality, the method for knowing the nature of reality, or how one comes to know reality. It is the relationship between the knower and the known. For most scientists (including social scientists), the way of knowing reality is via the scientific method. For social researchers, like those working from within the framework of critical race theory, the way of knowing reality is by asking about it (i.e., via experience stories). The

discourse of critical race theory acknowledges an interactive relationship between the researcher and participants (Guba & Lincoln, 1994) as well as between the participants and their stories. Within this worldview, people's stories of their experiences are counted as empirical evidence, as fact. This paradigm disagrees with the assumption that narratives from the disenfranchised are biased and subjective. Stories, experiences, and voices are the mediums through which we interpret reality. Critical race theorists argue that only by looking at the stories and having access to the "experiential knowledge" of those who have been victimized by racial inequities can we understand the "socially ingrained" and "systemic forces at work in their oppression" (Pizarro, 1998, p. 62). One powerful illustration of this point can be found when examining the Ralph Ellison's *Invisible Man*.

Although this work is not recognized as classical CRT, it is my argument that it is definitely written within the CRT tradition. Within this fictitious literary text, the reader is presented with the life experiences of the narrator, *The Invisible Man*, from his individual perspective. Throughout the text the narrator tells about various adventures that lead him to the understanding that as a Black man in a racist society, he has an "invisible" identity. This perspective is indeed genuine due to the fact that it was derived from the narrators numerous painful life experiences (Ellison, 1952).

Although racism may be discussed in various circles, the impact of it can be easily distorted. This is why the narratives of those impacted by racism are imperative in moving closer towards the ideal speech situation. It is through these narratives that the multiple layers of racism are pulled back, one by one, to expose the negative, harsh realities it produces to marginalized groups.

Ontology regards how philosophy defines the nature and form of reality (i.e., what can be known). Each philosophy, paradigm, discourse, approach, etc., defines reality differently. In critical race theory, the nature of reality is interpreted as something that has been shaped over time and history by a series

of "social, political, cultural, economic, ethnic, and gender factors and then crystallized into a series of structures that are now inappropriately taken as 'real'" (Guba & Lincoln, 1994, p. 110). For critical race theorists, the historical development and "context must be understood in searching for deeper meanings that underlie contemporary social problems" (Pizarro, 1998, p. 62).

To put this in a concrete context, to fully understand the current state of affairs in public education, CRT suggests that one must look critically upon the myriad of historical events that set the stage so long ago. CRT challenges us to analyze a number of issues such as racial, gender, and class privileges within both formal and informal structures and processes of schooling. In addition, CRT reveals its direct implications for identifying and analyzing traditional notions of the objectivity of law and administrative regulation as it applies to education and schooling. Therefore, CRT in education can be defined as a framework or set of basic perspectives, methods, and pedagogy that seeks to identify, analyze, and transform those structural, cultural, and interpersonal aspects of education that maintain the subordination of people of color. It also hopes to foster ways to engage in critical race analysis and positive change with regard to racial justice in the schools. Although written prior to the actual birth of the CRT movement, the following quote augments this position:

How we have arrived at the present state of affairs can be understood only by studying the forces effective in the development of Negro education since it was systematically undertaken immediately after Emancipation. To point out merely the defects as they appear today will be of little benefit to the present and future generations. These things must be viewed in their historical setting. The conditions of today have been determined by what has taken place in the past, and in a careful study of this history we may see more clearly the great theatre of events in which the Negro has played a part. We may understand better what his role has been and how well he has functioned in it. (Woodson, 1933)

Dr. Carter G. Woodson, understood long ago that it would be fruitless to examine this phenomenon solely in its contemporary context. Unfortunately this mistake is made daily in public schools today. The grotesque failure of minority students within public schools is often times explained, rationalized, and dismissed as a product of today's disinterested parents, lazy students, and media influence – none of which looks at the historical structures that influences contemporary culture. Roithmayr (1999) asserts critical race theory must examine concepts that are viewed as "race-neutral" by the dominant culture. Concepts such as "knowledge, truth, merit, objectivity, and 'good education' " have been used in the past to form and police "the racial boundaries of white supremacy and racism" (p. 4). Critical race theory provides "the theoretical justification for taking seriously oppositional accounts" with regard to such issues surrounding merit, academic tracking, and standardized testing "by redescribing an experience or a social phenomenon from an outsider's perspective" (p. 5). Ladson-Billings (1999) views this perspective as "a powerful explanatory tool for the sustained inequity that people of color experience" (p. 21) in education.

Parker (1998) contends that Critical Race Theory can expand the scope of qualitative research in education. Since the analysis of race is at the center of CRT, qualitative researchers can provide innumerable ways of reconceptualizing and challenging racial policies and their images and patterns of representation. The use of narrative in critical race theory adds to the racial dimension and purpose of qualitative inquiry. These narratives can provide a powerful link between the historical destruction of past racism and the effects of what the color-blind perspective omits with its present day orientation. Linking qualitative studies of Critical Race theory involves tracing how the racial ideology of color blindness plays a role in shaping the experiences of African Americans.

Critical Race Theory (CRT) has been proposed by Tate (1996) as a theoretical framework for the scholarly articulation of race and equity in educational policy and research. The most significant application of CRT for educational research is its focus on "Voice" or storytelling. This use of the narrative approach illuminates educational equity issues. Storytelling engages the reader in democratic deliberation and greater understanding concerning the ironies and contradictions associated with laws, customs, constructed to appease White self-interest rather than address notions of equity. Stories have the power to change minds, build community, and help insure the psychic preservation of marginalized groups. Storytelling narratives investigate such discourse as colorblindness, equal opportunity, and meritocracy. It allows people to speak from the personal experiences that form their social realities (Tate, 1996).

Ladson-Billings & Tate (1995) have used the principles of critical race theory to explain inequities within the educational system. Their discussion is based on three central propositions: (1) Race continues to be a significant factor in determining inequity in the United States; (2) Class and gender based explanations are not powerful enough to explain all of the difference (or variance) in school experience and performance; and (3) U.S. society is based on property rights. Their discussion of Critical Race Theory and education reiterates the main theme of CRT, that racism is endemic and deeply ingrained in American life. They illustrate this with a discussion of school desegregation. In their discussion of the Intersection of race and property, Ladson-Billings (1995) contend that society is based on property rights rather than human rights.

Although this research focuses on court interventions on school desegregation and the associated political implications it also serves as a critical race theory (CRT) counternarrative of parent and community involvement in which parents and students are actually on the front lines in these battles to reform their schools. Scholars such as Solórzano and Yosso (2002) have used CRT to tell the stories of students and parents of color that often go untold. When

these stories defy conventional stereotypes and ways of depicting people of color, they become counterstories or counternarratives which document the feelings, beliefs, events, and practices of people who have been marginalized in academic discourses (Delgado, 1995). Therefore, the untold and unexamined actions of urban parents of color and their perseverance in urban school reform serves as a counternarrative to scholarship that poses urban parents of color as absent in the education of their children. Additionally, in keeping with CRT tenets (Tate, 1996), which assert the need for a contextualized, historicized portrait of events and people, legal documents and academic scholarship will be used to demonstrate how Rockford's parents of color have attempted to advocate for their children but have been denied equity.

Overall Methodology

Participants were identified through snowball sampling. One of the former superintendents of Rockford Schools assisted me with identifying an initial group of names to interview. In addition, she also paved the way for me by convincing them to meet with me. Once I began to interview the participants, they would in turn identify additional people they thought I needed to talk to also. In turn, they also made the introductions with the participants they recommended. Overall, by studying the documentation available, making direct observations of the Rockford School District, and interviewing various school administrators and other stakeholders, I gained insight into the ongoing desegregation efforts.

Case study methodology was used in this study because one of the most effective ways to better understand a community is to talk to the people who live there. By studying the documentation available, making direct observations of the Rockford School District, and interviewing various school and community stakeholders, I developed a better insight into the ongoing desegregation efforts.

Yin (1989) recommends starting a case study by developing a research design that includes discussion of the research questions guiding the study,

specification of the unit of analysis, and discussion of the criteria for the interpretation of the findings. The following sections will discuss these three steps in further detail.

Development of Research Questions.

Yin suggests that "how" and "why" questions are especially appropriate for case study research. The guiding research questions for this study are,

- A. Has the Rockford School District changed as a result of being granted unitary status? Why or Why not?
 - a. What systemic changes have occurred within the Rockford School District as a result of being granted unitary status?
- B. How do the Rockford residents feel about the district's desegregation efforts?
 - a. What stories/experiences are Rockford residents telling about race, desegregation, and schooling?

Specification of the Unit of Analysis

Specification of the "case" involves the identification of the unit of analysis. This research takes place on the campus and community of the Rockford Public Schools in Rockford, Illinois.

The subject population consisted of three of the original plaintiffs from the People Who Care case along with additional secondary sources who were either currently or formerly, involved within the Rockford Schools ranging from current/former parents of Rockford students, current/former central office administrators, current/former building level administrators, current/former teachers, and various legal experts who argued either side of the aforementioned litigation. With the assistance of current and former administrators who served in Rockford, I solicited individuals to provide their perspectives on the Rockford Public Schools following unitary status. Selected individuals will have been affiliated with the school district long enough to become intimately familiar with the operations of the organization and to provide valued feedback.

Consequently, they have gained the necessary experience to enable them to form sound perspectives on the kinds of issues that revolve around and relate to the acquisition of unitary status by the district. Therefore, these informants were chosen to represent collectively the perspectives/ voices of the Rockford community.

Rockford and the People Who Care

This case study took place in the City of Rockford, Illinois. This city is located in the northwest part of Illinois, 80 miles northwest of Chicago and 14 miles south of Wisconsin. As reported in the U.S. census (2000), the city was home to 152,864 people, while in the 2006 estimate, it is said to have a population of 155,138; making it the third-largest city in Illinois after Chicago and Aurora. The 2000 census also reports that the metropolitan area has 339,178 residents. The racial makeup of the city was 72.99% White, 17.29% African American, 10.07% Hispanic or Latino, 0.05% Native American, 2.17% Asian, 4.75% from other race alone, and 2.44% from two or more races.

Financially speaking, the median income for a household in the city was \$37,667, and the median income for a family was \$45,465. The per capita income for the city was \$19,781. 14.0% of the population and 10.5% of families were below the poverty line. Starting as early as the 1990s Rockford has had the disreputable honor of being listed at times as one America's worst cities by the Rand McNally Corporation and Money magazine, sometimes being ranked one of the top ten worst cities. This may have been due to the lack of jobs and high number of outdated or closed factories.

Public School District 205 and People Who Care

The Rockford Public School District covers about 170 square miles and serves over 27,000 students. It is the third largest school district in the state, with 40 elementary schools, seven middle schools and four high schools. It is also a center of controversy due to its longstanding involvement in court cases focused on racial discrimination and illegal taxing. A group of citizens calling

themselves "People Who Care" brought a lawsuit against District 205 for racial disparity in the school system, citing the landmark school segregation case, Brown v. Board of Education. In their lawsuit, they cited the fact that white students scored an average of 35% higher on standard tests than African Americans and Hispanics in the school district. When this group first filed the case in 1989, they had the specific goal of reopening Rockford's West High School. In addition, they raised issue with what appeared to be a general disparity in funding between schools on Rockford's poorer west side and schools on the rapidly expanding east side.

In 1993, U.S. Magistrate Judge P. Michael Mahoney found the district guilty of systematic discrimination against African-American and Hispanic students (People Who Care v. Rockford Board of Education et. al., 2001). In March 1994, the school district was ordered to "eliminate all vestiges of discriminating against black and Hispanic students." Not long after, another judge ordered District 205 to implement "system-wide remedies." These remedies included extensive busing of children from one side of town to the other, because most of the schools on the west side of the Rock River are predominantly African-American and Hispanic, while those on the East side are predominantly Caucasian. The remedies also included building new schools and updating existing ones on the west side of Rockford (People Who Care v. Rockford Board of Education et. al., 2001).

For over a decade, the federal court's orders regulated virtually every aspect of school administration in Rockford, requiring the district to expend over \$210 million through the 1998-99 school year. Areas of federal judicial control include student assignment, within-school assignment, extra-curricular activities, discipline, curriculum and instruction, transportation, disposition and acquisition of facilities, district boundaries, facilities and equipment. Consequently, the people of Rockford paid the highest property tax of any

community in the United States (People Who Care v. Rockford Board of Education et. al., 2001).

On April 18, 2001 Rockford Public Schools were granted their freedom from twelve years of school "desegregation" litigation and a five year old court order called "ambitious schemes of social engineering," by Judge Richard Posner of the 7th Circuit Court of Appeals. The decision ordered that the district be granted the relief they sought. Rockford students are now free to attend neighborhood schools. "The racial balance guidelines imposed by the court are no longer valid," proclaimed school district attorney Tom Lester. Middle and high schools are open enrollment with a priority given to students living within one and one-half miles of the school. Under performing schools will be targeted with special initiatives to bring up the performance. Children currently enrolled in a school can stay there even if it is not their attendance area school, and students with brothers and sisters already enrolled in a certain school have a better chance to attend the same school. Each magnet school is also given an attendance area (People Who Care v. Rockford Board of Education et. al., 2001).

Criteria for Interpretation of the Findings

The raw data collected were transcribed from the taped interviews. The handling of the raw data was divided into three stages. The first stage involved the transcription of as many linguistic features as possible. This included actual utterances as well as conversation filters. Secondly, written transcriptions were checked against the actual taped dialogues to check for accuracy. The final transcription stage involved analyzing the transcriptions for the purpose of categorizing the transcribed text into identified themes. Within these themes, stories were grouped according to the most detailed and compelling recollections of the participants.

McCracken (1988) contends that the object of analysis is to determine the categories, relationships, and assumptions that inform the respondent's view of the world in general and the topic in particular (p. 42). Yow (1994) and Seidman,

(1998) caution that themes, connecting threads, and patterns should emerge from the words of the participants. With this in mind, the transcripts were carefully read using the five previously mentioned themes of CRT as connecting links to each participant's narrative. The centrality of race as a connecting thread was used to distort the myth of a society based on colorblindness and meritocracy and to ascertain how the intersections of race as social and political constraints have impacted the lived experiences of the families represented in this study. It is important to note that all perspectives were considered to avoid silencing any perspectives on the events that have occurred within the Rockford Public School District.

In sum, this study will aid in providing a context and an emerging pattern of significant findings in which to place the experiences of the African American and Hispanic participant's within this study. A historical overview of the role African American and Hispanic families played in securing and maintaining educational opportunities for members of their communities is necessary to lay the ground work for understanding the historical, social, and political context of the lived experiences of the minority families represented in this study. This understanding helps to solidify the role minority families played and continue to play in the education arena. It also provides a context in which to place the lived experiences of the participants in this study. A review of the research related to the experiences of African American and Hispanic families provides a research framework in which to place the experiences of the participants in this study and thereby giving validity to their experiences. The theoretical frameworks provide a perspective that seriously grounds the experiences of African Americans and Hispanics in the centrality of race. They also serve as theoretical discourses of resistance and opposition to myths, which challenge what dominant society, might say and wish others to believe about minority families and the performance of their children in schools.

CHAPTER FOUR

FINDINGS

As mentioned in the previous chapter, my introduction to the Rockford community came through one of my professors who had the pleasure of serving as a former superintendent of the school district. As my interest in school desegregation continued to grow, she and I would speak about her experiences as an administrator in Rockford. Eventually these conversations grew into the decision to investigate the outcomes present within the Rockford community since being released from the Corrective Remedial Order by being granted unitary status.

Oral Histories of Participants

As an outsider to the city of Rockford, I am extremely grateful to have been trusted with the experiences and perspectives of each of the participants who participated in this study. The memories and accounts that were shared with me possessed the experiences, both pleasant and uncomfortable that shaped the person each participant became. The main character in the narrative is one of the original plaintiffs from the People Who Care (2001) case. Other narratives from various stakeholders within the Rockford community were also used to further tell the Rockford story. In telling their narratives, each participant was able to reconstruct their lived experiences that authenticated their positionality in a race based, class conscious society. To maintain the authenticity of each participant's narrative, editing was kept to a minimum and their narrative is presented in the context in which they were told. Within the narrative presented will be the identification of five themes of critical race theory within parentheses. Following the narrative will be an analysis of the themes that resonate through the presented experiences. The additional participants in this study were either school officials of the Rockford School District or associated with the case, *People Who Care v. Rockford Public Schools*, as a plaintiff, witness, etc. The names of the individuals who are participants in this research will not be divulged as to

not infringe upon the rights of those I've interviewed. Consequently, pseudonyms have been assigned to each participant.

Raquel's Story

Raquel was a plaintiff in the aforementioned case. Her memories awakened when asked to share how and why she got involved with the litigation against the school district. She has lived her adult life in Rockford, IL after growing up in the Henning, Tennessee. Her experiences are influenced by her southern roots back in Tennessee. As an adult in Rockford, all of her children were raised in Rockford and attending the public schools there. Early in our conversations she began to share about her families' experiences living in the Rockford community and matriculating through the Rockford Schools. Within these recollections she would compare her experiences in Rockford with her experiences growing up in Tennessee. She contends:

I became involved with the People Who Care based on the concerns that I saw that was taking place in the educational system at different educational levels. I had children that were attending school here. Some were in high school, some in middle school, and some in elementary school. So as I became more involved with my kids' educations I began to notice certain disparity when going into the school system. Even my children would come home and tell me on different occasions things that would happen in the classroom as it pertained to other students or them. I'm from Tennessee so when I grew up I was exposed to a lot of segregation, a lot of racial hatred. It wasn't nothing for me to get up and go to the little hometown of Henning and see a big sign saying this is the home of the KKK. So I knew what it meant for you to hate me as a black person. I attended all black schools and within the walls of that school I had people that looked just like me. I had a person when they punished me, they punished me out of love. The people in the community when they told my mother about something that I did, they did it out of love.

When I went to church if I was chastised, it was done out of love. Our kids don't have that anymore. That's what helped me survive. I had that extended family. I had a grandfather. I have uncles, aunts and we don't have that no more. I knew that in spite of where I was at that moment in my life, I could always do better. That was instilled in me by going to school and looking at the people who loved me no matter if I didn't have the best clothes or anything like that. So it's the lack of us as a people rising above our circumstances. There's a lack of the churches being involved. Taking the church out of the wall into the community. There's a lack of resources. There's a lack of us coming together as a race of people saying that the cost is greater than the division among us. So do I think the People Who Care lawsuit has brought great changes? I think it has done well but I think it has not brought the greatest change that God wanted us to achieve and that's to get up and do for ourselves. And I think that's why God allowed to see all this documentation, all this proof even to the point that it was aired on Channel 13 when we were interviewed us because he said it made nationwide news.....a lawsuit of this magnitude, the discrimination they were practicing.

When sharing specific examples of mistreatment she believes her children experienced her accounts were quite vivid. For example when recalling an experience of her oldest child she shared,

At the time my oldest child was in elementary school she attended a predominately all black school. Around that time they started this whole chaotic situation about saving the cost of the educational system here by closing that school. Therefore, she was mandatorily bussed out of our community and then I had to attend an all-white schools. At that time I noticed that concerns I did not have to focus on when she was in that predominately black school and the care she received in that predominately black school had changed. Not saying that where they

bussed her to was a bad school, but the whole focus wasn't family oriented, it was more like pointing out failures or faults. So that's when I began to notice a change in direction of education. Then when I moved from that location to the next community which caused my next two children to also get bussed east. That's when it really hit the fan.

The participant continued to share accounts of her and her children's experiences within the Rockford Schools as follows,

My second oldest child was almost finger pointed as being a criminal. The third oldest child, had issues with a different set of school officials also. Overall, the various school officials were hesitant to take our kids out of our community and place them in eastside schools. Before long, school officials were coming to the schools on the Westside to review student records before they would allow for Westside students to be placed in Eastside schools. In my family's case, they would ask for the third daughter but my second daughter they did not want.

When asked to share her thoughts regarding the reasoning behind the different experiences of these two girls she went on to state,

The school didn't want my second daughter in their schools because of the difference in her academic ability. My third daughter became a school teacher, however my second daughter was one of those children that needed extra special attention. She didn't have the self-confidence. I was even told to take my second daughter out of a predominately all white school on the Eastside. I was asked to take her out because she was not as advanced as the third daughter. I met with the principal at that time and I told him I refused to tell my daughter that she had to come out of that school because you all want to maintain a certain status level. I would constantly remind my daughter that she may not be able to do the work as fast or maybe prepare it as well as some students, but that doesn't mean she can't do it. It just takes her longer.

As this participant would tell her accounts, she would note that there were times when she felt trapped when attempting to make the best educational decisions for her children. She recalled having to weigh caring teachers in neighborhood schools against newer facilities and resources available at Eastside schools. To this end she also lamented,

Later on I had two younger kids and they began to go to school. I put the fourth daughter in Ellis School and I had a white teacher stop me one day and tell me that my daughter was too intelligent and too bright to stay at Ellis which was a predominately all black school. She told me to take her out of Ellis and bus her to the Eastside. I did because I knew there were a lot of other advancements in the predominately east schools but I still wanted my daughter at her neighborhood school. At the same time, I also felt that she wouldn't have gotten access to the best educational resources if she had stayed there. She did get in the all white school and the next year I enrolled my son at Ellis even though no one ever said take him out of Ellis. Well, they didn't want him there. They did not want him to follow my daughter and go to this predominately all white school, but I sent him anyway. In his new school he was called a thief. He was pretty much put into detention for no reason at all. I would sometime take a break from work and go into the school and I would look for him on several occasions and I would not find him on the playground or in the school and I would go to the gym and they would have him sitting down in the gym among predominately white females in time-out, and he would be in there crying. I would go to him and I would ask him what's wrong and he would say I don't know...the teacher told me to go to time-out. On one occasion I remember finding the teacher in the teachers' lounge and they were in there laughing and talking, just having a good time, but when they seen me coming their whole expression changed because she knew I was very angry. I wanted her to explain to me what

he did to deserve to sit in there on the gym floor. She said he didn't have his papers arranged right or something to that effect. I watched them set up a discriminatory action by which they deliberately set up to destroy young male's spirit.

This was a particularly powerful claim. At the time of the interview I recalled thinking to myself that to assert that the school was systematically employing tactics to destroy the self-esteem of young African-American males was pretty significant and wanted to explore the foundation of this claim. When asked to provide additional examples of experiences that brought her to that conclusion she shared additional accounts as follows,

I used to leave work and go to that school and I would walk around the halls and I would look up on the wall for my son's pictures or his homework they would put on display. I never seen his work up there. So I went to the teacher and I asked her why isn't some of his work up on the wall and she gave me some excuses, but you better believe that it wasn't too long after that I didn't have no problem finding his work up on the wall. My youngest daughter came home and told me things that happened to other black males at the same school and she would literally cry because she would see how the teacher would deliberately destroy young black males at this predominately all white school. I can tell you now that several of those boys, now as young men that have suffered because of that. In addition, I had a teacher who was at Auburn High School and He asked me to come to West Middle School one day because he was fearful of his life. He was a BD teacher and he had the predominately all black males and he asked me if I would just come and just sit in. I said sure I'd come and volunteer. When I got to that school I cried. I literally cried at what I found at that school. You had a young black male and some of them were maybe one or two years behind but they were in BD classes and they would take them to a kind of a little

closed in room and they would have little desks, maybe about 10 or 12 desks in there, and around from that room they would have a boxed in glass, like a little cage, and they were called time-out. And when these young boys got to a place where they were disruptive, they would take them and place them in that time-out. If you had 10 or 12 males in there, you better believe you have only one white, most of them were only black boys. I would watch the police arrest these young boys for maybe things that they had done or maybe things they thought they had done. I would be in the office sometime and I would watch these young boys be in the hallway just crying like babies. They would be so full of anger. And I would try to get them to see that it was nothing they could do to keep themselves from going to jail if they did not get an adult to intervene because getting angry, cursing, swearing, some of the things I saw them do. I told them they were doing more to hurt themselves than to help themselves. But I would literally see policemen grab young black males and rough them up and handcuff them and hold them down, and a lot of the would be cursing and a lot were full of anger. I asked myself why they are so full of anger. What is it that has these young black boys that they're raving with anger to strike out?

As she continued to share additional examples of the mistreatment of her children and other minority children, she credits these moments for fueling her desire to get more involved in identifying a solution to these matters. She could no longer sit back and observe the mistreatment of her children and other minority children. To this end she added,

Ultimately, the continued mistreatment of my children and others who looked like them is what motivated me to get involved in the case. One of the things that got me involved was the fact that I believe that it was the divine calling from God for me to intervene in this division of mis-education based on race and geographic location and income and all of

that because the mistreatment was becoming an art form... I think this is what the judge called this discrimination lawsuit. He said that the Rockford School Board had discriminated to the point that it was an art form, and you and I know it takes time to draw a masterpiece in art. I began to volunteer more and more in school. I even went to the point where we developed a group called "Project Partnership and we focused on West Middle School. We had volunteers that came out of Sunstrand along with some of the administrators and we would go over there once a week and we had a combination of A, B, C, and D students and below and we cohesively put them together trying to get one to work in partnership so one could uplift the other one. Had a hard time with that because a lot of teachers complained that they didn't know the students were going to the meetings. We had a lot of flack with that. The whole concept of watching predominately all white cheerleading and pom-pom teams for all black basketball teams and a teacher that gave my son a grade on a test....I think it was 40...and he came home and said mama I know I passed but she gave me a 40. So I go down to the high school....this is at Auburn High....and I question the teacher about why he got such a grade when he said he knows he passed the test and I asked her to show me his paper that she graded. She showed me the paper and come to find out he did pass the test. She made a mistake. She thought she put a 70 something down there and she made a 4. I watched my daughter be put off the pom-pom team and the cheerleading team when I became very vocal in the People Who Care lawsuit and she was one of the better people that tried out. There were a couple of the judges that deliberately gave her low scores so that she would not make it.

As this participant continued to share her accounts, although she was describing events that were taking place within one school system, her descriptions clearly illustrated different approaches for two separate

communities simultaneously being employed. This further fueled the desire to attempt change through litigation.

We have a lot of teachers in the system that look just like me that knew what was going but because their children were going to predominately all white schools or private schools few of them got involved. You have administrators for whatever reasons they didn't see the necessity to try to reach out and save all the children. Then you had a school system back then that was educating their children with the best they could give them at the cost of sacrificing our children on the Westside. Ellis School, one of the schools that was highlighted in the People Who Care Lawsuit, I went there...that's where my two youngest kids started out..... they didn't have places to hang their coats. They didn't have doors on bathroom stalls, they didn't go on school trips. That was the lowest school when the People Who Care lawsuit started. They focused on Ellis and Skyview and West were two of the schools where we put most of our concentration but Ellis School was kind of like Little House on the Prairie...that's what it reminded you of. It was a nice old building, but had a lot of old features and most of the teachers were predominately white and the children that were attending Ellis came from a lot of the area around the school which was at risk...a lot of low income projects and a lot of those kids were there because they had no other choice. At that time they weren't giving you a choice. They were only taking kids out of our community, bussing them to the schools where they wanted to make sure they didn't close because they didn't have the population of majority kids that would keep it open. So when you first started going to the eastside schools it was quiet kept that you could go to the eastside school but it was only because someone told you about it. When they told you, you told somebody else. Then that's how we realized they had deliberately set up by boundaries and geographic areas to make sure our kids stayed in the westside school and

only when they needed to keep the schools open, they would route them over there and they would bus them over and as soon as school was out they would get on the bus and be bussed back.

Raquel did not feel that the granting of unitary status by the courts represented wholesale changes. When what did it mean to her personally when the court granted unitary status to the district she shared:

Unitary status meant to me at that was a way of them taking back control of their school system. That's all it meant to me...to give them back control, and eventually it would be back to business as usual.

The participant further expressed no satisfaction in the court's decision. This was evidenced by her decision not to attend the recognition celebration that followed this decision. Given her position on the court's decision, the participant was asked to share her reflections on any victories she could identify as a result of the extensive litigation. After thinking on this response she began to discuss and weigh positive changes that occurred as follows,

We had more teachers, we had several principals...there wasn't a minority principal in the schools, at the high school level, at the elementary level. We had a lot of minority administrators down at the board. The children...you could feel the rejoicing in the kid's spirit. The kids knew that changes were coming and they felt good about it. We had more recognition as it came to children being involved like pom-pom and cheerleading. We had different programs where they hired different administrators to go into the schools and they were kind of like mediators between the teachers and the parents. We had that type of involvement. We had kids not afraid to come to the office. Parents were beginning to speak up and speak out and seek information...about how they could intervene in their kid's educational crisis. We just began to feel good because when you went down to the board of education...you seen people like Barbara Quilliam...you saw like Angela Davis....a black

superintendent....it was just a good feeling. You didn't feel like you were going into a war zone. You felt good when you looked across the table and you seen someone even if you were educational on the same level, you knew that you could express yourself because somehow they would feel what you were trying to say even if you couldn't get it out.

As I was listening to her share the positive initial outcomes it appeared as if there were a number of positive things that came about as a result of the lawsuit. Her position shifted sharply as she searched to identify longstanding positive changes that have sustained the test of time. To his end she avers

Today, we don't have anything to show for it now. We received new buildings but most of the minority people that the lawsuit brought inall of those people are gone. A lot of the principals that were here and were involved in educational system before and during the lawsuit, they have either left Rockford or they're retiring out of the school system. And I don't think we have a real strong recruitment group that's trying to recruit minorities back into the school system. There was a fire that had been burning in Rockford for years but no one hollered fire. Then all of a sudden a group of people together who hollered fire, and all of a sudden people started looking at the fire and realized that it was getting closer to all of us. So everyone started trying to put the fire out. The people who started the fire wanted the fire to burn had the most to lose.

There was no shortage of responsible parties for starting this proverbial fire. She accounts that anyone who knew about the mistreatment taking place and chose not to act is responsible.

I think there's an African proverb that says it takes a whole village to raise a child...I find it hard to believe that we as a people did not realize what was going on in the educational system in Rockford. As a matter of fact, an older gentleman by the name of Oscar Blackwell, superintendent, saved data that helped find some of the facts in the People Who Care

lawsuit. He was superintendent at that time and was saving documentation of what was taking place in the school system. So he knew what was going on. A lot of the administrators and minorities knew what was going on. I think it had to be a timeframe when God said now is the time to go forth because everything else has been prepared.

Unfortunately, all the things that we had demanded through the lawsuit they had said they would do, gradually was taken away in time. They placed a timeframe on the changes that ultimately would be and was eliminated over a certain period of time. The teachers and things they were putting in place doing these different types of diversity and learning....some of the teachers would come and testify how they were being harassed by the union and how the teachers were really not willing to try to cooperate with teaching new learning techniques. So we knew that no matter what the People Who Care lawsuit said they must do, they weren't really doing any of that. Because anytime you try to force a person to change without them having a change of heart, that's just like a cosmetic dressing and if you want me to tell you the truth the whole People Who Care is nothing but a cosmetic dressing as relates to the result because what they did is they put new schools in our community and they came up with good programs, but you have to look at who's reaping the result of it.

All in all, there were so many people who thought that this lawsuit was forcing a school system to change even though many of the people of the system were not ready or willing to accept or deal with the disenfranchised. But I can see some good things, I really can. I can see some good things that came out of People Who Care lawsuit because I actually believe that there were people that were really hurt by some of the things that were proven in the People Who Care lawsuit. I think there's a lot of people offended by some of the things that were found in

the People Who Care lawsuit because they found that it was reverse discrimination. They say we caused them a lot money. They say that taxes went up. They said we divided the city. They see everything but the fact that you will read in these facts. They didn't look at the number of children that probably have lost their lives because no one really took a chance to educate them or make them a valuable human being. So this is the fact finding. This is all the information that they found in the People Who Care lawsuit.

Raquel also held strong opinions on circumstances surrounding the school district being granted Unitary Status. More specifically, Raquel spoke on whether the purpose of the corrective remedial order (CRO) was fulfilled. When asked her thoughts on the process that led to this event she shared the following:

The purpose of the CRO was to restore the victims of discriminatory conduct to the position they would have occupied in the absence of such conduct and to eliminate from the public schools all vestiges of the intentional discrimination. And there were several areas under which the CRO was intended to focus on to remove all forms of racial discrimination and insure that there was a more equitable educational system in Rockford. I feel the court believed that we were a victim of circumstances... we were naturally inferior. So over a quarter billion dollars was spent to bring up the inequities in the education system here in Rockford. They also brought some gentleman in, and I can't remember his name, but he testified about black and white people, that we were left brain thinkers and they were right brain thinkers and we were naturally inferior to them. They brought all that kind of documentation and that the different programs that they implemented like all day kindergarten and these different reading programs was money spent but the kids were still not coming up to the same level as the other kids. That they had done their part but because there were so many African American children that

was in poverty status that the school system take care of all their ills. In other words, we were just destined to be like we are.

Raquel also noted her disappointment in the lack of analysis of quality of instruction being delivered by teachers. To this end she felt that there was inadequate attention and accountability paid towards examining the teacher evaluation system's ability to measure the teacher's command of the curriculum along with effective instructional interventions. To this end she lamented:

There was some debate about that and they changed the curriculum several times. But the thing of it is, the curriculum that they changed really never satisfied the need of the teacher itself. See the teacher has never been dealt with in the classroom. And where you have no teacher accountability....that was one of my things...teacher accountability. You have to measure a teacher just like you would grade a child on an achievement test. Teachers need to be held accountable or stay in a school setting 9 months or 8 months out of the year and then that child not pass...why that's taking place in their classroom all these months...was it actually the child not trying to do his best, was the child behind and didn't get the right kind of individual treatment. Why would you allow a child to stay in your classroom 8 months and at the end of the year this child don't pass? What is it that you didn't do or what is it that you did that the child was not receiving and why wasn't this child focused on before the end of the school year? So there's no teacher accountability and that was one of my pet peeves. They came up with these groups. They divided...this People Who Care lawsuit, they came up with this Citizen Advisory Group and they got so many plaintiff classes...so many people from Amcor Bank to come in and work with them. Then they got some people from the business world come and work in it. All of these people were to get together to come up with a way that you could rectify and settle the People Who Care lawsuit. I was one of the people on the Citizen

Advisory group and when I went before the judge to speak on my behalf, my thing of it was, Judge, what have they done? See that's one mistake is it's kind of like when they put you with so many people that's not even on the same page. Who would the judge see or what would he hear at the end of it? I kind of like backed out of it because I knew they weren't going to pay attention to anything I said or listen to what I said because they had an agenda of their own. Then they made their presentation to the Board of Education and I didn't support it because I didn't show up. They kind of started dividing people. They got people that look like us. That made it look that it wasn't all white, had a diverse group, and the counselor who represented the plaintiff class was Hispanic...so when things started coming out, well, if you didn't get what you wanted out of it whose fault was it, you were there. But when someone else planned their party and invite you they already know what they're going to have to eat, you're just there. You have to know Rockford. You have to know how Rockford works. There is an undercurrent in Rockford and you will never know who or really how deep it is until you really their toes or do or say something you're not supposed to. It looks sweet but there's an undercurrent.

Raquel also spoke of forces that came together to publically show their support for the current state of affairs. Terrifying childhood memories were rekindled as she described the presence of the Ku Klux Klan in Rockford during this time.

You do know the KKK came here and marched? The People Who Care lawsuit after it was just changing things...black people were beginning to feel alive, we've got hope coming, our schools are going to change. They came and were downtown right in front of the jail and they had on their whole costumes....now what did that tell you. So see that's how deep it is. It's about control because let me tell you something and I brought you

some statistics. This is about the different students in this school district as it relates to race and to schools and how many you've got in the grades. It lets you know how many students you have in this school as total, but then you have to go back and find out where are all these students going to school. There's two schools they just closed....they closed Rock River...that's a predominately all black school. So those kids are going to have to be bussed out of their community to go somewhere else. That was one of my concerns...here it is here....Rock River...they just closed that school. They had 76 white, a 107 black, 3 Asian, 30 Hispanic...that school is closed. Another school they eliminated was the school on the far Westside of Rockford, William Denning, that's out there by the low income housing project. They're going to bus those kids out of their schools, divided them up into about 4 or 5 different schools. A lot of the parents didn't make a choice because they probably weren't aware of the choice deadline. So they placed some of them in school in an all day kindergarten. Now I grant you if you come back here by the beginning of this school year, William Denning was predominately all black. You wait until they get early childhood in there and see who'll be in there. See those are the things that are taking place. So now where is the People Who Care lawsuit at? Where's Bob Howard? Where's Dr. Eubanks? Where are all these black people they brought in? Tell me where? Because the school board now got a group from Tennessee. So you ask me why I got involved with the People Who Care lawsuit....God called me for this purpose and the People Who Care lawsuit, unitary status, has not been reached. It has not. By no means.

Dr. Howard's Story

Dr. Howard was connected to the People Who Care case through one of the original plaintiffs, Ed Wells. Dr. Howard was proud of the various positions he held throughout his 42 year career. Some of his positions held included

serving as a special education teacher, counselor, professor, and truancy support. He was one of Ed Wells's former teachers. Eventually, Dr. Howard also joined the People Who Care case. Early in our conversations Dr. Howard reflected on how he became connected with Rockford Public Schools:

I came to the district in 1962 as a special education teacher. I was in the state of Illinois in the St. Charles School for Boys which are young kids who are incarcerated. I came here to teach special education, mentally handicapped...that was the term at that time. I did that for a while and then I decided the high school counseling was probably a better place for me so I got a master's degree in counseling. At that time, the '69 lawsuit came upon us. So they decided that the children where I was at, Washington, School, would go to East High School. They used to go to West from over there by where you were at Roosevelt. So they were going to take these black children, move them, because of the lawsuit in '69, move them to East High School.

Dr. Howard would also share his recollections on the negative impact bussing had on the students during this time. He lamented:

The kids were being bussed in from south Rockford, across the river, and if they wanted to go to the Vocational School, the deal was you go to your school first and then a bus would take you to the Vocational School. Well, the African American kids would have to get up at 5:00 in the morning to get a bus to go to school to catch another bus. As I continued to fuss about that, it was like, we don't care. And then the research, whoever was doing the research at the time, said black kids don't like to go to vocational school. Some of that is true....some of the parents would say you're not going to vocational school. But the vocational school they had there was computers, being able to deal with big machines. It was not the kind of thing you think of as vocational school like hair dressers. Anyway, you cannot put those kids on the main street with is in the hood at 5:00 in the

morning to catch a bus. This is ridiculous. Nobody cared. I was always yelling about something. The other thing was our kids brought...my son being one of those....brought a lot of great athletes to the school. I'm getting mad just thinking about it and this is how Ed Wells got into it....except they'd make those kids go home, catch a bus and go home, and then come back for practice. That's ridiculous.

During our interview, Dr. Howard shared his recollections on what he felt was systematic exclusion of African American girls from the cheerleading squad. Even after being identified as a member of the selection committee he described a biased process he felt was slanted towards the White candidates as follows:

The black kids came to me and asked why don't we have any black cheerleaders? That was a good question. I don't know. So, I decided to investigate that. So the cheerleading person said I'll put you on the committee. Now, naïve, me I'm thinking maybe I'll get a chance to really help here. The rules were still the same whether it was black or white, the rules were things that white kids do best which is jump.....let me explain....we don't have that kind of movement that white cheerleaders have. Those kids could never make cheerleading squad because they were too loose. In fact, I just talked to a professor who has written a book on that because I want to talk to her more about it. Well, so here I've got this evaluation instrument and it says basically that they have to be happy, gleeful, and peppy. So I'm looking at these black kids who were trying out who are moving in a very different way. So, I'm saying this thing that we're using to evaluate isn't going to work for the black kids because they're still not going to have "peppy". In addition to that the State Athletic Association said that the girls had to have a special evaluation from the teachers in these same issues such as "peppy" and so forth. So I'm saying why do the girls have to do this and the boys don't?

The teachers would answer these questions, is she peppy? Is she enthusiastic? Well, you know our kids are cool. They're not going to come in a class doing that. So they never got to be a cheerleader. They had two strikes against them. So I finally went to Bill Bourne this is the problem and this is why. So he said let's see what happens the next round and the next round not one black kid made it.

Biased treatment of African American Students was not reserved only for the cheerleaders. Dr. Howard also recalled observing similar treatment of the African American athletes. In his recollections, he shared examples of how he watched the coaches beating up on the Black student athletes under the guise of breaking up fights. To this end he shared the following:

The teachers got so ridiculous in the way they would treat the kids. For example, if the kids got into a fight in the cafeteria, they had all the coaches in the cafeteria watching, and then when a fight would break out, those coaches would beat up those black kids. I'd watch them acting like they were breaking them up. They were hitting them, too.

In the midst of the mistreatment, Dr. Howard recalls becoming increasingly upset to the point of being willing to do whatever was necessary to sound the alarm to get the community involved in bringing forth change. To this end he shared:

I wanted the parents to be more involved. So I got on the phone one Sunday and called I don't know how many parents and they all showed up. I was amazed. They said we came because we couldn't believe you called us on Sunday...took your day off to call us. I said we've just got to do something.

Dr. Howard also lamented about the police presence that was involved with the African American student base. Dr. Dr. Howard spoke about the over reliance of law enforcement to address school related issues involving African American students. Dr. Howard shared one of these such memories as follows:

One of the big things that would happen is the police would come and arrest kids for anything. That's a big thing for a 16 year old to be marched out of the school by the police. And I never could get the police officers to see that. I said they have an office here. You could go to the office. You don't have to embarrass and humiliate them. It's not necessary. They said, they're just little crooks anyway, that was their attitude.

When asked about some of the changes that was observed as a result of the litigation Dr. Howard responded with measured resolve as follows:

We had a lot of black people to get jobs. We went through years and they said we don't have anybody certified because none of us were going to school to be administrators because we couldn't be. So it wasn't even worth worrying about. Once Connie got her principalship it took us about 10 years before another person came along who was certified to do that.

When asked about sustained changes that have occurred Dr. Howard responded by stating:

The only change I can say is that we have black administrators. I think after '89 that we had more than one administrator downtown. As far as changes in our children's education, little change has taken place.

Dr. Howard also talked about the systematic way in which the school district discriminated against students of color, even when they were under court supervision. As surprising as it sounds, blatant behavior continued long after the courts began to intervene. At one juncture, renowned desegregation scholar Jeannie Oaks testified in open court regarding some of these practices. Dr. Howard recalls listening to her testimony being given:

I was in court the day she testified. The judge stood up and said I don't even believe that. She talked about how they cheated because the lawsuit said they couldn't track the kids so they color coded the kids and tracked

them anyway. I'm telling you it's bad. Anyway, those kids at Auburn are still suffering....the black kids.

When asked to share his thoughts on why there have not been additional gains as a result of the People Who Care case, Dr. Howard shifted his reflections towards the achievement gap between African American students and their White counterparts as follows:

If those white teachers are able to bring those kids grades up what is the question that follows that? The question that follows that is why didn't this happen before? They're not going to bring those grades up because they'll be held accountable. So it's better to just say they're stupid, they're just dumb they can't do anything. I try. That's number 1. Number 2 is the union. The union is the strongest union in the country. It is a disgrace to kids. It's the kids that are hurt as far as I'm concerned and it's set up to protect the weakest teachers in the district. It's a contract like you wouldn't believe and I'm a big union person. The first strike that we had we were just trying to get the elementary teachers time to go to the restroom. That's how awful the districts were. Then they got a hold on the district and it's just ridiculous the kinds of things they have now. The union got stronger than ever after the lawsuit because they felt the lawsuit was after the teachers, and it was in many respects because we had these children who weren't doing well. Part of the problem is one...many of the teachers are so racist....they think the black kids are stupid...they think the parents are stupid, and they think other black people like me are stupid.

Before concluding his comments, Dr. Howard had one more story to share with me to describe the current state of affairs regarding the discipline of African American students within the Rockford Public Schools. He prefaced his account by sharing that this is a true story that recently occurred, and continues to occur on a regular basis:

I've got one more story to tell you. It's called my checks to choke story. Probably when you were teaching they didn't have that assertive discipline....you get checks and if you get 3 checks you get put out. This is at one of the schools here. So the little boy is in the second grade...we're talking about a 7 year old....he gets check...early....8:00 in the morning. He said why did I get a check? He got another check. The teacher said you know what you did. Well, I've got two checks now, and she said now you have three, get out. He goes to the principal and says I didn't do anything. She says well you're going to have lunch room detention. So he goes to the lunch room because you have to eat by himself and he goes to get his lunch and gets his lunch out and has chocolate milk and her comes the aids....you know when you're on detention you can't have chocolate milk....only white milk. So he takes the white milk throws it in the case, go to the principal. By this time this kid's had it. He goes to the office and the principal says something and the kid kicks him. So she calls the police. When the grandparents get there the police have him in a choke hold on the ground. That teacher could have stopped that from happening at 8:00 in the morning. Business as usual.

Throughout the conversation I had with Dr. Howard I would occasionally circle back to the question of what changes have occurred within the school district as a result of being granted unitary status. Each time I would raise this question he would maintain his consistent response... not much! Many of the incidents he observed during his initial years in the district continue to manifest within the district today. Whereas he continues to strive for meaningful change, he is discouraged by the lack of progress following such a substantial effort. That being said, his spirit remain unbroken as he continues to strive for equitable educational opportunities for the disenfranchised members of the Rockford community.

Maria's Story

At the time of her interview with me, Maria was a member of parent advisory council for bilingual program. She has been working with the bilingual program ever since the organization existed. She also shared that she was the pioneer who got the organization started back in the 70s. When sharing her reflections on her work associated with the start of the organization Maria shared the following:

It goes back to 1970 something...I'm not even sure, but I remember we had a problem here when we had Hispanic students that started to increase in population in the school district and they were having a lot of problems so I went to a community base organization and asked them that we do something to try to get bilingual program started and they didn't seem to want to do anything about it, so what I did is I came and I talked to the assistant superintendent at that time who was in charge of special ed. I think his name was Mr. Johnson. We sat down and talked about it and he agreed with me and he said we need to do something. He said one of the things that I'm going to recommend that we submit proposals - one to the state and one to the federal government. To be honest with you, I don't know which one was denied, but one was denied and one was granted. Eventually, we got it started. We were allowed to come in and interview some of the teachers that were going to be hired to run the program. At that time we established the bilingual program at the Barber School. It was just one school. It grew year after year after year and eventually every year we had to find different schools and then we only had it up to the 4th or 5th grade and now we've got it in high schools, middle schools, elementary schools and preschools where we have bilingual students in the program. We formed the Bilingual Parent's Advisory Council. I served on that. Still today we're working with it. The program has grown. We have about a 10% increase every year. Of course

as time went on we included Laotians, Vietnamese, Bosnians...there are 40 or 50 different languages. The biggest bilingual population is Hispanics. We've got over 2000 students.

When asked if she was satisfied with the efforts the district has made to cater to the needs of the bilingual population, Maria was more interested in addressing another pressing topic first. Maria wanted to address her thoughts regarding the district's achievement of unitary status. Towards this end she lamented:

First of all, I don't think we've reached unitary status. I think the 5th Circuit Federal Court heard enough to where the school board members and those that were trying to overturn it, finally got to the point to where they did, but....I remember I went to the hearing and I think the judge told them that if they ever got back into the situation then they were really going to be in a bad situation because they weren't going to be able to come to them and ask them to overturn it. The problem is we lost all our teacher aides. We lost all our liaisons that visit the schools and work with the teachers and the parents.

Maria continued to talk about losses that occurred after the achievement of unitary status including her perception of the lack of support for the program by the new administrative team. In her conversation, she shared about systematic dismantling of the program by stripping the funding streams, ignoring mandates associated with the funding streams that should fund the program and reassigning of key staff. Towards these matters she bemoaned,

After getting unitary status...we lost Dr. Epps who I thought was one of the best superintendents we've ever had here because he was sensitive to our needs. There was a lot of money spent in the wrong places, but there was a lot of money spent that was helping our kids in terms of getting them to the point where they should be. We made a lot of changes in terms of when you exited a bilingual student once that you feel that he's

eligible to get into the regular classroom, but what they were doing is they were sending them to other schools and if he ran into trouble he'd fall through the cracks and nobody was there to help them. So we requested that they stay in the same school so in case there was a problem then you'd have somebody there to come and assist them. Right now we have a bilingual program that is funded mostly through state money but that money is supposed to be there for the needs of the bilingual program. The current superintendent that came in, he's just not listening. He's taking money away from the bilingual program and putting it into the regular program which in my mind is illegal. They're not supposed to do that. They're hiring staff using that money and those people have nothing to do with the bilingual program....totally separate from the bilingual program. The director, Raoul Manchecka, he's got his hands tied because that money is there for him to use to meet the needs of the bilingual student and yet they're telling him he can't do this and that when the state is telling him this is what the rules are and this is what the requirements are. They're not abiding by the rules. You know, they come in here and he's from the Army and the three people he brought in, there's no diversity...all 3 or 4 women that he brought are white and they're telling the school district now you do what we say and that's it. You know, we don't need any input from you or suggestions. I think it's wrong. I have not had a chance to meet them. I've not had a chance to talk with them because I'm very vocal in this community and I'd like to set up a meeting....I told Armando, who happens to be the president of the parent advisory panel set up a meeting with the superintendent and his staff so we can sit down and talk to them because I have a lot of questions to ask about why they're using this money and what that money's being used for and where it's going so at least there's a possibility for me to make some suggestions to the community as to what direction we need to take.

There's also the possibility that there could be another lawsuit because things are not going the way they should be. They're going around making these changes and then they're bringing money back. We've lost teacher aides and no liaisons. I think they brought back the library aides and bringing back some others. I think in some cases they're using some of that bilingual program money to do that. They've hired a person at the Department of Human Resources who has nothing to do with it. They took the secretary away from the bilingual program and put her in there and made her to serve the whole district, but yet there's money there to hire a secretary and they won't let the district hire a secretary for him to have in there. She was very important in doing the job that needed to be done in the bilingual program. So I don't know what they're doing. They're dismantling everything. I don't know how the Board chose this individual. They said because he had Army background. He's demonstrating that he's got an Army background because he's treating this district like an Army where I'm the General and I'll give you the orders and directions and that's all there is to it....you do it. I don't know what's going to happen. I do know that there has been some communication in the community about maybe going to court and filing another lawsuit....discrimination....because we still have a lot of discrimination in the schools.

Maria was very interested in discussing the discriminatory practices present within the Rockford schools. When asked to describe what the discrimination looked like within the school system she focused on questionable practices as follows:

There's a lot of racism and a lot of bigotry in the school district. We've got a lot of good teachers in this district, don't get me wrong. Just like in anything....in a police department you've got some good policemen and you've got some bad policemen. But I noticed that when it comes to our

minority kids, Hispanic and African Americans, they seem to take action against them right away without evaluating the situation whereas for non-minority kids they don't seem to want to do anything about it. They don't make an effort to find out what the problem is with some of these kids. Some of these kids, like me for example...when I went to school I didn't even know how to speak English. There were no bilingual teachers or anything like that. Now I had to learn to speak English before I could even learn....so what they did is they passed me from room to room. One of the problems that I had was that I could not read. If I read a sentence in 5 minutes I've forgot what I read, but if you tell me something it'll stay with me. We have a lot of kids that are slow, a lot of kids that have hearing problems, seeing problems, kids that may be a different way of attending to them to give them what they need in order to learn. So they're not doing anything.

This led to Maria sharing her perspectives on whether or not she believed that the teachers and administration within the Rockford School district approach teaching from an all kids can learn perspective. Her thoughts on this topic were interesting. From her perspective she shared the following:

I believe that all teachers in the district think that all kids can learn, but are they (the teachers and administrators) willing to do what has to be done in order for them to learn? That's the problem. And another thing I noticed for example, the Laotians and the Vietnamese they're way up here because they have good teachers and they have smaller classrooms like 8 or 9 kids. You go into a classroom where you have 25 or 30 kids, it's kind of difficult. And the Bosnians had the same problem. They have kids in there and were paying teachers to sit there and not do anything and then they would go in there and pull out a kid and work one-on-one and then take them back into the classroom. We wanted to do that and they wouldn't let us do that, but they let the Bosnians do it. That's one of the

reasons that the last director was fired because she was fighting to defend the rights of the Hispanic community and eventually they let her go. See, a lot of times that's what happens. You become aggressive to the point where you see that nothing is happening and you see what's going on and you go in there and you let them know and they don't like what they're hearing even though it's true and they turn against you. They don't want to deal with you. They don't want to talk to you because you're telling them what is wrong and they're not doing anything to fix it.

Maria also had interesting viewpoints on how she felt the school district officials approach matters involving the equitable allocation of resources for all students. She feels that more attention is spent pointing fingers back and forth across the desk than actually working towards identifying solutions. To this end she recalled:

Everybody says that I'm very critical, but there are some good things. I don't deny. But I don't think there's enough and I don't think that we get enough input or we're allowed to come in and talk to the school administration as to some of the things they need to look at. The last superintendent we had we could come in and talk to him and he wouldn't write anything down. He'd just sit there and listen to us and nothing would ever get done. We explained to him what was wrong and some of the things we needed and he'd just sit there. That's why they fired him I guess. I can't put my finger on it. We're all prejudiced in one way or another but when it comes to people needing help I think everybody should be there to support them and do everything we can to help them despite our differences. A lot of people carry that grudge. A lot of them complain and say we're always pulling the race card. Well, if it's racial then it should be. If it's not racial then why should we use the race card? I said a lot of times they bring it out themselves...and they say no you guys think we're prejudiced or bigots and that's not the point. The point

is what can we do to work together? How can we put aside our differences? I don't know if that's ever going to happen in our lifetime.

When asked about her thoughts regarding the future of the school district after achieving unitary status, Maria was not very optimistic. After experiencing a long career filled with discriminating practices with marginal relief coming from the courts. Interestingly enough he has not ruled out returning to the legal arena to continue to seek relief. Consider his comments below:

I'm an old lady now and I've been around for a long time. Things have gotten better. Now that we've got this new administration I think we're going backwards now. It remains to be seen how far they go and whether or not anything gets done to better the situation or whether it's going to continue to deteriorate where eventually another lawsuit's going to be filed.

Application of Critical Race Theory

Critical Race Theory (CRT) emerged during the mid-1970s as a response to the failure of Critical Legal Studies (CLS) to adequately address the effects of race and racism in U.S. jurisprudence, as seems to be applicable in the Rockford case. CRT initially developed from the work of legal scholars Derrick Bell, Alan Freeman, and Richard Delgado (Delgado & Stefancic, 2001). Although CLS challenges the "meritocracy" of the United States, CRT focuses directly on the effects of race and racism, while concurrently addressing the hegemonic system of White supremacy on the "meritocratic" system (Crenshaw, 1995). In addition, CRT differs from CLS in that it has an activist facet, the end goal of which is to bring change that will implement social justice (Crenshaw, 1995), again a lens that is suitable to apply to the Rockford case.

Although CRT has been largely used in the area of legal research (Crenshaw, 1995), its influence has crossed over into other disciplines such as education. Ladson-Billings and Tate (1995) are two prominent researchers within the field of education that can be credited with introducing CRT the field of

education. Today, CRT is emerging as a powerful theoretical and analytical framework within educational research (Lynn, Yosso, Solórzano, & Parker, 2002). That being said, researchers have yet to fully utilize CRT to its potential, particularly in the area of education. Educational researchers have primarily focused on counter-storytelling and the permanence of racism (Parker & Lynn, 2002) and have yet to fully focus on the other aspects of CRT.

Counter-Storytelling

An essential tenet of CRT is counter-storytelling (Matsuda, 1995). Delgado and Stefancic (2001) define counter-storytelling as a method of telling a story that “aims to cast doubt on the validity of accepted premises or myths, especially ones held by the majority” (p. 144). Counter-storytelling is a means of revealing and critically assessing normalized discourses that promote racial stereotypes. The use of counter-stories provides opportunity for the challenging of privileged discourses of the majority and serving as a means for giving voice to disregarded groups. As a result, counter-storytelling “helps us understand what life is like for others, and invites the reader into a new and unfamiliar world” (Delgado & Stefancic, p. 41). In education, Solórzano and Yosso (2002) suggest that counter-stories can be found in various forms, such as personal stories and/or narratives. By engaging in counter-storytelling, I analyzed Raquel’s experiences as an African-American member of the Rockford community helping her children navigate through the Rockford Public Schools and expound on how they felt marginalized within a school community that strives to collaboratively engage all students in a world class education. In addition, Dr. Howard and Maria’s experiences were also analyzed through the lens of CRT. More specifically, their counter-narratives give them the opportunity to critically reflect upon their precarious positions of being people of color operating within a predominately White, school system in the Midwest. Furthermore, by telling their stories in their own words, their counternarratives allowed them to contradict the othering process, and, thus, challenge the privileged discourses that are often found at

elite, predominately White, schools. Through the use of participants counter-storytelling, I demonstrated how the various elements of CRT, including the permanence of racism, Whiteness as property, interest convergence, and the critique of liberalism, can be exposed and explored in a CRT analysis.

The Permanence of Racism

As previously mentioned in a previous chapter, one of the basic premises of CRT is the view of the permanence of racism in society. To this end, Derrick Bell (1992), one of the more prominent voices within the discourse avers, “racism is a permanent component of American life” (p. 13). The acceptance of the idea of the permanence of racism involves adopting a realist view of the American societal structure. Within a CRT framework, according to Bell (1995), a “realist view” requires realizing the dominant role that racism has played and continues to play in American society; this can be both a conscious and an unconscious act (Lawrence, 1995). Furthermore, the idea of the permanence of racism suggests that racist hierarchical structures govern all political, economic, and social arenas. Such structures distribute the privileging of Whites and the consequent othering of people of color in all arenas, including education. The following passage provides an example of the permanence of racism as demonstrated by Raquel’s observation of her perception of a hate crime demonstrated through racist behavior and unfair discipline procedures at her son’s school:

I would sometime take a break from work and go into the school and I would look for him on several occasions and I would not find him on the playground or in the school and I would go to the gym and they would have him sitting down in the gym among predominately white females in time-out, and he would be in there crying. I would go to him and I would ask him what’s wrong and he would say I don’t know...the teacher told me to go to time-out. On one occasion I remember finding the teacher in the teachers’ lounge and they were in there laughing and talking, just having a good time, but when they see me coming their whole expression

changed because she knew I was very angry. I wanted her to explain to me what he did to deserve to sit in there on the gym floor. She said he didn't have his papers arranged right or something to that effect. I watched them set up a discriminatory action by which they deliberately set up to destroy young male's spirit.

Raquel also described what she perceived as blatant unfair disciplinary decisions being made both before and during the litigation. Raquel also credits the continuous mistreatment of her children as the catalyst that inspired her to get further involved in the litigation. She also recalled the precision to which discriminatory practices taking place within the school district as being described as a form of Art. To this end she exclaimed:

Ultimately, the continued mistreatment of my children and others who looked like them is what motivated me to get involved in the case. One of the things that got me involved was the fact that I believe that it was the divine calling from God for me to intervene in this division of mis-education based on race and geographic location and income and all of that because the mistreatment was becoming an art form... I think this is what the judge called this discrimination lawsuit. He said that the Rockford School Board had discriminated to the point that it was an art form, and you and I know it takes time to draw a masterpiece in art.

Dr. Howard also recalled observing similar treatment of the African American athletes. In his recollections, he shared examples of how he watched the coaches beating up on the Black student athletes under the guise of breaking up fights. To this end he shared the following:

The teachers got so ridiculous in the way they would treat the kids. For example, if the kids got into a fight in the cafeteria, they had all the coaches in the cafeteria watching, and then when a fight would break out, those coaches would beat up those black kids. I'd watch them acting like they were breaking them up. They were hitting them, too.

Dr. Howard also lamented about the police presence that was involved with the African American student base. Dr. Dr. Howard spoke about the over reliance of law enforcement to address school related issues involving African American students. Dr. Howard shared one of these such memories as follows:

One of the big things that would happen is the police would come and arrest kids for anything. That's a big thing for a 16 year old to be marched out of the school by the police. And I never could get the police officers to see that. I said they have an office here. You could go to the office. You don't have to embarrass and humiliate them. It's not necessary. They said, they're just little crooks anyway, that was their attitude.

Maria also shared the following example of the impact of the permanence of racism on the bilingual programs as follows:

Right now we have a bilingual program that is funded mostly through state money but that money is supposed to be there for the needs of the bilingual program. The current superintendent that came in, he's just not listening. He's taking money away from the bilingual program and putting it into the regular program which in my mind is illegal. They're not supposed to do that. They're hiring staff using that money and those people have nothing to do with the bilingual program....totally separate from the bilingual program.

A CRT analysis would examine the disparity and import and impact of the disciplinary processes on the victims and victimizer, as well as the ways in which the school district's governance of policies and procedures serve to support the permanence of racism. CRT scholars have discussed the deleterious effects of hate speech and crimes on society. As such, a CRT analysis would explore the nature of the imposed consequences, including its meaning and intent. In doing so, it would explore the culture of the school, one that allowed the student to feel comfortable in producing such a consequence, as well as the manner in which the discriminatory practices may have encouraged racist

behavior and supported a hostile and alienating environment for the African-American students.

Ultimately, the participants did not feel that the granting of unitary status by the courts represented wholesale changes. When Raquel was asked what it meant to her personally when the court granted unitary status to the district she shared another example of the permanence of racism as follows:

Unitary status meant to me at that was a way of them taking back control of their school system. That's all it meant to me...to give them back control, and eventually it would be back to business as usual.

Unfortunately, all the things that we had demanded through the lawsuit they had said they would do, gradually was taken away in time. They placed a timeframe on the changes that ultimately would be and was eliminated over a certain period of time.

When asked about her thoughts regarding the future of the school district after achieving unitary status, Maria was not very optimistic. After experiencing a long career filled with discriminating practices with marginal relief coming from the courts. Interestingly enough he has not ruled out returning to the legal arena to continue to seek relief. Consider his comments below:

I'm an old lady now and I've been around for a long time. Things have gotten better. Now that we've got this new administration I think we're going backwards now. It remains to be seen how far they go and whether or not anything gets done to better the situation or whether it's going to continue to deteriorate where eventually another lawsuit's going to be filed.

Whiteness as Property

Another tenet of CRT is the concept of Whiteness as property. Legal CRT scholar Harris (1995) argues that due to the history of race and racism in the United States and the role that U.S. jurisprudence has played in reinforcing conceptions of race, the notion of Whiteness can be considered a property

interest. According to Harris, property functions on three levels: the right of possession, the right to use, and the right to disposition. In addition, the right to transfer, the right of use and enjoyment, and the right of exclusion are essential attributes associated with property rights. Harris suggests that these functions and attributes of property historically have been deployed in the service of establishing Whiteness as a form of property. Ladson-Billings and Tate (1995) suggest that in utilizing a CRT perspective to analyze educational inequity, the curriculum, and, specifically, access to a high quality, rigorous curriculum, has been almost exclusively enjoyed by White students. Tracking, honors, and/or gifted programs and advanced placement courses are but the numerous ways that schools have essentially been re-segregated. The formal ways that selection and admission into these programs are conducted guarantee that students of color have virtually no access to a high-quality curriculum or certainly one that will prepare them for college attendance (Oakes, 1995; Solórzano & Ornelas, 2002). Thus, through the many policies and practices that restrict the access of students of color to high-quality curricula, and to safe and well-equipped schools, school districts have served to reinforce this notion of Whiteness as property whereby the rights to possession, use and enjoyment, and disposition, have been enjoyed almost exclusively by Whites.

When describing her family's experiences with bussing within the school district, Raquel's accounts illuminated practices that reinforce whiteness as property as follows:

Overall, the various school officials were hesitant to take our kids out of our community and place them in eastside schools. Before long, school officials were coming to the schools on the Westside to review student records before they would allow for Westside students to be placed in Eastside schools. In my family's case, they would ask for the third daughter but my second daughter they did not want. The school didn't want my second daughter in their schools because of the difference in her

academic ability. My third daughter became a school teacher, however my second daughter was one of those children that needed extra special attention. She didn't have the self-confidence. I was even told to take my second daughter out of a predominately all white school on the Eastside. I was asked to take her out because she was not as advanced as the third daughter. I met with the principal at that time and I told him I refused to tell my daughter that she had to come out of that school because you all want to maintain a certain status level.

Raquel also described the differing experiences each of her children endured as they aggressively pursued equitable educational opportunities. Even when some of her children may have been granted access to schools with improved curricular opportunities, two variables remained – the improved schools served predominately White students and access was not universal for all of her children. To this end she recalls:

Later on I had two younger kids and they began to go to school. I put the fourth daughter in Ellis School and I had a white teacher stop me one day and tell me that my daughter was too intelligent and too bright to stay at Ellis which was a predominately all black school. She told me to take her out of Ellis and bus her to the Eastside. I did because I knew there were a lot of other advancements in the predominately east schools but I still wanted my daughter at her neighborhood school. At the same time, also felt that she wouldn't have gotten access to the best educational resources if she had stayed there. She did get in the all-white school and the next year I enrolled my son at Ellis even though no one ever said take him out of Ellis. Well, they didn't want him there. They did not want him to follow my daughter and go to this predominately all white school, but I sent him anyway. In his new school he was called a thief. He was pretty much put into detention for no reason at all.

During our interview, Dr. Howard shared another example of whiteness as property through his recollections on what he felt was systematic exclusion of African American girls from the cheerleading squad. Even after being identified as a member of the selection committee he described a biased process he felt was slanted towards the White candidates as follows:

So here I've got this evaluation instrument and it says basically that they have to be happy, gleeful, and peppy. So I'm looking at these black kids who were trying out who are moving in a very different way. So, I'm saying this thing that we're using to evaluate isn't going to work for the black kids because they're still not going to have "peppy". In addition to that the State Athletic Association said that the girls had to have a special evaluation from the teachers in these same issues such as "peppy" and so forth. So I'm saying why do the girls have to do this and the boys don't? The teachers would answer these questions, is she peppy? Is she enthusiastic? Well, you know our kids are cool. They're not going to come in a class doing that. So they never got to be a cheerleader. They had two strikes against them. So I finally went to Bill Bourne this is the problem and this is why. So he said let's see what happens the next round and the next round not one black kid made it.

Maria continued to talk about losses that occurred after the achievement of unitary status including her perception of the lack of support for the program by the new administrative team. In her conversation, she shared about systematic dismantling of the program by stripping the funding streams, ignoring mandates associated with the funding streams that should fund the program and reassigning of key staff. Towards these matters she bemoaned,

After getting unitary status...we lost Dr. Epps who I thought was one of the best superintendents we've ever had here because he was sensitive to our needs. There was a lot of money spent in the wrong places, but there was a lot of money spent that was helping our kids in terms of getting

them to the point where they should be. We made a lot of changes in terms of when you exited a bilingual student once that you feel that he's eligible to get into the regular classroom, but what they were doing is they were sending them to other schools and if he ran into trouble he'd fall through the cracks and nobody was there to help them.

Thus, as these examples illustrate, for many Black and Hispanic students within the Rockford schools access to high quality educational opportunities was dependent of access to schools outside of their immediate community. Moreover, the school reinforced "Whiteness as property" through its policies and practices that regulated the manner in which students had access to a guaranteed and viable curricular options.

Interest Convergence

An additional tenet of CRT is interest convergence. Bell (1980) suggests that civil rights gains within communities of color, and, specifically, those for African Americans, should be interpreted with measured enthusiasm. First, early civil rights legislation provided only basic rights to African Americans, rights that had been enjoyed by Whites for centuries. These civil rights gains were in effect shallow opportunities because they were basic tenets of U.S. democracy; however Bell (1980) argues that these very basic rights came only inasmuch as they converged with the self-interests of Whites. These concessions were offered to the extent that they were not viewed as a major disruption to a normal way of life for the majority of Whites. Additionally, given the immense disparities between elite Whites and most communities of color, gains that correspond with the self-interests of White elites are not likely to make a substantive difference in the lives of people of color.

Furthering this point, citing the limited gains of the Brown decision, Bell argues that losses in terms of human capital by way of the dismissal of many African-American teachers and administrators, school closings in Black neighborhoods, and the limited access to high-quality curricula in the form of

tracking, inflated admissions criteria, and other factors, have made the so-called gains from Brown questionable. This notion of interest-convergence is exemplified in Raquel's following account:

At the time my oldest child was in elementary school she attended a predominately all black school. Around that time they started this whole chaotic situation about saving the cost of the educational system here by closing that school. Therefore, she was mandatorily bussed out of our community and then I had to attend an all-white schools. At that time I noticed that concerns I did not have to focus on when she was in that predominately black school and the care she received in that predominately black school had changed. Not saying that where they bussed her to was a bad school, but the whole focus wasn't family oriented, it was more like pointing out failures or faults. So that's when I began to notice a change in direction of education.

Raquel also added her reflections on the impact of the district's desegregation efforts on the Black community. More specifically, she shared about school closings in the Black community as follows:

This is about the different students in this school district as it relates to race and to schools and how many you've got in the grades. It lets you know how many students you have in this school as total, but then you have to go back and find out where are all these students going to school. There's two schools they just closed....they closed Rock River...that's a predominately all black school. So those kids are going to have to be bussed out of their community to go somewhere else. That was one of my concerns...here it is here....Rock River...they just closed that school. They had 76 white, a 107 black, 3 Asian, 30 Hispanic...that school is closed. Another school they eliminated was the school on the far Westside of Rockford, William Denning, that's out there by the low income housing

project. They're going to bus those kids out of their schools, divided them up into about 4 or 5 different schools.

When reflecting on the current state of affairs within the school district following the achievement of unitary status Raquel lamented about further negative consequences on the Black community as a result of the desegregation efforts. To this end she shared the following:

Today, we don't have anything to show for it now. We received new buildings but most of the minority people that the lawsuit brought inall of those people are gone. A lot of the principals that were here and were involved in educational system before and during the lawsuit, they have either left Rockford or they're retiring out of the school system. And I don't think we have a real strong recruitment group that's trying to recruit minorities back into the school system.

Dr. Howard also talked about the systematic way in which the school district discriminated against students of color, even when they were under court supervision. As surprising as it sounds, blatant behavior continued long after the courts began to intervene. At one juncture, renowned desegregation scholar Jeannie Oaks testified in open court regarding some of these practices. Dr. Howard recalls listening to her testimony being given:

I was in court the day she testified. The judge stood up and said I don't even believe that. She talked about how they cheated because the lawsuit said they couldn't track the kids so they color coded the kids and tracked them anyway. I'm telling you it's bad. Anyway, those kids at Auburn are still suffering....the black kids.

A CRT analysis of Raquel's experience examines the ways in which the interest- convergence factor manifested in the school's desire to limit access to high quality curricular opportunities for African-American students. In particular, the varied degree of support each of her children received as she pursued school transfers further illustrates the system's attempt to limit the

degree of discomfort that would take place as a result of implementing the desegregation initiatives. While some African-American students would theoretically have access to a high-quality education by attending, White school out of their community, access was not universal. Many scholars have also illustrated that even though some minority students may gain access to schools with increased resources through bussing, they rarely participated in honors or advanced placement courses due to inflated admissions criteria to these programs. In addition, Raquel reflected on the number of schools serving majority Black students that closed, as well as the large number of Black teachers and administrators who lost their positions as a result of “budget tightening” once unitary status was achieved. In addition, Dr. Howard’s recollection of the expert testimony given during the litigation also demonstrates the school district’s reluctance to eliminate their tracking practices, even when under court order. This would also limit access to certain programming for minority children who were bussed to majority White schools.

Critique of Liberalism

The last tenet of CRT to be discussed is the critique of liberalism. CRT scholars are critical of three basic notions that have been embraced by liberal legal beliefs: the notion of colorblindness, the neutrality of the law, and incremental change. At face-value, all appear to be desirable goals to pursue to the extent that in theory, colorblindness and neutrality allow for equal opportunity for all. Yet, given the history of racism in the U.S. through which rights and opportunities were both conferred and withheld based almost exclusively on race (and was/is reinforced through legal structures), the idea that the law is indeed colorblind and neutral is inadequate and disingenuous to restore its harmful effects. In addition, the notion of colorblindness fails to take into consideration the persistence and permanence of racism and the construction of people of color as other. Colorblindness, as Williams (1997) suggests, has made it nearly impossible to question both the ways that White

privilege is deployed and the normalizing effects of whiteness. Hence, difference, in the colorblind discourse almost always refers to people of color because being White is considered normal. Furthermore, CRT scholars argue that colorblindness has been adopted as a way to justify ignoring and dismantling race-based policies that were designed to address societal inequity (Gotanda, 1991). In other words, arguing that society should be colorblind ignores the fact that inequity, inopportunity, and oppression are historical artifacts that will not easily be remedied by ignoring race in the present society.

Adopting a colorblind philosophy does not eliminate the possibility that racism and racist acts will persist. Under the notion of incremental change, gains for marginalized groups must come at a slow pace that is acceptable for those in power. In this discourse, equality, rather than equity is sought. In seeking equality rather than equity, the processes, structures, and ideologies that justify inequity are not addressed and dismantled. Remedies based on equality assume that citizens have the same opportunities and experiences. Race, and experiences based on race are not equal, thus, the experiences that people of color have with respect to race and racism create an unequal situation. Equity, however, recognizes that the playing field is unequal and attempts to address the inequality. Therefore, incremental change appears to benefit those who are not directly adversely affected by social, economic, and educational inequity that come as a result of racism and racist practices. As stated earlier, response to the discriminatory practices that were taking place within Rockford Schools, the community turned to the legal system for relief. Law often champions that justice is blind. The problem remains that the individuals running the legal system are not! After it was proven that discrimination was rampant within the Rockford Schools through the People who care lawsuit, much debate remained on acceptable solutions to the issue. Raquel shared her thoughts on how she felt the courts viewed the matter:

I feel the court believed that we were a victim of circumstances... we were naturally inferior. So over a quarter billion dollars was spent to bring up the inequities in the education system here in Rockford. They also brought some gentleman in, and I can't remember his name, but he testified about black and white people, that we were left brain thinkers and they were right brain thinkers and we were naturally inferior to them. They brought all that kind of documentation and that the different programs that they implemented like all day kindergarten and these different reading programs was money spent but the kids were still not coming up to the same level as the other kids. That they had done their part but because there were so many African American children that was in poverty status that the school system take care of all their ills. In other words, we were just destined to be like we are.

As a result, a quarter of a billion dollars mostly stemming from the tax base was spent over many years in an attempt to resolve these issues. Unfortunately, when reflecting on the aftermath of it all, Raquel remains unsatisfied with the end result. Although there are some benefits she can identify as a result of the efforts, by in large she feels things in Rockford has regressed back to business as usual. In the end Raquel described the entire effort as expensive window dressing as follows:

... if you want me to tell you the truth the whole People Who Care is nothing but a cosmetic dressing as relates to the result because what they did is they put new schools in our community and they came up with good programs, but you have to look at who's reaping the result of it. All in all, there were so many people who thought that this lawsuit was forcing a school system to change even though many of the people of the system were not ready or willing to accept or deal with the disenfranchised.

Dr. Howard would also share his recollections on the negative impact bussing had on the students during this time. He lamented:

The kids were being bussed in from south Rockford, across the river, and if they wanted to go to the Vocational School, the deal was you go to your school first and then a bus would take you to the Vocational School. Well, the African American kids would have to get up at 5:00 in the morning to get a bus to go to school to catch another bus. As I continued to fuss about that, it was like, we don't care. And then the research, whoever was doing the research at the time, said black kids don't like to go to vocational school. Some of that is true....some of the parents would say you're not going to vocational school. But the vocational school they had there was computers, being able to deal with big machines. It was not the kind of thing you think of as vocational school like hair dressers. Anyway, you cannot put those kids on the main street with is in the hood at 5:00 in the morning to catch a bus. This is ridiculous. Nobody cared.

When asked to share his thoughts on why there have not been additional gains as a result of the People Who Care case, Dr. Howard shifted his reflections towards the achievement gap between African American students and their White counterparts as follows:

If those white teachers are able to bring those kids grades up what is the question that follows that? The question that follows that is why didn't this happen before? They're not going to bring those grades up because they'll be held accountable. So it's better to just say they're stupid, they're just dumb they can't do anything. I try. That's number 1. Number 2 is the union. The union is the strongest union in the country. It is a disgrace to kids. It's the kids that are hurt as far as I'm concerned and it's set up to protect the weakest teachers in the district. It's a contract like you wouldn't believe and I'm a big union person. The first strike that we had we were just trying to get the elementary teachers time to go to the

restroom. That's how awful the districts were. Then they got a hold on the district and it's just ridiculous the kinds of things they have now. The union got stronger than ever after the lawsuit because they felt the lawsuit was after the teachers, and it was in many respects because we had these children who weren't doing well. Part of the problem is one...many of the teachers are so racist....they think the black kids are stupid...they think the parents are stupid, and they think other black people like me are stupid.

A CRT analysis explores the ways in which the litigation challenged and changed racist practices and policies. A limitation of the liberal commitment to diversity was manifested in the steady regression of minority hires, and development of a high quality educational system that equitably served all stakeholders. Interestingly, those most satisfied with incremental change are those less likely to be directly affected by oppressive and marginalizing reality for the disenfranchised. A review of the legal landscape surrounding school desegregation efforts in Rockford illuminates this point. Consider the following:

- April 1989 - People Who Care files complaints with the U.S. Department of Education and the Illinois State Board of Education. School leaders admit that some past reorganization efforts might have been not right, but the current plan is not discriminatory.
- November 1989 - Plaintiffs file a second complaint that minorities have been discriminated against for decades and the district has not carried out the First Interim Order. Superintendent Maurice Sullivan calls the move costly on several fronts, estimating that the lawsuit will cost the district and taxpayers \$1 million.
- April 1991 - Another lawsuit says the district failed to live up to its end of the First Interim Order. This leads to a second agreement, which forces a district review of discipline and fairness procedures. It orders Marsh and River Dahl schools reopened, Church School replaced by the magnet

Lewis Lemon Global Studies Academy, and special academic programs and curriculum for at-risk children in elementary schools with high minority levels. The cost: \$51 million.

- April 1993 – February 1994 - On November 3rd, federal Magistrate Judge P. Michael Mahoney issues a 747-page opinion on Rockford schools, condemning the district for “consistently and massively” breaking the law by segregating minorities. The district does not appeal the finding of guilt. In 1994, U.S. District Court Judge Stanley J. Roszkowski finds the district guilty of discrimination against Black and Hispanic children; the finding costs taxpayers more than \$250 million over 13 years.
- August 2000 - Judge Mahoney rules that the district should remain under court supervision through the 2005-2006 school year. He blasts the School Board for “bad faith” actions, saying it “cannot be fully trusted” to give minority students a fair shake.
- April 2000 - The U.S. Court of Appeals rules that the district can have local control in 2002.
- June 2002 - The discrimination lawsuit ends when unitary status is granted to the district. In the end, the Rockford School District was ordered to spend upward of \$250 million to build schools in underserved areas, revamp curriculum, and submit to court oversight of building plans and boundary changes.

Note - See Appendix A for additional timeline highlights.

In the end, after over a quarter of a billion dollars was spent to reverse the vestiges of discrimination, the participants were only able to identify superficial adjustments made by the school district. The timeline above demonstrates that on multiple occasions the People Who Care pleaded their case in the courts to seek access to equal opportunities for their children in Rockford public schools. Even when the courts initially agreed their position, enough was not done to ensure the needed wholesale changes that were needed. One could argue that

stalling tactics by the school district wore down the plaintiffs and the courts until the legal definition of satisfactory progress changed across the national legal landscape. More details regarding the national desegregation timeline are outlined in Appendix B.

CHAPTER FIVE

DISCUSSION

Twenty years after the Rockford School District was hit with a lawsuit by People Who Care, in which the district was found guilty of decades of “cruel” discrimination against minority students, the legacy of discrimination still lingers in a district challenged by low graduation rates and high poverty. This study analyzed the participants’ perspectives on their educational experiences within the Rockford Public Schools and allowed them to give voice to their own histories. It is hoped that this study will add to, and enrich, existing literature regarding the educational experiences of the disenfranchised within the Rockford community.

Generally speaking, history has been recorded by the privileged about the privileged. Many gaps exist in historical text because the voices of the underprivileged have been ignored and forgotten. When gaps, such as these, exist, and they can be bridged, historians should seek ways to offer various perspectives on the way things were. For the purposes of this study, I sought to search and find the voices of those who had been under represented or ignored in historical texts. Their voices, like the voices of the privileged, deserve to be heard and recorded for all to hear. In an effort to bridge the gap regarding the attempted desegregation of the Rockford School District and how it affected the African-American members of Rockford, Illinois, I conducted this case study.

The purpose of this case study was to discover the voices of segregated African-Americans who experienced attempts of integration into White schools in the midst of great turmoil. Inequitable educational conditions for their children caused members of the community to turn to the courts for relief. In fact, when the dissatisfied members of the Rockford Community began to fight for their rights to have their children attend schools that provided equitable educational opportunities, the courts reaffirmed what they already knew. Magistrate Judge P. Michael Mahoney found that for decades the School District

manipulated attendance zones to maintain one system for white students and another for poor, black and Hispanic students.

“The following opinion relates the activities of a school district that has consistently and massively violated the dictates of Brown v. Board of Education,” Mahoney wrote in a 747-page opinion issued Nov. 3, 1993. “It is the story of a school district that, at times, has committed such open acts of discrimination as to be cruel and committed others with such subtlety as to raise discrimination to an art form.”

To avoid integration, minority students were crammed into schools that were over capacity. They were given inferior facilities, equipment and supplies. School officials testified that black students were given harsher punishments than white students in predominantly white schools. Students were tracked into ability groups to keep white and minority students separated. And it was all but impossible for a student to move from one ability track to another.

“One could, simply by walking into a class and looking at the color of the children’s skin, determine if the class was a high-, middle- or low-ability class,” Mahoney wrote.

As I recorded the voices of the participants of this study, they discussed some of these issues regarding desegregation efforts in Rockford and how it related to their educational experiences during the desegregation movement. The research questions that guided this study were the following:

- A. Has the Rockford School District changed as a result of being granted unitary status? Why or Why not?
 - a. What systemic changes have occurred within the Rockford School District as a result of being granted unitary status?
- B. How do the Rockford residents feel about the district’s desegregation efforts?
 - a. What stories/experiences are Rockford residents telling about race, desegregation, and schooling?

During the initial stage of the study, I designed these two questions and researched the most effective way to conduct the study so that these questions would be answered. I chose to conduct a qualitative study in which participants would construct their own meanings of their personal experiences. Their stories and anecdotes would answer my two guiding questions. The most logical methodology for this study was that of case study, and the lens through which I viewed the data was that of critical race theory. CRT is a methodology that meshes people's life stories to events in history. Its emphasis on historical events distinguishes it from that methodology known as life history, which does not connect people's stories to events in history. Consequently case study methodology was used to investigate the desegregation efforts of the Rockford Public Schools.

To this end, I conducted interviews with each participant. Each interview had a specific purpose. The first interview was conducted to gather the narratives/ experiences of one of the plaintiffs associated with the People Who case. Subsequent interviews took place for the purpose of triangulating the information gathered from my main participant. Through the course of these interviews with various participants, I reflected on whether or not the participants felt satisfaction with the school district's desegregation efforts.

Overview of the Findings

Based on the data that I collected from the interviews with each participant, I concluded that the participants were not satisfied with the desegregation efforts that took place. Whereas superficial some benefits were identified as a result of the desegregation efforts, these outcomes were categorized as being superficial at best. When asked about the changes that occurred as a result of the being granted unitary status all three participants lamented about a slow and gradual return to business as usual prior to the litigation. Many of the new positions that were created and filled by African Americans within the community have been systematically phased out.

Consequently, all three participants also felt deep disappointment that more was not accomplished considering the scope and size of the effort. This condition occurs when an individual accepts his or her oppressed situation as a part of life. The individual has grown accustomed to his or her situation and is almost numb to the idea that it could or should improve. These participants turned to the courts in search of relief of discriminatory practices that were limiting their children's educational opportunities. Even when validated by the courts time and time again, sufficient relief continued to escape the plaintiffs.

Although the legal arena has not solved the issue at hand, it has provided greater insight into the complexities of the problem and has fueled the drive for liberation by the plaintiffs. The steps taken by the plaintiffs appear to have triggered the first stage of Freire's pedagogy of the oppressed.

Freire's Pedagogy of the Oppressed

Freire (2006) has identified two stages that oppressed people go through. In the first, the oppressed unveil the world of oppression and through the praxis commit themselves to its transformation. In the second stage, in which the reality of oppression has already been transformed, this pedagogy ceases to belong to the oppressed and becomes a pedagogy of all people in the process of permanent liberation. (p. 54)

Freire's (2006) first stage of the pedagogy of the oppressed has three distinct levels. The first level take place when oppressed people simply accept their oppression. They neither question it nor think that they should fight against it. Their oppression is a part of life. As time goes on, oppressed people often move to the second level of reflecting on their oppression. They are no longer submissive and biddable. They realize that their oppressive state is occurring because they have allowed someone to control them. Reflection naturally leads oppressed people to Freire's (2006) third level, praxis. Upon reflecting on their state of affairs, the oppressed unite to rise up against their oppressors.

As long as the oppressed remain unaware of the causes of their condition, they fatalistically “accept” their exploitation. Further, they are apt to react in a passive and alienated manner when confronted with the necessity to struggle for their freedom and self-affirmation. It is only when the oppressed find the oppressor out and become involved in the organized struggle for their liberation that they begin to believe in themselves. This discovery cannot be purely intellectual but must involve action; nor can it be limited to mere activism, but must include serious reflection; only then will it be praxis. (Freire, 2006, pp. 64-65)

Freire (2006) describes what the oppressed go through in their fight for freedom. I noticed, during my analysis that the Rockford “People Who Care” went through all three levels of the first stage of the pedagogy of the oppressed during their struggle for equality. The evidence from the data supported and gave credence to his theory regarding the pedagogy of the oppressed.

In the beginning the disenfranchised community within Rockford accepted their fate as a part of life. Years later, however, the disenfranchised people of Rockford became conscious of their oppression and were renewed with a desire to change their situation. After recognizing that they were being oppressed, they reflected on it, and then decided to fight for equal access to education. In the end, they were victorious in the legal arena, however it is clear additional work is needed to bring forth the desired liberating effect. Ultimately, I was surprised that all of Freire’s (2006) levels of the first stage of the pedagogy of the oppressed were found in their stories, as I did not allow this theory to drive the data. On the contrary, after having conducted the interviews, I then reflected on Freire’s (2006) Pedagogy of the Oppressed, one of the readings from my doctoral course load. This reflection led me to the conclusion that this theory supported the outcome of this study.

Stage One: Acceptance, Reflection and Action

The first stage of Freire's pedagogy has three levels: acceptance, reflection and action. In this first stage of the pedagogy of the oppressed, Freire (2006) believes that when oppressed people are unable to identify the cause of their oppression, the first level that they experience involves accepting their lot in life resignedly. At this level, oppressed people behave submissively toward their oppression. Either they do not want to contest it, or they do not know how to fight it, or they simply do not recognize that they can resist it.

When they have a "moment of awakening" (p. 64), however, they begin to move to the second level of reflecting on their condition. Many oppressed people at this level begin to plan acts of uprising toward their oppressors in their desire to gain emancipation. The third level takes reflection one step further. Oppressed people at this level begin to act as they reflect because action and reflection work hand in hand. Oppressed people at level three rise up and seek to overcome oppression. Freire (2006) writes,

The insistence that the oppressed engage in reflection on their concrete situation is not a call to armchair revolution. On the contrary, reflection – true reflection – leads to action. On the other hand, when the situation calls for action, that action will constitute an authentic praxis only if its consequences become the object of critical reflection. (p. 66)

While the disenfranchised people of Rockford, Illinois did seemingly accept that they were oppressed initially, they reflected upon it and eventually came together to combat against it. Angered by school closings in their neighborhood, in 1989, the "People Who Care" formed to fight the changes. This group filed complaints with the U.S. Department of Education and the Illinois Department of Education. With the belief that their efforts and protests were being ignored, the group recruits a civil rights attorney and filed multiple lawsuits seeking legal assistance to remediate the discriminatory practices taking place within the Rockford schools.

Level one: Acceptance.

During the interviews the participants explained that initially, discriminatory practices were par for the course in Rockford Schools. The courts also affirmed this belief by describing the discriminatory practices taking place within the school district as an art form. The disenfranchised residents of Rockford accepted life as it was, even when it was not fair, because they did not see any way out. They have come to believe that their oppressed state is just a part of life.

Level two: Reflection.

Accepting oppression is only the initial level that the oppressed go through. When the disenfranchised stop and think about their situation, they realize that things are unfair and that they need to change. This second level, which is reflection, is the bridge between acceptance and action. Indeed it is where attitudes begin to change and people begin to unite to bring about social justice. It includes memories of how things were, thoughts on how things are, and the wonder of how things could be.

Raquel's educational experiences and observing the experiences of her children during the desegregation movement caused her to constantly reflect on how her life had changed, why she and her children was being oppressed, and what she should do about it. Raquel commented that some of the teachers at her children's school tried to embarrass the minority students through the application of questionable policies and procedures associated with student discipline. Raquel understood that some people made her children (and others minority children) the object of oppression because of their ethnicity, but she did not accept that people should judge others based on the color of their skin. She believed that she should fight oppression and in her own way, she did so. She stated that she knew that the schools she was bussing her children to did not want all of her children to attend, but that she resisted by registering all of her children in the school of her choice. This reflection led Raquel and the "People Who Care" to Freire's (2006) third level of action.

Level three: Action

Freire (2006) insists that action without reflection is merely activism. Action coupled with serious reflection brings about praxis (p. 65). Praxis differs from activism in that it renews the minds of the oppressed. They begin to believe in themselves and value themselves as equals to other ethnic groups.

As I read Raquel's transcripts I noticed something very interesting. She spoke of the action of the "People Who Care" as well as her own individual action in the fight against oppression. When I asked about the court cases in which the "People Who Care" sought to have equal access to educational opportunities for their children, she was able to tell me about the community leaders who came together to bring their case to the Supreme Court. She was able to tell me the names of the people who led the movement as well as some of the initial changes she began to see. She was also able to share with me the names of the lawyers and community leaders who either helped or hindered their cause. Raquel connected with the community in the fight against discrimination, and also was individually involved in the fight. Raquel's narrative is an example of what Freire (2006) means when he states, "The oppressed must see examples of the vulnerability of the oppressor so that a contrary conviction can begin to grow within them" (p. 64). When Raquel and the "People Who Care" brought forth their lawsuit, the school district's vulnerability was exposed. As Raquel reflected on her oppression, she acted against every form of oppression that she encountered.

"The pedagogy of the oppressed has two distinct stages. In the first, the oppressed unveil the world of oppression and through the praxis commit themselves to its transformation" (Freire, 2006, p. 54). Freire's (2006) levels of the first stage of the pedagogy of the oppressed include acceptance, reflection and action. The overwhelming evidence from the Raquel's Dr. Howard's and Maria's interview strongly supported his claim. "In the second stage, in which the reality of oppression has already been transformed, this pedagogy ceases to belong to

the oppressed and becomes a pedagogy of all people in the process of permanent liberation” (Freire, 2006, p. 54).

During the first stage of the pedagogy of the oppressed, the People Who Care, after accepting their situation and reflecting upon it, eventually came together to fight against their oppression. They recognized that they were being oppressed and had to overcome many obstacles in order to be able to successfully liberate their minds and conditions they were experiencing. The obstacles they had to overcome were sometimes their own feelings of worthlessness. This lack of self-esteem was indisputably caused by other people pointing out their differences and prohibiting their participation in academic, community. All three participants gave examples of how the minority children of Rockford were made to feel inferior in school by being labeled as criminals, less than capable. More specifically, Raquel’s children had to overcome their feeling of being less valuable before they could fight oppression. Her children know that they are intelligent, and they also knows that others are not better than they are, but they had to overcome the obstacle of self-doubt before they could move on.

Raquel’s children, and many of the other minority children in Rockford were faced with great opposition each day. They also had to overcome the obstacle of not letting others keep them down. They were determined to fight against those who wanted to hold them back. Raquel, likewise, was determined to overcome oppression. She was determined to overcome the hardships that she had endured while trying to help her children graduate from high school. She did not allow her past to defeat her will to ensure her children would succeed. Maria expressed the same sentiment when describing her work in association with the bilingual students of Rockford.

In their praxis, Raquel and her children had a renewal of their minds. Their self-esteem improved greatly and they had a strong will and determination. This change in their attitudes caused them to believe in themselves and to believe in disenfranchised members of the school community.

This is how the community was able to come together to start the process of bringing about change; they first had a change of mind, which produced a strong united front as they acted against their oppressors.

When speaking about the community of Rockford, Illinois following the achievement of Unitary Status, Raquel reminisced about the way things were while acknowledging the change that has come. She also mentioned that some people from the older generation still have the same mindset that they had during the litigation even though the world is changing around them. When talking about White members of the older generation, Raquel made a comment that she believed that some of them still held something against the plaintiffs. This is illuminated by her belief that the lawsuit could not adjust the hearts and minds of the people being called out for discriminatory practices. Although some changes have occurred, they have been slow and incremental. In other areas, there has been a complete regression away from the efforts associated with the desegregation efforts leaving much to discuss regarding next steps.

From Segregation to Integration

The first stage of Freire's (2006) pedagogy of the oppressed, as mentioned earlier, involves acceptance, reflection and action. Freire's (2006) second stage of the pedagogy of the oppressed involves "permanent liberation" (p. 54). Once the "People Who Care" united to confront and battle segregation, they ignited the spark toward this "permanent liberation" (p. 54). They were tired of the way things were and had decided that they were not going to tolerate a second class status any longer. Confronting their oppressors, through court battles, was a way to become more fully human, and as Freire (2006) would say, a way to help their oppressors become more fully human. He states,

Consciously or unconsciously, the act of rebellion by the oppressed (an act which is always, or nearly always, as violent as the initial violence of the oppressors) can initiate love. Whereas the violence of the oppressors prevents the oppressed from being fully human, the response of the latter

to this violence is grounded in the desire to pursue the right to be human. As the oppressors dehumanize others and violate their rights, they themselves also become dehumanized. As the oppressed, fighting to be human, take away the oppressors' power to dominate and suppress, they restore to the oppressors the humanity they had lost in the exercise of oppression. (Freire, 2006, p. 56)

In essence, oppressors actually want the oppressed to rise up and confront them because they want to be more human and less monstrous. Once the "People Who Care" pressed their rights in pursuing equal rights, the Whites, who were oppressing them, lost their power to segregate and had to find a way to work together. This process encouraged dialogue which brought these two groups closer together and to a degree, lessened the amount of social distance (Schumann, 1976) among them.

While times have changed, studies such as this one are needed to remind us of how things were, so as not to repeat them. Making the transition from a segregated school system to an integrated school that provides equitable access to educational opportunities for all students remains very challenging for the Rockford School District. Prior to the litigation that took place, if the Rockford Public Schools took seriously the challenge of preparing all students for the high standards of public high school, the social transition might have been more bearable. Since many members of the disenfranchised community were not adequately prepared academically for the challenges of school that provide access to increased academic rigor, they were set up for failure. Within Rockford schools, the attitudes toward the incoming minority students were not as warm-hearted. The negative attitudes of some of the students and teachers, coupled with the fact that the bussed in students were not prepared, made the transition from segregation to integration a constant battle, both socially and academically.

Advantages and Disadvantages of School Desegregation through Bussing

Busing is a plan for promoting school desegregation, through which minority students are transported to largely white schools and White students are brought to largely minority schools. It is intended to safeguard the civil rights of students and to provide equal opportunity in public education. In addition, as was the case in Rockford, busing is an example of affirmative action by way of attempting to undo or compensate for the effects of past discrimination. Such action is sometimes called compensatory justice.

Busing was first endorsed as part of school desegregation programs in response to federal court decisions establishing that racial segregation of public schools violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution. In Green v. County School Board, (1968), and Swann V. Charlotte-Mecklenburg Board of Education, (1971), the Supreme Court established that federal courts could require school districts to implement busing programs as a means of achieving racial integration of public schools. It should be noted that even before these decisions, nearly 40 percent of the nation's schoolchildren were bused to school. And before 1954, when the Court declared racial segregation in public schools unconstitutional in Brown V. Board (1954), children were often bused to segregated schools that were beyond walking distance from their homes.

With the Supreme Court decisions in Green and Swann, busing became one of the most controversial topics in U.S. law and politics, particularly in the 1970s. Although the enthusiasm for busing as a remedy for past racial injustice had diminished greatly by the 1990s, busing remained a feature of most school desegregation programs and continued to stimulate ongoing discussions.

The Case for Desegregation through Bussing

Those who are in favor of busing echo the Supreme Court's claim in Green and Swann, that racial integration in and of itself is a worthy social goal and that busing is an effective means of achieving that goal in public education. These supporters point to the harmful legacy of segregation in education. Before

Brown, African-American children were taught in separate facilities that were usually inferior to the facilities used by whites, despite official claims that they were equal. Such segregation worked to keep African Americans at a disadvantage in relation to Whites. It instilled feelings of inferiority in African-American children and seriously diminished their opportunities and educational achievement.

Supporters of busing also often claim that de facto segregation exists even decades after the Civil Rights Movement and the reversal of racial segregation laws, which occurred in the 1960s. It is argued that a large White, wealthy upper class and a large minority, poor under-class are transported, employed, housed, and educated in different settings. Often wealthy people live in the suburbs and have the advantage of attending schools that benefit from the tax base of its residents, while the poor live in the cities and attend schools that do not benefit from a robust tax base. Growing up in their separate neighborhoods, children from higher socioeconomic levels thus have many advantages that poorer children do not: more space at home, better schools, nutrition and healthcare, greater cultural and intellectual stimulation, and friends and acquaintances with higher social status providing better job and career prospects.

Advocates of desegregation through busing also declare that existing inequalities must not become greater and that desegregation in education will go a long way toward ending them and creating a more just society. They also point out that U.S. education has historically worked to ensure a society in which class hierarchy is minimized and social mobility, both upward and downward, is maximized. Therefore busing will help avoid the creation of a permanent underclass in the United States.

The Case Against Desegregation through Bussing

Those who oppose busing make a variety of different points against it, although they do not necessarily oppose integration itself. Challengers claim that busing serves as a distraction from more important educational goals such as

quality of instruction. Busing too easily becomes a case of form over substance, in which the form of racial integration of education becomes of greater value than the substance of what is actually taught in schools. Critics of busing would rather focus on the environment in a school and in its classrooms than on achieving a particular number of each race in a school. Justice Lewis F. Powell Jr. echoed these sentiments in an opinion to a school desegregation case, Keyes v. Denver School District, (1973). In Keyes, he wrote that in an era of declining student achievement, it is wrong to turn the attention of communities "from the paramount goal of quality in education to a perennially divisive debate over who is to be transported where."

Critics also claim that busing causes white flight. This occurs when Whites move their children from integrated public schools to private and suburban schools that are largely White. This results in an even greater disparity between white and black, rich and poor. According to this scenario, busing only aggravates the current situation, making public schools and cities even more the exclusive domain of the poor and disenfranchised.

Those who oppose busing also point out that many times, the same court that requires busing does not provide guidance as to funding it, thereby creating financial headaches for school districts. Related to this issue is the claim that busing is too costly, especially when school districts are forced to purchase new buses in order to start a busing program. In financially strapped school districts, spending on busing sometimes takes away funding for other educational priorities.

Some of those who oppose busing favor racial desegregation but do not view busing as a good way to achieve that goal. Instead, they support a gradualist approach to social reform. According to the gradualist view, it will take generations to achieve the goal of racial desegregation in education and in society as a whole. Busing only interferes with the overall goal of integration, because of the sudden and disruptive changes which include white flight.

Others oppose busing on the grounds that neighborhood schools are the best way to educate children. In this camp are both those in favor of racial integration in education and those against it. Neighborhood schools allow parents to have a greater influence on their child's education by making it easier to visit the school and speak with a teacher. Such schools also give children a sense of identity and instill pride in their community. Busing children to a school across town will not inspire pride in their school. Advocates of neighborhood schools also point to statistics that indicate that bused students are more alienated from their school and thus experience greater problems, including decreased academic performance and increased delinquency.

An even more fundamental question related to busing is whether racial integration is in itself a valuable goal for public schools. Those who take opposite sides on this question rationalize different sociological evidence. In the 1950s and 1960s the Supreme Court was influenced by the "contact" theory of racial integration. According to this theory, the better one knows those of another race, the more one is able to get along with them. Sociologists reasoned, therefore, that integrated schools would increase understanding between the races and lower racial tensions.

In the same years, supporters of racial integration argued that racial integration would boost the self-esteem, academic achievement, and ultimately opportunities and choices of members of minorities. For example, a report issued by sociologist James S. Coleman (1968), concluded that minority children improve their academic performance when they attend classes where middle-class white pupils are the majority. Coleman's report also claimed that the most important indicator of the academic performance of minority and lower-class students is the educational level of their classmates. The report was seized upon by many as a reason to institute court-imposed busing plans for school districts.

By the 1970s and later, other sociologists challenged liberal theories that school desegregation would lead to greater racial harmony and improved

academic performance by African Americans. Coleman, too, became more skeptical about busing and argued that voluntary programs were more effective than government-imposed plans in achieving school desegregation. Others went so far as to claim that integration only increases hostility and tensions between the races. They argued that African-American students who are bused experience a decline in their educational achievement in school. Some studies have in fact shown that students who are bused grow more rather than less hostile toward the other race or races. In addition, some studies have indicated that in many schools where the desired percentages of races have been achieved through busing, students interact largely with those of their own race and thus segregation within the school prevents true desegregation.

By 2003 the anti-busing viewpoint appeared to have prevailed. As is the case in Rockford, during the 1990s federal courts released many school districts from supervision by declaring these districts free of the taint of state-imposed segregation. The 1999 release of the Charlotte-Mecklenburg district from court supervision was a symbolic moment, marking the end of an almost 30 year experiment in which the courts used busing to attempt the desegregation of public schools. That same year the Boston public schools, which had endured years of conflict over busing, ended race-based admissions and its busing program. Even cities such as Seattle, which voluntarily adopted a busing program in the 1970s, abandoned the practice in 1999.

Implication for Today's Educators

The community of Rockford, Illinois have experienced and endured decades of efforts to improve their schools and address historical social and academic ills. One consideration that resonated throughout this study was the impact of identity formation within the context of school desegregation efforts. Identities, according to Holland, Lachicotte, Skinner and Cain (1998) “being lived – unfinished and in process, never arrive in persons or in their immediate social

milieux already formed and happen in social practice” (p. vii). They are how people perceive themselves, and they are dynamic, fluid and ever-changing.

People form their own identities based on how they position themselves in society. Sometimes cultural forces affect people’s identities of themselves by telling them who they are and what they are worth. An educational atrocity occurs when educational institutions exclude people from attending its establishment. Not only is this exclusion a political statement against a group of people, but it also has an effect on the way these excluded people view themselves in the context of society.

Segregated groups have a tendency to view themselves as being inferior to the dominant group. Groups that have not experienced oppression, on the other hand, are often taught to think for themselves. They often develop the sense that they are equal to others instead of being below them. They tend to have a very healthy sense of self and become independent thinkers. “Identity is a concept that figuratively combines the intimate or personal world with the collective space of cultural forms and social relations” (Holland et al., 1998, p. 5). In essence, our understanding of who we are is based on our internal perceptions of ourselves as well as society’s perception of us. The educational implication of this concept is simply that our students will believe in themselves if we first believe in them. If we express an interest in their culture, their beliefs and their values, then they will come to understand that their culture, beliefs and values are valued and respected.

When I asked Raquel, What do you hope this study will accomplish? After some reflection she shared that she wanted other communities to take notice of the accomplishments and mistakes made within the Rockford community in hopes of furthering school desegregation efforts on the national level. She felt that people have to take notice of how easily these atrocities can occur. Raquel also wanted to ensure that the current residents of Rockford (especially the educational community) do not forget the hard lessons of the past.

She felt that teachers need to know the impact of their words and actions on others. She exclaimed,

The truth needs to be told. I think it's a story that needs to be told. I hope people who read this will learn a lot about the way things were, and the injustice that the minority people endured.

Without oral histories, such as this one, people would be ignorant of the way things were, and they would be ignorant of the educational and social injustices that many people have endured. Educators need to be familiar with the many forms of educational oppression and its impact on both the oppressors and the oppressed, in order not to repeat it. For optimal impact, educators should be informed of the stories that have been told by people who have personally experienced them.

Recommendations for Further Research

As I ventured through this journey of investigating the educational experiences of the disenfranchised people of Rockford, Illinois, I had plans to do so much more than I was able to accomplish. My hope is that someone else will pick up where I left off, or that I will continue this study by collecting more data from a variety of sources. Before mentioning these recommendations for further research regarding this particular study, however, I would like to encourage people from other ethnic groups to investigate their own groups, especially disenfranchised groups that may not ever reveal their stories to anyone else who is not a member of their own group. I believe that much can be accomplished when researchers investigate their own ethnic groups because participants are more willing to trust their own than outsiders. I experienced this first hand during this study. As an outsider to the Rockford community, I did experience difficulty receiving the needed access to conduct this study. Without having an insider vouch for me and my intentions, it would have been near impossible to gain the needed access to the participants of this study.

This study could have gone in many different directions. I considered interviewing families from the dominant culture to compare and contrast educational experiences. I dismissed the idea, however, in lieu of the fact that I was really more interested in the educational experiences of the disenfranchised families during the desegregation movement. This might be an area, though, for someone who would like to make a point of distinguishing the similarities and differences of the two sets of experiences.

I also considered interviewing additional plaintiffs from the People Who Care case. I believe that this would have strengthened my study considerably. There also were many community members who would have been interested in sharing their personal stories. While I seriously considered including interviews of other people outside of the disenfranchised group, I finally decided against it because the focus of my study was the educational experiences of the People Who Care during the desegregation movement.

Future researchers may also want to investigate school and legal officials who were associated with the People Who Care Case during the desegregation movement. This would provide a more robust discussion surrounding multiple perceptions of the case.

I learned very valuable lessons from the participants of this study. First, I learned that we educators must make it a point to get to know our students and to respect their cultural and ethnic uniqueness. Our students of all ethnicities have something to contribute in our classrooms, and they want to contribute. In the end, everyone will benefit from a variety of perspectives and contributions.

Second, I learned that educators' words are very powerful. The words we say to our students are often remembered for years and years. They have the power to build up and to destroy. We must be careful with the words that we use. Sometimes we may say something that we believe is innocent, but our words may be misconstrued or misunderstood. Unfortunately, negative comments tend to haunt our students many years after they leave our

classrooms. Since we have the power to change the world through our students, we should not take this responsibility lightly. Rather, we should use the privilege that we have been given, that is, to be teachers, to make a difference in the lives of all of our students, and thus, in the world.

Third, I learned that educators must insist upon equality in the classroom for all students. Favoritism has no place in schools. All students deserve the right to an equal education, and we set the tone for equality in our own classrooms. We must ensure that we treat all students equally and that we truly value them equally as individuals.

Finally, I learned that school officials need to critically examine the impact of school policies and procedures. Problematic policies or misconstrued application of said policies can result in the “Otherizing” or marginalization of under-represented groups. Taking the time to examine the degree to which various ethnic groups are represented across the spectrum of academic programing as well as their representation within disciplinary data will assist with determining the impact of existing policies and procedures. My hope for this study is that educators who read its words will be the spark that will ignite the change that today’s classrooms and schools need.

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APPENDIX A

ROCKFORD PUBLIC SCHOOLS DESEGREGATION HISTORY HIGHLIGHTS

- **February 1989** – To reduce costs, the Rockford School Board votes 6-1 for “Together Toward a Brighter Tomorrow.” The plan would close 10 schools, including West High School, the city’s only naturally integrated school, and create a mega-elementary for 1,200 displaced students.
- **March 1989** - Group angered by school closings organizes to fight changes. It chooses the name People Who Care
- **April 1989** - People Who Care files complaints with the U.S. Department of Education and the Illinois State Board of Education. School leaders admit that some past reorganization efforts might have been not right, but the current plan is not discriminatory.
- **May 1989** - As the district prepares to close schools, Ed Wells, one of the People Who Care leaders, thinks its protests are being ignored and recruits civil rights attorney from Chicago. The attorney files a federal lawsuit which wins class-action status, which means it is filed on behalf of all Black and Hispanic students in the district.
- **July 1989** - Not wanting a trial but not admitting guilt, the School District and plaintiffs come to an agreement, approved by the court known as the First Interim Order. The district must reopen some west-side elementary schools, drop its plan for a mega-school, spend \$1.25 million on southwest-side schools and consider reopening West as a high school. To finance this agreement, the district plans to issue a tax levy.
- **November 1989** - Plaintiffs file a second complaint that minorities have been discriminated against for decades and the district has not carried out the First Interim Order. Superintendent Maurice Sullivan calls the move costly on several fronts, estimating that the lawsuit will cost the district and taxpayers \$1 million.

- **April 1991** - Another lawsuit says the district failed to live up to its end of the First Interim Order. This leads to a second agreement, which forces a district review of discipline and fairness procedures. It orders Marsh and River dahl schools reopened, Church School replaced by the magnet Lewis Lemon Global Studies Academy, and special academic programs and curriculum for at-risk children in elementary schools with high minority levels. The cost: \$51 million.
- **April to December 1991** - Rockford schools and People Who Care reach a second Interim agreement. Plan cost: \$22 million to \$60 million; includes rebuilding and reopening two west-side and two east-side schools, and puts \$2 million into schools where most children are minorities. Superintendent Maurice Sullivan says the district will need to increase school taxes 45 to 50 cents per \$100 assessed valuation to cover the cost. By June, attorney's fees surpass \$1.7 million.
- **April 1993 – February 1994** - On November 3rd, federal Magistrate Judge P. Michael Mahoney issues a 747-page opinion on Rockford schools, condemning the district for “consistently and massively” breaking the law by segregating minorities. The district does not appeal the finding of guilt. In 1994, U.S. District Court Judge Stanley J. Roszkowski found the district guilty of discrimination against Black and Hispanic children; the finding costs taxpayers more than \$250 million over 13 years.
- **Fall 1995 – March 1996** - Judge Mahoney issues the Comprehensive Remedial Order, which introduces controlled choice in the district. The CRO, paid for by the district's tort fund, calls for magnet schools, creative-arts curriculum and court oversight of building plans and boundary changes.
- **April 1997** - Appellate court strikes down key provisions of the remedy order, including a \$25 million cap on tort spending for desegregation

- remedies, the requirement that the district close the achievement gap between white and minority students, and quotas for minority faculty.
- **March 1999** - Appellate Judge Richard Posner of the 7th U.S. Circuit rejects an appeal by three School Board members that protest \$11 million to \$15 million in desegregation spending.
 - **February 2000** - In preparation for a hearing about returning control of Rockford schools to the district, desegregation master Eugene Eubanks files a report suggesting the end of court-ordered taxation by 2005. HE cautions, however, that court oversight could continue beyond that.
 - **August 2000** - Judge Mahoney rules that the district should remain under court supervision through the 2005-2006 school year. He blasts the School Board for “bad faith” actions, saying it “cannot be fully trusted” to give minority students a fair shake.
 - **November 2000** - School District lawyers appeal Mahoney’s decision, saying he should be ordered to give the district complete control within two years.
 - **April 2000** - The U.S. Court of Appeals rules that the district can have local control in 2002.
 - **June 2002** - The discrimination lawsuit ends when unitary status is granted to the district. In the end, the Rockford School District was ordered to spend upward of \$250 million to build schools in underserved areas, revamp curriculum, and submit to court oversight of building plans and boundary changes.

APPENDIX B

NATIONAL DESEGREGATION HIGHLIGHTS

► 1849

The Massachusetts Supreme Court rules that segregated schools are permissible under the state's constitution. (Roberts v. City of Boston) The U.S. Supreme Court will later use this case to support the "separate but equal" doctrine.

► 1857

With the Dred Scott decision, the Supreme Court upholds the denial of citizenship to African Americans and rules that descendants of slaves are "so far inferior that they had no rights which the white man was bound to respect."

► 1868

The Fourteenth Amendment is ratified, guaranteeing "equal protection under the law"; citizenship is extended to African Americans.

► 1890

Louisiana passes the first Jim Crow law requiring separate accommodations for Whites and Blacks.

► 1896

The Supreme Court authorizes segregation in Plessy v. Ferguson, finding Louisiana's "separate but equal" law constitutional. The ruling, built on notions of white supremacy and black inferiority, provides legal justification for Jim Crow laws in southern states.

► 1899

The Supreme Court allows a state to levy taxes on black and white citizens alike while providing a public school for white children only. (Cumming v. Richmond (Ga.) County Board of Education)

► 1908

The Supreme Court upholds a state's authority to require a private college

to operate on a segregated basis despite the wishes of the school. (Berea College v. Kentucky)

■ **1938**

The Supreme Court rules the practice of sending black students out of state for legal training when the state provides a law school for whites within its borders does not fulfill the state's "separate but equal" obligation. The Court orders Missouri's all-white law school to grant admission to an African American student. (Missouri ex rel. Gaines v. Canada)

■ **1954**

In a unanimous opinion, the Supreme Court in Brown v. Board of Education overturns Plessy and declares that separate schools are "inherently unequal." The Supreme Court rules that racial segregation in public schools violates the Fourteenth Amendment, which guarantees equal protection, and the Fifth Amendment, which guarantees due process. This landmark case overturned the "separate but equal" doctrine that underpinned legal segregation.

■ **1955**

In Brown II, the Supreme Court orders the lower federal courts to require desegregation "with all deliberate speed."

■ **1958**

The Supreme Court rules that fear of social unrest or violence, whether real or constructed by those wishing to oppose integration, does not excuse state governments from complying with Brown. (Cooper v. Aaron)

■ **1959**

Prince Edward County, Va., officials close their public schools rather than integrate them. White students attend private academies; black students do not head back to class until 1963, when the Ford Foundation funds

private black schools. The Supreme Court orders the county to reopen its schools on a desegregated basis in 1964.

■ **1961**

A federal district court orders the University of Georgia to admit African American students Hamilton Holmes and Charlayne Hunter. After a riot on campus, the two are suspended. A court later reinstates them.

■ **1962**

A federal appeals court orders the University of Mississippi to admit James Meredith, an African American student. Upon his arrival, a mob of more than 2,000 white people riots.

■ **1964**

The Civil Rights Act of 1964 is adopted. Title IV of the Act authorizes the federal government to file school desegregation cases. Title VI of the Act prohibits discrimination in programs and activities, including schools, receiving federal financial assistance.

■ **1968**

The Supreme Court orders states to dismantle segregated school systems "root and branch." The Court identifies five factors — facilities, staff, faculty, extracurricular activities and transportation — to be used to gauge a school system's compliance with the mandate of Brown. (Green v. County School Board of New Kent County)

■ **1969**

The Supreme Court declares the "all deliberate speed" standard is no longer constitutionally permissible and orders the immediate desegregation of Mississippi schools. (Alexander v. Holmes County Board of Education)

■ **1971**

The Court approves busing, magnet schools, compensatory education and other tools as appropriate remedies to overcome the role of residential

segregation in perpetuating racially segregated schools. (Swann v. Charlotte-Mecklenberg Board of Education)

■ **1972**

The Supreme Court refuses to allow public school systems to avoid desegregation by creating new, mostly or all-white "splinter districts." (Wright v. Council of the City of Emporia; United States v. Scotland Neck City Board of Education)

■ **1973**

The Supreme Court rules that states cannot provide textbooks to racially segregated private schools to avoid integration mandates. (Norwood v. Harrison)

- The Supreme Court finds that the Denver school board intentionally segregated Mexican American and black students from white students. (Keyes v. Denver School District No. 1) The Court distinguishes between state-mandated segregation (de jure) and segregation that is the result of private choices (de facto). The latter form of segregation, the Court rules, is not unconstitutional
- The Supreme Court rules that education is not a "fundamental right" and that the Constitution does not require equal education expenditures within a state. (San Antonio Independent School District v. Rodriguez) The ruling has the effect of locking minority and poor children who live in low-income areas into inferior schools.

■ **1974**

The Supreme Court blocks metropolitan-wide desegregation plans as a means to desegregate urban schools with high minority populations. (Milliken v. Bradley) As a result, Brown will not have a substantial impact on many racially isolated urban districts.

► **1978**

A fractured Supreme Court declares the affirmative action admissions program for the University of California Davis Medical School unconstitutional because it set aside a specific number of seats for black and Latino students. The Court rules that race can be a factor in university admissions, but it cannot be the deciding factor. (Regents of the University of California v. Bakke)

► **1986**

For the first time, a federal court finds that once a school district meets the Green factors, it can be released from its desegregation plan and returned to local control. (Riddick v. School Board of the City of Norfolk, Virginia)

► **1991**

Emphasizing that court orders are not intended "to operate in perpetuity," the Supreme Court makes it easier for formerly segregated school systems to fulfill their obligations under desegregation decrees. (Board of Education of Oklahoma City v. Dowell) After being released from a court order, the Oklahoma City school system abandons its desegregation efforts and returns to neighborhood schools.

► **1992**

The Supreme Court further speeds the end of desegregation cases, ruling that school systems can fulfill their obligations in an incremental fashion. (Freeman v. Pitts)

► **2001**

White parents in Charlotte, N.C., schools successfully seek an end to the desegregation process and a bar to the use of race in making student assignments.

► **2002**

A report from Harvard's Civil Rights Project concludes that America's schools are resegregating.

■ 2003

A federal district court case affirms the value of racial diversity and race-conscious student assignment plans in K-12 education. (Lynn v. Comfort)

- A study by Harvard's Civil Rights Project finds that schools were more segregated in 2000 than in 1970 when busing for desegregation began.